



STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
DIVISION of PARKS and RECREATION  
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January 10, 2012

The Honorable Andrew Renzullo, Chairman  
and the Resources, Recreation, and Development Committee  
NH Legislative Office Building, Room 305  
Concord, NH 03301

**RE: HB 1140 An act relative to the care of war memorials in Franconia Notch state park.**

Dear Chairman Renzullo and Members of the Committee,

Thank you for the opportunity to provide testimony on House Bill 1140 that would establish the standards of care for war memorials in Franconia Notch state park. The Department of Resources and Economic Development (DRED), Division of Parks and Recreation (Division) wishes to provide this Committee with the following information and request clarification on certain aspects of the bill.

Franconia Notch Forest Reservation and State Park was dedicated as a memorial to the men and women of New Hampshire who have served the nation in times of war, pursuant to Chapter 260, Laws of 1925. In the 2011 legislative session, HB 33 relative to the preservation and care of the Franconia Notch forest reservation and memorial park was introduced and amended by both houses, but was never signed off in conference committee. That bill included components we find in HB 1140, which the Division supports.

Specifically, we testified in support of and offered to place appropriate signage at the entrances to and within Franconia Notch state park pertaining to the veterans memorial, and we can collaborate with the Department of Transportation (DOT) for signage along the Parkway (subsection I, lines 6-8), however, that determination is up the DOT. The Division would work with interested veterans groups who may aid in enhancing and maintaining war memorial sites through the Division's Adopt-a-Park program (subsection I, lines 8-10). As a point of information, the Division does not currently charge fees to hike or bicycle the trails at Franconia Notch state park, nor to use the parking facilities there (subsection I, lines 10-12). Should fees be charged in the future, the provisions in this bill would be impact park revenues, but the extent is indeterminable. We do rent bicycles for use on the park's Recreational Trail, and note that this bill would enable us to continue to charge for such amenities (subsection II, lines 15-16).

There are certain aspects of HB 1140 that the Division seeks clarification. The bill states that "no activity or lease in the state park system shall result in any disturbance of a veterans' burial site, war memorial, or designated historic site, nor shall any lease provisions cause such sites or memorials to be restricted to the general public" (subsection II, lines 13-15). The Division seeks the intent and definition of the terms "activity," "disturbance," "restricted," and "historic site." The terms "activity" may be overbroad, and "disturbance" and "restricted" may be too far reaching. For example, the Division may engage in restoration or repair activities that temporarily disturb a memorial or site, but for the long-term benefit and stewardship of that site or historic resource. This could mean moving it. Additionally, the Division may enter into a lease with a municipality or Friends Group for the operation of a historic site, which, through seasonal periods of operations and operating hours, would restrict general public access to the site, as we do at the Franklin Pierce Homestead. Does the term "historic site" have a formal definition, such as reference to sites on a designated list, or does it mean any historic remnant on the landscape such as a stone wall. We are very concerned about the potential implications are of this language and would suggest removing the term "historic site" and leaving the intent of the bill specific to veteran's sites and war memorials.

Additionally, the bill exempts Franconia Notch state park to uphold the Division's ability to exercise its full supervisory and managerial responsibilities (lines 16-19), but is silent on the earlier reference to activities or leases occurring within the larger state park system (lines 13-15). This exemption should be for the entire park system.

There is much in HB 1140 that the Division could accommodate, but with further clarification as stated above. Thank you for considering this testimony.

Sincerely,



Philip A. Bryce  
Director

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C: George M. Bald, Commissioner