

Dept. of Environmental Services – 2012 Session Bills of Interest

January 13, 2012

Bill & LSR numbers ([bill #s are hyperlinked to text](#))
Sponsor Title

DES position
(& Contact) Comm. & Hrg. Date

HOUSE ACTION
Comm.'s Decision Floor Decision

SENATE ACTION
Comm. & Hrg. Date Comm.'s Decision Floor Decision

Chapt. #
Effective Date

2012 HOUSE BILLS									
Bill #	Description	DES position (& Contact)	Comm. & Hrg. Date	HOUSE ACTION Comm.'s Decision	Floor Decision	SENATE ACTION Comm. & Hrg. Date	SENATE ACTION Comm.'s Decision	Floor Decision	Chapt. # Effective Date
HB 1130 2035 Tilton	Relative to weighted voting by the Winnepesaukee River advisory board. - docket	No position Stewart McMillin	PW&H 1/19; 9:30						
HB 1144 2036 Tilton	Establishing a commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges. - docket	support Ohler/ Fitzgerald	W&M 1/19; 10:00 ES 1/31						
HB 1154 2393 Bowers	Establishing a committee to study the management structure of state government. - docket	Burack	ED&A 2/7						
HB 1182 2476 B.Murphy	Prohibiting the sale of baby food products containing bisphenol A in NH. - docket		C&CA 1/20						
HB 1210 2583 Rappaport	Applying the procedures of the eminent domain procedures act to cases of eminent domain concerning public utilities - docket		ST& E 1/20						
HB 1211 2622 Owen	Establishing a committee to study the promotion of lease of state-owned land for use for beginning farmers. - docket	Track Gallagher	E&A 1/17; 10:00						
HB 1214 2731 Campbell	Banning corn-based ethanol as an additive to gasoline sold in NH. docket	Fitzgerald	ST&E 1/19; 8:30						
HB 1218 2032 Itse	Relative to state authority to accept federal aid. - docket	Burack Stewart	ED&A 2/2						
HB 1222 2122 D.McGuire	Relative to protected shoreland permitting fees. - docket	Oppose Pelletier Burack	W&M 1/24 ES 1/31						
HB 1226-FN 2214 Abram	Directing DES administrative fine revenue to a special fund for environmental enforcement. - docket	Oppose Burack	W&M 1/24 ES 1/31						
HB 1230-FN 2306 Graham	Requiring a listing of state real property. - docket		PW&H 2/7 ES 2/7						

* requested bills. priority legislation

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HB 1233 2371 Merrow	Establishing a statute of limitations on wetlands filling and dredging. – docket	Support Stewart Pelletier	RR&D 1/17; 10:45		
HB 1234 2419 Giuda	Establishing a DES oversight and grievance committee. – docket	Oppose Burack	E&A 1/10; 2:15		
HB 1235 2436 Cohn	Establishing a committee to study and propose a recodification of certain environment-related statutes. – docket	Support Burack	E&A 1/20		
HB 1238 2534 Holden	Relative to divestiture of PSNH generation assets. - docket	Track Scott	ST&E 2/2		
HB 1239 2539 Ladd	Requiring the site evaluation committee to consider economic impact prior to issuing a certificate for an energy facility. – docket	Burack/Scott	ST&E 2/7		
HB 1248-FN 2003 Peterson	Relative to emergency management compacts. – docket	Wimsatt	ED&A 2/21		
HB 1293 2507 Sheffert	Establishing a rest area gas station and retail opportunities commission. – docket	Track Ohler	Transp. 2/7		
HB 1296 2533 Introne	Relative to net energy metering. – docket	Track Ohler	ST&E 1/20		
HB 1314 2673 Foose	Establishing a committee to study the maintenance of water and sewer infrastructure. – docket	Neutral Stewart Pelletier	PW&H 1/17;1:45		
HB 1327 2033 Itse	Relative to official oppression. – docket	Burack Hamel	CJ&PS 2/16		
HB 1338 2069 Mirski	Relative to failure to renew a professional or occupational license. – docket	Burack	ED&A 1/19		
HB 1346 2106 Baroody	Relative to the construction of power line extensions. – docket	Fitzgerald	ST&E 2/7		
HB 1356 2161 L.Ober	Classifying certain land in Litchfield as land to be retained by the state. - docket	Track Wimsatt	RR&D 1/17; 10:00		

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HB 1361 2189 Pepino	Prohibiting generic fiscal notes on bills. – docket		Const. Review 1/31; 10:00						
HB 1367 2267 Manuse	Relative to the issuance of administrative inspection warrants. – docket		M&CG						
HB 1373 2305 Umberger	Relative to the definition of first-in, first-out as it applies to wastewater or public water supply projects. – docket	Neutral Heitzler/ Pillsbury	RR&D 1/17; 1:30						
HB 1380 2369 Merrow	Relative to the development of wetland mitigation banks. – docket	Support Pelletier	RR&D 1/17; 2:15						
HB 1401 2636 S.Smith	Relative to site evaluations and certificates for energy facilities. – docket	Burack/Scott	ST&E 2/7						
HB 1415 2770 Warden	Relative to exceptions for proposed sewage waste disposal systems. – docket	Oppose Pelletier	RR&D 1/10 ES 1/31						
HB 1416 2005 Cartwright	Relative to the introduction of substances into the NH public water supply. – docket	Concerns Pillsbury	RR&D 1/10 ES 1/31						
HB 1428 2168 Kurk	Relative to PUC orders concerning renewable portfolio standards. – docket	Scott Fitzgerald	ST&E 2/9						
HB 1435 2200 Renzullo	Establishing a committee to oversee the DES. – docket	Oppose Burack	E&A 1/10; 2:00						
HB 1448 2270 Manuse	Requiring public access to any document and Internet content which is incorporated by reference in administrative rules. – docket	Hamel	ED&A 2/2						
HB 1449 2276 Gionet	Requiring a search warrant for searches of privately-owned property. – docket	Track only	CJ&PS 1/10; 1:30						
HB 1475 2425 Mirski	Relative to enforcement of interstate compacts. – docket		Const. Review 1/31; 11:00						
HB 1476 2426 Mirski	Prohibiting the enforcement of out-of-state laws, rules, codes, and fees not approved by the NH legislature. – docket	Hamel	ED&A 1/24						

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HB 1477 2428 Ohm	Relative to the definition of spent materials. – docket Wimsatt	ST&E 1/24						
HB 1481 2574 Schroadter	Relative to effluent limitations with regard to nitrogen. – docket Diers Stewart	E&A 1/10;1:00						
HB 1487 2796 Holden	Relative to prior legislative approval for the expenditure of funds for low carbon fuel standards programs. – docket Track Scott	ST&E 1/19; 9:30						
HB 1489-FN 2105 C.Christensen	Repealing the decrease of the fuel oil importation fee. – docket Support* Wimsatt	ST&E 1/31 ES 1/31						
HB 1490-FN 2017 Bergevin	Repealing NH's RGGI cap and trade program for controlling co2 emissions. – docket Oppose Scott	ST&E 2/14						
HB 1501-FN 2575 Schroadter	Establishing a fund to upgrade wastewater treatment plants. – docket Support Diers/Heirtzler Stewart	RR&D 1/25 ES 1/31						
HB 1512-FN 2667 Hoelzel	Relative to the authority of conservation commissions. – docket WITHDRAWN Track Pillsbury	M&CG						
HB 1515-FN 2008 Hansen	Relative to the assessment of the land use change tax and the use of land use change tax revenues. - docket Track Russell	M&CG 1/17						
HB 1525-FN 2646 Giuda	Repealing the wetlands and shorelands review fund. - docket Oppose Stewart Pelletier	RR&D 1/25 ES 1/31						
HB 1540-FN 2240 Cartwright	Relative to conservation easements on public land. – docket RR&D 1/24 ES1/31							
HB 1541 2292 Malone	Repealing the authority of officials to enter and examine the premises of an automotive recycling dealer. – docket Hoyt-Denison	CR&SR 1/19						
HB 1545 2413 Mirski	Relative to control of land received or acquired by a conservation commission. – docket Drew	M&CG						
HB 1561-FN 2661 Kingsbury	Discontinuing regional planning commissions. – docket M&CG							

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HB 1563 2710 Tucker	Relative to Greenland's water rights. - docket	Pillsbury	M&CG						
HB 1585-FN 2408 D.McGuire	Relative to inspections of trucks and buses. - docket	Fitzgerald	Transp. 2/14						
HB 1586 2414 Mirski	Relative to the acquisition of land for conservation purposes. - docket		M&CG						
HB 1594 2458 Bowers	Abolishing assessment of damages in tort actions by joint and several liability - docket	Hamel	Judiciary						
HB 1598 2541 Vaillancourt	Relative to the definition of "meeting" under the right-to-know law. - docket	Hamel/Demas	Judiciary						
HB 1614 2422 Mirski	Establishing a committee to study the public health implications involved with the imposition of the energy provisions of the state building code. - docket		HHS&EA 1/31; 11:30						
HB 1634 2669 Cartwright	Prohibiting the state, counties, towns and cities from implementing programs of, expending money for, receiving funding from, or contracting with the International Council for Local Environmental Initiatives. - docket		ED&A 2/21						
HB 1636 2696 Moran	Relative to the extension of fill and dredge in wetlands permits. - docket	Pelletier	RR&D 1/24 ES 1/31						
HB 1661-FN 2211 Mirski	Repealing the DOL's compensation safety program inspection duties and the workers' comp safety inspection fund and adopting a federal provision which allows a small business to self-certify its spill prevention countermeasure and control plan for ASTs. - docket	Wimsatt	LI&RS						
HB 1669-FN 2275 Sova	Requiring the deposit of dedicated fund revenues into the general fund for the 2014 and 2015 fiscal years and requiring non-constitutionally established dedicated funds to be eliminated on June 30, 2015 unless reinstated by the legislature. - docket	Oppose Burack/Carlson	Finance 1/26						
	2012 SENATE BILLS								

SB #	Title	DES position (& Contact)	Comm. & Hrg. Date	HOUSE ACTION Comm.'s Decision	Floor Decision	SENATE ACTION Comm. & Hrg. Date	SENATE ACTION Comm.'s Decision	Floor Decision	Chapt. #	Effective Date
SB 213-FN 2822 De Blois	Relative to the authority of state agencies to assess fines and penalties. - docket	Wimsatt				ED&A 1/19				
SB 218-FN 2842 Bradley	Relative to electric renewable portfolio standards. - docket	Scott				E&NR				
SB 224 2848 Odell	Relative to lead fishing sinkers and jigs. - docket	Diers				E&NR 1/19				
SB 231 2878 Bradley	Establishing a committee to study charges by municipal water and sewer departments. - docket	Track Stewart				P&MA 1/17; 9:20				
SB 241 2904 Odell	Relative to expiration and extension of terrain alteration permits. - docket	Support Pelletier				E&NR 1/12				
SB 250 2935 Gallus	Relative to operation of ATVs and trail bikes on state lands. - docket	Track Pelletier				E&NR 1/12; 9:30				
SB 252 2937 Merrill	Increasing the maximum term for energy performance contracts. - docket	Track Ohler				E&NR				
SB 258 2950 Kelly	Authorizing group net metering for limited electrical energy producers. - docket					E&NR				
SB 263 2982 Gallus	Relative to certified compliant products certified as such by the DES. - docket					E&NR				
SB 265 2992 Merrill	Relative to the definition of stormwater. - docket					E&NR 1/19				
SB 266-FN 2999 Forsythe	Prohibiting electric utilities from installing and maintaining smart meter gateway devices without the residential or business property owner's consent. - docket					E&NR				
SB 294-FN 2870 Sanborn	Relative to dedicated funds administered by the dept. of labor, dept. of environmental services, banking dept., and secretary of state. - docket	Burack/Carlson				Finance				
SB 314-FN 2971 Morse	Relative to state-owned vehicle fleet management. - docket					Finance 1/19				

SB 326-FN 3018 Sanborn	Relative to state reimbursement of towns for upkeep of dams under the Merrimack River Flood Control Compact and the Conn. River Flood Control Compact. - docket					Finance 1/19			
SB 337-FN 2823 De Blois	Relative to property held for water supply or flood control. - docket	No position Pillsbury				W&M 1/10; 17			
SB 340 2832 Forrester	Relative to locations for junkyards. - docket	Hoyt-Denison				P&MA			
SB 344 2867 Sanborn	Allowing DRED to cut vegetation in shoreland areas where public safety is of concern. - docket	Pelletier				E&NR			
SB 353 2910 Prescott	Relative to establishing water and sewer infrastructure in the commercial district of a town. - docket					P&MA			
SB 361 2947 Forrester	Establishing an interagency task force on energy infrastructure corridors.- docket	Scott				Transp.			
SB 276 2873 Stiles	Establishing a criminal offense for vandalizing or defacing state, municipal, or commercial property. - docket	Hamel				Judiciary 1/12/1:45			
SJR 1 2840 Bradley	Requesting the governor to enter into an anti-ethanol compact with other northeastern states. - docket	Scott				E&NR			

RETAINED AND RE-REFERRED BILLS FROM 2011									
HB 127 0098 Baldasaro	Relative to the definition of oral communication.	Hamel	CJ&PS 1/20 SC & ES 3/9	OTPA 10/25/11	Passed w/am 1/4/12 11-2702h				
HB 145 0068 Baldasaro	Permitting the audio and video recording of a public official while in the course of his or her duties. [2 nd new title]	Hamel	CJ&PS 1/25 SC & ES 3/9	OTPA 3/10/11	Passed w/am 3/15/11	Judiciary 5/26	Rereferred	Rereferred 6/1/11	
HB 222-FN 0354 Lambert	Relative to administrative rules which contain a fee increase, allowing political subdivisions to object to a proposed rule, and eliminating certain statutory provisions granting general rulemaking authority.	Oppose Hamel	ED&A 2/1 ES 3/2	OTPA 11/1/11	Passed w/am 1/4/12 11-2809h				
HB 256-FN 0713 Sorg	Relative to the administrative appeals process of the DES and establishing a committee to study the appeals process of DES. [new title]	Oppose Hamel	RR&D 2/3 ES 2/8	OTPA 11/2/11 11-2811h	Passed w/am 1/4/12 11-2811h				
HB 269-FN 0586 Bowers	relative to the authority of departments to transfer funds among budget accounting units. [new title]	Carlson Perelli	Finance 2/10 ES 3/1	OTPA 10/26/11	Passed w/am 1/5/12 11-2714h				
HB 311-FN 0743 Holden	Relative to solar renewable energy.	Recomm: defer action Scott	ST&E 3/1 WS 4/26	Interim Study 11/2/11					
HB 324 0848 Ingretson	Relative to lawful commerce in goods and services sold, made, and retained in the state of NH.	Wimsatt	C&CA 2/8 ES 3/9	Interim Study 10/17/11	Removed from consent cal. 1/4/12				
HB 334 0031 Cunningham	relative to the state's authority to prohibit or regulate firearms, firearms components, ammunition, firearms supplies, and knives. [new title]		CJ&PS 2/24 ES 3/9	OTPA-maj. OTP-min. 10/25/11	Passed w/am 1/4/12 11-2563h				
HB 350-FN 0148 Foose	Updating laws relative to the fiscal committee of the general court.	Carlson	Leg. Admin. 2/8 ED&A - 3/9	OTPA 10/21/11	Passed w/am 1/4/12 11-2710h				
HB 418-FN 0741 Cohn	Relative to the use of open source software and open data formats by state agencies and relative to the adoption of a statewide information policy regarding open government data standards. [new title]	Track only	ED&A 2/10 ES 3/9	OTPA 3/10/11	Passed w/am 3/15/11	ED&A 4/21	Rerefer 4/28/11	Rereferred 5/4/11	
HB 439-FN 0060 Drisko	Relative to claiming an invasive species as a habitat.	Connors	RR&D 2/10 ES 3/1	OTP 3/3/11	Passed 3/15/11	E&NR 3/31	Rerefer 3/31/11	Rereferred 4/13/11	

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HB 445-FN 0135 Kurk	Relative to the regulation of electronic tracking devices. Hamel	C&CA 3/1 ES 3/3	Interim Study 11/2/11	Removed from consent cal. 1/4/12				
HB 449-FN 0171 Weyler	Expanding the information available on the state transparency website. Carlson	ED&A 3/1 ES 3/2	OTPA 10/21/11	Passed w/am 1/4/12 11-2580h				
HB 458-FN 0338 Mirski	Establishing a sunset review process for executive agency and judicial programs and making an appropriation therefore. Hamel	ED&A 2/17 ES 3/2	OTPA 11/1/11	Passed w/am 1/4/12 11-2765h				
HB 508-FN 0901 Moran	Establishing a performance measurement system for state agencies. Walls	ED&A 3/3 ES 3/9	OTPA 3/10/11	Passed w/am 3/15/11	ED&A 4/7 Finance	OTP 4/28/11 Rereferred 5/19/11	Passed 5/4/11 Rereferred 5/25/11	
HB 514 0336 Weyler	Relative to entry on private land. Hamel Stewart	Judiciary 2/8 ES 3/1	OTPA 11/2/11 11-2638h					
HB 520-FN 0479 Kurk	Requiring certain bills to have performance standard notes. Carlson	Leg. Admin. 2/22 ES 3/1	OTP 3/1/11	Passed 3/15/11	Finance 5/5	Rereferred 5/19	Rereferred 5/25/11	
HB 543-FN 0834 Rappaport	Relative to biomass combined heat and electricity facilities. Hamel	ST&E 3/1 WS 4/26	Interim Study 11/2/11					
HB 574 0400 Notter	Relative to the taking of private property during a state of emergency. Hamel	Judiciary 2/8 ES 3/1	OTP 11/2/11	Removed from consent cal. 1/4/12				
HB 582 0499 Burt	Relative to communication between employers and employees during bargaining negotiations. Hamel	LI&RS 2/22 ES 3/1	OTPA 10/21/11 11-2761h					
HB 618-FN 0168 Cebrowski	Requiring state agencies to submit an efficiency level expenditure estimate to the commissioner of admin. services as part of the biennial budget process. Carlson Perelli	Finance 2/10, 2/24 ES 3/1	OTPA 10/26/11	Passed w/am 1/5/12 11-2738h				
HB 624 0591 Giuda	relative to the rulemaking authority of state agencies to establish fees and costs and establishing a committee to study the rulemaking authority of state agencies to establish fees. [new title] Oppose Hamel	ED&A 2/24 ES 3/2	OTPA 11/1/11	Passed w/am 1/4/12 11-2775h				
HB 645 0223 Hess	Eliminating various taxes and fees and tax and fee increases enacted in fiscal years 2007 through 2010. Oppose	W&M 2/17 ES 2/24	Interim Study 11/2/11					

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HB 646-FN 0597 Newton	Eliminating various taxes and fees and tax and fee increases enacted in fiscal years 2006 through 2010.	Oppose	W&M 2/17 ES 2/24	Interim Study 11/2/11	
HB 649 1073 Ladd	Relative to the Northern Pass Project to construct and operate transmission lines from the Canadian border to a proposed terminal in Franklin, NH.	Scott	ST&E 3/9 ES 3/10	Interim Study 10/27/11	
CACR 5 0947 Morse	Relating to the governor's power to reduce appropriations.		W&M 4/12 ES 4/26	OTP-maj. ITL-min. 4/26/11	Tabled 5/4/11
CACR 6 0289 Ulery	Relating to taxation. Providing that a 3/5 vote is required to pass legislation imposing new or increased taxes or license, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principle of all state bonds. [2 nd new title]		W&M 2/24 ES 3/9	OTPA-maj. ITL-min. 3/9/11	Passed w/am 3/30/11
SB 4 0524 Bradley	Requiring legislative approval of cost items for state employee contract negotiations.				ED&A 3/17
SB 19 0955 Odell	Relative to the definition of "prime wetlands."	No position Pelletier	RR&D 2/17 SC 5/17	OTPA 11/2/11	Passed w/am 1/4/12 11-2590h
SB 84-FN 0933 Groen	Relative to state regulation of the septic system installation process.	Opposes Tardif			E&NR 2/24
SB 142-FN 1067 Odell	Relative to reorganizing the permitting process within the DES.	Support as am. Pelletier			E&NR 3/10