

CHAPTER 346
HB 2023-FN-A - FINAL VERSION

2022 SESSION

22-3136
10/07

HOUSE BILL

2023 -FN-A

AN ACT making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

SPONSORS: Rep. Steven Smith, Sull. 11

COMMITTEE: [committee]

ANALYSIS

This bill establishes a state emergency fuel assistance program and a supplemental electric benefit to be administered by the department of energy for the fiscal year ending June 30, 2023, and makes appropriations to the department of energy to fund the programs. The bill also makes an appropriation to the department for the electric low-income program fund.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 346:1 Legislative Findings and Purpose. The general court finds that:

2 I. Heating costs in the state of New Hampshire are predicted to rise to unprecedented and
3 potentially catastrophic levels during the 2022-2023 winter season and electric costs have approximately
4 doubled for many Granite Staters.

5 II. In addition to these fuel and electric costs, Granite Staters are also facing price inflation on
6 everyday items and high gasoline prices, which affect household budgets. There are programs in New
7 Hampshire delivering monetary aid to households having up to 60 percent of the median income in New
8 Hampshire, and it is reasonable to assume that inflation will extend the potential need for aid to
9 households with income above that limit.

10 III. Price inflation is largely driven by federal policies, federal spending, the Federal Reserve, and
11 worldwide events over which we have no control. Inflation reduces spending power. Due to reduced
12 spending power, households with New Hampshire residents who earn between 60 percent and 75 percent
13 of the state median income may also need relief.

14 IV. The fiscally responsible leadership of the 2021-2022 general court has created a favorable
15 economic environment that has helped businesses outperform initial estimates thereby creating a budget
16 surplus. This budget surplus can be used to supplement electric and home heating expenses for
17 households within the 60 percent to 75 percent median income bracket without raising the future tax
18 burden of the state.

19 V. It is prudent to enact a one-time relief package for these extraordinary circumstances and not
20 a permanent program. Relief payments will not be paid to applicants, but rather directly to their utility
21 companies.

22 VI. Providing direct aid via these surplus funds may reduce the burden on local municipalities'
23 welfare programs thereby offsetting a potential increased tax burden that would otherwise be passed
24 along to property owners at the local level.

25 346:2 Department of Energy; State Emergency Fuel Assistance Program; Supplemental Electric
26 Assistance Program; Appropriation; Report.

27 I.(a) The department of energy, division of policy and programs, shall administer a state
28 emergency fuel assistance program for the fiscal year ending June 30, 2023. To the extent of funds
29 specifically appropriated for the program, the program shall provide assistance in the amount of \$450. To
30 be eligible, a household shall have an annual income greater than 60 percent of the state median income
31 to at or below 75 percent of the state median income. The program shall provide assistance with regard

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1 to the same fuels and shall be administered in the same manner as LIHEAP is managed in New
2 Hampshire on the effective date of this act. Applications for this program shall be accepted through April
3 30, 2023.

4 (b) The sum of \$25,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated
5 to the department of energy for the purpose of implementing the state emergency fuel assistance program
6 under subparagraph (a), including administrative and advertising costs related to this program. These
7 funds shall be accounted for separately from federal LIHEAP funds and other funds held by the
8 department of energy. The governor is authorized to draw a warrant for said sum out of any money in the
9 treasury not otherwise appropriated. Any unexpended funds remaining on June 30, 2023 shall be lapsed
10 to the general fund.

11 II.(a) The department of energy, division of policy and programs, shall administer a program to
12 provide a supplemental electric benefit for the fiscal year ending June 30, 2023. To the extent of funds
13 specifically appropriated for the program, the program shall provide a household single credit in the
14 amount of \$200. To be eligible, a household shall have an annual income greater than 60 percent of the
15 state median income to at or below 75 percent of the state median income and have an electric account in
16 their name with any electric distribution utility providing service in the state, including municipal electric
17 distribution utilities. Applications for this program shall be taken in conjunction with the emergency fuel
18 assistance program.

19 (b) There is hereby appropriated the sum of \$ 10,000,000 for fiscal year ending June 30,
20 2023, to the commissioner of the department of energy for the purpose of administering a supplemental
21 electric benefit for the fiscal year ending June 30, 2023, including administrative and advertising costs
22 related to this program. These funds shall be accounted for separately from all other funds held by the
23 department of energy. The governor is authorized to draw a warrant for said sum out of any money in the
24 treasury not otherwise appropriated. Any sum not expended by the department of energy by June 30,
25 2023, shall lapse to the general fund.

26 III. The administration of the state emergency fuel assistance program in paragraph I and the
27 supplemental electric benefit in paragraph II by the department of energy shall be exempt from the
28 provisions of RSA 541-A.

29 IV. On or before 60 days after the close of the fiscal year ending June 30, 2023, the department
30 shall report to the fiscal committee of the general court and governor and executive council, the amount of
31 moneys paid under this act for the fiscal year ending June 30, 2023.

32 346:3 Electric Low-Income Program Fund. Amend RSA 374-F:4, VIII(c) to read as follows:

33 (c) The portion of the system benefits charge due to programs for low-income customers
34 shall not exceed 1.5 mills per kilowatt hour. If the commission determines that the low-income program
35 fund has accumulated an excess of \$1,000,000 and that the excess is not likely to be substantially
36 reduced over the next 12 months, it shall suspend collection of some or all of this portion of the system
37 benefits charge for a period of time it deems reasonable. *The commission shall take no action to*
38 *determine the accumulation of any excess in the low-income program fund or otherwise suspend the*

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1 *collection of some or all of the system benefits charge related to the low-income program fund before*
2 *June 30, 2024.*

3 346:4 Appropriation; Electric Low-Income Program Fund. There is hereby appropriated the sum of
4 \$7,000,000 to the department of energy, which shall be continually appropriated to the department and
5 shall be nonlapsing, to supplement the dedicated fund described in RSA 6:12, I(b)(71), which, like other
6 moneys in that fund, shall be maintained pursuant to the provisions of RSA 6:12-b and managed in
7 accordance with the electric assistance program benefit levels and procedures established by the public
8 utilities commission. The governor is authorized to draw a warrant for said sum out of any money in the
9 treasury not otherwise appropriated.

10 346:5 Effective Date. This act shall take effect upon its passage.

Approved: September 15, 2022
Effective Date: September 15, 2022

