

CHAPTER 241
HB 588 – FINAL VERSION

05/23/13 1520s
05/23/13 1848s
5June2013... 2038EBA

2013 SESSION

13-0617
06/10

HOUSE BILL **588**

AN ACT extending the instream flow pilot program for 2 years and establishing a commission to study opportunities and options to improve the sustainability of the fish and game department.

SPONSORS: Rep. Spang, Straf 6; Rep. Beaulieu, Hills 45; Rep. M. Smith, Straf 6; Rep. Ginsburg, Straf 6; Sen. Watters, Dist 4; Sen. Reagan, Dist 17

COMMITTEE: Resources, Recreation and Development

AMENDED ANALYSIS

This bill:

- I. Extends the date for completion of the instream flow pilot program for 2 years.
- II. Extends the committee to study the impact of water withdrawals on instream flows.
- III. Extends the commission to study water infrastructure sustainability funding for one year.
- IV. Establishes a commission to study opportunities and options to improve the sustainability of the fish and game department.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT extending the instream flow pilot program for 2 years and establishing a commission to study opportunities and options to improve the sustainability of the fish and game department.

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

1 241:1 Instream Flow Pilot Program; Extension. Amend 2009, 201:20, III(a) as amended by
2 2011, 34:1 to read as follows:

3 (a) By September 1, [~~2011~~] **2013**, adopt and implement the protected instream flows and
4 water management plans relative to the Lamprey River and the Souhegan River.

5 241:2 Instream Flow Pilot Program; Extension. Amend 2009, 201:20, III(c) as amended by 2011,
6 34:2 to read as follows:

7 (c) By December 1, [~~2013~~] **2015**, submit a final report that details the activities and
8 results of the pilot program, including the impacts of the protected instream flows and water
9 management plans on water users, wildlife, recreation, and other interests along the rivers, a plan
10 for implementing protected instream flows and water management plans for other rivers designated
11 under RSA 483:15, and any recommendations for proposed legislation. The report shall also include
12 a summary of public comments received, the completed instream flow studies, and the adopted
13 protected instream flow levels and water management plans and shall be submitted to the senate
14 energy, environment and economic development committee, the house resources, recreation and
15 development committee, the senate president, the speaker of the house of representatives, the
16 governor, the committee to study the impact of water withdrawals on instream flows established
17 under 2000, 242:1, and the state library.

18 241:3 Instream Flow Pilot Program; Extension. Amend 2000, 242:5, as amended by 2001, 138:6,
19 as amended by 2002, 278:6, as amended by 2003, 319:50, as amended by 2009, 201:21, as amended
20 by 2011, 34:3 to read as follows:

21 242:5 Report. The committee shall report its findings and any recommendations for proposed
22 legislation to the senate president, the speaker of the house of representatives, the senate clerk, the
23 house clerk, the governor, and the state library on or before December 15, [~~2013~~] **2015**.

24 241:4 Instream Flow Pilot Program; Reporting Date Extended. Amend 2002, 278:2, III as
25 amended by 2003, 319:48, as amended by 2008, 5:2, as amended by 2009, 201:19, as amended by
26 2011, 34:4 to read as follows:

CHAPTER 241
HB 588 – FINAL VERSION
- Page 2 -

1 III. The commissioner of the department of environmental services shall initiate and adopt
2 rules pursuant to RSA 541-A for other rivers designated under RSA 483:15 only after the adoption
3 and implementation of the rules relative to protected instream flows pursuant to RSA 483:9-c for the
4 Lamprey and Souhegan rivers and completion of the hearings and reports required under section 3,
5 III(b) and (c) of this act, but not before December 1, ~~2013~~ **2015**.

6 241:5 Committee to Study the Impact of Water Withdrawals on Instream Flows; Report Date
7 Extended. Amend 2000, 245:5 as amended by 2001, 138:6, 2002, 278:6, 2003, 319:50, 2008, 5.4, and
8 2009, 201:21 to read as follows:

9 242:5 Report. The committee shall report its findings and any recommendations for proposed
10 legislation to the senate president, the speaker of the house of representatives, the senate clerk, the
11 house clerk, the governor, and the state library on or before December 15, ~~2012~~ **2015**.

12 241:6 Commission to Study Water Infrastructure Sustainability Funding. Amend 2009, 245:5,
13 as amended by 2010, 21:1; 2011, 144:1; and 2012, 148:2 to read as follows:

14 245:5 Report. The commission shall make an interim report on or before November 1, 2009, and
15 another on November 1, 2010, with a final report of its findings and any recommendations for
16 proposed legislation to the president of the senate, the speaker of the house of representatives, the
17 senate clerk, the house clerk, the governor, and the state library on or before November 1, **2013**.

18 241:7 New Section; Commission to Study Opportunities and Options to Improve the
19 Sustainability of the Fish and Game Department. Amend RSA 206 by inserting after section 1 the
20 following new section:

21 206:1-a Commission to Study Opportunities and Options to Improve the Sustainability of the
22 Fish and Game Department.

23 I. There is established a commission to study opportunities and options to improve the
24 sustainability of the fish and game department.

25 II.(a) The members of the commission shall be as follows:

26 (1) Two members of the house of representatives, appointed by the speaker of the
27 house of representatives.

28 (2) Two members of the senate, appointed by the president of the senate.

29 (3) The director of the fish and game department, or designee.

30 (4) The chairman of the fish and game commission, or designee.

31 (5) Three public members appointed by the governor.

32 (b) Legislative members of the commission shall receive mileage at the legislative rate
33 when attending to the duties of the commission.

34 III. The commission shall study options and opportunities for ensuring the financial stability
35 and sustainability of the fish and game department. The commission may solicit information and
36 testimony from those with experience or expertise relevant to the study.

CHAPTER 241
HB 588 – FINAL VERSION
- Page 3 -

1 IV. The members of the commission shall elect a chairperson from among the members. The
2 first meeting of the commission shall be called by the first-named house member. The first meeting
3 of the commission shall be held within 45 days of the effective date of this section. Three members of
4 the commission shall constitute a quorum.

5 V. The commission shall report its findings and any recommendations for proposed
6 legislation to the speaker of the house of representatives, the president of the senate, the house
7 clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

8 241:8 Repeal. RSA 206:1-a, relative to the commission to study opportunities to improve the
9 sustainability of the fish and game department, is repealed.

10 241:9 Effective Date.

11 I. Section 8 of this act shall take effect November 1, 2013.

12 II. The remainder of this act shall take effect upon its passage.

13 Approved: July 19, 2013

14 Effective Date: I. Section 8 shall take effect November 1, 2013

15 II. Remainder shall take effect July 19, 2013