

CHAPTER 91
SB 64 – FINAL VERSION

02/14/13 0253s

2013 SESSION

13-0919
06/01

SENATE BILL **64**

AN ACT relative to public informational meetings on dams.

SPONSORS: Sen. Woodburn, Dist 1

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill changes the public notification requirements for the breaching of a dam or lowering of a water body.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to public informational meetings on dams.

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

1 91:1 Erection and Inspection of Dams. Amend RSA 482:13 to read as follows:

2 482:13 Public Informational Meeting Required.

3 I. No owner shall breach any dam, lower any water body for the repair of any dam, or cause
4 any significant lowering of the water level in a pond or lake without first notifying the local
5 governing body in the cities or towns where said dam or water body is located **and the department**
6 at least 30 days prior to any action specified above. The provisions of this section shall not apply to
7 dams impounding bodies of water less than 10 acres or to the normal scheduled lowering of water
8 levels each fall, the normal lowering of a water body by the exercise of water rights, the lowering of
9 water levels by the department of environmental services to protect instream flows under
10 RSA 483:9-c, or the lowering of water levels in any emergency situation.

11 II. The [~~local governing body of each of the cities or towns~~] **dam owner, in cooperation**
12 **with the local governing body of each of the cities or towns**, shall hold a public informational
13 meeting [~~within~~] **at least** 15 days [~~of receipt of the notice from the dam owner~~] **prior to any action**
14 **under paragraph I.** The [~~local governing body~~] **dam owner** shall publish a notice of the public
15 informational meeting in a newspaper of general circulation in the county in which the action shall
16 occur at least 7 days before the time set for said meeting. The public notice and informational
17 meeting required by this section shall be in addition to and not in place of other provisions of law
18 pertaining to dams.

19 91:2 Effective Date. This act shall take effect 60 days after its passage.

20 Approved: June 20, 2013

21 Effective Date: August 19, 2013