

HB 534-FN-A - AS AMENDED BY THE SENATE

05/18/2023 1900s

2023 SESSION

23-0794

02/10

HOUSE BILL

***534-FN-A***

AN ACT relative to water assistance for natural disasters.

SPONSORS: Rep. B. Boyd, Hills. 12; Rep. Petrigno, Hills. 43; Rep. L. Gould, Hills. 2; Rep. Hakken-Phillips, Graf. 12; Sen. Rosenwald, Dist 13

COMMITTEE: Resources, Recreation and Development

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ANALYSIS

This bill creates a water assistance fund to be used to repair and replace drinking water treatment sources damaged by natural disasters. The bill also makes an appropriation to the fund.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT relative to water assistance for natural disasters.

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

1 1 New Chapter; Water Assistance for Natural Disasters. Amend RSA by inserting after chapter  
2 485-I the following new chapter:

## CHAPTER 485-J

## WATER ASSISTANCE FOR NATURAL DISASTERS

5 485-J:1 Purpose Statement. The general court recognizes that natural disasters, such as floods,  
6 fires, drought, and other acts of god, can have widespread impacts on drinking water and  
7 groundwater. As such, programs to ensure the continued availability of safe drinking water for all  
8 New Hampshire citizens are critical to future prosperity. Therefore, to the extent practicable and  
9 consistent with the provisions of this chapter, when disasters strike, sources of safe drinking water  
10 shall be made available as quickly as possible. In meeting this goal, the general court recognizes  
11 that low-income individuals are disproportionately impacted by natural disasters and their ability to  
12 replace drinking water sources is often minimal. The general court hereby declares that the purpose  
13 of RSA 485-J is to provide for the replacement, repair and treatment of private drinking water  
14 sources when needed to protect human health during and after the occurrence of natural disasters.

15 485-J:2 Definitions. In this chapter:

16 I. "Department" means the department of environmental services.

17 II. "Fund" means the water assistance for natural disasters fund established by this chapter.

18 485-J:3 Water Assistance for Natural Disasters Fund.

19 I. There is hereby established in the department the water assistance for natural disasters  
20 fund which shall be maintained in the state treasury as distinct and separate from all other funds.  
21 All moneys in the fund shall be nonlapsing and continually appropriated to the department of  
22 environmental services for the purposes of this chapter.

23 II. The commissioner of environmental services may apply for and accept from any source,  
24 gifts; donations of money; grants; legislative appropriations, federal, local, private; and other  
25 matching funds and incentives. The moneys collected under this paragraph shall be deposited in the  
26 fund established under paragraph I.

27 III. The commissioner shall adopt rules under RSA 541-A relative to the distribution of  
28 money from the fund, taking into consideration ability to pay, natural disaster conditions and  
29 locations, requirements for repair, replacement and treatment, and other factors as determined by  
30 the department. The department may use a portion of appropriated funds to cover the costs of  
31 administering this chapter.

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1        2 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after  
2 subparagraph (387) the following new subparagraph:

3                (388) Moneys deposited in the water assistance for natural disasters fund  
4 established in RSA 485-J:3.

5        3 Appropriation; Water Assistance for Natural Disasters Fund. The sum of \$500,000 for the  
6 fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to  
7 the water assistance for natural disasters fund established in RSA 485-J for use by the department  
8 of environmental services for the purpose of assisting to fund replacement, repair and treatment of  
9 water sources damaged during natural disasters. The governor is authorized to draw a warrant for  
10 said sums out of any money in the treasury not otherwise appropriated.

11        4 Effective Date. This act shall take effect June 30, 2023.

**HB 534-FN-A- FISCAL NOTE**  
AS AMENDED BY THE SENATE (AMENDMENT #2023-1900s)

AN ACT                      relative to water assistance for natural disasters.

**FISCAL IMPACT:**    ☒ State                      ☐ County                      ☐ Local                      ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
<b>Appropriation</b>	\$500,000	\$0	\$0	\$0
<b>Revenue</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Expenditures</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Water Assistance for Natural Disasters Fund			

**METHODOLOGY:**

This bill creates a nonlapsing and continually appropriated water assistance fund to repair and replace drinking water treatment sources damaged by natural disasters, and makes an appropriation to the fund. The commissioner of environmental services may apply for and accept funds from any source for deposit into the fund.

The Department of Environmental Services assumes the duties and activities to be added under proposed RSA 485-J would be funded with the accompanying appropriation and there would be no additional fiscal impact above the appropriation. The Department indicates there is no expected impact on county of local revenues or expenditures.

**AGENCIES CONTACTED:**

Department of Environmental Services