

CHAPTER 153  
SB 267-FN-A - FINAL VERSION

02/03/2022 0082s  
03/31/2022 1288s  
21Apr2022... 1441h  
4May2022... 1779h

2022 SESSION

22-3006  
08/04

SENATE BILL ***267-FN-A***

AN ACT establishing the upland invasive species program, program fund, and program coordinator in the department of agriculture, markets, and food.

SPONSORS: Sen. Giuda, Dist 2; Sen. Rosenwald, Dist 13; Sen. Carson, Dist 14; Sen. Gannon, Dist 23; Sen. Sherman, Dist 24; Sen. Watters, Dist 4; Rep. Renzullo, Hills. 37; Rep. Pearl, Merr. 26; Rep. Suzanne Smith, Graf. 8; Rep. Weston, Graf. 8

COMMITTEE: Energy and Natural Resources

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ANALYSIS

This bill:

- I. Establishes the position of upland invasive species program coordinator in the department of agriculture, markets, and food.
- II. Establishes the upland invasive species remediation program and fund.
- III. Makes an appropriation to the upland invasive species remediation fund.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    establishing the upland invasive species program, program fund, and program coordinator in the department of agriculture, markets, and food.

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

1            153:1 New Section; Upland Invasive Species Program. Amend RSA 430 by inserting after section 57  
2 the following new section:

3            430:58 Upland Invasive Species Program and Fund.

4            I. There is established an upland invasive species program in the department which shall  
5 address invasive species infestations. The program shall be administered by an upland invasive species  
6 program coordinator. This position shall be a classified position and the coordinator shall be qualified by  
7 reason of education and experience. The upland invasive species program coordinator shall:

8                    (a) Make maps statewide of invasive species infestations.

9                    (b) Notify municipalities of invasive species infestations.

10                  (c) Hold a valid commercial, not for hire, category B pesticide applicators license.

11                  (d) Maintain an active upland invasive species program that includes a combination of  
12 mechanical, cultural, biological, and chemical controls for the purpose of preventing and inhibiting the  
13 spread of invasive species.

14                  (e) Subsidize the purchase of herbicides by municipalities, when funding is available.  
15 Municipalities shall provide the coordinator with copies of invoices paid by them no later than November 1  
16 of each year. Based on the invoices received, the coordinator shall, if necessary, distribute  
17 reimbursements on a pro-rata basis and make payments to such municipalities no later than December  
18 15.

19                  (f) Develop and distribute invasive species program information around the state.

20                  (g) Coordinate with the department of environmental services and the department of natural  
21 and cultural resources to ensure that any upland invasive species remediation efforts do not adversely  
22 impact the water quality of any municipal water supply or body of water under the supervision of those  
23 departments.

24                  (h) Invite the participation of state and federal agencies, municipalities, universities, the  
25 general public, or others in helping to manage, educate, and raise awareness of invasive species.

26            II. Each city and town shall designate an existing employee, agency, or other designee as the  
27 contact point for the upland land invasive species coordinator in order to address local invasive species  
28 issues.

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1           III. All state agencies shall cooperate with the upland invasive species program coordinator to  
2 develop programs and policies addressing the proliferation and spread of upland invasive species on  
3 agency-owned land.

4           IV. There is hereby established in the state treasury a fund to be known as the upland invasive  
5 species remediation fund which shall be kept distinct and separate from other funds. The commissioner  
6 of the department of agriculture, markets, and food may accept funds from any federal, state, or private  
7 source, including grants, gifts, or donations of any kind, for the purpose of funding the purchase of  
8 necessary equipment and materials in support of invasive species remediation. The fund shall be  
9 nonlapsing and continually appropriated to the commissioner of the department of agriculture, markets,  
10 and food for the purposes of this section. However, the fund shall not be used for any costs associated  
11 with personnel or staffing.

12           153:2 New Subparagraph; Upland Invasive Species Remediation Fund. Amend RSA 6:12, I(b) by  
13 inserting after subparagraph (382) the following new subparagraph:

14                   (383) Moneys deposited in the upland invasive species remediation fund established in  
15 RSA 430:58.

16           153:3 Appropriation; Upland Invasive Species Remediation Program. There is hereby appropriated  
17 to the department of agriculture, markets, and food the sum of \$150,000 for the fiscal year ending June  
18 30, 2022 which shall be nonlapsing, for the purpose of funding the upland invasive species remediation  
19 fund established in RSA 430:58 to be used for the purpose of purchasing materials, equipment,  
20 herbicides, and securing necessary office and storage space. The governor is authorized to draw a  
21 warrant for said sum out of any money in the treasury not otherwise appropriated.

22           153:4 Effective Date. This act shall take effect June 30, 2022.

Approved: June 07, 2022  
Effective Date: June 30, 2022

