

Bill as Introduced

HB 1542-FN - AS INTRODUCED

2010 SESSION

10-2232

08/10

HOUSE BILL ***1542-FN***

AN ACT repealing nitrogen oxide emitting generation source requirements.

SPONSORS: Rep. Kaen, Straf 7

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill repeals nitrogen oxide emitting generation source requirements and the nitrogen oxide emissions reduction fund in 2014.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT repealing nitrogen oxide emitting generation source requirements.

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

1 1 Departmental Responsibilities. Amend the introductory paragraph of RSA 125-J:13, II(c) to
2 read as follows:

3 (c) There is hereby established the nitrogen oxide emissions reduction fund. This
4 nonlapsing, revolving special fund shall be continually appropriated to be expended by the
5 department of environmental services in accordance with this section. The state treasurer shall
6 invest the moneys so deposited as provided by law. Interest received on investments made by the
7 state treasurer shall also be credited to the fund. All payments collected by the department under
8 this paragraph shall be deposited in the nitrogen oxide emissions reduction fund and used *for the*
9 *administration of the department's responsibilities under this chapter and* to reduce NOx
10 emissions by NOx-emitting generation sources. Fund moneys may be used for:

11 2 Repeal. The following are repealed:

- 12 I. RSA 125-J:1, XIX-c relative to the definition of nitrogen oxide-emitting generation sources.
13 II. RSA 125-J:13, relative to nitrogen oxide emitting generation source requirements.
14 III. RSA 125-J:14, relative to nitrogen oxide-emitting generation source rulemaking.
15 IV. RSA 6:12, I(b)(69), relative to the nitrogen oxide emissions reduction fund.

16 3 Transfer of Nitrogen Oxide Emissions Reduction Fund. All payments collected under
17 RSA 125-J:13 prior to its repeal and deposited in the nitrogen oxide emissions reduction fund shall
18 be transferred to the special account established in RSA 125-J:5, IX.

19 4 Effective Date.

- 20 I. Section 1 of this act shall take effect 30 days after its passage.
21 II. The remainder of this act shall take effect January 1, 2014.

LBAO
10-2232
11/30/09

HB 1542-FN - FISCAL NOTE

AN ACT repealing nitrogen oxide emitting generation source requirements.

FISCAL IMPACT:

The Department of Environmental Services states this bill will decrease state restricted revenue by \$14,697 in FY 2014. There will be no fiscal impact on county and local revenue or state, county, and local expenditures.

METHODOLOGY:

The Department of Environmental Services states this bill will repeal the nitrogen oxide emitting generation source requirements, including the annual fee payments made to the Nitrogen Oxide Emissions Reduction Fund in FY 2014. The Department assumes revenue in FY 2014 will be equal to the \$29,394 of revenue collected in FY 2009. With the January 1, 2014 effective date, the Department assumes restricted revenue will decrease by half of the FY 2009 revenue or \$14,697 in FY 2014.

This bill also allows the Department to charge the Nitrogen Oxide Emissions Reduction Fund for administrative costs until the fund is repealed. The Department has charged the Air Resources Fund for administrative costs associated with the Nitrogen Oxide Emissions Reduction Fund in the past, which is about \$10,000 each year. The fiscal impact will be a \$10,000 decrease in expenditures for the Air Resources Fund and a \$10,000 increase in expenditures for the Nitrogen Oxide Emissions Reduction Fund in FY 2010 through FY 2014. The net fiscal impact of this change will be zero.

Committee Minutes

HOUSE COMMITTEE ON WAYS AND MEANS
FULL COMMITTEE WORK SESSION ON HB 1542

BILL TITLE: repealing nitrogen oxide emitting generation source requirements.

DATE: 3/2/10

Committee Members: Reps. ~~Almy, Hatch, Davis, Butynski, Vachon, Shattuck, J. Kelley, Mack, W. Johnson, S. Price, Walsh, Major, Griffin, Lockwood, Boutin, Bettencourt, R. Ober, Ulery, Osgood and Sapareto.~~

Comments and Recommendations: The prime sponsor, Rep. Kaen, presented the bill, and responded to questions along with DES representatives Bob Scott and Craig Wright.

Amendments:


Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
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Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.
Seconded by Rep.
Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.
Seconded by Rep.
Vote:

Respectfully submitted,

Rep. William Butynski
Committee Chairman/Clerk

HOUSE COMMITTEE ON WAYS AND MEANS
FULL COMMITTEE WORK SESSION ON HB 1542

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Sapareto

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Seconded by Rep.

Vote:

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Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

~~_____~~ Rep. {Type NAME} *WILLIAM BUTYNSKI*
Subcommittee Chairman/Clerk

3/2/10 on HB 1542



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

March 2, 2010

The Honorable Susan Almy, Chairman, and Members
House Ways and Means Committee
Legislative Office Building, Room 202
Concord, NH 03301

Re: HB 1542-FN relative to repealing nitrogen oxide emitting generation source requirements

Dear Chairman Almy and Members of the Committee:

The Department of Environmental Services (DES) is pleased to offer testimony in support of House Bill 1542-FN, which would repeal the Nitrogen Oxide (NO_x)-Emitting Generation Source requirements, effective January 2014. House Bill 1542-FN also amends RSA 125-J:13, II (c), to provide that DES can use the funds for the time it spends administering the requirements in the current law until such time as it is repealed.

The provisions in RSA 125-J that apply to NO_x-emitting generation sources were adopted in 1999 (Chapter 343). In enacting the law, the General Court found that: "due to high retail electric rates in the state that businesses had sought to control their electric costs by use of internal combustion engine electricity generators that run on fossil fuels." As stated in the purpose section, the General Court also found that: "[t]hese generators have increased nitrogen oxide (NO_x) emissions and use of additional units has the future potential to substantially increase such emissions and to increase electric rates for customers purchasing electricity from sources subject to more stringent NO_x regulations."

As currently defined, there are 5 categories of generators that are exempt from the law. These exemptions apply to emergency generators, generators that provide start-up or temporary power to a facility that generates electric power for use of sale, portable generators, generators at facilities that emit less than 5 tons of NO_x per calendar year, and generators located in an area where electrical power is not reasonably or, considering the type of power needed by the user, reliably available. In addition, the law provided that NO_x-emitting generation sources that were in existence as of July 1, 1999 and had an air permit from DES were exempt from the requirements of the law until November 18, 2007 and sources that had applied for an air permit as of May 1, 1999, but had not been issued a permit as of July 1, 1999, were exempt from the requirements of the law until November 18, 2005.

The law then established a program whereby sources that were defined as NO_x-Emitting Generation Sources were required to pay up to \$1,000 for every ton of NO_x

emissions above 7 pounds of NOx emitted per megawatt-hour of electricity produced. The law also established a non-lapsing, revolving special fund and set forth uses for the money deposited into the fund. To date, no money from the fund has been expended and there is currently a net balance of approximately \$90,000 in the fund.

During the past 10 years since the law went into effect, EPA has adopted a more stringent set of standards for comparable new generators. For example, when the law went into effect, NOx emissions from these generators were approximately 35 pounds per megawatt-hour of electricity produced. Under the current federal rules, as of 2006, new generators can emit no more than 14 pounds of NOx per megawatt-hour of electricity produced and by 2014 new generators will be required to emit no more than 1.5 pounds of NOx per megawatt-hour of electricity produced. The current fleet of devices will eventually be replaced with these new, lower emitting generators. Given that the federal requirements for the installation of new devices in 2014 will be more stringent than the current state law no further devices will qualify for payment into this fund.

Further, due to a number of factors, not the least of which includes the number and nature of exemptions in the law and the complexity of calculating the actual emissions that are subject to the fee provisions, DES has found that there is a significant administrative burden associated with implementing the law. Accordingly, the provisions of RSA 125-J that apply to these generators has a decreasing environmental benefit with a high administrative burden for DES. Under the bill, DES will be allowed to recover its administrative cost until such time that the program is repealed in 2014. Any funds remaining at that time will be transferred to the special account established in RSA 125-J:5, IX for the acquisition and generation of Emission Reduction Credits (ERCs) for future economic development.

Thank you for the opportunity to provide testimony. Should you have further questions or need additional information, please feel free to contact Robert R. Scott, Director, Air Resources Division (271-1088, robert.scott@des.nh.gov) or Craig A. Wright, Assistant Director, Air Resources Division (271-6791, craig.wright@des.nh.gov).

Sincerely,



Thomas S. Burack
Commissioner

cc: HB 1542-FN Sponsors

Speakers

Hearing Minutes

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

PUBLIC HEARING ON HB 1542-FN

BILL TITLE: relative to the issuance of air permits and certain fees relative to air permits.

DATE:

LOB ROOM: 304 **Time Public Hearing Called to Order:** 1:06 pm

Time Adjourned: 1:25 pm

(please circle if present)

Committee Members: Reps. Kaen, S. Harvey, Cali-Pitts, Borden, Friedrich, Levasseur, Lisle, Matheson, Pastor, Read, Townsend, Introne, J. Garrity, Devine, Tahiri, Remick, Holden and Rappaport

Bill Sponsors: Rep. Kaen

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Naida Kaen, sponsor – Repeals nitrogen oxide. Funds presently \$90 thousand. By 2014 the law will be superseded; in the state there was a concern that electricity would gain many more people off the Grid with more NOx being produced. Fund will be used by DES to ???

***Bob Scott and Craig Wright, NH DES** – Cost use is up in the administrator cost. Will comment on money HB 1251.

Q: Rep. Robert Introne – How does this apply to this NOx emissions?

A: 27 sources small lumber mills; using their own power. For example, Velcro company.

Q: Rep. Introne – These small engines give off NOx gasses; does this money defray the cost?

A: Not in the law. Use the money to apply to programs to reduce NOx gasses.

Q: Rep. Remick – How do they use the money for small wood mills; rock crushing operations?

A: Small powered sources are not covered if they can be moved around to another location.

Q: Rep. Frank Holden – We have monies; who does the administration of the money?

A: 10K/year.

Rep. Laurence Rappaport - Federal regulations set law?

A: Yes, the federal regulations sets the tone of the law.

Q: Rep. Jim Garrity – Does chair of finance committee understand this law?

A: Yes.

Q: Rep. Holden – Only for electric uses do they tie up the grid?


A: Yes, this is only for those who are unable to get on the grid.

Q: Rep. Holden – Biomass use this program.

Q: Rep. William Remick – Mobile use?

A: Do not use this program; it is not for use of trains or buses.

Respectfully Submitted:



James E. Devine, Acting Clerk

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

PUBLIC HEARING ON HB 1542-FN

BILL TITLE: relative to the issuance of air permits and certain fees relative to air permits.

DATE: 1-12-10

LOB ROOM: 304

Time Public Hearing Called to Order: 1:06

Time Adjourned: 1:25

(please circle if present)

Committee Members: ^{Chair} Reps. Kaen, S. Harvey, Cali-Pitts, Borden, Friedrich, Levasseur, Lisle, Matheson, Pastor, Read, Townsend, Introne, A. Garrity, Devine, Tahir, Kemick, Holden and Rappaport.

Bill Sponsors: Rep. Kaen

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep N. Kaen 1st speaker

Bob Scott 2nd speaker*

Des

1-12-10 Start Time 1:06 HB 1542-FN
Chair Person S. Harvey

Handout on statute Relevant

Rep N. Kraus repeals Nitrogen Oxide
Funds presently \$90 thousand

by 2014 this Law will be superceded though
there was a concern that Electric Generation would
cause many more people to go off ^{the} Grid with much
more NOx being produced.
Fund will be used by Des to reduce NOx
emissions

Speaker (2)

Rep SCOTT of DAS & CRAIG Wright
see handout speaker (2)

Income is use up in Administrator cost

we will comment on money use in House bill 125

Rep Introne How does this apply to NOx emissions

27 sources small Lumber mills
using their own power. Example ~~Veterow~~
Veterow CO

Rep Introne these ^{small} ENGINES give off NOx GASSES
Does this money defray the cost

ANSWER NOT IN THE LAW

ANS Scott we use the money to apply to programs to reduce
NOX GASSES

Rep Remick how do they use the money for small
wood mills Rock crushing operations

ANS Scott Small Power SOURCES ARE NOT COVERED IF they
CAN BE MOVED AROUND TO ANOTHER LOCATION

Rep Holden we have monies? who does the
Administration of the monies

ANS Scott we have ~~(10,000)~~ 10 thousand dollars A year
And DES does the Administration

Rep Rappol Fed Regs set Law
Yes The Federal Law does set the
Tone

Rep Garity DOES CHAIR OF FINANCE
Committee understand this

ANS yes

Rep Holden only for electric uses do they tie up the
Grid
Yes this is only for those who are unable to get on
grid.

Rep F Holden Do Bio mass use this program?

Rep B Remick mobile use, do not use this program
Not for this use of TRANS or BUSSES

Testimony

Statutes Relevant to HB 1542

125-J:1 Definitions. – In this chapter:

....

XIX-c. "NOx-emitting generation source" means any internal combustion engine or combustion turbine which generates electricity for use or sale, except for sources which meet the definition of a NOx budget source. NOx-emitting generation source shall not include any generators which:

- (a) Serve as an electrical or mechanical power source when the primary power source is unavailable;
- (b) Are used as a start-up or a temporary supply of power to a facility which generates electricity for use or sale;
- (c) Are used as a portable generator;
- (d) Emit, in total from the facility, 5 tons of NOx or less per calendar year; or
- (e) Are located in an area where electrical power is not reasonably or, considering the type of power needed by the user, reliably available.

....

125-J:13 NOx-Emitting Generation Source Requirements. –

I. Each NOx-emitting generation source emitting more than 7 pounds of NOx per megawatt hour generated shall be required to supply to the department NOx emissions information, and the amount of kilowatt hours actually produced during each period listed in subparagraph II(b). Additionally, except as provided either by paragraph I or II of this section, each NOx-emitting generation source shall acquire NOx budget allowances, emissions reduction credits, or other emissions reduction mechanisms on the same basis as a NOx budget source for all of its NOx emissions. However, NOx-emitting generation sources shall not be required to acquire NOx budget allowances, emissions reduction credits, or use emissions reduction mechanisms for the first 7 pounds of NOx emitted for each megawatt-hour of electricity produced and any amounts of NOx above such first 7 pounds that are attributable to the provision of other, non-electric services provided by the generating source, including but not limited to, steam and heat, and any amounts of NOx emitted during any period when the NOx-emitting generation source is operating to provide power during a power shortage at the request of any governmental authority or provider of electrical power to the public generally.

II. (a) NOx-emitting generation sources may, at the option of the generation source, make a direct payment for each ton of NOx emitted which would otherwise require the acquisition and use of emissions reduction mechanisms in accordance with paragraph I, in lieu of acquiring emissions reduction mechanisms.

(b) The payment provided for in subparagraph II(a) shall be made annually and shall be equal to the number of tons of NOx emitted by the NOx-emitting generation source, less the tons of NOx not requiring emission reduction mechanisms under paragraph I, times a fee of \$200 per ton for tons emitted during the period running May 1 to September 30 and a fee of \$100 per ton for tons emitted during the period running October 1 to April 30. These fees shall be multiplied by:

- (1) Zero for tons emitted prior to January 1, 2000.
- (2) One for tons emitted between January 1, 2000 and June 30, 2000, inclusive.
- (3) Two for tons emitted between July 1, 2000 and June 30, 2001, inclusive.
- (4) Three for tons emitted between July 1, 2001 and June 30, 2002, inclusive.

From Rep Maida Kacn

(5) Four for tons emitted between July 1, 2002 and June 30, 2003, inclusive.

(6) Five for tons emitted on or after July 1, 2003, so that fees for the May 1 to September 30 period are capped at \$1,000 per ton and the fees for the October 1 to April 30 period are capped at \$500 per ton after July 1, 2003.

(c) There is hereby established the nitrogen oxide emissions reduction fund. This nonlapsing, revolving special fund shall be continually appropriated to be expended by the department of environmental services in accordance with this section. The state treasurer shall invest the moneys so deposited as provided by law. Interest received on investments made by the state treasurer shall also be credited to the fund. All payments collected by the department under this paragraph shall be deposited in the nitrogen oxide emissions reduction fund and used to reduce NOx emissions by NOx-emitting generation sources. Fund moneys may be used for:

(1) The acquisition and retirement of NOx emissions reduction mechanisms by the department;

(2) Financial assistance for the purchase of NOx-emitting generation source equipment to obtain NOx emissions reductions from NOx-emitting generation sources located within the state, including but not limited to new technologies for such emissions control; and

(3) Refunds to NOx-emitting generation sources in proportion to their electric generation.

(d) If any governmental authority imposes NOx emissions reduction requirements applicable to facilities that are also NOx-emitting generation sources, then any emission reductions produced or secured under paragraph I shall be credited as emission reductions produced or secured by the NOx-emitting generation sources that made the reduction and any emission reductions produced or secured under paragraph II shall be credited as emission reductions produced or secured by all NOx-emitting generation sources in proportion to their payments to the dedicated fund.

III. The provisions of paragraphs I and II shall not apply:

(a) For a period of 8 years from the effective date of this section, to any electricity generating source which existed as of July 1, 1999, was permitted by the department, whether on a temporary or permanent basis, including any permit renewal or modification, whether applied for or issued, pertaining to any such generating source; and

(b) For a period of 6 years from the effective date of this section, to any electricity generating source which, as of May 1, 1999, filed an application for a permit with the division containing substantial but not necessarily complete information; and

(c) To any electricity generating source which replaces an electricity generating source described in subparagraph III(a) or (b) above and which emits fewer pounds of NOx per kilowatt-hour than the electricity generating source described in subparagraph III(a) or (b) above, but only for the period of time remaining in the exemption applicable to the replaced electrical generation source, as determined by the department, and only to the extent of the generating capacity of the replaced electrical generation source.

Source. 1999, 343:3, eff. Nov. 18, 1999.

125-J:14 NOx-Emitting Generation Source Rulemaking. – The commissioner shall adopt rules under RSA 541-A relative to:

I. Forms and procedures for submission of kilowatt hour data required by RSA 125-J:13, I, payments under RSA 125-J:13, II, and forms, procedures, and identification of NOx emissions information required by RSA 125-J:13, I; and

II. Forms, procedures, administration, and use of the nitrogen oxide emissions reduction fund.

Source. 1999, 343:3, eff. Nov. 18, 1999.

1-12-10

SPEAKER ②

1542-FN

Bob Scott,
Crazy
Wright



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 12, 2010

The Honorable Naida Kaen, Chairman
House Science, Technology, and Energy Committee
Legislative Office Building, Room 304
Concord, NH 03301

Re: HB 1542-FN relative to repealing nitrogen oxide emitting generation source requirements

Dear Chairman Kaen and Members of the Committee:

The Department of Environmental Services (DES) is pleased to offer testimony in support of House Bill 1542-FN, which would repeal the Nitrogen Oxide (NOx)-Emitting Generation Source requirements, effective January 2014. House Bill 1542-FN also amends RSA 125-J:13, II (c), to provide that DES can use the funds for the time it spends administering the requirements in the current law until such time as it is repealed.

The provisions in RSA 125-J that apply to NOx-emitting generation sources were adopted in 1999 (Chapter 343). In enacting the law, the General Court found that: "due to high retail electric rates in the state that businesses had sought to control their electric costs by use of internal combustion engine electricity generators that run on fossil fuels." As stated in the purpose section, the General Court also found that: "[t]hese generators have increased nitrogen oxide (NOx) emissions and use of additional units has the future potential to substantially increase such emissions and to increase electric rates for customers purchasing electricity from sources subject to more stringent NOx regulations."

As currently defined, there are 5 categories of generators that are exempt from the law. These exemptions apply to emergency generators, generators that provide start-up or temporary power to a facility that generates electric power for use of sale, portable generators, generators at facilities that emit less than 5 tons of NOx per calendar year, and generators located in an area where electrical power is not reasonably or, considering the type of power needed by the user, reliably available. In addition, the law provided that NOx-emitting generation sources that were in existence as of July 1, 1999 and had an air permit from DES were exempt from the requirements of the law until November 18, 2007 and sources that had applied for an air permit as of May 1, 1999, but had not been issued a permit as of July 1, 1999, were exempt from the requirements of the law until November 18, 2005.

The law then established a program whereby sources that were defined as NOx-Emitting Generation Sources were required to pay up to \$1,000 for every ton of NOx

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-1370 • Fax: (603) 271-1381 • TDD Access: Relay NH 1-800-735-2964

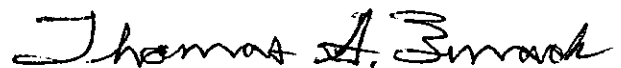
emissions above 7 pounds of NOx emitted per megawatt-hour of electricity produced. The law also established a non-lapsing, revolving special fund and set forth uses for the money deposited into the fund. To date, no money from the fund has been expended and there is currently a net balance of approximately \$90,000 in the fund.

During the past 10 years since the law went into effect, EPA has adopted a more stringent set of standards for comparable new generators. For example, when the law went into effect, NOx emissions from these generators were approximately 35 pounds per megawatt-hour of electricity produced. Under the current federal rules, as of 2006, new generators can emit no more than 14 pounds of NOx per megawatt-hour of electricity produced and by 2014 new generators will be required to emit no more than 1.5 pounds of NOx per megawatt-hour of electricity produced. The current fleet of devices will eventually be replaced with these new, lower emitting generators. Given that the federal requirements for the installation of new devices in 2014 will be more stringent than the current state law no further devices will qualify for payment into this fund.

Further, due to a number of factors, not the least of which includes the number and nature of exemptions in the law and the complexity of calculating the actual emissions that are subject to the fee provisions, DES has found that there is a significant administrative burden associated with implementing the law. Accordingly, the provisions of RSA 125-J that apply to these generators has a decreasing environmental benefit with a high administrative burden for DES. Under the bill, DES will be allowed to recover its administrative cost until such time that the program is repealed in 2014. Any funds remaining at that time will be transferred to the special account established in RSA 125-J:5, IX for the acquisition and generation of Emission Reduction Credits (ERCs) for future economic development.

Thank you for the opportunity to provide testimony. Should you have further questions or need additional information, please feel free to contact Robert R. Scott, Director, Air Resources Division (271-1088, robert.scott@des.nh.gov) or Craig A. Wright, Assistant Director, Air Resources Division (271-6791, craig.wright@des.nh.gov).

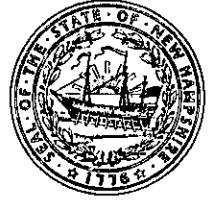
Sincerely,



Thomas S. Burack
Commissioner



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 12, 2010

The Honorable Naida Kaen, Chairman
House Science, Technology, and Energy Committee
Legislative Office Building, Room 304
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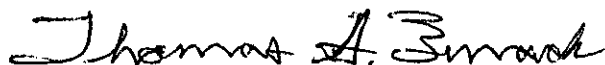
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Sincerely,



Thomas S. Burack
Commissioner

Voting Sheets

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

EXECUTIVE SESSION on HB 1542-FN

BILL TITLE: repealing nitrogen oxide emitting generation source requirements.

DATE: 1-20-10

LOB ROOM: 304

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Kaen

Seconded by Rep. Harvey

Vote: 14-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. James E. Devine, Clerk

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

EXECUTIVE SESSION on HB 1542-FN

BILL TITLE: repealing nitrogen oxide emitting generation source requirements.

DATE: 1-20-10

LOB ROOM: 304
Rappaport,

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Kaen*

Seconded by Rep. *Harvey*

Vote: (Please attach record of roll call vote.) 14 - 0

consent

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. David A. Borden, Clerk

JE Devine For DAB

SCIENCE, TECHNOLOGY AND ENERGY

Bill #: 1542 Title: _____

PH Date: ____/____/____

Exec Session Date: 1/12/10

Motion: OTP

Amendment #: _____

MEMBER	YEAS	NAYS
Kaen, Naida L, Chairman	✓	
Harvey, Suzanne, V Chairman	✓	
Cali-Pitts, Jacqueline A	✓	
Borden, David A, Clerk	✓	
Friedrich, Carol H	✓	
Levasseur, Nickolas J		
Lisle, Carolyn M	✓	
Matheson, Robert F	✓	
Read, Robin P		
Pastor, Beatriz		
Townsend, Charles L	✓	
Introne, Robert E	✓	
Garrity, James M		
Devine, James E	✓	
Tahir, Saghir A	✓	
Remick, William J	✓	
Holden, Frank R	✓	
Rappaport, Laurence M	✓	
	14	0
TOTAL VOTE:		

HOUSE COMMITTEE ON WAYS AND MEANS

EXECUTIVE SESSION on HB 1542

BILL TITLE: repealing nitrogen oxide emitting generation source requirements.

DATE: 3/16/10

LOB ROOM: 202

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Kelley

Seconded by Rep. Griffin

Vote: 16-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

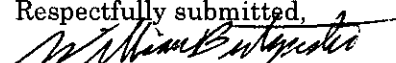
Vote: (Please attach record of roll call vote.)

OK

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. William Butynski, Clerk

HOUSE COMMITTEE ON WAYS AND MEANS

EXECUTIVE SESSION on HB 1542

BILL TITLE: repealing nitrogen oxide emitting generation source requirements.

DATE:

3/16/10

LOB ROOM: 202

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions:

OTP, ~~OTP/A~~, ITL, Interim Study (Please circle one.)

Moved by Rep. *Kelley*

Seconded by Rep. *Griffin*

Vote: *15-10* (Please attach record of roll call vote.)

Motions:

OTP, ~~OTP/A~~, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

OK
CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent:

Refer to Committee Report

Respectfully submitted,

Rep. William Butynski, Clerk

WAYS AND MEANS

Bill #: HB 1542 Title: repealing nitrogen oxide emitting generation source requirements

PH Date: 3/2/10

Exec Session Date: 3/16/10

Motion: OTP by Kelley & Mack

Amendment #:

MEMBER	YEAS	NAYS
Almy, Susan W, Chairman	✓	
Hatch, William A. V Chairman		
Davis, Frank W	✓	
Butynski, William, Clerk	✓	
Vachon, Dennis P	✓	
Shattuck, Gilman	✓	
Kelley, John D	✓	
Mack, Ron J	✓	
Johnson, William G	✓	
Price, Susan G	✓	
Walsh, Robert M	✓	
Major, Norman L <i>Conf</i>	✓	
Griffin, Mary E <i>Tru P</i>	✓	
Lockwood, Priscilla P	✓	
Boutin, David R		
Bettencourt, David J		
Ober, Russell T	✓	
Sapareto, Frank V		
Ulery, Jordan G	✓	
Osgood, Joe	✓	
	<u>16</u>	<u>0</u>
TOTAL VOTE:		

Committee Report

CONSENT CALENDAR

January 27, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on SCIENCE, TECHNOLOGY AND ENERGY to which was referred HB1542-FN,

AN ACT repealing nitrogen oxide emitting generation source requirements. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Naida L Kaen

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	SCIENCE, TECHNOLOGY AND ENERGY
Bill Number:	HB1542-FN
Title:	repealing nitrogen oxide emitting generation source requirements.
Date:	January 20, 2010
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill does two things. It repeals New Hampshire law effective in 2014 when that law will be superceded by more stringent federal law in regard to some small sources of nitrogen oxide emissions. It also permits the department of environmental services to be compensated for enforcement activities pertaining to these sources effective 30 days from passage.

Vote 14-0.

Rep. Naida L Kaen
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

SCIENCE, TECHNOLOGY AND ENERGY

HB1542-FN, repealing nitrogen oxide emitting generation source requirements. **OUGHT TO PASS.**

Rep. Naida L Kaen for **SCIENCE, TECHNOLOGY AND ENERGY**. This bill does two things. It repeals New Hampshire law effective in 2014 when that law will be superceded by more stringent federal law in regard to some small sources of nitrogen oxide emissions. It also permits the department of environmental services to be compensated for enforcement activities pertaining to these sources effective 30 days from passage. **Vote 14-0.**

Original: House Clerk
Cc: Committee Bill File

HB1542

OTP 14-0

Consent Calendar

This bill does two things. It repeals New Hampshire law effective in 2014 when that law will be superseded by more stringent federal law in regard to some small sources of nitrogen oxide emissions. It also permits the department of environmental services to be compensated for enforcement activities pertaining to these sources effective 30 days from passage.

Naidu Kaen

CONSENT CALENDAR

March 23, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on WAYS AND MEANS to which was referred HB1542-FN,

AN ACT repealing nitrogen oxide emitting generation source requirements. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. John D Kelley

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	WAYS AND MEANS
Bill Number:	HB1542-FN
Title:	repealing nitrogen oxide emitting generation source requirements.
Date:	March 16, 2010
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

The bill repeals the nitrogen oxide emitting generation source requirements and the nitrogen emission reduction fund in 2014. The bill requires the funds put in the nitrogen oxide emissions reduction fund be used for the administration of the department's responsibilities under this chapter until 2014. The remaining funds in the fund in 2014 will be transferred to the air resources fund where they will be used for emissions reductions.

Vote 16-0.

Rep. John D Kelley
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

WAYS AND MEANS

HB1542-FN, repealing nitrogen oxide emitting generation source requirements. **OUGHT TO PASS.**

Rep. John D Kelley for WAYS AND MEANS. The bill repeals the nitrogen oxide emitting generation source requirements and the nitrogen emission reduction fund in 2014. The bill requires the funds put in the nitrogen oxide emissions reduction fund be used for the administration of the department's responsibilities under this chapter until 2014. The remaining funds in the fund in 2014 will be transferred to the air resources fund where they will be used for emissions reductions.

Vote 16-0.

Original: House Clerk
Cc: Committee Bill File

HB 1542-FN – Majority Report

The bill repeals the nitrogen oxide emitting generation source requirements and the nitrogen emission reduction fund in 2014. The bill requires the funds put in the nitrogen oxide emissions reduction fund be used for the administration of the department's responsibilities under this chapter until 2014. The remaining funds in the fund in 2014 will be transferred to the air resources fund where they will be used for emissions reductions.

Rep. John Kelley

COMMITTEE REPORT

COMMITTEE: Ways and Means Committee

BILL NUMBER: 1542-FN

TITLE: An act repealing nitrogen oxide emitting generation source requirements

DATE: 3/16/10 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT:

The bill repeals the nitrogen oxide emitting generation source requirements and the nitrogen emissions reduction fund in 2014. The bill requires the funds put in the nitrogen oxide emissions reduction fund be used for the administration of the department's responsibilities under this chapter until 2014. The remaining funds in the fund in 2014 will be transferred to the Air Resources Fund, where they will be used for emissions reductions.

COMMITTEE VOTE: 16-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. John D. Kelly JDK
For the Committee