

Bill as Introduced

SB 25 - AS INTRODUCED

2011 SESSION

11-0198

06/03

SENATE BILL **25**

AN ACT relative to the Connecticut River Valley resource commission.

SPONSORS: Sen. Odell, Dist 8; Sen. Gallus, Dist 1; Sen. Kelly, Dist 10; Sen. Houde, Dist 5; Rep. Foose, Merr 1; Rep. Lovett, Sull 4; Rep. R. Moore, Ches 1; Rep. Laware, Sull 5; Rep. Cunningham, Sull 2

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill requires the Connecticut River Valley resource commission to be attached administratively to the department of environmental services.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT relative to the Connecticut River Valley resource commission.

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

- 1 1 Commission Established; Administratively Attached. Amend RSA 227-E:3 to read as follows:
- 2 227-E:3 Commission Established; Administratively Attached. There is established the
- 3 Connecticut River Valley resource commission. The commission shall be administratively attached
- 4 to the [~~office of energy and planning~~] **department of environmental services** pursuant to RSA 21-
- 5 G:10.
- 6 2 Power and Duties. Amend the introductory paragraph of RSA 227-E:6 to read as follows:
- 7 227-E:6 Power and Duties. In performing its duties, the commission shall cooperate with the
- 8 [~~office of energy and planning~~] **department of environmental services** and shall conform its
- 9 activities with any state comprehensive plan. The commission shall:
- 10 3 Effective Date. This act shall take effect July 1, 2011.

CHAPTER 24
SB 25 - FINAL VERSION

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STATE OF NEW HAMPSHIRE

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11 24:3 Effective Date. This act shall take effect July 1, 2011.

12 Approved: April 28, 2011

13 Effective Date: July 1, 2011

Committee Minutes

**SENATE CALENDAR NOTICE
EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

- ✓ Senator Sharon Carson Chairman
- ✓ Senator Fenton Groen V Chairman
- ✓ Senator Sylvia Larsen
- ✓ Senator Jim Luther
- ✓ Senator Raymond White

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: January 27, 2011

HEARINGS

Thursday

2/3/2011

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SH 100

9:00 AM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

- | | | |
|---------|---------|---|
| 9:00 AM | SB25 | relative to the Connecticut River Valley resource commission. |
| 9:15 AM | SB68 | relative to records of disciplinary actions taken by the electricians' board. |
| 9:30 AM | SB33-FN | relative to retired state employee contributions for medical benefits costs. |

Sponsors:

SB25

- Sen. Bob Odell
- Rep. Robert Foose
- Rep. Steven Cunningham

- Sen. John Gallus
- Rep. Charlene Lovett

- Sen. Molly Kelly
- Rep. Robert Moore

- Sen. Matthew Houde
- Rep. Thomas Laware

SB68

- Sen. John Gallus

- Rep. John Gimás

SB33-FN

- Sen. Lou D'Allesandro
- Sen. Amanda Merrill

- Sen. John Gallus

- Sen. Bob Odell

- Sen. Sylvia Larsen

Executive Dept. and Administration Committee

Hearing Report

TO: Members of the Senate

FROM: Deb Chroniak, Legislative Aide

RE: Hearing report on SB 25 – relative to the Connecticut River Valley resource commission

HEARING DATE: February 3, 2011

MEMBERS OF THE COMMITTEE PRESENT:

Senator Sharon Carson (Senate District 14), Senator Fenton Groen, (Senate District 6) Senator Raymond White, (Senate District 9) Senator Sylvia Larsen, (Senate District 15) Senator Jim Luther (Senate District 12)

MEMBERS OF THE COMMITTEE ABSENT: No one

Sponsor(s): Senator Odell, Senator Gallus, Senator Kelly, Senator Houde, Rep. Foose, Rep. Lovett, Rep.R. Moore, Rep. Laware, Rep. Cunningham.

What the bill does: This bill requires the Connecticut River valley resource commission to be attached administratively to the department of environmental services.

Who supports the bill: Rep. Robert Randy Foose, Merrimack 1, Rep. Steven Cunningham, Sullivan 2, Doug Patch, TransCanada, Glenn English, Connecticut River Valley Resource Commission (CRVRC) and President of the Connecticut River Joint Commissions, Steve Couture, NH Department of Environmental Services, Jennifer Czysz, Office of Energy and Planning.

Who opposes the bill: No one.

Summary of testimony received:

The hearing on SB 25 was opened at 9:00 a.m. by Senator Carson, Chair of ED & A.

- Representative Robert Randy Foose, Merrimack #1, House Co-Sponsor of SB 25.

As House Co-Sponsor of this bill, it is my privilege to introduce this legislation to you. I worked with Senator Odell on this bill over the last two years.

The impact of the proposed legislation is to change the vocation in state government of this organization to the Department of Environmental Services (DES). The Connecticut River Joint Commission is part of a two state joint effort with colleagues from Vermont to focus on the development of the Connecticut River area. This is an absolutely essential component of the support system that needs to exist on the western-side of New Hampshire in order to continue the development of the Connecticut River Valley area.

Over the years much work has been done in the development of this critical and important area of New Hampshire. As work progressed, it was clear that 80% of the projects that the Commission engages in are directly related and administered by the DES, and they have paid attention to this fact. This is a case of the agency being in the right church, but in the wrong pew. On the other side of the River, the CRVRC reports to the DES in Vermont; approve the shifting of the reporting responsibility into the DES in New Hampshire.

There are no compelling issues in regards to the move from one agency to the other; no turf problems. There is no objection to this shift and, in fact, the Office of Energy and Planning is very comfortable with this change, given the direct connections of the programs. The DES thinks this is appropriate, administratively.

Senator Odell asked that I express his apologies for not being here today to introduce his prime sponsored bill, but he is Chairing his committee and asked that I introduce the legislation.

This is straightforward and improves the operation of the Commission, which is already engaged in DES, and this does not place any additional burden on this agency.

- Senator White indicated concern about the DES and asked if there were constituents that are affected by the CRVRC – enforcement actions by this type of arrangement; something that he became familiar with on the campaign trail.

- Representative Foose indicated to Senator White that there would be no additional regulation or change in service through this

shift. The Commission has worked with the DES in a collaborative constructive way through the last 20 years.

I too have heard from constituents, stories about the DES because I sit on the House Finance Committee. I think that is a personal issue then what you and I have heard on the campaign trail.

- Steve Couture, Risk Coordinator from the New Hampshire Department of Environmental Services (DES) then spoke (and provided testimony from Commissioner Thomas S. Burack). The DES does support this legislation. What this legislation does is basically change in statute what we are already doing. The CRVRC regulation does not change anything relevant to regulatory authority, but, they are in fact, very supportive of the administrative change.

- Senator White then asked if funding was somewhat of an issue that drove this forward. The question was twofold: First, are there financial benefits to the DES by this change, and are there financial detriments to the State of New Hampshire by this arrangement?

- Mr. Couture indicated that there was no financial impact and no allocation being made, and that they have federal dollars that they have applied for and received. This does not change.

- Mr. Glenn English from the Connecticut River Valley resource commission then spoke. I have passed in testimony and I believe it speaks for itself. Senator White has asked some good questions.

The CRVRC was established in 1987; Vermont established a similar Commission, the Connecticut River Watershed Advisory Commission. In combination, this functions as a by-state organization. Appointees' are by government and some by where the individual works. Both states fund them. They report administratively to the New Hampshire Planning Office.

Initially, we were a planning commission and reported to the Office of State Planning, and its successor, the Office of Energy and Planning, but our main contact is with the DES due to the many concerns with environmental issues in the Connecticut Valley and River. We appreciate all that the Office of Energy and Planning has done over the years.

- Senator White had question on the enforcement authority of the agency.

◦ Mr. English indicated that the Agency does not enforce anything. They aid regional towns and cities in their work.

Our charge in the legislation that created us is to identify, protect, and promote the historical resources of the Connecticut River Valley. We work on river flow, and we also publish lots of material.

We have downsized quite a bit. We now have two full timers and a part-timer; the business manager is part-time. We receive state money from New Hampshire and Vermont, which funds are used for a part-time position and matched money from federal grants are what we live off of (federal and state grants).

◦ Jennifer Czysz from the Office of Energy and Planning (OEP) testified that the OEP has no objections of the transfer of the CRVRC from the OEP to the DES. As a matter of fact, we believe it is a good match, and so we are in favor of this legislation.

Senator Carson then noted that Representative Steve Cunningham, Sullivan 2, was in support; Doug Patch of TransCanada was in support; Senator Gallus was in support; Senator Kelly was in support, and Senator Odell was in support of this legislation

Hearing closed at 9:15 a.m.

Funding: None

Future Action: Senator Larsen motioned OTP, which was seconded by Senator White. The vote was 5-0 in favor, and Senator Luther will report SB 25 out of Committee.

DAC

[file: SB 25 report]

Date: February 4, 2011

Speakers

Testimony



1

February 3, 2011

**Testimony in support of SB 25 relative to the
Connecticut River Valley Resource Commission**

By Glenn English, Chairman CRVRC and President Connecticut River Joint
Commissions

To the Honorable Sharon M. Carson and members of the Executive Departments
and Administration Committee

Thank you for the opportunity to testify in favor of SB 25 which is sponsored by
Sen. Bob Odell and others at the request of the commissioners of the CRVRC.

I am Glenn English, from Haverhill New Hampshire, and I currently serve as the
Chairman of the CRVRC and as President of the Connecticut River Joint
Commissions, which is the joint operating entity of the CRVRC and its Vermont
counterpart, the Connecticut River Watershed Advisory Commission. By
authority of Chapter 227-E the CRVRC is charged to work with its Vermont
counterpart in "...protecting and preserving the visual, ecological and
agricultural integrity of the Connecticut River Valley while planning for and
guiding the development of the recreational, tourist, commercial and residential
uses of the Valley". The Commissions is also charged with "...identifying,
protecting, and promoting the natural, recreational, cultural and historical
resources of the Connecticut River Valley". We have been working on these
goals since 1987, primarily through the development and promulgation of our
Corridor Management Plan which is broken down into sections consistent with
the statutory guidance. The original plan has been revised in conjunction with

our 5 local regional subcommittees, who represent geographic sections of the Valley. The Local River Subcommittees are made up of town selected representatives from both states. Their main tasks are to provide input into the management plan and to review and comment on permits on behalf of the River's interests. Neither the Commissions nor the LRS have any enforcement authority. The Commissions and the LRS operate with appointed volunteer members, assisted by a small professional staff. We pay our staff expenses primarily from annual appropriations from each state budget. Other specific projects are funded through federal and state grants. The state appropriations are also used to match federal grants.

Since its inception, the CRVRC has been administratively attached to the Office of State Planning and its successor, the Office of Energy and Planning. This may have been originally set up due to the planning nature of the work in which we were originally engaged. I'm really not sure, however for years our mission has been more in line with the objectives of the New Hampshire Department of Environmental Services. We work very closely with the Department, particularly under the criteria established in the Rivers Management and Protection Program (RSA 483). In fact our 5 local river subcommittees are considered LAC's (local advisory committees) by the Department.

While the OEP has been supportive of our efforts, adequate state funding, through the Office has been an issue. We have been funded through the Targeted Block Grant which also provides funding to the regional planning commissions. We do not wish to compete with our partners, the rpc's for this limited source of funding and we also feel that being administratively attached to the DES will quite frankly provide us with a more stable state funding source which is essential to our continued survival. It is my understanding that both state agencies are in favor of this change in the administrative location of the CRVRC as outlined in the proposed legislation. On behalf of our commissioners, I urge the committee to support SB 25.

Thank you.

N.H. Rivers Management and Protection Program

N.H. Rivers Management Advisory Committee

February 3, 2011

#2

Voting Members:

Kenneth D. Kimball
Chair
Recreational
Interests

Michele L. Tremblay
Vice Chair
Conservation
Community

VACANT
Agricultural
Community

Donald L. Ware
Public
Water Suppliers

James W. Ryan
NH Fish & Game
Commission

Allan G. Palmer
Business & Industry
Association

Gary L. Kerr
Granite State
Hydropower
Association

Larry T. Spencer
Conservation
Commissions

Anne Krantz
Historic/Archeological
Interests

Fredrick J. McNeill
Municipal
Officer

Kathryn P. Nelson
Local River
Management
Advisory Committees

Non-Voting Members:

Jennifer Czysz
NH Office of
Energy & Planning

Johanna Lyons
NH Department of
Resources and
Economic
Development

John Magee
NH Fish & Game
Department

Kevin Nyhan
NH Department of
Transportation

Gail McWilliam
Jelle
NH Department of
Agriculture,
Markets & Food

Lance Harbour
NH Department of
Safety

Staff:

Steven M. Couture
Rivers Coordinator
NH Department of
Environmental
Services

The Honorable Sharon Carson, Chair
Senate Executive Departments and Administration
State House, Room 302
Concord, NH 03301

RE: SB 25 An ACT relative to the Connecticut River Valley Resource Commission.

Dear Chair Carson and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) is writing to express its unanimous support for Senate Bill 25, which seeks to administratively attach the Connecticut River Valley Resource Commission (CRVRC) to the NH Department of Environmental Services (DES).

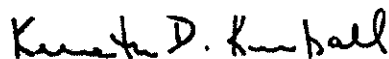
The RMAC is a legislatively created body charged to work with the DES on the administration of RSA 483, the Rivers Management and Protection Program (RMPP). The Governor and Council appointed Committee is comprised of members from the business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests. Among its other responsibilities, the RMAC is charged with reviewing legislation relevant to the RMPP and with advising the DES Commissioner on the merits of such legislation.

The Connecticut River is one of sixteen rivers designated under RSA 483, the RMAC and RMPP have worked extensively with CRVRC over many years on numerous projects, including the development of the local river corridor management plan for the Connecticut River Valley. This plan was completed in accordance with criteria established in the RMPP which is administered by DES. SB25 will enhance the existing relationship between DES and the CRVRC on river management issues in the Connecticut River Valley by further formalizing this relationship. The CRVRC is currently administratively attached to the Office of Energy and Planning (OEP) which also agrees that this change makes sense.

In conclusion, the RMAC unanimously supports SB 25, which seeks to administratively attach the Connecticut River Valley Resource Commission to the Department of Environmental Services.

If you have further questions, please feel free to contact me at (603) 466-8149 or kkimball@outdoors.org.

Sincerely,



Kenneth D. Kimball, Ph.D., Chairman
Rivers Management Advisory Committee

cc: Senator Odell
Senator Gallus
Senator Kelly
Senator Houde
Representative Foose
Representative Lovett
Representative Moore
Representative Laware
Representative Cunningham
RMAC members *(via email)*
Tom Burack, Commissioner, DES *(via email)*
Mike Walls, Assistant Commission, DES *(via email)*
Harry Stewart, Director, Water Division, DES *(via email)*
Paul Currier, Administrator, WMB, DES *(via email)*
Steven M. Couture, Rivers Coordinator, DES *(via email)*
Charlie Ryan, Chair, Ammonoosuc River LAC *(via email)*
Barbara Skuly, Chair, Ashuelot River LAC *(via email)*
Rick Healey, Chair, Cocheco River LAC *(via email)*
Jenny Polcari, Co-Chair, Cold River LAC *(via email)*
Theresa Darling, Business Manager, Connecticut River Joint Commission *(via email)*
Michelle Hamm, Chair Contoocook River LAC *(via email)*
Don Clement, Chair, Exeter River LAC *(via email)*
Liz Evans, Chair, Isinglass River LAC *(via email)*
Sarah Callaghan, Chair, Lamprey River LAC *(via email)*
Bob Robbins, Chair, Lower Merrimack River LAC *(via email)*
Max Stamp, Chair, Pemigewasset River LAC *(via email)*
Dick Ludders, Chair, Piscataquog River LAC *(via email)*
George May, Chair, Souhegan River LAC *(via email)*
Robert Parrish, Chair, Swift River LAC *(via email)*
Michele L. Tremblay, Chair, Upper Merrimack LAC *(via email)*

29 Hazen Drive; PO Box 95; Concord, NH 03302-0095; Tel: 271-8811; Fax 271-7894
<http://des.nh.gov/organization/divisions/water/wmb/rivers/rmac/index.htm>



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner
February 1, 2011

The Honorable Sharon M. Carson, Chairman
Executive Departments and Administration
Legislative Office Building, Room 100
Concord, NH 03301

#3

RE: SB 25 relative to the Connecticut River Valley resource commission

Dear Senator Carson:

Thank you for the opportunity to comment on SB 25, which would administratively attach the Connecticut River Valley resource commission (CRVRC) to the Department of Environmental Services (DES). DES supports this legislation.

DES and the CRVRC have worked extensively together over many years on numerous projects, such as the development of the local river corridor management plan for the Connecticut River Valley. This plan was completed in accordance with criteria established in the Rivers Management and Protection Program (RSA 483) which is administered by DES. SB25 will enhance the existing relationship between DES and the CRVRC on river management issues in the Connecticut River Valley by further formalizing this relationship. The CRVRC is currently administratively attached to the Office of Energy and Planning (OEP) which also agrees that this change makes sense.

Thank you for the opportunity to comment on this legislation. If you have any questions or need additional information, please do not hesitate to call Steve Couture at 271-8801 or me at 271-2958.

Sincerely,

Thomas S. Burack
Thomas S. Burack
Commissioner

cc: Senator Odell
Senator Kelly
Representative Foose
Representative Moore
Representative Cunningham
Barbara Skuly, Chair, Ashuelot River LAC (via email)
Rick Healey, Chair, Cochecho River LAC (via email)
Theresa Darling, Business Manager, CRJC (via email)
Don Clement, Chair, Exeter River LAC (via email)
Sarah Callaghan, Chair, Lamprey River LAC (via email)
Max Stamp, Chair, Pemigewasset River LAC (via email)
George May, Chair, Souhegan River LAC (via email)
Michele L. Tremblay, Chair, Upper Merrimack LAC (via email)

Senator Gallus
Senator Houde
Representative Lovett
Representative Laware
RMAC members (via email)
Charlie Ryan, Chair, Ammonoosuc River LAC (via email)
Jenny Polcari, Co-Chair, Cold River LAC (via email)
Michelle Hamm, Chair, Contoocook River LAC (via email)
Liz Evans, Chair, Isinglass River LAC (via email)
Bob Robbins, Chair, Lower Merrimack River LAC (via email)
Dick Ludders, Chair, Piscataquog River LAC (via email)
Robert Parrish, Chair, Swift River LAC (via email)

DES Web site: www.des.nh.gov

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

Telephone: (603) 271-3503 • Fax: (603) 271-2982 • TDD Access: Relay NH 1-800-735-2964

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: February 3, 2011

THE COMMITTEE ON Executive Departments and Administration
to which was referred Senate Bill 25

AN ACT relative to the Connecticut River Valley resource
commission.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS

BY A VOTE OF: 5-0

AMENDMENT # s

Senator Jim Luther
For the Committee

Deb Chroniak 271-1403

New Hampshire General Court - Bill Status System

Docket of SB25

Docket Abbreviations

Bill Title: relative to the Connecticut River Valley resource commission.*Official Docket of SB25:*

Date	Body	Description
1/6/2011	S	Introduced and Referred to Executive Departments and Administration, SJ 2 , Pg.25
1/27/2011	S	Hearing: 2/3/11, Room 100 State House, 9:00 a.m.; SC9
2/8/2011	S	Committee Report: Ought to Pass, 2/16/2011; SC11
2/16/2011	S	Ought to Pass, MA, VV; OT3rdg, SJ 5 , Pg.56
2/16/2011	S	Passed by Third Reading Resolution, SJ 6 , Pg.61
2/16/2011	H	Introduced and Referred to Executive Departments and Administration; HJ 19 , Pg. 438
3/15/2011	H	Public Hearing: 3/22/2011 10:00 AM LOB 306 ==Executive Session To Follow==
3/30/2011	H	Committee Report: Ought to Pass for April 13 (Vote 11-0; CC); HC 31 , PG.1039
4/13/2011	H	Ought to Pass: MA VV; HJ 37 , Pg.1296
4/13/2011	H	Enrolled; HJ 37 , PG.1305
4/20/2011	S	Enrolled; SJ 14 , Pg.273
4/28/2011	S	Signed by the Governor on 04/28/2011; Effective 07/1/2011; Chapter 0024

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

SB 25 ORIGINAL REFERRAL _____ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

- DOCKET (Submit only the latest docket found in Bill Status)
- COMMITTEE REPORT
- CALENDAR NOTICE
- HEARING REPORT
- HANDOUTS FROM THE PUBLIC HEARING
- PREPARED TESTIMONY AND OTHER SUBMISSIONS
- SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

____ - AMENDMENT # ____ ____ - AMENDMENT # ____
____ - AMENDMENT # ____ ____ - AMENDMENT # ____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED ____ AS AMENDED BY THE HOUSE
 FINAL VERSION ____ AS AMENDED BY THE SENATE

____ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes): _____

IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER

DATE DELIVERED TO SENATE CLERK

7-27-11

[Signature]
BY COMMITTEE AIDE