

Bill as
Introduced

HB 428 - AS INTRODUCED

2013 SESSION

13-0583

08/10

HOUSE BILL **428**

AN ACT relative to funds for dam maintenance, removal and improvement.

SPONSORS: Rep. Suzanne Smith, Graf 8; Rep. Ebel, Merr 5; Rep. Brown, Graf 2

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill allows all dam owners, excluding the state, to receive money from the dam maintenance, removal and improvement revolving loan fund.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to funds for dam maintenance, removal and improvement.

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

1 1 Dam Maintenance, Removal and Improvement; Revolving Loan Fund. Amend RSA 482:55-a,
2 I-II to read as follows:

3 I. A dam maintenance revolving loan fund shall be established to provide low interest loans
4 to fund the maintenance, repair, [~~or reconstruction~~] **removal or improvement** of [~~privately owned~~]
5 **any dams excluding state owned dams**, when such maintenance, repair, [~~or reconstruction~~]
6 **removal or improvement** is required under this chapter. This fund shall be nonlapsing and shall
7 be continually appropriated to the department for the purposes of this section. No loans shall be
8 made from this fund until the fund has accrued a balance of at least \$25,000. [~~Private~~] Dam owners
9 receiving loans from this fund shall repay the department on a time frame specified in rules
10 established by the department. The commissioner shall collect all loan repayment moneys and
11 deposit them in this fund.

12 II. The department shall establish rules for the fund including the application process,
13 criteria for award, the procedure for making loans, the interest rate to be applied, the maximum loan
14 amount, the time frame for repayment, and oversight of the administration of the fund. In providing
15 loans, the department shall evaluate the risk posed by the dam, the public benefit of the dam, the
16 private benefit of the dam to lakefront owners, **the ecological benefits of the dam**, and the
17 potential for [~~their contribution~~] **contributions** to needed maintenance, repair, or reconstruction,
18 the financial resources of the applicant, and the relative **financial and environmental** cost of
19 maintaining, repairing, or [~~reconstructing~~] **improving** the dam as compared to removing or
20 breaching the dam.

21 2 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Amendment to HB 428

1 Amend RSA 482:55-a, II as inserted by section 1 of the bill by replacing it with the following:

2

3 II. The department shall establish rules for the fund including the application process,
4 criteria for award, the procedure for making loans, the interest rate to be applied, the maximum loan
5 amount, the time frame for repayment, **actions to be taken in the event of a default on a loan,**
6 and oversight of the administration of the fund. In providing loans, the department shall evaluate
7 the risk posed by the dam, the public benefit of the dam, the private benefit of the dam to lakefront
8 owners, **the ecological impacts of the dam,** [and] the potential for [their contribution]
9 **contributions** to needed maintenance, repair, or reconstruction, the financial resources of the
10 applicant, and the relative cost of maintaining, repairing, or [reconstructing] **improving** the dam as
11 compared to removing or breaching the dam.



Amendment to HB 428

1 Amend RSA 482:55-a, II as inserted by section 1 of the bill by replacing it with the following:

2

3 II. The department shall establish rules for the fund including the application process,
4 criteria for award, the procedure for making loans, the interest rate to be applied, the maximum loan
5 amount, the time frame for repayment, *actions to be taken in the event of a default on a loan*,
6 and oversight of the administration of the fund. In providing loans, the department shall evaluate
7 the risk posed by the dam, the public benefit of the dam, the private benefit of the dam to lakefront
8 owners, *the ecological impacts of the dam*, [and] the potential for [~~their contribution~~]
9 *contributions* to needed maintenance, repair, or reconstruction, the financial resources of the
10 applicant, and the relative cost of maintaining, repairing, or [~~reconstructing~~] *improving* the dam as
11 compared to removing or breaching the dam.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON HB 428

BILL TITLE: relative to funds for dam maintenance, removal and improvement.

DATE: January 30, 2013

LOB ROOM: 305 **Time Public Hearing Called to Order:** 10:15 a.m.

Time Adjourned: 10:45 a.m.

(please circle if present)

Committee Members: Reps. Chandley, Suzanne Smith, Aguiar, Gottling, Thomas, L. Webb, Hubbard, Parkhurst, Beaulieu, Wazlaw, Lovett, Renzullo, Holmes, Cormier, Merrow, Ahlgren, Wright, Mullen, Schroadter and Ferrante.

Bill Sponsors: Rep. Suzanne Smith, Graf 8; Rep. Ebel, Merr 5; Rep. Brown, Graf 2

TESTIMONY

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

Rep. Suzanne Smith - Prime sponsor of the bill. 75% of dams in New Hampshire are privately owned. 358 dams are owned by municipalities. 33 labeled high hazard dams in New Hampshire.

* **Jim Gallagher, NH Department of Environmental Services (DES)** - Supports the bill. Spoke on history of the revolving loan fund established in 2008. Municipal dams were overlooked at the time. Other funding sources may be deposited in the maintenance revolving fund. \$49,000 is the current balance. New Hampshire Municipal Association wanted the bill brought forward. Dam owners have to respond within 60 days if the dam registration fee has not been paid or if the dam has been rated deficient. The violation fee is then placed into this loan fund.

Rep. Renzullo: Can we add default clause – add an amendment – establish rules?

* **Jim O'Brien, The Nature Conservancy** - Supports the bill. Noted some changes. Dam removal success story in Swanzey ecological benefits resulting by removal. Safety concerns need to be addressed. When reviewing the need of the dam.

Larry Sunderland, NH Audubon - Supports the bill. Audubon owns one dam. That dam was defiant and he believes the loan fund would have helped bridge the funds needed to repair.

Respectfully submitted,

Rep. Jane E. Beaulieu
Clerk



HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON HB 428

BILL TITLE: relative to funds for dam maintenance, removal and improvement.

DATE: 1/30/13

LOB ROOM: 305

Time Public Hearing Called to Order: 10:15 a.m.

Time Adjourned:

(please circle if present)

Committee Members: Reps. ~~Chandley~~, Suzanne Smith, Aguiar, Gottling, Thomas, L. Webb, Hubbard, Parkhurst, Beaulieu, Wazlaw, Lovett, Renzullo, Holmes, Cormier, Merrow, Ahlgren, Wright, Mullen, Schroadter and Ferrante.

Bill Sponsors: Rep. Suzanne Smith, Graf 8; Rep. Ebel, Merr 5; Rep. Brown, Graf 2

TESTIMONY

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

Rep Smith - Prime Sponsor

10:15

75% of dams in NH are privately owned
358 dams are owned by municipalities
33 labeled high hazard dams in NH

Jim Gallagher - DES

Spoke on history of the revolving loan fund established in 2008
Municipal dams were overlooked at the time. Other funding sources may be deposited in the maintenance revolving fund.
\$49,000. is the current balance

NH

Municipal Association wanted the bill brought forward.

Dam owners have to respond within 60 days if the Dam registration fee has not been paid or if the dam has been rated deficient. The violation fee is then placed into this loan fund.

Question - Rep Ranzullo

Can we add a ~~act~~ default clause - add an amendment - establish rules,

* Jim O'Brien - Nature Conservancy - supports
Noted some changes

Dam Removal success story in Swanzy
Ecological benefits resulting by removal.

Safety concerns need to be addressed when reviewing the need of the dam.

Larry Sunderland - NH Audubon. - supports
Audubon owns one dam.

That dam was deficient and he believes the loan fund would have helped bridge the funds needed to repair.

adjourned

Testimony

for use
With HB 428

TITLE L

WATER MANAGEMENT AND PROTECTION

CHAPTER 482

DAMS, MILLS, AND FLOWAGE

Dam Maintenance Fund

Section 482:55-a

482:55-a Dam Maintenance Revolving Loan Fund Established. –

I. A dam maintenance revolving loan fund shall be established to provide low interest loans to fund the maintenance, repair, or reconstruction of privately owned dams when such maintenance, repair, or reconstruction is required under this chapter. This fund shall be nonlapsing and shall be continually appropriated to the department for the purposes of this section. No loans shall be made from this fund until the fund has accrued a balance of at least \$25,000. Private dam owners receiving loans from this fund shall repay the department on a time frame specified in rules established by the department. The commissioner shall collect all loan repayment moneys and deposit them in this fund.

II. The department shall establish rules for the fund including the application process, criteria for award, the procedure for making loans, the interest rate to be applied, the maximum loan amount, the time frame for repayment, and oversight of the administration of the fund. In providing loans, the department shall evaluate the risk posed by the dam, the public benefit of the dam, the private benefit of the dam to lakefront owners and the potential for their contribution to needed maintenance, repair, or reconstruction, the financial resources of the applicant, and the relative cost of maintaining, repairing, or reconstructing the dam as compared to removing or breaching the dam.

III. Sources of revenue that may be accepted by the dam maintenance revolving loan fund include:

- (a) Any funds that may be appropriated from the general fund.
- (b) Principal and interest received from the repayment of loans made from the fund.
- (c) Grants and awards made to the state by the federal government for the purpose for which the fund was established.
- (d) Interest earned from the investment of fund balances.
- (e) Private gifts, bequests, and donations made to the state for the purpose for which the fund was established.
- (f) Any other funds from any public or private source intended to be used for the purpose for which the fund was established.

Source. 2008, 272:5, eff. Jan. 1, 2009. 2009, 110:1, eff. Aug. 14, 2009.

January 30, 2013

Representative Shannon Chandley, Chair
Resources, Recreation and Development Committee
Legislative Office Building, Room 303
Concord, NH 03301

RE: HB 428, relative to funds for dam maintenance, removal and improvement.

Dear Madam Chair and Member of the Committee:

Thank you for the opportunity to offer this letter in support of HB 428, legislation that will greatly expand access to, and the usefulness of, the existing Dam Maintenance Revolving Loan Fund. This change in statute benefits public safety, as well as the ecological health of the state's many rivers, streams and waterways.

According to a Nature Conservancy regional assessment of 13 states in the Northeast (Virginia to Maine) there are today more than 14,000 dams – the highest density of dams in the country. This accounts for 7 dams (and 106 road-stream crossings) per 100 miles of river – creating extremely fragmented river systems and eliminating the natural flow of the regions waterways.

Here in New Hampshire, our rivers and streams are home to more than 4,800 active and inactive dams. While many of these structures are vital for flood control, community recreation and have historical meaning, a significant percentage no longer serve the useful purpose for which they were originally constructed. These dams may be unsafe and uneconomical, serve as impediments to naturally flowing river ecosystems and could potentially be good candidates to consider for removal.

According to a Department of Environmental Services Dam Bureau publication, some dams create an ecological harm. Dams “can block fish and other aquatic species from moving throughout a river system to access spawning sites and other critical habitats. Dams can hold back and cause the build-up of sediment, woody debris and other materials that would have naturally been distributed throughout the river, playing important roles in providing nutrients and habitat for plants and animals downstream. Dams can increase water temperatures and decrease dissolved oxygen availability in impoundments, forcing many native river species out because they can't live under those conditions. Dams can also flood wetlands, floodplain forests and other ecosystems that naturally occur along the river's edge and serve valuable purposes.”

For these reasons, The Nature Conservancy supports expanding the use of the revolving loan fund to include both dam removal and dam improvements such as fish passage - in addition to maintenance and repair of structures. The fund should be leveraged to assist dam owners in making the best decision on how to deal with a structure in need of investment and attention. In some instances – because of economics, safety or for ecological reasons – a dam owner may decide that the best option is to invest in

the removal of the dam. The state should support dam owners in these decisions by making these revolving loan funds accessible, and help support viable projects. Selective dam removal can eliminate a public safety hazard, relieve a dam owner's financial and legal burdens and restore a river to a healthier, free-flowing condition.

The Nature Conservancy also supports expanding the use of the fund to be inclusive of all dam owners, including municipal dams. While a vast majority of the state's dams are owned by private interests (78%), municipalities also account for a large percentage of structures (12% of the total). Like private dam owners, municipalities may not have the ability to fund needed repair, maintenance or removal in a timely manner, and could postpone or defer improvements creating a safety hazard. It seems that enabling more users accessing these funds to improve or remove underperforming dams is in the best interests of the state.

We support removing "reconstruction" as a use of the fund. Private owners should have sufficient insurance to cover the rebuilding of a structure following a breach of a dam, and should not be looking to a revolving loan fund to assist in the rebuilding. Further, the state should also not be providing loan funds to build essentially new structures where there is such a need for these funds to support repair and removal of old structures.

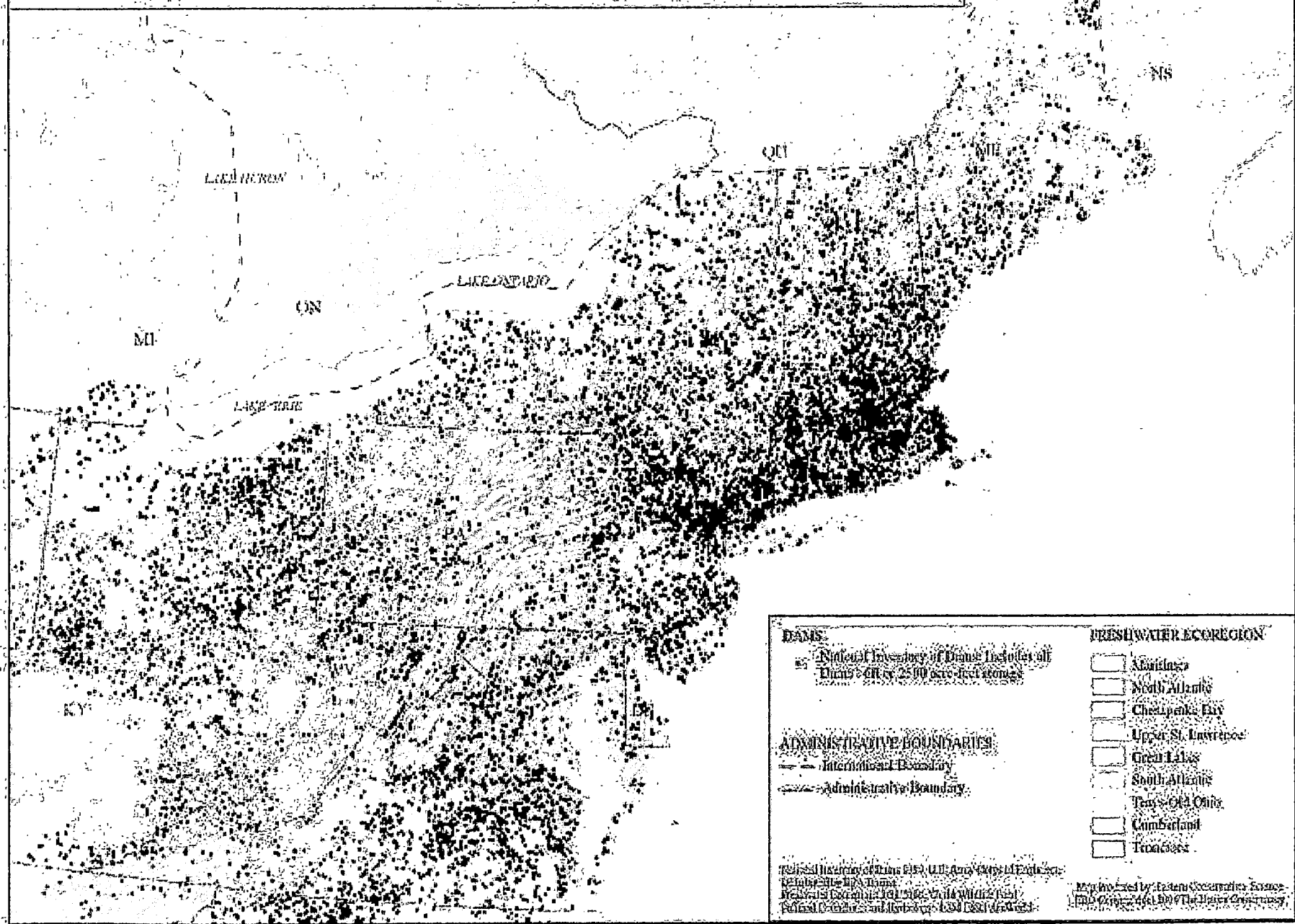
Section II of the legislation is a bit confusing, and we would recommend amending the language by changing the word "benefits" to "impact", and removing "financial and environmental" in the last sentence. These suggested changes are noted in red below.

II. The department shall establish rules for the fund including the application process, criteria for award, the procedure for making loans, the interest rate to be applied, the maximum loan amount, the time frame for repayment, and oversight of the administration of the fund. In providing loans, the department shall evaluate the risk posed by the dam, the public benefit of the dam, the private benefit of the dam to lakefront owners, *the ecological benefits impact of the dam*, and the potential for ~~their contribution~~ *contributions* to needed maintenance, repair, or reconstruction, the financial resources of the applicant, and the ~~relative financial and environmental~~ *relative* cost of maintaining, repairing, or ~~reconstructing~~ *improving* the dam as compared to removing or breaching the dam.

Thank you for this opportunity, and on behalf of The New Hampshire Chapter of the Nature Conservancy, we urge you to support passage of HB 428.

Sincerely,

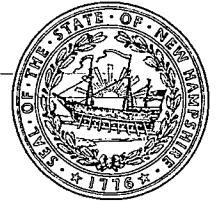
Jim O'Brien
Director of External Affairs
22 Bridge Street, 4th Floor
Concord, NH 03301
603.224.5853 X 28
Jim_obrien@tnc.org



| | |
|--|--|
| DAMS | FRESHWATER ECOREGION |
| <ul style="list-style-type: none"> ● National Inventory of Dams (includes all dams > 60 ft or 25,000 acre-foot storage) | <ul style="list-style-type: none"> ☐ Atlantic ☐ North Atlantic ☐ Chesapeake Bay ☐ Upper St. Lawrence ☐ Great Lakes ☐ South Atlantic ☐ Texas-Oklahoma ☐ Cumberland ☐ Tennessee |
| ADMINISTRATIVE BOUNDARIES | |
| <ul style="list-style-type: none"> --- International Boundary - - - Administrative Boundary | |
| <p>Revised Inventory of Dams (R-ID) U.S. Army Corps of Engineers National Inventory of Dams National Geographic Society National Oceanic and Atmospheric Administration National Water Research Institute National Water Research Institute</p> | <p>Map created by Eastern Conservation Forces The Nature Conservancy</p> |



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 30, 2013

The Honorable Shannon Chandley, Chairman
Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 428, relative to funds for dam maintenance, removal and improvement

Dear Chairman Chandley:

Thank you for the opportunity to testify in support of HB 428, which would amend RSA 482:55-a to allow use of the Dam Maintenance Revolving Loan Fund by municipalities, as well as private dam owners, to fund the repair, removal or improvement of their dams.

The Dam Maintenance Revolving Loan Fund was established with enactment of Chapter 272:5 of the Laws of 2008 (SB 519). The primary purpose of that law was to establish a per diem fine on dam owners and operators for failure to comply with New Hampshire's Dam Safety statutes and regulations or failure to perform required maintenance work on their dams. During the debate on the bill, the legislature determined that any fines collected under this new authority should be dedicated to a revolving fund which could provide low-interest loans to dam owners to help fund the necessary repairs, and it modified the bill accordingly. The statute was amended in 2009 with the enactment of Chapter 110 of the Laws of 2009 to authorize the Dam Maintenance Revolving Loan Fund to accept revenue from other sources including the general fund, principal and interest from the repayment of loans, grants and awards from the federal government, interest earned from the investment of fund balances, and private gifts.

HB 428 would amend the statute further to allow municipalities, in addition to private dam owners, access to the Dam Maintenance Loan Fund, and would allow the fund to be used for removal or improvement to the dams, instead of only repair. DES supports these changes.

Of the 829 dams in New Hampshire that could cause loss of life or property damage if they were to fail, approximately half of them are privately-owned and 25% of them are owned by municipalities. Of these, approximately 70 privately-owned dams and 50 municipally-owned dams have outstanding Letters of Deficiency requiring some maintenance, repair or either reconstruction or removal to be performed so that the dams do not pose a threat of actual failure. The costs to address these deficiencies can range from thousands to millions of dollars, and the private or municipal owners are responsible for these expenses. In some cases, a dam may no longer serve any useful purpose, and the private or municipal dam owner may prefer to remove rather than repair the dam to eliminate the safety hazard as well, as the long-term maintenance costs.

DES Web site: www.des.nh.gov

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

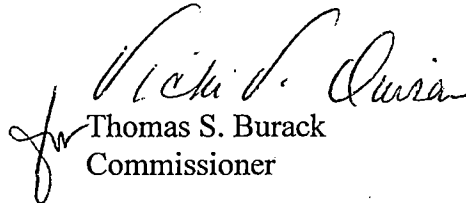
Telephone: (603) 271-3503 • Fax: (603) 271-2982 • TDD Access: Relay NH 1-800-735-2964

The Honorable Shannon Chandley, Chairman
January 30, 2013
Page 2 of 2

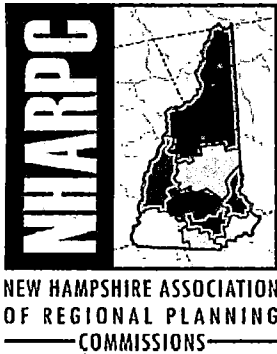
The current balance of the Dam Maintenance Revolving Fund from fines collected to date is approximately \$49,000, which is much less than the costs of a typical repair, improvement or removal project, and currently funding is not available from any of the other revenue sources identified in the statute. However, if funding from these sources were ever to become available, the Dam Maintenance Revolving Fund, authorized under RSA 482:55-a as amended by HB 428, provides a framework to help municipal and private dams owners improve the safety of their dams.

Thank you for the opportunity to comment in support of this bill. Please contact Jim Gallagher, Dam Bureau Administrator, at 271-1961 or james.gallagher@des.nh.gov, or me at 271-2958 or thomas.burack@des.nh.gov if you have any questions or need additional information.

Sincerely,


Thomas S. Burack
Commissioner

cc: Representative Suzanne Smith
Representative Karen Ebel
Representative Rebecca Brown



February 20, 2013

Honorable Shannon Chandley, Chair
Resources, Recreation and Development Committee
Legislative Office Building, Room 305
107 Main Street
Concord, New Hampshire 03301

RE: HB 428

Dear Rep Chandley:

We are pleased to express our support for HB 428, an ACT relative to funds for dam maintenance, removal and improvement.

This ACT basically clarifies that the state's dam maintenance revolving fund allows all dam owners, excluding the state, the ability to seek funding through the state's revolving loan fund to perform necessary dam maintenance, removal and improvement.

We view this ACT as necessary clarification to the state statutes with little or no change to the spirit or intent of the statute.

Sincerely,

Kenn Ortman
Chair

The Cottage at the Rocks
107 Glessner Road
Bethlehem, NH 03574
603-444-6303

North Country Council
The Cottage on the Rocks
107 Glessner Road
Bethlehem, NH 03574
Telephone: 444-6303

Lakes Region
Planning Commission
103 Main St. Suite 3
Meredith, NH 03253
Telephone: 279-8171

Upper Valley Lake Sunapee
Regional Planning Commission
10 Water Street
Lebanon, NH 03766
Telephone: 448-1680

Southwest Region
Planning Commission
20 Central Square, 2nd Floor
Keene, NH 03431
Telephone: 357-0557

Central NH Regional
Planning Commission
28 Commercial Street
Concord, NH 03301
Telephone: 226-6020

Southern NH
Planning Commission
438 Dubuque Street
Manchester, NH 03102
Telephone: 669-4664

Nashua Regional
Planning Commission
9 Executive Park Drive
Suite 201
Merrimack, NH 03054
Telephone 424-2240

Rockingham
Planning Commission
156 Water Street
Exeter, NH 03833
Telephone: 778-0885

Strafford Regional
Planning Commission
150 Wakefield Street
Rochester, NH 03867
Telephone: 994-3500

Voting Sheets

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 428

BILL TITLE: relative to funds for dam maintenance, removal and improvement.

DATE: February 19, 2013

LOB ROOM: 305

Amendments:

Sponsor: Rep. S. Smith OLS Document #: 2013 0401h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Smith

Seconded by Rep. Parkhurst

Vote: 19-1 (Please attach record of roll call vote.)

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

Moved by Rep. Smith

Seconded by Rep. Ferrante

Vote: 19-1 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Jane E. Beaulieu, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 428

BILL TITLE: relative to funds for dam maintenance, removal and improvement.

DATE: 2/19/13

LOB ROOM: 305

Amendments:

Sponsor: Rep. Smith

OLS Document #: 2013-0401h

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

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

Moved by Rep. Smith

Seconded by Rep. Parkhurst

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

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

Moved by Rep. Smith

Seconded by Rep. Ferranti

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

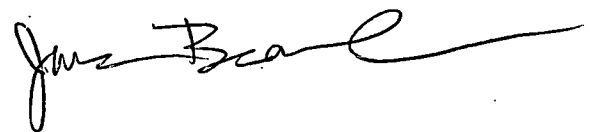
CONSENT CALENDAR VOTE:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Jane E. Beaulieu, Clerk





2013 SESSION

RESOURCES, RECREATION AND DEVELOPMENT

Bill #: 428 Title: Relative to funds for dam maintenance removal + improvement
PH Date: 1, 30, 13 Exec Session Date: 2, 19, 13
Motion: Amend. OTP Amendment #: 040/h

| MEMBER | YEAS | NAYS |
|-------------------------------|-----------|----------|
| Chandley, Shannon E, Chairman | ✓ | |
| Smith, Suzanne J, V Chairman | ✓ | |
| Parkhurst, Henry A. L. | ✓ | |
| Lovett, Sid | ✓ | |
| Aguiar, James D | ✓ | |
| Thomas, Yvonne D | ✓ | |
| Gottling, Suzanne H | ✓ | |
| Hubbard, Pamela J | ✓ | |
| Beaulieu, Jane E, Clerk | ✓ | |
| Webb, Leigh A | ✓ | |
| Wazlaw, Brian | ✓ | |
| Renzullo, Andrew , | ✓ | |
| Ahlgren, Christopher J | ✓ | |
| Merrow, Harry C | ✓ | |
| Schroadter, Adam R | ✓ | |
| Ferrante, Beverly A | ✓ | |
| Cormier, Jane | | ✓ |
| Holmes, Stephen | ✓ | |
| Mullen, John A | ✓ | |
| Wright, Donald S | ✓ | |
| TOTAL VOTE: | 19 | 1 |



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:30:36 AM
Roll Call Committee Registers
Report

2013 SESSION

RESOURCES, RECREATION AND DEVELOPMENT

Bill #: 428 Title: relative to funds for dam maintenance, removal & improvement
PH Date: 1/30/13 Exec Session Date: 2/19/13
Motion: OTP/A Amendment #: 0401h

| MEMBER | YEAS | NAYS |
|-------------------------------|-----------|----------|
| Chandley, Shannon E, Chairman | ✓ | |
| Smith, Suzanne J, V Chairman | ✓ | |
| Parkhurst, Henry A. L. | ✓ | |
| Lovett, Sid | ✓ | |
| Aguiar, James D | ✓ | |
| Thomas, Yvonne D | ✓ | |
| Gottling, Suzanne H | ✓ | |
| Hubbard, Pamela J | ✓ | |
| Beaulieu, Jane E, Clerk | ✓ | |
| Webb, Leigh A | ✓ | |
| Wazlaw, Brian | ✓ | |
| Renzullo, Andrew , | ✓ | |
| Ahlgren, Christopher J | ✓ | |
| Merrow, Harry C | ✓ | |
| Schroadter, Adam R | ✓ | |
| Ferrante, Beverly A | ✓ | |
| Cormier, Jane | | ✓ |
| Holmes, Stephen | ✓ | |
| Mullen, John A | ✓ | |
| Wright, Donald S | ✓ | |
| TOTAL VOTE: | 19 | 1 |

Committee Report

CONSENT CALENDAR

February 21, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on RESOURCES, RECREATION AND DEVELOPMENT to which was referred HB428,

AN ACT relative to funds for dam maintenance, removal and improvement. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Suzanne J Smith

FOR THE COMMITTEE

COMMITTEE REPORT

| | |
|-------------------|--|
| Committee: | RESOURCES, RECREATION AND DEVELOPMENT |
| Bill Number: | HB428 |
| Title: | relative to funds for dam maintenance, removal and improvement. |
| Date: | February 21, 2013 |
| Consent Calendar: | YES |
| Recommendation: | OUGHT TO PASS WITH AMENDMENT |

STATEMENT OF INTENT

This bill allows Municipalities to apply to the Dam Maintenance Revolving Loan Fund. Presently only privately owned dams are eligible to apply to the fund for loans. Municipalities own 358 of the active dams in this state and many of these dams are in need of repair or have outlived their purpose. HB428 provides low-cost loans which can be used to maintain, repair, improve or remove a dam. The amendment assures that if a borrower defaults on the loan that the state is not liable for taking on ownership and responsibility for the dam.

Vote 19-1.

Rep. Suzanne J Smith
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

RESOURCES, RECREATION AND DEVELOPMENT

HB428, relative to funds for dam maintenance, removal and improvement. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne J Smith for RESOURCES, RECREATION AND DEVELOPMENT. This bill allows Municipalities to apply to the Dam Maintenance Revolving Loan Fund. Presently only privately owned dams are eligible to apply to the fund for loans. Municipalities own 358 of the active dams in this state and many of these dams are in need of repair or have outlived their purpose. HB428 provides low-cost loans which can be used to maintain, repair, improve or remove a dam. The amendment assures that if a borrower defaults on the loan that the state is not liable for taking on ownership and responsibility for the dam. **Vote 19-1.**

CONSENT CALENDAR

February 21, 2013

HOUSE OF REPRESENTATIVES

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Rep. Shannon E Chandley

FOR THE COMMITTEE

COMMITTEE REPORT

| | |
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| Committee: | RESOURCES, RECREATION AND DEVELOPMENT |
| Bill Number: | HB428 |
| Title: | relative to funds for dam maintenance, removal and improvement. |
| Date: | February 21, 2013 |
| Consent Calendar: | YES |
| Recommendation: | OUGHT TO PASS WITH AMENDMENT |

STATEMENT OF INTENT

This bill allows Municipalities to apply to the Dam Maintenance Revolving Loan Fund. Presently only privately owned dams are eligible to apply to the fund for loans. Municipalities own 358 of the active dams in this state and many of these dams are in need of repair or have outlived their purpose. HB428 provides low-cost loans which can be used to maintain, repair, improve or remove a dam. The amendment assures that if a borrower defaults on the loan that the state is not liable for taking on ownership and responsibility for the dam.

Vote 19-1.

Rep. Shannon E Chandley
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

RESOURCES, RECREATION AND DEVELOPMENT

HB428, relative to funds for dam maintenance, removal and improvement. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Shannon E Chandley for RESOURCES, RECREATION AND DEVELOPMENT. This bill allows Municipalities to apply to the Dam Maintenance Revolving Loan Fund. Presently only privately owned dams are eligible to apply to the fund for loans. Municipalities own 358 of the active dams in this state and many of these dams are in need of repair or have outlived their purpose. HB428 provides low-cost loans which can be used to maintain, repair, improve or remove a dam. The amendment assures that if a borrower defaults on the loan that the state is not liable for taking on ownership and responsibility for the dam. **Vote 19-1.**

HB 428

OTP/A

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Se Chandley

Ebbs, Heather

From: Suzanne Smith [zanne1@metrocast.net]

Sent: Tuesday, February 19, 2013 4:19 PM

To: Ebbs, Heather

Subject: BLURB HB428

Heather,

I'm still waiting for Shannon's approval on this so hold onto it. Thanks. Suzanne

HB 428 OTP/A

~~expands~~ *allows municipalities to apply to the*
This bill ~~expands the use of monies in the~~ Dam Maintenance Revolving Loan Fund ~~to include~~
~~municipally owned dams.~~ Presently, only privately owned dams are eligible to apply to the fund for
loans. Municipalities own 358 of the active dams in this state and many of these dams are in need of
repair or have outlived their purpose. HB428 provides low-cost loans which can be used to maintain,
repair, improve or remove a dam. The amendment assures that if a borrower defaults on the loan that
the state is not liable for taking on ownership and responsibility for the dam.

SA Gaudin