

Bill as  
Introduced

HB 397 - AS AMENDED BY THE HOUSE

7Apr2021... 0609h

2021 SESSION

21-0513

08/06

HOUSE BILL

**397**

AN ACT

relative to permitting fees under the shoreland protection act.

SPONSORS:

Rep. Pearl, Merr. 26; Rep. Lang, Belk. 4; Rep. Baldasaro, Rock. 5; Sen. French,  
Dist 7; Sen. Gannon, Dist 23

COMMITTEE:

Resources, Recreation and Development

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AMENDED ANALYSIS

This bill sets a limit on permitting fees for municipal, county, state, and federal projects under the shoreland protection act.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 397 - AS AMENDED BY THE HOUSE

7Apr2021... 0609h

21-0513  
08/06

STATE OF NEW HAMPSHIRE

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

AN ACT relative to permitting fees under the shoreland protection act.

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

- 1           1 New Paragraph; Shoreland Protection Act; Permitting Fees: Municipality, County, State,  
2 Federal Projects. Amend RSA 483-B:5-b by inserting after paragraph IX the following new  
3 paragraph:  
4           X. Applications for projects solely funded by municipal, county, state, or federal entities  
5 shall incur a permitting fee no greater than \$3,750.  
6           2 Effective Date. This act shall take effect July 1, 2021.

**HB 397- FISCAL NOTE**  
AS AMENDED BY THE HOUSE (AMENDMENT #2021-0609h)

AN ACT relative to permitting fees under the shoreland protection act.

FISCAL IMPACT:     State             County             Local             None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
<b>Expenditures</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
<b>Funding Source:</b>	<input type="checkbox"/> General Water Resources Fund / Shoreland Fees	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other -

**COUNTY:**

<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease

**LOCAL:**

<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease

**METHODOLOGY:**

This bill sets a limit on permitting fees for municipal, county, state, and federal projects under the shoreland protection act.

The Department of Environmental Services indicates this bill would cap the amount of the filing fee to be paid with any Shoreland Application filed for a project funded solely by municipal, county, state or federal funds at \$3,750. There is currently no cap on the filing fee associated with these applications. The filing fee is calculated based upon the size of the proposed project put forward by the applicant. Using the current fee structure, projects that impact more than 16,750 square feet of protected shoreland would be required to pay more than the proposed cap of \$3,750. The number of shoreland applications filed in any given year by public entities, and the area of impact on which fees would be assessed associated with those applications, is dependent upon economic and political variables and, therefore, it is not possible to predict how many applications that would be affected by the bill. The proposed change to the fee structure is not

expected to alter the number of applications that will be filed. For these reasons it is not possible to determine the impact the bill may have on the revenues received by the State. For the same reason it is not possible to predict the legislation's impact on local or county expenditures.

The Department assumes the number of applications received is not a function of the fee structure and would not change as a result of this bill. Since the number of applications would remain the same, State expenditures related to the processing, reviewing, and monitoring the projects would be unchanged. The Department notes any State agency filing an application to impact more than 16,750 square feet of area would see a one-time reduction in expenditures as a result of this legislation but as with local and county, the impact is indeterminate.

**AGENCIES CONTACTED:**

Department of Environmental Services

HB 397 - AS AMENDED BY THE SENATE

7Apr2021... 0609h  
04/29/2021 1164s

2021 SESSION

21-0513  
08/06

HOUSE BILL        **397**

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5 shall incur a permitting fee no greater than \$3,750.

6       2 New Subparagraph; Excavating and Dredging Permit; Application Fee. Amend RSA 482-A:3,  
7 X by inserting after subparagraph (c) the following new subparagraph:

8           (d) The maximum cash application fee for the Pease development authority, division of  
9 ports and harbors shall be \$10,000 per state tidal pier and docking facility application.

10       3 Effective Date. This act shall take effect July 1, 2021.

**HB 397 - AS AMENDED BY THE SENATE**

LBA  
21-0513  
4/21/21

**HB 397- FISCAL NOTE**  
AS AMENDED BY THE HOUSE (AMENDMENT #2021-0609h)

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<b>Expenditures</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
<b>Funding Source:</b>	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Water Resources Fund / Shoreland Fees			

**COUNTY:**

<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease

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**AGENCIES CONTACTED:**

Department of Environmental Services

CHAPTER 109  
HB 397 - FINAL VERSION

7Apr2021... 0609h  
04/29/2021 1164s

2021 SESSION

21-0513  
08/06

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Dist 7; Sen. Gannon, Dist 23

COMMITTEE:          Resources, Recreation and Development

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CHAPTER 109  
HB 397 - FINAL VERSION

7Apr2021... 0609h  
04/29/2021 1164s

21-0513  
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3 paragraph:

4 X. Applications for projects solely funded by municipal, county, state, or federal entities  
5 shall incur a permitting fee no greater than \$3,750.

6 109:2 New Subparagraph; Excavating and Dredging Permit; Application Fee. Amend RSA 482-  
7 A:3, X by inserting after subparagraph (c) the following new subparagraph:

8 (d) The maximum cash application fee for the Pease development authority, division of  
9 ports and harbors shall be \$10,000 per state tidal pier and docking facility application.

10 109:3 Effective Date. This act shall take effect July 1, 2021.

Approved: July 09, 2021  
Effective Date: July 01, 2021

**CHAPTER 109**  
**HB 397 - FINAL VERSION**

# Amendments

Sen. Avar, Dist 12  
April 14, 2021  
2021-1128s  
08/04

Amendment to HB 397

1 Amend the bill by inserting after section 1 the following and renumbering the original section 2 to  
2 read as 3:

3

4 2 New Subparagraph; Excavating and Dredging Permit; Application Fee. Amend RSA 482-A:3,  
5 X by inserting after subparagraph (c) the following new subparagraph:

6 (d) The maximum cash application fee for the Pease development authority, division of  
7 ports and harbors shall be \$10,000 per state tidal pier and docking facility application.

DRAFT

Energy and Natural Resources  
April 20, 2021  
2021-1164s  
08/04

Amendment to HB 397

1 Amend the bill by inserting after section 1 the following and renumbering the original section 2 to  
2 read as 3:

3

4 2 New Subparagraph; Excavating and Dredging Permit; Application Fee. Amend RSA 482-A:3,  
5 X by inserting after subparagraph (c) the following new subparagraph:

6 (d) The maximum cash application fee for the Pease development authority, division of  
7 ports and harbors shall be \$10,000 per state tidal pier and docking facility application.

# Committee Minutes



# SENATE CALENDAR NOTICE

## Energy and Natural Resources

Sen Kevin Avard, Chair  
Sen Bob Giuda, Vice Chair  
Sen James Gray, Member  
Sen David Watters, Member  
Sen Rebecca Perkins Kwoka, Member

Date: April 7, 2021

### HEARINGS

Monday	04/12/2021	
(Day)	(Date)	
Energy and Natural Resources	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m. <b>HB 309</b>	relative to the computation of renewable energy credits.	
1:20 p.m. <b>HB 289</b>	relative to including electrical storage facilities in the definition of energy facility.	
1:30 p.m. <b>HB 184</b>	relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.	
1:45 p.m. <b>HB 397</b>	relative to permitting fees under the shoreland protection act.	
2:00 p.m. <b>HB 413</b>	establishing a solid waste working group on solid waste management planning and relative to compost.	
2:15 p.m. <b>HB 437</b>	establishing a committee to study the shortage of animal slaughter and meat processing facilities in New Hampshire and the implementation of the meat inspection program.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/94523761333>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +19292056099,,94523761333# or +13017158592,,94523761333#
4. Webinar ID: [945 2376 1333](https://www.zoom.us/j/94523761333)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [remotesenate@leg.state.nh.us](mailto:remotesenate@leg.state.nh.us) or call (603-271-6931).

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 309**

Rep. Harrington

**HB 289**

Rep. Harrington

**HB 184**

Rep. K. Murray

**HB 397**

Rep. Pearl

Sen. Gannon

**HB 413**

Rep. Ebel

Rep. Merner

Rep. Massimilla

Sen. Watters

**HB 437**

Rep. Comtois

Rep. Lang

Rep. M. Murray

Rep. Suzanne Smith

Rep. Von Plinsky

Sen. Ward

Sen. Gray

Rep. Baldasaro

Rep. Sykes

Rep. Graham

Sen. Hennessey

Sen. Prentiss

Sen. French

Rep. Wolf

Rep. Milz

Sen. Whitley

Griffin Roberge 271-3042

Kevin A. Avard  
Chairman

# Senate Energy and Natural Resources Committee

Griffin Roberge 271-3042

HB 397, relative to permitting fees under the shoreland protection act.

**Hearing Date:** April 12, 2021.

**Time Opened:** 1:45 p.m.

**Time Closed:** 1:53 p.m.

**Members of the Committee Present:** Senators Avard, Gray, Watters and Perkins Kwoka.

**Members of the Committee Absent:** Senator Giuda.

**Bill Analysis:** This bill sets a limit on permitting fees for municipal, county, state, and federal projects under the shoreland protection act.

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**Sponsors:**

Rep. Pearl  
Sen. French

Rep. Lang  
Sen. Gannon

Rep. Baldasaro

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**Who supports the bill:** Representative Howard Pearl, Merrimack - District 26; Mario LeClerc, NH Water Pollution Control Association; Darlene Forst, NH Department of Environmental Services; Eric Pauer; Representative Andrew Renzullo, Hillsborough - District 37; Senator Harold French, Senate District 7; Cordell Johnston, NH Municipal Association; Representative Suzanne Smith, Grafton - District 8.

**Who opposes the bill:** None.

**Who is neutral on the bill:** None.

**Summary of testimony presented in support:**

*Representative Howard Pearl  
Merrimack - District 26*

- HB 397 as introduced sought to reinstate a fee exemption that was sunset in state statute on July 1, 2019. This statute exempted municipal, county, state, and federal projects from the Shoreland Water Quality Protection Act (SWQPA) permitting fees under RSA 483-B. SB 491 (2020) sought to reinstate this exemption, but the bill was laid upon the Senate table in 2020 and died there because of the suspension of legislative activity and the COVID-19 pandemic.
- Municipalities have expressed concern about higher SWQPA permitting fees since the fee exemption sunset. At times, these permitting fees can be in the tens of thousands of dollars. These increased costs are burdensome to municipal budgets, especially during the COVID-19 pandemic.
- The House Resources, Recreation, and Development Committee later amended HB 397 to remove the exemption and cap the SWQPA permitting fees for municipal, county, state, and federal projects at \$3,750. The NH Municipal Association (NHMA) and the NH Department of Environmental Services (NHDES) agreed with the amendment.
- HB 397 as amended by the House will help local taxpayers at a time when they are looking for needed financial relief. The bill will also help municipal water systems, wastewater treatment plants, and other projects move forward more quickly on important infrastructure improvements.

*Darlene Forst – provided written testimony*

*Shoreland Section Supervisor, Shoreland Program, NH Department of Environmental Services*

- HB 397 as amended by the House caps the SWQPA permitting fees at \$3,750 for projects solely funded by municipal, county, state, or federal entities.
- This cap strikes a balance between the need to maintain adequate funding for the Shoreland Program, which is funded solely through filing fees, and the need to recognize the funding constraints that municipalities and other public entities face when planning projects.

*Mario LeClerce - provided written testimony*

*Board Treasurer, NH Water Pollution Control Association (NHWPCA)*

- The NHWPCA represents all 300 wastewater treatment facilities throughout the state. Many wastewater and water treatment facilities and their infrastructure operate in protected zones as outlined under the SWQPA. These facilities must apply for SWQPA permits when they wish to make improvements, and the permits can cost tens of thousands of dollars.
- HB 397 does not lessen any SWQPA permitting requirements, but simply caps the SWQPA permitting fees at \$3,750. This change will greatly benefit local taxpayers and municipalities.

**Summary of testimony presented in opposition: None.**

**Neutral Information Presented: None.**

GJR

Date Hearing Report completed: April 12, 2021.

# Speakers

## Senate Remote Testify

### Energy and Natural Resources Committee Testify List for Bill HB397 on 2021-04-12

Support: 8 Oppose: 0 Neutral: 0 Total to Testify: 3

<b><u>Name</u></b>	<b><u>Email Address</u></b>	<b><u>Phone</u></b>	<b><u>Title</u></b>	<b><u>Representing</u></b>	<b><u>Position</u></b>	<b><u>Testifying</u></b>	<b><u>Signed Up</u></b>
Pearl, Howard	howard.pearl@leg.state.nh.us	603.231.1482	An Elected Official	Prime sponsor	Support	Yes	4/12/2021 7:35 AM
leclerc, mario	mleclerc@seabrooknh.org	603.722.8640	A Member of the Public	NHWPCA	Support	Yes	4/12/2021 8:34 AM
Forst, Darlene	Darlene.c.forst@des.nh.gov	603.271.4067	State Agency Staff	Dept of Environmental Services	Support	Yes	4/12/2021 10:49 AM
Pauer, Eric	secretary@BrooklineGOP.org	603.732.8489	A Member of the Public	Myself	Support	No	4/12/2021 7:42 AM
Renzullo, Andrew	andrew.renzullo@leg.state.nh.us	Not Given	An Elected Official	Myself	Support	No	4/12/2021 9:52 AM
French, Senator Harold	Not Given	Not Given	An Elected Official	Senate District 7	Support	No	4/10/2021 11:37 AM
Johnston, Cordell	cjohnston@nhmunicipal.org	603-230-3323	A Lobbyist	NH Municipal Association	Support	No	4/12/2021 6:30 AM
Smith, Suzanne	zanne719@gmail.com	603-715-0086	An Elected Official	Grafton 8	Support	No	4/12/2021 7:17 AM

# Testimony

## Griffin Roberge

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**From:** Beauchesne, Suzanne <Suzanne.E.Beauchesne@des.nh.gov>  
**Sent:** Friday, April 09, 2021 2:29 PM  
**To:** Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge  
**Cc:** Howard Pearl; Timothy Lang; Al Baldasaro; Harold French; William Gannon; Forst, Darlene; Pelletier, Rene; Trowbridge, Philip  
**Subject:** HB 397 Letter of Testimony  
**Attachments:** HB 397 LOT - Permitting Fees-Shoreland 040921.pdf

Dear Chairman Avard and Members of the Committee:

Attached is a letter of testimony from the NH Department of Environmental Services on HB.397 relative to permitting fees under the Shoreland Protection Act. Should you have questions about this testimony, or need additional information, please feel free to contact either Darlene Forst, Shoreland Section Supervisor, at 603-271-4067 or [Darlene.c.forst@des.nh.gov](mailto:Darlene.c.forst@des.nh.gov) or Rene Pelletier, Assistant Director, Water Division at 603-271-2951 or [Rene.j.pelletier@des.nh.gov](mailto:Rene.j.pelletier@des.nh.gov). Thank you. Suzanne

Stay Safe! Be Well!

Suzanne Beauchesne  
Office of the Commissioner  
NH Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03301  
Phone: (603) 271-3449  
[Suzanne.Beauchesne@des.nh.gov](mailto:Suzanne.Beauchesne@des.nh.gov)

*This e-mail and any files transmitted with it may be confidential and are intended solely for the use of the individual or entity to whom they are addressed. This communication may contain material protected by law or regulation. If you are not the intended recipient or the person responsible for delivering the e-mail for the intended recipient, be advised that if you have received this e-mail in error that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited. If you believe that you have received this e-mail in error, please notify me at the Department of Environmental Services at 603.271.3449.*





The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

April 9, 2021

The Honorable Kevin Avard  
Chairman, Energy and Natural Resources Committee  
State House, Senate Chamber  
Concord, NH 03301

RE: HB 397 – An Act relative to permitting fees under the shoreland protection act

Dear Chairman Avard and Members of the Committee:

Thank you for the opportunity to comment on HB 397. This bill, as amended by the House, proposes to establish a cap on application filing fees for projects solely funded by municipal, county, state, or federal entities when applying for permits required under the Shoreland Water Quality Protection Act, RSA 483-B. The New Hampshire Department of Environmental Services (NHDES) supports this bill as amended. NHDES believes that the capped fees strike a balance between the need to maintain adequate funding for the Shoreland Program, which is funded solely through filing fees, and the need to recognize the funding constraints that municipalities and other public entities face when planning projects. These constraints take the form not only of fund availability but of navigating fund allocation processes.

Thank you again for the opportunity to comment on this legislation. Should you have questions, or need additional information, please feel free to contact either Darlene Forst, Shoreland Section Supervisor, at 603-271-4067 or [Darlene.c.forst@des.nh.gov](mailto:Darlene.c.forst@des.nh.gov) or Rene Pelletier, Assistant Director, Water Division at 603-271-2951 or [Rene.j.pelletier@des.nh.gov](mailto:Rene.j.pelletier@des.nh.gov).

Sincerely,

Robert R. Scott  
Commissioner

cc: Sponsors of HB 397: Representatives Pearl, Lang, Baldasaro; Senators French, Gannon

## Griffin Roberge

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**From:** Mario Leclerc <mleclerc@seabrooknh.org>  
**Sent:** Monday, April 19, 2021 7:38 AM  
**To:** Griffin Roberge  
**Cc:** mcarle@hamptonnh.gov  
**Subject:** RE: HB 397 Written Testimony  
**Attachments:** NHWPCA Testimony on HB397 April 2021 docx.pdf

Good morning Mr. Roberge,

As discussed, attached is a copy of the testimony delivered by our Association.

Mario

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**From:** Griffin Roberge [mailto:Griffin.Roberge@leg.state.nh.us]  
**Sent:** Friday, April 16, 2021 1:13 PM  
**To:** Mario Leclerc  
**Cc:** Griffin Roberge  
**Subject:** HB 397 Written Testimony

Mario:

Thanks for returning my call earlier this week.

As I mentioned, I was wondering if you were reading from some written testimony during HB 397's public hearing. Would you be able to send that written testimony to me so that I may add it to the committee record?

Have a good weekend,

Griffin Roberge  
*Legislative Aide to Senator Bob Giuda*  
*Legislative Aide to the Senate Energy & Natural Resources Committee*  
**Phone:** (603) 271-3042  
**E-mail:** griffin.roberge@leg.state.nh.us



# NEW HAMPSHIRE WATER POLLUTION CONTROL ASSOCIATION

The Honorable Kevin Avar  
Chair, Energy and Natural Resources Committee  
State House, Senate Chamber  
Concord, NH 03301

RE: HB 397- **Shoreland Protection Act Permitting Fees**

Dear Chair Avar and Members of the Committee,

On behalf of the NH Water Pollution Control Association (NHWPCA) and our 300+ members who represent all of the wastewater treatment plants throughout the State, thank you for the opportunity to submit this written testimony.

Based on our careful reading of this bill, we are in support of HB 397. The bill will cap the permitting fees associated with the Shoreland Protection Act for municipal, county, state, and federal projects at \$3,750. These projects exempt from these fees until 2018 when the provision was not renewed in a previous session. New Hampshire municipalities, public water and wastewater utilities and ratepayers, and ultimately all tax payers will benefit from this bill.

The Wastewater Treatment Plants, the Water Treatment Plants, and portions of their collection and distribution systems are located within the protection zone that is regulated under the Shoreland Protection Act. The government entities must comply with and obtain a permit under the Shoreland Protection Act when they try to make improvements. This bill does not ease any permit requirements, it just limits the permitting fees, which have run into the tens of thousands of dollars. All stakeholders are in favor of this legislation: The NH Municipal Association and DES.

The NHWPCA and its members are committed stewards of the environment. We will continue to comply with the permit requirements as outlined in the permit. We respectfully request that this bill be passed to ease the financial burden that the permit fees can impose on these governmental entities.

Sincerely,

Michael Carle  
President, NHWPCA

Mario LeClerc  
Treasurer, NHWPCA

*Celebrating  
54 Years  
1967-2021*

Michael Carle  
*President*

Robert Robinson  
*Vice President*

David Mercier  
*Secretary*

Mario Leclerc  
*Treasurer*

Ryan Peebles  
*1st Director*

Mike Theriault  
*2nd Director*

Aaron Costa  
*3rd Director*

Nate Brown  
*1st Director-at-Large*

Peter Conroy  
*2nd Director-at-Large*

Steve Clifton  
*NEWEA Director*

Ken Conaty  
*Past President*

# Voting Sheets

# Senate Energy & Natural Resources Committee

## EXECUTIVE SESSION RECORD

### 2021-2022 Session

Bill # <i>HB 397-FN</i>
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Hearing Date: 04/12/2021

Executive Session Date: 04/12/2021

Motion of: OTA Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Watters

Notes: \_\_\_\_\_

# Senate Energy & Natural Resources Committee

## EXECUTIVE SESSION RECORD

### 2021-2022 Session

Bill # <i>HB 397-FN</i>
-------------------------

Hearing Date: 04/12/2021

Executive Session Date: 04/19/2021

Motion of: Reconsider 4/12 committee vote      Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP (motion from 4/12)      Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Motion of: Amendment 1128s      Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPA      Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: \_\_\_\_\_

Notes: \_\_\_\_\_

# Senate Energy & Natural Resources Committee

## EXECUTIVE SESSION RECORD

### 2021-2022 Session

Bill # <i>HB 397-FN</i>
-------------------------

Hearing Date: 04/12/2021

Executive Session Date: 04/19/2021

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Perkins Kwoka

Notes: \_\_\_\_\_

# Committee Report



STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Monday, April 19, 2021

THE COMMITTEE ON Energy and Natural Resources

to which was referred **HB 397**

AN ACT

relative to permitting fees under the shoreland  
protection act.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1164s

Senator Rebecca Perkins Kwoka  
For the Committee

This bill caps permitting fees for municipal, county, state, and federal projects at \$3,750 under the Shoreland Water Quality Protection Act in RSA 483-B. This bill will help municipal water systems and wastewater treatment plants move forward more quickly on important infrastructure projects and provide relief to municipal budgets and local taxpayers. The committee amendment caps the application fee for the Pease Development Authority at \$10,000 per state tidal pier and docking facility application. This cap is consistent with applications for tidal dredging projects and municipal dredging projects. The NH Department of Environmental Services registered its support for this amendment as tidal piers and docking facilities yield a significant public benefit for Seacoast residents and businesses.

Griffin Roberge 271-3042

FOR THE CONSENT CALENDAR

**ENERGY AND NATURAL RESOURCES**

**HB 397**, relative to permitting fees under the shoreland protection act.

Ought to Pass with Amendment, Vote 5-0.

Senator Rebecca Perkins Kwoka for the committee.

This bill caps permitting fees for municipal, county, state, and federal projects at \$3,750 under the Shoreland Water Quality Protection Act in RSA 483-B. This bill will help municipal water systems and wastewater treatment plants move forward more quickly on important infrastructure projects and provide relief to municipal budgets and local taxpayers. The committee amendment caps the application fee for the Pease Development Authority at \$10,000 per state tidal pier and docking facility application. This cap is consistent with applications for tidal dredging projects and municipal dredging projects. The NH Department of Environmental Services registered its support for this amendment as tidal piers and docking facilities yield a significant public benefit for Seacoast residents and businesses.

**Docket of HB397**

Docket Abbreviations

**Bill Title:** relative to permitting fees under the shoreland protection act.*Official Docket of HB397.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/10/2021	H	<b>Introduced</b> (in recess of) 01/06/2021 and referred to Resources, Recreation and Development <b>HJ 2</b> P. 46
1/27/2021	H	==CANCELLED== Public Hearing: 02/17/2021 01:00 pm Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/93611943701">https://www.zoom.us/j/93611943701</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/3/2021	H	Public Hearing: 03/03/2021 11:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/94760331850">https://www.zoom.us/j/94760331850</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/15/2021	H	Committee Report: Ought to Pass with Amendment <b>#2021-0609h</b> (Vote 21-0; CC) <b>HC 18</b> P. 22
4/7/2021	H	Amendment <b>#2021-0609h</b> : AA VV 04/07/2021 <b>HJ 5</b> P. 46
4/7/2021	H	<b>Ought to Pass with Amendment</b> 2021-0609h: MA VV 04/07/2021 <b>HJ 5</b> P. 46
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 <b>HJ 5</b> P. 50
4/7/2021	S	Introduced 04/01/2021 and Referred to Energy and Natural Resources; <b>SJ 11</b>
4/7/2021	S	Remote <b>Hearing</b> : 04/12/2021, 01:45 pm; Links to join the hearing can be found in the Senate Calendar; <b>SC 19</b>
4/21/2021	S	Committee Report: Ought to Pass with Amendment <b>#2021-1164s</b> , 04/29/2021; Vote 5-0; CC; <b>SC 21</b>
4/29/2021	S	Committee Amendment <b>#2021-1164s</b> , RC 24Y-0N, AA; 04/29/2021; <b>SJ 13</b>
4/29/2021	S	<b>Ought to Pass with Amendment</b> 2021-1164s, RC 24Y-0N, MA; OT3rdg; 04/29/2021; <b>SJ 13</b>
6/10/2021	H	House Concurs with Senate Amendment 2021-1164s (Rep. Renzullo): MA VV 06/10/2021
7/1/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); <b>SJ 20</b>
7/1/2021	H	Enrolled (in recess of) 06/24/2021
7/13/2021	H	Signed by Governor Sununu 07/09/2021; Chapter 109; Eff: 07/01/2021

NH House

NH Senate

# Other Referrals

# Senate Inventory Checklist for Archives

Bill Number: HB 397-FN

Senate Committee: ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

### Bill Hearing Documents: (Legislative Aides)

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

### Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

- amendment # 11285      \_\_\_\_\_ - amendment # \_\_\_\_\_

- amendment # 11645      \_\_\_\_\_ - amendment # \_\_\_\_\_

Executive Session Sheet

Committee Report

### Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_

\_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_

### Post Floor Action: (if applicable) (Clerk's Office)

\_\_\_\_\_ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

\_\_\_\_\_ Enrolled Bill Amendment(s)

\_\_\_\_\_ Governor's Veto Message

### All available versions of the bill: (Clerk's Office)

as amended by the senate      \_\_\_\_\_ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

\_\_\_\_\_  
Committee Aide

\_\_\_\_\_  
Date

Senate Clerk's Office AK