

**REGULAR CALENDAR**

**October 26, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Resources, Recreation and Development to which was referred HB 1452-FN,**

**AN ACT renaming the department of environmental services the department of environmental protection**

**and assigning the department oversight of private**

**drinking water wells. Having considered the same,**

**report the same: NOT RECOMMENDED FOR FUTURE**

**LEGISLATION.**

**Rep. Suzanne Smith**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Resources, Recreation and Development</b>
Bill Number:	<b>HB 1452-FN</b>
Title:	<b>renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.</b>
Date:	<b>October 26, 2022</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>NOT RECOMMENDED FOR FUTURE LEGISLATION</b>

### STATEMENT OF INTENT

This bill would change the name of the Department of Environmental Services (DES) and would authorize DES to enter privately owned lands with drinking wells to inspect and take water samples. DES stated that they have success working voluntarily with private land owners and collaborating with local health officers on testing of well water. Giving the agency policing authority to enter private property without permission could jeopardize the good relationship DES has now with homeowners. The committee has also learned that through legislation passed in 2021, private well owners whose wells exceed or are close to maximum contaminant levels for PFAS are eligible for grants to pay for remediation. DES opposed the Department name change and the fiscal note stated that the name change would require the state to expend substantial resources to replace or revise the agency's name on every aspect of its operation. The committee unanimously voted to not recommend HB 1452 for future legislation.

Vote 16-0.

Rep. Suzanne Smith  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## **REGULAR CALENDAR**

Resources, Recreation and Development

**HB 1452-FN**, renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.**NOT RECOMMENDED FOR FUTURE LEGISLATION .**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill would change the name of the Department of Environmental Services (DES) and would authorize DES to enter privately owned lands with drinking wells to inspect and take water samples. DES stated that they have success working voluntarily with private land owners and collaborating with local health officers on testing of well water. Giving the agency policing authority to enter private property without permission could jeopardize the good relationship DES has now with homeowners. The committee has also learned that through legislation passed in 2021, private well owners whose wells exceed or are close to maximum contaminant levels for PFAS are eligible for grants to pay for remediation. DES opposed the Department name change and the fiscal note stated that the name change would require the state to expend substantial resources to replace or revise the agency's name on every aspect of its operation. The committee unanimously voted to not recommend HB 1452 for future legislation.

**Vote 16-0.**

Original: House Clerk

Cc: Committee Bill File

## Heather Goley

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**From:** Andrew Renzullo  
**Sent:** Wednesday, October 26, 2022 2:04 PM  
**To:** Heather Goley  
**Subject:** Interim Study Report on HB1452

HB1452

Representative Suzanne Smith for the Committee

This bill would change the name of the department of environmental services and would authorize DES to enter privately owned lands with drinking wells to inspect and take water samples. DES stated that they have success working voluntarily with private land owners and collaborating with local health officers on testing of well water. Giving the agency policing authority to enter private property without permission could jeopardize the good relationship DES has now with homeowners. The committee has also learned that through legislation passed in 2021, private well owners whose wells exceed or are close to maximum contaminant levels for PFAS are eligible for grants to pay for remediation. DES opposed the Department name change and the fiscal note stated that the name change would require the state to expend substantial resources to replace or revise the agency's name on every aspect of its operation. The committee unanimously voted to not recommend HB1452 for future legislation

**HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT**

**EXECUTIVE SESSION on HB 1452-FN**

**BILL TITLE:** renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

**DATE:** October 19, 2022

**LOB ROOM:** 305 - 307

**MOTION:**

Interim Study (2nd yr) Not Recommended for Future Legislation

Moved by Rep. Suzanne Smith

Seconded by Rep. Harvey-Bolia

Vote: 16-0

Respectfully submitted,

Rep Juliet Harvey-Bolia, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 1452-FN

**BILL TITLE:** renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

**DATE:** 10/19/22

**LOB ROOM:** 305 - 307

**MOTION:**  Recommended for Future Legislation  
 Not Recommended for Future Legislation

Moved by Rep. Smith      Seconded by Rep. Harvey-Bola      Vote: 16-0

Respectfully submitted,

Rep. Jared Harvey-Bola  
Committee Clerk



2022 SESSION

Resources, Recreation and Development

Bill #: 1452 Motion: Not Recommended AM #: \_\_\_\_\_ Exec Session Date: 10/19/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Renzullo, Andrew Chairman	✓		
Harb, Robert D. Vice Chairman	✓		
Hough, Gregg	✓		
Gould, Linda R.	✓		
Horgan, James F.	✓		
Creighton, Jim L.	✓		
Dodge, Dustin	✓		
Harvey-Bolia, Juliet Clerk	✓		
Healey, Robert V.	✓		
Mayville, Mary L.	✓		
Post, Lisa C.M.	✓		
Smith, Suzanne J.	✓		
Spang, Judith T.			✓
Grassie, Chuck W.	✓		
Gottling, Suzanne H.	✓		
Cohen, Bruce L.	✓		
Connors, Erika F.			✓
Vail, Suzanne M.	✓		
Kelley, Eamon P.			✓
Moran, Melbourne R.			✓
Egan, Timothy T.			✓

16 0

Andy!

# CONSENT CALENDAR

February 7, 2022

## HOUSE OF REPRESENTATIVES

### REPORT OF COMMITTEE

**The Committee on Resources, Recreation and Development to which was referred HB 1452-FN,**

**AN ACT renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells. Having considered the same, report the same with the recommendation that the bill be REFERRED FOR INTERIM STUDY.**

**Rep. Suzanne Smith**

**FOR THE COMMITTEE**



## COMMITTEE REPORT

Committee:	<b>Resources, Recreation and Development</b>
Bill Number:	<b>HB 1452-FN</b>
Title:	<b>renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.</b>
Date:	<b>February 7, 2022</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>REFER FOR INTERIM STUDY</b>

### STATEMENT OF INTENT

This bill would change the name of the Department of Environmental Services (DES) to the Department of Environmental Protection. The bill is opposed by DES and estimates the cost of such a name change would be upwards of \$500,000. The bill would also authorize DES to enter all privately owned lands with private drinking wells to inspect and take water samples. The department testified that they already have success working voluntarily with private land owners and collaborating with local health officers. Further, even if this bill were passed, landowners may refuse citing current New Hampshire law, and force DES to obtain a warrant to inspect. Although the issue of water contamination in private wells is serious, the committee agreed unanimously that this legislation needs much more work.

Vote 21-0.

Rep. Suzanne Smith  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Resources, Recreation and Development

**HB 1452-FN**, renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells. **REFER FOR INTERIM STUDY.**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill would change the name of the Department of Environmental Services (DES) to the Department of Environmental Protection. The bill is opposed by DES and estimates the cost of such a name change would be upwards of \$500,000. The bill would also authorize DES to enter all privately owned lands with private drinking wells to inspect and take water samples. The department testified that they already have success working voluntarily with private land owners and collaborating with local health officers. Further, even if this bill were passed, landowners may refuse citing current New Hampshire law, and force DES to obtain a warrant to inspect. Although the issue of water contamination in private wells is serious, the committee agreed unanimously that this legislation needs much more work.

**Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

## Heather Goley

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**From:** Andrew Renzullo  
**Sent:** Saturday, February 5, 2022 12:45 PM  
**To:** Heather Goley  
**Subject:** Blurb for HB1452

Heather,

This is the blurb for HB1452

Resources Recreation and Development

HB 1452

Committee Report

Motion: Interim study

Vote: 21-0 Consent Calendar

This bill would change the name of the department of environmental services to the department of environmental protection. The bill is opposed by the department and estimates the cost of such a name change would be upwards of \$500,000.

The bill would also authorize the department to enter all privately owned lands with private drinking wells to inspect and take water samples. The department testified that they already have success working voluntarily with private land owners and collaborating with local health officers. Further, even if this bill were passed, landowners may refuse citing RSA 595-B and force the department to obtain a warrant to inspect. Although the issue of water contamination in private wells is serious, the committee agreed unanimously that this legislation needs much more work.

Suzanne Smith for the Committee

**HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT**

**EXECUTIVE SESSION on HB 1452-FN**

**BILL TITLE:** renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

**DATE:** February 2, 2022

**LOB ROOM:** 305 - 307

**MOTIONS: REFER FOR INTERIM STUDY**

Moved by Rep. Suzanne Smith                      Seconded by Rep. Vail                      Vote: 12-9

Reconsideration of Vote on HB1452

**MOTIONS: REFER FOR INTERIM STUDY**

Moved by Rep. Suzanne Smith                      Seconded by Rep. Vail                      Vote: 21-0

**CONSENT CALENDAR: YES**

**Statement of Intent:**                      Refer to Committee Report

Respectfully submitted,

Rep Juliet Harvey-Bolia, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 1452-FN

BILL TITLE: renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

DATE: 2-2-22

LOB ROOM:

MOTION: (Please check one box)

- Options: OTP, ITL, Retain (1st year), Adoption of Amendment #, Interim Study (2nd year) [checked]

Moved by Rep. Smith Secoded by Rep. Vail Vote: 12-9

MOTION: (Please check one box)

- Options: OTP, OTP/A, ITL, Retain (1st year), Adoption of Amendment #, Interim Study (2nd year) [checked]

TO RECONSIDER Moved by Rep. Renzullo Secoded by Rep. Hough Vote: 21-0

MOTION: (Please check one box)

- Options: OTP, OTP/A, ITL, Retain (1st year), Adoption of Amendment #, Interim Study (2nd year) [checked]

Moved by Rep. Smith Secoded by Rep. VAIL Vote: 21-0

MOTION: (Please check one box)

- Options: OTP, OTP/A, ITL, Retain (1st year), Adoption of Amendment #, Interim Study (2nd year)

Moved by Rep. Secoded by Rep. Vote:

CONSENT CALENDAR: YES [checked] NO [checked] ON CONSENT

Minority Report? Yes No If yes, author, Rep. Motion

Respectfully submitted: Juliet Harvey-Bolia, Clerk



2022 SESSION

Resources, Recreation and Development

Bill #: 1452-FN Motion: Interim Study AM #: \_\_\_\_\_ Exec Session Date: 2-2-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Renzullo, Andrew Chairman	✓		
Harb, Robert D. Vice Chairman		✓	
Hough, Gregg		✓	
Gould, Linda R.		✓	
Horgan, James F.		✓	
Creighton, Jim L.		✓	
Dodge, Dustin		✓	
Harvey-Bolia, Juliet Clerk		✓	
Healey, Robert V.	✓		
Mayville, Mary L.		✓	
Post, Lisa C.M.		✓	
Smith, Suzanne J.	✓		
<del>Spang, Judith T.</del> RUNG	✓		
Grassie, Chuck W.	✓		
Gottling, Suzanne H.	✓		
Cohen, Bruce L.	✓		
Connors, Erika F.	✓		
Vail, Suzanne M.	✓		
Kelley, Eamon P.	✓		
<del>Moran, Melbourne R.</del> PEREZ	✓		
Egan, Timothy T.	✓		
	12	9	



2022 SESSION

Resources, Recreation and Development

Bill #: 1452FN Motion: Reconsider AM #: \_\_\_\_\_ Exec Session Date: 2-2-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Renzullo, Andrew Chairman	✓		
Harb, Robert D. Vice Chairman	✓		
Hough, Gregg	✓		
Gould, Linda R.	✓		
Horgan, James F.	✓		
Creighton, Jim L.	✓		
Dodge, Dustin	✓		
Harvey-Bolia, Juliet Clerk	✓		
Healey, Robert V.	✓		
Mayville, Mary L.	✓		
Post, Lisa C.M.	✓		
Smith, Suzanne J.	✓		
<del>Spang, Judith T.</del> <b>RUNG</b>	✓		
Grassie, Chuck W.	✓		
Gottling, Suzanne H.	✓		
Cohen, Bruce L.	✓		
Connors, Erika F.	✓		
Vail, Suzanne M.	✓		
Kelley, Eamon P.	✓		
<del>Moran, Melbourne R.</del> <b>PEREZ</b>	✓		
Egan, Timothy T.	✓		

21 0



2022 SESSION

Resources, Recreation and Development

Bill #: 1452 FN Motion: INTERIM STUDY AM #: \_\_\_\_\_ Exec Session Date: \_\_\_\_\_

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Renzullo, Andrew Chairman	✓		
Harb, Robert D. Vice Chairman	✓		
Hough, Gregg	✓		
Gould, Linda R.	✓		
Horgan, James F.	✓		
Creighton, Jim L.	✓		
Dodge, Dustin	✓		
Harvey-Bolia, Juliet Clerk	✓		
Healey, Robert V.	✓		
Mayville, Mary L.	✓		
Post, Lisa C.M.	✓		
Smith, Suzanne J.	✓		
<del>Spang, Judith T.</del> RUNG	✓		
Grassie, Chuck W.	✓		
Gottling, Suzanne H.	✓		
Cohen, Bruce L.	✓		
Connors, Erika F.	✓		
Vail, Suzanne M.	✓		
Kelley, Eamon P.	✓		
<del>Moran, Melbourne R.</del> PEREZ	✓		
Egan, Timothy T.	✓		

12 0



**HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT**

**PUBLIC HEARING ON HB 1452-FN**

**BILL TITLE:** renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

**DATE:** January 12, 2022

**LOB ROOM:** 305 - 307                      **Time Public Hearing Called to Order:** 9:47 a.m.

**Time Adjourned:** 11:00 a.m.

**Committee Members:** Reps. Renzullo, Harb, Harvey-Bolia, Hough, Gould, Horgan, Creighton, Dodge, Healey, Mayville, Post, Suzanne Smith, Gottling, Cohen, E. Kelley and Egan

**Bill Sponsors:**

**Rep. B. Boyd**

**Rep. Mooney**

**TESTIMONY**

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

**Rep. Boyd**, sponsor, spoke in favor of the bill. He stated the change in the name represents an amplification on mission [of DES]. Boyd suggested that PFOA and other contaminants are a problem and need state oversight.

**Rep. Harb** referenced a letter from Commissioner Scott of DES, stating that the DES opposes the aspect of the bill that renames the Department by replacing, "Services" with "Protection." The Commissioner also questioned the need for the bill as the department has had success while working with private homeowners.

**Rep. Gould** asked if DES could just enter anyone's property. **Boyd** stated that a letter would be sent to homeowners stating water issues exist, before entering.

**Rep. Post** questioned the need for the bill.

**Rep. Cohen** asked if it were possible to refrain from changing the name of the department.

**Rep. Smith** stated that the bill seemed vague and asked if it could be clarified.

**Rep. Creighton** asked the reason for the name change. **Boyd** stated that the name change suggests that the agency has "teeth."

**Rep. Hough** asked if search warrants or some other mechanism might be appropriate for contaminate research.

**Rep. Dodge** stated that PFAS testing is available for home-owners.

**Brandon Kernen, of the Drinking Water Bureau** spoke against the renaming of the department. The word "services," he feels, is very effective. He stated the Bureau has no position about the part of the bill allowing DES to enter property. He further stated that DES works with health officers, if necessary, to gain access to property.

**Rep. Smith** asked about proper procedure to enter property for inspections. **Kernen** stated that anyone can refuse entry to their property. A warrant would need to be obtained.

**Rep. Cohen** asked about tenants and the process of compelling property-owners to comply with drinking water quality issues.

Rep. Egan asked about the amount behind the fiscal note. Kernan stated that changing the name would be costly, but he know firm number.

Rep. Post asked about PFAs sampling. Kernan stated that people within the 500 ft sampling area can obtain testing. He added that there is a growing problem with PFAS contamination in the southern part of the state. More sampling is needed to address the problem. Post asked if there were cancer clustered. Kernan stated that in Merrimack, there is a correlation with kidney cancer.

Chair Renzullo asked if this bill would give "commercial-level" access to private home-owners. Kernan stated that the Safe Drinking Water act applies to public water systems, not private drinking water wells. Guidance is provided with regard to private wells. Renzullo stated he received a letter regarding nearby contamination, but no offer of testing.

Rep. Healey asked if there should be remediation for those suffering with PFAs contamination in their wells. Kernan stated that federal funds are being sought to remediate the situation, but that the situation is complicated.

**Mark Sanborn, Assistant Commissioner, NHDES** stated that they did not asks to have this bill written. He added that this bill will not help address the PFAS problems. DES prefers the current department name. He asserted that the way to fix the PFAS problem is to continue sampling and addressing the problem.

Rep. Post asked about litigation. Sanborn stated that there is pending PFAS legislation.

**Chris Norwood, NH Assoc. of Realtors**, spoke in opposition to this bill based on the aspect allowing entry into private property.

Rep. Smith asked if realtors gives informational packets for customers about water quality. Norwood stated that there is an obligation of disclosure that is attended to t=during a home sale.

Respectfully submitted,

Rep. Juliet Harvey-Bolia  
Clerk

Hearing opened: Jan 12, 2022 at 09:47 am

Bill: HB 1452-FN- Renaming

Committee members: Reps Renzullo, Harb, Harvey-Bolia, Creighton, Smith, Dodge, Gottling, Gould, Hough, Healey, Hough, Horgan, Egan, Post, Mayville, Kelley and Cohen.

Rep. Boyd, sponsor, spoke in favor of the bill. He stated the change in the name represents an amplification on mission [of DES]. Boyd suggested that PFOA and other contaminants are a problem and need state oversight.

Rep. Harb referenced a letter from Commissioner Scott of DES, stating that the DES opposes the aspect of the bill that renames the Department by replacing, "Services" with "Protection." The Commissioner also questioned the need for the bill as the department has had success while working with private homeowners.

Rep. Gould asked if DES could just enter anyone's property. Boyd stated that a letter would be sent to homeowners stating water issues exist, before entering.

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Rep. Smith- stated that the bill seemed vague and asked if it could be clarified.

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Brandon Kernen, of the Drinking Water Bureau spoke against the renaming of the department. The word "services," he feels, is very effective. He stated the Bureau has no position about the part of the bill allowing DES to enter property. He further stated that DES works with health officers, if necessary, to gain access to property.

Rep. Smith asked about proper procedure to enter property for inspections. Kernen stated that anyone can refuse entry to their property. A warrant would need to be obtained.

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Rep. Smith asked if realtors give informational packets for customers about water quality. Norwood stated that there is an obligation of disclosure that is attended to during a home sale.

11:00 am- The Chair closed the hearing



The New Hampshire  
**House of Representatives**

**HOUSE OF REPRESENTATIVES - ONLINE TESTIMONY SUBMISSIONS**

House Resources, Recreation and Development	▼
HB1452	▼

**Support: 3 | Oppose: 1 | Neutral: 0**

<u>Name</u>	<u>Town</u>	<u>State</u>	<u>Position</u>	<u>Attachment</u>	<u>Typed</u>
Curtis Howland	Manchester	NH	Oppose		
Hon. Nancy A. Murphy	Merrimack	NH	Support		
Jon Swan	Dalton	NH	Support		
Sally Dabrowski	Merrimack	NH	Support		



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



**Robert R. Scott, Commissioner**

January 10, 2022

The Honorable Andrew Renzullo  
Chair, House Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, NH 03301

RE: HB 1452–FN, AN ACT renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

Dear Chairman Renzullo and Members of the Committee:

Thank you for the opportunity to comment on HB 1452. This bill would: 1) Rename the Department of Environmental Services (Department) to the Department of Environmental Protection; and 2) Authorize the Department to enter privately owned lands for the purpose of sampling and inspecting private drinking water wells.

The Department of Environmental Services (Department) opposes the aspect of the bill that proposes to re-name the Department by replacing “Services” with “Protection.” The term “Services” appropriately reflects that the Department achieves environmental protection using multiple approaches including education, collaboration, assistance and regulatory oversight. Modifying its name will divert substantial resources to re-brand the agency and potentially cause confusion.

The Department takes no position on the aspect of the bill that would explicitly enable it to enter privately owned lands for the purpose of sampling and inspect private drinking water wells to ensure compliance with the provisions of RSA 485. However, we do question its need, as the Department has historically had success working with private land owners or collaborating with local health officers under their inspection authorities pursuant to RSA 147 to gain access to wells for inspections and sampling. Nevertheless, the proposed language in HB 1452 would clarify that the Department has the authority to inspect and collect samples from private wells. The Department notes that even with the language in this bill that enables the Department to enter privately owned land, a landowner may refuse entry by the Department and require that it obtain an administrative inspection warrant pursuant to RSA 595-B.

Thank you again for the opportunity to comment on HB 1452. Should you have any questions or require more information, please contact Brandon Kernen, Administrator of the Drinking Water and Groundwater Bureau at 603-271-1168 or [Brandon.Kernen@des.nh.gov](mailto:Brandon.Kernen@des.nh.gov) with any questions.

Sincerely,

Robert R. Scott, Commissioner

ec: Sponsors of HB 1452: Representatives Boyd and Mooney

## Heather Goley

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**From:** Mary Anne Broshek <mabandsadie@gmail.com>  
**Sent:** Tuesday, January 18, 2022 8:20 PM  
**To:** ~House Resources Recreation and Development  
**Subject:** Hb 1452

I just read that you recently heard this bill in committee and hope it is not to late to comment.

Please DO NOT change the name of Environmental Services. As someone who worked at the Dept. of Health and Human Services for 30 years where we were constantly getting "reorganized" and having names changed DO NOT spend money on new letterhead, business cards and all the others things with a Dept. name- not to mention having to throw out all of the old stuff. Use the money to actually protect what needs to be protected.

Mary Anne Broshek  
Andover, NH



## Heather Goley

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**From:** Sanborn, Mark A <mark.a.sanborn1@des.nh.gov>  
**Sent:** Monday, January 31, 2022 11:30 AM  
**To:** Beauchesne, Suzanne; ~House Resources Recreation and Development  
**Cc:** Bill Boyd; Maureen Mooney; Pelletier, Rene; Kernen, Brandon; Fitzgerald, Michael  
**Subject:** RE: HB 1452 Letter of Testimony

Good Morning All,

During the public hearing for this bill, NHDES was asked to provide an estimate for the cost of the name change. Please find below the costs and expenses we could identify to provide an estimate.

**DEPARTMENT OF ENVIRONMENTAL SERVICES  
ESTIMATED COST OF NAME CHANGE  
HB 1452**

<b>AREA</b>	<b>ESTIMATED COST</b>	<b>COMMENTS</b>
Decals/Signs/Logos	108,040	replace all logos and decals from signs, equipment, etc.
Contracts	101,340	required name change on over 750 active grants/contracts
Websites	30,970	required time to change name on both state and agency website
Forms/Publications	33,780	Approximately 200 paper forms/publications needing change and
Rules	22,464	133 set of rules to change
Windows		
Applications/Reports	178,283	replace name on over 70 Windows applications and over 2200 el
Computer Names	8,727	Approximately 15 minutes per device (620 devices as of 12/31/2
Web Documents	90,418	update thousands of web documents/ links/pages/Nforms
<b>TOTAL:</b>	<b>\$ 574,021</b>	

Please let us know if you need anything else.

Best Regards,

Mark

Mark Sanborn  
NH Department of Environmental Services  
Assistant Commissioner  
[mark.a.sanborn1@des.nh.gov](mailto:mark.a.sanborn1@des.nh.gov)  
Desk: (603) 271-8806  
Cell: (603) 406-0309

**From:** Beauchesne, Suzanne <Suzanne.E.Beauchesne@des.nh.gov>  
**Sent:** Monday, January 10, 2022 1:39 PM

**To:** HouseResourcesRecreationandDevelopment@leg.state.nh.us

**Cc:** bill.boyd@leg.state.nh.us; maureen.mooney@leg.state.nh.us; Sanborn, Mark A <mark.a.sanborn1@des.nh.gov>; Pelletier, Rene <RENE.J.PELLETIER@des.nh.gov>; Kernen, Brandon <Brandon.M.Kernen@des.nh.gov>; Fitzgerald, Michael <WILLIAM.M.FITZGERALD@des.nh.gov>

**Subject:** HB 1452 Letter of Testimony

Dear Chairman Renzullo and Members of the Committee:

Attached is a letter of testimony from the NH Department of Environmental Services on HB 1452, an act renaming the department of environmental services, the department of environmental protection, and assigning the department oversight of private drinking water wells. Should you have questions about this testimony or need additional information, please feel free to contact Brandon Kernen, Administrator of the Drinking Water and Groundwater Bureau at [Brandon.Kernen@des.nh.gov](mailto:Brandon.Kernen@des.nh.gov), or 603-271-1168. Thank you. Suzanne

Stay Safe! Be Well!

Suzanne Beauchesne  
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NH Department of Environmental Services  
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## Heather Goley

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**From:** Billie-Jean Greene <billiejgreene@gmail.com>  
**Sent:** Sunday, January 9, 2022 3:34 PM  
**To:** ~House Resources Recreation and Development  
**Subject:** HB1452

I oppose this bill.

Thank you!  
Billie-Jean Greene  
Greenfield

HB 1452-FN - AS INTRODUCED

2022 SESSION

22-2173

12/08

HOUSE BILL

***1452-FN***

AN ACT

renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

SPONSORS:

Rep. B. Boyd, Hills. 21; Rep. Mooney, Hills. 21

COMMITTEE:

Resources, Recreation and Development

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ANALYSIS

This bill changes the name of the department of environmental services to the department of environmental protection and authorizes the department to regulate private drinking wells.

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Explanation:

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

Matter removed from current law appears [~~in brackets and struck through.~~]

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

STATE OF NEW HAMPSHIRE

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

AN ACT            renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

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

1            1 New Paragraph; Authority to Regulate Private Wells. Amend RSA 485:41 by inserting after  
2 paragraph IX the following new paragraph:

3            X. Enter, and authorize its employees and agents to enter, all privately owned lands with a  
4 private drinking well for the purpose of carrying out inspection and for the purpose of taking water  
5 samples, to determine compliance with the provisions of this title or rules adopted under it, and to  
6 inspect any and all records of such private well in order to determine compliance with this title and  
7 rules adopted under it.

8            2 Name Change; Department of Environmental Services. Amend the following RSA provisions  
9 by replacing "environmental services" with "environmental protection": RSA 4:40-a; 4:40-b; 4-F:1,  
10 II(7); 6:12, I(b)(144); 6:12-d, II(j); 6:12-j, V(b)(1); 6:13-e; 9-C:5; 12-A:9-b, I(m); 12-E:1, XIII; 12-E:2; 12-  
11 E:2-a; 12-E:2-b; 12-E:3; 12-E:4, X; 12-E:6; 12-E:7(e); 12-G:6-b, I(h); 21-I:19-H, VII(e); 21-I:81, IV; 21-  
12 J:35, VII(c); 21-M:3, VIII; 21-M:10, (b); the title of chapter 21-O; 21-O:1, I-II; the introductory  
13 paragraph of 21-O:1-a; 21-O:2, I-II; 21-O:3; 21-O:5-a; 21-O:7, III; 21-O:9, IV; 21-O:11, III; the  
14 introductory paragraph of 21-O:12; 21-O:16; 21-O:17; 21-O:23, II-III; 21-P:14, V(q); 21-P:17, I(c); 21-  
15 P:24; 21-P:48, I(l); 23:1-a, II; 31:92-a; 32:21; 33:5; 33:5-a; 33:5-b; 33:5-c; 33:7-b; 38:25; 38:37, II; 41:11-  
16 d, I; 52:18-a; 52:26; 53-B:3, V; 72:8-d, III; 72:12-a, II; 72:12-b; 79-C:3, II(g)(2); 94:1-a; 106-H:14, II;  
17 122:2; 125-C:2, V-a-V-b; 125-C:6-a, I; 125-C:10-c, II(d); 125-C:15, I-b; 125-D:2, I-a-II; the introductory  
18 paragraph of 125-D:4; 125-H:3, IV; 125-H:4; 125-H:7; 125-I:2, the introductory paragraph of 125-I:3-  
19 a; 125-J:1; 125-J:8, I-a; 125-J:11, I-a(b); 125-M:1, V; 125-M:2; 125-N:1, IV; 125-N:2, I and II; 125-O:1,  
20 II-III; 125-O:2, III-IV; 125-O:5-a, II(d); 125-O:11, II; 125-O:20, VI; 125-O:23; 125-R:1, III; 125-S:1;  
21 125-S:2, I; 125-S:3; 126-A:73-a, II(4); 126-A:74, II(4); 126-A:76; 126-A:79-a; 141-E:1, IV-V; 141-E:2;  
22 143:16; 143:21; 143:21-a; 143:26; 146-A:2, XII-XIII; 146-A:2-a, IV; 146-A:3-c, II(b)(2); 146-A:4; 146-  
23 A:5; 146-A:11; 146-A:11-a, I-III; 146-A:11-b; the introductory paragraph of 146-A:12; 146-A:15, I; 146-  
24 A:19, II; 146-C; the introductory paragraph of 146-C:10-a; 146-C:11-a; 146-D:2, II-III; 146-D:4, I(a);  
25 146-D:8; 147:8; 147:10; 147:16-b; 147-A:2; 147-A:5-a, VIII; 147-A:5-b, II; 147-A:9, I-a; 147-A:13-a, I;  
26 147-A:17-a, I; 147-B:2; 147-B:10, IV(b)(1); 147-B:12; 147-B:13, II; 147-C:1, II-a; 147-D:1, I-a; 147-F:3,  
27 IV; 147-F:11; 149-I:3; 149-I:6, III; 149-M:4; 149-M:42, II; 149-M:61, I; 149-P:1, II; 153:36, IV; 154:7-b,  
28 I; 154:8-b, I(c); 155-A:13, I; 155-E:4-a, II-a; 155-E:5, V; 155-E:11, II; 162-C:1, II; 162-H:3, I(b); 178:24;  
29 200:48; 205-A:13-c, III(a); 207:60, I; 211:63-a; 211:73; 212-A:16; 215-A:43; 216-I:1, I(b)(2); 216-I:3;

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1 227-E:3; the introductory paragraph of 227-E:6; 227-J:6; 227-M:4, II(g); 228:57-a, II-a; 233-A:2, I(c);  
2 233-A:11; 236:115, II; 236:121, II; 260:38, IV; 266:59-b; 270:26-b, V; 270:64, III; 270:71, III; 270:107,  
3 III; 270:132; 270-A:4; 270-A:6; 270-E:3, III(b); 271:20, II; 310-A:75; 310-A:76, II-II-a; 310-A:79, V;  
4 310-A:84, II-b(a)(3); 310-A:206, I(e); 310-A:207, III; 318-E:1, III; 332-E:1; 362-F:2, VII; 371:4 ; 374:22,  
5 III; 374-F:1, III; 374-F:10, II(e); 378:30-c; 422:27, II; 425:2-a, II; 430:30, I(e); 430:48; 430:54, I(b);  
6 431:34; 431:35, II; 432:10; 432:35; 436-A:1; 477:4-a, I; 477:4-g, I-II; 481:1-a; 48:2; 482:13; 482:48;  
7 482:49; 482:57; 482-A:2; 482-A:3; 482-A:14-b; 482-A:508:22, I; 482-A:32; 482-A:35; 482-B:2; 482-B:3;  
8 483:2; 483:3; 483:4; 483:15; 483-A:2; 483-A:3; 483-A:4; 483-A:5; 483-B:4; 483-B:5-b; 483-B:9; 483-  
9 B:22; 483-D:1; 483-D:4; 484:17; 484:19; 484:23; 485:1; 485:1-a; 485:11; 485:16-b; 485:16-e; 485:17-a;  
10 485:20; 485:23-a; 485:50; 485:51; 485:52; 485:53; 485:56; 485:57; 485:58; 485-A:1; 485-A:2; 485-A:4;  
11 495-A:5; 485-A:5-b; 485-A:13; 485-A:14; 485-A:15; 485-A:22; 485-A:32; 485-A:43; 485-A:44; 485-A:44-  
12 a; 485-A:47; 485-A:52; 485-A:54; 485-C:2; 485-E:2; 485-E:7; 485-F:2; 485-F:4; 485-F:6; 485-G:2; 485-  
13 H:2; 486:1; 486:1-a; 486:3; 486:14; 486-A:2; 486-A:3; 486-A:8-a; 487:1; 487:7; 487:16; 487:17; 487:23;  
14 487:25; 487:26; 487:27; 487:28; 4870:29; 487:30; 487:31; 487:32; 487:34; 487:36; 487:38; 487:41;  
15 487:43; 488:2; 489:1; 489:2; 489-C:1; 541-A:9, I(h); 674:21; 674:30, III; 674:32-c, III; 674:56, II(b);  
16 676:4, I(d)(2).

17 3 Rules. All rules adopted by department of environmental services shall be enforceable by  
18 department of environmental protection.

19 4 Effective Date. This act shall take effect January 1, 2023.

**HB 1452-FN- FISCAL NOTE  
AS INTRODUCED**

**AN ACT** renaming the department of environmental services the department of environmental protection and assigning the department oversight of private drinking water wells.

**FISCAL IMPACT:**  State  County  Local  None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable Increase	\$0	\$0
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

**METHODOLOGY:**

This bill enables the Department of Environmental Services to enter private property to inspect and sample private wells and also changes the name of the “Department of Environmental Services” to the “Department of Environmental Protection” (effective January 1, 2022). The Department states the name change will require the state to expend substantial resources to replace or revise the agency’s name on every aspect of its operation. Costs relative to the name change are indeterminable at this time, however it is assumed all would be incurred in FY 2023.

**AGENCIES CONTACTED:**

Department of Environmental Services