

SB 201-FN - AS INTRODUCED

2017 SESSION

17-0937

05/06

SENATE BILL

201-FN

AN ACT relative to providing pamphlets containing the asbestos regulations to persons engaging in renovation or demolition of structures.

SPONSORS: Sen. Fuller Clark, Dist 21; Sen. Gannon, Dist 23; Sen. Hennessey, Dist 5; Sen. Kahn, Dist 10; Sen. Lasky, Dist 13; Sen. McGilvray, Dist 16; Sen. Watters, Dist 4; Rep. Lovejoy, Rock. 36; Rep. Gourgue, Straf. 25

COMMITTEE: Public and Municipal Affairs

ANALYSIS

This bill provides that, prior to issuance of a building permit for the demolition or renovation of a building, the municipal building official shall provide the applicant with a pamphlet, developed by the department of environmental services, containing applicable asbestos regulations.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to providing pamphlets containing the asbestos regulations to persons
engaging in renovation or demolition of structures.

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

1 1 New Paragraph; Building Permits Restricted; Pamphlet of Asbestos Regulations. Amend
2 RSA 676:13 by inserting after paragraph IV the following new paragraph:

3 V. The building official shall not issue any building permit for the demolition or renovation
4 of any building without first providing to the applicant a standard pamphlet describing asbestos
5 regulations, and without obtaining a signed acknowledgment of receipt by the applicant. Such
6 pamphlets shall be provided to each municipality by the department of environmental services.
7 Nothing in this paragraph shall establish liability or a duty to inspect or enforce asbestos
8 regulations for the municipality, including its building official and local enforcement authority.

9 2 Effective Date. This act shall take effect January 1, 2018.

**SB 201-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to providing pamphlets containing the asbestos regulations to persons engaging in renovation or demolition of structures.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$3,200	\$1,600	\$1,600	\$1,600
Funding Source:	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other			

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0

The New Hampshire Municipal Association was originally contacted on December 23, 2016 and again on January 9, 2017, with followup on January 19, 2017 for a fiscal note worksheet, which the Association has not provided as of January 27, 2017.

METHODOLOGY:

This bill would require municipalities that issue building permits to distribute pamphlets containing asbestos regulations when issuing permits for renovation or demolition of existing structures. These pamphlets will be produced and distributed to municipalities by the Department of Environmental Services (DES). The Asbestos Program is partially funded by revenue from licensing and certification fees and notification fees. DES anticipates a small but indeterminable increase in revenue generated by additional notifications and certifications submitted to the Department as awareness of the asbestos regulations increases and more asbestos abatement work is completed properly and in compliance with the law. The Department estimates the following costs for printing the required pamphlets based on the number of permits issued by the City of Concord in FY 2015:

City of Concord	City of Concord	Estimated Number of	Cost to Print Pamphlets @	Mailing Costs	Cost to Print and
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% of State Population (1.3 Million)	Number of Permits Issued for Demolitions and Renovations in FY 2015	Permits Issued Statewide in FY 2015 (220 / .032 = 6,875)	\$400 per 1,000 (7 x \$400 = \$2,800)		Mail Pamphlets for FY 2018
3.2%	220	7,000	\$2,800	\$400	\$3,200
	FY 2018	FY 2019	FY 2020	FY 2021	
Cost per FY Assumes 50% reduction after FY 2018	\$3,200	\$1,600	\$1,600	\$1,600	

AGENCIES CONTACTED:

Department of Environmental Services and New Hampshire Municipal Association