

HB 208-FN - AS INTRODUCED

2023 SESSION

23-0061

08/04

HOUSE BILL

208-FN

AN ACT establishing greenhouse gas emission reduction goals for the state and establishing a climate action plan.

SPONSORS: Rep. Chretien, Hills. 41; Rep. Vail, Hills. 6; Rep. Kenney, Straf. 10; Rep. Simpson, Rock. 33; Rep. Preece, Hills. 17; Rep. Darby, Hills. 11

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill establishes greenhouse gas emission reduction goals for the state and authorizes the department of environmental services to inventory greenhouse gas emissions on an annual basis and to develop and report on a 5-year action plan.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT establishing greenhouse gas emission reduction goals for the state and
 establishing a climate action plan.

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

1 1 Findings. The general court finds:

2 I. Scientific evidence for the warming of the climate system is unequivocal. This warming is
3 overwhelmingly attributable to human activity and development, particularly the combustion of
4 fossil fuels.

5 II. Left unchecked, the climate crisis will continue to have real and catastrophic impacts on
6 New Hampshire's residents, economy, and environment, as well as on the health and safety of New
7 Hampshire families.

8 (a) New Hampshire will see longer and hotter summers; shorter, warmer winters; and
9 more frequent and more extreme precipitation events, resulting in both increase flooding and
10 drought.

11 (b) Climate impacts will endanger the health of New Hampshire families by facilitating
12 the spread of vector-borne diseases as well as increasing rates of respiratory and cardiovascular
13 disease.

14 (c) Increased warming and more extreme and more frequent precipitation events will
15 also negatively impact key sectors of New Hampshire's resource-based economy, harming
16 agriculture, tourism and outdoor recreational activities such as skiing, hiking, fishing, and hunting.

17 (d) A warmer and more acidic Gulf of Maine will see increased coastal flooding which
18 will endanger the lives, homes, and business properties of coastal residents.

19 (e) Decreases in terrestrial and aquatic biodiversity and wildlife and fishing stocks,
20 brought on by climate change and overdevelopment, will likewise imperil New Hampshire's fishing,
21 hunting, hiking, and related industries and the local economies and communities that depend upon
22 them.

23 III. Taking action to mitigate the climate crisis also presents opportunities for New
24 Hampshire, and the state should move quickly to maximize the co-benefits of mitigating climate
25 disruption.

26 (a) As renewable resources like wind and solar increasingly replace fossil fuels, New
27 Hampshire manufacturing businesses should reap the benefits. The state should act to ensure New
28 Hampshire is well-represented in the multi-state effort to harvest the wind resources of the Gulf of
29 Maine and to benefit from locally-based supply chains.

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(b) In addition to helping reduce the state's greenhouse gas emissions, replacing fossil fuels with zero emission sources of energy will also improve the health of New Hampshire families by reducing pollution that degrades the state's air quality.

(c) Producing energy from local wind, water and solar facilities will keep billions of our energy dollars in state, instead of sending them out of state and out of the country, creating a virtuous circle of in-state development.

(d) A more renewably-based and energy self-sufficient state government will save taxpayer's money and retain more of that money in state to fuel New Hampshire's economy.

(e) It is incumbent upon the state government to take prompt, proactive, and continuing action to protect residents from the anticipated consequences of the climate crisis; to mitigate the foreseeable harms to the extent possible; and to safeguard New Hampshire's resources for the use of generations to come.

2 New Subdivision; Climate Action Plan. Amend RSA 125-O by inserting after section 30 the following new subdivision:

Climate Action Plan

125-O:31 Climate Action Plan.

I. The public policy of the state of New Hampshire shall be to reduce statewide greenhouse gas emissions to:

(a) At least 20 percent below 1990 levels by 2025;

(b) At least 50 percent below 1990 levels by 2035; and

(c) Net zero by 2050, defined as a level of statewide greenhouse gas emissions that is equal in quantity to the amount of carbon dioxide or its equivalent that is removed from the atmosphere and stored annually in the state, excluding removed and stored carbon dioxide or its equivalent that another jurisdiction credits against its emissions; provided, however, that in no event shall the level of emissions be greater than a level that is 85 percent below the 1990 level.

II. All state agencies with jurisdiction over activities that impact greenhouse gas emissions shall incorporate these goals into their project planning, rulemaking, and funding determinations going forward.

III. Beginning in calendar year 2024, the commissioner of the department of environmental services shall submit an annual greenhouse gas inventory report, to be made available on or before January 15, to the public, the governor, the senate president, the speaker of the house of representatives, the chairperson of the senate energy and natural resources committee, the chairperson of the house science, technology and energy committee, the house clerk, the senate clerk, the energy efficiency and sustainable energy board, and the office of strategic initiatives. The inventory shall:

(a) Be established with calendar year 1990 as the baseline year and use scientifically valid methodologies that are consistent with surrounding state and federal practices.

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1 (b) Separately identify the greenhouse gas contribution of each of the major sectors of
2 the New Hampshire economy.

3 IV.(a) By July 1, 2024, the department of environmental services shall, after a period of
4 public comment, prepare and adopt a plan for achieving the limits and interim limits established
5 pursuant to paragraph I. This plan shall be reviewed and updated by the department every 5 years.

6 (b) In developing this plan, the department shall:

7 (1) Evaluate the best available scientific, technological, and economic information on
8 greenhouse gas emissions.

9 (2) Consider inclusion of strategies, programs, and compliance mechanisms with
10 measurable goals and targets, including, but not limited to: development of market-based programs;
11 expanding financing and investment tools; modernizing the electrical grid, electric sector regulations
12 and rates; supporting strategic electrification and fuel switching; promoting combined heat and
13 power systems; modifying the renewable energy standard and procurement; expanding least-cost
14 energy procurement (including to unregulated fuels); improving state energy efficiency codes and
15 standards, and compliance therewith; addressing natural gas leaks; promoting alternative fuel and
16 electric vehicles; increasing use and availability of efficient public transport; changing land-use
17 patterns to support transit-oriented development and mixed-use commercial and residential areas;
18 and maintaining and enhancing the carbon storage and sequestration, and related ecosystem
19 services, provided by New Hampshire's agricultural and forested lands, as well as freshwater,
20 coastal, and marine systems.

21 (3) Consider opportunities to encourage public and private investment toward rural,
22 low-income, low to moderate income, and minority communities in New Hampshire and provide an
23 opportunity for small businesses, schools, affordable housing associations, and other community
24 institutions to participate in and benefit from statewide efforts to reduce greenhouse gas emissions.

25 (4) Recommend how the state could provide retraining and apprenticeship
26 opportunities for those affected by the required changes.

27 (5) Consult with the public utilities commission; the department of transportation;
28 the department of agriculture, markets and food; and the office of strategic initiatives throughout
29 the plan development process to ensure the greenhouse gas emissions reduction activities to be
30 adopted and implemented by the department are complementary, non-duplicative, and can be
31 implemented in an efficient and cost-effective manner.

32 (c) The department of environmental services, in conjunction with the public utilities
33 commission; the department of transportation; the department of agriculture, markets and food; and
34 the office of strategic initiatives, will develop a report regarding the plan, including areas of
35 progress, barriers, and emerging opportunities, in years 2 and 4 following the release of the plan.
36 The commissioner of the department of environmental services shall submit the report, to be made
37 available on or before January 15, to the public; the governor; the senate president; the speaker of

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1 the house of representatives; the chairperson of the senate energy and natural resources committee;
2 the chairperson of the house science, technology and energy committee; the house clerk; the senate
3 clerk; the energy efficiency and sustainable energy board; and the office of strategic initiatives.

4 3 State Energy Policy. RSA 378:37 is repealed and reenacted to read as follows:

5 378:37 New Hampshire Energy Policy.

6 I. The general court declares that it shall be the energy policy of this state to:

7 (a) Meet the energy needs of the citizens and businesses of the state at the lowest
8 reasonable cost while providing for the reliability and diversity of energy sources;

9 (b) Maximize the use of all cost-effective energy efficiency and other demand-side
10 resources;

11 (c) Achieve the greenhouse gas emission goals identified in RSA 125-O:31, II; and

12 (d) Protect the safety and health of the citizens, the physical environment of the state,
13 and the supply of natural resources for future generations.

14 II. The energy policy of this state shall be developed with due regard and appreciation for
15 both the short- and long-term financial and fiscal costs imposed by climate change on the state, its
16 citizens, and businesses. It shall also seek to mitigate the difficulties associated with the transition
17 to a clean energy-based economy for this state's businesses, commercial entities, and labor force in a
18 manner that does not impede this state from achieving the greenhouse gas emission reduction goals
19 identified in RSA 125-O:31, II.

20 4 Effective Date. This act shall take effect 60 days after its passage.

HB 208-FN- FISCAL NOTE
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AN ACT establishing greenhouse gas emission reduction goals for the state and establishing a climate action plan.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill requires the Department of Environmental Services to develop a climate action plan by July 1, 2024, that includes evaluation of best available information, considers inclusion of strategies, programs and compliance mechanisms with measurable goals and targets, considers opportunities to encourage investment in low/moderate income, rural and minority communities, makes recommendations on retraining and apprenticeship opportunities, and coordinates with other state agencies. Further, the Department must review and update the plan every five years, and in years two and four, respectively, following release of the plan, report on progress, barriers, and emerging opportunities. The Department anticipates the need for at least one contractor plus additional Department staff to be hired to develop and implement the plan, however the Department has not provided estimates at this time and therefore this bill's impact on state expenditures in FY 2024 and each year thereafter is indeterminable.

It is assumed any fiscal impact would not occur until FY 2024.

AGENCIES CONTACTED:

Department of Environmental Services