

Amendment to HB 1655-FN

1 Amend the bill by replacing sections 1 and 2 with the following:

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3 1 New Subdivision; Shorefront Property Fee for State-Owned Dams. Amend RSA 76 by
4 inserting after section 21 the following new subdivision:

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Shorefront Property Fee for State-Owned Dams

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76:22 Fee for Waterfront Property on Waterbody Impounded by State-Owned Dam.

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8 I. The department of revenue administration shall identify the properties and landowners
9 with waterfront access and deeded water rights to waterbodies impounded by state-owned dams.
10 The department shall provide each municipality with a list of such properties. The department may
11 contract with an outside organization to collect this information. Following a conveyance of real
12 estate with waterfront access or deeded water rights to a waterbody impounded by a state-owned
13 dam, the grantee shall inform the municipality of the grantee mailing address.

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15 II. The municipality shall assess a fee of \$100 per year on real estate with waterfront access
16 to a waterbody impounded by a state-owned dam. The moneys collected from such fee shall be
17 deposited in the dam maintenance fund established in RSA 482:55 to be used for the operation,
18 maintenance, and repair of state-owned dams.

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20 III. The municipality shall assess a fee of \$50 per year on real estate with deeded water
21 access to a waterbody impounded by a state-owned dam. The moneys collected from such fee shall
22 be deposited in the dam maintenance fund established in RSA 482:55 to be used for the operation,
23 maintenance, and repair of state-owned dams.

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25 IV. Real estate with waterfront access or deeded water rights to a waterbody impounded by
26 a state-owned dam in current use or a working farm shall not be assessed the fee listed in
27 paragraphs II and III.

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29 V. In addition to the fees required by paragraphs II and III, the municipality may collect \$5
30 to be retained by the municipality as compensation for management, collection and disbursement of
31 moneys collected. Each year, when submitting collected fees to the dam maintenance fund, the
32 municipality shall provide a list of properties, owners, owner addresses, fees remitted and fee owed
by not remitted to the department. The department shall seek payment for unpaid fees for
properties with waterfront or deeded water rights to a waterbody impounded by a state-owned dam.
Repayments received shall be deposited in the dam maintenance fund.

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32 VI. Interest at 8 percent per annum shall be charged upon all taxes except resident taxes,
except as otherwise provided by statute, not paid on or before December 1. Interest payments

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1 received shall be deposited in the dam maintenance fund. The department may acquire a lien
2 against land and buildings for unpaid fees owed for waterfront access or deeded water rights to a
3 waterbody impounded by a state-owned dams. Tax liens placed according to RSA 80 shall have
4 priority over department of environmental services liens. The department of revenue services shall
5 administer the collection of fees, interests and liens for waterfront access or deeded water rights to a
6 waterbody impounded by a state-owned dams.

7 VII. The department shall adopt rules under RSA 541-A in order to execute and enforce this
8 chapter.

9 2 Dam Maintenance Fund; Expenditure. Amend RSA 482:57 to read as follows:

10 482:57 Expenditure.

11 **I.** Notwithstanding other provisions of law, the commissioner of environmental services
12 shall expend such sums from the dam maintenance fund as are necessary for performance of work on
13 state-owned dams and property associated with and contiguous to state-owned dam sites, as well as
14 noncontiguous property, such as rainfall and stream gages, that is essential to the safe operation of
15 the dam only in the following categories:

16 ~~[I.]~~ **(a)** Minor projects and emergency repairs, including emergency action plans, which may
17 be completed by force account methods by the department.

18 ~~[II.]~~ **(b)** Repair projects, which may be completed by force account methods by the
19 department on dams and property associated with and contiguous to state-owned dam sites, as well
20 as noncontiguous property, such as rainfall and stream gages, that is essential to the safe operation
21 of the dam~~[, approved for acquisition by the legislature with the approval of governor and council]~~
22 ***shall only be performed on dams and associated properties that have been acquired by the***
23 ***state, provided such acquisition has been approved by the legislature and the governor and***
24 ***council.***

25 ~~[III.]~~ **(c)** Reconstruction projects, which shall be completed by contract construction or force
26 account on dams and property associated with and contiguous to state-owned dam sites, as well as
27 noncontiguous property, such as rainfall and stream gages, that is essential to the safe operation of
28 the dam~~[, approved for acquisition by the legislature with the approval of governor and council]~~
29 ***shall only be performed on dams and associated properties that have been acquired by the***
30 ***state, provided such acquisition has been approved by the legislature and the governor and***
31 ***council.***

32 **II. Administration of collection of fees, interests, and liens for waterfront access or**
33 ***deeded water rights to a waterbody impounded by a state-owned dam shall be enforced by***
34 ***the department of revenue administration.***