

HB 1655-FN - AS INTRODUCED

2026 SESSION

26-2978

08/07

HOUSE BILL ***1655-FN***

AN ACT establishing a funding source for maintaining state owned dams.

SPONSORS: Rep. Darby, Hills. 11; Rep. Dunn, Rock. 16; Rep. Malloy, Rock. 24

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill establishes fees on property that has waterfront access to a body of water created by a state-owned dam and directs such fees to the maintenance of state-owned dams.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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

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

8 2 Dam Maintenance Fund; Expenditure. Amend RSA 482:57 to read as follows:

9 482:57 Expenditure.

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

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

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

21 ~~[III.]~~ **(c)** Reconstruction projects, which shall be completed by contract construction or force
22 account on dams and property associated with and contiguous to state-owned dam sites, as well as
23 noncontiguous property, such as rainfall and stream gages, that is essential to the safe operation of
24 the dam, approved for acquisition by the legislature with the approval of governor and council.

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

28 3 Effective Date. This act shall take effect July 1, 2026.

**HB 1655-FN- FISCAL NOTE
AS INTRODUCED**

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FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$3,000,000	\$3,000,000	\$3,000,000
<i>Revenue Fund(s)</i>	Dam Maintenance Fund			
Expenditures*	\$0	Indeterminable Increase more than \$3,000,000 - \$3,100,000 or less	Indeterminable Increase \$3,324,000+	Indeterminable Increase \$3,078,000+
<i>Funding Source(s)</i>	Dam Maintenance Fund/General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	\$0	\$0	\$0
Local Revenue	\$0	\$180,000	\$180,000	\$180,000
Local Expenditures	\$0	Indeterminable Increase less than \$10,000 per municipality per FY		

METHODOLOGY:

This bill creates a new funding mechanism in response to the findings of the Committee to Study Alternatives for Funding the Operation, Maintenance, and Repair of State-Owned Dams, established under SB 549 (CH 168:3, 2024) for the maintenance of state-owned dams. It establishes annual fees on properties that benefit from waterbodies impounded by such dams: \$100 for properties with direct waterfront access and \$50 for those with deeded access. Properties in current use or classified as working farms are exempt. Municipalities may collect \$5 to be retained by the municipality as compensation for management, collection and disbursement of moneys collected and are responsible for reporting collections and delinquencies to the Department of Revenue Administration (DRA). DRA is also tasked with enforcement,

including applying interest and liens. All collected funds are directed to the Dam Maintenance Fund, which is managed by the Department of Environmental Services (DES) for dam-related expenditures.

DES estimates the bill would generate approximately \$3 million annually for the Dam Maintenance Fund, based on 24,000 waterfront properties and 12,000 deeded access properties (24,000 X \$100 = \$2,400,000 + 12,000 X \$50 = \$600,000). DES expects to spend the full amount collected on dam maintenance and related infrastructure. DES does not anticipate needing additional staff but notes that expenditures and revenues would likely continue beyond FY 2029.

Additionally, DES highlights drafting concerns in the bill, noting that it references RSA 77, which has been repealed, and suggests that RSA 76 as the appropriate citation, and suggests clarifying language in RSA 482:77 to avoid misinterpretation regarding project approvals. RSA 482.77, proposed as section I(a) and I(b), is misleading because as written “approved for acquisition by the legislature with the approval of governor and council” appears to indicate that repair and reconstruction projects first need to be acquired by the legislature with the approval of governor and council. It may be clearer to change the ending of the two paragraphs to read:

“that is essential to the safe operation of the dam, ~~approved for acquisition by the legislature with the approval of governor and council~~ **only can be performed on dams and associated properties that have been acquired by the state, provided such acquisition has been approved by the legislature and the governor and council.**”

The Department of Revenue Administration states the bill would result in an indeterminable increase in state and local revenues and expenditures. DRA anticipates cooperation with DES, who can use Granite GIS to identify affected properties, however DRA would still need to contract with a title researcher in order to identify parcels with deeded access to the identified water bodies. DRA is unsure of the cost of such work and would anticipate utilizing the state’s RFP process to have that work performed. DRA will endeavor to obtain a cost estimate if needed. Additionally, DRA would require a new collections staff position beginning in FY 2028 at a cost for salary and benefits of \$38,000 in FY 2028 and \$78,000 in FY 2029. Additionally, revenue information management system (RIMS) modifications would be necessary to collect this new tax type which is estimated at \$248,000 in FY 2028. DRA cannot absorb these costs within its current budget and expects to begin collection activities in spring 2028. DRA is unable to estimate the revenue without knowing the number of properties that would be assessed the fees.

The New Hampshire Municipal Association states that local expenditures are estimated to increase less than \$10,000 per municipality, for managing, collecting, and disbursing state fees designated for the dam maintenance fund. These costs could be reduced or potentially offset if a municipality opts to impose the optional \$5 processing fee. The estimated local revenue is \$180,000 based on the 36,000 properties paying the \$5 fee (36,000 X \$5 = \$180,000).

AGENCIES CONTACTED:

Department of Environmental Services, Department of Revenue Administration, and New Hampshire Municipal Association