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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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22-2173
12/08

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

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

2 Name Change; Department of Environmental Services. Amend the following RSA provisions by replacing “environmental services” with “environmental protection”: RSA 4:40-a; 4:40-b; 4-F:1, 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-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-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 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 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-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-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; 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 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-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, 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; 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; 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-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-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); 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; 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, 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, 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; 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;

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); 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, 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; 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, 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); 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; 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; 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-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; 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; 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-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-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; 487:25; 487:26; 487:27; 487:28; 4870:29; 487:30; 487:31; 487:32; 487:34; 487:36; 487:38; 487:41; 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); 676:4, I(d)(2).

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

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

LBA
22-2173
11/19/21

# 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:** **[ X ] State** **[ ] County** **[ ] Local** **[ ] None**

| | Estimated Increase / (Decrease) | | | |
|---|---|---|---|---|
| **STATE:** | **FY 2022** | **FY 2023** | **FY 2024** | **FY 2025** |
| **Appropriation** | $0 | $0 | $0 | $0 |
| **Revenue** | $0 | $0 | $0 | $0 |
| **Expenditures** | $0 | Indeterminable Increase | $0 | $0 |
| ***Funding Source:*** | [ X ] General | [ ] Education | [ ] Highway | [ ] 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