HB 1488-FN - AS INTRODUCED

2024 SESSION

24-2707
08/10

HOUSE BILL ***1488-FN***

AN ACT relative to hazard mitigation funding.

SPONSORS: Rep. Aron, Sull. 4; Rep. S. Smith, Sull. 3; Rep. Rollins, Sull. 3; Rep. Drye, Sull. 7; Rep. Bixby, Straf. 13; Rep. Creighton, Hills. 30; Rep. Terry, Belk. 7; Rep. J. Harvey-Bolia, Belk. 3; Sen. Pearl, Dist 17; Sen. Watters, Dist 4

COMMITTEE: Public Works and Highways

ANALYSIS

This bill establishes the municipal hazard mitigation program.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

24-2707
08/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to hazard mitigation funding.

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

1 Findings. The general court finds that:

I. New Hampshire has been severely impacted by several storms over the past few years resulting in the declaration of disaster throughout the state.

II. New Hampshire has an interest in helping municipalities prevent or reduce the loss of life and damage to property and infrastructure in future natural disasters;

III. Strengthening of municipal infrastructure is important for the safety, commerce, and enjoyment of New Hampshire citizens.

IV. It is in the interest of the citizens of the state to provide a means to assist municipalities to implement hazard mitigation projects and plans to prevent future damage from weather related events and natural disasters.

2 New Section; Homeland Security and Emergency Management; Hazard Mitigation Funding Program. Amend RSA 21-P by inserting after section 37-d the following new section:

21-P:37-e Municipal Hazard Mitigation Funding Program.

I. Municipal hazard mitigation funding may be made available to municipalities to provide funding to municipalities that have hazard mitigation plans in place, but insufficient municipal funding to implement the projects contained in such plans.

II. Initial funding of this program shall be in the amount of $2,000,000 and shall consist of a transfer to the department, notwithstanding RSA 9:13-e, IV, from the state rainy day fund and any remaining funds the New Hampshire disaster relief fund in RSA 21-P:46-a. Thereafter, this program shall be funded by the biennial budgeting process and any other funds obtained through federal or private grant programs. The subsequent level of funding for this program shall be determined by the director of the division of homeland security and emergency management based upon anticipated municipal hazard mitigation funding requests and any other hazard mitigation planning needs.

III. A municipality may request a municipal hazard mitigation funding grant through the department of safety, division of homeland security and emergency management only once in a calendar year, and may not receive more than $50,000.

IV. To receive grant funding for hazard mitigation, the municipality shall apply to the director of the division of homeland security and emergency management and shall supply the following information:

(a) A current copy of their municipal hazard mitigation plan.

(b) The description of the specific road or bridge project to be implemented and the manner in which the hazard mitigation being implemented improves the infrastructure and prevents damage from future natural disasters.

(c) The amount of money being requested for the hazard mitigation project and demonstration of financial need of the municipality for implementing this project.

(d) An explanation and reasons why the municipality is unable to fund the project implementation in a timely manner on its own.

(e) Any supporting documentation to demonstrate that the infrastructure to be improved and protected is of significant and/or critical importance to commerce, or citizen safety, or provides access through, into or out of the municipality.

V. Municipal hazard mitigation funding grant requests may be fully, or partially fulfilled, or denied, based on available funding and evaluation of the request by the division of homeland security and emergency management. The determination of the request application shall be made within 60 days of the filing of the request by the municipality. A letter to the requesting municipality shall be sent out to the governing body of the municipality within 5 business days after determination of the request informing them of the determination. Any funds awarded shall be made available to the municipality within 14 days of award determination.

VI. The municipality shall show proof of hazard mitigation project implementation within 3 months of the receipt of the municipal hazard mitigation funding to the director of the division of homeland security and emergency management or the funds shall be returned to the division of homeland security and emergency management. Extension of the 3 month deadline may be made only if implementation takes longer than 3 months or if implementation delays have been as a result of weather, workforce, or supply chain problems. Extension of the deadline shall be at the discretion of the director of the division of homeland security and emergency management who may determine an amended extension time frame.

VII. The director of the division of homeland security and emergency management shall adopt rules pursuant to RSA 541-A on procedures necessary for handling the grant funding requests for the municipal hazard mitigation funding program.

VIII. The director of the division of homeland security and emergency management shall adopt interim rules under RSA 541-A within 30 days of the effective date of this act.

3 New Hampshire Disaster Relief Fund. Amend RSA 21-P:46-a, II-IV to read as follows:

II. Funds in the New Hampshire disaster relief fund shall be made available to ***municipalities and*** individuals who suffer damage and loss as a result of a declared disaster. ***Funds in the New Hampshire disaster relief fund may also be used by municipalities to fund hazard mitigation projects.*** All disbursements from the fund shall be approved by the director of homeland security and emergency management, in consultation with the individual

assistance committee appointed under paragraph III***, however an exemption to said consultation shall be made with regard to emergency requests by municipalities***.

III. The director shall appoint [~~an individual assistance~~] ***a disaster relief*** committee to review, evaluate, and make recommendations on requests for individual ***or municipal*** assistance. The committee shall be comprised of representatives from the nonprofit community, human service organizations, disaster response organizations, the Community Action Programs, ***a municipal organization,*** and volunteer organizations, who shall serve at the pleasure of the director. The director shall designate a committee chair.

IV. The director shall maintain complete records of all funds disbursed from the New Hampshire disaster relief fund and shall report all such disbursements to the [~~individual assistance~~] ***disaster relief*** committee every 6 months following the effective date of this section.

4 Effective Date. This act shall take effect upon its passage.

LBA
24-2707
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HB 1488-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to hazard mitigation funding.

FISCAL IMPACT: [X] State [ ] County [X] Local [ ] None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
Revenue	$0	$0	$0	$0
Revenue Fund(s)	None			
Expenditures	$0	Grants to Municipalities - Not to Exceed $2,000,000 Position Costs - $409,000 in FY 2025, $400,000 in FY 2026, and $413,000 in FY 2027		
Funding Source(s)	Revenue Stabilization Reserve Account ("Rainy Day Fund") General Fund, New Hampshire Disaster Relief Fund			
Appropriations	$1,955,000	$0	$0	$0
Funding Source(s)	Revenue Stabilization Reserve Account ("Rainy Day Fund")			

- Does this bill provide sufficient funding to cover estimated expenditures? [X] See Below
- Does this bill authorize new positions to implement this bill? [X] No

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
Local Revenue	$0	Indeterminable Increase - Not to Exceed $2,000,000		
Local Expenditures	$0	$0	$0	$0

METHODOLOGY:

This bill, effective upon passage, creates a municipal hazard mitigation funding program, to be administered by the Department of Safety. The program would be initially funded by a $2,000,000 transfer from the state revenue stabilization reserve account ("rainy day fund"), less any funds existing in the disaster relief fund established in RSA -P:46-a. Currently, there is approximately $45,000 in the disaster relief fund, therefore, it is assumed this bill would require a rainy day fund transfer of $1,955,000 in FY 2024. The bill allows municipalities to apply for a grant no more than once in a calendar year, and not to exceed $50,000. It is unknown how much, and in which fiscal years, these grants may be made to municipalities (it is assumed, due to timing, that no funds will be disbursed until FY 2025). To administer the provisions of this bill, the Department of Safety states it would need five (5) new employees; two (2) program assistant II positions, two (2) program planner II positions, and one (1) supervisor

III position, for a total cost of $409,000 in FY 2025, $400,000 in FY 2026, and $413,000 in FY 2027 (assuming a start date of July 1, 2024). It should be noted this bill does not provide authorization for new personnel, and it is unclear if any of the initial $2,000,000 in program funding could be used for administration.

AGENCIES CONTACTED:

Department of Safety