

## CHAPTER 34

## HB 63 – FINAL VERSION

09 Feb 2011... 0038h

2011 SESSION

11-0429

06/04

HOUSE BILL **63**

AN ACT extending the instream pilot program for one year.

SPONSORS: Rep. Kappler, Rock 2; Rep. L. Vita, Straf 3; Rep. C. Vita, Straf 3; Rep. Spang, Straf 7

COMMITTEE: Resources, Recreation and Development

## ANALYSIS

This bill extends the instream pilot program for one year.

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Explanation: Matter added to current law appears in *bold italics*.Matter removed from current law appears [~~in brackets and struck through~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

09 Feb 2011... 0038h

11-0429

06/04

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eleven*

AN ACT extending the instream pilot program for one year.

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

34:1 Instream Flow Pilot Program; Extension. Amend 2002, 278:3, III(b) as amended by 2003, 319:49, III(b), as amended by 2008, 5:3, III(b), as repealed and reenacted by 2009, 201:20 to read as follows:

(a) By September 1, [~~2010~~] **2011**, adopt and implement the protected instream flows and water management plans relative to the Lamprey River and the Souhegan River.

34:2 Instream Flow Pilot Program; Extension. Amend 2002, 278:3, III(d) as amended by 2003, 319:49, III(d) as amended by 2008, 5:3, III(d), as repealed and reenacted by 2009, 201:20 to read as follows:

(c) By December 1, ~~2012~~ **2013**, submit a final report that details the activities and results of the pilot program, including the impacts of the protected instream flows and water management plans on water users, wildlife, recreation, and other interests along the rivers, a plan for implementing protected instream flows and water management plans for other rivers designated under RSA 483:15, and any recommendations for proposed legislation. The report shall also include a summary of public comments received, the completed instream flow studies, and the adopted protected instream flow levels and water management plans and shall be submitted to the senate energy, environment and economic development committee, the house resources, recreation and development committee, the senate president, the speaker of the house of representatives, the governor, the committee to study the impact of water withdrawals on instream flows established under 2000, 242:1, and the state library.

34:3 Instream Flow Pilot Program; Extension. Amend 2000, 242:5, as amended by 2001, 138:6, as amended by 2002, 278:6, as amended by 2003, 319:50, as amended by 2009, 201:21 to read as follows:

242:5 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 15, ~~2012~~ **2013**.

34:4 Instream Flow Pilot Program; Reporting Date Extended. Amend 2002, 278:2, III as amended by 2003, 319:48, as amended by 2008, 5:2, as amended by 2009, 201:19 to read as follows:

III. The commissioner of the department of environmental services shall initiate and adopt rules pursuant to RSA 541-A for other rivers designated under RSA 483:15 only after the adoption and implementation of the rules relative to protected instream flows pursuant to RSA 483:9-c for the Lamprey and Souhegan rivers and completion of the hearings and reports required under section 3, III(b) and (c) of this act, but not before December 1, ~~2012~~ **2013**.

34:5 Effective Date. This act shall take effect upon its passage.

Approved: May 9, 2011

Effective Date: May 9, 2011