



The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



April 8, 2014

The Honorable Shannon Chandley, Chair
Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: SB 363 An Act relative to insurance coverage for facilities for the Winnepesaukee River basin control.

Dear Chair Chandley and Members of the Committee:

Thank you for the opportunity to testify on SB 363. This bill would change the time of waiver applicability, the requirement to purchase liability, general and pollution, insurance, and the practice of insurance procurement for the Winnepesaukee River Basin Program (WRPB), which is operated for the member communities by the Department of Environmental Services (DES). DES supports this bill.

If enacted, SB 363 would make RSA:485-A:53 language consistent with existing insurance practices, available insurance coverage and procurement procedures. The following changes would occur:

- The requirement for liability, general and pollution insurance would be removed. These types of insurance have been unavailable or uneconomical for at least the last 15 years. Consequently, waivers are constantly required for insurance that is not being procured.
- Insurance waivers would no longer be tied to the existing fiscal year, thus providing more flexibility. There is no current or anticipated reason to tie these waivers to a fiscal year.
- Outdated and prescriptive procedures for the purchase of insurance would be removed, thus enabling easier adaptation to routine changes in state administrative practices and procedures.

There are no financial impacts to the WRBP associated with this legislation. The need for these changes was also unanimously agreed to by the WRBP Advisory Board at its meeting held on October 17, 2013.

Thank you for your consideration in this matter. If you have questions or need additional information, please contact either Harry Stewart, Director, Water Division (Harry.Stewart@des.nh.gov, 271-3308) or Sharon McMillin, Administrator, Winnepesaukee River Basin Program (Sharon.McMillin@des.nh.gov, 934-4032).

Sincerely,

Thomas S. Burack
Commissioner

cc: Linda M. Hodgdon, Commissioner, Department of Administrative Services