

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2013**

Bill Number:       H.26       Name of Bill:       An Act Related to Technical Corrections      

Agency/ Dept:       ANR/DEC       Author of Bill Review:       Rob Evans Ernie Kelley      

Date of Bill Review:       01.17.2013       Status of Bill: (check one):

Upon Introduction       As passed by 1<sup>st</sup> body       As passed by both bodies       Fiscal

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**Recommended Position:**

Support       Oppose       Remain Neutral       Support with modifications identified in #8 below

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**Analysis of Bill**

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**1. Summary of bill and issue it addresses.**

*Floodplains: This bill proposes to make statutory technical definitional corrections without substantively changing the law.*

*Wastewater: The proposed language deletes the Agency's authority to collect fees for temporary pollution permits.*

**2. Is there a need for this bill?**

*Floodplains: Regarding the flood hazard changes, the proposed text ensures consistent definition of **flood hazard area** in accordance with the National Flood Insurance Program ( 44 CFR, 59.1.) and clarity with respect to what freestanding flood or other hazard area bylaws **may** include in terms of purpose, content, and effect.*

*Wastewater: Temporary pollution permits have not been issued by the Wastewater program in more than 20 years. The elimination of the associated fee is immaterial.*

**3. What are likely to be the fiscal and programmatic implications of this bill for this Department?**

*Floodplains: None – these are minor technical corrections*

*Wastewater: None – no such fees have been collected in more than 20 years.*

**4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**

*Floodplains: None – these are minor technical corrections*

*Wastewater: None – no such fees have been collected in more than 20 years.*

**5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?**

*Fiscal implications— there are no fiscal implications relating to the floodplain definitional changes. There is a chance of a minimal fiscal impact if someone applies for a temporary pollution permit, but as discussed above, this has not happened in 20 years.*

*Programmatic implications – this bill will provide clarity on meaning of flood hazard area definition and what a freestanding bylaw may include, thereby benefiting the Rivers program and municipalities. There will be no real programmatic impact as a result of the elimination of the temporary pollution permit fees.*

**6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?**

*Floodplains: N/A— these are minor technical corrections and any interested party would be in support of the change.*

*Wastewater: N/A— these are minor technical corrections and any interested person would support the elimination of the fee.*

**6.2 Who else is likely to oppose the proposal and why?**

*Floodplains: N/A – these are minor technical corrections and no opposition is expected.*

*Wastewater: N/A— this a minor change and no opposition is expected.*

**7. Rationale for recommendation:**

*Floodplains: There is no reason not to support a minor technical correction that will provide consistency and clarity.*

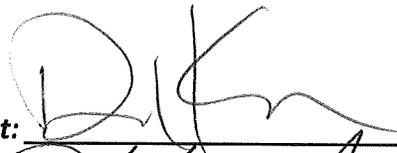
*Wastewater: There are no fiscal, programmatic or other reasons to support or not support the proposed changes.*

**8. Specific modifications that would be needed to recommend support of this bill:**

*Floodplains: N/A*

*Wastewater: N/A*

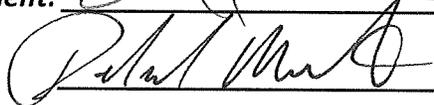
**Commissioner has reviewed this document:**



**Date:**

1/17/13

**Secretary has reviewed this document:**



**Date:**

1-24-13