

CHAPTER 226  
SB 379-FN - FINAL VERSION

03/17/2022 0826s  
05/26/2022 2092EBA

2022 SESSION

22-3114  
08/11

SENATE BILL ***379-FN***

AN ACT establishing the solid waste management fund and grant program.

SPONSORS: Sen. Watters, Dist 4; Sen. Perkins Kwoka, Dist 21; Sen. Whitley, Dist 15; Sen. Hennessey, Dist 1; Sen. D'Allesandro, Dist 20; Sen. Sherman, Dist 24; Sen. Kahn, Dist 10; Sen. Prentiss, Dist 5; Sen. Avar, Dist 12; Rep. Ebel, Merr. 5; Rep. Suzanne Smith, Graf. 8; Rep. Grassie, Straf. 11

COMMITTEE: Ways and Means

---

AMENDED ANALYSIS

This bill:

- I. Establishes the solid waste management fund.
- II. Repeals the existing surcharge on out-of-state waste.

---

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

**CHAPTER 226**  
**SB 379-FN - FINAL VERSION**

03/17/2022 0826s  
05/26/2022 2092EBA

22-3114  
08/11

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT                    establishing the solid waste management fund and grant program.

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

1            226:1 New Chapter; Solid Waste Management Fund. Amend RSA by inserting after chapter 149-Q  
2 the following new chapter:

CHAPTER 149-R

SOLID WASTE MANAGEMENT FUND

5            149-R:1 Findings and Purpose. The general court finds that the proper and integrated management  
6 of solid waste under RSA 149-M, including the enhancement of waste and waste diversion methods, has  
7 become a matter of great concern. The general court hereby declares that the purpose of RSA 149-R is  
8 to assist communities, businesses, and the general public with their efforts to improve solid waste  
9 reduction and diversion activities.

10          149-R:2 Definitions. In this chapter:

11            I. "Commissioner" means the commissioner of the department of environmental services.

12            II. "Department" means the department of environmental services.

13            III. "Fund" means the solid waste management fund established under RSA 149-R:3.

14            IV. "Solid waste" means solid waste as defined in RSA 149-M:4, XXII.

15          149-R:3 New Hampshire Solid Waste Management Fund and Grant Program Established.

16            I. There is hereby established the New Hampshire solid waste management fund to be used for  
17 the purposes of this chapter.

18            II. This non-lapsing, revolving special fund is hereby continuously appropriated to be expended  
19 by the department in accordance with this chapter. The state treasurer shall invest the moneys deposited  
20 in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund.

21          149-R:4 Purpose and Use of the Fund.

22            I. The fund shall be used to provide matching grant funding to New Hampshire municipalities,  
23 private entities, and businesses for projects that will provide a demonstrated, significant improvement in  
24 waste diversion methods and contribute to a reduction of wastes, including hazardous waste materials,  
25 requiring disposal, including a regional or municipal materials recovery facility operated by a public or  
26 private entity, and other regional recycling efforts.

27            II. The fund may be used to hire consultants or contractors, or to pay other necessary expenses  
28 directly associated with approved activities in this chapter.

29            III. The department is authorized to solicit funds from the United States Environmental Protection  
30 Agency or other agencies that are targeted for making grants consistent with this section. Such funds,

**CHAPTER 226**  
**SB 379-FN - FINAL VERSION**  
**- Page 2 -**

1 when received, may be deposited into the fund, and shall be used for the purposes described in this  
2 chapter.

3 149-R:5 Rulemaking. The commissioner shall adopt rules, after public hearing and pursuant to RSA  
4 541-A, relative to administering matching grants pursuant to RSA 149-R:4, I.

5 149-R:6 Biennial Report. The department shall include in its biennial report required under RSA 149-  
6 M:29, II, information relative to the activities and finances of the solid waste management fund.

7 226:2 Administration of Solid Waste Management Fund. RSA 149-M:6, XI is repealed and reenacted  
8 to read as follows:

9 XI. Administer the provisions of RSA 149-R.

10 226:3 New Subparagraph; New Hampshire Solid Waste Management Fund. Amend RSA 6:12, I(b)  
11 by inserting after subparagraph (382) the following new subparagraph:

12 (383) Moneys deposited in the New Hampshire solid waste management fund  
13 established in RSA 149-R:3.

14 226:4 New Subparagraph; Information in Biennial Report. Amend RSA 149-M:29, II by inserting after  
15 subparagraph (i) the following new subparagraph:

16 (j) The activities and finances of the solid waste management fund, as required by RSA 149-  
17 R:6.

18 226:5 Repeal. RSA 149-M:7, VII, relative to rulemaking relative to the out-of-state waste disposal  
19 surcharge, is repealed.

20 226:6 Effective Date. This act shall take effect July 1, 2022.

Approved: June 17, 2022  
Effective Date: July 01, 2022

