

CHAPTER 177
HB 1229-FN – FINAL VERSION

6Feb2014... 0130h

2014 SESSION

14-2199
06/03

HOUSE BILL ***1229-FN***

AN ACT relative to the oil discharge and gasoline ether cleanup fund.

SPONSORS: Rep. L. Webb, Merr 3; Rep. Mullen, Straf 1; Sen. Odell, Dist 8; Sen. D'Allesandro,
Dist 20

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill extends the repeal dates of cleanup funds established under RSA 146-D and RSA 146-G.

This bill also changes compensation limits under RSA 146-D.

This bill is a request of the oil fund disbursement board.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 177
HB 1229-FN – FINAL VERSION

6Feb2014... 0130h

14-2199
06/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to the oil discharge and gasoline ether cleanup fund.

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

1 177:1 Oil Discharge and Disposal Cleanup Fund; Effective Date of Repeal Changed. Amend
2 1988, 271:11, I, as amended by 1993, 294:14, 1995, 247:10, 2001, 293:19, and 2008, 249:9 to read as
3 follows:

4 I. Paragraphs VIII and IX of section 9 of this act shall take effect July 1, ~~2015~~ **2025**.

5 177:2 Funds Transferred to Oil Pollution Control Fund; Funds Transfer Date Changed. Amend
6 1993, 294:1, as amended by 1995, 247:9, 2001, 293:18, and 2008, 249:4 to read as follows:

7 294:1 Funds Transferred to Oil Pollution Control Fund. The oil discharge and disposal cleanup
8 fund established in RSA 146-D:3, I shall lapse on July 1, ~~2015~~ **2025**. Any moneys remaining in the
9 fund at that time shall be transferred to the oil pollution control fund established in RSA 146-A:11-a.

10 177:3 Funds Transferred to Oil Pollution Control Fund; Effective Date of Repeals Changed.
11 Amend 2001, 293:22, I-III, as amended by 2008, 249:10 to read as follows:

12 I. Paragraph I of section 20 of this act shall take effect July 1, ~~2015~~ **2025**.

13 II. Paragraph II of section 20 of this act shall take effect October 1, ~~2015~~ **2025**.

14 III. Sections 14 and 17 of this act shall take effect at 12:01 a.m. on July 1, ~~2015~~ **2025**.

15 177:4 Funds Transfer Date Changed. Amend 2001, 293:21, as amended by 2008, 249:5 to read
16 as follows:

17 293:21 Funds Transferred to Oil Pollution Control Fund. The gasoline remediation and
18 elimination of ethers fund established in RSA 146-G:4, I shall lapse on July 1, ~~2015~~ **2025**. Any
19 moneys remaining in the fund at that time shall be transferred to the oil pollution control fund
20 established in RSA 146-A:11-a.

21 177:5 Reporting by the Oil Disbursement Board; Deadline Extended. Amend RSA 146-G:9 to
22 read as follows:

23 146-G:9 Reporting by the Oil Disbursement Board. The board shall file annual reports of the
24 status of the gasoline remediation and elimination of ethers fund no later than October 1, to the
25 speaker of the house, the president of the senate, and the state library. The first such report shall be
26 submitted no later than October 1, 2002. The board shall also file interim reports on the activities of
27 the gasoline remediation and elimination of ethers fund, including expenditures and
28 reimbursements, and enforcement and remediation activities under RSA 146-G, by October 1, 2005
29 and by October 1, 2010 to the senate president, the speaker of the house of representatives, the

CHAPTER 177
HB 1229-FN – FINAL VERSION
- Page 2 -

1 senate clerk, the house clerk, the house and senate committees having jurisdiction over water quality
2 policy, the governor, and the state library. The board shall file a final report on the activities of the
3 fund and enforcement and remediation activities by October 1, [~~2015~~] **2025** to the senate president,
4 the speaker of the house of representatives, the senate clerk, the house clerk, the house and senate
5 committees having jurisdiction over water quality policy, the governor, and the state library.

6 177:6 Change in Fund Compensation Limit. Amend RSA 146-D:6, III to read as follows:

7 III. Owners of facilities or land eligible under this chapter may apply for reimbursement of
8 court-ordered damages to third parties for bodily injury or property damage, and for the costs of
9 onsite and off-site cleanup of oil discharges in amounts not to exceed a total of \$1,500,000. ***After the***
10 ***initial \$1,500,000 is reimbursed, owners may apply for reimbursement of additional onsite***
11 ***and off-site cleanup costs in amounts not to exceed a total of \$500,000.*** The fund shall be
12 deemed excess insurance over any other valid and collectible insurance for the costs of cleanup and
13 damages to third parties. There shall be no right of recovery against the fund for payments made
14 under other insurance.

15 177:7 Effective Date. This act shall take effect July 1, 2014.

16
17 Approved: July 11, 2014

18 Effective Date: July 1, 2014