

HB 462-FN-A - AS AMENDED BY THE HOUSE

14Feb2023... 0159h

2023 SESSION

23-0482

08/05

HOUSE BILL

462-FN-A

AN ACT

making an appropriation to the solid waste management fund and targeting food waste reduction and diversion.

SPONSORS:

Rep. Ebel, Merr. 7; Rep. M. Murray, Hills. 37; Rep. Bucu, Carr. 1; Rep. Grote, Rock. 24; Rep. Rung, Hills. 12; Rep. Maggiore, Rock. 23; Rep. Mooney, Hills. 12; Rep. B. Boyd, Hills. 12; Rep. Aron, Sull. 4; Rep. Wolf, Merr. 7; Sen. Pearl, Dist 17; Sen. Ricciardi, Dist 9; Sen. D'Allesandro, Dist 20; Sen. Watters, Dist 4; Sen. Avar, Dist 12

COMMITTEE:

Environment and Agriculture

ANALYSIS

This bill makes an appropriation to the solid waste management fund and targets food waste reduction and diversion.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT making an appropriation to the solid waste management fund and targeting food waste reduction and diversion.

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

1 1 Purpose and Use; Solid Waste Management Fund. Amend RSA 149-R:4, III to read as follows:

2 III. The department is authorized to solicit funds from ~~[the United States Environmental~~
3 ~~Protection Agency or other agencies that are targeted for making grants consistent with this section]~~
4 ***any source, including the United States Environmental Protection Agency and other***
5 ***federal agencies, gifts, donations of money, grants, legislative appropriations, or any***
6 ***matching funds and incentives.*** ~~[Such funds, when received, may be deposited into the fund, and~~
7 ~~shall be used for the purposes described in this chapter.]~~ ***Notwithstanding RSA 4:8 and RSA***
8 ***14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste***
9 ***management fund to be used for the purpose described in RSA 149-R:4.***

10 2 Appropriation; Solid Waste Management Fund. The sum of \$2,000,000 for the fiscal year
11 ending June 30, 2023, is hereby appropriated to the solid waste management fund established under
12 RSA 149-R:3. Of this appropriation, 50 percent shall be used to give priority to projects associated
13 with the reduction and diversion of food, food waste, and other organic wastes until June 30, 2027.
14 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
15 otherwise appropriated.

16 3 Effective Date.

17 I. Section 2 of this act shall take effect June 30, 2023.

18 II. The remainder of this act shall take effect upon its passage.

HB 462-FN-A- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2023-0159h)

AN ACT making an appropriation to the solid waste management fund and targeting food waste reduction and diversion.

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$2,000,000	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$68,000	\$556,000	\$560,000
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Solid Waste Management Fund			

COUNTY:

Revenue	\$0	\$0	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	\$0	Indeterminable Increase	Indeterminable Increase

LOCAL:

Revenue	\$0	\$0	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	\$0	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

The Department of Environmental states this bill would make a General Fund appropriation of \$2,000,000 to the Solid Waste Management Fund to be used for matching grants to municipalities, businesses, and other organizations in accordance with RSA 149-R. Until June 30, 2027, 50 percent of the appropriation must be reserved for awards to projects that target reduction and diversion of food waste. After 2027, any funds remaining from the appropriation may be used for all of the eligible purposes of the fund. The Department is authorized to solicit funds and any solicited funds may be directly deposited into the fund without Fiscal Committee approval. The Department makes the following assumptions regarding the fiscal impact of this bill:

- Existing law in RSA 149-R:4, II. would allow the Department to use a portion of the appropriation to fund a new full-time position (Program Specialist III, LG 23 – annual cost of approx. \$106,000 - \$110,000). This position would administer the Solid Waste

Management Fund, develop grant programs, conduct rulemaking pursuant to RSA 149-R:5, review grant applications, and engage in other associated administrative tasks. The Department states the bill does not explicitly create the new position noted above.

- The process for creating the position would need to be completed, and the position filled, no later than December 1, 2023. The new position would initially be responsible for developing the grant program including defining scope, eligibility criteria and matching requirements.
- Any necessary rulemaking would need to be completed by June 30, 2024.
- In order to minimize administrative burden, solicitation and awarding of grants would occur within a specified time frame once annually rather than on a rolling basis.
- The first round of grant applications would commence on or about July 1, 2024. Approximately \$450,000 in grant awards would be disbursed to eligible projects in FY 2025, with approximately \$333,000 targeted at food waste projects. The second round of grants would commence on or about July 1, 2025, with grant awards disbursed in FY 2026 in similar amounts to the first round. The third round of grants would commence on or about June 1, 2026 with grant awards for FY 2027 similar amounts to the first and second rounds.
- After the three rounds of grants are disbursed, approximately \$1,000,000 or 50 percent of the appropriation will have been disbursed to projects related to food waste reduction and diversion.

Due to the variability of factors involved, the Department is unable to accurately calculate complete fiscal impacts of this bill, however the figures below represent best estimates given the assumptions outlined above.

Program Costs	FY 2024	FY 2025	FY 2026	FY 2027
Program Specialist III, LG 23	\$68,000	\$106,000	\$110,000	\$110,000
Grants for food waste projects	\$0	\$333,000	\$333,000	\$333,000
Other eligible projects	\$0	\$117,000	\$117,000	\$117,000
Total Grants Awarded	\$0	\$450,000	\$450,000	\$450,000
Total Expenditures	\$68,000	\$556,000	\$560,000	\$560,000

Regarding revenues, county and local governments may receive increased revenue from the available matching grants. County and local expenditures will increase as grants are expended along with expenditures to satisfy any match requirements of the grants.

This bill does not currently establish a new full-time position.

AGENCIES CONTACTED:

Department of Environmental Services