

Committee Report

CONSENT CALENDAR

February 9, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Environment and Agriculture to
which was referred HB 73,**

**AN ACT relative to public notice requirements for
certain permits issued by the department of
environmental services. Having considered the same,
report the same with the recommendation that the bill
OUGHT TO PASS.**

Rep. Judy Aron

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Environment and Agriculture
Bill Number:	HB 73
Title:	relative to public notice requirements for certain permits issued by the department of environmental services.
Date:	February 9, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill updates the current statute (RSA:149-M:7 III, and RSA 149-M:9 VIII) to require that means of noticing the public about solid waste permits include using electronic means via the department's website and communicating permitting information with affected municipalities electronically as well. Public hearing notices regarding solid waste permits must also be posted on the department's website along with posting in local newspapers.

Vote 18-0.

Rep. Judy Aron
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Environment and Agriculture

HB 73, relative to public notice requirements for certain permits issued by the department of environmental services. **OUGHT TO PASS.**

Rep. Judy Aron for Environment and Agriculture. This bill updates the current statute (RSA:149-M:7 III, and RSA 149-M:9 VIII) to require that means of noticing the public about solid waste permits include using electronic means via the department's website and communicating permitting information with affected municipalities electronically as well. Public hearing notices regarding solid waste permits must also be posted on the department's website along with posting in local newspapers. **Vote 18-0.**

Voting Sheets

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 73

BILL TITLE: relative to public notice requirements for certain permits issued by the department of environmental services.

DATE: February 3, 2021

LOB ROOM: Hybrid

MOTIONS: OUGHT TO PASS

Moved by Rep. Aron

Seconded by Rep. Dutzy

Vote: 18-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Barbara Comtois, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



2/3/2021
Roll Call Committee Registers
Report

2021 SESSION

Environment and Agriculture

Bill #: HB73 Motion: OTP AM #: _____ Exec Session Date: 2/3/2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearl, Howard C. Chairman	X		
Aron, Judy F. Vice Chairman	x		
Comtois, Barbara Clerk	x		
Verville, Kevin G.	X		
Davis, Arnold G.	X		
Stapleton, Walter A.	X		
Homola, Susan	X		
Kennedy, Margaret Anne	X		
Mason, James L.	X		
Sanborn, Gail E.	X		
Bixby, Peter W.	X		
Sofikitis, Catherine M.	X		
Bouldin, Andrew J.	X		
Dutzy, Sherry	X		
Murray, Megan A.	X		
Von Plinsky, Sparky	X		
Caplan, Tony			
Hyland, Stephanie M.	X		X
Perez, Maria	X		
TOTAL VOTE:	18	0	

Public Hearing

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB73

BILL TITLE:

AN ACT relative to public notice requirements for certain permits issued by the department of environmental services.

DATE: January 27, 2021

ROOM: 301

Time Public Hearing Called to Order: _____ 3:15 p.m.

Time Adjourned: _____ 3:20 pm.

(please circle if present)

Committee Members: Reps. Pearl, Aron, Comtois, Verville, Davis, Stapleton, Homola, Kennedy, Mason, G. Sanborn, Bixby, Sofikitis, Andrew Bouldin, Dutzy, M. Murray, Von Plinsky, Caplan, Hyland and Perez

Bill Sponsors: Rep. Aron, Sull. 7; Rep. Pearl, Merr. 26; Rep. Potucek, Rock. 6

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Aron – Sullivan 7 - introducing bill – this was passed last year unanimously – it updates our statues regarding noticing – this updates the statue to require using electronic means via the department’s internet website and communicating permitting information with affected municipalities

House Remote Testify

Environment and Agriculture Committee Testify List for Bill HB73 on 2021-01-
Support: 4 Oppose: 0 Neutral: 1 Total to Testify: 1

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>§</u>
Aron, Judy	judy.aron@leg.state.nh.us	An Elected Official	Myself	Support	Yes (0m)	No	1
Potucek, John	potucek1@comcast.net	An Elected Official	Myself	Support	No	No	1
ploszaj, tom	tom.ploszaj@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1
Stock, Jasen	jstock@nhtoa.org	A Lobbyist	NH Timberland Owners Association	Neutral	No	No	1
Rathbun, Eric	ericrathbun@gmail.com	A Member of the Public	Myself	Support	No	No	1

Testimony

Bill as
Introduced

CHAPTER 17
HB 73 - FINAL VERSION

2021 SESSION

21-0045
08/11

HOUSE BILL **73**

AN ACT relative to public notice requirements for certain permits issued by the department of environmental services.

SPONSORS: Rep. Aron, Sull. 7; Rep. Pearl, Merr. 26; Rep. Potucek, Rock. 6

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill requires public notice using electronic means for certain permits issued by the department of environmental services.

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 17
HB 73 - FINAL VERSION

21-0045
08/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to public notice requirements for certain permits issued by the department of environmental services.

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

1 17:1 Department of Environmental Services, Solid Waste Division; Rulemaking; Notice
2 Requirements. Amend RSA 149-M:7, III to read as follows:

3 III. Administration of a permit system, including the terms, conditions, and time frames
4 under which the department shall issue, modify, suspend, revoke, deny, approve, or transfer permits
5 required by this chapter, ***and means of noticing the public about such permits including, but***
6 ***not limited to, using electronic means via notice on the department's Internet website, and***
7 ***communicating permitting information with affected municipalities.***

8 17:2 Department of Environmental Services; Solid Waste Division; Permit Required; Electronic
9 Notice Required. Amend RSA 149-M:9, VIII to read as follows:

10 VIII. The department shall act upon each permit application within the time periods
11 specified in rules adopted under RSA 149-M:7. For permits requiring a public hearing under rules
12 adopted under RSA 149-M:7, once the department determines that an application is complete, in no
13 case, without prior written agreement regarding an extension with the applicant, shall the
14 department take longer than 180 days to issue or deny the permit. For permits that do not require a
15 public hearing under rules adopted under RSA 149-M:7, once the department determines that the
16 application is complete, in no case, without the prior written agreement regarding an extension with
17 the applicant, shall the department take longer than 120 days to issue or deny the permit. Prior to
18 such action, the department shall provide notice of the application by publication in at least one
19 newspaper of general circulation in the community ***and on the department's Internet website,***
20 ***and an opportunity for hearing to interested persons.*** The applicant shall notify abutters of the
21 public hearing in writing by certified mail, return receipt requested. The requirement of public
22 notice and hearing shall apply at the discretion of the department to facilities or activities that will
23 have an insignificant effect on environmental quality as defined by rule under RSA 149-M:7.

17:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 06, 2021
Effective Date: July 05, 2021