

CONSENT CALENDAR

February 9, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Municipal and County Government
to which was referred HB 273,**

**AN ACT requiring composting and waste recycling to be
made available to residents of public housing. Having
considered the same, report the same with the following
resolution: RESOLVED, that it is INEXPEDIENT TO
LEGISLATE.**

Rep. Diane Pauer

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 273
Title:	requiring composting and waste recycling to be made available to residents of public housing.
Date:	February 9, 2023
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill requires every municipality in the state to provide residents of public housing administered by a public housing authority, to have onsite access to "appropriate" composting and recycling receptacles or bins. This bill is a reintroduction of 2022 HB 1172 which was referred to Interim Study and subsequently not recommended for future legislation by a vote of 10-7. This bill presents the same issues that the committee had identified in the original bill. First, the committee believes the requirements of the bill necessitates raising and expending tax dollars by a municipality, constituting an unfunded state mandate on municipalities in violation of the New Hampshire Constitution, Part 1, Article 28:a. Second, it is unclear as to what constitutes "appropriate" containers for composting and recycling. Third, the health and safety of the residents may be at risk from pests and vermin attracted by the nearby onsite composting. Similar health and safety risks may occur with recycling receptacles if not serviced frequently, adding additional costs. Fourth, not all municipal transfer stations and landfills are equipped to manage composting and recycling required by this bill.

Vote 20-0.

Rep. Diane Pauer
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Municipal and County Government

HB 273, requiring composting and waste recycling to be made available to residents of public housing. **INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for Municipal and County Government. This bill requires every municipality in the state to provide residents of public housing administered by a public housing authority, to have onsite access to "appropriate" composting and recycling receptacles or bins. This bill is a reintroduction of 2022 HB 1172 which was referred to Interim Study and subsequently not recommended for future legislation by a vote of 10-7. This bill presents the same issues that the committee had identified in the original bill. First, the committee believes the requirements of the bill necessitates raising and expending tax dollars by a municipality, constituting an unfunded state mandate on municipalities in violation of the New Hampshire Constitution, Part 1, Article 28:a. Second, it is unclear as to what constitutes "appropriate" containers for composting and recycling. Third, the health and safety of the residents may be at risk from pests and vermin attracted by the nearby onsite composting. Similar health and safety risks may occur with recycling receptacles if not serviced frequently, adding additional costs. Fourth, not all municipal transfer stations and landfills are equipped to manage composting and recycling required by this bill. **Vote 20-0.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 273

BILL TITLE: requiring composting and waste recycling to be made available to residents of public housing.

DATE: February 9, 2023

LOB ROOM: 301-303

MOTIONS: RETAINED

Moved by Rep. Gallager

Seconded by Rep. Howland

Vote: 7-13

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Pauer

Seconded by Rep. Hicks

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:06:25 PM
Roll Call Committee Registers
Report

2023 SESSION

Municipal and County Government

Bill #: 273 Motion: Retain AM #: _____ Exec Session Date: 2/9/23

Members	YEAS	Nays	NV
Turcotte, Len P. Chairman		13	
Pauer, Diane Vice Chairman		1	
Guthrie, Joseph A.		2	
MacDonald, John T. Clerk		3	
Lascelles, Richard W.		4	
Yokela, Josh S.		5	
Kelley, Diane E.		6	
Aylward, Deborah		7	
Brown, Richard R <i>Rep. Colcombe</i>		8	
Cahill, Tim P		9	
Stavis, Laurel		10	
Tatro, Bruce L.		11	
Treleaven, Susan GS	1		
Gilman, Julie D.	2		
Maggiore, Jim V.	3		
Mangipudi, Latha D.	4		
Gallager, Eric B.	5		
Hicks, Matthew S		12	
Howland, Allan	6		
Preece, David John	7		
TOTAL VOTE:	7	13	



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:06:25 PM
Roll Call Committee Registers
Report

2023 SESSION

Municipal and County Government

Bill #: 273 Motion: ITL AM #: _____ Exec Session Date: 2/9/23

Members	YEAS	Nays	NV
Turcotte, Len P. Chairman	20		
Pauer, Diane Vice Chairman	1		
Guthrie, Joseph A.	2		
MacDonald, John T. Clerk	3		
Lascelles, Richard W.	4		
Yokela, Josh S.	5		
Kelley, Diane E.	6		
Aylward, Deborah	7		
Brown, Richard R <i>Rep. Colcunbee</i>	8		
Cahill, Tim P	9		
Stavis, Laurel	10		
Tatro, Bruce L.	11		
Treleaven, Susan GS	12		
Gilman, Julie D.	13		
Maggiore, Jim V.	14		
Mangipudi, Latha D.	15		
Gallager, Eric B.	16		
Hicks, Matthew S	17		
Howland, Allan	18		
Preece, David John	19		
TOTAL VOTE:	20	0	

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 273

BILL TITLE: requiring composting and waste recycling to be made available to residents of public housing.

DATE: February 1, 2023

LOB ROOM: 301-303 **Time Public Hearing Called to Order:** 2:45 p.m.

Time Adjourned: 2:50 p.m.

Committee Members: Reps. L. Turcotte, Pauer, J. MacDonald, Guthrie, Lascelles, Aylward, R. Brown, T. Cahill, Stavis, Tatro, Treleaven, Gilman, Maggiore, Mangipudi, Gallagher, Hicks, Howland and Preece

Bill Sponsors:

Rep. Gallagher

Rep. Read

Rep. Caplan

TESTIMONY

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

- Rep. Gallagher - bill brought before committee last term. Refer to interim study. Intentions to turn the bill to a study committee. O2S didn't follow through. Would be fine being ITL. Sponsor request it. Could retain it for the second year of the term.
- Natch Greyes - any option that doesn't pass it works fine for me.
- Michael Nonk - my testimony is mute. HB 300 food waste disposal ban creates more composting Better atmosphere for composting to be more successful.

Respectfully submitted,
John MacDonald, Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB273 on 2023-02-01

Support: 42 Oppose: 7 Neutral: 0 Total to Testify: 0

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>Signed Up</u>
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/27/2023 10:48 AM
Liebowitz, Susan	Plainfield, NH supawali@hotmail.com	A Member of the Public	Myself	Support	No	No	1/28/2023 9:29 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	1/28/2023 10:21 PM
Baker, Deb	Concord, NH deborahba@yahoo.com	A Member of the Public	Myself	Support	No	No	1/29/2023 10:48 AM
Wikstrom, Kathleen	Exeter, NH kjkwikstrom@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/29/2023 11:45 AM
Grossi, Anne	Bedford, NH adgrossi7982@gmail.com	A Member of the Public	Myself	Support	No	No	1/29/2023 12:49 PM
Creem, Jeffrey	Nashua, NH jeff@thecreems.com	A Member of the Public	Myself	Oppose	No	No	1/29/2023 3:10 PM
Creem, Melissa	Nashua, NH melissa@thecreems.com	A Member of the Public	Myself	Oppose	No	No	1/29/2023 3:22 PM
Beffa-Negrini, Patricia	Nelson, NH pbeffa@me.com	A Member of the Public	Myself	Support	No	No	1/29/2023 7:38 PM
Bushueff, Catherine	Sunapee, NH agawamdesigns@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2023 6:16 AM
Termini, Marcella	Manchester, NH marcellatermini@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2023 9:03 AM
Brennan, Arthur	Weare, NH arete201314@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2023 9:26 AM
Raspiller, Cindy	Mont Vernon, NH raspicl@hotmail.com	A Member of the Public	Myself	Support	No	No	1/30/2023 9:37 AM

Brown, Howard	Mont Vernon, NH Hobro39@hotmail.com	An Elected Official	Myself	Support	No	No	1/30/2023 9:45 AM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	1/30/2023 10:07 AM
Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2023 10:10 AM
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	No	1/30/2023 10:38 AM
Devore, Gary	Pembroke, NH torin_asheron@yahoo.com	A Member of the Public	Myself	Support	No	No	1/30/2023 10:49 AM
Damon, Claudia	Concord, NH cordsdamon@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2023 11:27 AM
Martin, Patricia	Rindge, NH pmartin2894@yahoo.com	A Member of the Public	Myself	Support	No	No	1/30/2023 11:31 AM
Dutzy, Sherry	Nashua, NH sdutzy207@gmail.com	An Elected Official	Myself	Support	No	No	1/30/2023 12:27 PM
Covert, Susan	Contoocook, NH scovert@comcast.net	A Member of the Public	Myself	Support	No	No	1/30/2023 1:33 PM
Moore, Susan	Franconia, NH susan.moore.franconia@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2023 4:32 PM
St.Martin, tom	Candia, NH nomad@adaptivetechology.biz	A Member of the Public	Myself	Support	No	No	1/30/2023 7:27 PM
Cote, Lois	Manchester, NH, NH lcote06@outlook.com	A Member of the Public	Myself	Support	No	No	1/30/2023 8:15 PM
Holt, David	Somersworth, NH davholt@aol.com	A Member of the Public	Myself	Support	No	No	1/30/2023 8:47 PM
Bishop, Nancy	Plaistow, NH nanbis71@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2023 1:55 AM
Johnson, Judith	Goffstown, NH judygjohnson@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2023 9:09 AM
Davis, Gregory	Salem, NH glospreys@comcast.net	A Member of the Public	Myself	Support	No	No	1/31/2023 12:10 PM
Englund, Alfrieda	Stoddard, NH ditaenglund43@gmail.com	An Elected Official	Myself	Support	No	No	1/31/2023 12:22 PM
Thomas, A	Rindge, NH annekerosie@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2023 1:15 PM

Farnum, Ellen	Tamworth, NH ellenlynnfarnum@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2023 2:41 PM
Fudge, Kim Marie	NORTH CONWAY, NH kimfudge20@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2023 3:17 PM
Rettew, Annie	Concord, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2023 3:58 PM
Keegan, John	BOscawen, NH peorednada@tds.net	A Member of the Public	Myself	Support	No	No	1/31/2023 8:30 PM
Platt, Liz-Anne	CONCORD, NH lizanneplatt09@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2023 9:02 PM
Holt, Kim	Concord, NH Kimberleyholt2301@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2023 10:33 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/31/2023 11:26 PM
Istel, Claudia	Acworth, NH cistel79@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2023 12:10 AM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2023 4:58 AM
Racusin, Sharon	Hanover, NH sdracusin@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2023 8:26 AM
hatch, sally	03301, NH sallyhatch@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2023 8:26 AM
kwasnik, joseph	concord, NH jkwasknik25@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2023 8:31 AM
longley, margaret	sandwich, NH peggylongley@sbcglobal.net	A Member of the Public	Myself	Support	No	No	2/1/2023 8:52 AM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2023 9:46 AM
Koch, Laurie	Concord, NH kochlj@aol.com	A Member of the Public	Myself	Support	No	No	2/1/2023 12:19 PM
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	State Agency Staff	Myself	Support	No	No	2/1/2023 7:49 PM
Holcombe, Susan	Hanover, NH shholcombe@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2023 7:58 PM
Johnston, Janet	Franklin, NH oocsweety22@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2023 9:39 PM

Jeffrey Creem

Cindy Raspiller

NA

Howard Brown

NA

Annie Rettew

This just makes sense for the environment. Those who live in public housing should have this available.

Patricia Anastasia

While this requirement makes sense for the environment, the composting infrastructure in NH is sorely lacking and this requirement would create a significant burden to municipalities. We need to improve the composting infrastructure in the state before enacting this type of requirement.

HB 273 - AS INTRODUCED

2023 SESSION

23-0182

05/08

HOUSE BILL **273**

AN ACT requiring composting and waste recycling to be made available to residents of public housing.

SPONSORS: Rep. Gallagher, Merr. 20; Rep. Read, Rock. 10; Rep. Caplan, Merr. 8

COMMITTEE: Municipal and County Government

ANALYSIS

This bill requires public housing residents to have access to on-site composting and recycling receptacles.

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 requiring composting and waste recycling to be made available to residents of public housing.

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

1 1 New Paragraph; Solid Waste Management; Town Responsibility and Authority; Composting
2 and Recycling Options For Residents of Public Housing. Amend RSA 149-M:17 by inserting after
3 paragraph VI the following new paragraph:

4 VII. In furtherance of the state's waste reduction goal established in RSA 149-M:2, each
5 town shall ensure that residents of public housing located in the town have access to appropriate, on-
6 site composting and recycling receptacles or bins. In this paragraph, "public housing" means
7 housing administered by a public housing authority.

8 2 Effective Date. This act shall take effect 60 days after its passage.

HB 273 - AS INTRODUCED

LBA
23-0182
11/1/22

**HB - FISCAL NOTE
AS INTRODUCED**

AN ACT requiring composting and waste recycling to be made available to residents of public housing.

FISCAL IMPACT: State County Local None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Revenue	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill requires municipalities with public housing to create composting facilities and require all municipalities with public housing to provide curbside recycling and compost pickup to public housing specifically. Additionally, municipalities may be required to provide the appropriate composting and recycling receptacles or bins. The New Hampshire Municipal Association (“Association”) states municipalities in the unserved areas of the state, particularly rural municipalities and municipalities in the interior and northern portion of the state, can expect significant increases in costs to build out currently non-existent composting facilities, provide pickup, and provision bins. Municipalities on neighboring state borders and more urban municipalities may experience some additional costs, but much will depend on what services are currently provided. The Association adds that sales of compost may offset some costs associated with the legislation, but are not expected to cover the cost of operation, much less setup, of additional facilities, provision of supplies, and pickup. At this time, no existing NH municipal compost market exists – above and beyond land application of sludge – and increased concerns about contaminants – particularly PFAS – may or may not impact the viability of that market in the future. Presumably, similar concerns would exist for municipal compost. Furthermore, the Association states recycling markets have been in flux over much of the last half-decade, in that some products which historically offset costs of operation no longer do so, and alternative uses of recyclable products have begun to emerge in the waste market. The Association states it is unclear how much, if any, additional revenue would be created as a consequence of additional recyclables entering the waste stream.

The Department of Environmental Services assumes it would be responsible to monitor compliance with these requirements and would do so utilizing existing staff.

AGENCIES CONTACTED:

Department of Environmental Services, New Hampshire Municipal Association, and New Hampshire Housing Finance Authority