

CHAPTER 207
SB 57-FN-A - FINAL VERSION

03/30/2017 1192s
1Jun2017... 2021h

2017 SESSION

17-0818
08/10

SENATE BILL ***57-FN-A***

AN ACT making appropriations to the department of environmental services for the purposes of funding eligible drinking water and wastewater projects under the state aid grant program and relative to making an appropriation from the drinking water and groundwater trust fund to the department of environmental services to address drinking water contamination in Amherst.

SPONSORS: Sen. Bradley, Dist 3; Sen. Giuda, Dist 2; Rep. Bucu, Carr. 2; Rep. Umberger, Carr. 2; Rep. Danielson, Hills. 7; Rep. Rosenwald, Hills. 30; Rep. L. Ober, Hills. 37

COMMITTEE: Finance

AMENDED ANALYSIS

This bill:

I. Makes appropriations to the department of environmental services for the purposes of funding eligible drinking water and wastewater projects under the state aid grant program.

II. Makes appropriations to the department of environmental services for funding specific water and wastewater projects.

III. Makes an appropriation from the drinking water and groundwater trust fund to the department of environmental services to address drinking water contamination in Amherst.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT making appropriations to the department of environmental services for the purposes of funding eligible drinking water and wastewater projects under the state aid grant program and relative to making an appropriation from the drinking water and groundwater trust fund to the department of environmental services to address drinking water contamination in Amherst.

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

207:1 Department of Environmental Services; Appropriation. There is hereby appropriated to the department of environmental services the sum of \$1,369,620 for the fiscal year ending June 30, 2017, which shall be nonlapsing and expended pursuant to section 2 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

207:2 Projects Funded; Department of Environmental Services. Projects with warrant articles after December 31, 2008 that were completed before July 1, 2013 but without SAG application process and final certification for payment before July 1, 2013. Payments for each project shall not exceed the following amounts:

	<u>FY 2018</u>	<u>FY 2019</u>
North Conway Water Precinct D2007-0417 Ash Street	\$46,365	\$46,367
Merrimack 215-09 WWTF Dewatering Upgrade	\$80,508	\$79,711
Nashua 158-24 Wet Weather Treatment Facility	\$341,099	\$332,676
Nashua Harbor Ave Area Sewer Separation	\$82,734	\$82,285
Burke Street Phase 1		
Claremont 114-15 Maple Ave Wastewater Collection System	\$26,992	\$26,993
Dover D2011-0102 WWTF Dewatering Upgrade	\$112,577	\$75,408
Enfield D2011-305 Route 4 Sewer & Water Extension	\$10,502	\$25,403
Total Projects Completed before The Stipulation	<u>\$700,777</u>	<u>\$668,843</u>

of Warrant Articles After December 31, 2008 was established but without SAG Application Before July 1, 2013.

Total Appropriation for the biennium ending June 30, 2019 \$1,369,620

207:3 Department of Environmental Services; Appropriation. There is hereby appropriated to the department of environmental services the sum of \$2,148,771 for the fiscal year ending June 30, 2017, which shall be nonlapsing and expended pursuant to section 4 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

CHAPTER 207
SB 57-FN-A - FINAL VERSION
- Page 2 -

207:4 Projects Funded; Department of Environmental Services. Projects with Warrant Article Before December 31, 2008 but Without SAG Application Before July 1, 2013. Payments for each project shall not exceed the following amounts:

		<u>FY 2018</u>	<u>FY 2019</u>
Portsmouth	D02011.0502 Lincoln Area Sewer Separation Contract 3B	\$84,954	\$90,049
Portsmouth	D2011.1101 Cass Street Area Sewer Improvements	\$53,412	\$56,610
Portsmouth	106-12 Rye Line Pump Station	\$28,941	\$25,045
Nashua	D2004-0906 Primary Clarifier Rehabilitation	\$219,351	\$219,351
Durham	D2010-0213 West End Sewer Improvements	\$672	\$2,478
Berlin	D02011-0705 Inflow and Infiltration Reduction, Phase 1, Contract 2	\$31,283	\$31,283
Portsmouth	D2013-D102 Lincoln Area Sewer Separation - Contract 83C	\$89,203	\$87,492
Conway Village			
Fire District	237-04 Sewerage Improvements Program Phase II	\$131,980	\$114,802
Lebanon	092-04 & 092-06 WWTF & Energy Evaluation Improvements, Phase II	\$182,395	\$180,400
Berlin	111-05 & 111-06 Wastewater Treatment Facility Phase 2 Upgrade	\$73,867	\$147,734
Nashua	D2012-0202 WWTF Grit System and Dewatering Upgrade	\$21,825	\$69,844
Nashua	D2012-060S Aeration and Secondary Clarifier Upgrade	\$102,894	\$102,906
Total Projects with Warrant Article Before December 31, 2008			
But Without SAG Application Before July 1, 2013		<u>\$1,020,777</u>	<u>\$1,127,994</u>
Total Appropriation for the biennium ending June 30, 2019			\$2,148,771

207:5 Department of Environmental Services; Appropriation.

I. The sum of \$5,000,000 is hereby appropriated to the department of environmental services from the drinking water and groundwater trust fund established under RSA 6-D:1 for the purpose of financing the extension of an existing Pennichuck Water Company water line to an area of homes and businesses in Amherst, New Hampshire impacted by contamination with perfluorinated compounds. Such an extension is in the public interest and will provide the residents of the town of Amherst access to a safe drinking water resource as an alternative to contaminated public groundwater.

II. The department of environmental services may lend \$5,000,000 as appropriated for the purpose in paragraph I, to any potentially responsible party, which demonstrates an ability to repay the loan amount with interest over a reasonable period of time and meets the minimum underwriting requirements of the business finance authority, for purposes of construction of the waterline improvements, provision of service connections to the impacted properties, and

CHAPTER 207
SB 57-FN-A - FINAL VERSION
- Page 3 -

1 decommissioning of impacted drinking water wells.

2 III. The department of environmental services shall establish, issue, and service the loan
3 using the criteria of the state water pollution control revolving loan fund program authorized by
4 RSA 486:14 using established rates and procedures to the extent applicable and consistent with the
5 intent of this section.

6 IV. The department of environmental services shall, in underwriting the loan included in
7 paragraph II, use the services of the New Hampshire business finance authority, including
8 evaluation of the borrower's credit, ability to repay the loan, and to establish appropriate security
9 for the loan.

10 V. The loan shall not be made using funds from the state water pollution control revolving
11 loan fund program authorized by RSA 486:14, and as such, shall not be subject to the federal
12 requirements imposed by the United States Environmental Protection Agency for such loans.

13 VI. Loan repayment funds, including all interest, and any unused loan funds shall be
14 deposited in the state's drinking water and groundwater trust fund established under RSA 6-D:1.

15 207:6 Effective Date.

16 I. Section 5 of this act shall take effect July 1, 2017.

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

Approved: July 10, 2017

Effective Date:

I. Section 5 effective July 1, 2017

II. Remainder effective July 10, 2017

