

Amendment to SB 121

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT establishing a commission to determine if the department of environmental services  
4 should request delegation of the National Pollutant Discharge Elimination System  
5 from the Environmental Protection Agency.  
6

7 Amend the bill by replacing all after the enacting clause with the following:

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9 1 New Section; National Pollutant Discharge Elimination System Study Commission. Amend  
10 RSA 483-B by inserting after section 7 the following new section:

11 483-B:7-a National Pollutant Discharge Elimination System Study Commission.

12 I. There is established a commission to determine if the department of environmental  
13 services should request delegation of the National Pollutant Discharge Elimination System from the  
14 Environmental Protection Agency, and if so, to recommend a fee structure that would pay for the  
15 department to hire the required number of employees to manage the issuance of permits.

16 II. The members of the commission shall be as follows:

17 (a) One member of the senate, appointed by the president of the senate.

18 (b) One member of the house of representatives, appointed by the speaker of the house  
19 of representatives.

20 (c) The commissioner of the department of environmental services, or designee.

21 (d) One person representing affected nuclear facilities, appointed by the speaker of the  
22 house.

23 (e) The executive director of the fish and game department, or designee.

24 (f) One person recommended by the Business and Industry Association, appointed by  
25 the governor.

26 (g) One person representing the Pease development authority, appointed by the  
27 executive director.

28 (h) One person representing conservation, jointly appointed by the New Hampshire  
29 Rivers Council and New Hampshire Lakes Association.

30 (i) Three people representing affected water and sewer facilities, appointed by the New  
31 Hampshire Municipal Association.

32 III. Legislative members of the commission shall receive mileage at the legislative rate  
33 when attending to the duties of the commission.

**Amendment to SB 121**

**- Page 2 -**

1           IV. The commission shall determine if the department of environmental services should  
2 request delegation of the National Pollutant Discharge Elimination System from the Environmental  
3 Protection Agency, and if so, to recommend a fee structure that would pay for the department to  
4 hire the required number of employees to manage the issuance of permits.

5           V. The members of the study commission shall elect a chairperson from among the  
6 members. The first meeting of the commission shall be called by the senate member. The first  
7 meeting of the commission shall be held within 45 days of the effective date of this section. Six  
8 members of the commission shall constitute a quorum.

9           VI. The commission shall report its findings and any recommendations for proposed  
10 legislation to the president of the senate, the speaker of the house of representatives, the senate  
11 clerk, the house clerk, the governor, and the state library on or before November 1, 2017.

12           2 Repeal. RSA 483-B:7-a, relative to the National Pollutant Discharge Elimination System  
13 study commission, is repealed.

14           3 Effective Date.

15           I. Section 2 of this act shall take effect November 1, 2017.

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

**Amendment to SB 121**  
**- Page 3 -**

2017-1484h

**AMENDED ANALYSIS**

This bill establishes a commission to determine if the department of environmental services should request delegation of the National Pollutant Discharge Elimination System from the Environmental Protection Agency, and if so, to recommend a fee structure that would pay for the department to hire the required number of employees to manage the issuance of permits.