

Senate Energy and Natural Resources Committee

Joshua Schauer 271-3077

AMENDMENT # 2026-1168s, enabling the use of solid waste management funds by solid waste management districts. to SB 593, relative to landfills.

Hearing Date: March 17, 2026

Time Opened: 10:35 a.m.

Time Closed: 10:46 a.m.

Members of the Committee Present: Senators Avard, Pearl, McConkey, Watters and Rosenwald

Members of the Committee Absent : None

Bill Analysis: This bill defines and regulates landfill expansions.

Sponsors:

Sen. Avard

Sen. Watters

Sen. McConkey

Sen. Pearl

Who supports the amendment: Howard Pearl (SD17), Richard Moore (BCEP), Sarah Burke Cohen (NHMA), Patrick Doughty

Who opposes the amendment: Nathaniel Blair

Who is neutral on the amendment: Leah McKenna (NHDES)

Summary of testimony presented:

Senator Howard Pearl, District 17

- Senator Pearl introduced amendment 2026-1168s, acknowledging it may be considered non-germane, but arguing it was best way to address the issue from the underlying bill.
- The original legislation involves a \$3.50 per-ton solid waste fee established in last year's House Bill 2, which was intended to be refunded back to municipalities. A complication arose for municipalities that belong to solid waste management districts, because the districts, not the individual towns, are responsible for reporting and paying the fee.
- As written, the law requires the refund to go to municipalities first, meaning funds would need to pass from the district to the municipality and then back to the district, creating unnecessary administrative complexity.

- Based on discussions with Director Wimsatt, Senator Pearl proposed amending the statute to allow direct reimbursement to solid waste management districts, using SB 593 as the legislative vehicle to implement this fix.

Senator Avard asked if it was a replace-all amendment

Senator Pearl confirmed that it was.

Senator Rosenwald asked whether he would be open to a friendly amendment on line 16 of the bill, changing the language from “only reflect” to “reflect only.”

Senator Pearl agreed to that change.

Richard Moore, BCEP

- He explained that the BCEP supported the amendment but wanted to make the legislation retroactive to January 1st, 2026 because they have been paying \$3.50 since then. He added that it equates to roughly \$3,000 a month.

Senator Avard said that would not be possible because the legislature does not have that authority.

Mr. Moore responded that it was unfortunate because it would then come out of the taxpayers pockets.

Senator Pearl said it was going to take time to get this legislation in place, and he recommended Mr. Moore facilitate with the towns however they would like to move forward for the time being. He explained that the bill will help going forward but the legislature cannot make it retroactive.

Mr. Moore emphasized his support for the non-germane amendment but was disappointed his suggestions could not also be implemented. He added some points as to why his suggested amendment would be good for their communities.

Leah McKenna, Solid Waste Management Bureau

Senator Pearl asked if the director of the Waste Management Division had requested the date be changed to January 1st 2027.

Ms. McKenna confirmed.

- Ms. McKenna said she was there to answer any questions regarding the amendment as well as point out an omission that was made during drafting.
- She explained that the omission appears on page one, line fourteen after the word “municipality,” the phrase “or solid waste management district” should be added. This revision would clarify that payments may be made to either entity, depending on which one is financially responsible.