

Amendment to HB 1603-FN

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

2
3 AN ACT establishing the per and polyfluoroalkyl substances contamination remediation and
4 mitigation revolving loan and grant program and fund.
5

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

7
8 1 New Chapter; Per and PolyFluoroalkyl Substances (PFAS) Contamination Remediation and
9 Mitigation Program. Amend RSA by inserting after chapter 485-G the following new chapter:

10 CHAPTER 485-H

11 PER AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION REMEDIATION

12 AND MITIGATION PROGRAM

13 485-H:1 Per and Polyfluoroalkyl Substances Contamination Remediation and Mitigation
14 Program and Fund. There is hereby established the per and polyfluoroalkyl substances (PFAS)
15 contamination remediation and mitigation program and fund. Any moneys the state receives from
16 lawsuits or settlements and other funding sources related to PFAS contamination shall be deposited
17 in the PFAS fund. Moneys in this fund shall be nonlapsing and continually appropriated to the
18 department of environmental services for assisting municipalities, community water systems as
19 defined in RSA 485:1-a, and members of the public whose water exceeds the maximum contaminant
20 levels for PFAS as set by the department of environmental services, through the issuing of loans and
21 grants.

22 485-H:2 Per and Polyfluoroalkyl Substances Contamination Remediation and Mitigation
23 Revolving Loan and Grant Funds.

24 I.(a) The PFAS contamination remediation and mitigation revolving loan and grant funds
25 shall be administered by the commissioner of the department of environmental services under rules
26 adopted pursuant to RSA 541-A.

27 (b) A sum equal to 2 percent of all loan principal balances outstanding each year, which
28 shall be an administrative charge, shall be set aside to be used by the department of environmental
29 services to pay the costs of administering the state PFAS contamination remediation and mitigation
30 loan and grant funds.

31 II. It is the intent of the general court that many projects be considered for inclusion in the
32 PFAS contamination remediation and mitigation revolving loan fund and grant program. Projects

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1 addressing the greatest contamination for drinking water systems or private wells that serve the
2 greatest number of people shall be given priority in the awarding of loans and grants.

3 III. Any borrowing by a municipality from the loan fund or grant funded moneys shall be
4 governed by the applicable provisions of RSA 33, provided that the first principal payment on any
5 loan and the first of the annual payments required under RSA 33:2 may be deferred up to one year
6 after the estimated or actual completion date of the project being financed by the loan, and provided
7 further that no authenticating certificate shall be required under RSA 33:11(b).

8 485-H:3 Per and Polyfluoroalkyl Substances Contamination Remediation and Mitigation
9 Program Fund Established. There is hereby established the per and polyfluoroalkyl substances
10 (PFAS) contamination remediation and mitigation program fund which shall be kept distinct and
11 separate from all other funds. The PFAS contamination remediation and mitigation program fund
12 shall be used to fund loans and grants through the PFAS remediation program. The moneys in the
13 fund shall be nonlapsing.

14 2 New Subparagraph; Special Fund. Amend RSA 6:12, I by inserting after subparagraph (358)
15 the following new subparagraph:

16 (359) Moneys received under RSA 486:15, which shall be credited to the per and
17 polyfluoroalkyl substances contamination remediation and mitigation program fund established in
18 RSA 485-H:3.

19 3 Effective Date. This act shall take effect July 1, 2021.

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AMENDED ANALYSIS

This bill establishes the per and polyfluoroalkyl substances contamination remediation and mitigation revolving loan and grant program and fund.