

Amendment to SB 445

1 Amend the bill by deleting section 20 and renumbering the original sections 21-48 to read as 20-47,
2 respectively.

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4 Amend the bill by replacing section 26 with the following:

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6 26 Permit Eligibility; Exemption; Water Division. Amend RSA 485-A:35, I(a) to read as follows:

7 I.(a) All applications, plans, and specifications submitted in accordance with this chapter for
8 subsurface sewage or waste disposal systems shall be prepared and signed by the individual who is
9 directly responsible for them and who has a permit issued by the department to perform the work.
10 The department shall issue a permit to any individual who applies to the department, pays a fee of
11 \$80, and demonstrates a sound working knowledge of the procedures and practices required in the
12 site evaluation, design, and operation of subsurface sewage or waste disposal systems. The
13 department shall require an oral or written examination or both to determine who may qualify for a
14 permit. Permits shall be issued from January 1 and shall expire December 31 of every other year,
15 subject to the grace periods specified in subparagraphs (c) and (d). Permits shall be renewable upon
16 proper application, payment of a biennial permit fee of \$80, and documentation of compliance with
17 the continuing education requirement of subparagraph (b). A permit issued to any individual may
18 be suspended, revoked or not renewed only for just cause~~and after the permit holder has had a full~~
19 ~~opportunity to be heard by the department].~~ An appeal from a decision to revoke, suspend, or not
20 renew a permit may be taken pursuant to ~~[RSA 541]~~ **RSA 21-O:7, IV**. All fees shall be deposited in
21 the subsurface systems fund established in RSA 485-A:30, I-b.

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23 Amend RSA 541-A:30, IV as inserted by section 45 of the bill by replacing it with the following:

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25 IV. An agency shall be exempt from the requirements in this chapter to provide for an
26 adjudicative proceeding prior to making a final decision, if such final decision is subject to appeal to
27 a council or board with jurisdiction over such agency, or divisions thereof, that provides for notice
28 and an opportunity to be heard. Unless based on risk to an immediate risk to human health or the
29 environment, the agency decision under this paragraph shall not become effective for 30 days
30 following the date of the decision or, if an appeal is filed to a council or board within jurisdiction,
31 until the council or board issues a decision.

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Amendment to SB 445
- Page 2 -

1 Amend the bill by replacing all after section 45 with the following:

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3 46 Emissions Reduction Trading Programs; Certification of Emissions Reduction Credits.
4 Amend the introductory paragraph of RSA 125-J:4, VII to read as follows:

5 VII. The commissioner may suspend, modify, or revoke any emissions reduction credits
6 certificate issued under this chapter, or any portion thereof, upon a finding~~[- following a hearing]~~:

7 47 New Paragraph; Department of Environmental Services; Administrative Appeals. Amend
8 RSA 21-O:14 by inserting after paragraph IV the following new paragraph:

9 V. A fine imposed by the department shall not become effective for 30 days following the
10 date of the decision, or if an appeal is filed to a council, until the council issues a decision.

11 48 Repeal. The following are repealed:

12 I. RSA 141-E:4, XIV, relative to procedures for notice and hearing concerning asbestos
13 management and control.

14 II. RSA 149-M:7, XI, relative to procedures for notice and hearing concerning solid waste
15 management.

16 III. RSA 149-M:37, IV, relative to procedures for notice and hearing concerning solid waste
17 management.

18 IV. RSA 485-A:2, I-b, relative to the definition of certification committee.

19 V. RSA 485-A:40, I, relative to reconsideration of certain departmental decisions relative to
20 sewage disposal systems.

21 VI. RSA 485-A:40, II, relative to certain appeals of certain departmental decisions relative to
22 sewage disposal systems.

23 VII. RSA 485-A:40, III, relative to the granting of motions for reconsideration of certain
24 departmental decisions relative to sewage disposal systems.

25 VIII. RSA 488:9, VI, relative to procedures for notice and hearing prior to the imposition of
26 an administrative fine relative to water management.

27 IX. RSA 21-M:3, VIII-a, relative the appointment of hearing officers.

28 X. RSA 125-O:7, III(a), relative to notice and hearing requirements prior to the imposition of
29 certain administrative fines.

30 49 Effective Date. This act shall take effect 60 days after its passage.