

# With veto worries looming, NH House nixes changes to last remaining landfill siting bill

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The landfill bill now heads back to the Senate for a final vote. (Amanda Gokee | New Hampshire Bulletin)

South Acworth Republican Rep. Judy Aron warned House members on Thursday that amendments to the last landfill siting bill remaining this legislative session would likely cement its death by the Senate or the governor's veto pen.

They listened, striking down a proposed floor amendment by Rep. Kelley Potenza, a Rochester Republican, and voting "ought to pass" on Senate Bill 61 as presented by the House Environment and Agriculture Committee.

The bill, which now heads back to the Senate for its final vote, would direct the Department of Environmental Services to hire an outside consultant and embark on a rulemaking process to revise setbacks for new landfill proposals. It would also put a two-year abeyance into effect for any new landfill applications.

But it wasn't the bill environmental advocates were hoping for. The House previously passed a more site-specific bill, House Bill 56, but it was killed in the

Senate.

An amendment introduced by Potenza Thursday sought to correct some “critical red flags” in the “inherently flawed bill,” she said, even though state agency officials had warned that any changes could result in a veto from Gov. Chris Sununu, just as he did last year on a related bill.

At a prior committee meeting, Potenza called out what she perceived to be the influence of waste management lobbyists and state agencies over lawmakers.

“Our stakeholders are the citizens of New Hampshire that put their trust in us to make sure unelected bureaucrats and industry gatekeepers aren’t making laws,” she said Thursday.

Potenza’s amendment would have required the selected outside consultant to have experience in environmental protection – not just landfill design – while making sure the final report be presented back to the Legislature, not just DES. The amendment would have also made it so if DES did not successfully adopt new siting rules in the time frame allotted, any landfill application would be held in abeyance until the agency did.

Rep. Nicholas Germana, a Democrat from Keene, said he reluctantly supported Potzena’s amendment, because adopting it would mean a likely death in the Senate or the “corner office.” But it was important to him, he said, to make the bill reflective of the state’s interests and needs.

Aron, the chair of the House Environment and Agriculture Committee, told fellow lawmakers that if SB 61 doesn’t pass, “then it is guaranteed nothing will get done this year in regards to meaningful landfill siting rule adoption.”

Other lawmakers said the two-year abeyance on new landfills approvals was reason enough to pass SB 61.

The House killed Potenza’s amendment, 152-226, while passing the bill, 236-132.