



State of
New Hampshire

HOUSE RECORD

First Year of the 163rd General Court

Calendar and Journal of the 2013 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 35

Concord, N.H.

Friday, March 8, 2013

No. 22B

Contains: Additional Amendments for March 13.

ADDENDUM TO HOUSE CALENDAR NO 22

ADDITIONAL AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 118

(2013-0392h)

Proposed by the Majority of the Committee on Judiciary - R

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

AN ACT providing immunity from criminal prosecution for seeking medical assistance with an emergency drug or alcohol overdose event.

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

1 New Section; Criminal Code; General Principles. Amend RSA 626 by inserting after section 8 the following new section:

626:9 Immunity for Persons who Suffer or Report an Emergency Drug or Alcohol Overdose Event.

I. A person who reports an emergency drug or alcohol overdose event shall be immune from criminal prosecution for an offense described in this section if:

(a) The person reports in good faith an emergency drug or alcohol overdose event to a law enforcement officer, the 911 system, or a medical provider;

(b) The person remains at the scene of the event until a law enforcement officer or an emergency medical responder arrives or the person remains at the facilities of the medical provider until a law enforcement officer arrives;

(c) The person identifies himself or herself to, and cooperates with, the law enforcement officer, emergency medical responder, or medical provider; and

(d) The chargeable offense arises from the same course of events from which the emergency drug or alcohol overdose event arose.

II. The immunity described in paragraph I shall also extend to the person who suffered the emergency drug or alcohol overdose event if the chargeable offense arose from the same course of events from which the emergency drug or alcohol overdose event arose.

III. The immunity described in paragraph I shall apply to the following criminal offenses:

(a) Possession, control, or transportation of a controlled drug, controlled drug analog, or any preparation containing a controlled drug, or possession, control, or transportation of any drug paraphernalia under RSA 318-B:2.

(b) Unlawful possession and intoxication under RSA 179:10.

(c) Prohibited sales of alcohol under RSA 179:5.

IV. Nothing in this section shall prohibit the prosecution of any person for an offense other than an offense listed in paragraph III or to limit the ability of a prosecutor or a law enforcement officer to obtain or use evidence obtained from a report, recording, or any other statement provided pursuant to paragraph I to investigate and prosecute an offense other than an offense listed in paragraph III.

V. In this section, "emergency drug or alcohol overdose event" means an acute condition including, but not limited to, physical illness, coma, mania, hysteria, or death resulting from the consumption or use of a controlled substance, or of alcohol, or another substance with which a controlled substance or alcohol was combined, and that a layperson would reasonably believe to be a drug or alcohol overdose that requires medical assistance.

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

AMENDED ANALYSIS

This bill provides immunity from criminal prosecution for any person who in good faith seeks medical assistance with, or experiences, an emergency drug or alcohol overdose event.

Amendment to HB 161**(2013-0321h)****Proposed by the Committee on Education - R**

Amend the bill by replacing section 1 with the following:

1 State Board of Education; Duties. Amend RSA 186:11, IX-b to read as follows:

IX-b. Health and Sex Education. Require school districts to adopt a policy allowing an exception to a particular unit of health ~~[or sex]~~ education instruction based on religious objections ***and a policy allowing an exception to a particular unit of sex education instruction based on religious objections or personal beliefs.*** Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

AMENDED ANALYSIS

This bill requires a school district to adopt a policy allowing an exception to health and sex education based on religious objections, personal beliefs, or both.

Amendment to HB 242**(2013-0454h)****Proposed by the Committee on Transportation - R**

Amend the bill by replacing section 1 with the following:

1 Rules of the Road; Child Restraint System. Amend RSA 265:107-a, I-b to read as follows:

I-b. No person shall drive a motor vehicle on any way while carrying as a passenger a person less than [6] **7** years of age unless such passenger is properly fastened and secured by a child restraint system which is in accordance with the safety standards approved by the United States Department of Transportation in 49 C.F.R. section 571.213. If the passenger is [55] **56** inches or more in height, the provisions of this paragraph shall not apply.

AMENDED ANALYSIS

This bill increases the height exception to the child restraint system requirement for motor vehicle operation and adds 6-year-old children to the requirement.

Amendment to HB 314**(2013-0311h)****Proposed by the Committee on Ways and Means - R**

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

1 Wager Limit. Amend RSA 287-D:3, V to read as follows:

V. No single wager by a player, on any game of chance, shall exceed the amount of [\$4] **\$6**.

2 Game Operators; Deposit of Funds. Amend RSA 287-D:3, X to read as follows:

X. In games where chips have monetary value, 10 percent of the rake or house winnings and other moneys collected by the game operator that are not paid out as prizes to players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer for deposit into the general fund. Such payments shall be made ~~[within 5 business days of the game date on which the funds were collected]~~ ***once per month not later than the 5th day of the month for the funds collected in the previous month.***

3 Effective Date. This act shall take effect 90 days after its passage.

AMENDED ANALYSIS

This bill raises limits on single wagers in games of chance. The bill also provides for the deposit of funds by the game operators once a month by the 5th day of the month.

Floor Amendment to HB 314**(2013-0557h)****Proposed by Rep. Kurk**

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

AN ACT raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:
3 New Paragraph; Charitable Organizations; Gross Revenues Received. Amend RSA 287-D:3 by inserting after paragraph X the following new paragraph:

XI. Notwithstanding any provision of law to the contrary, after deducting the pay out of prizes, the total of any fees, any rent under paragraph VII, and any other charges of any kind permitted under this chapter, the charitable organization shall retain no less than 30 percent of the gross revenues from any game of chance on any game date in which game operators licensed under RSA 287-D:2-c are involved in any capacity.

AMENDED ANALYSIS

This bill:

- I. Raises limits on single wagers in games of chance.
- II. Provides for the deposit of funds by the game operators once a month by the 5th day of the month.
- III. Requires charitable organizations to retain no less than 30 percent of the gross revenues from any game of chance minus any prizes paid on any game date in which game operators are involved.

Amendment to HB 362**(2013-0350h)****Proposed by the Committee on Science, Technology and Energy - R**

Amend the bill by replacing all after section 2 with the following:

3 Contingency. Sections 1 and 2 of this act shall take effect upon the date certified to the secretary of state and the office of legislative services of either of the following:

I. The air pollution advisory committee, established by RSA 125-J:11, determines, in consultation with the department of environmental services, that at least 3 other New England states in addition to New Hampshire have statutorily banned corn-based ethanol as an additive to gasoline; or

II. The air pollution advisory committee determines that a fuel that can be used by a regulated entity to meet their compliance obligation pursuant to the federal Renewable Fuels Standard for either advanced biofuel, as defined in the Clean Air Act, 42 U.S.C. 7545(o)(1)(B) or cellulosic biofuel as defined in the Clean Air Act, 42 U.S.C. 7545 (o)(1)(E) is readily available and in sufficient quantities to replace corn-based ethanol in New Hampshire's gasoline supply such that it will not have a significant impact on the price or supply, or both, of gasoline delivered for use in New Hampshire.

4 Report Required. The department of environmental services shall report to the governor, the speaker of the house, the president of the senate, the science, technology and energy committee, and the air pollution advisory committee no later than September 1 annually on the consideration or adoption, or both, of corn-based ethanol bans in other New England states. The report shall also summarize information available to the department on the potential availability and market for advanced and cellulosic biofuel that could serve as a replacement to corn-based ethanol in New Hampshire's gasoline supply.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 3 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

Amendment to HB 564-FN**(2013-0365h)****Proposed by the Minority of the Committee on Ways and Means - R**

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2014.

Amendment to HB 583**(2013-0458h)****Proposed by the Majority of the Committee on Judiciary - R**

Amend the bill by replacing section 7 with the following:

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

Amendment to HB 630-FN**(2013-0712h)****Proposed by the Committee on Science, Technology and Energy - R**

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

AN ACT relative to the use of proceeds from the regional greenhouse gas initiative program.

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

1 Use of Auction Proceeds. Amend RSA 125-O:23, III to read as follows:

III. All remaining proceeds received by the state from the sale of allowances shall be allocated by the commission as an additional source of funding to electric distribution companies for core energy efficiency programs that are funded by SBC funds. ***In allocating the proceeds, the commission shall first allocate at least 20 percent of the amount of the proceeds to the low-income core energy efficiency program.***

2 Effective Date. This act shall take effect July 1, 2013

AMENDED ANALYSIS

This bill requires the public utilities commission to allocate certain proceeds from the energy efficiency fund to the low-income core energy efficiency program.