



State of  
New Hampshire

# HOUSE RECORD

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Contains: Corrected Committee Report and Amendments

## ADDENDUM TO HOUSE CALENDAR NO. 14 CORRECTED COMMITTEE REPORT

### JUDICIARY

**HB 1143**, relative to the New Hampshire Law Against Discrimination. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul S Berch for the **Majority** of Judiciary. This bill will update New Hampshire laws against housing discrimination, thereby bringing state and federal laws into conformity. This will enhance the ability to resolve these matters in New Hampshire, and lessen the necessity for each side to go to Boston to seek resolution; provide one set of legal standards for landlords and tenants to follow and possibly assist in obtaining federal grants. **Vote 11-8.**

Rep. Joseph M Hagan for the **Minority** of Judiciary. The minority believe this bill is an additional surrender of sovereignty to the federal government in exchange for a not guaranteed transfer of federal funding.

### AMENDMENTS (LISTED IN NUMERICAL ORDER)

#### Floor Amendment to HB 1170-FN (2014-0916h)

##### Proposed by Rep. Vaillancourt

Amend the bill by inserting after section 22 the following and renumbering the original sections 23-24 to read as 24-25, respectively:

23 Applicability. Any person sentenced to death pursuant to RSA 630:1 for an offense committed prior to the effective date of this act shall, in lieu of death, serve a sentence of life imprisonment without parole.

2014-0916h

#### AMENDED ANALYSIS

This bill repeals the death penalty in New Hampshire and provides that any person sentenced to death pursuant to RSA 630:1 for an offense committed prior to the effective date of this act shall, in lieu of death, serve a sentence of life imprisonment without parole.

#### Floor Amendment to HB 1451 (2014-0941h)

##### Proposed by Rep. Theberge

Amend RSA 4:13-s as inserted by section 1 of the bill by replacing it with the following:

4:13-s Canine Veterans Day. In recognition of the service given by the dogs who, night and day, serve the people of this country and the state, and inviting the governments, communities, and people of this state to observe such day with appropriate ceremonies and activities, the governor shall proclaim March 13th of each year as Canine Veterans Day in honor of the dogs who have bled, suffered, and died while serving in all of our wars and those still serving; as well as police canine units, customs canine units, border patrol canine units, secret service canine units, search and rescue canine units, airport police canine units, federal bureau of investigation canine units, and the local police and fire canine units who protect our neighborhoods should be honored accordingly.

**Floor Amendment to HB 1620-FN  
(2014-0950h)**

**Proposed by Reps. Kurk and Berch**

Amend the introductory paragraph of RSA 644-A:1, II as inserted by section 1 of the bill by replacing it with the following:

II. "Drone" means an aerial vehicle, excluding a geosynchronous satellite, that:

Amend RSA 644-A:1, VII as inserted by section 1 of the bill by replacing it with the following:

VII.(a) "Surveillance" means:

(1) The willful act of tracking or following, while photographing, taking images of, listening to, or making a recording of a recognizable individual or a group of individuals, including their movements, activities, or communications; or

(2) Photographing, taking images of, listening in, or making a recording in the interior of a building or structure in which there is a reasonable expectation of privacy.

(b) "Surveillance" shall not apply to a newsworthy event or an event to which the public is invited.

Amend RSA 644-A:3 as inserted by section 1 of the bill by inserting after paragraph III the following new paragraph:

IV. No person shall use a drone to harass or stalk another person.

Amend RSA 644-A:4 and RSA 644-A:5 as inserted by section 1 of the bill by replacing them with the following:

644-A:4 Federal Preemption. If federal law preempts any provision of this chapter, that provision shall not apply.

644-A:5 Construction. This chapter, as civilly applied, shall be construed to provide the greatest possible protection of the privacy of the people of this state.

**Floor Amendment to HB 1633-FN-A-LOCAL  
(2014-0789h)**

**Proposed by Rep. Davis**

Amend RSA 284-B:17, III(b)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) All civil actions, including bankruptcy filings, to which the applicant was a party during the past 25 years; including, but not limited to, actions resulting in a civil judgment;

**Amendment to HB 1633-FN-A-LOCAL  
(2014-0790h)**

**Proposed by Rep. Davis**

Amend RSA 284-B:44, I as inserted by section 1 of the bill by replacing it with the following:

I. No slot machine shall be sold, leased, or distributed within the state or used by a gaming licensee to conduct gaming unless it has been certified by an independent testing laboratory meeting the requirements of RSA 284-B:43, VIII as having a minimum theoretical payout percentage of 90 percent and a maximum theoretical payout percentage of less than 100 percent.

**Floor Amendment to HB 1633-FN-A-LOCAL  
(2014-0957h)**

**Proposed by Reps. Leishman and Weyler**

Amend RSA 284-B:48, I as inserted by section 1 of the bill by replacing it with the following:

I. A gaming licensee shall remit to the state treasurer a tax of 35 percent of gross slot machine revenue and 18 percent of gross table game revenue in a manner and time as provided for by this chapter.

(a) Upon receipt of payment of taxes on gross slot machine revenue and gross table game revenue by a gaming licensee under this chapter and in accordance with a schedule established by the state treasurer, the state treasurer shall:

(1) Pay 3 percent of the gross slot machine revenue to the host community;

(2) Pay one percent of the gross slot machine revenue to the New Hampshire community or communities that abut the host community, dividing such one percent for payment in equal shares if there is more than one abutting community;

(3) Pay one percent of the gross slot machine revenue to the county in which the host community is located;

(4) Pay one percent of the gross slot machine revenue to the commissioner of the department of health and human services to support programs established by RSA 172 to identify, assess, prevent, and treat both compulsive and problem gambling and the related disorders of drug and alcohol addiction;

(5) Return that part of the gross slot machine revenue remaining after the distributions provided in subparagraphs (1) through (4) to cities and towns in New Hampshire equal to the amounts determined in

accordance with RSA 31-A:4, or if the remaining gross slot machine revenue is less than the amounts that would otherwise be payable in accordance with RSA 31-A:4, then each such city's or town's pro rata share of the total available amount determined in accordance with RSA 31-A:4; and

(6) Deposit the balance into the gaming regulatory fund established by RSA 284-B:18, V.

(b) Upon payment of taxes on gross slot machine revenue and gross table game revenue by a gaming licensee under this chapter, and subject to payment by the state treasurer of the amounts specified in subparagraph (a), the commission shall:

(1) Reimburse funds received by the commission from activities authorized by RSA 284, RSA 287-D, RSA 287-E, and RSA 287-F in proportion to the expenses of the commission borne by each such activity in the administration of this chapter as authorized by RSA 284-B:3, VII(a), prior to the payment of the license fee.

(2) Reimburse funds received by the gaming regulatory oversight authority from activities authorized by RSA 284 and RSA 287-F in proportion to the expenses of the authority borne by each such activity in the administration of RSA 284-A.

(3) Charge to and pay out of the tax payments received, the compensation of the commissioners, expenses of the commissioners, compensation of assistants, and other necessary expenses of the commission, of the office of the commission chair, and of the division of gaming control, including suitable furniture, equipment, supplies, and office expenses, provided that the commission shall submit an operating budget based on accounting units or other budgetary units required by the general court and shall submit its budget in the same format and at the same time as other state agencies; provided, however, the commission is authorized to transfer funds between line items within and among any budgetary unit.

(4) Make distributions to the state treasurer for transfer to the attorney general and the department of safety and local law enforcement agencies in amounts equal to any costs of regulatory control over a gaming licensee that are not covered by any other designated source of funding in this chapter, provided that such distributions shall be in accordance with a budget approved by the general court.

Amend the bill by inserting after section 17 the following and renumbering the original section 18 to read as 19:

18 Revenue Sharing; Suspension Lifted. Revenue sharing with cities and towns under RSA 31-A shall be restored to the form in which it existed prior to its suspension as provided by 2013, 144:2, effective as of the fiscal year in which payments are first made pursuant to RSA 284-B:48.

2014-0957h

#### AMENDED ANALYSIS

This bill:

I. Establishes the gaming commission and places the lottery commission and racing and charitable gaming commission under its jurisdiction as separate divisions.

II. Allows for the selection and operation of one casino in southeastern New Hampshire, including the operation of video slot machines and table games.

III. Establishes the gaming enforcement unit in the division of state police.

IV. Distributes a percentage of proceeds from gross slot machine income and gross table game income to reimburse the gaming regulatory oversight authority for certain expenses and to pay for the operation of the gaming commission.

V. Distributes a percentage of proceeds from gross slot machine revenue and gross table game revenue to the host community, those communities abutting the host community, the host county, the department of health and human services to support addiction programs, to cities and towns under the revenue sharing agreement, and the gaming regulatory fund.

VI. Lifts the suspension on revenue sharing with cities and towns under RSA 31-A.

VII. Establishes the gaming regulatory fund.