

LEGISLATIVE COMMITTEE MINUTES

HB415

Bill as Introduced

HB 415 - AS INTRODUCED

2015 SESSION

15-0080
09/10

HOUSE BILL **415**

AN ACT limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.

SPONSORS: Rep. White, Graf 13; Rep. Rollins, Sull 6; Rep. Ladd, Graf 4

COMMITTEE: Judiciary

ANALYSIS

This bill limits the liability of out-of-state emergency services entities responding to incidents in New Hampshire.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 New Section; Liability Limited for Certain Out-of-State Emergency Services Entities. Amend
- 2 RSA 508 by inserting after section 12-b the following new section:
- 3 508:12-c Liability Limited for Certain Out-of-State Emergency Services Entities. When an out-
- 4 of-state police officer, firefighter, or other emergency services entity responds to an emergency in
- 5 New Hampshire and such entity would have liability limitations under New Hampshire laws,
- 6 including RSA 153-A:19, RSA 154:1-d, RSA 508:12, RSA 508:12-b, RSA 508:17, and RSA 508:17-a if
- 7 it was a New Hampshire police officer, firefighter, or emergency medical care provider, the out-of-
- 8 state entity shall be subject to the New Hampshire liability limitations; provided that the laws of the
- 9 state from which the police officer, firefighter, or emergency services entity responds offer the same
- 10 liability protections to New Hampshire police officers, firefighters, or emergency medical care
- 11 providers.
- 12 2 Effective Date. This act shall take effect January 1, 2016.

Amendments

Amendment to HB 415

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

2

3 1 New Section; Liability Limited for Certain Out-of-State Emergency Services Entities. Amend
4 RSA 508 by inserting after section 12-b the following new section:

5 508:12-c Liability Limited for Certain Out-of-State Emergency Services. When a police officer,
6 firefighter, or other emergency services worker from an out-of-state entity responds to an emergency
7 in New Hampshire, such out-of-state entity and its employees and volunteers shall have all the same
8 liability limitations to which a New Hampshire entity, police officer, firefighter, or emergency
9 services worker would be entitled under New Hampshire laws.

10 2 Effective Date. This act shall take effect upon its passage.



Amendment to HB 415

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

2

3 1 New Section; Liability Limited for Certain Out-of-State Emergency Services Entities. Amend
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5 508:12-c Liability Limited for Certain Out-of-State Emergency Services. When a police officer,
6 firefighter, or other emergency services worker from an out-of-state entity responds to an emergency
7 in New Hampshire, such out-of-state entity and its employees and volunteers shall have all the same
8 liability limitations to which a New Hampshire entity, police officer, firefighter, or emergency
9 services worker would be entitled under New Hampshire laws.

10 2 Effective Date. This act shall take effect upon its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 415

BILL TITLE: limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.

DATE: February 17, 2015

LOB ROOM: 208 **Time Public Hearing Called to Order:** 2:00 pm

Time Adjourned: 3:00 pm

(please circle if present)

Committee Members: Reps. Rowe, Hagan, Hoppe, Sylvia, Takesian, Parsons, Palmer, Estevez, Hull, McLean, Rouillard, Wuelpe, Wall, Horrigan, Berch, Heffron, Phillips, Woodbury, Wheeler and Kenison.

Bill Sponsors: Rep. White, Graf 13; Rep. Rollins, Sull 6; Rep. Ladd, Graf 4

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Representative White, prime sponsor, introduced the bill to the committee. Offered and amendment (0241h) which replaces the bill.

Cordell Johnson, New Hampshire Municipal Association – support
Law does not apply to outside responders. Have no protection against liability.

David Parenti, New Hampshire Association of Fire Chiefs – support
The last thing a fire chief wants to think about is will someone come from a neighboring state to they could.

Respectfully submitted,



Rep. Charlene F. Takesian, Acting Clerk

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 415

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DATE: 2-

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Time Adjourned: 3:00 pm

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Committee Members: Reps. Rowe, Hagan, Hopper, Sylvia, Takesian, Parsons, Palmer, Estevez, Hull, McLean, Rouillard, Wuelper, Wall, Horrigan, Berch, Heffron, Phillips, Woodbury, Wheeler and Kenison

Bill Sponsors: Rep. White, Graf 13; Rep. Rollins, Sull 6; Rep. Ladd, Graf 4

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Representative White introduced bill and offered amendment.
Amendment replaces bill.

Cardell Johnson - NNMA ^{Supports Bill} - Law does not apply to outside responders
Have no protection against liability.

David Parenti - supports Bill ^{new Hampshire association of} fire chiefs
wants to think about it will someone come from neighboring
state to help if they could

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 415

BILL TITLE: limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.

DATE: February 17, 2015

LOB ROOM: 208

Amendments:

Sponsor: Rep. White	OLS Document #:	2015	0421h
Sponsor: Rep.	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Kennison

Seconded by Rep. Parsons

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep. Charlene F. Takesian, Acting Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 415

BILL TITLE: limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.

DATE: 2-17-14

LOB ROOM: 208

Amendments:

Sponsor: Rep. WHITE

OLS Document #: 0421h

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. KENNISON

Seconded by Rep. PARRSONS

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES NO

15-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Janet G. Wall, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/13/2015 3:29:06 PM
Roll Call Committee Registers
Report

2015 SESSION

JUDICIARY

Bill #: 415

Title: Limiting liability of out of state emergency services entities responding to incidents in New Hampshire

PH Date: 2/17/15

Exec Session Date: 2/17/15

Motion: OTP/A

Amendment #: 0421H

MEMBER	YEAS	NAYS
Rowe, Robert H., Chairman	15	
Hagan, Joseph M., V Chairman	1	
Hopper, Gary S	2	
Sylvia, Michael J.	3	
Takesian, Charlene F.	4	
Parsons, Robbie L.	5	
Palmer, Barry J. <i>absent</i>		
Estevez, Eric P. <i>absent</i>		
Hull, Robert	6	
McLean, Mark <i>absent</i>		
Rouillard, Claire A.	7	
Wuelper, Kurt F.	8	
Wall, Janet G., Clerk <i>absent</i>		
Horrigan, Timothy O.	9	
Berch, Paul S.	10	
Heffron, Frank H.	11	
Phillips, Larry R. <i>absent</i>		
Woodbury, David	12	
Wheeler, Deborah H.	13	
Kenison, Linda B.	14	
TOTAL VOTE:	15	0

Committee Report

CONSENT CALENDAR

February 19, 2015

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on JUDICIARY to which was referred

HB 415,

AN ACT limiting liability of out-of-state emergency

services entities responding to incidents in New

Hampshire. Having considered the same, report the

same with the following amendment, and the

recommendation that the bill OUGHT TO PASS WITH

AMENDMENT.

Rep. Linda B. Kenison

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	JUDICIARY
Bill Number:	HB415
Title:	limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.
Date:	February 19, 2015
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

New Hampshire Emergency Services Responders have limited liability in responding to incidents in New Hampshire. New Hampshire towns bordering Maine, Massachusetts and Vermont have Interstate Mutual Aid Emergency Services Compacts. This bill would provide the same limited liability afforded to New Hampshire emergency services responders to out-of-state emergency services responders responding to incidents in New Hampshire. There was no opposition to this bill.

Vote 15-0.

Rep. Linda B. Kenison
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

JUDICIARY

HB415, limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda B. Kenison for JUDICIARY. New Hampshire Emergency Services Responders have limited liability in responding to incidents in New Hampshire. New Hampshire towns bordering Maine, Massachusetts and Vermont have Interstate Mutual Aid Emergency Services Compacts. This bill would provide the same limited liability afforded to New Hampshire emergency services responders t out-of-state emergency services responders responding to incidents in New Hampshire. There was no opposition to this bill. **Vote 15-0.**

COMMITTEE REPORT

CC

COMMITTEE: Judiciary Kenison

BILL NUMBER: 415

TITLE: _____

DATE: 2-17-15 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. <u>0421h</u>

[Handwritten Signature]

HR- 415 limiting liability of out of state emergency services entities responding to incidents in NH. OUGHT TO PASS WITH AMENDMENT.

Rep. Kenison for Judiciary. NH Emergency Services Responders have limited liability in responding to incidents in NH. Several NH towns bordering Maine, Massachusetts, and Vermont have ^{Interstate} Mutual Aid Emergency Services Compacts. This bill would provide the same limited liability afforded to NH emergency services responders to out of state emergency services responders responding to incidents in NH. There was no opposition to this bill. Vote 15 to 0.

COMMITTEE VOTE: 15-0

RESPECTFULLY SUBMITTED,

- | |
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| <ul style="list-style-type: none"> • Copy to Committee Bill File • Use Another Report for Minority Report |
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Rep. Linda B. Kenison
For the Committee