

HB 362 – AS AMENDED BY THE HOUSE

13Mar2013... 0350h

2013 SESSION

13-0650
08/09

HOUSE BILL **362**

AN ACT banning corn-based ethanol as an additive to gasoline sold in New Hampshire.

SPONSORS: Rep. Campbell, Hills 33; Rep. Pastor, Graf 12; Rep. Gionet, Graf 5; Rep. Chandler,
Carr 1; Rep. Pitre, Straf 2; Sen. Cataldo, Dist 6

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill bans manufactured corn-based ethanol for use in gasoline.

This bill also bans the sale of gasoline containing corn-based ethanol as an additive in New Hampshire.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT banning corn-based ethanol as an additive to gasoline sold in New Hampshire.

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

1 1 Corn-Based Ethanol Banned. Amend RSA 260:38, III to read as follows:

2 III. Each person manufacturing alcohol, ethanol, methanol, or any other product within the
3 state of New Hampshire for use in gasohol shall obtain a license and, on or before the twentieth day
4 of each calendar month, the sole proprietor, president, managing partner, chief executive officer, or
5 equivalent thereof, of said person shall render a return to the commissioner on forms prescribed and
6 furnished by the commissioner, and shall certify under the pains and penalties of perjury that the
7 return is true, accurate, and complete in all material respects. The return shall show the total
8 number of gallons sold to distributors of gasohol, or to persons purchasing the product for the
9 purpose of resale to the distributors, together with such other information as the commissioner may
10 require for the reasonable administration of this subdivision. ***No licensee shall manufacture***
11 ***corn-based ethanol for use in gasoline in this state.***

12 2 New Section; Corn-Based Ethanol Prohibited. Amend RSA 339-B by inserting after section 8
13 the following new section:

14 339-B:8-a Corn-Based Ethanol Prohibited. No seller of gasoline shall sell or offer for sale
15 gasoline that has corn-based ethanol as an additive.

16 3 Contingency. Sections 1 and 2 of this act shall take effect upon the date certified to the
17 secretary of state and the office of legislative services of either of the following:

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

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

29 4 Report Required. The department of environmental services shall report to the governor, the
30 speaker of the house, the president of the senate, the science, technology and energy committee, and

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1 the air pollution advisory committee no later than September 1 annually on the consideration or
2 adoption, or both, of corn-based ethanol bans in other New England states. The report shall also
3 summarize information available to the department on the potential availability and market for
4 advanced and cellulosic biofuel that could serve as a replacement to corn-based ethanol in New
5 Hampshire's gasoline supply.

6 5 Effective Date.

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

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