

# Bill as Introduced

HB 1627-FN – AS INTRODUCED

2010 SESSION

10-2368  
05/10

HOUSE BILL        **1627-FN**

AN ACT            relative to the regulation of manufactured housing and modular buildings.

SPONSORS:        Rep. Taylor, Graf 2; Rep. Buco, Carr 1

COMMITTEE:       Commerce and Consumer Affairs

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ANALYSIS

This bill:

I. Requires the department of safety to certify manufactures, dealer/builders, and installers of modular buildings.

II. Revises the department's rulemaking and enforcement authority regarding modular buildings.

III. Revises the definition of manufactured housing as well as the responsibilities and membership of the manufactured housing installation standards board.

IV. Transfers enforcement and rulemaking authority for manufactured housing installation standards from the board to the department of safety.

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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                      Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Ten*

AN ACT relative to the regulation of manufactured housing and modular buildings.

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

1 1 New Paragraph; Definition of Dealer/Builder Added. Amend RSA 205-C:1 by inserting after  
2 paragraph V-a to read as follows:

3 V-b. "Dealer/Builder" means any person engaged in the retail selling or offering for sale,  
4 leasing, brokering, distribution and/or installation, primarily to a person who purchases modular  
5 buildings for residential or commercial use.

6 2 Definition of Installer and Installation. RSA 205-C:1, VII is repealed and reenacted to read as  
7 follows:

8 VII. "Installation" means the assembly of modular buildings on site and the process of  
9 affixing modular buildings or building components to the foundation at the building site.  
10 Installation shall include installing basement lally columns, assembling and fastening structural  
11 components, including the manufacturer supplied roof system, and making the assembled building  
12 watertight.

13 VII-a. "Installer" means a person engaged in the business of installing or servicing state  
14 certified modular buildings.

15 3 Definition of Modular Building. Amend RSA 205-C:1, XI to read as follows:

16 XI. "Modular building" means any building of closed construction, which is made or  
17 assembled in manufacturing facilities off the building site, for installation, or assembly and  
18 installation, on the building site. ***This definition includes prefabricated homes as defined***  
19 ***under RSA 205-B:1 and presite built housing as defined under RSA 674:31-a.*** This definition  
20 shall not be construed to include any structure labeled in accordance with the Federal Manufactured  
21 Housing Construction and Safety Standards Act of 1974, nor shall it include any recreational vehicle  
22 or park trailer as defined in American National Standards Institute A119.2, Standard for  
23 Recreational Vehicles, or A119.5, Standard for Park Trailers, or any building type not subject to the  
24 requirements of nationally recognized model building codes.

25 4 Definition of Person. RSA 205-C:1, XIII is repealed and reenacted to read as follows:

26 XIII. "Person" means an individual, partnership, association, trust, limited liability  
27 company, corporation, or any other legal entity or combination thereof.

28 5 Modular Building Standard. Amend RSA 205-C:2, I and II to read as follows:

29 I. All modular buildings and building components ordered [~~on or after the date one year~~] **90**  
30 ***or more calendar days*** after the effective date of RSA 155-A:2 shall comply with the modular  
31 building code and the state fire code.

1 II. All modular buildings and building components bearing a label of certification pursuant  
2 to the requirements of this chapter shall be deemed by local enforcement agencies as meeting the  
3 modular building code, however, such certification shall not be deemed to preempt enforcement of  
4 any state or local standards governing ~~[installation-or]~~ work performed on the building site,  
5 including but not limited to site grading, foundations, driveways, on-site water and sewer systems or  
6 connections to off-site systems, and electrical line connections to the power source.

7 6 Certification of Modular Building, Installers, Third Party Inspectors, Manufacturers, and  
8 Dealer/Builders Required. RSA 205-C:3 is repealed and reenacted to read as follows:

9 205-C:3 Certification Required.

10 I. No person shall sell, lease, or install for use in this state any modular building or building  
11 component manufactured, unless such building or building component bears a label of certification  
12 issued by the department.

13 II. No person shall engage in the practice of third party inspection of any modular building  
14 or building component for use in this state unless the person has been certified by the department.

15 III. No person shall manufacture for use in this state any modular building or building  
16 component, unless the person has been certified by the department.

17 IV. No person shall engage in the retail selling or offering for sale, leasing, brokering,  
18 distribution primarily to a person who purchases these buildings for residential or commercial use  
19 and/or installation, unless the person has been certified by the department.

20 7 Modular Building Standards, Rulemaking. Amend RSA 205-C:4, I to read as follows:

21 I. Requirements for ~~[approval]~~ **the certification** of third party inspection agencies by the  
22 department.

23 8 Modular Building Standards; Rulemaking. RSA 205-C:4, IV-VII are repealed and reenacted to  
24 read as follows:

25 IV. Investigation of complaints of noncompliance by certified manufacturers, certified third  
26 party inspection agencies, certified dealer/builders, and certified installers.

27 V. Enforcement procedures, including standards for revocation and suspension of certified  
28 manufacturers, certified third party inspection agencies, certified dealer/builders, and certified installers.

29 VI. Imposition and collection of fees, administrative fines, and penalties for this chapter.

30 VII. Requirements for financial responsibility by proof of products liability and completed  
31 operations liability insurance and workers' compensation insurance for all certified manufacturers,  
32 certified third party inspection agencies, certified dealer/builders, and certified installers.

33 VIII. Requirements for installation seals to be attached to the modular building by the  
34 dealer/builder or installer upon completion of the installation.

35 IX. Requirements for the certification of dealer/builders and installers of modular buildings,  
36 which shall include being at least 18 years of age, having 2 years construction experience, completing  
37 8 hours of state approved training on modular housing construction and the state building and fire  
38 codes, and showing proof of financial responsibility required by this chapter.

1 X. Requirements for employees or subcontractors working under the direct supervision of a  
2 certified dealer/builder or installer, who are not required to be certified under this chapter.

3 XI. The qualifications of certification applicants and renewal applicants, including minimum  
4 education and continuing education requirements under this chapter.

5 XII. Qualifications for third party training for certified dealer/builders and installers.

6 XIII. The establishment of fees required under this chapter.

7 XIV. Ethical and professional standards required to be met by each holder of a certification  
8 to practice under this chapter and how disciplinary actions by the department shall be implemented  
9 for violations of these standards.

10 XV. The establishment of complaint procedures, including investigations and expedited  
11 hearings procedures consistent with requirements for due process.

12 XVI. The establishment of a program for the timely resolution of disputes between  
13 manufacturers, dealer/builders, and installers of modular housing regarding the correction or repair  
14 of defects in modular buildings that are reported to the department. Nothing in this chapter shall  
15 preclude an aggrieved party from seeking redress under RSA 358-A, the consumer protection act, for  
16 any unfair or deceptive trade practice committed relative to the selling, leasing, brokering,  
17 distributing, or installation of modular housing.

18 9 Modular Building; Fees. RSA 205-C:6 is repealed and reenacted to read as follows:

19 205-C:6 Fees. The commissioner shall by rule establish fees to defray the costs of administering  
20 the certification programs established under this chapter. Such rules shall specify fees for the  
21 certification of third party inspection agencies by the department; certification of manufacturing  
22 facilities by approved third party inspection agencies; certification of modular buildings and building  
23 components by approved third party inspection agencies; application; educational classes; complaint  
24 filing; installation seal; certification of dealer/builder; certification of installers; renewal, late, and  
25 reinstatement of certification fees. All fees collected by the department shall be deposited into the  
26 fire standards and training and emergency medical services fund, established by RSA 21-P:12-d.

27 10 Modular Building; Enforcement. Amend RSA 205-C:7, III to read as follows:

28 III. Where the department finds that [~~an approved~~] *a certified* third party inspection  
29 agency, manufacturer, modular building, or building component does not conform to the  
30 requirements of this chapter or applicable rules, the department may suspend or revoke its  
31 certification, including any certification granted through an approved third party inspection agency  
32 acting on behalf of the department. Under no circumstances shall the offender be eligible for  
33 reinstatement until the department has confirmed that the agency, manufacturer, system, building,  
34 or component in question is in full compliance with the requirements of this chapter and applicable  
35 rules.

36 11 New Paragraphs; Modular Building Standards; Enforcement. Amend RSA 205-C:7 by  
37 inserting after paragraph V the following new paragraphs:

1 VI. Where the department finds that a certified dealer/builder or installer does not conform  
 2 to the requirements of this chapter or applicable rules, the department may suspend or revoke the  
 3 certification or impose probation, and the department may assess an administrative fine not to exceed  
 4 \$2,000.

5 VII. Whoever shall perform work of a certified dealer/builder or installer pursuant to the  
 6 chapter without being certified by the department shall be guilty of a violation if a natural person or  
 7 a misdemeanor if any other person, and the department may assess an administrative fine not to  
 8 exceed \$5,000.

9 12 Manufactured Housing; Definition of Installation. Amend RSA 205-D:1, VII to read as  
 10 follows:

11 VII. "Installation" means the placement of a manufactured house on a permanent or  
 12 temporary system. This term includes, but is not limited to, supporting, restraining, blocking,  
 13 leveling, securing, anchoring, and connection of plumbing, heating, cooling, and electrical systems  
 14 and the multiple or expandable sections of the house. Installation shall include site preparation,  
 15 *such as, but not limited to, drainage work, site excavation, placement of concrete forms*  
 16 *and concrete formwork.*

17 13 Definition of Manufactured Housing. RSA 205-D:1, XI is repealed and reenacted to read as  
 18 follows:

19 XI "Manufactured housing" means a structural unit or units designed to be used as a  
 20 dwelling or dwellings and constructed in a manufacturing facility and then transported by the use of  
 21 its own chassis or placement on an independent chassis to a building site. The term includes any  
 22 type of building that is constructed at a manufacturing facility and then transported to a building  
 23 site where it is utilized for housing and that may be purchased, sold, offered for sale or brokered by a  
 24 licensee in the interim. For purposes of this chapter, 2 types of manufactured housing are included:

25 (a) HUD-code homes, which are those units constructed after June 15, 1976 that the  
 26 manufacturer certifies are constructed in compliance with the HUD standard, meaning structures,  
 27 transportable in one or more sections that, in the traveling mode, are 8 body feet or more in width  
 28 and 40 body feet or more in length or, when erected on site, are 320 or more square feet, and are  
 29 built on a permanent chassis and designed to be used as dwellings, with or without permanent  
 30 foundations, when connected to the required utilities, including the plumbing, heating, air-  
 31 conditioning, and electrical systems contained therein; except that such term shall include any  
 32 structure that meets all the requirements of this paragraph except the size requirements and with  
 33 respect to which the manufacturer voluntarily files a certification required by the Secretary of the  
 34 United States Department of Housing and Urban Development and complies with the standards  
 35 established under the National Manufactured Housing Construction and Safety Standards Act of  
 36 1974, 42 U.S.C. Section 5401, et seq;

1 (b) Pre-HUD-code homes, which are those units constructed prior to June 15, 1976,  
2 meaning structures, transportable in one or more sections, that are 8 body feet or more in width and  
3 are 32 body feet or more in length and are built on a permanent chassis and designed to be used as  
4 dwellings, with or without permanent foundations, when connected to the required utilities,  
5 including the plumbing, heating, air-conditioning, or electrical systems contained therein.

6 14 Installation Standards Board Membership. RSA 205-D:2, I(a) is repealed and reenacted to  
7 read as follows:

8 (a) Two public members, one of whom shall be a tenant or owner of a manufactured  
9 home and one of whom shall have no connection to the manufactured housing industry.

10 15 Manufactured Housing Installation Standards; Duties of the Installation Standards Board.  
11 RSA 205-D:3 is repealed and reenacted to read as follows:

12 205-D:3 Duties of the Board. The duties of the board shall be to:

13 I. License and adequately train installers of manufactured housing, defined in RSA 205-D:1, XI,  
14 in order to ensure the proper performance of the house and protect the safety and welfare of the public.

15 II. Serve as an information clearinghouse for those within the manufactured housing  
16 industry regarding state installation and construction standards for manufactured housing.

17 16 New Section; Manufactured Housing Installation Standards; Duties of the Department.  
18 Amend RSA 205-D by inserting after section 3 the following new section:

19 205-D:3-a Duties of the Department. The department shall:

20 I. Assure compliance with the Federal Manufactured Housing Construction and Safety  
21 Standard, including compliance with the standard as amended by the Manufactured Housing  
22 Improvement Act of 2000, Public Law 106-569.

23 II. Establish uniform manufactured housing installation standards in order to protect the  
24 quality, durability, safety, and affordability of manufactured housing in this state.

25 III. Ensure compliance with state installation standards by conducting appropriate  
26 inspections of the installation of manufactured housing.

27 IV. Provide a fair and effective recourse for consumers relative to installation standards; and  
28 provide a dispute resolution program for timely resolution of disputes between manufacturers,  
29 retailers, and installers of manufactured houses regarding responsibility for, and issuance of  
30 appropriate orders for, the correction or repair of defects in manufactured houses that are reported  
31 during the one year period beginning on the date of installation.

32 17 Manufactured Housing Installation Standards; Exemptions. Amend RSA 205-D:4, II(a) to  
33 read as follows:

34 (a) Sites that are already occupied as of the date of the enactment of this chapter,  
35 *provided, however, that if a manufactured home is removed from an existing site and*  
36 *replaced with another manufactured home, the requirements of this chapter shall apply to*  
37 *the installation of the new manufactured home.*

1 18 Manufactured Housing Installation Standards; Complaints Investigated by the Department.  
2 Amend RSA 205-D:6 to read as follows:

3 205-D:6 Complaints.

4 I. A consumer, park owner, manufacturer, retailer, or installer of manufactured housing  
5 aggrieved or having a dispute regarding the installation of a manufactured house under the  
6 provisions of this chapter may file a complaint with the [board] *department*.

7 II. All complaints shall be in writing and reviewed by the [board] *department*.

8 III. To be accepted for filing, complaints shall be filed on a form provided by the [board]  
9 *department*.

10 IV. All complaints shall be filed with the [board] *department* within one year of the date of  
11 occupancy.

12 V. If the [board] *department* determines that a complaint requires further investigation, it  
13 shall be acted upon within 60 days. The [board] *department* shall establish procedures for  
14 expedited hearings on complaints where the circumstances set forth in the complaint warrant it.

15 VI. Upon confirmation that a complaint complies with this section, the [board] *department*  
16 shall schedule a hearing on the complaint in accordance with the provisions of RSA 541-A.

17 VII. ~~[Disposition of all complaints shall be voted on by the board.]~~ *Where the department*  
18 *finds that a manufacturer, retailer, or installer does not conform to the requirements of*  
19 *this chapter or applicable rules, the department may assess an administrative fine not to*  
20 *exceed \$2,000 and may order appropriate corrective or remedial action. The remedy*  
21 *provided under this section shall be in addition to any other remedy available to the*  
22 *aggrieved party at law or in equity.*

23 19 Manufactured Housing Fees. Amend RSA 205-D:12 to read as follows:

24 205-D:12 Fees.

25 I. The [board] *department* may establish, pursuant to RSA 541-A, fees for licensure, license  
26 renewal, training, inspections conducted by the state fire marshal, ~~and~~ the manufacturer's  
27 warranty seal, *and the installer's warranty seal*. ~~[The fees established by the board shall be~~  
28 ~~sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the~~  
29 ~~board for the previous fiscal year.]~~ The fee for the manufacturer's warranty seal *or the installer's*  
30 *warranty seal* shall not exceed \$50. ~~[If the fees collected through licensure, license renewal,~~  
31 ~~training, and the manufacturer's warranty seal are not sufficient to produce revenue to carry out the~~  
32 ~~responsibilities of the board and the responsibilities of the state fire marshal in conducting~~  
33 ~~inspections under this chapter, then the board shall]~~ *The department may* establish a fee for  
34 inspection *under RSA 205-D:5* which shall not exceed \$100.

35 II. ~~[The board shall establish fees for the first year of its operation based upon its estimate of~~  
36 ~~expenses necessary to carry out the provisions of this chapter during that fiscal year.]~~ The  
37 comptroller is authorized upon request of the department of safety to establish necessary budgetary



1 components and operating accounts in the department and to transfer revenues received from the  
2 fees in this section and in RSA 205-D:11 to the department to carry out the responsibilities of the  
3 board and the responsibilities of the state fire marshal in conducting inspections under this chapter.

4 III. If an inspection is conducted by a local enforcement agency, the local enforcement  
5 agency may charge fees established pursuant to RSA 674:51, III(d).

6 20 Manufactured Housing Warranty Seals. Amend RSA 205-D:17 to read as follows:

7 205-D:17 Warranty Seal.

8 I. Before a manufactured house may be installed in this state, the manufacturer shall first  
9 obtain from the board a manufacturer's warranty seal and attach the seal to the manufactured  
10 house.

11 II. *Before manufactured housing may be installed in this state the installer shall*  
12 *obtain from the department an installer's warranty seal and attach the seal to the*  
13 *manufactured housing.*

14 21 New Section; Notice of Installation Requirements. Amend RSA 205-D:17 by inserting after  
15 section 17 the following new section:

16 205-D:17-a Notice of Installation. Each manufacturer and installer doing business in this state  
17 shall notify the department of the number of installations completed during the month. The notice  
18 shall include the location of each unit of manufactured housing, the owner of each unit at the time of  
19 installation, the type or model of the unit, the manufacturer of the unit, and the name and address of  
20 the manufacturer, retailer, and installer. The information shall be submitted within 10 days after  
21 the end of each month in the form and manner prescribed by the commissioner by rules adopted  
22 under RSA 541-A.

23 22 Manufactured Housing Rulemaking Authority. Amend the introductory paragraph of  
24 RSA 205-D:20 to read as follows:

25 205-D:20 Rulemaking Authority. ~~[With the approval of the commissioner, the board shall be~~  
26 ~~authorized, pursuant to RSA 541-A, to] **The department shall** adopt rules relative to:~~

27 23 Repeal. RSA 205-C:5, relative to interagency coordination of modular building installation  
28 standards, is repealed.

29 24 Effective Date. This act shall take effect January 1, 2011.

LBAO  
10-2368  
12/14/09

**HB 1627-FN - FISCAL NOTE**

AN ACT           relative to the regulation of manufactured housing and modular buildings.

**FISCAL IMPACT:**

The Department of Safety states this bill may increase state restricted revenue and expenditures by an indeterminable amount in FY 2011 and each year thereafter. This bill would have no fiscal impact on county and local revenue and expenditures.

**METHODOLOGY:**

The Department of Safety states this bill would require the Department to certify manufacturers, dealer/builders, and installers of modular homes. The Division of Fire Safety is unable to estimate the impact on state restricted revenue or expenditures at this time. This bill will have no fiscal impact on county and local revenue and expenditures.

# Speakers



# Hearing Minutes

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** 1-21-10

**LOB ROOM:** 302      **Time Public Hearing Called to Order:** 1605

**Time Adjourned:** 1650

(please circle if present)

**Committee Members:** Reps. Butler, DeStefano, Kopka, McEachern, Hammond, Nord, Winters, Meader, Gidge, Schlachman, Keans, ~~D. Eaton~~, Hunt, Quandt, Belanger, D. Flanders, R. Holden, Dowling, Headd, Nevins and Palfrey

**Bill Sponsors:** Reps. Taylor and Buco

TESTIMONY

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

**Rep. Kathleen Taylor, prime sponsor** – Introduced bill.

**\*Bill Degnan, State Fire Marshall** – Handed out written statement and commented on same. Handed out photos showing MFG provided proper materials and the installer improvised and caused several problems. Suggests removal of several lines in the bill; will work with committee on better wording.

**Rep. Susi Nord** – supports the bill. Offered a summary of her prior testimony on her expenses with work in this bill. Bill intending to look at where Maine does in its overview of the whole process. No control in New Hampshire review the system of reviewing the issue of manufacturing vs. installer. The parts the fire marshal wants to take out, Rep. Nord wants to keep in. Licensing installers – this was killed in ED&A in the past; dealers are usually not the provider.

**Q: Rep. Patricia Dowling** – Where is the money to come from?

**A:** The chief is trying to work on this.

**Michael Younus, New England Homes** – Opposes the bill. This bill as written is incomplete; it will impact the implementation of the concepts in the bill. Definition used to be defined: builders, dealers, installer. Costs need to be addressed. Does support the rules as written in the Maine law. Has a very effective board in Maine. This is a wheel missing several spokes; parts don't all function together.

**Jim Bianco, NH Manufactured Housing Assn.** – Stepped out; chose not to speak.

**Richard Minard, NH Community Loan Fund** – Support the bill. We have the fire marshal's offices. I do have concerns about the parts he wants removed; if we can help improve the bill we would be happy to do so.

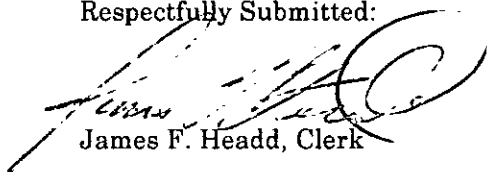
**Dan Donahue, NE Homes** - Opposes the bill. Has been in the business for 49 years. Very few situations have gotten out of hand; usually they involved personality issues. The Maine program works; very few complaints and they are usually quickly taken care of. Bill should go to a study committee. The bill has not been discussed with the manufacturers. We have quality work; very few complaints; we make the builder sign off on plans. We cannot accept extra cost. I look at a minimum of 6% increase that we would have to add on. Bill needs to be re-drawn; the bill has to work for everybody.

**John Ela, Epock Homes** - Opposes the bill. Build – we are confusing definition in our discussion. We need to work on problems caused by misunderstanding. Also the budget for oversight is overlap by states and there is a lot of oversight in places. Licensing or certification, this is addressing one segment of the issue; I would consider supporting all requiring certificates.

**Lynne, NH Assn. of Realtors** – No position on the bill. Objects to page 2, line 17, may have to see if this can be removed.

**Chris Nicolopoulos, Modular Building Institute** – Opposes the bill; has problems with language.

Respectfully Submitted:



James F. Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** 1-21-10

**LOB ROOM:** 302

**Time Public Hearing Called to Order:**

1605

**Time Adjourned:**

(please circle if present)

**Committee Members:** Reps. Butler, DeStefano, Kopka, McEachern, Hammond, Nord, Winters, Meader, Gidge, Schlachman, D. Baton, Hunt, Quandt, Belanger, D. Flanders, R. Holden, Dowling, Headd, Nevins and Palfrey

**Bill Sponsors:** Reps. Taylor and Buco

TESTIMONY

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

#1 Rep Kathleen Taylor - Prime Sponsor -  
opened bill

#2 Fire Marshall Bill Deegan -  
handed out written statement and commented  
on same  
handed out photos showing MFG provided  
proper materials and the installer ~~improper~~  
improper and caused several problems  
Some definitions need to be clarified  
Suggests removal of several lines in the Bill  
Will work with committee on better wording -



#2

#7

-Rep Pono - offered a summary of her prior testimony on her experiences with work on the Bill ~~is~~ is intended to look at what Maurice does in its overview of the whole process. - No control in NHT to review the system of ~~the~~ reviewing the issue of manufacturing various installers -

The parts the Fire Marshall wants to take out Rep Pono wants to keep in -

Licensing installers This was killed in ED + A in the past - dealers are usually not to provide

Q. Why - where is the money to come from

A. The chief is trying to work under

#4

Michael Younes - Oppose - Nat Rykul  
Homes - the Bill as written is incomplete - it will impact the implementation of the concepts in the Bill -  
definitions need to be ~~also~~ defined  
Builder - dealer - installer - Court  
- need to be addressed

does support the rules as written  
in the main law - Has a very  
effective Board in Maine

This is a wheel missing several  
spokes - parts don't all function together

#5

Jim Bianco - stepped out  
chose not to speak

#6

Richard Minard. NH community  
2000 Fund supports bill -  
We have found the Fire Marshall's office  
to do have concerns about the parts he  
wants removed. if we can help approve  
the bill we would be happy to do so.

#7

Dan Donahue - opposes the bill  
Has been in the Bureau for 4 years.  
Very few situations have gotten out of hand  
usually then involve personality issues  
The Maine program works - very few  
complaints at by an usually quickly  
taken care of

Bill should go to a study committee  
The bill has not been discussed with the  
Manufacturers - we have already went - Very  
few complaints - we make the builder sign off

# 4

HR 1627

We can not accept extra cost  
to build at a minimum of 6% increase  
that we would have to add on -

Bill needs to be re-drawn -  
The bill has to work for everybody -

# 9

John F.L.D - Epoch Home  
Opposes Build - We are confusing  
definitions in our discussion - We need to  
work on problems caused by misunderstanding.

Also the Budget for oversight is  
overlap by STATES and there is a lot  
of oversight in place -

Licensing - or certification - This is  
addressing 1 segment of the issue - I would  
consider supplying all REQUIRING CERTIFICATION.

# 9

Lynne Merrill - NH Assoc of Realtors  
NO position

OBJECTS to

Pg 2 - line 12 - ~~we~~ may have to  
propose this can be removed

# 10

Chris Nicolopoulos - New member with  
LA Laguna

# Sub-Committee Actions

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** October 6, 2010

**Subcommittee Members:** Reps. Dowling, Nord, and Hunt

**Comments and Recommendations:**

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. Hunt

Seconded by Rep. Dowling

Vote: 2-1

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Patricia Dowling  
Subcommittee Chairman Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS  
SUBCOMMITTEE WORK SESSION ON HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** October 6, 2010

**Subcommittee Members:** Reps. Dowling, Hunt, Nord

**Comments and Recommendations:**

*NO*  
**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. ~~Rep. Susan W. Cook~~ Rep. John Hunt  
Seconded by Rep. ~~Rep. Susan W. Cook~~ Rep. Patricia Dowling  
Vote: 2-0

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.  
Seconded by Rep.  
Vote:

Respectfully submitted,  
Rep.  
Subcommittee Chairman/Clerk

HUNT - YES  
NORD - NO  
DOWLING - YES

# Sub-Committee Minutes

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** 1-27-10

**Subcommittee Members:** Reps. Nord, McEachern, Hunt

**Comments and Recommendations:** Subcommittee discussed moving consumer protection and dispute resolution to AG's Office. Fire Marshal introduced an amendment to only license builder/dealers. Next work session 2-1-10 at 9:30 am.

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep.

Seconded by Rep.

Vote:

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Susi Nord  
Subcommittee Chairman/Clerk



HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 1627-FN

BILL TITLE: relative to the regulation of manufactured housing and modular buildings.

DATE: 1-27-10

Subcommittee Members: Reps. Nord, McEachren, Hunt

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

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

Moved by Rep.
Seconded by Rep.
Vote:

Subcommittee discussed moving consumer protection & dispute resolution to AG's office.

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

Moved by Rep.
Seconded by Rep.
Vote:

Fire Marshal introduced an amendment to only license builder/dealers

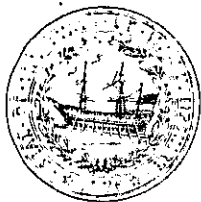
Next work session 2/1

at 9:30 am

Respectfully submitted,

Rep. {Type NAME}
Subcommittee Chairman/Clerk

# Testimony



STATE OF NEW HAMPSHIRE DEPARTMENT OF SAFETY

John J. Barthelmes, Commissioner

***Division of Fire Safety***

**Office of the State Fire Marshal**

J. William Degnan, State Fire Marshal

Office: 110 Smokey Bear Blvd., Concord, NH

Mailing Address: 33 Hazen Drive, Concord, NH 03305

PHONE 603-223-4289, FAX 603-223-4294 or 603-223-4295

TDD Access: Relay NH 1-800-735-2964 ARSON HOTLINE 1-800-400-3526



**TESTIMONY IN SUPPORT OF HOUSE BILL 1627**

**An act relative to the regulation of manufactured housing and modular buildings.**

**House Commerce and Consumer Affairs**

**January 21, 2010**

Good afternoon, Mr. Chairman. My name is J. William Degnan, State Fire Marshal and I am here to speak in support of House Bill 1486.

The department clearly recognizes the need for certification of dealers/builders and installers and supports this bill for the following reasons:

- Will provide for the protection to the consumer/public against the hazards from poorly installed modular housing
- Will provide for uniform performance standards for the installation of modular housing
- Will provide for durability and safety of modular housing
- Will create a more "proactive" environment for the dealer/builder/installer based on requirements for training and continued education
- Will create a "proactive" environment from manufacturer to dealer/builder/installer with training specific to manufacturer models and installation processes
- Will create a "proactive" environment striving to identify and eliminate the root cause installation issues typically associated with modular home construction
- Will provide through the rulemaking process the ability to establish minimum standards for builder/installer and dealer certification requirements such as work experience, qualifying education and continuing education, manufacturer training, training in regulations and codes, insurance, etc.
- Will provide the proactive approach to prevent often lengthy and litigious unresolved, unsatisfactory, and mediocre outcomes thereby minimizing delays in occupancy by the consumer
- Will provide for the protection of the consumer becoming the "default" general contractor left to resolve outstanding issues by hiring their own contractors to correct deficiencies from the construction and installation process
- Will provide for the prevention of deficiencies during the construction and installation process through uniform standards and training rather than the typical reactionary complaint process, which often ends with an unsatisfied consumer

- Will provide for the prevention of costly returns by the dealer/builder/installer as a result of poorly constructed or installed modular housing and workmanship issues
- Will provide for a consistent and uniform approach to prevent hardship and additional expense to the consumer resulting from the transfer of responsibility from the dealer/builder/installer to the consumer

### **Summary of problems observed during the installation of modular homes**

#### Dealers/builders /installers

- Unfamiliar with installation processes specific to manufacturer model
- Unfamiliar with statutes and rules governing modular housing
- Unfamiliar with adopted building codes
- Damaging structural engineered lumber with “field-notching”
- Fail to install proper fire-blocking
- Failure to complete contract items
- Unfamiliar with standard framing requirements oftentimes damaging major structural components
- Failure to comply with “Saf-C 3306.05 Post Certification Modification”
- Failure to review specific set-up manuals
- Not familiar with snow/wind/seismic building code requirements
- Failure by installation personnel to properly convey design changes to manufacturer during installation
- Failure by installation personnel to properly follow construction component manufacturer installation specifications
- Failure by installation company to properly train personnel in basic elements of construction (insulation installed backwards or with significant gaps thus causing moisture and mold issues, framing not fastened, bracing missing, not connecting ventilation exhaust ductwork
- Installation personnel performing work that requires licensed plumbing/electrical personnel
- Failure by all to clearly delineate lines of responsibility for completion with owner/consumer left with uncompleted items
- Complaint process is often a reactionary response by the consumer, which may be based on either an immediate observation of deficiencies or a time-lag exposure after occupancy and use
- Complaint process may be generated by local code officials and well as department staff, but again, the specific installation deficiency most likely occurred; this scenario again typifies the reactionary element

### **Recent Complaints**

Complaints have been received by the department from the following communities:

Derry	Salem	Pittsfield	Center Barnstead
Antrim	Jefferson	Keene	Pembroke
Boscawen	Lempster	Rochester	Claremont
Bethlehem	Tamworth	Greenland	Sanbornville
Warren	Alton	Londonderry	Fremont
Tilton	Hooksett	Moultonboro	Bedford
Lancaster	Kingston	Dover	North Haverill
Concord	Newmarket	Littleton	Croydon
Unity			

The following findings support the above foundational statement presented to support passage of this bill:

- #1\*\*\*\*\*
  1. Roof framing system deficient in original snow load design, thus requiring field modifications to framing system with total roof system as installed incomplete and not constructed in accordance with any pre-approved engineered plans
  2. Main second-floor ceiling beam filed-cut resulting in loss of bearing at both ends, which supports the roof structure
- \*\*\*\*\*
  1. Dealer/installer failure to perform their quality assurance walk-through to verify/complete second floor ceiling insulation installation and maintain thermal plane, which contributed to ice-damming on the roof system with resulting water damage to structure
  2. Installer workmanship issues regarding modular unit fit-up at marriage walls
- #2\*\*\*\*\*
  1. Installation issues regarding exterior weather-resistant envelope, possibly contributing to moisture/mold problems
- \*\*\*\*\*
  1. Set-up manuals not specific to home design
  2. Installers failed to fasten roof system
  3. Post-installation modification performed prior to plans approval
  4. Installer failure to review and demand specific set-up documentation
  5. Installers unfamiliar with building codes
  6. Dealer/installer failure to perform their quality assurance walk-through to verify placement of electrical junction boxes
- #3\*\*\*\*\*
  1. Installer utilized gypsum wallboard as shim material between structural framing

2. Installer failed to install insulation properly and call for required local building inspection prior to closure
  3. Dealer/installer changed framing design of a vaulted ceiling design, thereby failing to confirm engineering approvals prior to installation
  4. Installer failed to install roof sheathing properly with no supporting framing under edges of roof deck
  5. Installer failed to install code-required roof underlayment material
  6. Installer failed to evaluate roof shingle layout from factory prior to completion of roofing, which created an improper weather barrier causing water damage
  7. Installer failed to properly fasten roof shingles as per manufacturer specifications
  8. Dealer/installer failure to perform their quality assurance walk-through to verify placement of attic floor sheathing, which was installed on top of electrical wiring
  9. Installer workmanship issues regarding application of wallboard in full sheets rather than utilize scrap pieces to finish wall systems
  10. Installer subcontractors cut floor joists without properly framing area, resulting in unsupported floor system
- #4\*\*\*\*\*
    1. Installer had unlicensed contractor perform completion of electrical work
  - #5\*\*\*\*\*
    1. Installer failed to install roof system properly as well as failing to follow or request correct installation manual
    2. Installer failed to contact manufacturer for deficient floor construction from factory with installer then constructing new support walls without submitting for proper engineering design approvals
  - #6\*\*\*\*\*
    1. Installer field-cut carrying beams without completing installation of proper supporting elements as depicted in installation manual, which in turn complicated the issue as the installation manual conflicted with additional re-engineering design

Passage of this bill would work to prevent poorly installed modular housing with the ultimate goal of protecting the consumer and providing for a safe building and fire code-compliant structure.

The section of the bill relative to manufactured housing statutory changes, I would recommend removing in its' entirety and challenge the Manufactured Housing Installation Board to work with us to strengthen the consumer protection either through allowed rulemaking or return to the legislature with a recommendation for improvement of the present statute.

House Commerce Committee

HB1627

An Act relative to the regulation of manufactured housing and modular housing

**POSITION: PORTSMOUTH MOBILE HOMES, INC. PORTSMOUTH, NH STRONGLY OPPOSES HB 1627**

We have been in the manufactured and modular housing business since 1953. We also own Hillcrest Estates, a community of 226 manufactured homes. This bill will not solve any problems but rather add significantly to the costs of all manufactured homes, both modular and HUD Code. We urge you to identify the problems we are trying to solve with this bill, involve the industry and consumers in the process, and not increase the costs to make our housing unaffordable for the very people we serve.

Specifically:

- The power to regulate manufactured housing is given to the Fire Marshall, rather than a professional licensing board. If our profession needs to be regulated differently than other homebuilders, it should be done through a professional licensing board, just as other professions are licensed. Including a code enforcement official, an engineer, both modular and manufactured housing manufacturers, community owner, modular and manufactured housing builder/dealers and installers and public members would staff a board that understands all segments of the industry
- Giving the Fire Marshall the right to make all the regulations through rule making without oversight from anyone is unbalanced and discriminatory.
- Fees are not set by statute, but rather by the Fire Marshall. There are no caps to the fees.
- The Fire Marshall is also given the power to set fees, without oversight, as well as assess **ADMINISTRATIVE FINES UP TO \$2000** What a revenue generating measure this could become.
- Fiscal Note: There should be a clear indication of the cost from the Fire Marshall's Office. Don't only consider the cost to the State of New Hampshire but also the consumers and the businesses that will bear the brunt of the fees. We are taxpayers and employers too. Who will protect us so we can stay in business, provide affordable housing and employ New Hampshire people?

**WE URGE YOU TO DEFEAT HB 1627**

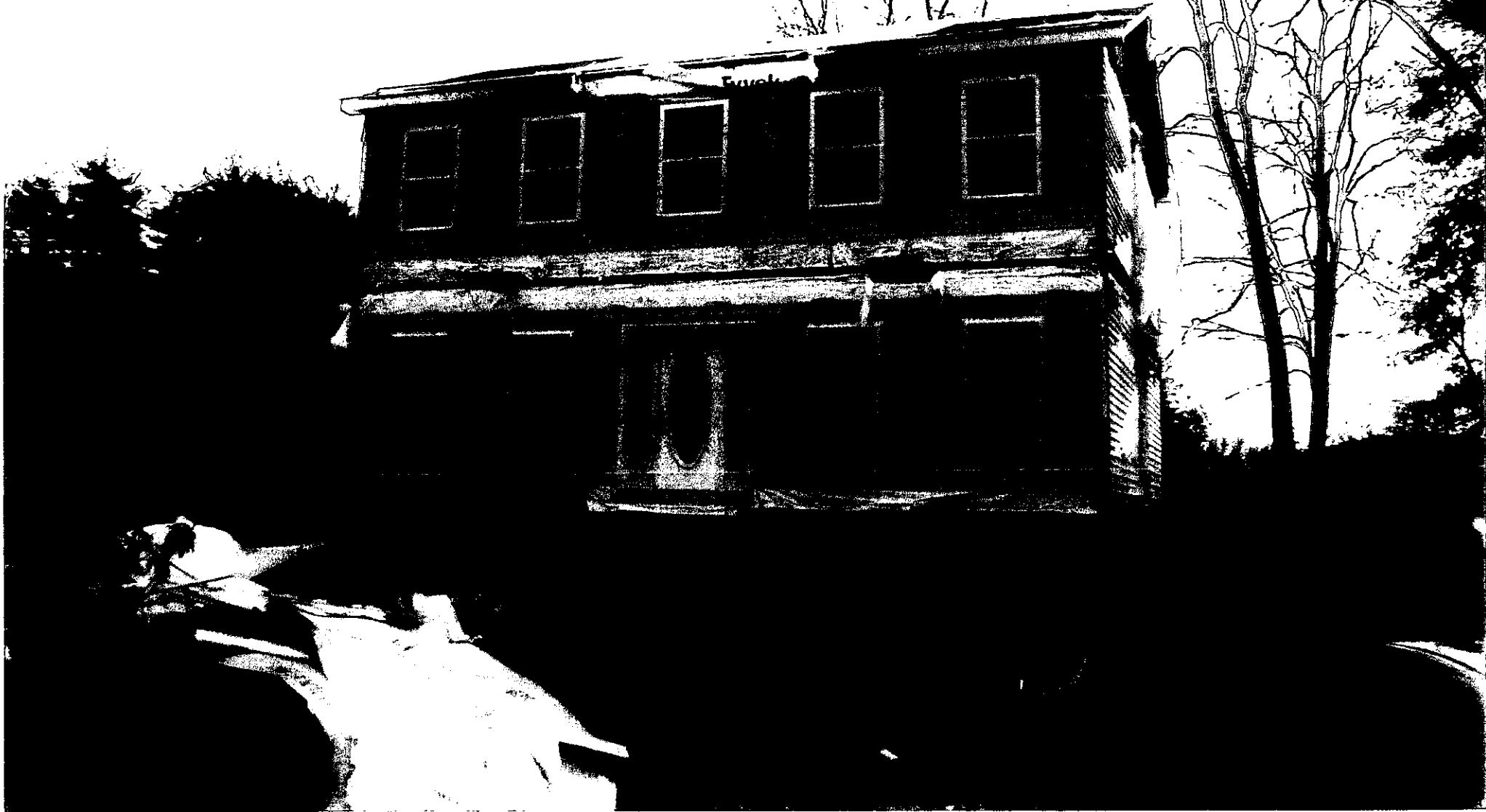
Portsmouth Mobile Homes Inc.

Theresa Desfosses, President

Tinamarie Smith, Vice President

*Theresa M. Desfosses, President*  
*Tinamarie Smith, VP*

# 2-STORY COLONIAL MODULAR








BASEMENT VIEW

NOTCHED  
BORDERS NOT  
ALLOWED!



FIRE BLOCKING  
MISSING

COLUMNS  
NOT  
SECURED!



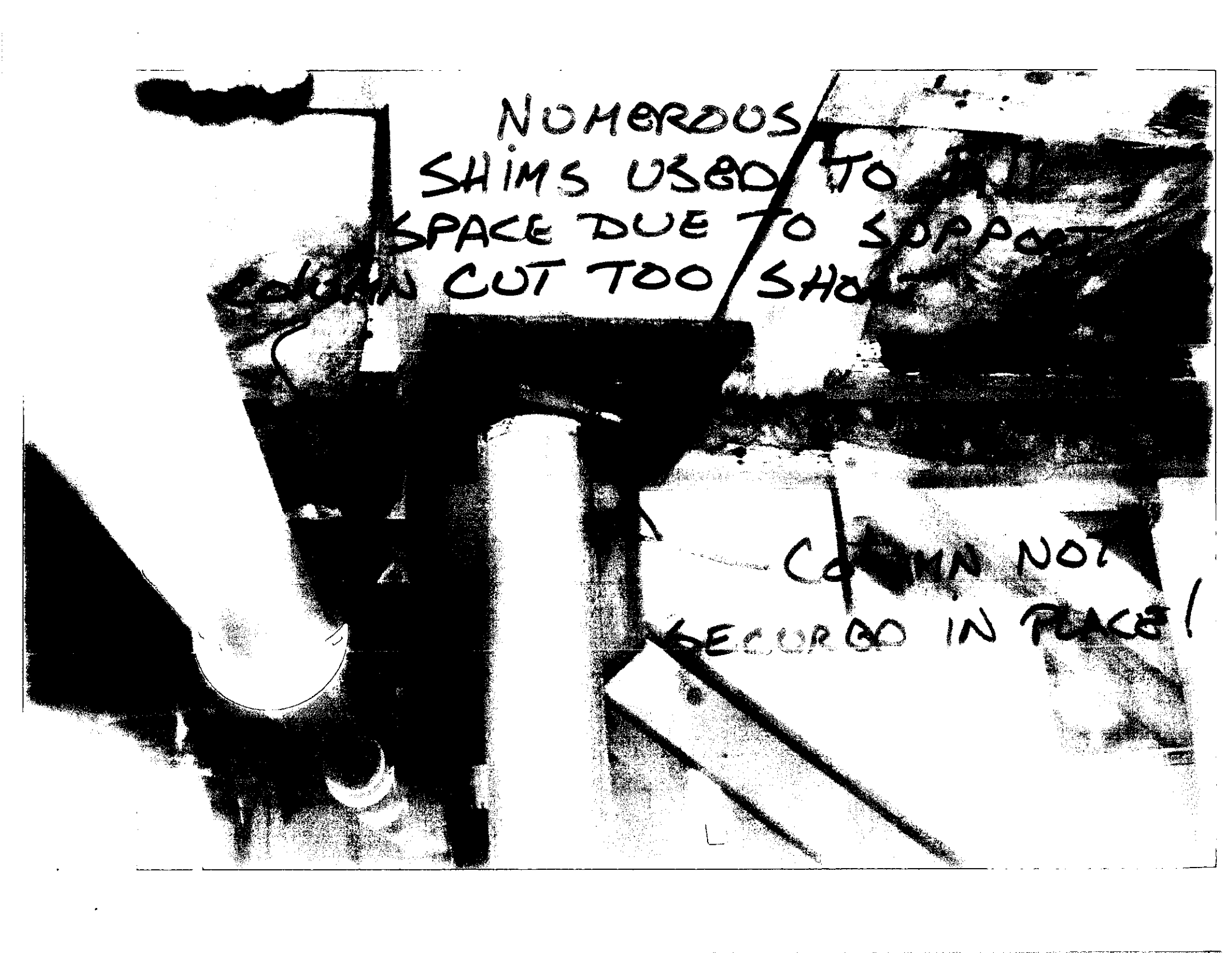
SEVERELY DAMAGED  
ENGINEERED LUMBER  
GIRDERS!

90790710

SHE

NOTCHED  
LUMBER NOT  
ALLOWED

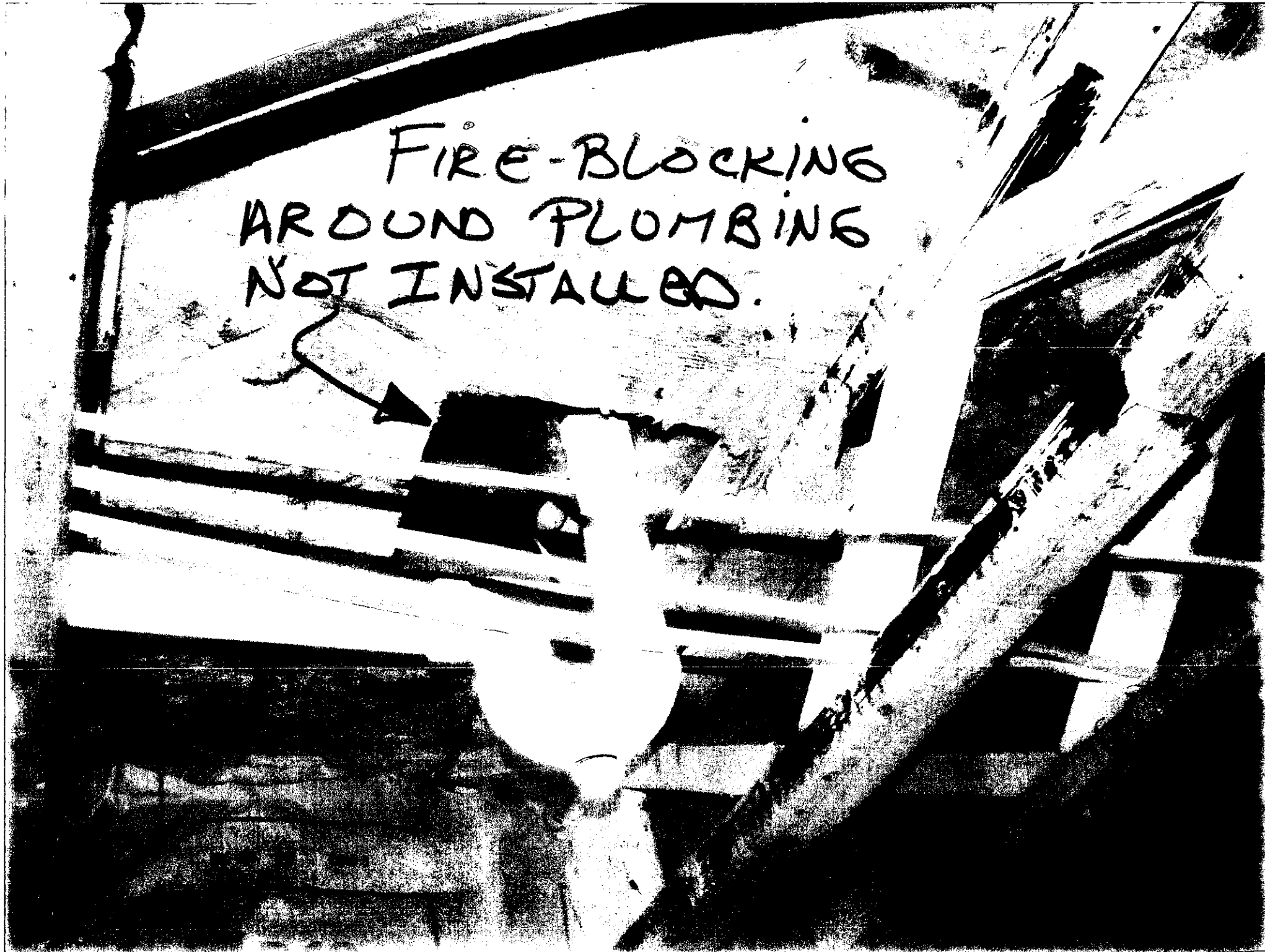
FIRE-BLOCKING  
MISSING



NUMEROUS  
SHIMS USED TO  
SPACE DUE TO SUPPORT  
COLUMN CUT TOO SHORT

A COLUMN NOT  
RECORDED IN PLACE!

FIRE-BLOCKING  
AROUND PLUMBING  
NOT INSTALLED.



ATTIC -  
BATHROOM EXHAUST  
FAN - NEVER  
CONNECTED!

←  
EXCESSIVE MOISTURE  
LEFT TO VENT  
INTO ATTIC!

DUCT FOR  
EXHAUST  
TOO LOW.

ATTN:

FIRE PLACE CHIMNEY  
INCORPORATION AND  
INSTALLATION





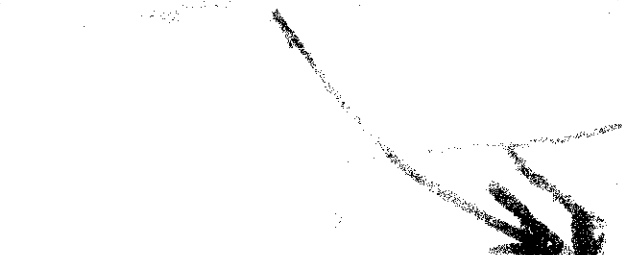


WOOD-BORING  
FIREPLACE  
CHIMNEY  
DUCT-TAPED  
TOGETHER!

FIRE PLACE CHIMNEY  
THROUGH ~~ROOF~~ - NOT INSTALLED  
TO CODE, NO FLASHING  
COLLAR AND PARTS



C HIPPY TAPS  
TAPBO TOGETHER!



NOTCHED  
ENGINEERED LUMBER  
GIRDERS - NOT ALLOWED!

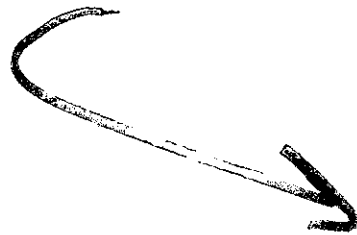


COLUMN NOT  
ALLOWED  
CAP PLATES, COLUMN  
EXCEEDS BURST  
BY 10,000 TO 15,000 POUNDS



FOR PRODUCTION

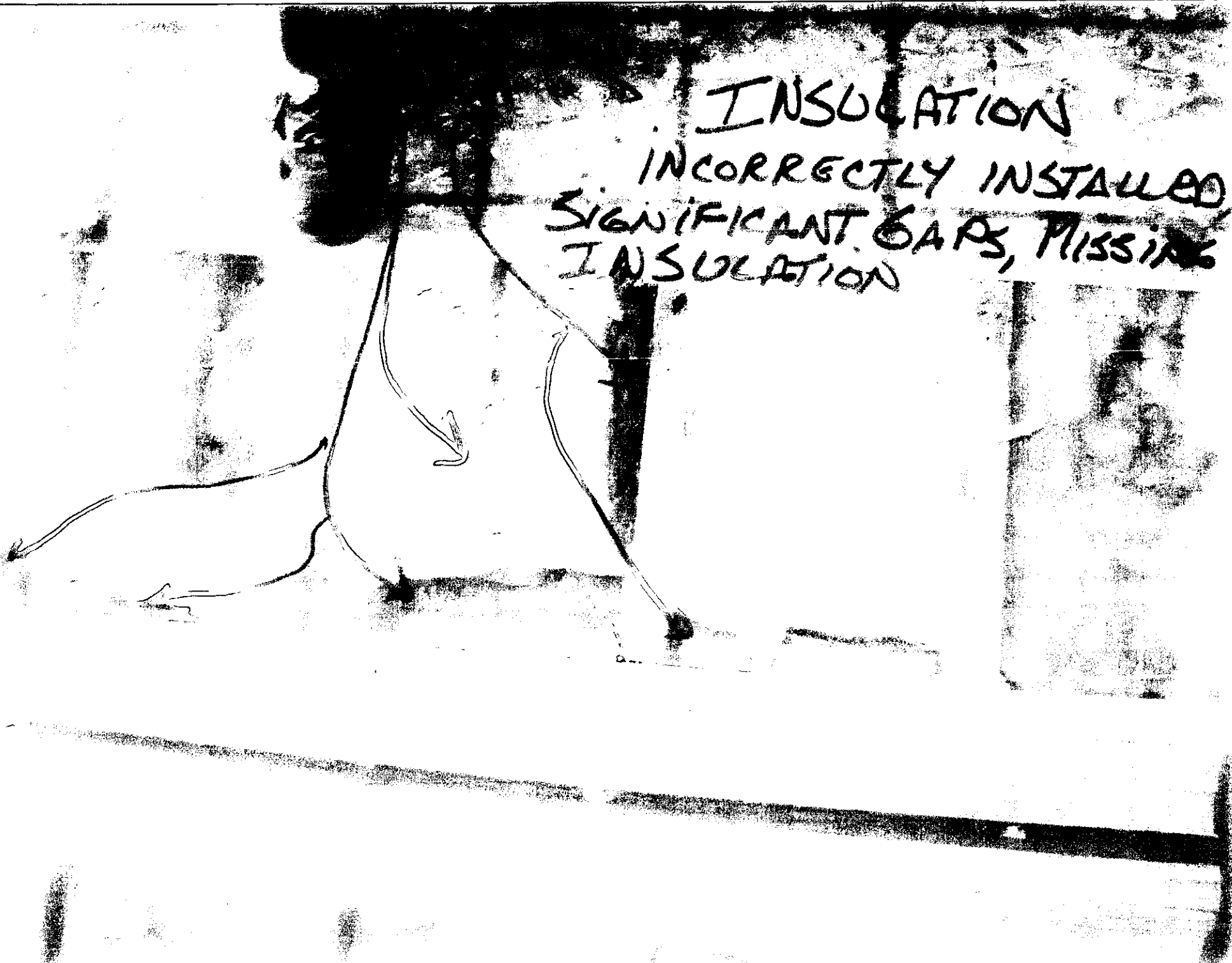
NOT NOTCHED GIRDER  
NOT ALLOWED!

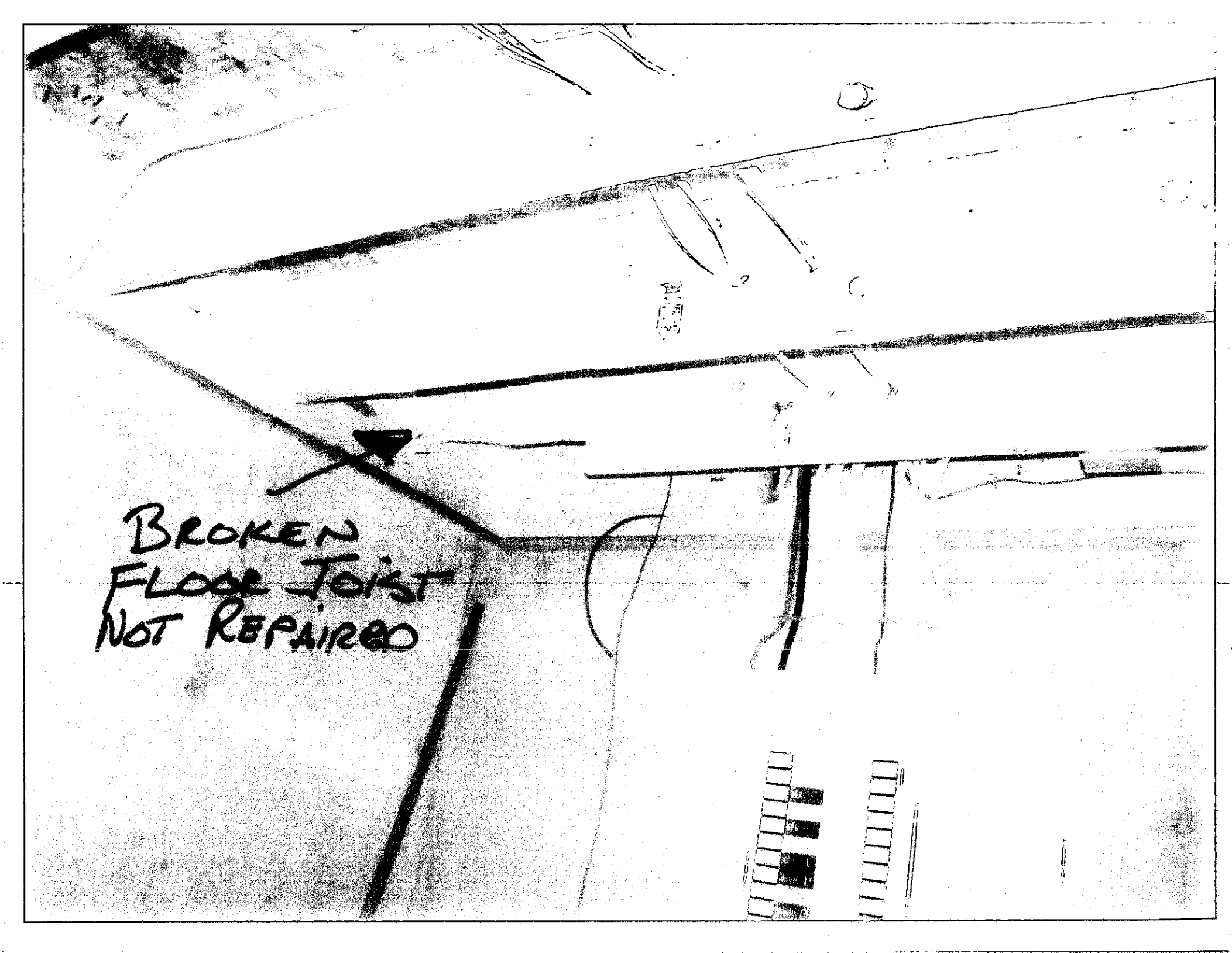


FIRE-LOCKING  
NOT INSTALLED

HOUSE REQUIRED  
MORE SUPPORT  
COLUMNS THAN  
WAS

INSULATION  
INCORRECTLY INSTALLED  
SIGNIFICANT GAPS, MISSING  
INSULATION





A hand-drawn technical sketch of a structural frame. The drawing shows a vertical column on the left and a horizontal beam extending to the right. A diagonal member, identified as a broken floor joist, is shown connecting the top of the column to the beam. A thick black line is drawn over the diagonal member, indicating its failure. A black arrow points from the text towards this broken member. The drawing includes various construction lines, such as dashed lines for hidden parts and solid lines for visible ones. There are also some circular and rectangular shapes scattered throughout the drawing, possibly representing fasteners or other structural details. The overall style is that of a field sketch or a preliminary engineering drawing.

BROKEN  
FLOOR JOIST  
NOT REPAIRED





← WRONG SUPPORT  
COLUMN CAP PLATES

5 COLUMNS INSTALLED  
BUT 6 ARE

REQUIRED

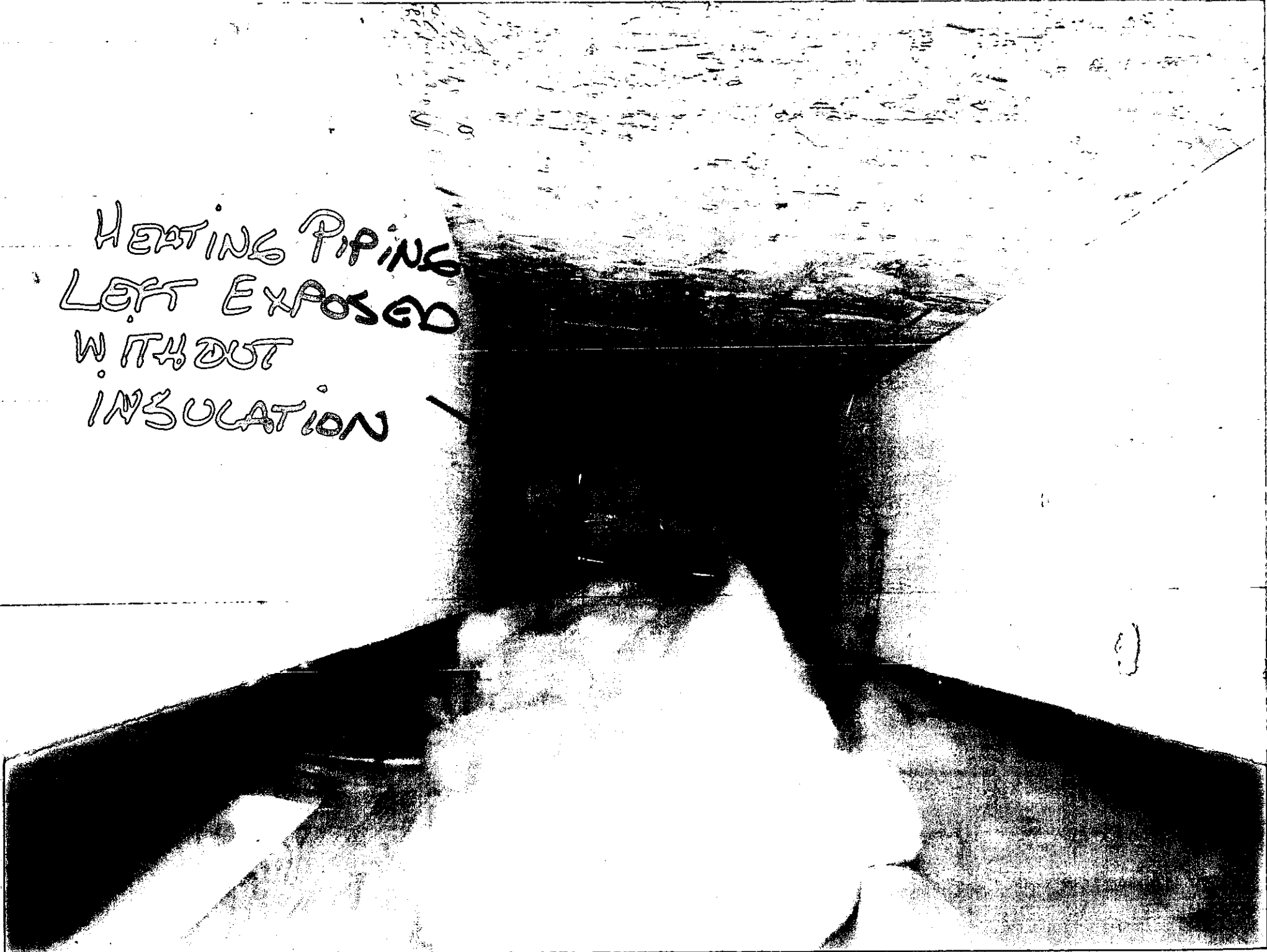
2 — IMPROPER  
SIZE CAP PLATE

NOT FULLY SEATED  
GIRDER



PERIMETER EXTERIOR VIEW BETWEEN  
FIRST AND SECOND FLOOR - NO INSULATION  
INSTALLED.

HEATING PIPING  
LEFT EXPOSED  
WITHOUT  
INSULATION

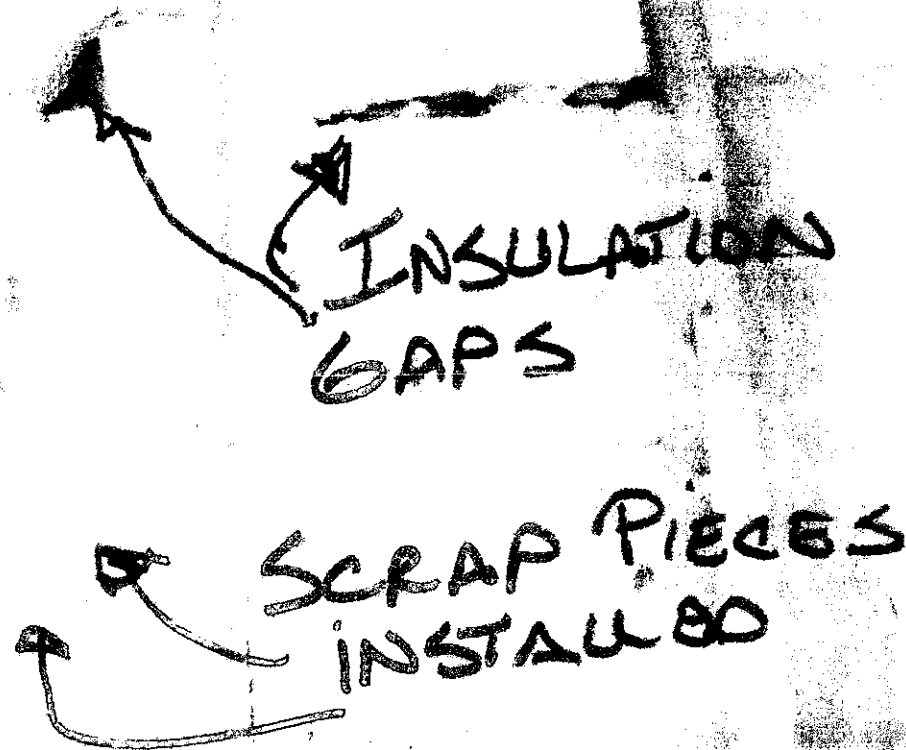




ENGINEERED  
LUMBER

STEEL  
NOTCHED INCORRECTLY

INSULATION  
GAPS



INSULATION  
GAPS

SCRAP PIECES  
INSTALLED

The image shows a hand-drawn diagram of a window frame. The frame is represented by thick black lines. There are several gaps between the frame and the surrounding area. Hand-drawn arrows point from the text 'INSULATION GAPS' to these gaps. Another set of hand-drawn arrows points from the text 'SCRAP PIECES INSTALLED' to a specific area within the frame, likely indicating where scrap pieces have been placed to fill a gap.

SCRAP PIECES  
INSTALLED

# Voting Sheets

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** 2-4-10

**LOB ROOM:** 302

**Amendments:**

Sponsor: Rep. OLS Document #:  
Sponsor: Rep. OLS Document #:  
Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

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

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Nord

Seconded by Rep. McEachern

Vote: 16-1 (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:** Consent on Regular (Circle One)

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

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. James F. Headd, Clerk



HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** 2-4-10

**LOB ROOM:** 302

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

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

Moved by Rep.

*NOED*

Seconded by Rep.

*MC EAD NEWS*

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

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

Moved by Rep.

Seconded by Rep.

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

**CONSENT CALENDAR VOTE:** Consent or Regular (Circle One)

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. James F. Headd, Clerk

*Regular*

COMMERCE AND CONSUMER AFFAIRS

Bill #: HB 1627-FN Title: Mfg Hairsyl

PH Date: 1/1/10 Exec Session Date: 2/4/10

Motion: F.T. KIM STUDY Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Butler, Edward A, Chairman	✓	
Schlachman, Donna L, V Chairman	✓	
DeStefano, Stephen T	✓	
Kopka, Angeline A	✓	
Meador, David R		
McEachern, Paul	✓	
Hammond, Jill Shaffer	✓	
Nord, Susi	✓	
Winters, Joel F	✓	
Keans, Sandra B		✓
Gidge, Kenneth N	✓	
Hunt, John B	✓	
Quandt, Matt J	✓	
Belanger, Ronald J		
Flanders, Donald H	✓	
Holden, Rip	✓	
Dowling, Patricia A		
Headd, James F, Clerk	✓	
Nevins, Chris F	✓	
Palfrey, David J	✓	
	16	1

# Committee Report

**REGULAR CALENDAR**

**February 17, 2010**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

The Committee on COMMERCE AND CONSUMER  
AFFAIRS to which was referred HB1627-FN,

AN ACT relative to the regulation of manufactured  
housing and modular buildings. Having considered the  
same, report the same with the recommendation that  
the bill be **REFERRED FOR INTERIM STUDY.**

**Rep. Susi Nord**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	COMMERCE AND CONSUMER AFFAIRS
Bill Number:	HB1627-FN
Title:	relative to the regulation of manufactured housing and modular buildings.
Date:	February 5, 2010
Consent Calendar:	NO
Recommendation:	REFER TO COMMITTEE FOR INTERIM STUDY

### STATEMENT OF INTENT

There are many parts to this bill which is ultimately intended to help consumers who have major issues with a manufactured or modular housing installation. The committee has heard numerous horror stories over the years about what happens to consumers who have a problem but cannot find anyone to help them resolve it. The vast majority of consumers in NH are very satisfied with their purchase, but the few who have problems can find them catastrophic both financially and emotionally. The committee is dedicated to working with the building industry to find a way to create a place for consumers to get help when they have a major problem without further depressing this beleaguered industry.

Vote 16-1.

Rep. Susi Nord  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## **REGULAR CALENDAR**

### **COMMERCE AND CONSUMER AFFAIRS**

**HB1627-FN**, relative to the regulation of manufactured housing and modular buildings. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. Susi Nord for **COMMERCE AND CONSUMER AFFAIRS**. There are many parts to this bill which is ultimately intended to help consumers who have major issues with a manufactured or modular housing installation. The committee has heard numerous horror stories over the years about what happens to consumers who have a problem but cannot find anyone to help them resolve it. The vast majority of consumers in NH are very satisfied with their purchase, but the few who have problems can find them catastrophic both financially and emotionally. The committee is dedicated to working with the building industry to find a way to create a place for consumers to get help when they have a major problem without further depressing this beleaguered industry.

**Vote 16-1.**

**Original: House Clerk**

**Cc: Committee Bill File**

**Stapler, Carol**

---

**From:** EdoftheNotch@aol.com  
**Sent:** Friday, February 05, 2010 8:30 AM  
**To:** Stapler, Carol  
**Cc:** Nord, Susi  
**Subject:** Fwd: Blurbs

Carol,

OK to go!

Ed

Susi,  
 Thank you!

---

**From:** stnord@yahoo.com  
**To:** carol.stapler@leg.state.nh.us, EdoftheNotch@aol.com  
**Sent:** 2/4/2010 9:02:51 P.M. Eastern Standard Time  
**Subj:** Blurbs

Hi Ed and Carol-  
 I decided not to write a minority opinion for 1268. Here are the blurbs for the other three:

**HB 1357 – Inexpedient to Legislate**

This bill was an attempt to add a layer of protection for people who encounter a problem with the installation when they purchase a manufactured or modular home. The committee had heard that people who have FHA loans for these purchases have a 10% holdback until a certificate of occupancy is issued and that this holdback is an extra incentive for the installer to ensure that the homebuyer is able to move in. Unfortunately, duplicating this process for those not purchasing through a bank proved unwieldy and impractical.

**HB 1627 – Refer for Interim Study**

There are many parts to this bill which is ultimately intended to help consumers who have major issues with a manufactured or modular housing installation. The committee has heard numerous horror stories over the years about what happens to consumers who have a problem but cannot find anyone to help them resolve it. The vast majority of consumers in NH are very satisfied with their purchase, but the few who have problems can find them catastrophic both financially and emotionally. The committee is dedicated to working with the building industry to find a way to create a place for consumers to get help when they have a major problem without further depressing this beleaguered industry.

**HB 1475 – Ought to Pass with Amendment (please use the Butynski amendment)**

It is the opinion of the minority that all employees deserve the right to breathe clean air. Currently approximately 15 – 20% of the workers in New Hampshire are exposed to second-hand smoke in the workplace. This bill will eliminate most of the exemptions in our current Indoor Smoking Act to greatly reduce that number. No one should have to choose between their health and earning a living. This bill will create a level playing field and treat all businesses and employees equally. Secondhand smoke is a known toxin and it is one of the leading causes of preventable disease. Utilization of healthcare services to treat preventable disease is by far the largest factor driving increased healthcare costs. This bill is both good public health policy and good workplace safety

INTERIM STUDY  
COMMITTEE REPORT

COMMITTEE: Commerce + Consumer Affairs  
BILL NUMBER: HB 11627-TN  
TITLE: Relative to the Regulations of Manufactured  
Housing and Modular Buildings.  
DATE: October 26, 2010

RECOMMENDED FOR FUTURE LEGISLATION

LSR No. \_\_\_\_\_

(If legislation is already  
filed, please list LSR no.)

NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT: (May be handwritten)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMITTEE VOTE: 11-3 (Attach Committee Voting Sheet)

Rep. John Hunt  
For the Committee



# Manufacturing Housing HB 1627

- The Commerce committee has in the past attempted to address the need to give consumers a place to have their problems addressed when their manufacture house was improperly built. Unfortunately "previous legislation has failed because the legislature is reluctant to regulate contractors. Given that this housing is intended to be affordable housing, <sup>clearly this legislation will add cost.</sup> the committee is not recommending that this bill come forward in the next session.

APP/LS

~~SP~~  
John Hunt

OK  
(SUB)

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

INTERIM STUDY

EXECUTIVE SESSION on HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** October 26, 2010

**LOB ROOM:** 302

**RECOMMENDED FOR FUTURE LEGISLATION**

LSR No. \_\_\_\_\_  
(If legislation is already filed, list LSR No.)

**NOT RECOMMENDED FOR FUTURE LEGISLATION**

Moved by Rep. Hunt

Seconded by Rep. Dowling

Vote: 11-3 (Please attach record of roll call vote.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. James Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

INTERIM STUDY

EXECUTIVE SESSION on HB 1627-FN

**BILL TITLE:** relative to the regulation of manufactured housing and modular buildings.

**DATE:** October 26, 2010

**LOB ROOM:** 302

RECOMMENDED FOR FUTURE LEGISLATION

LSR No. \_\_\_\_\_  
(If legislation is already filed, list LSR No.)

NOT RECOMMENDED FOR FUTURE LEGISLATION

Moved by Rep.

*Hunt*

Seconded by Rep.

*Dowling*

Vote: *11-3* (Please attach record of roll call vote.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. James Headd, Clerk

COMMERCE AND CONSUMER AFFAIRS

Bill #: HR 1627 Title: Manufactured Home Regulation

PH Date:      /      /      Exec Session Date: 10/26/10

Motion: NOT Recommended Amendment #:     

MEMBER	YEAS	NAYS
Butler, Edward A, Chairman		✓
Schlachman, Donna L, V Chairman		✓
DeStefano, Stephen T	✓	
Kopka, Angeline A	—	
Meador, David R	✓	
McEachern, Paul	—	
Hammond, Jill Shaffer	✓	
Nord, Susi		✓
Winters, Joel F	✓	
Keans, Sandra B	✓	
Gidge, Kenneth N	—	
Hunt, John B	✓	
Quandt, Matt J	—	
Belanger, Ronald J	—	
Flanders, Donald H	✓	
Holden, Rip	—	
Dowling, Patricia A	✓	
Headd, James F, Clerk	✓	
Nevins, Chris F	✓	
Palfrey, David J	✓	
	11	3
TOTAL VOTE:		