

Committee Report

CONSENT CALENDAR

February 26, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 217,

AN ACT repealing RSA 320 regarding hawkers and peddlers. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Dianne Schuett

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 217
Title:	repealing RSA 320 regarding hawkers and peddlers.
Date:	February 26, 2021
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill repeals RSA 320 regulating hawkers and peddlers. The provisions of this bill have been proposed as an amendment to HB 218, regarding itinerant vendors. The committee agreed to decide on both subjects in that bill and so this bill is not needed

Vote 17-1.

Rep. Dianne Schuett
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

HB 217, repealing RSA 320 regarding hawkers and peddlers. **INEXPEDIENT TO LEGISLATE.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill repeals RSA 320 regulating hawkers and peddlers. The provisions of this bill have been proposed as an amendment to HB 218, regarding itinerant vendors. The committee agreed to decide on both subjects in that bill and so this bill is not needed **Vote 17-1.**

Original: House Clerk

Cc: Committee Bill File

Archived: Tuesday, April 20, 2021 9:30:58 AM
From: Carol McGuire
Sent: Saturday, February 27, 2021 3:41:31 PM
To: Miriam Simmons; Pam Smarling
Subject: Fwd: Blurb for HB 217
Response requested: No
Importance: Normal

ITL, 17-1, consent

----- Forwarded message -----
From: **Dianne Schuett** <Dianne.Schuett@leg.state.nh.us>
Date: Sat, Feb 27, 2021 at 3:24 PM
Subject: Blurb for HB 217
To: Carol McGuire <mcguire4house@gmail.com>

Sorry, I had this done so quickly, but just now realized I neglected sending it to you!

HB 217, repealing RSA 320 regarding hawkers and peddlers.
This bill has been proposed as an amendment to HB 218, regarding itinerant vendors. The committee agreed to decide on both subjects in that bill and so this bill is not needed.
Rep. Dianne E. Schuett for the committee

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 217

BILL TITLE: repealing RSA 320 regarding hawkers and peddlers.

DATE: February 26, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Schuett

Seconded by Rep. T. Lekas

Vote: 17-1

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS & ADMINISTRATION

EXECUTIVE SESSION on Bill # HA 219

BILL TITLE: REPEALING RSA 321 REGARDING HAWKERS + PEDDLERS

DATE: 2-26-21

LOB ROOM: 301303

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year) (if offered)

Moved by Rep. SCAVETT WIKAS Secoded by Rep. LEMAS Vote: 17-1

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year) (if offered)

Moved by Rep. _____ Secoded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year) (if offered)

Moved by Rep. _____ Secoded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year) (if offered)

Moved by Rep. _____ Secoded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: John Sytek
Rep. John Sytek, Clerk



2021 SESSION

Executive Departments and Administration

Bill #: HB 217 Motion: ITL AM #: _____ Exec Session Date: 2-26-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	✓		
Roy, Terry Vice Chairman	✓		
Sytek, John Clerk	✓		
Pearson, Stephen C.	✓		
Yakubovich, Michael	✓		
Lekas, Tony	✓		
Alliegro, Mark C.	✓	✓	
Bailey, Glenn	✓		
Lanzara, Tom E. DOUCETTE	✓		
Santonastaso, Matthew			✓
Goley, Jeffrey P.	✓		
Schuett, Dianne E.	✓		
Judy, Jean L.	✓		
Schmidt, Peter B.	✓		
Schultz, Kristina M.	✓		
Fellows, Sallie D.	✓		
Fontneau, Timothy J. TANNER	✓		
Grote, Jaci L.	✓		
O'Brien, Michael B. PIMENTAL	✓		
TOTAL VOTE:			

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 217

BILL TITLE: repealing RSA 320 regarding hawkers and peddlers.

DATE: February 4, 2021

LOB ROOM: LOB Hybrid **Time Public Hearing Called to Order:** 2:55 p.m.

Time Adjourned: 3:00 p.m.

(please circle if present)

ALL PRESENT EXCEPT BAILEY ←
Committee Members: Reps. McGuire, Roy, Sytek, S. Pearson, Yakubovich, Lepak, Alliegro, Bailey, Lanzara, Santonastaso, P. Schmidt, Schultz, Goley, Jeudy, Schuett, Fellows, Fontneau, Grote, M. O'Brien
LARRANQUE

Bill Sponsors:
Rep. Yokela

TESTIMONY

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

HB 217 repealing RSA 320 regarding hawkers and peddlers. (2:55/3:00)

Rep. Yokela introduced the bill and spoke in support.

He said that his remarks were essentially the same as he made for HB 218 except that the people affected would be more like Craig's list users.

Chairman McGuire noted that if both bills passed, the order in which they were passed would matter since there contain incompatible elements.

Public hearing adjourned at 3:00 p.m.

Respectfully submitted by
Rep. John Sytek
Committee Clerk

HB 217 repealing RSA 320 regarding hawkers and peddlers. (2:55/3:00)

Rep. Yokela introduced the bill and spoke in support. He said that his remarks were essentially the same as he made for HB 218 except that the people affected would be more like Craig's list users. Chairman McGuire noted that if both bills passed, the order in which they were passed would matter since there contain incompatible elements.

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB217 on 2

Support: 20 Oppose: 2 Neutral: 0 Total to Testify: 1

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>§</u>
Sargent, Elizabeth	esargent@sheehan.com	603.568.0213	A Lobbyist	NH Association of Chiefs of Police	Oppose	Yes (0m)	2
Ankarberg, Aidan	aidan201@yahoo.com	603.770.1795	An Elected Official	Myself	Support	No	2
Belanger, Cody	cody.belanger@leg.state.nh.us	603.702.0128	An Elected Official	Myself	Support	No	2
Layon, Erica	erica.layon@leg.state.nh.us	603.479.9595	An Elected Official	Myself	Support	No	2
blasek, melissa	melissa.blasek@leg.state.nh.us	603.401.2542	An Elected Official	Myself	Support	No	2
Lekas, Alicia	rep.alicia.lekas@gmail.com	603.881.8960	An Elected Official	Hillsborough 37	Support	No	2
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Oppose	No	2
Nunez, Hershel	hershel.nunez@leg.state.nh.us	603.260.9630	An Elected Official	Myself	Support	No	2
Mennella, Alexandra	amennella1@protonmail.com	646.610.9858	A Member of the Public	Myself	Support	No	2
Osborne, Jason	HouseRepOffice@leg.state.nh.us	603.271.3665	An Elected Official	Myself	Support	No	2
Potucek, John	potucek1@comcast.net	603.432.9049	An Elected Official	Myself	Support	No	2
Aron, Judy	judy.aron@leg.state.nh.us	604.843.5908	An Elected Official	Myself	Support	No	2
Plett, Fred	fred.plett@leg.state.nh.us	603.660.0732	An Elected Official	Myself	Support	No	2
Smith, Jonathan	jhsmithnh5@gmail.com	603.651.1137	An Elected Official	Myself	Support	No	2
THEBERGE, ROBERT	rolath@hotmail.com	603.915.0187	An Elected Official	Myself	Support	No	2
Weyler, Ken	kweyler@aol.com	603.778.5225	An Elected Official	Rock. 13	Support	No	2
ploszaj, tom	tom.ploszaj@leg.state.nh.us	603.279.9965	An Elected Official	Myself	Support	No	2
Johnson, Dawn	Dawn.Johnson@leg.state.nh.us	603.305.8466	An Elected Official	Myself	Support	No	2
Wied, Alex	gencourt.nh@centromere.net	603.674.6202	A Member of the Public	Myself	Support	No	2
Edwards, Rep Jess	jess.edwards@leg.state.nh.us	603.370.7885	An Elected Official	Rockingham District 4 (Auburn, Chester, Sandown)	Support	No	2
Spillane, James	james@jamespillane.org	603.463.5623	An Elected Official	Rockingham 2	Support	No	2
Piemonte, Tony	tony.piemonte@leg.state.nh.us	603.391.4676	An Elected Official	Myself	Support	No	2

Testimony

Bill as
Introduced

HB 217 - AS INTRODUCED

2021 SESSION

21-0245
05/11

HOUSE BILL **217**

AN ACT repealing RSA 320 regarding hawkers and peddlers.

SPONSORS: Rep. Yokela, Rock. 33

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill repeals RSA 320, relative to the regulation of hawkers and peddlers.

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 Twenty One

AN ACT repealing RSA 320 regarding hawkers and peddlers.

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

1 1 Powers and Duties of Towns; Regulation of Hawkers, Peddlers, and Vendors; Reference
2 Deleted. Amend the introductory paragraph of RSA 31:102-a to read as follows:

3 31:102-a Hawkers, Peddlers and Vendors. The governing board of a city, town or village district
4 may adopt, by ordinance or regulation, provisions for the licensure and regulation of itinerant
5 vendors, hawkers, peddlers, traders, farmers, merchants, or other persons who sell, offer to sell, or
6 take orders for merchandise from temporary or transient sales locations within a town or who go
7 from town to town or place to place within a town for such purposes. Any person who violates any
8 provision of such ordinance or regulation shall be guilty of a class B misdemeanor, and each
9 continuing day of violation after notice shall constitute a separate offense. A city, town, or village
10 district shall be specifically prohibited, however, from licensing or regulating a candidate for public
11 office in the process of obtaining signatures on nomination papers, who seeks to have the candidate's
12 name placed on the ballot for the state general election by submitting nomination papers under RSA
13 655:40. Provisions adopted under this section shall be in addition to any requirements imposed by
14 the state under [~~either RSA 320 or~~] RSA 321 and may include, but shall not be limited to:

15 2 Repeal. The following are repealed:

16 I. RSA 320, relative to hawkers and peddlers.

17 II. RSA 321:3, II, relative to the exemption of hawkers and peddlers from RSA 321.

18 3 Effective Date. This act shall take effect 60 days after its passage.