

Bill as
Introduced

HB 208 - AS INTRODUCED

2021 SESSION

21-0244
05/10

HOUSE BILL

208

AN ACT repealing RSA 323 regarding lightning rod dealers and salesmen.

SPONSORS: Rep. Yokela, Rock. 33

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill repeals RSA 323, relative to lightning rod dealers and salesmen.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 208 - AS INTRODUCED

21-0244
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT repealing RSA 323 regarding lightning rod dealers and salesmen.

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

- 1 1 Repeal. RSA 323, relative to lightning rod dealers and salesmen, is repealed.
- 2 2 Effective Date. This act shall take effect January 1, 2022.

CHAPTER 8
HB 208 - FINAL VERSION

2021 SESSION

21-0244
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HOUSE BILL

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AN ACT

repealing RSA 323 regarding lightning rod dealers and salesmen.

SPONSORS:

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COMMITTEE:

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HB 208 - FINAL VERSION

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STATE OF NEW HAMPSHIRE

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

- 1 8:1 Repeal. RSA 323, relative to lightning rod dealers and salesmen, is repealed.
 8:2 Effective Date. This act shall take effect January 1, 2022.

Approved: April 23, 2021
Effective Date: January 01, 2022

Committee Minutes

AMENDED
SENATE CALENDAR NOTICE
Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

Date: March 10, 2021

HEARINGS

Wednesday	03/17/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	HB 94-FN	relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.
9:15 a.m.	HB 70	authorizing certification for the microblading of eyebrows.
9:30 a.m.	HB 208	repealing RSA 323 regarding lightning rod dealers and salesmen.
9:45 a.m.	HB 301	relative to the compensation appeals board.
10:00 a.m.	HB 150	making a technical correction and a clarification in the law governing death benefits for emergency medical technicians and rescue squad members.
10:15 a.m.	HB 173-FN	requiring the independent investment committee of the New Hampshire retirement system to report investment fees.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/91554056560>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +19292056099,,91554056560# or +13017158592,,91554056560#
4. Webinar ID: **915 5405 6560**
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCiBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Cameron Lapine 271-2104

Sharon M Carson
Chairman

Sponsors:

HB 94-FN

Rep. McGuire

Rep. T. Lekas

HB 70

Rep. McGuire

Rep. T. Lekas

Rep. Pitre

HB 173-FN

Rep. Schuett

Rep. Schultz

Rep. Ellison

Rep. M. Pearson

Rep. Merchant

HB 208

Rep. Yokela

HB 301

Rep. Seaworth

HB 150

Rep. Schuett

Rep. Goley

Rep. Soucy

Senate Executive Departments and Administration Committee

Cameron Lapine 271-2104

HB 208, repealing RSA 323 regarding lightning rod dealers and salesmen.

Hearing Date: March 17, 2021

Time Opened: 9:30 a.m.

Time Closed: 9:36 a.m.

Members of the Committee Present: Senators Carson, Reagan, Ricciardi, Cavanaugh and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill repeals RSA 323, relative to lightning rod dealers and salesmen.

Sponsors:
Rep. Yokela

Who supports the bill: Representative Josh Yokela (Rockingham – District 33), Representative Tony Lekas (Hillsborough – District 37), Paul Parisi (NH State Fire Marshal's Office), Sean Toomey (NH State Fire Marshal's Office), Alexandra Mennella, and John Elliott.

Who opposes the bill: Robin Vogt.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative Josh Yokela

Rockingham – District 33

- Representative Yokela said that RSA 323 requires people installing and repairing lightning rods to comply with a national standard, as well as pay either a \$10 fee or a \$50 fee and post a bond.
- Rep. Yokela said that the current State Fire Marshal's Office (FMO) website regarding lightning rods was last updated in 2017. He said there is no information about training and that lightning rods are covered in other areas of the FMO's purview.
- Rep. Yokela said that HB 208 passed House Executive Departments and Administration unanimously and passed the House on the Consent Calendar.
- Senator Reagan asked how many people were covered by this license.

- Rep. Yokela said that the FMO's website was last updated in 2017 and showed four people.
- Senator Reagan asked if there was no idea how many people are currently licensed under RSA 323.
 - Rep. Yokela said that that was correct.

Representative Tony Lekas

Hillsborough – District 37

- Representative Lekas is a member of House Executive Departments and Administration and wrote the Committee Report on HB 208.
- Rep. Lekas said that the FMO testified at the House hearing that RSA 323 had outlived its usefulness, as lightning rods are governed by the State Fire Code and State Electrical Code.

Sean Toomey

FMO

- Mr. Toomey said he was appearing before the Committee in place of Fire Marshal Paul Parisi.
- Mr. Toomey said that the FMO supports the repeal of RSA 323. He said that there are 4 to 6 dealers who maintain their license and 16 to 24 individuals who are in the program overall. He said that the yearly revenue is \$360.
- Mr. Toomey said that RSA 323 was first enacted in the late 1800s and its need has since been replaced by national codes.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

cml
Date Hearing Report completed: March 18, 2021

Speakers

Senate Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB208 of
 Support: 5 Oppose: 1 Neutral: 0 Total to Testify: 3

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>
Parisi, Paul	paul.j.parisi@dos.nh.gov	16039319538	State Agency Staff	NH State Fire Marshal's Office	Support	Yes
Lekas, Tony	Rep.Tony.Lekas@gmail.com	603.305.5726	An Elected Official	Hillsborough 37	Support	Yes
Toomey, Sean	sean.p.toomey@dos.nh.gov	603-856-6103	State Agency Staff	NH State Fire Marshal's Office	Support	Yes
Elliott, John	john@AllyUSTRading.com	603.233.6953	A Member of the Public	Myself	Support	No
Vogt, Robin	robin.w.vogt@gmail.com	603.969.5720	A Member of the Public	Myself	Oppose	No
Mennella, Alexandra	am88@fastmail.com	646.610.9858	A Member of the Public	Myself	Support	No

Testimony



Robert L. Quinn
Commissioner

State of New Hampshire

DEPARTMENT OF SAFETY

Division of Fire Safety

Office of the State Fire Marshal

Office: 110 Smokey Bear Boulevard, Concord, NH 03301

Mailing Address: 33 Hazen Drive, Concord, NH 03305

Telephone: 603-223-4289 • Fax: 603-223-4294

www.nh.gov/firesafety



Paul J. Parisi
State Fire Marshal

LEGISLATIVE POSITION NH DEPARTMENT OF SAFETY

HB 208: Relative to repealing RSA 323 regarding lightning rod dealers and salesmen.

LSR 21-0244

Committee: Executive Departments and Administration

Position: SUPPORT

Date: February 4, 2021

Dear Honorable Members of the Committee:

House Bill 208 would repeal RSA 323 which is the lightning rod dealer and salesman program overseen by the NH State Fire Marshal's Office.

This statute was originally enacted in 1878, with major additions in 1915. The law was last revisited in 2004 when the prerequisites were modified.

The program has a 5 year average revenue of \$364.

In our opinion the program has outlived its usefulness to the state. The installation of lightning rods are governed by the state fire code and state electrical code, and included in NFPA standard 780. We recommend repealing this program.

Thank you for the opportunity to testify, and for your consideration. Please do not hesitate to contact me if you have any questions.

Respectfully,

Paul J. Parisi
State Fire Marshal

Voting Sheets

**Senate Executive Departments and
Administration Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill # *HB 208*

Hearing date: *3-17-21*

Executive Session date: *3-17-21*

Motion of: *OTP* Vote: *5-0*

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: *Consent* Vote: *5-0*

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: *Sen Prentiss*

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Thursday, March 18, 2021

THE COMMITTEE ON Executive Departments and Administration

to which was referred **HB 208**

AN ACT

repealing RSA 323 regarding lightning rod dealers
and salesmen.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Suzanne Prentiss
For the Committee

This bill repeals RSA 323, relative to lightning rod dealers and salesmen. The current licensing practices for lightning rod dealers and salesmen involves multiple fees and a bond being posted. This statute was originally enacted in 1878 and, despite being amended several times since then, has outlived its usefulness. Provisions regarding the safe installation of lightning rods are already in force through the State Fire Code and the State Electrical Code, as well as national safety standards. The yearly average licensing revenue from lightning rod dealers and salesmen is below \$375. Knowing these facts, the Committee was comfortable with recommending the repeal of RSA 323, relative to lightning rod dealers and salesmen.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 208, repealing RSA 323 regarding lightning rod dealers and salesmen.

Ought to Pass, Vote 5-0.

Senator Suzanne Prentiss for the committee.

This bill repeals RSA 323, relative to lightning rod dealers and salesmen. The current licensing practices for lightning rod dealers and salesmen involves multiple fees and a bond being posted. This statute was originally enacted in 1878 and, despite being amended several times since then, has outlived its usefulness. Provisions regarding the safe installation of lightning rods are already in force through the State Fire Code and the State Electrical Code, as well as national safety standards. The yearly average licensing revenue from lightning rod dealers and salesmen is below \$375. Knowing these facts, the Committee was comfortable with recommending the repeal of RSA 323, relative to lightning rod dealers and salesmen.

General Court of New Hampshire - Bill Status System

Docket of HB208

Docket Abbreviations

Bill Title: repealing RSA 323 regarding lightning rod dealers and salesmen.*Official Docket of HB208.:*

Date	Body	Description
1/4/2021	H	Introduced (in recess of) 01/06/2021 and referred to Executive Departments and Administration HJ 2 P. 39
1/27/2021	H	Public Hearing: 02/04/2021 02:00 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/99659562277 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/9/2021	H	Committee Report: Ought to Pass (Vote 17-0; CC) HC 12 P. 5
2/24/2021	H	Ought to Pass: MA VV 02/24/2021 HJ 3 P. 8
3/4/2021	S	Introduced 03/04/2021 and Referred to Executive Departments and Administration; SJ 7
3/10/2021	S	Remote Hearing: 03/17/2021, 09:30 am; Links to join the hearing can be found in the Senate Calendar; SC 15
3/18/2021	S	Committee Report: Ought to Pass, 03/25/2021; Vote 5-0; CC; SC 16
3/25/2021	S	Ought to Pass: RC 24Y-0N, MA; OT3rdg; 03/25/2021; SJ 9
4/12/2021	S	Enrolled RC 24Y-0N, MA , (In recess of 04/08/2021); SJ 12
4/12/2021	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 99
4/26/2021	H	Signed by Governor Sununu 04/23/2021; Chapter 8; Eff: 01/01/2022

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 208

Senate Committee: ED+A

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # _____
- amendment # _____
- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # _____
- amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- Enrolled Bill Amendment(s)
- Governor's Veto Message

All available versions of the bill: {Clerk's Office}

- as amended by the senate
- as amended by the house
- final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Cameron M. Joplin
Committee Aide

7/20/21
Date

Senate Clerk's Office AK