

**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.

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**Sponsors:**  
Rep. Yokela

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**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.

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Date Hearing Report completed: March 18, 2021