

CHAPTER 180
SB 239 – FINAL VERSION

01/18/12 0198s
02/08/12 0424s
15May2012... 1588h

2012 SESSION

12-2896
05/10

SENATE BILL **239**

AN ACT relative to the membership and duties of the installation standards board.

SPONSORS: Sen. Carson, Dist 14; Sen. Barnes, Jr., Dist 17; Sen. De Blois, Dist 18;
Rep. Renzullo, Hills 27; Rep. L. Ober, Hills 27; Rep. Marshall Quandt, Rock 13;
Rep. Matt Quandt, Rock 13; Rep. Jennifer Coffey, Merr 6

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill:

I. Transfers responsibility for manufactured housing inspections from the state fire marshal to the manufactured housing installation standards board.

II. Removes statutory limitations on fees established by the board for warranty seals and inspections.

III. Revises the membership of the installation standards board and establishes a stipend for board members.

IV. Extends the license renewal period for licenses issued by the manufactured housing installation standards board.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to the membership and duties of the installation standards board.

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

1 180:1 Manufactured Housing Installation Standards; Inspections. Amend the introductory
2 paragraph of RSA 205-D:5, I to read as follows:

3 I. The local enforcement agency, or if there is no local enforcement agency, the [~~state fire~~
4 ~~marshal or the state fire marshal's~~] **board or the board's** designee, shall:

5 180:2 Manufactured Housing Installation Standards; Inspections. Amend RSA 205-D:5, II to
6 read as follows:

7 II. Whenever a local enforcement agency, or if there is no local enforcement agency, [~~the~~
8 ~~state fire marshal or the state fire marshal's~~] **the board or the board's** designee[~~]~~ orders the
9 correction of a violation under subparagraph I(c), he or she shall immediately notify the board.

10 180:3 Manufactured Housing Installation Standards; Fees. Amend RSA 205-D:12, I to read as
11 follows:

12 I. The board may establish, pursuant to RSA 541-A, fees for licensure, license renewal,
13 training, inspections [~~conducted by the state fire marshal~~], and **issuance of** the manufacturer's
14 warranty seal. The fees established by the board shall be sufficient to produce estimated revenues
15 equal to 125 percent of the direct operating expenses of the board for the previous fiscal year. [~~The~~
16 ~~fee for the manufacturer's warranty seal shall not exceed \$50. If the fees collected through licensure,~~
17 ~~license renewal, training, and the manufacturer's warranty seal are not sufficient to produce revenue~~
18 ~~to carry out the responsibilities of the board and the responsibilities of the state fire marshal in~~
19 ~~conducting inspections under this chapter, then the board shall establish a fee for inspection which~~
20 ~~shall not exceed \$100.]~~

21 180:4 Membership of the Installation Standards Board. Amend RSA 205-D:2, I to read as
22 follows:

23 I. There is hereby created an installation standards board consisting of [~~the commissioner of~~
24 ~~the department of safety or the commissioner's designee and 12 additional~~] **9** members appointed by
25 the [~~commissioner of safety~~] **governor and council** as follows:

26 (a) [~~Two public members who are not tenants or owners of a manufactured house,~~
27 ~~owners or operators of a manufactured housing park, or in any way associated with the~~

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1 ~~manufactured housing industry.~~

2 ~~(b)~~ One installer of manufactured housing, nominated by the New Hampshire
3 Manufactured Housing Association.

4 ~~(c)~~ **(b)** One structural engineer or architect licensed in this state for a minimum of 5
5 years, nominated by the board of professional engineers established under RSA 310-A:3.

6 ~~(d)~~ **(c)** One dealer or retailer, nominated by the New Hampshire Manufactured
7 Housing Association.

8 ~~(e) One owner or operator~~ **(d) Two owners or operators** of a manufactured housing
9 park with 100 or fewer lots, nominated by the New Hampshire Manufactured Housing Association.

10 ~~(f)~~ **(e)** One owner or operator of a manufactured housing park with more than 100 lots,
11 nominated by the New Hampshire Manufactured Housing Association.

12 ~~(g)~~ **(f)** One member of a cooperative manufactured housing park, nominated by the
13 Mobile/Manufactured Homeowner and Tenants Association of New Hampshire.

14 ~~(h)~~ **(g)** One municipal building code official, nominated by the New Hampshire
15 Building Officials Association.

16 ~~(i)~~ **(h)** One municipal fire chief, nominated by the New Hampshire Association of Fire
17 Chiefs.

18 ~~(j) One civil engineer licensed in this state for a minimum of 5 years, nominated by the~~
19 ~~board of professional engineers established under RSA 310-A:3.~~

20 ~~(k) One homeowner of a manufactured house, nominated by the Mobile/Manufactured~~
21 ~~Homeowner and Tenants Association of New Hampshire.]~~

22 180:5 Membership and Terms of Board. RSA 205-D:2, II-IV are repealed and reenacted to read
23 as follows:

24 II. Each member shall serve a 3-year term and until a successor is appointed and qualified.
25 If there is a vacancy on the board, the provisions of RSA 21:33-a and RSA 21:34 shall apply.

26 III. The board shall biennially elect a chairperson and vice-chairperson. Five members of
27 the board shall constitute a quorum.

28 IV. Members of the board shall receive \$25 for each day they are engaged in the duties of
29 their office and shall be reimbursed for all actual travel, incidental, and clerical expenses incurred in
30 carrying out the provisions of this chapter.

31 180:6 Renewal. Amend RSA 205-D:11, I to read as follows:

32 I. All licenses issued by the board shall expire on the last day of the month of the licensee's
33 birth ***in the third year following the year of issuance***, but may be renewed during the following
34 month, retroactive to the first day of the month. Upon failure to pay the renewal fee within the
35 required period, a licensee may renew his or her license by submitting the required fee plus \$10
36 before the last day of the second month following the month of his or her birth.

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1 180:7 Effective Date. This act shall take effect 60 days after its passage.

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3 Approved: June 11, 2012

4 Effective Date: August 10, 2012