

Senate Energy and Natural Resources Committee

Nikolas Liamos 271-7875

HB 119-FN, relative to homestead food operation licensure.

Hearing Date: March 28, 2023

Time Opened: 10:37 a.m.

Time Closed: 10:47 a.m.

Members of the Committee Present: Senators Avard, Pearl, Birdsell, Watters and Altschiller

Members of the Committee Absent : None

Bill Analysis: This bill allows homestead food operations to sell food, excluding potentially hazardous food, from the homestead residence, at the owner's farm stand, or at farmers' markets.

Sponsors:

Rep. Ankarberg

Rep. Berezhny

Rep. Cushman

Rep. Coulon

Rep. Jonathan Smith

Who supports the bill: In total, 53 individuals signed in in support of HB 119-FN. The full sign in sheets are available upon request to the Legislative Aide, Nikolas Liamos (nikolas.liamos@leg.state.nh.us).

Who opposes the bill: In total, no individuals signed in in opposition of HB 119-FN. The full sign in sheets are available upon request to the Legislative Aide, Nikolas Liamos (nikolas.liamos@leg.state.nh.us).

Who is neutral on the bill: In total, no individuals signed in as neutral of HB 119-FN. The full sign in sheets are available upon request to the Legislative Aide, Nikolas Liamos (nikolas.liamos@leg.state.nh.us).

Summary of testimony presented:

Representative Matt Coulon

Grafton County 5

- Representative Matt Coulon said House Bill 119-FN would allow homestead operations to sell food at the homestead, farmers markets, and roadside stands.

- Rep. Coulon said that there is currently a \$35,000 limit on the gross annual income of homestead operations in RSA 143-A:5. He said there is currently no compliance mechanism attached to that limit.
- Rep. Coulon said he believed the limit was originally added as a trigger mechanism for licensure, but that it is no longer being kept up with.
- Rep. Coulon said HB 119-FN would remove the \$35,000 limit and better reflect the actual regulation of homestead operations.
- Senator Watters noted that the fiscal note for HB 119-FN included a reference to a \$70,000 limit that was not in the text of HB 119-FN. He asked if HB 119-FN would remove all limits on annual gross domestic income from RSA 143-A:5.
 - Rep. Coulon said that the fiscal note had been written for the original version of HB 119-FN and did not apply to the version before the Committee.

Aubrey Friedman

- Mr. Friedman said he supported HB 119-FN because homestead operations already had a financial incentive to sell food that would not make their customers sick.
- Mr. Friedman said the \$35,000 limit was arbitrary. He said it discouraged small business owners from expanding their operations.
- Mr. Friedman said government bureaucrats did not make food safer and instead raised food prices for consumers. He said the reputations of the vendors checked the sale of unsafe food.
- Mr. Friedman said the risk of lawsuits encouraged vendors to not sell unsafe food.
- Senator Birdsell asked Mr. Friedman to define the phrase “potentially hazardous food” used in HB 119-FN.
 - Senator Watters said the phrase referenced refrigerated food.

NPL

Date Hearing Report completed: April 3, 2023