

Senate Commerce Committee

Aaron Jones 271-2609

SB 503, relative to the use of spruce-pine-fir lumber.

Hearing Date: January 27, 2026

Time Opened: 12:08 p.m.

Time Closed: 12:38 p.m.

Members of the Committee Present: Senators Ricciardi, Murphy, McGough, Fenton and Reardon

Members of the Committee Absent : Senator Innis

Bill Analysis: This bill promotes the use of New Hampshire-grown spruce-pine-fir lumber by specifying that spruce-pine-fir (SPF) lumber shall include spruce-pine-fir-south (SPFS) lumber within the New Hampshire building code.

Sponsors:

Sen. Rochefort

Sen. Sullivan

Sen. Birdsell

Sen. McGough

Sen. Gray

Sen. Avard

Sen. Innis

Sen. Watters

Sen. McConkey

Sen. Ward

Sen. Gannon

Sen. Lang

Sen. Murphy

Sen. Reardon

Sen. Pearl

Sen. Carson

Sen. Perkins Kwoka

Sen. Abbas

Rep. A. Davis

Rep. Ouellet

Who supports the bill: Senator David Rochefort, Senator Ruth Ward, Senator Daniel Innis, Senator Tim McGough, Senator Mark McConkey, Senator James Gray, Senator Howard Pearl, DJ Burke (BIA), Matt Mayberry (NH Home Builders), Jasen Stock (NH Timberland Owners Association), Daniel Richardson

Who opposes the bill: David Kretschmann (American Lumber Standard Committee), Daniel Martel (Structural Engineers of NH)

Who is neutral on the bill: Philip Sherman (Building Code Review Board), Lily Beyer (Structural Engineers of NH)

Summary of testimony presented in support:

Senator David Rochefort

- This bill would clarify that New Hampshire grown spruce-pine-fir (SPF) lumber, which is graded as spruce-pine-fir-south (SPFS), may be used wherever SPF is

specified under the State Building Code. While this primarily addressed the building code, it would affect how resources in the state are used and graded.

- SPFS and SPF are the same species. They are grown in substantially similar climates with the only difference being international grading designations. This climate region is specified on Page 1, Line 24, Roman VII.
- This bill would maintain existing safety standards by requiring building inspections to rely on published design values for lumber that is used. It would preserve the discretion of architects and engineers to require higher strength materials when they are necessary. It would also explicitly allow the use of Canadian graded SPF.
- Senator Rochefort said this bill added options; it did not ban anything.
- Decades ago, the line of demarcation for SPF was made at the Canadian border. Anything below the border was considered SPFS. As a result, New Hampshire has been penalized due to an international label that has been tied to a political border.
- Despite a similar climate and temperature, Senator Rochefort said that SPF grown in Coos County is treated different in business and construction plans than wood that is grown in Canada.
- SPF became dominant, not because it was a superior product, but because it was standardized early. Design, ordering, codes, span tables, and software have been built around SPF due to convenience.
- This bill would protect and level the playing field for New Hampshire sawmills, loggers, and timber owners. It also would help address housing affordability.
- Senator Rochefort said an amendment would be brought forth to make a few small changes.
 - First, on Page 1, Lines 17 and 18, it would say “... even though New Hampshire grown wood from the North Country is of equal type and quality.”
 - Second, on Page 2, Line 17, it would say “Architecture and structural engineers must also consider and shall provide alternative options of construction using SPFS lumber.”
 - Finally, a new section will be added that says, “For the purposes of the state building code, SPFS lumber harvested and milled in New Hampshire and graded either by grade permitted under RSA 426 or by an American Lumber Standard Committee accredited agency, shall be accepted wherever SPF is specified.”
- Senator Rochefort reiterated that SPF grown in New Hampshire's forests within a certain climate zone are the same quality and integrity, and they can be used interchangeable when a building plan calls for SPF that is found in Canada.
- **Senator Fenton** asked if New Hampshire would be deviating from other New England states.
 - **Senator Rochefort** said the designation of SPFS being the same as SPF would be made in the shared climate zone that is on the Canadian border.

This bill would not open the door for southern pines or trees grown out-of-state. This bill would set a new standard by saying our trees are just as strong as the trees that are located 100 yards north of the border. Many places in Maine are latitudinally north of New Hampshire, and they are also handicapped by this designation.

- **Senator Reardon** asked if this bill was different from the one in Executive Departments and Administration (ED&A).
 - **Senator Rochefort** said this was a more comprehensive bill. The bill heard by ED&A focused on giving SPFS preference whenever possible when state funded projects are built. Both bills are valuable, but they handle the topic in different ways.

Jasen Stock, Executive Director, New Hampshire Timberland Owners Association

- The Association supported the use of local wood in construction.
- Mr. Stock said that the use of latitude was commonsense because trees on the other side of the border are essentially the same.
- On Page 2, Lines 10 and 11, SPF values that govern some structural elements are retained.
- Mr. Stock said there is not a total abandonment of SPF standards in this bill.

Matt Mayberry, CEO, New Hampshire Home Builders Association

- Latitudinally, this zone would include Vermont, New York, Wyoming, and Aroostook County in Maine. These states have expressed interest in pursuing similar legislation.
- Lumber grading is decided by the U.S. Department of Commerce.
- States have begun to push back because this is a political boundary that was negotiated during NAFTA.
- On Page 2, Lines 3 and 4, it states that lumber coming from New Hampshire still must be graded.
- Page 2, Line 17 of the amendment would let customers and developers decide what to do.
 - Currently, engineers are not providing builders with an SPFS option. This mandates Canadian lumber be brought into the state, which jeopardizes New Hampshire jobs.
 - Milan Lumber, for example, has gone from a 7-day work week to 4 days. In addition, 2 lumberyards have said they are going to stop carrying SPFS because it is too confusing.

Summary of testimony presented in opposition:

David Kretschmann, President, American Lumber Standard Committee

- The American Lumber Standard Committee is the accreditation body that accredits lumber producers in the U.S., and they operate under the U.S. Department of Commerce PS 20.
- The Committee works to implement and enforce a system, and it can become less effective and entirely fail if individual jurisdictions deviate from it.
- Changing certain properties and design values legislatively can result in a negative impact.
- SPF and SPFS are very different commercial groupings. They have different species within their groupings, and they have different design values as well.
- This bill would set a distinction between New Hampshire produced SPFS from SPFS produced in other locations. Code officials will have a hard time understanding which mills are producing SPFS in the state versus other locations.
- There is flexibility in the system to allow for the production of materials where the design value is equivalent to SPF.
- **Senator Fenton** said he was concerned because there is conformity, international standards, and multi-state standards that follow guidelines. He asked if it would cause confusion for out-of-state builders and the Building Code Review Board if New Hampshire pulled out.
 - **Mr. Kretschmann** said he did not think this was a wise move. If someone is concerned that their products in this zone do not have a design value equivalent to SPF, they can produce material that has similar design values with mechanically graded lumber options. By stepping away from this commodity product that is sold across the northern U.S., products will go into a building that may have different design values and density. There would be no way for a code official to make a judgment easily by looking at an accredited stamp saying SPFS.
- **Senator McGough** asked what the real difference was.
 - **Mr. Kretschmann** said confusion has been driven by the lack of understanding of the mixture of species involved in SPF. Under their system, only six mills are accredited. Milan Lumber is the only mill in New Hampshire that produces SPFS. Milan Lumber produces a mixture, so they do not just produce spruce, which is the strongest material in the SPF group. They also produce balsam fir, which is the weakest species in the group. By messing around with the specific gravity and design values of these groupings, he said the Legislature was playing with fire. This was a bigger issue than products being across the border. Based on test data they have, there are a lot of logs that come from higher elevations that also go to mills.

Daniel Martel, Structural Engineers of New Hampshire

- Mr. Martel said they opposed any legislation that contradicted the U.S. Department of Commerce grading standards and building code.

- Mr. Martel said equating two distinctly different lumber grades was like saying two different recipes with different ingredients were the same.
- This is not about lumber that is harvested feet or miles away, it is about species that are weaker. In some cases, SPFS can be 5 to 10 percent weaker in some properties than SPF.
- If this bill were passed, Mr. Martel agreed it would create confusion.
- If a structural engineer specifies SPF must be used, and the law allows an individual to decide to use SPFS, Mr. Martel asked who was liable for using the weaker material. It would not be the structural engineer, but it could be the material supplier.
- Mr. Martel said there is a possibility of improving the likelihood of using SPFS by amending the State Building Code, marketing products better, and promoting use with structural engineers.

Neutral Information Presented:

Philip Sherman, Chair, Building Code Review Board

- Mr. Sherman suggested an amendment to add a requirement for the Building Code Review Board to amend the State Building Code as applicable to reflect the requirements of this bill.
- By pre-ratifying this bill, it would allow the Board to make amendments to the Building Code without having to wait a year.
- Individuals at the lumberyard, those who are building, and enforcers are likely to read code, not statute.
- Mr. Sherman said he used the word “applicable” because some parts of this bill would not impact the Building Code.

Lily Beyer, Structural Engineers of New Hampshire

- Ms. Beyer said encouraging the use of New Hampshire grown timber and supporting its use in the state was reasonable and worthy; however, this bill would not do that.
- An engineer on a project can be asked to use an SPFS grouping or locally grown timber. Ms. Beyer said it requires a little more effort to adjust values to the SPFS designation.
- It is trickier, however, if an individual is a home builder and they are not hiring a structural engineer. In this case, the tables being used are based on SPF because it was the common material used at the time when the tables were put together.
- Ms. Beyer said trying to get out of the international standard would be tricky for everyone involved. If a building inspector goes into a building, and they see a stamp for SPFS, they will not know where that lumber came from.