



Action Minutes

August 18, 2022

Members Present: Senators Reagan, Gray, Ward, and Whitley, and Representatives Lang, McGuire, Schmidt, and Tucker*. (*) Indicates alternate member.

(**) Part 1, Article 28-a of the N.H. Constitution was not an issue in the Committee's discussions or decisions in this meeting.

1. The meeting was convened as an in-person meeting at 9:01 a.m. by Sen. Reagan as Chair.

Members present at this time, aside from Sen. Reagan, were Senators Gray, Ward, and Whitley, and Representatives Lang, McGuire, Schmidt, and Tucker.

Sen. Reagan designated Rep. Tucker as an alternate for Rep. Hatch, who was absent.

2. Sen. Reagan moved to postpone the following items from the August 18, 2022 agenda to the Committee's regular meeting on September 15, 2022 and to request a waiver from the Director of the Office of Legislative Services for the Committee's deadline to act on Item #10(a):

- Item #4 regarding Final Proposal 2022-91 from the Department of Transportation (Aircraft, Commercial Aviation Operator, and Aircraft Dealer Registration);
- Item #6 regarding Final Proposal 2022-20 from the Liquor Commission (Rules Relating to Particular Licenses);
- Item #7 regarding Final Proposal 2022-15 from the NH Pharmacy Board (Automated Pharmacy Systems);
- Item #8(b) regarding Final Proposal 2022-90 from the Board of Veterinary Medicine (Ethical Standards);
- Item #9(c) regarding Final Proposal 2022-94 from the Department of Health and Human Services (Former Division of Mental Health and Developmental Services, Process for Involuntary Emergency Admission);
- Item #10(a) regarding Final Proposal 2022-85 from the Department of Revenue Administration (Relative to Computation of Gross Business Profits, Technical Corrections on Specific Industry);
- Item #10(b) regarding Final Proposal 2022-104 from the Department of Revenue Administration (Financial Accounting for Cities and Towns);
- Item #10(c) regarding Final Proposal 2022-105 from the Department of Revenue Administration (Education Tax Credit Program); and
- Item #11 regarding Final Proposal 2022-14 from the Public Utilities Commission (Municipal and County Aggregation rules).

Rep. Schmidt seconded.

Adopted.

3. The Committee discussed the minutes of the Committee meeting on July 21, 2022.

Sen. Gray moved that the minutes be approved.

Rep. Schmidt seconded.

Adopted.

4. The Committee discussed the following items on the Consent Agenda:

CONSENT AGENDA

- | | |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FP 2022-43 | BOARD OF MEDICINE
Voluntary Surrender and Settlement Agreement |
| FP 2022-52 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Technical Requirements for New Hampshire Employment Program and
Family Assistance Program Financial Assistance |
| FP 2022-61 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Availability of Funds for the New Hampshire Employment Program (NHEP) |
| FP 2022-66 | DEPARTMENT OF LABOR
Employment Leasing Companies |
| FP 2022-82 | FISH AND GAME DEPARTMENT
Wildlife Damage: Definitions; Bear Damage Rules |
| FP 2022-117 | DEPARTMENT OF SAFETY
Commissioner
Various Commercial Driver License Rules |

Sen. Gray moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2022-43, 2022-52, and 2022-61, and conditionally approve Final Proposals 2022-66 and 2022-117 based on the agencies' conditional approval requests and Final Proposal 2022-82 based on the agency's amended conditional approval request.

Rep. Schmidt seconded.

Adopted.

5. Rep. Lang moved to postpone Item #5, regarding Objection Response 2022-7 from the Department of Safety (Commissioner, Ignition Interlock Program) from the August 18, 2022, agenda to the Committee's regular meeting on September 15, 2022, as the response to the Committee's preliminary objection has not been received.

Rep. Tucker seconded.

Adopted.

6. The Committee discussed Final Proposal 2022-38 from the Board of Veterinary Medicine (Registration or Licensing Requirements). Lauren Warner of the Office of Professional Licensure and Certification testified for the Board.

The Board of Veterinary Medicine had submitted a conditional approval request in rules dated August 3, 2022, and an amended conditional approval request dated August 12, 2022.

Senator Gray, with one motion, moved to accept the Board's amended conditional approval request and conditionally approve Final Proposal 2022-38 based on the amended request.

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Rep. Lang seconded.

Adopted.

7. The Committee discussed Final Proposal 2022-44 from the Department of Health and Human Services, (Division of Elderly and Adult Services, Standard Disclosure Summary). Nicole Valanzola and Brian Clark of the Department of Health and Human Services testified for the Department.

The Department of Health and Human Services had submitted a conditional approval request in rules dated August 12, 2022.

Sen. Gray moved that the Committee conditionally approve Final Proposal 2022-44 based on the request.

Rep. McGuire seconded.

Adopted.

8. The Committee discussed Final Proposal 2022-76 from the Department of Health and Human Services, (Division of Elderly and Adult Services, Alzheimer's Respite Care Services). Nicole Valanzola, Brian Clark, and Allyson Raadmae of the Department of Health and Human Services testified for the Department.

Sen. Gray moved that the Committee approve Final Proposal 2022-76.

Rep. McGuire seconded.

Adopted.

9. Rep. Lang raised questions with Department of Health and Human Services' representative Nicole Valanzola regarding forms related to childhood vaccination pursuant to HB 1035. Rep. Lang's concerns were that the forms asked for information that was beyond statutory authority and that the forms had not been taken through the rulemaking process. Rep. McGuire also expressed her concern that the forms had not gone through rulemaking and that they should be properly approved before being used. Rep. Tucker agreed and stated that the forms should not be posted right now when schools are opening soon. It was the consensus of the Committee that the forms be taken down. Staff Attorney Ricard indicated that a related interim rule (2022-5) is scheduled to be heard by the Committee at its September meeting.

10. The Committee discussed the continued meeting scheduled for September 1, 2022. It was the consensus of the Committee to cancel the continued meeting.

11. The Committee discussed adjournment.

The Committee adjourned at the call of the Chair.

The Committee adjourned at 9:34 a.m.