



STATE OF NEW HAMPSHIRE
JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES
ROOM 219
25 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6312

Action Minutes

FEBRUARY 16, 2018

Members Present: Senators Reagan, Avard, French, Kahn, and Ward*, and Representatives McGuire, Schmidt, Lang, Hatch, Wolf, Gottling*, and Ohm*. (*) 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 at 9:03 a.m. by Sen. Reagan as Chair.

Members present at this time, aside from Sen. Reagan, were Sens. Avard, French, Kahn, and Ward, and Reps. McGuire, Schmidt, Lang, Hatch, Wolf, Gottling, and Ohm.

Sen. Reagan designated Sen. Ward as alternate for Sen. Feltes, who was absent.

2. The Committee discussed the minutes of the Committee meeting on January 19, 2018.

Rep. McGuire moved that the minutes be approved.

Rep. Schmidt seconded.

Adopted.

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

CONSENT AGENDA

2. Committee Approval of Final Proposals:

- | | |
|-------------|--|
| FP 2017-167 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Expiring Rules Related to Individual Development Account Funds Used for Unqualified Purposes |
| FP 2017-169 | DEPARTMENT OF REVENUE ADMINISTRATION
Business Profits Tax Filing Deadlines |
| FP 2018-170 | DEPARTMENT OF REVENUE ADMINISTRATION
Real Estate Transfer Tax Exemptions |
| FP 2017-180 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
Commissioner
Children Left at Hospitals or Safe Havens |

Sen. Avard moved that the Committee approve the Consent Agenda, that is, approve the Final Proposals in Item #2.

Rep. Hatch seconded.

Adopted.

4. The Committee discussed whether to postpone action to another meeting and to request any waivers of Committee deadlines.

Rep. Schmidt moved that the Committee request a waiver from the Director of the Office of Legislative Services of the March 8, 2018 deadline to act on Final Proposal 2017-119 from the Board of Licensing for Alcohol and Other Drug Use Professionals (Ongoing Requirements; Ethical Standards).

Rep. Hatch seconded.

Sen. Avard moved to amend the motion to also postpone action on the following items to the next Committee meeting:

9. BOARD OF LICENSING FOR ALCOHOL AND DRUG USE PROFESSIONALS

FP 2017-119 Ongoing Requirements; Ethical Standards
(JLCAR Deadline March 8, 2018.)

11. DEPARTMENT OF SAFETY

(a) FP 2017-129 Commissioner
 Driver Education Rules
(JLCAR Deadline March 19, 2018.)

(c) ROR 2017-74 Commissioner
 Licensure of Private Investigators, Security Guards, and Bail Recovery Agents
(JLCAR Deadline April 24, 2018.)
(Response due by March 5, 2018 but not yet filed.)

Rep. McGuire seconded.

Adopted.

5. The Committee discussed Proposed Interim Rule INT 2018-2 from the Department of Agriculture, Markets, and Food. Commissioner Shawn Jasper testified for the Department.

Rep. Schmidt moved that the Committee approve Proposed Interim Rule INT 2018-2.

Rep. Hatch seconded.

Adopted.

6. The Committee discussed Proposed Interim Rule INT 2018-3 from the Department of Employment Security (Records and Reports, Payments and Electronic Communications and Claimant Requirements). Marie-Helene Bailinson testified for the Department.

Rep. McGuire moved that the Committee approve Proposed Interim Rule INT 2018-3.

Sen. French seconded.

Adopted.

7. The Committee discussed Final Proposal 2017-126 from the Office of Licensed Allied Health Professionals (Fees Charged by the Governing Boards). Robert Lamberti and Tina Kelley from the Office of Professional Licensure and Certification testified for the Office of Licensed Allied Health Professionals.

Rep. McGuire moved that the Committee approve Final Proposal 2017-126 with the understanding that the Office of Professional Licensure and Certification will initiate rulemaking by September of this year to eventually address all of the fees under its pending authority for the agencies it administers.

Rep. Hatch seconded.

Adopted.

8. The Committee discussed the response by the Department of Safety to the Committee's revised objection to Final Proposal 2017-129 (Commissioner, Transportation Network Company Rules). David Hilts testified for the Department.

Rep. McGuire moved that the Committee accept the response and approve the rules but also recommend that the Department seek statutory clarification through legislation to address all of the statutory issues outlined in the Committee staff's comments to the response.

Sen. Avard seconded.

Adopted.

9. The Committee discussed the continued meeting scheduled for March 2, 2018.

It was the consensus of the Committee to cancel the meeting.

10. The Committee adjourned by consensus at 9:48 a.m.