

Bill as Introduced

HB 1301 - AS INTRODUCED

2010 SESSION

10-2180
10/04

HOUSE BILL **1301**

AN ACT relative to the regulation of fuel gas fitters.

SPONSORS: Rep. Patten, Carr 4

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill makes changes to the regulation of fuel gas fitters by the commissioner of safety, including adding regulation of trainees, reciprocity agreements for licensees, and a reinstatement fee following suspension or revocation of a license.

Explanation: Matter added to current law appears in **bold italics**.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT relative to the regulation of fuel gas fitters.

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

1 1 New Paragraph; Fuel Gas Fitters; Definitions; Trainee. Amend RSA 153:27 by inserting after
2 paragraph XI the following new paragraph:

3 XII. "Trainee" means any person engaged in the process of meeting the licensing
4 requirements of this subdivision, who shall work under the supervision of a licensed fuel gas fitter in
5 the repair or installation of inside and outside piping from a gas meter or second stage regulator, and
6 the repair or installation of residential and nonresidential heating equipment systems, hot water
7 heating systems, or hearth equipment systems utilizing liquefied propane gas or natural gas.

8 2 Duties of Commissioner; Rulemaking. Amend RSA 153:28, I to read as follows:

9 I. The commissioner shall adopt rules under RSA 541-A necessary for the proper
10 performance of the state fire marshal's duties to implement the licensure requirements established
11 in this subdivision, which shall include the following:

12 (a) Standards regarding education or its equivalent, experience requirements, and
13 testing requirements for applicants for initial licensure for the following specialty licenses:

14 (1) Hearth system installation and service technician.

15 (2) Liquefied propane installation technician.

16 (3) Liquefied propane service technician.

17 (4) Natural gas installation technician.

18 (5) Natural gas service technician.

19 (6) Piping installer.

20 (7) *Trainee.*

21 (b) Standards for license renewal and continuing education requirements. Continuing
22 education requirements may be fulfilled in full or in part by existing training programs approved by
23 the commissioner. The rules shall address continuing education requirements for each specialty
24 license, including but not limited to the number of hours of continuing education for each specialty
25 license, and education applicable to holders of multiple specialty licenses.

26 (c) *The implementation of reciprocity agreements entered into by the*
27 *commissioner which permit the licensing of fuel gas fitters from states which have a*
28 *mutual fuel gas fitting reciprocity agreement with this state.*

29 *I-a.* The commissioner shall adopt rules [~~relative to the establishment of~~] *establishing*
30 application fees for licensure, for renewal, [~~and~~] for late renewal, *and for reinstatement* of licenses
31 under this subdivision. The fee for examination by third parties shall be separate from the fees

1 established by the commissioner.

2 ~~[(d) After the first year,]~~ Fees shall be sufficient to produce estimated revenues equal to
3 125 percent of the direct operating expenses of the previous fiscal year. Fees collected shall be
4 deposited in the general fund.

5 3 New Subparagraph; Fuel Gas Fitters; Special License; Trainee Added. Amend RSA 153:29, II
6 by inserting after subparagraph (f) the following new subparagraph:

7 (g) Trainee.

8 4 Expiration of License; Late Fee. Amend RSA 153:30, I(b) to read as follows:

9 (b) If a person or business entity fails to renew a license prior to expiration, the person or
10 business entity may have the license reinstated within 90 days of its expiration by paying the
11 ~~[reinstatement]~~ *late* fee in addition to the renewal fee. A late fee is not required during the first 30
12 days of expiration.

13 5 New Paragraph; Reinstatement; Fee. Amend RSA 153:30 by inserting after paragraph II the
14 following new paragraph:

15 III. The commissioner shall assess a reinstatement fee for any individual or business entity
16 license upon completion of a suspension or revocation period resulting from disciplinary action
17 pursuant to RSA 153:32, IV.

18 6 Disciplinary Action; Misconduct. Amend RSA 153:32, II(c) to read as follows:

19 (c) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the
20 practice of, the profession, *or such conduct that poses risk of public health, safety, or welfare*
21 *to individuals affected by the practices or actions of the licensee;*

22 7 Disciplinary Action; Immediate Suspension. Amend RSA 153:32, III to read as follows:

23 III. The commissioner may take disciplinary action in any one or more of the following ways:

24 (a) By reprimand;

25 (b) By suspension, limitation, or restriction of license for a period of up to 5 years after
26 hearing before the commissioner or his or her designee pursuant to RSA 541-A, unless waived by the
27 licensee;

28 (c) By revocation of license after hearing before the commissioner or his or her designee
29 pursuant to RSA 541-A, unless waived by the licensee; ~~[or]~~

30 (d) By requiring the person to participate in a program of continuing education in the
31 area or areas in which he or she has been found deficient[-]; *or*

32 (e) *By immediate suspension pursuant to RSA 541-A:30.*

33 8 New Paragraph; Disciplinary Action; Reinstatement Fee. Amend RSA 153:32 by inserting
34 after paragraph III the following new paragraph:

35 IV. The commissioner shall assess a reinstatement fee for all suspended or revoked licenses
36 of license holders seeking restoration of the license after the prescribed disciplinary time period.

37 9 Exceptions. Amend RSA 153:36, I to read as follows:

1 I. The license requirements of this subdivision shall not apply to anyone who performs fuel
2 gas fitting within an existing single family, stand alone structure owned [~~or~~] *and* occupied by the
3 person who performs the fuel gas fitting work, and such structure is used as the individual's primary
4 residence. Notwithstanding any provision to the contrary, any person who is exempt under this
5 paragraph shall perform fuel gas fitting work in accordance with applicable technical standards, and
6 comply with any applicable code, application, and inspection requirements that may apply to the fuel
7 gas fitting work performed.

8 10 Effective Date. This act shall take effect July 1, 2010.

HB 1301 - AS AMENDED BY THE HOUSE

17Feb2010... 0515h

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8 licensing of fuel gas fitters from states which have a mutual fuel gas fitting reciprocity agreement
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CHAPTER 140
HB 1301 - FINAL VERSION

17Feb2010... 0515h
13May2010... 1980eba

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CHAPTER 140
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17Feb2010... 0515h
13May2010... 1980eba

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CHAPTER 140
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- Page 2 -

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CHAPTER 140
HB 1301 – FINAL VERSION
- Page 3 -

1 pursuant to RSA 541-A, unless waived by the licensee; [øø]

2 (d) By requiring the person to participate in a program of continuing education in the
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14 paragraph shall perform fuel gas fitting work in accordance with applicable technical standards, and
15 comply with any applicable code, application, and inspection requirements that may apply to the fuel
16 gas fitting work performed.

17 140:11 Effective Date. This act shall take effect July 1, 2010.

18 Approved: June 14, 2010

19 Effective Date: July 1, 2010

Committee Minutes

**SENATE CALENDAR NOTICE
EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

Senator Jacalyn Cilley Chairman ✓
 Senator Martha Fuller Clark V Chairman ✓
 Senator Betsi DeVries ✓
 Senator Michael Downing ✓
 Senator Sharon Carson ✓

*Start 3:14 pm
end 3:29 pm*

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: April 21, 2010

HEARINGS

Tuesday

4/27/2010

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

LOB 101

2:00 PM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

2:00 PM	HB1235	relative to regulation of dentistry by the board of dental examiners.
2:15 PM	HB1267-L	relative to applications for hawkers and peddlers licenses.
2:30 PM	HB1301	relative to the regulation of fuel gas fitters.
2:45 PM	HB1359	relative to the enforcement of humane slaughter laws.
3:00 PM	HB1376	relative to the regulation of pharmacies and pharmacists.
3:15 PM	HB1404	relative to the regulation of real estate brokers and salespersons.

Sponsors:

HB1235

Rep. David Borden

HB1267-L

Rep. Laura Gandia

HB1301

Rep. Betsey Patten

HB1359

Rep. Tara Sad

HB1376

Rep. Frank Case

Rep. Maureen Mann

HB1404

Rep. Benjamin Baroody

Rep. Lyle Bulis

Rep. Fran Wendelboe

Rep. Thomas Buco

Sen. Sharon Carson

Rep. Thomas Donovan

Executive Departments & Administration Committee Hearing Report

TO: Members of the Senate

FROM: Patrick Murphy, *Legislative Aide*

RE: Hearing report on HB1301 relative to the regulation of fuel gas fitters.

HEARING DATE: April 27, 2010

MEMBERS OF THE COMMITTEE PRESENT:

Senator Cilley (Dist 6), Senator Fuller Clark (Dist 24), Senator DeVries (Dist 18),
Senator Downing (Dist 22)

MEMBERS OF THE COMMITTEE ABSENT:

Senator Carson (Dist 14)

Sponsor(s):

Rep. Patten, Carr 4

What the bill does:

This bill makes changes to the regulation of fuel gas fitters by the commissioner of safety, including adding regulation of trainees, reciprocity agreements for licensees, and a reinstatement fee following suspension or revocation of a license.

Supporters of the bill:

Rep. Patten, Carr 4; Bill Degnan, State Fire Marshal; Doug Patch, NH Association of Fire Chiefs

Those in opposition to the bill:

None

Speaking to the bill/Neutral:

None

Summary of testimony received:

Rep. Patten, Carr 4

- This bill was filed due to a request from JLCAR to address issues that were raised at a recent rules meeting. This bill makes changes to the regulation of fuel gas fitters by the commissioner of safety, including adding regulation of trainees, reciprocity agreements for licensees, and a reinstatement fee following suspension or revocation of a license.

Bill Degnan, State Fire Marshal

- House Bill 1301 which is relative to the licensing of gas fitters also known as “Amelia’s Law” serves to improve the statute as recommended by JLCAR during the previous rule making process. A JLCAR Committee Attorney sent a letter to Department of Safety Commissioner Barthelmes requesting the department seek legislation to address four items that were in need of clarification in the statute.
- The first item was authority of licenses for trainees IE: apprentices. This is addressed with the addition of the new definition found in section XII of RSA 153:27 of the bill for “Definitions,” adding section (7) to RSA 153:28 listing Trainee as a specialty license for rulemaking and adding section (g) to RSA 153:29, II for Trainee under “Examinations; Licenses.”
- The second item was authority licensure by reciprocity. This is addressed by the additional language found in section (c) of RSA 153:28 of the bill where enabling language to allow the department to enter into reciprocity agreements to benefit our gas fitters.
- The third item was authority for a reinstatement fee in addition to a late fee for license renewal. This is addressed by the additional language found in section I-a of RSA 153:28 of the bill, changing section I (b) of RSA 153:30 from reinstatement fee to late fee, adding language for a reinstatement fee to new section III of RSA 153:30 following a suspension or revocation, and adding language to new section IV in RSA 153:32 relative to a suspension requiring a reinstatement fee. This new language will serve to clarify where a reinstatement fee was intended.
- This bill also addresses the clarification of the unprofessional conduct section © of RSA 153:32 II by the additional language about risk as it relates to the trade. This language specifically states misconduct for risk or public health, safety or welfare of individuals affected by the practices or actions of the licensee.
- This bill adds new section (e) to RSA 153:32 III for authority of the Commissioner to immediately suspend a licensee. This would be only in an extreme case and pursuant to RSA 541-A: 30.
- The last section of the bill is to bring this section in line with other trades that allow a property owner to work within his/her owner occupied single family dwelling.
- This addresses the concerns raised by JLCAR.

Funding:

None

Action:

Senator DeVries made a motion of ought to pass and was seconded by Senator Downing. The vote was 4-0; Senator DeVries will report HB 1301 to the floor.

Date: April 27, 2010
Time: 3:16 p.m.
Room: LOB 101

The Senate Committee on Executive Departments and Administration held a hearing on the following:

HB 1301 relative to the regulation of fuel gas fitters.

Members of Committee present: Senator Cilley
Senator Fuller Clark
Senator DeVries
Senator Downing
Senator Carson

The Chair, Senator Jacalyn L. Cilley, opened the hearing on HB 1301 and invited the prime sponsor, Representative Betsey Patten, to introduce the legislation.

Senator Jacalyn L. Cilley, D. 6: I'd like to open up the hearing on House Bill 1301 and recognize the prime sponsor, Representative Patten. Thank you for being here, Representative Patten. I cannot think of another piece of legislation that have had the term fuel gas fitters in it where we didn't have a room full of people. This must be such a small technical correction as to have not shown up on anybody's radar.

Representative Betsey Patten: Good afternoon, Madam Chair and members of the Committee. Probably why it's not on anybody's radar is because I am before you today again. For the record, I'm Betsey Patten and I represent Carroll County District 4, which are the towns of Moultonborough, Tuftonboro and Wolfeboro. I'm also here with my JLCAR hat on, which is the Joint Legislative Committee on Administrative Rules.

Senator Jacalyn L. Cilley, D. 6: I suspected that might be what this is all about.

Representative Patten: And because it's been in front of rules, this is, we had the argument at Administrative Rules instead of here. And I put this in at the request of the, well, we really requested it on the Department that they,

the gas fitters and the statutes determine and include trainees for our new gas fitters, which now it is on page 1, lines 3 through 7. It also includes under the adopting of rules for 541-A on line 20, that trainer, trainees have also been included so that they would have to go through their initial licensure.

We fixed a, probably a glitch that was in line 23 and 24 of the, as it was introduced to the House. Just, it was duplicative information.

Then on lines 26 and 27, we refer to page 2, lines 7 to 10, to the reciprocity agreement so that what happens is that if there are gas fitters from other states that come in and their requirements are equivalent or greater than ours, then we'll be able to have reciprocity. The ED, and I'm pretty sure this went to ED&A and they agreed that reciprocity should need to be done.

And we also needed to clear up the discussion and confusion about fees for renewal, late renewal and reinstatement. This all really comes from the objection that we, as a committee, that all of us have been or are currently on, asking for clarification for the gas fitters.

And also I think, on page 3, line 1, we end up doing, if there is a suspension then it is also covered by 541-A:30. And I do know that I am pleased to be able to speak to you today about a non-controversial, because we already had this argument at JLCAR. So this it to fix the issue. And I also know that ...

Senator Jacalyn L. Cilley, D. 6: To have it in statute as opposed to ...

Representative Patten: As opposed to rules and the Department wanting to do it without statutory authority. Thank you for the opportunity to testify in front of you this morning, this afternoon.

Senator Jacalyn L. Cilley, D. 6: Thank you, Representative Patten.
Senator Fuller Clark.

Senator Martha Fuller Clark, D. 24: Representative Patten, thank you very much. Just lines 26 and 27 on page 2.

Representative Patten: Yes.

Senator Martha Fuller Clark, D. 24: You didn't touch on that so, or if you did, I missed it. Where it says ...

Representative Patten: No, I didn't. For the disciplinary action, I did not do that, but I have a feeling that that is, if you're going to want to do that,

perhaps the Fire Marshal will be able to give you a better answer on that. Because I did skip it and I apologize.

Senator Martha Fuller Clark, D. 24: That's okay, thank you.

Senator Jacalyn L. Cilley, D. 6: I'd like to follow-up on that, Representative Patten. It seems to me that this issue has come up before and I don't know whether it was specifically in regard to gas fitters. But we have a number of regulatory boards that come before us, and they'll have for disciplinary action something that's fairly broad and nebulous. And you know I've raised my voice about this constantly. So the original language is unprofessional conduct or dishonorable conduct, unworthy or affecting the practice or profession. That seems to me to be new language that says that such conduct that poses a risk of public health. So it seems to me that that defines better, you know, the statutory reasons that you can discipline.

Representative Patten: Yes, and I think that that is a good example of that. And I have to tell you that I can't remember that that was, yes, it was as introduced. It was also that part of it, so that we would be more specific. And probably we could do with that, there could be immediate suspension, which is the first line on page 3.

Senator Jacalyn L. Cilley, D. 6: Okay.

Representative Patten: And that would probably be what we would need to do under 541-A.

Senator Jacalyn L. Cilley, D. 6: Alright. Are there any further questions for Representative Patten? Senator DeVries.

Senator Betsi DeVries, D. 18: Thank you very much, Representative Patten. You probably said it and I missed your presentation.

One page 3, line 8, where you are changing the person who is allowed to perform the work. It used to be stand alone structure owned or occupied, and you've made it owned and occupied. So that would be saying, I guess, a renter that had the right kind of licensing? Wouldn't be able to perform any actual activity? Because they're not both the owner and the occupant? I'm just making sure that this is by intent that you are narrowing the exception.

Representative Patten: Okay, and I think that what I'm going to have to do is to defer to the Fire Marshal. I'm sure that he has, hopefully you have an answer for that. Because I do not have, I do not have the answer to that question.

Senator Betsi DeVries, D. 18: Okay.

Senator Jacalyn L. Cilley, D. 6: Thank you. Any further questions for Representative Patten? Representative Patten, thank you very much.

Representative Patten: Thank you.

Senator Jacalyn L. Cilley, D. 6: Chief Degnan. How are you today?

State Fire Marshal Bill Degnan: Good afternoon, Madam Chair, members of the Committee. I think ...

Senator Jacalyn L. Cilley, D. 6: I think, unless you've got full testimony that you want to provide, I think that we just have some questions.

State Fire Marshal Degnan: No, just have some written testimony to confirm what you just heard. And also, I'll be happy to answer those questions. I think I can answer the one in regard to the owned and occupied. That intended to narrow down the scope so to make sure if a person does gas fitting in their own home and they occupy that home, they can perform that without a license. And so you don't have a person that owns a home but is occupied by somebody else, you know. **See written testimony of State Fire Marshal Bill Degnan attached hereto and hereafter referred to as Attachment 1.**

Senator Jacalyn L. Cilley, D. 6: Chief, isn't that, were you going to jump in there?

Senator Betsi DeVries, D. 18: Go ahead.

Senator Jacalyn L. Cilley, D. 6: Chief, isn't that throughout our laws? It's my understanding that a homeowner, I mean, even with electricity, which I find very dangerous and I try to encourage my husband not to do that. But it's my understanding that most of our laws sort of preclude the homeowner in the occupied dwelling ...

State Fire Marshal Degnan: That's correct.

Senator Jacalyn L. Cilley, D. 6: ... from, of course, then you have to worry about what you're buying. But anyway, Senator DeVries.

Senator Betsi DeVries, D. 18: Well, thank you, and thank you for furthering the discussion on this. And I'm not sure I'm opposed to it, I just, I

could see that it was a narrowing and I didn't know if there was any background discussion to lend to that. Because it used to allow an individual who was living there to self-adjust, if you would, their gas lines.

State Fire Marshal Degnan: And that can be problematic if you have a person that's renting, occupying a place, and they don't own the place. They can do something that can end up being the responsibility of the owner, and the owner has no idea that that's occurred.

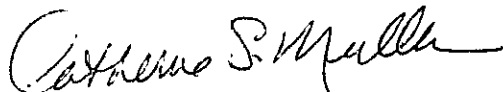
Senator Jacalyn L. Cilley, D. 6: Okay, are there further questions for Chief Degnan? Thank you very much.

State Fire Marshal Bill Degnan: Thank you.

Senator Jacalyn L. Cilley, D. 6: Thank you very much. Made your job easy. Alright, was there anybody else here to testify on this bill? Seeing none, I'm going to close the hearing on House Bill 1301.

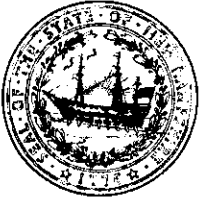
Hearing concluded at 3:24 p.m.

Respectfully submitted,



Catherine S. Mullen
Senate Secretary
4/29/10

1 Attachment



STATE OF NEW HAMPSHIRE DEPARTMENT OF SAFETY

John J. Barthelmes, Commissioner

Division of Fire Safety

Office of the State Fire Marshal

J. William Degnan, State Fire Marshal

Office: 110 Smokey Bear Blvd., Concord, NH

Mailing Address: 33 Hazen Drive, Concord, NH 03305

PHONE 603-223-4289, FAX 603-223-4294 or 603-223-4295

TDD Access: Relay NH 1-800-735-2964 ARSON HOTLINE 1-800-400-3526



TESTIMONY IN SUPPORT OF HOUSE BILL 1301

Senate Executive Departments and Administration

April 27, 2010

Good afternoon, Madam Chairman and Honorable members of the committee. My name is Bill Degnan, New Hampshire State Fire Marshal, and I am submitting this written testimony in support of House Bill 1301 as amended by the House.

House Bill 1301 which is relative to the licensing of gas fitters also know as "Amilia's Law" serves to improve the statute as recommended by the Joint Legislative Committee on Administrative Rules (JLCAR) during the previous rule making process and as amended in the House.

JLCAR Committee Attorney sent a letter to Department of Safety Commissioner Barthelmes requesting the department seek legislation to address four items that were in need of clarification in the statute.

The first item was authority of licenses for trainees IE: apprentices. This is addressed with the addition of the new definition found in section XII of RSA 153:27 of the bill for "Definitions", adding section (7) to RSA 153:28 listing Trainee as a specialty license for rulemaking and adding section (g) to RSA 153:29,II for Trainee under "Examinations; Licenses".

The second item was authority licensure by reciprocity. This is addresses by the additional language found in section (c) of RSA 153:28 of the bill where enabling language to allow the department to enter into reciprocity agreements to benefit our gas fitters.

The third item was authority for a reinstatement fee in addition to a late fee for license renewal. This addressed by the additional language found in section I-a of RSA 153:28 of the bill, changing section I(b)of RSA 153:30 from reinstatement fee to late fee, adding language for a reinstatement fee to new section III of RSA 153:30 following a suspension or revocation, adding language to new section IV in RSA 153:32 relative to a suspension requiring a reinstatement fee. This new language will serve to clarify where a reinstatement fee was intended.

The bill also addresses the clarification of the unprofessional conduct section (c) of RSA 153:32 II by the additional language about risk as it relates to the trade. This language

specifically states misconduct for risk of public health, safety or welfare of individuals affected by the practices or actions of the licensee.

The bill adds new section (e) to RSA 153:32III for authority of the commissioner to immediately suspend a licensee. This would be only in an extreme case and pursuant to RSA 541-A:30.

The last section of the bill is to bring this section in line with other trades that allow a property owner to work within his/her owner occupied single family dwelling.

Lastly the former definition from RSA 153:27 which was amended in 2008 that read in section "X. "Person" means a natural person, corporation, partnership, association, trust, or other entity capable of holding title to real property, or any combination thereof."

The revised definition is listed below:

153:27 Definitions.

X. "Person" means an individual, natural person.

This should make it clear that Business entities licensing does not include an individual operating as a sole proprietor.

The amendment approved by the House tightens up the language by removing a section from the rulemaking that contains "including but not limited to". The amendment also makes clear the reciprocity expectations.

This addresses the concerns raised by JLCAR and also the House ED&A Committee.

STATE OF NEW HAMPSHIRE



DIRECTOR
CAROL J. HOLAHAN

DEPUTY DIRECTOR
JILL K. SIEVEKING

OFFICE OF LEGISLATIVE SERVICES

STATE HOUSE
107 NORTH MAIN STREET, ROOM 109
CONCORD, NEW HAMPSHIRE 03301-4951

September 4, 2009

John J. Barthelmes, Commissioner
Department of Safety
33 Hazen Drive
Concord, NH 03305

Re: Approval of Final Proposal 2009-86

Dear Commissioner Barthelmes:

At its meeting on September 3, 2009, the Joint Legislative Committee on Administrative Rules (Committee) voted, pursuant to RSA 541-A:13, II(c), to approve Final Proposal 2009-86 of the Department of Safety (Department) containing amendments to Saf-C 8000 relative to licensing of fuel gas fitters and fuel gas fitting business entities.

The Committee approved Final Proposal 2009-86 with the understanding that the Committee's recommendations of July 19, 2007, as specified in a letter to you dated July 20, 2007, will be implemented by the Department as soon as possible. A copy of that letter, and a copy of Final Proposal 2009-86, as annotated by Committee staff, is enclosed.

If you have any questions concerning the Committee's approval or understanding, please call me at 271-3680.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Morrell".

Michael A. Morrell
Committee Attorney

Enc.

cc: ✓ Sheri J. Kelloway, Esq., Attorney, DoS
Richard W. Head, Esq., Sr. Asst. A.G., DoJ



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

July 20, 2007

John J. Barthelmes, Commissioner
Department of Safety
33 Hazen Drive
Concord, NH 03305

Re: Final Proposal 2007-63

Dear Commissioner Barthelmes:

At its meeting on July 19, 2007, the Joint Legislative Committee on Administrative Rules (Committee) voted, pursuant to RSA 541-A:13, II(c), to approve Final Proposal 2007-63 of the Department of Safety (Department) relative to Saf-C 8000, fuel gas fitters.

The Committee also recommended that the Department seek legislation to clarify RSA 153:27-37 regarding the following issues:

- Authority for licenses for trainees/apprentices;
- Authority for licensure by reciprocity;
- Authority for a reinstatement fee in addition to a late fee for license renewal; and
- The definition of "person" as it relates to rulemaking authority over licensed business entities.

A copy of the final proposal containing Committee staff's annotations has been enclosed.

If you have any questions concerning the Committee's actions, please call me at 271-3680.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Morrell".

Michael A. Morrell
Committee Attorney

enc.

cc: Marta Modigliani, Esq., Attorney
Ann F. Larney, Esq., Assoc. A.G., DoJ

Speakers

Voting Sheets

Senate ED&A Committee

EXECUTIVE SESSION

Bill # HB 1301

Hearing date: 4-27-10

Executive session date: 4-27-10

Motion of: OTP

VOTE: 4-0

Made by Cilley
Senator: Fuller Clark
 DeVries
 Downing
 Carson

Seconded Cilley
by Senator: Fuller Clark
 DeVries
 Downing
 Carson

Reported Cilley
by Senator: Fuller Clark
 DeVries
 Downing
 Carson

Motion of: _____

VOTE: _____

Made by Cilley
Senator: Fuller Clark
 DeVries
 Downing
 Carson

Seconded Cilley
by Senator: Fuller Clark
 DeVries
 Downing
 Carson

Reported Cilley
by Senator: Fuller Clark
 DeVries
 Downing
 Carson

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Cilley, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fuller Clark, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator DeVries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Downing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Carson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Amendments: OTP BI
MI

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: April 27, 2010

THE COMMITTEE ON Executive Departments and Administration
to which was referred House Bill 1301

AN ACT relative to the regulation of fuel gas fitters.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS

BY A VOTE OF: 4-0

AMENDMENT # s

Senator Betsi DeVries
For the Committee

Cathy Mullen 271-3067

New Hampshire General Court - Bill Status System

Docket of HB1301

Docket Abbreviations

Bill Title: relative to the regulation of fuel gas fitters.**Official Docket of HB1301:**

Date	Body	Description
12/10/2009	H	Introduced 1/6/2010 and Referred to Executive Departments and Administration; HJ 6 , PG.235
01/26/2010	H	==RESCHEDULED== Public Hearing: 2/4/2010 10:45 AM LOB 306 (Orig LOB 305)
02/02/2010	H	Executive Session: 2/9/2010 10:30 AM LOB 306
02/09/2010	H	Committee Report: Ought to Pass with Amendment #0515h for Feb 17 CC (Vote 14-0); HC 14 , PG.586
02/09/2010	H	Proposed Committee Amendment #0515h; HC 14 , PG.630-631
02/17/2010	H	Amendment #0515h Adopted, VV; HJ 18 , PG.953-954
02/17/2010	H	Ought to Pass with Amendment #0515h: MA VV; HJ 18 , PG.953-954
03/24/2010	S	Introduced and Referred to Executive Departments and Administration; SJ 11 , Pg.261
04/21/2010	S	Hearing: April 27, 2010, Room 101, LOB, 2:30 p.m.; SC17
04/28/2010	S	Committee Report: Ought to Pass, 5/5/10; SC18
05/05/2010	S	Ought to Pass, MA, VV; OT3rdg; SJ 17 , Pg.372
05/05/2010	S	Passed by Third Reading Resolution; SJ 17 , Pg.398
05/12/2010	S	Enrolled Bill Amendment #1980 Adopted; SJ 18 , Pg.501
05/13/2010	H	Enrolled Bill Amendment #1980 Adopted; HJ 42 , PG.2153
05/19/2010	S	Enrolled; SJ 20 , Pg.665
05/19/2010	H	Enrolled; HJ 46 , PG.2244
06/16/2010	H	Signed by the Governor 06/14/2010; Effective 07/01/2010; Chapter 0140

NH House

NH Senate

Contact Us

New Hampshire General Court Information Systems
 107 North Main Street - State House Room 31, Concord NH 03301

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 1301 ORIGINAL REFERRAL

RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE SECRETARY AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE on which you have taken attendance

HEARING REPORT (written summary of hearing testimony)

HEARING TRANSCRIPT (verbatim transcript of hearing)

List attachments (testimony and submissions which are part of the transcript) by number [1 thru 4 or 1, 2, 3, 4] here: 2

SIGN-UP SHEET

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

___ - AMENDMENT # ___ ___ - AMENDMENT # ___
___ - AMENDMENT # ___ ___ - AMENDMENT # ___

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED AS AMENDED BY THE HOUSE
 FINAL VERSION ___ AS AMENDED BY THE SENATE

___ PREPARED TESTIMONY AND OTHER SUBMISSIONS (Which are not part of the transcript)

List by letter [a thru g or a, b, c, d] here: _____

EXECUTIVE SESSION REPORT

___ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER

DATE DELIVERED TO SENATE CLERK

9-14-10

Catherine S. Muller
COMMITTEE SECRETARY