

**CONSENT CALENDAR**

**April 11, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Executive Departments and Administration to which was referred SB 313,**

**AN ACT (New Title) relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification.**

**Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. Carol McGuire**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Executive Departments and Administration</b>
Bill Number:	<b>SB 313</b>
Title:	<b>(New Title) relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification.</b>
Date:	<b>April 11, 2022</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2022-1385h</b>

### STATEMENT OF INTENT

This bill, as amended, simply deletes a number of statutory license fees that are in conflict with the OPLC's broad mandate to set fees to cover the cost of licensing and the other expenses necessary to operate the licensing agency. The study committee on funding was deleted and ED&A intends to add that topic to the broader study of OPLC operations in SB 330.

Vote 17-0.

Rep. Carol McGuire  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### Executive Departments and Administration

**SB 313, (New Title)** relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill, as amended, simply deletes a number of statutory license fees that are in conflict with the OPLC's broad mandate to set fees to cover the cost of licensing and the other expenses necessary to operate the licensing agency. The study committee on funding was deleted and ED&A intends to add that topic to the broader study of OPLC operations in SB 330. **Vote 17-0.**

Amendment to SB 313

1 Amend the title of the bill by replacing it with the following:

2  
3 AN ACT relative to the authority of the office of professional licensure and certification to  
4 establish fees.  
5

6 Amend the bill by replacing all after the enacting clause with the following:

7  
8 1 Acupuncture; Fees. Amend RSA 328-G:9, II(d) to read as follows:

9 (d) Has paid the [~~\$110~~] license fee and filed the application established by the board.

10 2 Alcohol and Other Drug Use Professionals; Fees. Amend RSA 330-C:8, I to read as follows:

11 I. The board shall charge licensed alcohol and drug counselors, licensed clinical supervisors,  
12 and certified recovery support workers a [~~\$110~~] fee for the issuance of an initial license or certificate,  
13 and [~~\$110~~] a fee for the renewal of a license or certificate under this chapter. [~~The fee for a master~~  
14 ~~licensed alcohol and drug counselor shall be \$240 and the renewal fee shall be \$240.~~] All licenses  
15 shall be renewed biennially on or before June 30 upon payment of the license renewal fee. In  
16 addition the board shall establish by rule fees for license and certificate applications, late renewal,  
17 and reinstatement of all licenses and certifications authorized by this chapter.

18 3 Body Art; License Required; Fees. Amend RSA 314-A:2, II to read as follows:

19 II. ***There shall be a fee for an initial license and a renewal license.*** The procedure  
20 and timeframe for license renewals shall be as described in RSA 310-A:1-h.

21 4 Chiropractic; Licenses and Certificates. Amend RSA 316-A:14-a to read as follows:

22 316-A:14-a Licenses and Certificates. Each applicant who qualifies under this chapter and who  
23 attains a minimum grade of 70 percent upon the examination given under RSA 316-A:13, I shall  
24 receive a license from the board as a chiropractor permitted to practice in New Hampshire. [~~The fee~~  
25 ~~for an initial license and for a license renewal shall be \$300.~~] ***Each applicant who qualifies***  
26 ***under this chapter shall pay a fee for an initial license and a license renewal. The initial***  
27 ***license and license renewals shall be valid for the terms established under RSA 310-A:1-h.***

28 5 Chiropractic; Renewal. Amend RSA 316-A:20, II to read as follows:

29 II. Each applicant for renewal shall submit satisfactory evidence that the applicant has  
30 completed at least 20 hours of continuing education approved by or conducted by the International  
31 Chiropractors Association, or the American Chiropractic Association, or the New Hampshire board of  
32 chiropractic examiners, or any state-chartered chiropractic school or college, within one year prior to

Amendment to SB 313

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1 the date of renewal. *In the event of failure to comply with the provisions of this section, the*  
2 *applicant shall appear before the board to show cause why the license should not be*  
3 *suspended.*

4 6 Electrologists; Fees. Amend RSA 314:10, I to read as follows:

5 I. ~~[The fee for an initial biennial license and for renewal of the biennial license issued under~~  
6 ~~this chapter shall be \$110.]~~ The executive director shall establish by rule a schedule of fees for  
7 *initial and renewal licenses*, applications, examinations, and license replacement.

8 7 Embalmers and Funeral Directors; Fees. Amend RSA 325:12-a to read as follows:

9 325:12-a Fees. ~~[The fee for an initial 2-year license and for renewal of a license issued under~~  
10 ~~this chapter shall be: \$110 for embalmers and \$300 for funeral directors.]~~ The board shall establish  
11 fees for *initial and renewal licenses*, examination of applicants, for apprentices, for funeral home  
12 inspections, and for transcribing and transferring records and other services.

13 8 Massage Therapists and Massage Establishments; License Issuance. Amend RSA 328-B:6,  
14 I(a) to read as follows:

15 (a) Submits the required application form and ~~[\$110]~~ licensing fee.

16 9 Massage Therapists and Massage Establishments; License Issuance. Amend RSA 328-B:7 to  
17 read as follows:

18 328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire on the last  
19 day of the birth month of the licensee in the even-numbered year, upon approval of the executive  
20 director of the renewal application and submission of the required ~~[\$110]~~ renewal fee.

21 10 Nursing Home Administrators; Qualifications for Admission to Examination. Amend the  
22 introductory paragraph RSA 151-A:5 to read as follows:

23 The board shall admit to examination for licensure as a nursing home administrator any  
24 candidate who pays a ~~[\$300]~~ licensing fee and submits evidence of good moral character and  
25 suitability prescribed by the board and evidence that the candidate is at least 21 years old and has  
26 completed preliminary education satisfactory to the board; provided:

27 11 Ophthalmic Dispensing; Application and Registration Fees. Amend RSA 327-A:7 to read as  
28 follows:

29 327-A:7 Application and Registration Fees. Every application for a certificate of registration for  
30 ophthalmic dispensing shall be accompanied by a non-refundable registration fee~~[-of \$110]~~. Upon  
31 approval of the application by the executive director, the applicant shall be issued a certificate of  
32 registration for ophthalmic dispensing, which shall be renewed biennially on or before June 30 upon  
33 payment of the renewal fee. ~~[The fee for renewal of any certificate of registration shall be \$110.]~~

34 12 Optometry; Licenses; Qualification. Amend RSA 327:6 to read as follows:

35 327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall  
36 practice optometry without a license. The board shall not issue a license to any applicant until the  
37 person has passed an examination approved by the board, and has presented satisfactory evidence in

Amendment to SB 313

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1 the form of affidavits properly sworn to, that the person is over 18 years of age and of good moral  
2 character, has completed a minimum of 2 years at a college of arts and sciences and has graduated  
3 from a school or college of optometry approved by the board, maintaining a minimum of 4 years in  
4 optometric training. Persons who submit an application which demonstrates that they meet the  
5 eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A,  
6 and pay the [~~\$300~~] licensing fee, shall be licensed by the board.

7 13 Optometry; Contact Lens Prescriptions to be Provided to Patient. Amend RSA 327:25-a, IV  
8 to read as follows:

9 IV.(a) No person shall conduct or operate a business outside of the state for the sale at retail  
10 of contact lenses to individuals within the state unless such business is registered with a permit  
11 issued by the board of pharmacy if the out-of-state business is a pharmacy, or by the board of  
12 registration in optometry if the out-of-state business is not a pharmacy.

13 (b) The board of pharmacy or the board of registration in optometry shall issue a permit  
14 to such out-of-state business if the business discloses and provides proof:

15 (1) That the business is in compliance with all applicable laws and rules in the state  
16 in which the business is located;

17 (2) Of the operating locations and the names and titles of all principal corporate  
18 officers;

19 (3) That the business complies with all lawful directions and requests for  
20 information from the board of pharmacy and the board of registration in optometry of all states in  
21 which it conducts business; [~~and~~]

22 (4) That the business agrees in writing to comply with all New Hampshire laws and  
23 rules relating to the sale or dispensing of contact lenses; *and*

24 (5) *That the business has paid the established fee.*

25 [~~(c) The board of pharmacy or the board of registration in optometry shall assess the~~  
26 ~~following registration fees for out-of-state contact lens sale companies:~~

27 [~~(1) \$300 for the initial registration.~~

28 [~~(2) \$150 for an annual registration renewal.~~]

29 14 Podiatry; Licenses. Amend RSA 315:8, I to read as follows:

30 I. The board shall issue a license to applicants who have submitted a complete application,  
31 paid a [~~\$300~~] license fee, achieved a satisfactory examination score, and satisfied all other criteria of  
32 competence and professional character required by this chapter.

33 15 Psychologists; Establishment of Fees. Amend RSA 329-B:12, I to read as follows:

34 I. [~~The fee for an initial license shall be \$300.~~] *There shall be a fee for an initial license.*  
35 The license shall be renewed biennially on or before June 30 upon payment of a [~~\$300~~] renewal fee.

36 16 Reflexologists; Structural Integrators; and Asian Bodywork Therapists; Practitioner License  
37 Issuance. Amend RSA 328-H:8, I(c) to read as follows:

**Amendment to SB 313**

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1 (c) Makes payment of the [~~\$110~~] license fee;

2 17 Reflexologists, Structural Integrators, and Asian Bodyworks. Amend RSA 328-H:9, II to read  
3 as follows:

4 II. All licenses issued pursuant to this chapter shall be renewed biennially on or before June  
5 30 upon approval by the executive director of the renewal application and submission of the required  
6 [~~\$110~~] renewal fee.

7 18 Court Reporters; Term of License. Amend RSA 310-A:173 to read as follows:

8 310-A:173 Term of License; Renewal. The term of licensure under this subdivision shall be  
9 every 2 years. All licenses issued by the board shall expire on the last day of the month of the  
10 licensee's birth in the year 2 years following the year of issuance. The secretary of the board shall  
11 notify every licensee of the date of the expiration of the license and the amount of the fee that shall  
12 be required for its renewal for 2 years[~~, such amount to be not less than \$200~~]. Such notice shall be  
13 mailed at least one month in advance of the date of expiration. Renewal may be effected at any time  
14 during the month of expiration by the payment of the fee established by the board and submission of  
15 evidence satisfactory to the board showing fulfillment of continuing education requirements. If a  
16 licensee fails to renew such license within the 12 months after the date of expiration, it shall become  
17 null and void and the licensee shall be required to reapply for licensure. The board, pursuant to  
18 rules adopted under RSA 310-A:171, shall charge up to a 20 percent late fee for each month or  
19 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

20 19 Septic System Evaluators; Fees. Amend RSA 310-A:208, I and II to read as follows:

21 I. Application for licensure[~~, the fee for which shall not exceed \$150 for the initial 2-year~~  
22 ~~license~~].

23 II. Renewal for license holders[~~, the fee for which shall not exceed \$150 for the 2-year~~  
24 ~~renewal~~].

25 20 Certification of Heating Equipment Installers. Amend RSA 153:16-b, II and III to read as  
26 follows:

27 II. The mechanical licensing board with the approval of the [~~commissioner~~] *executive*  
28 *director of the office of professional licensing and certification* shall adopt rules, pursuant to  
29 RSA 541-A, relative to the establishment of minimum education and training standards for  
30 voluntarily certified heating equipment installers and heating equipment service personnel.

31 III. The mechanical licensing board with the approval of the [~~commissioner~~] *executive*  
32 *director of the office of professional licensing and certification* shall adopt rules, which shall  
33 not be subject to RSA 541-A, relative to the establishment of fees for voluntary certification under  
34 this section. After the first year of this program, such fees shall be sufficient to produce estimated  
35 revenues equal to 125 percent of the direct operating expenses of the previous fiscal year. Fees  
36 collected shall be deposited in the [~~general fund~~] *office of professional licensure and*  
37 *certification fund established in RSA 310-A:1-e.*

Amendment to SB 313

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1       21 State Board of Fire Control; Rulemaking. Amend the introductory paragraph of RSA 153:28,  
2 I to read as follows:

3           I. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
4 appointed board members, in consultation with the [~~state fire marshal~~] *office of professional*  
5 *licensure and certification* and with the approval of the [~~commissioner of safety~~] *executive*  
6 *director of the office of professional licensure and certification*, shall adopt rules, pursuant to  
7 under RSA 541-A, necessary for the proper implementation of the licensure requirements  
8 established in this subdivision, which shall include the following:

9       22 State Board of Fire Control; Rulemaking. Amend RSA 153:28, II-V to read as follows:

10          II. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
11 appointed board members, in consultation with the [~~state fire marshal~~] *office of professional*  
12 *licensure and certification* and with the approval of the [~~commissioner of safety~~] *executive*  
13 *director of the office of professional licensure and certification*, shall establish application  
14 fees for licensure, for renewal, for late renewal, and for reinstatement of licenses under this  
15 subdivision pursuant to RSA 541-A. Such licensing fees including any endorsements shall not  
16 exceed \$500 per individual. The board shall also adopt fees for replacement licenses, for certified  
17 copies and reports, for inspections done pursuant to this subdivision, for letters of verification  
18 requested by individuals or jurisdictions relating to licensure and certification, and for transcribing  
19 and transferring records and other services. The fee for examination by third parties shall be  
20 separate from the fees established by the board. Fees established by the board shall be sufficient to  
21 produce estimated revenues equal to 125 percent of the direct operating expenses of the board  
22 budgeted for the biennium in which they will apply. Fees collected shall be deposited in the [~~general~~  
23 ~~fund~~] *office of professional licensure and certification fund established in RSA 310-A:1-e*.

24          III. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
25 appointed board members, in consultation with the [~~state fire marshal~~] *office of professional*  
26 *licensure and certification* and with the approval of the [~~commissioner of safety~~] *executive*  
27 *director of the office of professional licensure and certification*, shall adopt technical  
28 standards for fuel gas fitting and plumbing by rule under RSA 541-A. The board shall use applicable  
29 codes as adopted by the state of New Hampshire.

30          IV. The [~~state fire marshal~~] *office of professional licensure and certification* shall  
31 assist and support the board in administering and enforcing the provisions of this subdivision.

32          V. The board, *through the office of professional licensure and certification*, may enter  
33 into reciprocity agreements which shall permit the licensing of fuel gas fitters and plumbers from  
34 states which have a mutual mechanical licensing reciprocity agreement with this state, for all  
35 mechanical licenses listed in paragraph I(a) provided the board determines that the requirements for  
36 licensure in that state are equivalent to, or greater than, those established by this subdivision.



Amendment to SB 313

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1       23 State Board of Fire Control; Examinations; Licenses. Amend RSA 153:29, I to read as  
2 follows:

3           I. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
4 appointed board members, in consultation with the ~~[state fire marshal]~~ **office of professional**  
5 **licensure and certification** and with the approval of the ~~[commissioner of safety]~~ **executive**  
6 **director of the office of professional licensure and certification**, shall establish, through  
7 rulemaking pursuant to RSA 541-A, the nature of the examinations required for issuance of fuel gas  
8 fitter licenses and plumbers licenses. The scope of such examinations and the methods of procedure  
9 shall be prescribed by the board. This may include an outside organization approved by the board.

10       24 State Board of Fire Control; Examinations; Licenses. Amend RSA 153:29, IV to read as  
11 follows:

12           IV. ~~[The licensee shall have in his or her possession a current biennial license issued by the~~  
13 ~~board.]~~ The license **issued** shall be available for inspection on request. The board shall issue a  
14 license suitable to be carried by the individual licensee.

15       25 State Board of Fire Control; Mechanical Licenses. Amend RSA 153:29-a, III to read as  
16 follows:

17           III. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
18 appointed board members, in consultation with the ~~[state fire marshal]~~ **office of professional**  
19 **licensure and certification** and with the approval of the ~~[commissioner of safety]~~ **executive**  
20 **director of the office of professional licensure and certification**, shall adopt rules, pursuant to  
21 RSA 541-A, relative to the application and renewal procedure and any eligibility requirements in  
22 addition to those in this subdivision for a fuel gas fitter license or plumber for business entities  
23 issued pursuant to this section.

24       26 State Board of Fire Control; Appeals From Board Decisions. RSA 153:33 is repealed and  
25 reenacted to read as follows:

26           153:33 Appeals From Board Decisions. Any person affected by a final decision of the board may  
27 appeal such final decision to the state building code review board, pursuant to RSA 155-A:11-a,  
28 within 30 days of the date of the final order.

29       27 New Hampshire Building Code; Appeals of Decisions. Amend the section heading in RSA  
30 155-A:11-a and RSA 155-A:11-a, I to read as follows:

31           155-A:11-a Appeal of Decisions ~~[of the Electricians' Board and the Board of Home Inspectors]~~.

32           I. The board shall hear appeals of final decisions of the board established under RSA 319-  
33 C:4 ~~[and]~~, the board established under RSA 310-A:186, **and the board established under RSA**  
34 **153:27-a**.

35       28 State Board of Fire Control; Inspectors. Amend RSA 153:34, I and II to read as follows:

36           I. The ~~[state fire marshal]~~ **office of professional licensure and certification** with the  
37 approval of the board and the ~~[commissioner of safety]~~ **executive director of the office of**

Amendment to SB 313

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1 **professional licensure and certification** shall have the authority to appoint such inspectors as  
2 are necessary to insure compliance throughout the state with practices consistent with the public  
3 safety and welfare. Any person so employed shall be under the administration and supervisory  
4 direction of the ~~[state fire marshal]~~ **office of professional licensure and certification**.

5 II. An inspector appointed under this subdivision shall have the authority to enter any  
6 premises in which a fuel gas fitter or plumber subject to regulation is performing, or has completed,  
7 work regulated under this subdivision for the purpose of making such inspection as is necessary to  
8 carry out his or her duties under this subdivision. If consent for such inspection is denied or not  
9 reasonably obtainable, the ~~[state fire marshal]~~ **executive director of the office of professional**  
10 **licensure and certification**, or his or her designee, may obtain an administrative inspection  
11 warrant under RSA 595-B.

12 29 State Board of Fire Control; Voluntary Certification of Water Treatment Technicians.  
13 Amend RSA 153:38, IV and V to read as follows:

14 IV. The board may issue certification without examination to those water treatment  
15 technicians who provide adequate documentation of having operated in the capacity of a water  
16 treatment technician for a period of at least one year prior to January 1, ~~[2004]~~ **2024** and who pay  
17 the required fees.

18 V. The board, with the approval of the ~~[commissioner]~~ **executive director of the office of**  
19 **professional licensure and certification**, shall adopt rules pursuant to RSA 541-A to implement  
20 the certification requirements established in this section, including the application procedure and  
21 any eligibility requirements in addition to those in this section for certification as a certified water  
22 treatment technician or water treatment trainee, the renewal of certification and reinstatement of  
23 certification, and to establish the fees for certification of water treatment technicians and water  
24 treatment trainees.

25 30 Repeal. RSA 310-A:1-h, I, relative to certain professions administered by the office of  
26 professional licensure and certification, is repealed.

27 31 Effective Date. This act shall take effect upon its passage.

**Amendment to SB 313**

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**2022-1385h**

**AMENDED ANALYSIS**

This bill clarifies that the executive director of the office of professional licensure and certification has authority to establish fees on behalf of certain boards, commissions, and councils administered by the office of professional licensure and certification.

**HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**EXECUTIVE SESSION on SB 313**

**BILL TITLE:** (New Title) relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification.

**DATE:** April 11, 2022

**LOB ROOM:** 302-304

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. McGuire                      Seconded by Rep. Rhodes                      AM Vote: 17-0

Amendment # 2022-1385h

Moved by Rep. McGuire                      Seconded by Rep. Rhodes                      Vote: 17-0

**CONSENT CALENDAR: YES**

**Statement of Intent:**                      Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk



2022 SESSION

Executive Departments and Administration

Bill #: SB 313 Motion: ADOPT AMEND AM #: 1385H Exec Session Date: 4-11-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.			
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.	X		
Marsh, William M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.			
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
<b>TOTAL VOTE:</b>			



2022 SESSION

Executive Departments and Administration

Bill #: SB 313 Motion: OTP/A AM #: 1385H Exec Session Date: 4-11-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.			
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Judy, Jean L.	X		
Schmidt, Peter B.	X		
Marsh, William M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.			
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
<b>TOTAL VOTE:</b>			

17-0

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 313

**BILL TITLE:** (New Title) relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification.

**DATE:** April 8, 2022

**LOB ROOM:** 302-304                      **Time Public Hearing Called to Order:** 10:00 a.m.

**Time Adjourned:** 10:15 a.m.

At 10:15 a.m. the hearing was recessed. Reopened at 1:45 p.m. and closed at 1:50 p.m.

**Committee Members:** Reps. McGuire, Rhodes, Sytek, T. Lekas, Alliegro, Bailey, Goley, P. Schmidt, Jeudy, Schuett, Fellows, Grote, O'Brien and Marsh

**Bill Sponsors:**

Sen. Guida

Sen. Rosenwald

Sen. Avard

Sen. Carson

Rep. P. Schmidt

Rep. Lang

Rep. McGuire

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

Rep. McGuire introduced the bill on behalf of Sen. Guida who would be present later. She said the bill would "clean up" the problem of OPLC setting fees and the licensing boards having statutory fees. She walked the Committee through the provisions of the bill. She said there was an amendment deleting the study committee section since there was another bill (SB 330) looking at the scope of the OPLC, it would be reasonable to combine them. She mentioned a problem with the bill in that the mechanical board fees were misdirected into the general fund. She took a Committee questions relating to the effect on bill just passed regarding medical technicians. There was also a question about whether the Fire Control Board was moved to OPLC (like the mechanical board).

Bill Trombly of the Plumbers, Fuel Gas Fitters (PFGF & HVAC) Association spoke in favor. He described the rule making procedure and the cooperation of the mechanical board and OPLC. He wanted to be active with the study committee particularly with respect to fee setting.

Jessica Kallopolites, Director of the Division of Enforcement in OPLC, spoke in favor. She noted the importance of the amendment and said that OPLC ED Lindsey Courtney had sent a detailed letter of support to the Committee.

Rep. Schmidt, co-sponsor, spoke in favor. He spoke of the direction of having the OPLC handle the administrative aspects with the boards handling the technical aspects of the profession. He described the history of OPLC and trying to eliminate some "imperfections."

Sen. Guida (after the recess), prime sponsor, said that the bill was necessary to resolve the issues referenced in the testimony above.





# House Remote Testify

Executive Departments and Administration Committee Testify List for Bill SB313 on 2022-04-05

Support: 2 Oppose: 0 Neutral: 0 Total to Testify: 0

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Rosenwald, Cindy	Nashua, NH cindy.rosenwald@leg.state.nh.us	An Elected Official	SD 13	Support	No	No	4/1/2022 11:54 AM
Carson, Senator Sharon	SD 14, NH sharon.carson@leg.state.nh.us	An Elected Official	Myself	Support	No	No	4/4/2022 10:14 AM

# State of New Hampshire

## OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

7 Eagle Square, Suite 200  
Concord, N.H. 03301-2412  
Telephone 603-271-2152

LINDSEY B. COURTNEY  
Executive Director



April 8, 2022

Hon. Carol McGuire  
Chair, Executive Departments and Administration Committee  
Legislative Office Building  
Concord, NH 03301

### **Re: Testimony in support of SB 313**

Dear Chair McGuire:

The Office of Professional Licensure & Certification (“OPLC”) wishes to express its support of SB 313, as amended. OPLC is the agency responsible for providing support to approximately fifty occupational licensing boards with independent regulatory authority. Under RSA 310-A:1-d, OPLC has the statutory authority to establish by rule, “[a]ll fees authorized by statute for all boards, commissions, and councils within the office . . . .” See also RSA 310-A:1-e, II.

SB 313 seeks to accomplish three major objectives: First, the bill would create a legislative study committee to consider the issue of how OPLC is funded, including how costs should be allocated among the boards. Second, the bill would eliminate all statutory fees. Third, the bill would make changes to the mechanical licensing board practice act to reflect its transfer from the Department of Safety to OPLC last year via HB 2.

OPLC supports all these objectives. As to the first, there remains a lack of consensus as to whether OPLC should have the statutory authority to establish fees, how fees should be allocated, and what fees should be considered shared costs. A legislative study committee would help achieve consensus on this issue.

As to the second objective, some boards still have language where certain fees are expressly set by statute. For instance, despite the above language in RSA 310-A:1-d, II(h)(1), the Board of Psychologists has a statute which sets the fee for licensure and renewal at \$300.00. See RSA 329-B:12. This patchwork of having some fees still set by statute while others are set, by rule, by the Executive Director makes it difficult to set fees globally for all the boards. It also means that some boards are statutorily mandated to charge fees that exceed 125% of expenses, while others are statutorily prohibited from charging fees that would meet 100% of expenses.

As to the final objective, OPLC supports necessary statutory changes to reflect that the mechanical licensing board is now under OPLC. OPLC would note, however, that the amendment reincorporates the language requiring that the funds be deposited to the general fund.

Hon. Carol McGuire  
April 8, 2022  
Page Two

If passed, this requirement would effectively eliminate the board's ability to fund itself through licensure fees. OPLC would propose modifying this language to make clear that funds are to be deposited to the office of professional licensure and certification fund. Consistent with RSA 310-A, should there remain funds in OPLC's account at the end of the biennium, the funds would lapse to the general fund.

Thank you for the opportunity to provide comments. Feel free to contact me directly with any questions.

Very truly yours,



Lindsey B. Courtney, JD  
Executive Director  
Office of Professional Licensure and Certification

**Archived:** Thursday, May 19, 2022 9:57:02 AM  
**From:** [Bruce Buttrick](#)  
**Sent:** Friday, April 8, 2022 8:31:13 AM  
**To:** [~House Executive Departments and Administration](#)  
**Subject:** SB 313  
**Importance:** Normal

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Dear Chairman and Committee Members,  
I wish to ask for your support and vote in favor to pass this Bill (SB 313), which has been positively amended in the Senate Committee.  
This amended version has addressed my concerns, as a licensed Fuel Gas Fitter and the authority/control of the Mechanical Licensing Board and OPLC interaction..

Sincerely,

Bruce Buttrick  
50 Gorham Pond Rd  
Goffstown. 03045

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**Archived:** Thursday, May 19, 2022 9:57:02 AM  
**From:** Courtney, Lindsey  
**Sent:** Friday, April 8, 2022 8:38:14 AM  
**To:** ~House Executive Departments and Administration  
**Cc:** Bob Giuda; Daley Frenette; Kallipolites, Jessica  
**Subject:** Testimony-SB 313  
**Importance:** Normal

---

Good morning:

Please see the attached testimony in support of Senate Bill 313.

Thank you,

Lindsey

**Lindsey B. Courtney, J.D. | Executive Director**

NH Office of Professional Licensure and Certification

7 Eagle Square, Suite 200, Concord, New Hampshire 03301

603.271.6985 (Office) 603.406.4018 (Cell) | [lindsey.courtney@oplcnh.gov](mailto:lindsey.courtney@oplcnh.gov) | [www.oplcnh.gov](http://www.oplcnh.gov)

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SB 313 - AS AMENDED BY THE SENATE

03/24/2022 1118s

2022 SESSION

22-2924  
11/04

SENATE BILL **313**

AN ACT relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification.

SPONSORS: Sen. Giuda, Dist 2; Sen. Rosenwald, Dist 13; Sen. Avard, Dist 12; Sen. Carson, Dist 14; Rep. P. Schmidt, Straf. 19; Rep. Lang, Belk. 4; Rep. McGuire, Merr. 29

COMMITTEE: Ways and Means

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AMENDED ANALYSIS

This bill clarifies that the executive director of the office of professional licensure and certification has authority to establish fees on behalf of the boards, commissions, and councils administered by the office of professional licensure and certification. The bill also establishes a committee to study and make recommendations relative to the funding of the office of professional licensure and certification.

.....

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 Twenty Two*

AN ACT relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification.

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

1 Findings. The general court finds that:

2 I. There are statutory conflicts concerning the fee-setting authority of the office of  
3 professional licensure and certification and the boards, councils, and commissions within the office.

4 II. Some boards are not currently covering 100 percent of operating costs, while other boards  
5 are generating revenue more than 125 percent of operating expenses in violation of state statute.

6 III. Certain licensees may not be able to afford cost of a license.

7 IV. The office and certain boards dispute how shared costs should be allocated among the  
8 boards, councils, and commissions within the office.

9 V. Other states have used different funding approaches to occupational licensing.

10 2 Committee Established.

11 I. There is established a committee to study and make recommendations relative to funding  
12 of the office of professional licensure and certification and the boards, councils, and commissions  
13 within the office.

14 II. The members of the committee shall be as follows:

15 (a) Three members of the house of representatives, at least 2 of whom shall be from the  
16 executive departments and administration committee, appointed by the speaker of the house of  
17 representatives.

18 (b) One member of the senate who serves on the executive departments and  
19 administration committee, appointed by the president of the senate.

20 III. Members of the committee shall receive mileage at the legislative rate when attending  
21 to the duties of the committee.

22 IV. The committee shall:

23 (a) Review the funding sources, fee-setting authority, and fees of the office and the  
24 boards, councils, and commissions, within the office and make recommendations, if any, regarding  
25 changes to the current statutory framework.

26 (b) Identify and make recommendations for changes to funding occupational licensing in  
27 New Hampshire, if any.

28 (c) If necessary, make recommendations for changes to the allocation of shared costs  
29 among the boards, councils, and commissions within the office.

1 (d) Seek input from state agencies and the boards, councils, and commissions within the  
2 office, and any other person or entity the committee deems relevant to its study.

3 V. The members of the study committee shall elect a chairperson from among the members.  
4 The first meeting of the committee shall be called by the senate member. The first meeting of the  
5 committee shall be held within 45 days of the effective date of this section. Three members of the  
6 committee shall constitute a quorum.

7 VI. The committee shall submit a report of its findings and any recommendations for  
8 proposed legislation to the speaker of the house of representatives, the president of the senate, the  
9 house clerk, the senate clerk, the governor, and the state library on or before November 1, 2022.

10 3 Acupuncture; Fees. Amend RSA 328-G:9, II(d) to read as follows:

11 (d) Has paid the ~~[\$110]~~ license fee and filed the application established by the board.

12 4 Alcohol and Other Drug Use Professionals; Fees. Amend RSA 330-C:8, I to read as follows:

13 I. The board shall charge licensed alcohol and drug counselors, licensed clinical supervisors,  
14 and certified recovery support workers a ~~[\$110]~~ fee for the issuance of an initial license or certificate,  
15 and ~~[\$110]~~ a fee for the renewal of a license or certificate under this chapter. ~~[The fee for a master~~  
16 ~~licensed alcohol and drug counselor shall be \$240 and the renewal fee shall be \$240.]~~ All licenses  
17 shall be renewed biennially on or before June 30 upon payment of the license renewal fee. In  
18 addition the board shall establish by rule fees for license and certificate applications, late renewal,  
19 and reinstatement of all licenses and certifications authorized by this chapter.

20 5 Body Art; License Required; Fees. Amend RSA 314-A:2, II to read as follows:

21 II. *There shall be a fee for an initial license and a renewal license.* The procedure  
22 and timeframe for license renewals shall be as described in RSA 310-A:1-h.

23 6 Chiropractic; Licenses and Certificates. Amend RSA 316-A:14-a to read as follows:

24 316-A:14-a Licenses and Certificates. Each applicant who qualifies under this chapter and who  
25 attains a minimum grade of 70 percent upon the examination given under RSA 316-A:13, I shall  
26 receive a license from the board as a chiropractor permitted to practice in New Hampshire. ~~[The fee~~  
27 ~~for an initial license and for a license renewal shall be \$300.]~~ *Each applicant who qualifies*  
28 *under this chapter shall pay a fee for an initial license and a license renewal. The initial*  
29 *license and license renewals shall be valid for the terms established under RSA 310-A:1-h.*

30 7 Chiropractic; Renewal. Amend RSA 316-A:20, II to read as follows:

31 II. Each applicant for renewal shall submit satisfactory evidence that the applicant has  
32 completed at least 20 hours of continuing education approved by or conducted by the International  
33 Chiropractors Association, or the American Chiropractic Association, or the New Hampshire board of  
34 chiropractic examiners, or any state-chartered chiropractic school or college, within one year prior to  
35 the date of renewal. *In the event of failure to comply with the provisions of this section, the*  
36 *applicant shall appear before the board to show cause why the license should not be*  
37 *suspended.*



1       8 Electrologists; Fees. Amend RSA 314:10, I to read as follows:

2           I. ~~[The fee for an initial biennial license and for renewal of the biennial license issued under~~  
3 ~~this chapter shall be \$110.]~~ The executive director shall establish by rule a schedule of fees for  
4 *initial and renewal licenses*, applications, examinations, and license replacement.

5       9 Embalmers and Funeral Directors; Fees. Amend RSA 325:12-a to read as follows:

6       325:12-a Fees. ~~[The fee for an initial 2-year license and for renewal of a license issued under this~~  
7 ~~chapter shall be: \$110 for embalmers and \$300 for funeral directors.]~~ The board shall establish fees  
8 for *initial and renewal licenses*, examination of applicants, for apprentices, for funeral home  
9 inspections, and for transcribing and transferring records and other services.

10       10 Massage Therapists and Massage Establishments; License Issuance. Amend RSA 328-B:6,  
11 I(a) to read as follows:

12           (a) Submits the required application form and [~~\$110~~] licensing fee.

13       **11 *Massage Therapists and Massage Establishments; License Issuance.*** Amend RSA 328-  
14 B:7 to read as follows:

15       328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire on the last  
16 day of the birth month of the licensee in the even-numbered year, upon approval of the executive  
17 director of the renewal application and submission of the required [~~\$110~~] renewal fee.

18       12 Board of Registration of Medical Technicians; Fees. Amend RSA 328-I:6, I to read as follows:

19           I. The board may register any person who submits a completed application *and pays the*  
20 *established fee*. ~~[The fee for registration under this chapter shall be \$110.]~~

21       13 Board of Registration of Medical Technicians; Renewal of Registration. Amend RSA 328-I:8  
22 to read as follows:

23       328-I:8 Renewal of Registration. Certificates of registration issued under this chapter shall be  
24 subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the  
25 board. ~~[The fee for renewal of certificates of registration shall be \$110.]~~ Certificates of registration  
26 for medical technician shall be renewed upon the payment of the renewal fee.

27       14 Nursing Home Administrators; Qualifications for Admission to Examination. Amend the  
28 introductory paragraph RSA 151-A:5 to read as follows:

29       The board shall admit to examination for licensure as a nursing home administrator any  
30 candidate who pays a [~~\$300~~] licensing fee and submits evidence of good moral character and  
31 suitability prescribed by the board and evidence that the candidate is at least 21 years old and has  
32 completed preliminary education satisfactory to the board; provided:

33       15 Ophthalmic Dispensing; Application and Registration Fees. Amend RSA 327-A:7 to read as  
34 follows:

35       327-A:7 Application and Registration Fees. Every application for a certificate of registration for  
36 ophthalmic dispensing shall be accompanied by a non-refundable registration fee[~~of \$110~~]. Upon  
37 approval of the application by the executive director, the applicant shall be issued a certificate of

1 registration for ophthalmic dispensing, which shall be renewed biennially on or before June 30 upon  
 2 payment of the renewal fee. [~~The fee for renewal of any certificate of registration shall be \$110.~~]

3 16 Optometry; Licenses; Qualification. Amend RSA 327:6 to read as follows:

4 327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall  
 5 practice optometry without a license. The board shall not issue a license to any applicant until the  
 6 person has passed an examination approved by the board, and has presented satisfactory evidence in  
 7 the form of affidavits properly sworn to, that the person is over 18 years of age and of good moral  
 8 character, has completed a minimum of 2 years at a college of arts and sciences and has graduated  
 9 from a school or college of optometry approved by the board, maintaining a minimum of 4 years in  
 10 optometric training. Persons who submit an application which demonstrates that they meet the  
 11 eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A,  
 12 and pay the [~~\$300~~] licensing fee, shall be licensed by the board.

13 17 Optometry; Contact Lens Prescriptions to be Provided to Patient. Amend RSA 327:25-a, IV  
 14 to read as follows:

15 IV.(a) No person shall conduct or operate a business outside of the state for the sale at retail  
 16 of contact lenses to individuals within the state unless such business is registered with a permit  
 17 issued by the board of pharmacy if the out-of-state business is a pharmacy, or by the board of  
 18 registration in optometry if the out-of-state business is not a pharmacy.

19 (b) The board of pharmacy or the board of registration in optometry shall issue a permit  
 20 to such out-of-state business if the business discloses and provides proof:

21 (1) That the business is in compliance with all applicable laws and rules in the state  
 22 in which the business is located;

23 (2) Of the operating locations and the names and titles of all principal corporate  
 24 officers;

25 (3) That the business complies with all lawful directions and requests for  
 26 information from the board of pharmacy and the board of registration in optometry of all states in  
 27 which it conducts business; [~~and~~]

28 (4) That the business agrees in writing to comply with all New Hampshire laws and  
 29 rules relating to the sale or dispensing of contact lenses; *and*

30 (5) *That the business has paid the established fee.*

31 [~~(e) The board of pharmacy or the board of registration in optometry shall assess the~~  
 32 ~~following registration fees for out-of-state contact lens sale companies:~~

33 (1) ~~\$300 for the initial registration.~~

34 (2) ~~\$150 for an annual registration renewal.]~~

35 18 Podiatry; Licenses. Amend RSA 315:8, I to read as follows:

1 I. The board shall issue a license to applicants who have submitted a complete application,  
2 paid a [~~\$300~~] license fee, achieved a satisfactory examination score, and satisfied all other criteria of  
3 competence and professional character required by this chapter.

4 19 Psychologists; Establishment of Fees. Amend RSA 329-B:12, I to read as follows:

5 I. [~~The fee for an initial license shall be \$300.~~] *There shall be a fee for an initial license.*  
6 The license shall be renewed biennially on or before June 30 upon payment of a [~~\$300~~] renewal fee.

7 20 Reflexologists; Structural Integrators; and Asian Bodywork Therapists; Practitioner License  
8 Issuance. Amend RSA 328-H:8, I(c) to read as follows:

9 (c) Makes payment of the [~~\$110~~] license fee;

10 21 Reflexologists, Structural Integrators, and Asian Bodyworks. Amend RSA 328-H:9, II to read  
11 as follows:

12 II. All licenses issued pursuant to this chapter shall be renewed biennially on or before June  
13 30 upon approval by the executive director of the renewal application and submission of the required  
14 [~~\$110~~] renewal fee.

15 22 Court Reporters; Term of License. Amend RSA 310-A:173 to read as follows:

16 310-A:173 Term of License; Renewal. The term of licensure under this subdivision shall be  
17 every 2 years. All licenses issued by the board shall expire on the last day of the month of the  
18 licensee's birth in the year 2 years following the year of issuance. The secretary of the board shall  
19 notify every licensee of the date of the expiration of the license and the amount of the fee that shall  
20 be required for its renewal for 2 years [~~such amount to be not less than \$200~~]. Such notice shall be  
21 mailed at least one month in advance of the date of expiration. Renewal may be effected at any time  
22 during the month of expiration by the payment of the fee established by the board and submission of  
23 evidence satisfactory to the board showing fulfillment of continuing education requirements. If a  
24 licensee fails to renew such license within the 12 months after the date of expiration, it shall become  
25 null and void and the licensee shall be required to reapply for licensure. The board, pursuant to  
26 rules adopted under RSA 310-A:171, shall charge up to a 20 percent late fee for each month or  
27 fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

28 23 Septic System Evaluators; Fees. Amend RSA 310-A:208, I and II to read as follows:

29 I. Application for licensure [~~the fee for which shall not exceed \$150 for the initial 2-year~~  
30 ~~license~~].

31 II. Renewal for license holders [~~the fee for which shall not exceed \$150 for the 2-year~~  
32 ~~renewal~~].

33 24 Certification of Heating Equipment Installers. Amend RSA 153:16-b, II and III to read as  
34 follows:

35 II. The mechanical licensing board with the approval of the [~~commissioner~~] *executive*  
36 *director of the office of professional licensing and certification* shall adopt rules, pursuant to

1 RSA 541-A, relative to the establishment of minimum education and training standards for  
2 voluntarily certified heating equipment installers and heating equipment service personnel.

3 III. The mechanical licensing board with the approval of the ~~[commissioner]~~ *executive*  
4 *director of the office of professional licensing and certification* shall adopt rules, which shall  
5 not be subject to RSA 541-A, relative to the establishment of fees for voluntary certification under  
6 this section. After the first year of this program, such fees shall be sufficient to produce estimated  
7 revenues equal to 125 percent of the direct operating expenses of the previous fiscal year. Fees  
8 collected shall be deposited in the general fund.

9 25 State Board of Fire Control; Rulemaking. Amend the introductory paragraph of RSA 153:28,  
10 I to read as follows:

11 I. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
12 appointed board members, in consultation with the ~~[state fire marshal]~~ *office of professional*  
13 *licensure and certification* and with the approval of the ~~[commissioner of safety]~~ *executive*  
14 *director of the office of professional licensure and certification*, shall adopt rules, pursuant to  
15 under RSA 541-A, necessary for the proper implementation of the licensure requirements  
16 established in this subdivision, which shall include the following:

17 26 State Board of Fire Control; Rulemaking. Amend RSA 153:28, II-V to read as follows:

18 II. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
19 appointed board members, in consultation with the ~~[state fire marshal]~~ *office of professional*  
20 *licensure and certification* and with the approval of the ~~[commissioner of safety]~~ *executive*  
21 *director of the office of professional licensure and certification*, shall establish application  
22 fees for licensure, for renewal, for late renewal, and for reinstatement of licenses under this  
23 subdivision pursuant to RSA 541-A. Such licensing fees including any endorsements shall not  
24 exceed \$500 per individual. The board shall also adopt fees for replacement licenses, for certified  
25 copies and reports, for inspections done pursuant to this subdivision, for letters of verification  
26 requested by individuals or jurisdictions relating to licensure and certification, and for transcribing  
27 and transferring records and other services. The fee for examination by third parties shall be  
28 separate from the fees established by the board. Fees established by the board shall be sufficient to  
29 produce estimated revenues equal to 125 percent of the direct operating expenses of the board  
30 budgeted for the biennium in which they will apply. Fees collected shall be deposited in the general  
31 fund.

32 III. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
33 appointed board members, in consultation with the ~~[state fire marshal]~~ *office of professional*  
34 *licensure and certification* and with the approval of the ~~[commissioner of safety]~~ *executive*  
35 *director of the office of professional licensure and certification*, shall adopt technical  
36 standards for fuel gas fitting and plumbing by rule under RSA 541-A. The board shall use applicable  
37 codes as adopted by the state of New Hampshire.

1 IV. The ~~[state fire marshal]~~ *office of professional licensure and certification* shall  
2 assist and support the board in administering and enforcing the provisions of this subdivision.

3 V. The board, *through the office of professional licensure and certification*, may enter  
4 into reciprocity agreements which shall permit the licensing of fuel gas fitters and plumbers from  
5 states which have a mutual mechanical licensing reciprocity agreement with this state, for all  
6 mechanical licenses listed in paragraph I(a) provided the board determines that the requirements for  
7 licensure in that state are equivalent to, or greater than, those established by this subdivision.

8 27 State Board of Fire Control; Examinations; Licenses. Amend RSA 153:29, I to read as  
9 follows:

10 I. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
11 appointed board members, in consultation with the ~~[state fire marshal]~~ *office of professional*  
12 *licensure and certification* and with the approval of the ~~[commissioner of safety]~~ *executive*  
13 *director of the office of professional licensure and certification*, shall establish, through  
14 rulemaking pursuant to RSA 541-A, the nature of the examinations required for issuance of fuel gas  
15 fitter licenses and plumbers licenses. The scope of such examinations and the methods of procedure  
16 shall be prescribed by the board. This may include an outside organization approved by the board.

17 28 State Board of Fire Control; Examinations; Licenses. Amend RSA 153:29, IV to read as  
18 follows:

19 IV. ~~[The licensee shall have in his or her possession a current biennial license issued by the~~  
20 ~~board.]~~ The license *issued* shall be available for inspection on request. The board shall issue a  
21 license suitable to be carried by the individual licensee.

22 29 State Board of Fire Control; Mechanical Licenses. Amend RSA 153:29-a, III to read as  
23 follows:

24 III. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
25 appointed board members, in consultation with the ~~[state fire marshal]~~ *office of professional*  
26 *licensure and certification* and with the approval of the ~~[commissioner of safety]~~ *executive*  
27 *director of the office of professional licensure and certification*, shall adopt rules, pursuant to  
28 RSA 541-A, relative to the application and renewal procedure and any eligibility requirements in  
29 addition to those in this subdivision for a fuel gas fitter license or plumber for business entities  
30 issued pursuant to this section.

31 30 State Board of Fire Control; Appeals From Board Decisions. RSA 153:33 is repealed and  
32 reenacted to read as follows:

33 153:33 Appeals From Board Decisions. Any person affected by a final decision of the board may  
34 appeal such final decision to the state building code review board, pursuant to RSA 155-A:11-a,  
35 within 30 days of the date of the final order.

36 31 New Hampshire Building Code; Appeals of Decisions. Amend the section heading in RSA  
37 155-A:11-a and RSA 155-A:11-a, I to read as follows:

1 155-A:11-a Appeal of Decisions [~~of the Electricians' Board and the Board of Home Inspectors~~].

2 I. The board shall hear appeals of final decisions of the board established under RSA 319-  
3 C:4 [~~and~~], the board established under RSA 310-A:186, *and the board established under RSA*  
4 *153:27-a*.

5 32 State Board of Fire Control; Inspectors. Amend RSA 153:34, I and II to read as follows:

6 I. The [~~state fire marshal~~] *office of professional licensure and certification* with the  
7 approval of the board and the [~~commissioner of safety~~] *executive director of the office of*  
8 *professional licensure and certification* shall have the authority to appoint such inspectors as  
9 are necessary to insure compliance throughout the state with practices consistent with the public  
10 safety and welfare. Any person so employed shall be under the administration and supervisory  
11 direction of the [~~state fire marshal~~] *office of professional licensure and certification*.

12 II. An inspector appointed under this subdivision shall have the authority to enter any  
13 premises in which a fuel gas fitter or plumber subject to regulation is performing, or has completed,  
14 work regulated under this subdivision for the purpose of making such inspection as is necessary to  
15 carry out his or her duties under this subdivision. If consent for such inspection is denied or not  
16 reasonably obtainable, the [~~state fire marshal~~] *executive director of the office of professional*  
17 *licensure and certification*, or his or her designee, may obtain an administrative inspection  
18 warrant under RSA 595-B.

19 33 State Board of Fire Control; Voluntary Certification of Water Treatment Technicians.  
20 Amend RSA 153:38, IV and V to read as follows:

21 IV. The board may issue certification without examination to those water treatment  
22 technicians who provide adequate documentation of having operated in the capacity of a water  
23 treatment technician for a period of at least one year prior to January 1, [2004] 2024 and who pay  
24 the required fees.

25 V. The board, with the approval of the [~~commissioner~~] *executive director of the office of*  
26 *professional licensure and certification*, shall adopt rules pursuant to RSA 541-A to implement  
27 the certification requirements established in this section, including the application procedure and  
28 any eligibility requirements in addition to those in this section for certification as a certified water  
29 treatment technician or water treatment trainee, the renewal of certification and reinstatement of  
30 certification, and to establish the fees for certification of water treatment technicians and water  
31 treatment trainees.

32 34 Repeal. RSA 310-A:1-h, I, relative to certain professions administered by the office of  
33 professional licensure and certification, is repealed.

34 35 Effective Date. This act shall take effect upon its passage.