

SB 330-FN - VERSION ADOPTED BY BOTH BODIES

03/17/2022 0822s
4May2022... 1732h
4May2022... 1863h
05/26/2022 2096EBA

2022 SESSION

22-3069
11/10

SENATE BILL **330-FN**

AN ACT establishing a committee to study and make recommendations relative to the office of professional licensure and certification and the licensure of professions under boards, councils, and commissions within the office and relative to the expiration of terms of the board of foresters members.

SPONSORS: Sen. Giuda, Dist 2; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Birdsell, Dist 19; Sen. Avard, Dist 12; Sen. Rosenwald, Dist 13; Sen. Carson, Dist 14; Rep. Lang, Belk. 4; Rep. P. Schmidt, Straf. 19; Rep. McGuire, Merr. 29

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill establishes a committee to study and make recommendations relative to the office of professional licensure and certification, and the licensure of professions under boards, councils, and commissions within the office. This bill also creates a statutory oversight committee for the office of professional licensure and certification which shall be effective for 5 years.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT establishing a committee to study and make recommendations relative to the office of professional licensure and certification and the licensure of professions under boards, councils, and commissions within the office and relative to the expiration of terms of the board of foresters members.

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

- 1 1 Findings. The general court finds that:
- 2 I. New Hampshire has a workforce shortage.
- 3 II. New Hampshire competes with neighboring states to attract qualified members for its
4 workforce.
- 5 III. Licensure requirements and licensure processes may impact the overall workforce in
6 New Hampshire.
- 7 2 Committee Established.
- 8 I. There is established a committee to study and make recommendations relative to the
9 office of professional licensure and certification and the licensure of professions under boards,
10 councils, and commissions within the office.
- 11 II. The members of the committee shall be as follows:
- 12 (a) Five members of the house of representatives, 2 of whom shall be from the executive
13 departments and administration committee, 2 of whom shall be from the ways and means
14 committee, and one of whom shall be from the health, human services and elderly affairs committee,
15 appointed by the speaker of the house of representatives.
- 16 (b) One member of the senate, appointed by the president of the senate.
- 17 III. Members of the committee shall receive mileage at the legislative rate when attending
18 to the duties of the committee.
- 19 IV. The committee shall:
- 20 (a) Review the structure of occupational licensing and regulation in this state, including
21 the relationship between the office and the boards, councils, and commissions within the office and
22 make recommendations, as necessary, regarding changes to the current structure.
- 23 (b) Review the licensure processes of the office of professional licensure and certification
24 and the boards, councils, and commissions within the office, including how the statutory and
25 regulatory framework may impact the timely and efficient licensure of qualified applicants.

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1 (c) Identify and make recommendations for increasing portability of licensure for
2 qualified professionals from other states.

3 (d) Explore licensure barriers to attracting qualified professionals to New Hampshire.

4 (e) If necessary, make recommendations for changes to licensure and procedures
5 regarding licensure of professions within the office, including how such criteria relates to
6 requirements in neighboring states.

7 (f) Seek input from state agencies and boards, councils, and commissions within the
8 office, stakeholders, and any other person or entity the committee deems relevant to its study.

9 (g) Review the funding sources, fee-setting authority, and fees of the office and the
10 boards, councils, and commissions, within the office and make recommendations, if any, regarding
11 changes to the current statutory framework.

12 (h) Identify and make recommendations for changes to funding occupational licensing in
13 New Hampshire, if any.

14 (i) If necessary, make recommendations for changes to the allocation of shared costs
15 among the boards, councils, and commissions within the office.

16 V. The members of the study committee shall elect a chairperson from among the members.
17 The first meeting of the committee shall be called by the first-named senate member. The first
18 meeting of the committee shall be held within 45 days of the effective date of this section. Three
19 members of the committee shall constitute a quorum.

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

23 3 Board of Foresters; Members. Amend RSA 310-A:100, III to read as follows:
24 appointed [~~member's term~~] **members' terms** may expire in any one calendar year. Appointments for
25 terms of less than appointed member's term may expire in any one calendar year. Appointments for
26 terms of less than 5 years may be made in order to comply with this limitation. No appointed
27 member shall be eligible to serve more than 2 full consecutive terms, provided that for this purpose
28 only a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon
29 expiration of a member's term, the member shall serve until a successor is qualified and appointed.
30 The successor's term shall be 5 years from the date of expiration of the predecessor's appointment,
31 regardless of the date of the successor's appointment. Vacancies occurring prior to the expiration of
32 a specific term shall be filled by appointment for the unexpired term. A board member may be
33 removed for cause by the governor and council under RSA 4:1.

34 4 New Section; Oversight Committee; Establishment; Purpose. Amend RSA 310-A by inserting
35 after section 1-n the following new section:

36 310-A:1-o Oversight Committee; Establishment; Purpose.

1 I. There shall be an oversight committee for the office of professional licensure and
2 certification (OPLC) consisting of the following members:

3 (a) Three members of the house executive departments and administration committee,
4 one of whom shall be a minority member of that committee, appointed by the speaker of the house of
5 representatives.

6 (b) Two members of the senate executive departments and administration committee,
7 one of whom shall be a minority member of that committee, appointed by the president of the senate.

8 II. Membership on the oversight committee shall be for the duration of the biennium and
9 shall be coterminous with membership in the general court. The first meeting of the committee shall
10 be called by the first-named house member. The committee shall elect a chair from among the
11 members at the first meeting of each biennium. Meetings shall be called as needed, but at least
12 quarterly. The members of the committee shall receive mileage at the legislative rate when
13 performing the duties of the committee. Three members of the committee shall constitute a quorum.

14 III. The committee shall provide legislative oversight and informational meetings on the
15 policies and rules of the office as brought to its attention by office personnel, legislators, members of
16 the boards, councils, committees, and commissions overseen by OPLC, and members of the
17 professions under the jurisdiction of OPLC. The committee's work shall include analyzing the
18 division of duties between administration and the boards, councils, committees, and commissions in
19 order to promote more productive and efficient interactions.

20 IV. The oversight committee shall recommend legislation deemed necessary to correct issues
21 it identifies.

22 5 Repeal. RSA 310-A:1-o, relative to oversight committee for the office of professional licensure
23 and certification, is repealed.

24 6 Effective Date.

25 I. Section 4 of this act shall take effect January 1, 2023.

26 II. Section 5 of this act shall take effect January 1, 2028.

27 III. The remainder of this act shall take effect upon its passage.

SB 330-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENTS #2022-1732h and #2022-1863h)

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FISCAL IMPACT: State County Local None

METHODOLOGY:

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification