



Action Minutes

February 21, 2025

Members Present: Senators Lang, Long, Reardon, and Ward, and Representatives Layon, Grote, Hakken-Phillips*, McGuire, Potenza*, and Schmidt. (*) Indicates alternate member.

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

1. The meeting was convened at 9:01 a.m. by Sen. Lang as Chair.

Members present at this time, aside from Sen. Lang, were Senators Long, Reardon, and Ward, and Representatives Layon, Grote, Hakken-Phillips*, McGuire, and Schmidt.

2. The Committee discussed the minutes of the Committee meeting on January 17, 2025.

Sen. Lang moved that the minutes be approved.

Rep. McGuire seconded.

Adopted.

3. Sen. Lang designated Rep. Hakken-Phillips as an alternate for Rep. Lynn, who was absent.
4. The Committee discussed the following items on the Consent Agenda:

CONSENT AGENDA

FP 2024-142	DEPARTMENT OF SAFETY Commissioner Various Bureau of Title and Anti-Theft Rules for Homemade Salvage Vehicles Saf-C 1915 and Saf-C 1922
FP 2024-159	BOARD OF PSYCHOLOGISTS Psychologists and School Psychologists Codes of Ethics Psyc 500 various
FP 2024-165	BOARD OF PSYCHOLOGISTS License Renewal and Reinstatement Psyc 401.02 and Psyc 404.01
FP 2024-174	GOVERNING BOARD OF GENETIC COUNSELORS Definitions Applicable to Ethical Standards for Genetic Counselors Gen 501

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- FP 2024-178** GOVERNING BOARD OF GENETIC COUNSELORS
Procedural Rules
Gen 200
- FP 2024-207** BOXING AND WRESTLING COMMISSION
Optional Equipment for Amateur Mixed Martial Arts Fighters
Box 702.01
- FP 2024-208** BOARD OF REGISTRATION IN OPTOMETRY
Organization, Definitions, and Public Information
Opt 100 various
- FP 2024-210** BOARD OF REGISTRATION IN OPTOMETRY
Contact Lens Follow Up Care
Opt 600
- FP 2024-226** BOARD OF CHIROPRACTIC EXAMINERS
Organization, Definitions, and Public Information
Ch 100 various
- FP 2024-227** GOVERNING BOARD OF PHYSICAL THERAPISTS
Required Referrals
Phy 410.02
- FP 2024-229** REAL ESTATE COMMISSION
Rules of Practice and Procedures
Rea 200
- FP 2024-240** DEPARTMENT OF ENVIRONMENTAL SERVICES
Air Related Programs
Architectural and Industrial Maintenance Coatings
Env-A 4200
- FP 2024-245** CURRENT USE BOARD
Assessment Ranges for Farmland, Forest Land Categories, With and Without
Stewardship, Unproductive Land and Wetland Categories
Cub 305.02, Cub 305.03, Cub 305.04, Cub 305.05, and Cub 305.06
- EXRF 2025-1** DEPARTMENT OF ENVIRONMENTAL SERVICES
Water Quality and Quantity Programs
Septage Management
Env-Wq 1600 various
- OR 2024-69** INSTALLATION STANDARDS BOARD
Manufactured Housing Installation Standards
Inst 700
- FP 2024-161** BOARD OF PSYCHOLOGISTS
School Psychologists
Psyc 301 and Psyc 305

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FP 2024-163	BOARD OF LICENSED DIETICIANS License Requirements Diet 300
FP 2024-214	BOARD OF EDUCATION Charter School Eligibility for School Building Aid Ed 321
FP 2024-219	DEPARTMENT OF ENVIRONMENTAL SERVICES Water Quality and Quantity Programs Surface Water Quality Regulations Env-Wq 1700
FP 2024-224	DEPARTMENT OF HEALTH AND HUMAN SERVICES Commissioner NH Residential Child Care Licensing Rules He-C 4001
FP 2024-225	DEPARTMENT OF HEALTH AND HUMAN SERVICES Former Division of Public Health Services End Stage Renal Disease Dialysis Centers He-P 811
FP 2024-232	BOARD OF REGISTRATION IN OPTOMETRY Initial Licensure, Registration, and Examination Opt 300
FP 2024-241	DEPARTMENT OF ENVIRONMENTAL SERVICES Drinking Water Programs Per and Polyfluoroalkyl Substances (PFAS) Removal Rebate Program for Private Wells Env-Dw 1500

Rep. Schmidt moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2024-142, 2024-159, 2024-165, 2024-174, 2024-178, 2024-207, 2024-208, 2024-210, 2024-226, 2024-227, 2024-229, 2024-240, 2024-245; approve Expedited Revision to Form 2025-1; Objection Response 2024-69; and conditionally approve Final Proposals 2024-161, 2024-163, 2024-214, 2024-219, 2024-224, 2024-225, 2024-232, and 2024-241 based on the agencies' Conditional Approval Requests or amended Conditional Approval Requests.

Rep. Layon seconded.

Adopted.

5. The Committee discussed Final Proposal 2024-144 from the Department of Safety (Missing Adult Program and Missing Vulnerable Adult Alert Program). Evra Roa and Sgt. Mallory Litman testified on behalf of the Department.

Rep. Grote moved to approve Final Proposal 2024-144.

Sen. Ward seconded.

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Adopted.

6. The Committee discussed Final Proposal 2024-146 from the Pesticide Control Board (Aquatic Application of Pesticides). David Russo testified on behalf of the Board, and Patricia Benner from the Department of Agriculture testified on behalf of the Board.

Rep. Layon moved to postpone Final Proposal 2024-146 to the regular Committee meeting on March 21, 2025, to give the Board additional time to file a conditional approval request based on the Board's representation that it would do so.

Rep. McGuire seconded.

Adopted.

7. The Committee discussed Final Proposal 2024-152 from the Board of Mental Health Practice (License Renewal, License Reinstatement, and Continuing Education Requirements for Mental Health Practitioners). Committee staff informed the Committee that the Office of Professional Licensure and Certification, on behalf of the Board, had requested the rule be postponed to allow the Board an opportunity to vote on a conditional approval request.

Rep. McGuire moved to postpone Final Proposal 2024-152 to the regular Committee meeting on April 18, 2025 and to seek a waiver of the Committee's deadline to act on Final Proposal 2024-152.

Rep. Hakken-Phillips seconded.

Adopted.

Rep. McGuire left the meeting after the vote.

Rep. Layon suggested the Board meet more often and as needed to meet Committee deadlines.

8. The Committee discussed Final Proposal 2024-164 from the Department of Revenue Administration (Business Profits Tax). Jennifer Ramsey testified on behalf of the Department.

Rep. McGuire returned to the meeting during the discussion.

Committee staff commented that there were additional forms not identified in rule that needed to be added.

Rep. Layon moved to postpone Final Proposal 2024-164 to the regular Committee meeting on March 21, 2025, to give the Department time to file a conditional approval request based on the Department's representation that it would add the additional required forms to the rule.

Rep. McGuire seconded.

Adopted.

9. The Committee discussed Final Proposal 2024-172 from the Department of Health and Human Services Former Division of Public Health Services (Lead Poisoning Prevention and Control). Allyson Raadmae testified on behalf of the Department.

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Rep. Layon moved to postpone Final Proposal 2024-172 to the regular Committee meeting on March 21, 2025 to give her time to compare the rules to the statutes and federal regulations due to concerns raised by a constituent.

Sen. Lang seconded.

Adopted.

10. The Committee discussed Final Proposal 2024-236 from the Department of Health and Human Services Former Division of Public Health Services (Farmer's Market Nutrition Program for Women, Infants and Children). Allyson Raadmae and Hailey Mcalary testified on behalf of the Department.

Rep. Potenza arrived at the meeting during the discussion.

Rep. Grote moved to accept the amended conditional approve request for Final Proposal 2024-236.

Sen. Long seconded.

Adopted.

11. The Committee discussed Final Proposal 2024-211 from the Board of Natural Scientists (Certification Requirements). Committee staff informed the Committee that the Office of Professional Licensure and Certification, on behalf of the Board, had requested the rule be postponed to allow the Board an opportunity to vote on a conditional approval request.

Rep. Hakken-Phillips moved to postpone Final Proposal 2024-211 to the regular Committee meeting on March 21, 2025, and to seek a waiver of the Committee's deadline to act on Final Proposal 2024-211.

Sen. Lang seconded.

Adopted.

12. The Committee discussed Final Proposal 2024-234 from the Board of Psychologists (Temporary Licensure Application Process for Those Licensed in Another State). Tina Kelley testified on behalf of the Board.

Rep. Schmidt moved to enter a preliminary objection to Final Proposal 2024-234 due to the rule being against legislative intent, as the Board did not provide proper notice to the public regarding the changes made in the final proposal, a violation of the RSA 541-A:6. The motion included the suggestion that the preliminary objection can be addressed by the Board publishing notice of, and holding, an additional public hearing on Final Proposal 2024-234.

Rep. Grote seconded.

Adopted.

13. The Committee discussed adjournment. By consensus, the Committee adjourned at 9:27 a.m.

The continued meeting was cancelled.