



Action Minutes

May 17, 2024

Members Present: Senators Chandley, and Ward, and Representatives McGuire, Layon, Lynn, Hakken-Phillips*, and Grassie*. (*) 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 9:00 a.m. by Rep. McGuire as Chair.

Members present at this time, aside from Rep. McGuire, were Senators Chandley, and Ward, and Representatives Grassie*, Hakken-Phillips*, and Lynn.

Rep. McGuire designated Rep. Hakken-Phillips as an alternate for Rep. Grote, who was absent.

Rep. McGuire designated Rep. Grassie as an alternate for Rep. Schmidt, who was absent.

2. The Committee discussed the minutes of the Committee meeting on April 19, 2024.

Sen. Ward moved that the minutes be approved.

Rep. Lynn seconded.

Adopted.

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

CONSENT AGENDA

FP 2023-245 DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Mental Health and Developmental Services
Medicaid Covered Home and Community-Based Care Services for Persons
with Developmental Disabilities and Acquired Brain Disorders
He-M 517

FP 2023-285 DEPARTMENT OF ENVIRONMENTAL SERVICES
Air Related Programs
Consumer Products
Env-A 4100

FP 2023-292 DEPARTMENT OF ENVIRONMENTAL SERVICES
Dam Related Programs
Organizational Rules and Procedures for Dam-Related Programs
Env-Wr 100- Env-Wr 200

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- FP 2023-293** DEPARTMENT OF ENVIRONMENTAL SERVICES
Dam Related Programs
Dam Safety Program Rules
Env-Wr 300- Env-Wr 700
- FP 2024-17** OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
Professionals' Health Program
Plc 500
- FP 2024-46** OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
Renewal Fees for Architect Certificates of Authority and Professional
Engineer Certificates of Authority
Plc 1002.04 and Plc 1002.41
- FP 2024-20** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Electronic Account Access
He-W 704.05
- FP 2024-23** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Continuous Eligibility for Pregnant Women, Children, and Deemed
Newborns
He-W 845.01, He-W 845.02, and He-W 845.03
- FP 2024-21** DEPARTMENT OF ENERGY
Uniform Administration of Utility Customer Relations
En 1200
- FP 2024-24** BANKING DEPARTMENT
Amendments to Credit Union Bylaws
Ban 1107
- FP 2024-29** LIQUOR COMMISSION
Enforcement Policy
Liq 600
- FP 2024-37** DEPARTMENT OF REVENUE ADMINISTRATION
Railroad and Private Rail Car Company Taxation
Rev 1500
- FP 2023-198** LIQUOR COMMISSION
Procedural Rules
Liq 200
- FP 2023-231** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Mental Health and Developmental Services
Community Preparation Services
He-M 507

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FP 2023-260	BOARD OF LICENSING FOR ALCOHOL AND OTHER DRUG USE PROFESSIONALS Fees and Ongoing Requirements Alc 400 various
FP 2023-286	DEPARTMENT OF ENVIRONMENTAL SERVICES Air Related Programs Carbon Dioxide (CO2) Allowance Auction Program Env-A 4800
FP 2023-295	DEPARTMENT OF HEALTH AND HUMAN SERVICES Former Division of Public Health Services Non-Emergency Walk-In Care Centers He-P 806
FP 2024-6	DEPARTMENT OF AGRICULTURE, MARKETS, AND FOOD Beekeeping Agr 1800
FP 2024-15	BOARD OF MEDICINE Organizational, Definitions, Public Information, and Disciplinary Matters Med 100 various, Med 408.01, and Med 408.02
FP 2024-30	FISH AND GAME DEPARTMENT Wildlife Seasons and Bear Tag Fis 300 various sections and Fis 1102.07
OR 2023-186	BOARD OF HOME INSPECTORS Standards of Practice Home 600 various

Rep. Lynn moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2023-245, 2023-285, 2023-292, 2023-293, 2024-17, 2024-46, 2024-20, 2024-23, 2024-21, 2024-24, 2024-29, 2024-37, and conditionally approve Final Proposals 2023-198, 2023-231, 2023-260, 2023-286, 2023-295, 2024-6, 2024-15, and 2024-30, and approved Objection Response 2023-186.

Rep. Hakken-Phillips seconded.

Adopted.

4. The Committee discussed Final Proposal 2023-236 from the Board of Education (Investigations and Disciplinary Proceedings Regarding Educator Code of Conduct). Julie Shea and Diana Fenton testified for the Board of Education.

Lauren Chadwick and Brian Hawkins of the National Education Association-NH testified against the proposal.

Rep. Layon arrives during the discussion.

Sen. Ward moved to conditionally approve Final Proposal 2023-236.

Rep. Lynn seconded.

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Adopted by a 4-3 vote with Sen. Chandley, Rep. Hakken-Phillips, and Rep. Grassie voting “no”.

5. The Committee discussed Final Proposal 2024-16 from the Department of Environmental Services (Voluntary Certified Salt Applicator Program). Courtney Lockwood and Stephen Landry testified for the Department.

Rep. Hakken-Phillips moved to approve Final Proposal 2024-16.

Rep. Lynn seconded.

Adopted.

6. The Committee discussed the Emergency Rule ER 13941 from the Board of Nursing (LNA Licensure by Competency Examination of Comparable Education). Chantell Wheeler from the Office of Professional Licensure and Certification testified.

Rep. McGuire moved to petition the Board of Nursing to Repeal the Emergency Rule ER 13941 due to the Board of Nursing using an old rule set for the emergency rule, which violates current statutes, and due to the fact that there was no imminent peril to the public health or safety.

Rep. Layon seconded.

Approved.

7. The Committee discussed the Emergency Rule ER 13963 from the Department of Safety (Commercial Driver Licensing). John Marasco and David Hiltz from the Department of Safety testified. No action was taken.
8. The Committee discussed the continued meeting scheduled for May 31, 2024. It was the consensus of the Committee to cancel the continued meeting.
9. The Committee discussed adjournment.

By consensus, the Committee adjourned at 9:57 AM.