



Action Minutes

June 21, 2024

Members Present: Senators Lang, Chandley, and Ward, and Representatives Grassie*, Grote, Hakken-Phillips*, Layon, Lynn, 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 9:00 a.m. by Sen. Lang as Vice Chair.

Members present at this time, aside from Sen. Lang, were Senators Chandley and Ward, and Representatives Grassie*, Grote, Hakken-Phillips*, Layon, and Lynn.

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

Sen. Lang designated Rep. Hakken-Phillips as an alternate for Rep. Schmidt, who was absent.

2. The Committee discussed the minutes of the Committee meeting on May 17, 2024.

Rep. Lynn moved that the minutes be approved.

Rep. Grote seconded.

Adopted.

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

CONSENT AGENDA

FP 2023-247 DEPARTMENT OF SAFTEY, COMMISSIONER
School Bus Transportation Rules
Saf-C 1300

FP 2024-48 DEPARTMENT OF SAFTY, COMMISSIONER
Toll-Free Hotline for Drug-Free School Zone
Saf-C 3600

FP 2023-277 DEPARTMENT OF ENVIRONMENTAL SERVICES
Water Quality and Quantity Programs
Water Conservation
Env-Wq 2101

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- FP 2023-281** BOXING AND WRESTLING COMMISSION
Continued Status
Box 400
- FP 2023-287** BOXING AND WRESTLING COMMISSION
Boxing Competitions
Box 600
- FP 2023-288** BOXING AND WRESTLING COMMISSION
Rules for Other Fighting Sports Competitions
Box 800
- FP 2024-4** BOARD OF EDUCATION
School Building Construction
Ed 321
- FP 2024-38** BOARD OF EDUCATION
Emergency Authorization
Ed 504.04
- FP 2024-27** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Extended Services to Pregnant Women
He-W 548
- FP 2024-35** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Ambulance Services
He-W 572
- FP 2024-36** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Verification for Financial Assistance
He-W 606.02, He-W 606.28, He-W 606.36, and He-W 606.60
- FP 2024-54** DEPARTMENT OF ENVIRONMENTAL SERVICES
Solid Waste Programs
Processing/Treatment Facility Requirements
Env-Sw 500
- FP 2024-58** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Public Health Services
Nationally Tracked Source Thresholds
He-P 4097
- FP 2024-71** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Public Health Services
Definitions of Terms Used in NH Rules for the Control of Radiation
He-P 4003.01

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- FP 2023-273** DEPARTMENT OF ENVIRONMENTAL SERVICES
Drinking Water Programs
Public Water System General Operational Requirements and Maintenance Requirements
Env-Dw 503 and Env-Dw 504
- FP 2023-275** LIQUOR COMMISSION
Application De-Listing and Listing Procedures
Liq 300
- FP 2023-283** BOXING AND WRESTLING COMMISSION
Mixed Martial Arts Competitions
Box 700
- FP 2023-300** BOARD OF EDUCATION
Credentialing Fees
Ed 505.09
- FP 2024-10** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division of Elderly and Adult Services
Nursing Facility Reimbursement
He-E 806
- FP 2024-40** DEPARTMENT OF ENERGY
Rules for Telephone Utilities
En 400
- FP 2024-57** DEPARTMENT OF REVENUE ADMINISTRATION
Financial Accounting for Counties
Rev 2200
- FP 2024-64** DEPARTMENT OF TRANSPORTATION
E-Z Pass Electronic and Other Toll Payments
Tra 700
- INT 2024-5** DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Human Services
Augmentative and Alternative Communication Aid Services
He-W 575

Rep. Lynn moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2023-247, 2024-48, 2023-277, 2023-281, 2023-287, 2023-288, 2024-4, 2024-38, 2024-27, 2024-35, 2024-36, 2024-54, 2024-58, and 2024-71; and conditionally approve Final Proposals 2023-273, 2023-275, 2023-283, 2023-300, 2024-10, 2024-40, 2024-57, 2024-64, and Interim Rule Proposal 2024-5.

Sen. Ward seconded.

Adopted.

4. The Committee discussed Final Proposal 2023-194 from the Department of Health and Human Services, Former Division of Public Health Services (Immunization Registry). Allyson Raadmae, Anne Marie

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Mercuri, and Abby Rogers testified for the Department. The Department submitted a Conditional Approval Request in a cover letter and amended rules dated 6/13/24.

Rep. Schmidt arrived during the discussion.

Sen. Lang designated Rep. Hakken-Phillips as an alternate for Sen. Whitley, who was absent.

Rep. Layon moved to conditionally approve Final Proposal 2023-194 with additional oral changes.

Rep. Lynn seconded.

Adopted.

5. The Committee discussed Final Proposal 2023-280 from the Boxing and Wrestling Commission (Permits and Licenses for Fighting Sports Competitions). No one testified for the Board. The Board submitted an Amended Conditional Approval Request in a cover letter and amended rules dated 6/19/24.

Rep. Lynn moved to conditionally approve Final Proposal 2023-280.

Rep. Grote seconded.

Adopted.

6. The Committee discussed Final Proposal 2023-282 from the Boxing and Wrestling Commission (Ethical Standards). No one testified for the Board.

Rep. Layon moved to approve Final Proposal 2023-282.

Rep. Hakken-Phillips seconded.

Adopted

7. The Committee discussed Final Proposal 2024-47 from the Department of Safety, Commissioner (Northern Border Alliance Program). David Hiltz and Capt. Brendan Davey testified for the Department.

Rep. Lynn moved to approve Final Proposal 2024-47.

Rep. Layon seconded.

Adopted.

8. The Committee discussed Interim Rule Proposal 2024-6 from the Department of Safety, Commissioner (Various Carnival Amusement Rules) David Hiltz, Mitch Cady, and Briggs Lockwood testified for the Department.

Sen. Lang moved to approve Interim Rule Proposal 2024-6.

Rep. Grote seconded.

Adopted.

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9. The Committee discussed the Emergency Rule ER 13984 from the Department of Safety (Various Carnival Amusement Rules). David Hiltz, Mitch Cady, and Briggs Lockwood from the Department of Safety testified. No action was taken.

10. The Committee discussed Final Proposal 2024-50 from the Department of Revenue Administration (Taxation of Wood or Timber Cut). Jennifer Ramsey and Morgan Shanley testified for the Department.

Rep. Schmidt moved to conditionally approve Final Proposal 2024-50.

Rep. Grassie seconded.

Adopted.

11. The Committee discussed Final Proposal 2024-66 from the Department of Business and Economic Affairs (InvestNH Program). Andrew Dorsett and Chase Hagaman testified for the Department.

Rep. Schmidt moved to preliminarily object to Final Proposal 2024-66.

Rep. Schmidt withdrew the motion to preliminarily object to Final Proposal 2024-66.

Sen. Lang moved to postpone Final Proposal 2024-66 to the next meeting.

Rep. Schmidt seconded.

Adopted.

12. The Committee discussed Final Proposal 2024-67 from the Department of Business and Economic Affairs (Housing Champion Program). Andrew Dorsett and Chase Hagaman testified for the Department.

Rep. Grote moved to postpone Final Proposal 2024-67 to the next meeting.

Rep. Layon seconded.

Adopted.

13. The Committee discussed Interim Rule Proposal 2024-4 from the Board of Registration of Funeral Directors and Embalmers (Applications for Apprentice Embalmer's License, Embalmer License, and Funeral Director's License). Chantell Wheeler of the OPLC testified on behalf of the Board.

Rep. Schmidt moved to conditionally approve Interim Rule Proposal 2024-4.

Rep. Hakken-Phillips seconded.

Adopted.

14. The Committee discussed Objection Response 2023-150 from the Board of Natural Scientists (Certification Requirements). Tina Kelley of the OPLC testified on behalf of the Board.

Rep. Grassie moved to approve Objection Response 2023-150.

Rep. Schmidt seconded.

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Adopted.

15. The Committee discussed Document #13985 from the Board of Nursing which repealed Emergency Rule ER 13941 regarding Nur 301.05 and Nur 302.05. The repeal had been requested in a petition from the Committee. Chantell Wheeler from the OPLC testified on behalf of the Board of Nursing. No action was taken.
16. The Committee discussed the OLS Rejection Letter for the new Emergency Rule filed by the Board of Nursing on 5/24/24 regarding Nur 301.05 and Nur 302.05. Chantell Wheeler from the OPLC testified on behalf of the Board of Nursing. No action was taken.
17. The Committee discussed the Emergency Rule ER 13991 from the Department of Health and Human Services, Commissioner (NH Residential Child Care Licensing Rules – RSA 126-U and He-C 901 Compliance). No action was taken.
18. The Committee discussed the continued meeting scheduled for June 28, 2024.

Rep. Schmidt moved to cancel the continued meeting scheduled for June 28, 2024.

Rep. Layon seconded.

Adopted.

19. The Committee discussed adjournment.

Rep. Lynn moved to adjourn the meeting.

Rep. Layon seconded.

Adopted.

The meeting was adjourned at 10:14 AM.