



NEW HAMPSHIRE

RULEMAKING REGISTER

OFFICE OF LEGISLATIVE SERVICES

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<u>Proposed Rules</u>			
Notice Form	Rule Number	Agency	Proposed Rule
2023-169	Emp 404 various	Department of Employment Security	Job Training Program
2023-170	Fis 502, Fis 503, and Fis 1104.05	Fish and Game Department	Live Fishing Bait; Fishing Tournaments; and Tournament Permits
2023-171	Agr 4000	Department of Agriculture, Markets, and Food	Capital Improvement for State Fairs Program Grant
2023-172	Rko 100 and Rko 200	Office of the Right-to-Know Ombudsman	Organizational and Procedural Rules
2023-173	Rko 300	Office of the Right-to-Know Ombudsman	Ethical Standards
2023-174	Saf-C 523	Department of Safety Commissioner	Registration Hearings
2023-175	*Ph 200	NH Pharmacy Board	Rules of Practice and Procedure

*Denotes that the Rule is being changed due to new legislation.

JLCAR

2023 SCHEDULED MEETING DATES AND FILING DEADLINES

The JLCAR has voted to hold its regularly scheduled meetings for January through June on the **third Friday** of the month and for July through December on the **third Thursday** of the month as listed below. The minimum 21-day "deadline" prior to the regular JLCAR meeting is listed for agencies to file final proposals or proposed interim rules* for placement on the JLCAR agenda pursuant to RSA 541-A:12, I and RSA 541-A:19, V. The JLCAR has also scheduled continued meetings as listed below on select Thursdays and Fridays to address items postponed from the prior regular meetings.

Regular Meeting Filing Deadline	Regular Meeting Date	Continued Meeting Date
December 30*	January 20	February 3
January 27	February 17	March 3
February 24	March 17	March 31
March 31	April 21	May 5
April 28	May 19	June 2
May 26	June 16	June 30
June 29	July 20	August 3
July 27	August 17	August 31
August 31	September 21	October 5
September 28	October 19	November 2
October 26	November 16	November 30
November 30**	December 21	None

***NOTE:**

The filing deadlines relate to JLCAR meetings pursuant to RSA 541-A. However, if a proposed interim rule is filed with a rulemaking notice for publication in the *Rulemaking Register*, be aware that Thursdays—not Fridays—remain the filing deadline under the *Drafting and Procedure Manual for Administrative Rules* to have the rulemaking notice published the following week. Pursuant to RSA 541-A:19, V, the notice must be published at least 14 days before the regularly scheduled meeting for which the proposed interim rule has been placed on the agenda. Therefore, filing the notice together with the proposed interim rule no later than the Thursday **before** the 21-day statutory deadline would assure that both the 21-day deadline for filing the rule and the 14-day deadline for publication in the *Rulemaking Register* would be met.

****NOTE:**

The 21-day deadline to file for the December 15 meeting falls on Thanksgiving, November 24. Pursuant to RSA 541-A:16, IV, it is automatically extended to Monday, November 28.

However, if a proposed interim rule is filed with a rulemaking notice for publication in the Rulemaking Register, be aware that Wednesday, November 23 remains the filing deadline under the Drafting and Procedure Manual for Administrative Rules to have the rulemaking notice published the following week. Pursuant to RSA 541-A:19, V, the notice must be published at least 14 days before the regularly scheduled meeting for which the proposed interim rule has been placed on the agenda. Therefore, filing the interim rulemaking notice together with the proposed interim rule no later than Wednesday, November 23 would assure that both the 21-day deadline for filing the rule for the December 15 JLCAR meeting and the 14-day period for notice publication in the Rulemaking Register would be met.

NEXT REGULAR MEETING: August 17, 2023

Live Stream Link: <https://youtube.com/live/izsBnKdgShk?feature=share>

CONTINUED MEETING: August 31, 2023

Live Stream Link: [To Be Provided](#)

The meetings will be held in-person in rooms 306/308 of the Legislative Office Building.

FINAL PROPOSALS FOR COMMITTEE MEETING ON AUGUST 17, 2023

NOTICE NUMBER	RULE NUMBER	AGENCY AND SHORT TITLE OF RULE
2022-232	Mhp 300 various	BOARD OF MENTAL HEALTH PRACTICE License and Registration Requirements, Applications, and Fees
2023-22	Ed 607, Ed 608, Ed 612, and Ed 614	BOARD OF EDUCATION Institution Responsibilities and Content and Specialty Standards for Educator Preparation Programs
2023-27	Med 600 various	BOARD OF MEDICINE Physician Assistants
2023-30	Home 200	BOARD OF HOME INSPECTORS Organizational and Procedural Rules
2023-31	Ed 601.01, Ed 602.01-Ed 602.04, and Ed 602.06-Ed 602.19	BOARD OF EDUCATION Procedures for Approval for Professional Educator Preparation Programs
2023-44	Eng 500	BOARD OF PROFESSIONAL ENGINEERS Ethical Standards and License Surrender
2023-48	Mec 400	MECHANICAL LICENSING BOARD Continued Status
2023-49	Soil 500	BOARD OF NATURAL SCIENTISTS Ethical Standards
2023-50	Rab 500	REAL ESTATE APPRAISER BOARD Ethical Standards
2023-57	Ed 315	BOARD OF EDUCATION Home Education
2023-58	Ed 602.05	BOARD OF EDUCATION Application Fees for Program Review
2023-59	Ed 603, Ed 604.01-Ed 604.08, Ed 605, and Ed 606	BOARD OF EDUCATION Standards for Curriculum, Clinical Practice, Resources and Assessment Systems for Professional Educator Preparation Programs (PEPPs)
2023-61	Rab 400	REAL ESTATE APPRAISER BOARD Continued Status
2023-79	Bar 300 various and Bar 400 various	BOARD OF BARBERING, COSMETOLOGY, AND ESTHETICS Shop and Licensee Equipment, Exams, Inspections, and Violation Points for Schools
2023-101	Med 200	BOARD OF MEDICINE Rules of Practice and Procedure
2023-103	Mec 300 various	MECHANICAL LICENSING BOARD Individual and Business Entity Licensing
2023-105	Geo 401.05	BOARD OF PROFESSIONAL GEOLOGISTS Reinstatement of a License Lapsed for Non-Renewal
2023-108	Elec 200	ELECTRICIANS' BOARD Rules of Practice and Procedure

2023-109	Elec 103.05, Elec 104.02, and Elec 104.03	ELECTRICIANS' BOARD Office Contact Information, Custodian of Board Records, and Copies
2023-114	Eng 100 various	BOARD OF PROFESSIONAL ENGINEERS Organization, Public Information, and Board Meetings
2023-116	Eng 400	BOARD OF PROFESSIONAL ENGINEERS Continued Status
2023-117	He-A 304.07 and He-A 304.18	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER OFFICE OF ALCOHOL AND DRUG ABUSE PREVENTION Certification and Operational Requirements for Opioid Treatment Programs
2023-119	He-E 804	DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF ELDERLY AND ADULT SERVICES Licensed Nursing Assistant Training Reimbursement
2023-122	Env-Wr 900	DEPARTMENT OF ENVIRONMENTAL SERVICES DAM RELATED PROGRAMS Official List of Public Waters
2023-123	Fis 305.01 and Fis 306.01	FISH AND GAME DEPARTMENT Prohibition on Night Training of Hunting Dogs and Areas Closed to Hunting
2023-126	Lab 900	DEPARTMENT OF LABOR Whistleblower's Protection Act
2023-127	Fis 606.01	FISH AND GAME DEPARTMENT Restrictions on Certain Clam Species
2023-134	Rev 2500	DEPARTMENT OF REVENUE ADMINISTRATION Electronic Transfers and Filing
2023-135	Agr 705.02	DEPARTMENT OF AGRICULTURE, MARKETS, AND FOOD Land Evaluation
2023-136	Env-Wq 1500 various	DEPARTMENT OF ENVIRONMENTAL SERVICES WATER QUALITY AND QUANTITY PROGRAMS Alteration of Terrain
2023-142	Bea 400	DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS Broadband Matching Grant Initiative (BMGI)

PROPOSED INTERIM RULE FOR COMMITTEE REVIEW ON AUGUST 17, 2023		
PROPOSED INT #	RULE NUMBER	AGENCY AND SHORT TITLE OF RULE
INT 2023-3	Saf-C 3200	DEPARTMENT OF SAFETY, COMMISSIONER Interim Mobile Service Garage Rules

PRELIMINARY OBJECTION RESPONSE FOR COMMITTEE REVIEW ON AUGUST 17, 2023 IF FILED PRIOR TO THE MEETING		
OR#	RULE NUMBER	AGENCY AND SHORT TITLE OF RULE
OR 2023-89	He-C 6446.06, He-C 6446.14, and He-C 6446.15	DEPARTMENT OF HEALTH AND HUMAN SERVICES, COMMISSIONER Foster Family Care Licensing Requirements

PROPOSED EXPEDITED REVISION TO FORM NOTICE FOR COMMITTEE REVIEW ON AUGUST 17, 2023		
PROPOSED EXRF #	RULE NUMBER	AGENCY AND SHORT TITLE OF RULE
EXRF 2023-7	He-C 801.03(a)(1)	DEPARTMENT OF HEALTH AND HUMAN SERVICES, COMMISSIONER Expedited Revisions to the New Hampshire Advanced Practitioner Registered Nurse (APRN) Licensure Survey

NOTICE OF ADOPTED RULES			
DOCUMENT # (FINAL PROPOSAL)	RULE NUMBER	AGENCY PROPOSED RULE	EFFECTIVE EXPIRES
13680 (2023-29)	Env-A 1100	DEPARTMENT OF ENVIRONMENTAL SERVICES AIR RELATED PROGRAMS Prevention, Abatement, and Control of Mobile Source Air Pollution	7/1/2023 7/1/2033
13681 (FP 2023-55)	Emp 300 various	DEPARTMENT OF EMPLOYMENT SECURITY Employer Requirements/Quarterly Reports/Authorized Agents/Filing Requirements	7/3/2023 7/3/2033
13682 (FP 2023-63)	Mec 605.02	MECHANICAL LICENSING BOARD Limitation on Number of Apprentice Plumbers	9/10/2023 9/10/2033
13683 (FP 2023-35)	Ath 403.05 and Ath 406.03	GOVERNING BOARD OF ATHLETIC TRAINERS Reinstatement Fee Waiver for Active Military Duty and Obligation to Update a Licensee's Information	9/12/2023 9/12/2033
13684 (FP 2022-186)	Saf-C 900	DEPARTMENT OF SAFETY, COMMISSIONER Motor Carrier Safety Rules	7/17/2023 7/17/2033
13685 (FP 2022-159)	Saf-C 1000 various	DEPARTMENT OF SAFETY, COMMISSIONER Driver Licensing Rules	8/5/2023 8/5/2033
13686 (FP 2022-195)	Tax 100	BOARD OF TAX AND LAND APPEALS Organizational Rules for the Board of Tax and Land Appeals <i>(As organizational rules they do not expire except pursuant to RSA 541-A:17, II.)</i>	7/19/2023
13687 (FP 2022-196)	Tax 201	BOARD OF TAX AND LAND APPEALS Rules of Procedure for the Board of Tax and Land Appeals <i>(As practice and procedure rules they do not expire except pursuant to RSA 541-A:17, II.)</i>	7/19/2023
13688 (FP 2022-198)	Tax 300 – Tax 500	BOARD OF TAX AND LAND APPEALS Notice of Tax Date, Exemptions from Property Tax, and Filing Fees	7/19/2023 7/19/2033
13689 (Emergency)	Plc 1507.04, Plc 1507.07, and Plc 1507.08	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION Changes to Respiratory Care Practitioners' Continuing Education Requirements	7/20/2023 1/16/2024
13690 (FP 2022-237)	Ed 507.52 and Ed 612.02	BOARD OF EDUCATION Reading and Writing Teacher and Prep Program	7/21/2023 7/21/2033
13691 (FP 2023-26)	Ins 301	INSURANCE DEPARTMENT Life Insurance Solicitation	7/21/2023 7/21/2033
13692 (FP 2023-107)	Ins 1500	INSURANCE DEPARTMENT Insurance Holding Companies	7/21/2023 7/21/2033

13693 (FP 2023-75)	Env-A 2100	DEPARTMENT OF ENVIRONMENTAL SERVICES AIR RELATED PROGRAMS Particulate Matter and Visible Emissions Standards	7/22/2023 7/22/2023
13694 (FP 2023-76)	Env-A 2400	DEPARTMENT OF ENVIRONMENTAL SERVICES AIR RELATED PROGRAMS Ferrous and Non-Ferrous Foundries, Smelters, and Investment Casting Operations	7/22/2023 7/22/2023
13695 (FP 2023-84)	He-W 722.01	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Interview Requirements for Supplemental Nutrition Assistance Program	7/22/2023 7/22/2023
13696 (EXRF 2023-6)	He-M 520.02(a) and He-M 523.04(a)(1)	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF MENTAL HEALTH AND DEVELOPMENTAL SERVICES Expedited Revisions to the "Bureau for Family Centered Services (BFCS) – Application for Services"	7/22/2023 7/22/2023
13697 (FP 2023-74)	Env-A 1900	DEPARTMENT OF ENVIRONMENTAL SERVICES AIR RELATED PROGRAMS Incinerators and Wood Waste Burners	7/22/2023 7/22/2023
13698 (FP 2023-121)	Fis 400 various	FISH AND GAME DEPARTMENT Freshwater Fishing Season and Rules	7/26/2023 7/26/2023
13699 (FP 2023-85)	He-W 701.01 – He-W 701.07 and He-W 701.10	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Supplemental Nutrition Assistance Program (SNAP) Definitions	7/25/2023 7/25/2023
13700 (FP 2023-98)	He-W 746.01 and He-W 746.03	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Actions on Eligible Households	7/25/2023 7/25/2023
13701 (FP 2023-106)	Plc 1300	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION Medical Imaging and Radiation Therapy	8/1/2023 8/1/2023
13702 (FP 2023-99)	He-W 756.03	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Households in Group Living Arrangements	7/27/2023 7/27/2023
13703 (FP 2023-52)	Plc 1002	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION Application-Related Fees for Regulated Professions	8/1/2023 8/1/2023
13704 (FP 2023-96)	Plc 1200	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION Court Reporters	8/1/2023 8/1/2023

13705 (FP 2023-67)	Plc 1400	OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION Recreational Therapists	8/1/2023 8/1/2033
13706 (FP 2023-69)	Nur 401 various	BOARD OF NURSING Renewal, Re-Entry, and Reinstatement	9/27/2023 9/27/2033
13707 (FP 2023-38)	Nur 608	BOARD OF NURSING Nurse Externship	9/27/2023 9/27/2033