

CHAPTER 219
SB 330-FN - FINAL VERSION

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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:

1 219:1 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 New
6 Hampshire.

7 219:2 Committee Established.

8 I. There is established a committee to study and make recommendations relative to the office of
9 professional licensure and certification and the licensure of professions under boards, councils, and
10 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 committee, and
14 one of whom shall be from the health, human services and elderly affairs committee, appointed by the
15 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 to the
18 duties of the committee.

19 IV. The committee shall:

20 (a) Review the structure of occupational licensing and regulation in this state, including the
21 relationship between the office and the boards, councils, and commissions within the office and make
22 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 regulatory
25 framework may impact the timely and efficient licensure of qualified applicants.

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

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- 1 (d) Explore licensure barriers to attracting qualified professionals to New Hampshire.
- 2 (e) If necessary, make recommendations for changes to licensure and procedures regarding
3 licensure of professions within the office, including how such criteria relates to requirements in
4 neighboring states.
- 5 (f) Seek input from state agencies and boards, councils, and commissions within the office,
6 stakeholders, and any other person or entity the committee deems relevant to its study.
- 7 (g) Review the funding sources, fee-setting authority, and fees of the office and the boards,
8 councils, and commissions within the office and make recommendations, if any, regarding changes to the
9 current statutory framework.
- 10 (h) Identify and make recommendations for changes to funding occupational licensing in New
11 Hampshire, if any.
- 12 (i) If necessary, make recommendations for changes to the allocation of shared costs among
13 the boards, councils, and commissions within the office.

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

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

21 219:3 Board of Foresters; Members. Amend RSA 310-A:100, III to read as follows:
22 appointed [~~member's term~~] **members' terms** may expire in any one calendar year. Appointments for terms
23 of less than appointed member's term may expire in any one calendar year. Appointments for terms of
24 less than 5 years may be made in order to comply with this limitation. No appointed member shall be
25 eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually
26 served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon expiration of a member's
27 term, the member shall serve until a successor is qualified and appointed. The successor's term shall be
28 5 years from the date of expiration of the predecessor's appointment, regardless of the date of the
29 successor's appointment. Vacancies occurring prior to the expiration of a specific term shall be filled by
30 appointment for the unexpired term. A board member may be removed for cause by the governor and
31 council under RSA 4:1.

32 219:4 New Section; Oversight Committee; Establishment; Purpose. Amend RSA 310-A by inserting
33 after section 1-n the following new section:

34 310-A:1-o Oversight Committee; Establishment; Purpose.

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

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

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

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

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

15 IV. The oversight committee shall recommend legislation deemed necessary to correct issues it
16 identifies.

17 219:5 Repeal. RSA 310-A:1-o, relative to oversight committee for the office of professional licensure
18 and certification, is repealed.

19 219:6 Effective Date.

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

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

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

Approved: June 17, 2022

Effective Date:

I. Section 4 effective January 1, 2023

II. Section 5 effective January 1, 2028

III. Remainder effective June 17, 2022

