

CHAPTER 269  
HB 1157 – FINAL VERSION

15May2014... 1904EBA

2014 SESSION

14-2462  
10/03

HOUSE BILL            ***1157***

AN ACT                relative to establishment of fees by certain regulatory boards.

SPONSORS:            Rep. Almy, Graf 13; Rep. Major, Rock 14

COMMITTEE:          Executive Departments and Administration

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ANALYSIS

This bill provides that certain occupational and regulatory boards shall determine fees sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board budgeted for the biennium in which they will apply.

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Explanation:          Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears [~~in brackets and struck through.~~]  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Fourteen*

AN ACT                   relative to establishment of fees by certain regulatory boards.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           269:1 Mechanical Licensing; Establishment of Fees. Amend RSA 153:28, II to read as follows:

2           II. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the  
3 appointed board members, in consultation with the state fire marshal and with the approval of the  
4 commissioner of safety, shall establish application fees for licensure, for renewal, for late renewal,  
5 and for reinstatement of licenses under this subdivision pursuant to RSA 541-A. Such licensing fees  
6 including any endorsements shall not exceed \$500 per individual. The board shall also adopt fees for  
7 replacement licenses, for certified copies and reports, for inspections done pursuant to this  
8 subdivision, for letters of verification requested by individuals or jurisdictions relating to licensure  
9 and certification, and for transcribing and transferring records and other services. The fee for  
10 examination by third parties shall be separate from the fees established by the board. Fees  
11 ***established by the board*** shall be sufficient to produce estimated revenues equal to 125 percent of  
12 the direct operating expenses of the [~~previous fiscal year~~] ***board budgeted for the biennium in***  
13 ***which they will apply***. Fees collected shall be deposited in the general fund.

14           269:2 Modular Building Standards; Fees. Amend RSA 205-C:6 to read as follows:

15           205-C:6 Fees. The commissioner shall by rule establish fees to defray the costs of administering  
16 this chapter. Such rules shall specify fees for the certification of third party inspection agencies by  
17 the department; certification of manufacturing facilities by approved third party inspection agencies;  
18 and certification of modular buildings and building components by approved third party inspection  
19 agencies. ***Fees established by the commissioner shall be sufficient to produce estimated***  
20 ***revenues equal to 125 percent of the direct operating expenses for administering this***  
21 ***chapter budgeted for the biennium in which they will apply***. All fees collected by the  
22 department shall be deposited into the general fund.

23           269:3 Manufactured Housing Installation Standards Board: Fees. Amend RSA 205-D:12, I to  
24 read as follows:

25           I. The board may establish, pursuant to RSA 541-A, fees for licensure, license renewal,  
26 training, inspections, and issuance of the manufacturer's warranty seal. The fees established by the  
27 board shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating  
28 expenses of the board [~~for the previous fiscal year~~] ***budgeted for the biennium in which they will***  
29 ***apply***.

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1           269:4 Professional Engineers; Fees. Amend RSA 310-A:7, II to read as follows:

2           II. The fees established by the board shall be sufficient to produce estimated revenues equal  
3 to 125 percent of the direct operating expenses of the board [~~for the previous fiscal year~~] ***budgeted***  
4 ***for the biennium in which they will apply.***

5           269:5 Architects; Fees. Amend RSA 310-A:33 to read as follows:

6           310-A:33 Fees. The board shall establish fees for examination of applicants, for licenses, for  
7 certificates of authorization, for reissuance of licenses, for renewal and reinstatement of licenses and  
8 certificates to practice under this subdivision, for late fees, for retired status, and for transcribing  
9 and transferring records and other services. ***The fees established by the board under this***  
10 ***subdivision shall be sufficient to produce estimated revenues equal to 125 percent of the***  
11 ***direct operating expenses of the board budgeted for the biennium in which they will apply.***

12           269:6 Land Surveyors; Fees. Amend RSA 310-A:60 to read as follows:

13           310-A:60 Fees. The board shall establish fees for examination of applicants, for licenses and for  
14 renewal of licenses to practice land surveying and for transcribing and transferring records and other  
15 services. ***The fees established by the board shall be sufficient to produce estimated revenues***  
16 ***equal to 125 percent of the direct operating expenses of the board budgeted for the***  
17 ***biennium in which they will apply.***

18           269:7 Natural Scientists; Fees. Amend RSA 310-A:92, II to read as follows:

19           II. The fees established by the board shall be sufficient to produce estimated revenues equal  
20 to 125 percent of the direct operating expenses of the board [~~for the previous fiscal year~~] ***budgeted***  
21 ***for the biennium in which they will apply.***

22           269:8 Licensed Foresters. Amend RSA 310-A:116 to read as follows:

23           310-A:116 Administrative Costs. The fees established by the board under this subdivision shall  
24 be sufficient to produce estimated revenues equal to 125 percent of the estimated direct operating  
25 expenses of the board [~~pursuant to RSA 332-G:2~~] ***budgeted for the biennium in which they will***  
26 ***apply.***

27           269:9 Professional Geologists; Fees. Amend RSA 310-A:121, III to read as follows:

28           III. The fees established by the board shall be sufficient to produce estimated revenues equal  
29 to 125 percent of the direct operating expenses of the board [~~for the previous fiscal year~~] ***budgeted***  
30 ***for the biennium in which they will apply.***

31           269:10 Landscape Architects; Fees. Amend RSA 310-A:144 to read as follows:

32           310-A:144 Fees.

33           ***I.*** The board shall adopt rules, under RSA 541-A, which shall establish all fees required  
34 under this subdivision including the following:

35           ~~[I.]~~ ***(a)*** Examinations.

36           ~~[II.]~~ ***(b)*** Application for licensure upon passing the examination.

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1           ~~[III.]~~ (c) Application for a license under RSA 310-A:149.

2           ~~[IV.]~~ (d) Biennial renewal for licensed landscape architects.

3           ~~[V.]~~ (e) Late fees for a late renewal of license.

4           ~~[VI.]~~ (f) Replacement of a lost or mutilated license.

5           ~~[VII.]~~ (g) Transcribing and transferring records and other services.

6           ~~[VIII.]~~ (h) Reinstatement fees.

7           **II. The fees established by the board under this subdivision shall be sufficient to**  
8 **produce estimated revenues equal to 125 percent of the direct operating expenses of the**  
9 **board budgeted for the biennium in which they will apply.**

10          269:11 Home Inspectors; Fees. Amend the introductory paragraph of RSA 310-A:188 to read as  
11 follows:

12          310-A:188 Fees. The board shall adopt rules, under RSA 541-A, which shall establish fees  
13 required under this subdivision, which shall be sufficient to produce estimated revenues equal to 125  
14 percent of the direct operating expenses of the board ***budgeted for the biennium in which they***  
15 ***will apply***, including the following:

16          269:12 Real Estate Appraisers; Fees. Amend RSA 310-B:20 to read as follows:

17          310-B:20 Fees. The board shall establish fees for application, for apprentices, and renewals of  
18 apprentice status for licensure or certification, for renewal of licensure or certification under this  
19 chapter, for registration and renewal of registration of appraisal management companies, and for  
20 transcribing and transferring records and other services. The fees established by the board shall be  
21 sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the  
22 board ~~[for the previous fiscal year, and sufficient to provide for periodic payments to reimburse the~~  
23 ~~general fund for money appropriated for the purposes of this chapter]~~ ***budgeted for the biennium***  
24 ***in which they will apply.***

25          269:13 Electricians; Fees. Amend RSA 319-C:6-b to read as follows:

26          319-C:6-b Fees. The board shall establish application fees for examination of applicants, fees for  
27 licensure, for renewal, and for late renewal of licenses to practice under this chapter, and for  
28 transcribing and transferring records and other services. The fee for examination shall not include  
29 fees charged by and paid to an examination entity approved by the board. The fees established by  
30 the board shall be sufficient to produce estimated revenues equal to 125 percent of the direct  
31 operating expenses of the board ~~[for the previous fiscal year]~~ ***budgeted for the biennium in which***  
32 ***they will apply.*** Fees collected shall be deposited in the general fund as unrestricted revenue.

33          269:14 Effective Date. This act shall take effect July 1, 2014.

34 Approved: July 28, 2014

35 Effective Date: July 1, 2014