

CHAPTER 174  
HB 1186 – FINAL VERSION

2014 SESSION

14-2048  
10/04

HOUSE BILL            **1186**

AN ACT                relative to rulemaking authority of certain occupational boards concerning examinations.

SPONSORS:            Rep. C. McGuire, Merr 29; Sen. Reagan, Dist 17

COMMITTEE:          Executive Departments and Administration

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ANALYSIS

This bill removes requirements that rules of certain occupational boards under the joint board for licensure and certification establish the time and place for examinations of applicants.

This bill is a request of the joint board for licensure and certification.

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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                                Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 rulemaking authority of certain occupational boards concerning examinations.

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

1           174:1 Accountants; Examinations. Amend RSA 309-B:5, IV to read as follows:

2           IV. The examination required to be passed as a condition for the granting of a certificate  
3 shall be held as often as the board may specify by rule, and shall test the applicant's knowledge of  
4 the subjects of accounting and auditing and such other related subjects as the board may specify by  
5 rule. ~~[The time for holding such examination shall be determined by the board and may be changed~~  
6 ~~from time to time.]~~ The board shall prescribe by rule the methods of applying for and conducting the  
7 examination, including methods for grading papers and determining a passing grade required of an  
8 applicant for a certificate, provided, however, that the board shall, to the extent possible, see to it  
9 that the examination itself, the grading of the examination and the passing grades are uniform with  
10 those applicable in all other states. The board may make such use of all or any part of the Uniform  
11 Certified Public Accountant Examination and Advisory Grading Service of the American Institute of  
12 Certified Public Accountants, and may contract with third parties to perform such administrative  
13 services with respect to the examination as it deems appropriate to assist it in performing its duties  
14 under this section.

15           174:2 Professional Engineers; Rulemaking. Amend RSA 310-A:6, I(c) to read as follows:

16           (c) How an applicant shall be examined~~[- including the time and place of the~~  
17 ~~examination]~~;

18           174:3 Professional Engineers; Examinations. Amend RSA 310-A:17 to read as follows:

19           310-A:17 Examinations. Proctored technical examinations in engineering shall be held at least  
20 annually ~~[at such times and places]~~ as the board shall determine. If examinations are required on  
21 fundamental subjects, the applicant shall be permitted to take this part of the examination upon  
22 completion of the requisite years of professional experience. The board may issue to each applicant,  
23 upon successfully passing the examination in fundamental subjects, a certificate stating that the  
24 applicant has passed the examination. The scope of the technical and professional examination and  
25 the methods of procedure shall be prescribed by the board. A candidate failing an examination may  
26 apply for reexamination upon payment of an additional fee determined by the board and shall be  
27 reexamined on the next regularly scheduled examination date. A candidate failing the examination  
28 3 consecutive times shall be required to furnish evidence of additional experience, study, or education  
29 credits acceptable to the board before being allowed to proceed with the examination.

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1 174:4 Architects; Rulemaking. Amend RSA 310-A:32, I(c) to read as follows:

2 (c) How an applicant shall be examined~~[-including the time and place of the~~  
3 ~~examination];~~

4 174:5 Architects; Examinations. Amend RSA 310-A:43 to read as follows:

5 310-A:43 Examinations. Examinations in architecture shall be held ~~[at such times and places]~~  
6 as the board shall determine. The applicant shall be permitted to take the examination upon  
7 fulfilling the requirements established by the board. The board shall prescribe the methods of  
8 procedure and the scope of the examination which shall include the following subjects: pre-design,  
9 general structures, lateral forces, mechanical and electrical systems, materials and methods,  
10 construction documents and services, site planning, building planning, and building technology.

11 174:6 Land Surveyors; Rulemaking. Amend RSA 310-A:58, III to read as follows:

12 III. How an applicant shall be examined~~[-including the time and place of the examination];~~

13 174:7 Land Surveyors; Examinations. Amend RSA 310-A:66, II to read as follows:

14 II. Examinations shall be held ~~[at such time and place]~~ as the board shall determine. The  
15 scope of the examination and the method of procedure shall be prescribed by the board. A candidate  
16 failing an examination may apply for reexamination at the expiration of 6 months. Subsequent  
17 examination will be granted upon payment of the fee to be determined by the board. A candidate  
18 failing the examination 3 consecutive times shall be required to furnish evidence of additional  
19 experience, study, or education credits acceptable to the board before being allowed to take the  
20 examination again.

21 174:8 Natural Scientists; Rulemaking. Amend RSA 310-A:82, III to read as follows:

22 III. How the applicant shall be examined~~[-including the time and place of the examination].~~

23 174:9 Foresters; Rulemaking. Amend RSA 310-A:102, III to read as follows:

24 III. Examination procedures~~[-including time and place of examination].~~

25 174:10 Foresters; Examinations. Amend RSA 310-A:106 to read as follows:

26 310-A:106 Examination; Re-examination; Fee. ~~[Written and oral examinations shall be at such~~  
27 ~~time and place as the board may determine.]~~ The methods and procedure **for written and oral**  
28 **examinations** shall be prescribed by the board. A candidate failing an examination may apply for  
29 re-examination at the expiration of 6 months and shall be entitled to one re-examination without  
30 payment of an additional fee. Subsequent re-examinations may be granted upon payment of a fee to  
31 be fixed by the board.

32 174:11 Geologists; Rulemaking. Amend RSA 310-A:121, I(c) to read as follows:

33 (c) The examination procedures in accordance with applicable statutes~~[-including the~~  
34 ~~time and place of the examination];~~

35 174:12 Geologists; Examinations. Amend RSA 310-A:129 to read as follows:

36 310-A:129 Examinations. Written technical examinations in geology shall be held at least

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1 annually [~~at such times and places~~] as the board shall determine. The scope of the technical and  
2 professional examination and the methods of procedure shall be prescribed by the board. A  
3 candidate failing an examination may apply for reexamination upon payment of an additional fee  
4 determined by the board and shall be reexamined on the next regularly scheduled examination date.  
5 A candidate failing the examination 3 consecutive times shall be required to furnish evidence of  
6 additional experience, study, or education credits acceptable to the board before being allowed to  
7 proceed with the examination.

8 174:13 Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(c) to read as follows:

9 (c) How an applicant shall be examined[~~, including the time and place of the~~  
10 ~~examination~~];

11 174:14 Landscape Architects; Examinations. Amend RSA 310-A:151 to read as follows:

12 310-A:151 Examinations. Written technical examination in landscape architecture shall be held  
13 at least annually [~~at such times and places~~] as the board shall determine. The scope of the technical  
14 and professional examination and the methods of procedure shall be prescribed by the board. A  
15 candidate failing an examination may apply for reexamination upon payment of an additional fee  
16 determined by the board and shall be reexamined on the next regularly scheduled examination date.

17 174:15 Court Reporters; Rulemaking. Amend RSA 310-A:164, III to read as follows:

18 III. How an applicant shall be examined[~~, including the time and place of the examination~~].

19 174:16 Home Inspectors; Rulemaking. Amend RSA 310-A:187, I(i) to read as follows:

20 (i) How an applicant shall be examined, including the [~~time, place, type, and~~]  
21 ~~form of the examination~~.

22 174:17 Electricians; Rulemaking. Amend RSA 319-C:6-a, III to read as follows:

23 III. How an applicant shall be examined[~~, including the time and place of the examination~~],  
24 and procedures for computerized examinations;

25 174:18 Effective Date. This act shall take effect 60 days after its passage.

26  
27 Approved: July 11, 2014

28 Effective Date: September 9, 2014