

**CHAPTER 229**  
**HB 364 – FINAL VERSION**

04/30/2015 1272s  
05/21/2015 1881s  
05/21/2015 1885s  
24June2015... 2122CofC

2015 SESSION

15-0054  
05/10

HOUSE BILL            **364**

AN ACT                relative to renewal fees administered by the office of professional licensing, the salt applicator certification program, and pesticide product registration requirements.

SPONSORS:            Rep. Abrami, Rock 19; Rep. C. McGuire, Merr 29

COMMITTEE:          Executive Departments and Administration

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AMENDED ANALYSIS

This bill:

I. Authorizes the office of professional licensing to establish a June 30 billing and license renewal cycle for each profession and occupation administered by the office.

II. Establishes a 2-year license, rather than an annual license, for hearing aid dealers, practitioners of body art, podiatrists, funeral directors and embalmers, and optometrists.

III. Authorizes the commissioner of the department of environmental services to adopt rules establishing fees to cover the cost of the salt applicator certification program, establishes a salt application fund, and requires all fees collected to be deposited in the salt application fund.

IV. Requires fees for pesticide product registration to be adopted by administrative rule and increases the percentage of such fees to be deposited into the integrated pest management fund.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                   relative to renewal fees administered by the office of professional licensing, the salt applicator certification program, and pesticide product registration requirements.

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

1           229:1 Office of Professional Licensing. Amend RSA 126-A:10-a, I-a(a) to read as follows:

2                   (a) The office of professional licensing shall assess [~~an annual license and renewal fee of~~  
3 ~~either \$55 or \$150, or~~] a biennial license and renewal fee of \$110 or \$300[.] for each professional  
4 regulatory board, council, or profession subject to the provisions of this section. ***The office shall***  
5 ***establish a June 30 billing and license renewal cycle for each license administered by the***  
6 ***board and may prorate the initial license fee to coincide with the June 30 license renewal***  
7 ***date.*** This subparagraph shall not apply to the board of dental examiners under RSA 317-A; the  
8 office of licensed allied health professionals under RSA 328-F; or the board of mental health practice  
9 under RSA 330-A.

10          229:2 Hearing Aid Dealer; License and Renewal Fee. Amend RSA 137-F:8 to read as follows:

11          137-F:8 Registration of Hearing Aid Dealers Required. No person shall engage in the business  
12 of selling or offering for rent hearing aids unless such person is registered in accordance with this  
13 chapter and unless the registration of such person is current and valid. The fee for an initial  
14 registration under this section is [~~\$150~~] **\$300**. This section includes the selling or renting of hearing  
15 aids by mail in this state by a person outside the state. Registration certificates shall be renewed  
16 [~~annually~~] ***biennially*** on or before June 30 upon payment of a [~~\$150~~] **\$300** renewal fee.

17          229:3 Body Art; License and Renewal Fee. Amend RSA 314-A:2, II to read as follows:

18                   II. The fee for an initial license and a renewal license shall be [~~\$55~~] **\$110**. The license shall  
19 be [~~valid for one year from the date of issuance~~] ***renewed biennially on or before June 30 upon***  
20 ***payment of the \$110 renewal fee.***

21          229:4 Podiatrist; License Fee. Amend RSA 315:8, I to read as follows:

22                   I. The board shall issue a license to applicants who have submitted a complete application,  
23 paid a [~~\$150~~] **\$300** license fee, achieved a satisfactory examination score, and satisfied all other  
24 criteria of competence and professional character required by this chapter.

25          229:5 Podiatrist; License and Renewal Fee. Amend RSA 315:11, I to read as follows:

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1 I. Every person licensed to practice under this chapter shall apply to the board ~~[on an annual~~  
2 ~~basis]~~ **biennially on or before June 30** for renewal of license on forms provided by the board and  
3 shall pay a ~~[\$150]~~ **\$300** renewal fee. As a condition of renewal of license, each licensee shall show  
4 proof of having completed the continuing education units as required in rules adopted by the board.

5 229:6 Chiropractor; License. Amend RSA 316-A:19 to read as follows:

6 316-A:19 ~~[Expiration of Licenses]~~ **Initial License and License Renewals. The fee for an**  
7 **initial license and license renewal issued under this chapter shall be \$300.** All licenses and  
8 renewals issued under the provisions of this chapter shall expire on July 1 in each odd numbered  
9 year.

10 229:7 Funeral Directors and Embalmers; License and Renewal Fee. Amend RSA 325:12-a to  
11 read as follows:

12 325:12-a Fees. The fee for an initial ~~[annual]~~ **2-year** license and for renewal of ~~[an annual]~~ **a**  
13 license issued under this chapter shall be: ~~[\$55]~~ **\$110** for embalmers ~~[and apprentices]~~ and ~~[\$150]~~  
14 **\$300** for funeral directors. The board shall establish fees for examination of applicants, **for**  
15 **apprentices**, for funeral home inspections, and for transcribing and transferring records and other  
16 services.

17 229:8 Funeral Directors and Embalmers; License. Amend RSA 325:25, I to read as follows:

18 I. Every person licensed to practice under this chapter, except as provided in RSA 325:29,  
19 shall apply to the board **every 2 years** for ~~[annual]~~ license renewal. The board shall require each  
20 licensee to show proof of meeting the continuing education requirement of RSA 325:28-a within the  
21 preceding year. Payment shall be made to the board secretary of the renewal fee established in  
22 RSA 325:12-a.

23 229:9 Dietitians; Renewal Fee. Amend RSA 326-H:14, II to read as follows:

24 II. All licenses issued by the board ~~[shall be valid for 2 years from the date of issuance and]~~  
25 shall be renewed biennially or reissued pursuant to rules adopted and upon payment of a \$110  
26 license renewal fee. The board shall cause notification of impending license expiration to be sent to  
27 each licensed person at least 60 days prior to the expiration of the license. Licenses shall continue as  
28 valid until final action is exercised by the board on an application for renewal, provided that the  
29 application is filed before the expiration date of the license.

30 229:10 Optometrists; License. Amend RSA 327:6 to read as follows:

31 327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall  
32 practice optometry without a license. The board shall not issue a license to any applicant until the  
33 person has passed an examination approved by the board, and has presented satisfactory evidence in  
34 the form of affidavits properly sworn to, that the person is over 18 years of age and of good moral  
35 character, has completed a minimum of 2 years at a college of arts and sciences and has graduated  
36 from a school or college of optometry approved by the board, maintaining a minimum of 4 years in

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1 optometric training. Persons who submit an application which demonstrates that they meet the  
2 eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A,  
3 and pay the ~~[\$150]~~ **\$300** licensing fee, shall be licensed by the board.

4 229:11 Optometrists; License and Renewal Fee. Amend RSA 327:13, I and II to read as follows:

5 I. All licenses issued under this chapter shall ~~[automatically expire on July 1 of each year,~~  
6 ~~unless an application for renewal of the license is received by the board on or before that date along~~  
7 ~~with the \$150]~~ **be renewed biennially on or before June 30 upon payment of a \$300** license  
8 renewal fee.

9 II. Before May 1 of ~~[each]~~ **the year in which the license expires**, the board shall mail to  
10 every optometrist licensed in the state an application for renewal addressed to the post office address  
11 provided by the applicant.

12 229:12 Ophthalmic Dispensers. Amend RSA 327-A:7 to read as follows:

13 327-A:7 Application and Registration Fees. Every application for a certificate of registration for  
14 ophthalmic dispensing shall be accompanied by a non-refundable registration fee of \$110. Upon  
15 approval of the application by the commissioner, the applicant shall be issued a certificate of  
16 registration for ophthalmic dispensing, ~~[to be valid for 2 years]~~ **which shall be renewed biennially**  
17 **on or before June 30 upon payment of the renewal fee.** The fee for renewal of any certificate of  
18 registration shall be \$110.

19 229:13 Massage Therapists; License Renewal. Amend RSA 328-B:7 to read as follows:

20 328-B:7 License Renewal. All licenses issued pursuant to this chapter shall ~~[expire 2 years after~~  
21 ~~the date of issue. License renewals shall be granted]~~ **be renewed biennially on or before June 30**  
22 upon approval of the commissioner of the renewal application and submission of the required \$110  
23 renewal fee.

24 229:14 Reflexology; License Renewal. Amend RSA 328-H:9, II to read as follows:

25 II. All licenses issued pursuant to this chapter ~~[shall expire 2 years after the date of~~  
26 ~~issuance. License renewals shall be granted]~~ **shall be renewed biennially on or before June 30**  
27 upon approval by the department of the renewal application and submission of the required \$110  
28 renewal fee.

29 229:15 Acupuncture License Renewal Fee. Amend RSA 328-G:9, IX to read as follows:

30 IX. All licenses issued by the board ~~[shall be valid for 2 years from the date of issuance and]~~  
31 shall be renewed biennially **on or before June 30** or reissued pursuant to rules adopted, and upon  
32 payment of a \$110 renewal fee.

33 229:16 Psychologists; Fees. Amend RSA 329-B:12, I to read as follows:

34 I. The fee for an initial license ~~[and for a renewal license]~~ shall be \$300. The license shall be  
35 ~~[valid for 2 years from the date of issuance]~~ **renewed biennially on or before June 30 upon**  
36 **payment of a \$300 renewal fee.**

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1           229:17 Alcohol and Drug Counselors. Amend RSA 330-C:8, I to read as follows:

2           I. The board shall charge licensed alcohol and drug counselors, licensed clinical supervisors,  
3 and certified recovery support workers a \$110 fee for the issuance of an initial license or certificate,  
4 and \$110 for the renewal of a license or certificate under this chapter. The fee for a master licensed  
5 alcohol and drug counselor shall be \$300 and the renewal fee shall be \$300. All licenses [~~and~~  
6 ~~renewals under this paragraph shall be valid for 2 years from the date of issuance]~~ **shall be**  
7 **renewed biennially on or before June 30 upon payment of the license renewal fee.** In  
8 addition the board shall establish by rule fees for license and certificate applications, late renewal,  
9 and reinstatement of all licenses and certifications authorized by this chapter.

10          229:18 Applicability. The license renewal date for any license administered by the office of  
11 professional licensing pursuant to RSA 126-A:10-a, I-a that is valid on the effective date of this  
12 section may be extended or truncated to coincide with the June 30 license renewal cycle established  
13 by the office for that profession or occupation. In such cases, the license renewal fee shall be  
14 prorated.

15          229:19 New Paragraph; Salt Applicators; Rulemaking. Amend RSA 489-C:3 by inserting after  
16 paragraph V the following new paragraph:

17                 VI. Establishing and collecting fees to cover the cost of program implementation.

18          229:20 New Paragraph; Salt Application Fund. Amend RSA 489-C:5 by inserting after  
19 paragraph III the following new paragraph:

20                 IV. There is hereby established a salt application fund. This nonlapsing fund shall be  
21 continually appropriated to the department and used to administer the salt applicator certification  
22 program under this chapter. Certification fees collected by the department shall be deposited with  
23 the state treasurer to the credit of such fund and may be invested as provided by law. Interest  
24 received on such investment shall also be credited to the fund. No funds from the general fund shall  
25 be used to cover the cost of the salt applicator certification program.

26          229:21 New Subparagraph; Salt Application Fund. Amend RSA 6:12, I(b) by inserting after  
27 subparagraph (326) the following new subparagraph:

28                         (327) Moneys deposited in the salt application fund established in RSA 489-C:5, IV.

29          229:22 Insect Pests and Plant Diseases; Pesticide Product Registration. RSA 430:38, III is  
30 repealed and reenacted to read as follows:

31                 III.(a) The registrant shall pay an annual fee for each pesticide registered as follows:

32                                 (1) A restricted use pesticide.

33                                 (2) A general use pesticide, other than a specialty/household pesticide.

34                                 (3) A specialty/household pesticide.

35                 (b) The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the amount  
36 of the fees charged under subparagraph (a). Until such rules are adopted, the fees under

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1 subparagraph (a) shall be the same as the fees which were in effect on June 30, 2015.

2       229:23 Insect Pests and Plant Diseases; Integrated Pest Management Program. Amend RSA  
3 430:50, II to read as follows:

4           II. There is established a nonlapsing fund to be known as the integrated pest management  
5 fund. ~~Ten~~ ***Twenty-five*** percent of the pesticide registration fees collected under RSA 430:38, III  
6 shall be deposited in the fund. The fund shall only be used to support the purposes of the integrated  
7 pest management program. The state treasurer may invest moneys in the fund as provided by law  
8 and all interest received on such investment shall be credited to the fund. The commissioner shall be  
9 authorized to accept grants, gifts, and donations from any public or private sources for deposit in the  
10 fund.

11       229:24 Effective Date. This act shall take effect July 1, 2015.

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13 Approved: July 13, 2015

14 Effective Date: July 1, 2015