



## Action Minutes

**October 21, 2021**

**Members Present:** Senators Reagan, Gray, Prentiss, Ward, and Whitley, and Representatives McGuire, Bershtein, Hatch, Schmidt, Schuett\*, Rouillard\*, and Tucker\*. (\*) Indicates alternate member.

(\*\*) Part 1, Article 28-a of the N.H. Constitution was not an issue in the Committee's discussions or decisions in this meeting.

1. The meeting was convened as an in-person meeting at 9:00 a.m. by Sen. Reagan as Chair.

Members present, aside from Sen. Reagan, were Senators Gray, Prentiss, Ward, and Whitley, and Representatives McGuire, Bershtein, Hatch, Schmidt, Rouillard, and Tucker.

Sen. Reagan designated Rep. Rouillard as an alternate for Rep. Lang, who was absent.

2. The Committee discussed the minutes of the Committee meeting on September 16, 2021.

Rep. Hatch moved that the minutes be approved.

Rep. Schmidt seconded.

Adopted.

3. The Committee discussed the following items on the Consent Agenda:

### CONSENT AGENDA

#### *2. Committee Approval of Final Proposals and Proposed Expedited Revisions to Agency Forms:*

- |                |   |
|----------------|---|
| (a) FP 2021-35 | GOVERNOR'S COMMISSION ON DISABILITY<br>Office Address   |
| (b) FP 2021-45 | DEPARTMENT OF ENVIRONMENTAL SERVICES<br>Drinking Water Programs<br>Protecting the Purity of Surface Water Sources<br>of Drinking Water    |
| (c) FP 2021-65 | DEPARTMENT OF ENVIRONMENTAL SERVICES<br>Water Quality and Quantity Programs<br>Standards for the Management of Mercury-Containing Amalgam |
| (d) FP 2021-73 | DEPARTMENT OF HEALTH AND HUMAN SERVICES<br>Former Division of Public Health Services<br>Rules for Hospitals                               |
| (e) FP 2021-74 | INSURANCE DEPARTMENT<br>Property and Casualty Form and Rate Filings   |
| (f) FP 2021-83 | DEPARTMENT OF HEALTH AND HUMAN SERVICES<br>Former Division of Public Health Services<br>Beverages and Bottled Water                       |

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(g) EXRF 2021-8                    DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Commissioner  
Expedited Revisions to the New Hampshire Physician Assistant  
Licensure Survey

Rep. Schmidt moved that the Committee approve the Consent Agenda, that is, approve the Final Proposals and Proposed Expedited Revisions to Agency Forms in Item #2.

Rep. Hatch seconded.

Adopted.

4. The Committee discussed whether to postpone action on any items to another Committee meeting.

Rep. McGuire moved that the Committee postpone action on Final Proposal 2021-84 from the Lottery Commission (Historic Horse Racing) to the next regular Committee meeting on November 18, 2021.

Rep. Schmidt seconded.

Adopted.

5. The Committee discussed Final Proposal 2021-31 from the Board of Education (Criminal History Record Check Credential). Amanda Phelps from the Department of Education testified for the Board.

On behalf of the Board, the Department had submitted a conditional approval request in a letter and amended rules dated October 19, 2021.

Pursuant to RSA 541-A:13, II(b) and Committee rule 301.03(b), because the conditional approval request was filed after the 7-day deadline prior to the Committee meeting, Rep. McGuire moved that the Committee accept the request.

Rep. Hatch seconded.

Adopted.

After further discussion, Rep. Hatch moved that the Committee conditionally approve Final Proposal 2021-31 based on the request.

Rep. Bershtein seconded.

Adopted.

6. The Committee discussed Proposed Interim Rule INT 2021-8 from the Department of Health and Human Services (Former Division of Public Health Services, Healthcare Associated Infections Reporting). Allyson Zinno testified for the Department.

Rep. Schuett had arrived in the meeting by this time.

Rep. McGuire moved that the Committee approve Proposed Interim Rule INT 2021-8.

Rep. Hatch seconded.

Adopted.

7. The Committee discussed Proposed Interim Rule INT 2021-9 from the Department of Environmental Services (Drinking Water Programs, Per and Polyfluoroalkyl Substances (PFAS) Remediation Grant and Loan Fund Program). Pam Monroe testified for the Department.

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The Department had submitted a conditional approval request in amended rules dated October 18, 2021.

Rep. Hatch moved that the Committee conditionally approve Proposed Interim Rule INT 2021-9 based on the request.

Sen. Gray seconded.

Adopted.

8. The Committee discussed an emergency rule filed in Document #13272, effective October 4, 2021, by the Board of Podiatry (Podiatry Virtual Continuing Education). Victoria Davies of the Office of Professional Licensure and Certification testified for the Board.

No further action was taken.

9. As announced by Senator Reagan, the Committee discussed the pending retirement of Scott Eaton, Administrative Rules Director and head of Committee staff, on December 31, 2021, after 36 ½ years of service with the Office of Legislative Services and 41 years with the State. His last Committee meeting will be December 16, 2021.

The Committee members gave Mr. Eaton a standing ovation, which was much appreciated.

10. The Committee discussed the continued meeting scheduled for November 4, 2021.

It was the consensus of the Committee to cancel the continued meeting.

11. The Committee discussed adjournment.

The Committee adjourned at the call of the Chair.

The Committee adjourned at 9:20 a.m.