



NEW HAMPSHIRE RULEMAKING REGISTER

OFFICE OF LEGISLATIVE SERVICES

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VOLUME XXXVII, Number 31, August 3, 2017

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NOTE: POSSIBLE RULE EXTENSION

If the proposed rules contain existing, regular rules being readopted or readopted with amendments, and are not adopted and effective until after the expiration date(s) of the existing rules(s), then the existing rules will nevertheless continue in effect pursuant to RSA 541-A:14-a until the proposed rules are adopted and effective.

2. COMMITTEE (JLCAR)

CONTINUED MEETING Previously Scheduled for August 3, 2017 Has Been Cancelled

REGULAR MEETING: **Thursday, August 17, 2017 9:00 a.m.**
Rooms 306/308, Legislative Office Building

JLCAR MEETING DATES AND RELATED FILING DEADLINES AUGUST-DECEMBER, 2017

The JLCAR has voted to hold its regularly scheduled monthly meetings for August through December, 2017 on the third Thursdays listed below. The minimum 14-day “deadline” prior to the regular JLCAR meeting is listed for agencies to file final proposals or proposed interim rules for placement on the JLCAR agenda pursuant to RSA 541-A:12, I and RSA 541-A:19, V. The JLCAR has also scheduled continued meetings as listed below on select Thursdays to address any items postponed from the prior regular meetings.

Regular Meeting Filing Deadline	Regular Meeting Date	Continued Meeting Date
August 3	August 17	August 31
September 7	September 21	October 5
October 5	October 19	November 2
November 2	November 16	December 7
December 7	December 21	None

Notices of Proposed Rules

<u>Notice Number</u>	<u>Rule Number</u>	<u>Agency and Short Title of Rule</u>	<u>Page No.</u>
2017-106	Spe 301.04, 301.05, 406.02, & 607	Governing Board of Speech Language Pathologists Definitions; Ongoing Requirements; Direction & Supervision of Speech-Language Assistants; Scope of Tasks of Speech-Language Assistants.	1
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Notices of Proposed Expedited Repeals

<u>Notice Number</u>	<u>Rule Number</u>	<u>Agency and Short Title of Rule</u>	<u>Page No.</u>
2017-9	Ban 800	Banking Department Repeal of Rules Adopted Under RSA 394-A Powers of Banking Organizations.	20
2017-10	Ban 1801	Banking Department Repeal of Rules on Calculation of Bank Reserves.	21

Notice Number

2017-106

Rule Number

Spe 301.04, Spe 301.05,
Spe 406.02, Spe 607

1. Agency Name & Address:

Governing Board of Speech-Language Pathologists
c/o Office of Professional Licensure & Certification
121 S. Fruit Street
Concord, NH 03301

2. RSA Authority:

RSA 326-F:5, V, V-a

3. Federal Authority:

N/A

4. Type of Action:

Adoption

☒

Amendment

☐

Repeal

☐

Readoption

☐

Readoption w/amendment

☒

5. Short Title: **Definitions; Ongoing Requirements; Direction & Supervision of Speech-Language Assistants; Scope of Tasks of Speech-Language Assistants**

6. (a) Summary of what the rule says and of any proposed amendments:

This proposal is intended to accomplish the following:

- (1) Readoption with amendment of Spe 301.04 and Spe 301.05, effective 8-7-15, which define "direct supervision" and "indirect supervision", in order to update the definitions;
- (2) Adoption of a new Spe 406.02, relative to licensees' delegation of supportive tasks to individuals not certified by the Board, to require that licensees only delegate supportive tasks to non-certified individuals when in compliance with the ethical principles found in Spe 500; and
- (3) Readoption with amendment of Spe 607 relative to direction and supervision of speech language assistants and their scope of practice, as follows:
 - (a) To readopt with amendment Spe 607.01 relative to direct and indirect supervision, to reiterate that such supervision must be in accordance with the ethical requirements found in Spe 500, and to change the percentages of direct and indirect supervision required;
 - (b) To insert a new Spe 607.02, relative to limitation on the number of speech-language assistants under supervision, to reduce the number of supervisees to no more than 2 full time speech language assistants and to define what "full-time employee" means;
 - (c) To insert a new Spe 607.03, relative to the obligation of speech-language assistants to present supervision rules to supervisors and to report supervision to the Board;
 - (d) To insert a new Spe 607.04, relative to supervision forms, to describe the new supervision form required under the proposed Spe 607.03;
 - (e) To readopt with amendment the existing Spe 607.02 and renumber as Spe 607.05, and to revise the responsibilities of certified speech-language assistants; and
 - (f) To readopt with amendment the existing Spe 607.03 and renumber as Spe 607.06, and to revise the prohibited conduct of speech-language assistants.

6. (b) Brief description of the groups affected:

This proposal affects speech-language assistants, speech-language pathologists, and non-certified delegates of those licensed under the Board.

NN 2017-106 Continued

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Statute Implemented
Spe 301.04	RSA 541-A:7
Spe 301.05	RSA 541-A:7
Spe 406.02	RSA 326-F:5, V-a; RSA 326-F:6, II-III
Spe 607	RSA 326-F:5, V

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Robert J. Lamberti, Jr.**

Title: **Attorney I**

Address: **121 S. Fruit Street
Concord, NH 03301**

Phone #: **(603) 271-3103**

Fax#: **(603) 271-6990**

E-mail: **Robert.lambertijr@nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **September 18, 2017 at 4:00 p.m.**

☐ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **September 6, 2017 at 5:15 p.m.**

Place: **Office of Professional Licensure & Certification, 121 S. Fruit Street,
Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 17:099 , dated 07/18/17

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in cost when comparing the proposed and existing rules Spe 301.04 and Spe 301.05, relative to definitions for direct and indirect supervision as these rules clarify existing definitions. There is no difference in cost when comparing the proposed and existing rules for Spe 607 governing direction and supervision, except that proposed Spe 607.03, relative to the obligation to provide supervision rules, and Spe 607.04, relative to the supervision form, may result in additional costs for speech-language assistants. These costs cannot be determined. No applicable to Spe 406.02, delegation of supportive tasks, as this is a new rule.

2. **Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

NN 2017-106 Continued

(Item 10. continued)

3. Cost and benefits of the proposed rule(s):

Compliance with proposed Spe 607.03 and Spe 607.04 may result in indeterminable costs for speech-language assistants associated with providing copies of rules to supervisors or filing the supervision form with the Board. There is no cost to proposed new rule Spe 406.02 requirement compliance with ethical standards referenced in Spe 500 when delegating supportive tasks to individuals not certified by the board.

A. To State general or State special funds:

See 3 above.

B. To State citizens and political subdivisions:

See 3 above. No cost to political subdivisions.

C. To independently owned businesses:

See 3 above.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.

Notice Number 2017-107Rule Number Lot 1100

1. Agency Name & Address:

**NH Lottery Commission
14 Integra Drive
Concord, NH 03301**

2. RSA Authority:

RSA 284:43

3. Federal Authority:

4. Type of Action:

Adoption XAmendment Repeal Readoption Readoption w/amendment 5. Short Title: **Keno**

6. (a) Summary of what the rule says and of any proposed amendments:

Lot 1100 is a new rule being adopted to implement the new subdivision in RSA 284 containing RSA 284:41-50, as established by Chapter 229:1, Laws of 2017 (SB 191), which allows for the operation and playing of Keno games in New Hampshire. This rule sets forth the procedures and criteria for obtaining a license to offer Keno, and general criteria for the operation of Keno games.

6. (b) Brief description of the groups affected:

Lot 1100 will impact those eligible establishments that chose to offer Keno.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State Statutes the Rule Implements
Lot 1101	RSA 284:42
Lot 1102	RSA 284:41
Lot 1103	RSA 284:43, I – II; and RSA 284:44-46, RSA 284:49-50
Lot 1104	RSA 284:43, IV; and RSA 284:47
Lot 1105	RSA 284:43, IV, V; and RSA 284:48

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Valerie King**Title: **Division Director**Address: **NH Lottery Commission**Phone #: **603-271-7613****14 Integra Drive**Fax#: **603-271-1160****Concord, NH 03301**E-mail: **Valerie.King@Lottery.nh.gov**TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

NN 2017-107 Continued

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 30, 2017 (at the close of the public hearing)**

☒ Fax☒ E-mail☒ Other format (specify): USPS

9. Public hearing scheduled for:

Date and Time: **August 30, 2017 @ 9:30am**

Place: **NH Lottery Headquarters, 14 Integra Drive, Concord, NH**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 17:100, dated 7/26/17

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s)**

Not applicable as these are new rules.

2. **Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

3. **Cost and benefits of proposed rule(s):**

There are no costs or benefits attributable to the proposed rules. Any costs associated with the proposed rules are attributable to RSA 284:41-51, as established by Chapter 229:1, Laws of 2017 (SB191).

- A. **To State general or State special funds:**

See above.

- B. **To State citizens and political subdivisions:**

See above.

- C. **To independently owned businesses:**

See above.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rule does not mandate fees, or additional local expenditures on a political subdivision of the state and therefore does not violate Part I, Article 28-a of the New Hampshire Constitution.

Notice Number 2017-108Rule Number Ed 507.28 and Ed 612.22

1. Agency Name & Address:

**State Board of Education
c/o Department of Education
101 Pleasant Street
Concord, NH 03301**

2. RSA Authority:

**RSA 186:8, III-IV;
RSA 186:11, X(a) and (c)**

3. Federal Authority: _____

4. Type of Action:

Adoption _____
Amendment _____
Repeal _____
Readoption _____
Readoption w/amendment x

5. Short Title: **Science Teacher for Grades 5-8**

6. (a) Summary of what the rule says and of any proposed amendments:

Ed 507.28 contains the certification requirements for a science teacher for grades 5-8. Ed 612.22 contains the educator preparation program requirements for science for grades 5-8. These rules have been amended to outline competencies consistent with current standards and practice in the field.

Most of the existing rule provisions are scheduled to expire 10-16-17 but are subject to extension pursuant to RSA 541-A:14-a.

6. (b) Brief description of the groups affected:

Educators, institutes of higher education and local school districts are all affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Ed 507.28	RSA 186:8, III-IV; RSA 186:11, X(a)
Ed 612.22	RSA 186:8, IV; RSA 186:11, X(c)

NN 2017-108 Continued

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Program Assistant III**

Address: **Department of Education**

Phone #: **(603) 271-2408**

101 Pleasant Street

Fax#: **(603) 271-4134**

Concord, NH 03301

E-mail: **Amanda.Phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 31, 2017**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 24, 2017 at 12:30 p.m.**

Place: **State Board Room, 101 Pleasant Street, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 17:101, dated 07/27/17

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

- A. To State general or State special funds:

None.

- B. To State citizens and political subdivisions:

None.

- C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the NH Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the credentialing and educator preparation program approval processes. These processes are already in place. The credentialing and program approval procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues. Therefore, there is no violation of Part I, Article 28-a.

Notice Number 2017-109Rule Number Ed 507.29 and Ed 612.23

1. Agency Name & Address:

State Board of Education
c/o Department of Education
101 Pleasant Street
Concord, NH 03301

2. RSA Authority:

**RSA 186:8, III-IV;
RSA 186:11, X(a) and (c)**

3. Federal Authority:

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment x 5. Short Title: **Science Teacher; General Requirements**

6. (a) Summary of what the rule says and of any proposed amendments:

Ed 507.29 contains the general requirements for certification for a science teacher. Ed 612.23 contains the educator preparation program general requirements for science. These rules have been amended to outline competencies consistent with current standards and practice in the field.

Most of the existing rule provisions are scheduled to expire 10-16-17 but are subject to extension pursuant to RSA 541-A:14-a.

6. (b) Brief description of the groups affected:

Educators, institutes of higher education and local school districts are all affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Ed 507.29	RSA 186:8, III-IV; RSA 186:11, X(a)
Ed 612.23	RSA 186:8, IV; RSA 186:11, X(c)

NN 2017-109 Continued

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Program Assistant III**

Address: **Department of Education**

Phone #: **(603) 271-2408**

101 Pleasant Street

Fax#: **(603) 271-4134**

Concord, NH 03301

E-mail: **Amanda.Phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 31, 2017**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 24, 2017 at 11:00 a.m.**

Place: **State Board Room, 101 Pleasant Street, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # **17:102**, dated **07/27/17**

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

- A. To State general or State special funds:

None.

- B. To State citizens and political subdivisions:

None.

- C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the NH Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the credentialing and educator preparation program approval processes. These processes are already in place. The credentialing and program approval procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues. Therefore, there is no violation of Part I, Article 28-a.

Notice Number 2017-110

Rule Number

Ed 507.30 and Ed 612.24

1. Agency Name & Address:

**State Board of Education
c/o Department of Education
101 Pleasant Street
Concord, NH 03301**

2. RSA Authority:

**RSA 186:8, III-IV;
RSA 186:11, X(a) and (c)**

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment, x 5. Short Title: **Earth and Space Science Teacher for Grades 7-12**

6. (a) Summary of what the rule says and of any proposed amendments:

Ed 507.30 contains the certification requirements for an earth and space science teacher for grades 7-12. Ed 612.24 contains the educator preparation program requirements for earth and space science for grades 7-12. These rules have been amended to outline competencies consistent with current standards and practice in the field.

The existing rules are scheduled to expire 10-16-17 but are subject to extension pursuant to RSA 541-A:14-a.

6. (b) Brief description of the groups affected:

Educators, institutes of higher education and local school districts are all affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Ed 507.30	RSA 186:8, III-IV; RSA 186:11, X(a)
Ed 612.24	RSA 186:8, IV; RSA 186:11, X(c)

NN 2017-110 Continued

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Program Assistant III**

Address: **Department of Education**

Phone #: **(603) 271-2408**

101 Pleasant Street

Fax#: **(603) 271-4134**

Concord, NH 03301

E-mail: **Amanda.Phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 31, 2017**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 24, 2017 at 12:30 p.m.**

Place: **State Board Room, 101 Pleasant Street, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 17:103, dated 07/27/17

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in cost when comparing the proposed rules to the existing rules.

2. **Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

3. **Cost and benefits of the proposed rule(s):**

- A. **To State general or State special funds:**

None.

- B. **To State citizens and political subdivisions:**

None.

- C. **To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the NH Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the credentialing and educator preparation program approval processes. These processes are already in place. The credentialing and program approval procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues. Therefore, there is no violation of Part I, Article 28-a.

Notice Number 2017-111Rule Number Ed 507.31 and Ed 612.25

1. Agency Name & Address:

**State Board of Education
c/o Department of Education
101 Pleasant Street
Concord, NH 03301**

2. RSA Authority:

**RSA 186:8, III-IV;
RSA 186:11, X(a) and (c)**

3. Federal Authority:

4. Type of Action:

Adoption _____
Amendment _____
Repeal _____
Readoption _____
Readoption w/amendment x

5. Short Title: **Life Sciences Teacher for Grades 7-12**

6. (a) Summary of what the rule says and of any proposed amendments:

**Ed 507.31 contains the certification requirements for a life sciences teacher for grades 7-12.
Ed 612.25 contains the educator preparation program requirements for life sciences for
grades 7-12. These rules have been amended to outline competencies consistent with current
standards and practice in the field.**

**The existing rules are scheduled to expire 10-16-17 but are subject to extension pursuant to
RSA 541-A:14-a.**

6. (b) Brief description of the groups affected:

**Educators, institutes of higher education and local school districts are all affected by these
rules.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Ed 507.31	RSA 186:8, III-IV; RSA 186:11, X(a)
Ed 612.25	RSA 186:8, IV; RSA 186:11, X(c)

NN 2017-111 Continued

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Program Assistant III**

Address: **Department of Education**

Phone #: **(603) 271-2408**

101 Pleasant Street

Fax#: **(603) 271-4134**

Concord, NH 03301

E-mail: **Amanda.Phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 31, 2017**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 24, 2017 at 12:00 p.m.**

Place: **State Board Room, 101 Pleasant Street, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 17:104, dated 07/27/17

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

- A. To State general or State special funds:

None.

- B. To State citizens and political subdivisions:

None.

- C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the NH Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the credentialing and educator preparation program approval processes. These processes are already in place. The credentialing and program approval procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues. Therefore, there is no violation of Part I, Article 28-a.

Notice Number 2017-112

Rule Number

Ed 507.32 and Ed 612.26

1. Agency Name & Address:

State Board of Education
c/o Department of Education
101 Pleasant Street
Concord, NH 03301

2. RSA Authority:

RSA 186:8, III-IV;
RSA 186:11, X(a) and (c)

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment x 5. Short Title: **Chemistry Teacher for Grades 7-12**

6. (a) Summary of what the rule says and of any proposed amendments:

Ed 507.32 contains the certification requirements for a chemistry teacher for grades 7-12. Ed 612.26 contains the educator preparation program requirements for chemistry for grades 7-12. These rules have been amended to outline competencies consistent with current standards and practice in the field.

The existing rules are scheduled to expire 10/16/17 but are subject to extension pursuant to RSA 541-A:14-a.

6. (b) Brief description of the groups affected:

Educators, institutes of higher education and local school districts are all affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Ed 507.32	RSA 186:8, III-IV; RSA 186:11, X(a)
Ed 612.26	RSA 186:8, IV; RSA 186:11, X(c)

NN 2017-112 Continued

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	Amanda Phelps	Title:	Program Assistant III
Address:	Department of Education	Phone #:	(603) 271-2408
	101 Pleasant Street	Fax#:	(603) 271-4134
	Concord, NH 03301	E-mail:	Amanda.Phelps@doe.nh.gov
		TTY/TDD Access:	Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 31, 2017**

☒ Fax☒ E-mail☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 24, 2017 at 11:00 a.m.**

Place: **State Board Room, 101 Pleasant Street, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # **17:105**, dated **07/27/17**

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:
None.

B. To State citizens and political subdivisions:
None.

C. To independently owned businesses:
None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the NH Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the credentialing and educator preparation program approval processes. These processes are already in place. The credentialing and program approval procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues. Therefore, there is no violation of Part I, Article 28-a.

Notice Number 2017-113Rule Number Ed 507.33 and Ed 612.27

1. Agency Name & Address:

**State Board of Education
c/o Department of Education
101 Pleasant Street
Concord, NH 03301**

2. RSA Authority:

**RSA 186:8, III-IV;
RSA 186:11, X(a) and (c)**

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment x 5. Short Title: **Physics Teacher for Grades 7-12**

6. (a) Summary of what the rule says and of any proposed amendments:

Ed 507.33 contains the certification requirements for a physics teacher for grades 7-12. Ed 612.27 contains the educator preparation program requirements for physics for grades 7-12. These rules have been amended to outline competencies consistent with current standards and practice in the field.

The existing rules are scheduled to expire 10-16-17 but are subject to extension pursuant to RSA 541-A:14-a.

6. (b) Brief description of the groups affected:

Educators, institutes of higher education and local school districts are all affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Ed 507.33	RSA 186:8, III-IV; RSA 186:11, X(a)
Ed 612.27	RSA 186:8, IV; RSA 186:11, X(c)

NN 2017-113 Continued

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Program Assistant III**

Address: **Department of Education**

Phone #: **(603) 271-2408**

101 Pleasant Street

Fax#: **(603) 271-4134**

Concord, NH 03301

E-mail: **Amanda.Phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 31, 2017**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 24, 2017 at 11:00 a.m.**

Place: **State Board Room, 101 Pleasant Street, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # **17:106**, dated **07/27/17**

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

- A. To State general or State special funds:

None.

- B. To State citizens and political subdivisions:

None.

- C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the NH Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the credentialing and educator preparation program approval processes. These processes are already in place. The credentialing and program approval procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues. Therefore, there is no violation of Part I, Article 28-a.

Notice Number 2017-114Rule Number Ed 507.51 and Ed 612.34

1. Agency Name & Address:

**State Board of Education
c/o Department of Education
101 Pleasant Street
Concord, NH 03301**

2. RSA Authority:

**RSA 186:8, III-IV;
RSA 186:11, X(a) and (c)**

3. Federal Authority:

4. Type of Action:

Adoption x
Amendment
Repeal
Readoption
Readoption w/amendment x

5. Short Title: **Physical Science Teacher for Grades 7-12**

6. (a) Summary of what the rule says and of any proposed amendments:

Ed 507.51 contains the certification requirements for a physical science teacher for grades 7-12. Ed 612.34 contains the educator preparation program requirements for physical science for grades 7-12. Ed 507.51 has been amended to outline competencies consistent with current standards and practice in the field. Ed 612.34 is a new rule being adopted to outline the educator preparation program requirements for physical science for grades 7-12.

6. (b) Brief description of the groups affected:

Educators, institutes of higher education and local school districts are all affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Ed 507.51	RSA 186:8, III-IV; RSA 186:11, X(a)
Ed 612.34	RSA 186:8, IV; RSA 186:11, X(c)

NN 2017-114 Continued

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	Amanda Phelps	Title:	Program Assistant III
Address:	Department of Education	Phone #:	(603) 271-2408
	101 Pleasant Street	Fax#:	(603) 271-4134
	Concord, NH 03301	E-mail:	Amanda.Phelps@doe.nh.gov
		TTY/TDD Access:	Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 31, 2017**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 24, 2017 at 11:00 a.m.**

Place: **State Board Room, 101 Pleasant Street, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 17:107, dated 07/27/17

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

- A. To State general or State special funds:

None.

- B. To State citizens and political subdivisions:

None.

- C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the NH Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the credentialing and educator preparation program approval processes. These processes are already in place. The credentialing and program approval procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues. Therefore, there is no violation of Part I, Article 28-a.

EXPEDITED REPEAL NOTICE FORM

Proposed Expedited Repeal Number 2017-9 Rule Number Ban 800

1. Agency Name & Address:

NH Banking Department
53 Regional Drive
Suite 200
Concord, NH 03301

2. RSA Authority:

RSA 383-B:1-104

3. Federal Authority:

4. Short Title: **Repeal of Rules Adopted Under RSA 394-A Powers of Banking Organizations**

5. Explanation of the reason for the proposed repeal:

The rules proposed to be repealed are listed below and were adopted pursuant to RSA 394-A which was repealed by 2015, N.H. Laws Ch. 272:52, XXVIII, eff. October 1, 2015. These rules are no longer required:

CHAPTER Ban 800 POWERS OF BANKING ORGANIZATIONS

PART Ban 801 RULES OF CONSTRUCTION FOR RSA 394-A:11 (1983 LAWS, CHAPTER 369:12), RELATIVE TO POWERS AND INCONSISTENT CHARTER PROVISIONS

Part Ban 801 is the only remaining provision in Chapter Ban 800 still in effect. Part Ban 802 on charter conversions expired on 12/28/04 and therefore does not have to be repealed.

6. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Doreen Sheppard**Title: **Paralegal II**

Address: **NH Banking Department
53 Regional Drive
Concord, NH 03301**

Phone #: **603-271-3561**Fax#: **603-271-1070**E-mail: **doreen.sheppard@banking.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or
dial 711 (in NH)

7. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 17, 2017**☐ Fax☒ E-mail☐ Other format (specify):**legal@banking.nh.gov**

8. Public hearing scheduled for:

Date and Time: **August 10, 2017; 1:00 p.m.**Place: **NH Banking Department, 53 Regional Drive, Suite 200, Concord, NH**

EXPEDITED REPEAL NOTICE FORM

Proposed Expedited Repeal Number 2017-10 Rule Number Ban 1801

1. Agency Name & Address:

**NH Banking Department
53 Regional Drive
Suite 200
Concord, NH 03301**

2. RSA Authority:

RSA 383-B:1-104

3. Federal Authority: _____

4. Short Title: **Repeal of Rules on Calculation of Bank Reserves**

5. Explanation of the reason for the proposed repeal:

The rules proposed to be repealed govern calculation of bank reserves for trust and banking companies and were last adopted in 2010 pursuant to RSA 390:11-a, I and RSA 390:6, which were repealed by 2015 N.H. Laws Ch. 272:52 XXII, eff. Oct. 1, 2015. The rules have been superseded by statute, RSA 383-B:3-303(a)(1).

6. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Doreen Sheppard**Title: **Paralegal II**

Address: **NH Banking Department
53 Regional Drive
Concord, NH 03301**

Phone #: **603-271-3561**Fax#: **603-271-1070**E-mail: **doreen.sheppard@banking.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or
dial 711 (in NH)

7. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 17, 2017**☐ Fax☒ E-mail☐ Other format (specify):**legal@banking.nh.gov**

8. Public hearing scheduled for:

Date and Time: **August 10, 2017; 1:00 p.m.**Place: **NH Banking Department, 53 Regional Drive, Suite 200, Concord, NH**

**DRAFT FINAL PROPOSED RULE:
HEARING AND PUBLIC COMMENT PERIOD**

Notice Number **2017-51**Rule Number **Ed 507.24, Ed 507.53, Ed
612.05 and Ed 612.35**

1. Agency Name & Address:

**State Board of Education
c/o Department of Education
101 Pleasant Street
Concord, NH 03301**

2. RSA Authority: **RSA 186:11, X(a) and (c)**

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment **x**5. Short Title: **English Language Arts Teacher**

In accordance with RSA 541-A:11, I(c), public comment is being solicited on a draft final proposed rule in a rulemaking proceeding for which notice first appeared in the Rulemaking Register on **April 21, 2017** under Notice Number **2017-51**.

6. A public hearing has therefore been scheduled for:

Date and Time: **August 24, 2017 at 1:00 p.m.**Place: **DOE, State Board Room, 101 Pleasant Street, Concord**7. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 30, 2017**☒ Fax☒ E-mail☐ Other format (specify):

8. Contact person for copies of the draft final proposed rule and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**Title: **Program Assistant II**

Address: **Department of Education
101 Pleasant Street
Concord, NH 03301**

Phone #: **(603) 271-2408**Fax#: **(603) 271-4134**E-mail: **Amanda.phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-
2964 or dial 711 (in NH)

**DRAFT FINAL PROPOSED RULE:
HEARING AND PUBLIC COMMENT PERIOD**

Notice Number **2017-52**Rule Number **Ed 507.27, Ed 507.54, Ed
612.28 and Ed 612.29**

1. Agency Name & Address: State Board of Education c/o Department of Education 101 Pleasant Street Concord, NH 03301	2. RSA Authority: <u>RSA 186:11, X(a) and (c)</u> 3. Federal Authority: _____ 4. Type of Action: Adoption _____ Amendment _____ Repeal _____ Readoption _____ Readoption w/amendment <u>x</u>
5. Short Title: Social Studies Teacher	

In accordance with RSA 541-A:11, I(c), public comment is being solicited on a draft final proposed rule in a rulemaking proceeding for which notice first appeared in the Rulemaking Register on **April 21, 2017** under Notice Number **2017-52**.

6. A public hearing has therefore been scheduled for:

Date and Time: **August 24, 2017 at 1:30 p.m.**

Place: **DOE, State Board Room, 101 Pleasant Street, Concord**

7. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **August 30, 2017**

☒ Fax

☒ E-mail

☐ Other format (specify):

8. Contact person for copies of the draft final proposed rule and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Program Assistant II**

Address: **Department of Education
101 Pleasant Street
Concord, NH 03301**

Phone #: **(603) 271-2408**

Fax#: **(603) 271-4134**

E-mail: **Amanda.phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)