VOLUME XXXVII, Number 25, June 22, 2017

TABLE OF CONTENTS

1. OFFICE OF LEGISLATIVE SERVICES
      -1-
   b. Notices of Proposed Rules
      1

   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 June 30, 2017 Has Been Cancelled
   REGULAR MEETING: Thursday, July 20, 2017 9:00 a.m.
   Rooms 306/308, Legislative Office Building

   See 2017 JLCAR Meeting dates and deadlines on page i.

NOTICE

PAID SUBSCRIPTIONS TO THE RULEMAKING REGISTER WILL EXPIRE JUNE 30th.

The subscription cost for the Register in paper format is $80 for a one-year subscription (July 1, 2017 - June 30, 2018). To renew a subscription for the paper format a subscriber must use the enclosed subscription renewal form. Checks should be made payable to: "Treasurer, State of New Hampshire" and mailed to: Office of Legislative Services, Administrative Rules, State House Annex, 25 Capitol Street, Room 219, Concord, NH 03301.

PURSUANT TO NH RSA 541-A, STATE AGENCIES, LEGISLATORS, AND MUNICIPALITIES ARE EXEMPT AND RECEIVE THE RULEMAKING REGISTER FREE OF CHARGE.
Notices of Proposed Rules

<table>
<thead>
<tr>
<th>Notice Number</th>
<th>Rule Number</th>
<th>Agency and Short Title of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-83</td>
<td>Ed 505.05(a) intro., (a)(1), &amp; (a)(2) various, 507.52, 612.33</td>
<td>Board of Education Educator in Computer Science.</td>
</tr>
<tr>
<td>2017-84</td>
<td>Fis 603.09, 603.25, 807.15</td>
<td>Fish and Game Department Groundfish Restriction, Bluefin Tuna, and Protection of Aquaculture Gear and Product.</td>
</tr>
</tbody>
</table>

Notices of Proposed Expedited Repeals

<table>
<thead>
<tr>
<th>Notice Number</th>
<th>Rule Number</th>
<th>Agency and Short Title of Rule</th>
</tr>
</thead>
</table>

JL CAR MEETING DATES AND RELATED FILING DEADLINES
JULY-DECEMBER, 2017

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

<table>
<thead>
<tr>
<th>Regular Meeting</th>
<th>Regular Meeting</th>
<th>Continued Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing Deadline</td>
<td>Date</td>
<td>Date</td>
</tr>
<tr>
<td>July 6</td>
<td>July 20</td>
<td>August 3</td>
</tr>
<tr>
<td>August 3</td>
<td>August 17</td>
<td>August 31</td>
</tr>
<tr>
<td>September 7</td>
<td>September 21</td>
<td>October 5</td>
</tr>
<tr>
<td>October 5</td>
<td>October 19</td>
<td>November 2</td>
</tr>
<tr>
<td>November 2</td>
<td>November 16</td>
<td>December 7</td>
</tr>
<tr>
<td>December 7</td>
<td>December 21</td>
<td>None</td>
</tr>
</tbody>
</table>
Notice Number 2017-83

1. Agency Name & Address:

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

2. RSA Authority:

RSA 21-N:9, II(s);
RSA 186:11, X

3. Federal Authority:

Ed 505.05 intro., (a)(1), (a)(2) intro., (a)(2) a., b., & d.
Ed 507.52
Ed 612.33

4. Type of Action:

Adoption X
Amendment X
Repeal
Readoption
Readoption w/amendment

5. Short Title: Educator in Computer Science

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

Ed 505.05 addresses the alternative 5 pathway to certification (site-based certification plan), and paragraph (a) specifies the conditions for certification. Ed 505.05(a)(2) is being amended to provide in (a)(2)d. the details specific to the computer science educator's alternative 5 pathway to certification. Ed 507.52 is a new rule being adopted to provide the criteria for obtaining an educator certificate in computer science, and Ed 612.33 is a new rule being adopted to provide the requirements for a computer science teacher preparation program.

Ed 505.05 (a)(2) is being amended in another rulemaking proceeding to insert (a)(2)c. relative to school nurses.

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

Educators, institutes of higher education, and local school districts are affected by this rule.

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

<table>
<thead>
<tr>
<th>Rule</th>
<th>Statute</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ed 505.05 intro., (a)(1), (a)(2) intro., (a)(2) a., b., &amp; d.</td>
<td>RSA 21-N:9, II(s)</td>
</tr>
<tr>
<td>Ed 507.52</td>
<td>RSA 21-N:9, II(s); RSA 186:11, X</td>
</tr>
<tr>
<td>Ed 612.33</td>
<td>RSA 21 N:9, II(r)</td>
</tr>
</tbody>
</table>
7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Amanda Phelps
Address: 101 Pleasant Street
Concord, NH 03301
Title: Program Assistant III
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)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: July 21, 2017

☐Fax ☑E-mail ☐Other format (specify):

9. Public hearing scheduled for:

Date and Time: July 13, 2017 at 11:00 a.m.
Place: State Board Room, Department of Education
101 Pleasant Street, Concord, NH 03301

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

FIS # 17:072, dated 5/30/17

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. Not applicable to Ed 507.52 or Ed 612.33 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 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 2017-84

1. Agency Name & Address:
   
   **NH Fish and Game Department**
   11 Hazen Drive
   Concord, NH 03301

2. RSA Authority: 211:62, II; 211:62-e, II-a

3. Federal Authority: none

4. Type of Action:
   - Adoption
   - Amendment xx
   - Repeal
   - Readoption
   - Readoption w/amendment xx

5. Short Title: **Groundfish Restrictions, Bluefin Tuna, and Protection of Aquaculture Gear and Product**

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

   This proposal readopts with amendment Fis 603.09 to change restrictions on the taking of the groundfish species cod and haddock by prohibiting the recreational taking of cod, reducing the open season for the taking of haddock, and reducing the daily limit for taking of haddock from 15 fish to 12 fish. The proposal adopts a new rule, Fis 603.25, establishing state restrictions on the taking of bluefin tuna to be consistent with federal regulations. The proposal readopts with amendment Fis 807.15 on the protection of aquaculture gear and product to prohibit the taking or possession of product from aquaculture sites marked with yellow buoys.

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

   The proposal affects all licensed commercial and recreational take of cod and haddock, and all licensed commercial and recreational take of bluefin tuna. The proposal also protects all licensed aquaculture operators from interference with their gear and product.

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

<table>
<thead>
<tr>
<th>Rule(s)</th>
<th>State Statute (RSA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fis 603.09</td>
<td>RSA 211:62, II</td>
</tr>
<tr>
<td>Fis 603.25</td>
<td>RSA 211:62, II</td>
</tr>
<tr>
<td>Fis 807.15</td>
<td>RSA 211:62-e</td>
</tr>
</tbody>
</table>

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

   Name: Paul G. Sanderson, Esq.
   Address: 11 Hazen Drive
             Concord, NH 03301
   Title: Legal Coordinator
   Phone #: 603-271-1136
   Fax#: 603-271-1438
   E-mail: comments@wildlife.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: **Tuesday August 1, 2017**
   - [X] Fax
   - [X] E-mail
   - [ ] Other format (specify):

9. Public hearing scheduled for:
   - **Date and Time:** Tuesday, July 25, 2017 at 7:00 PM
   - **Place:** Urban Forestry Center, Elwyn Road, Portsmouth NH 03801

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)
    
    **FIS # 17:078**, dated **06/07/17**
    
    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 existing rules. Not applicable to Fis 807.15 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.
    
    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:
    
    The proposal does not impose any programs, responsibilities, or administrative duties upon any political subdivision of the state, and thus does not violate the NH Constitution, Part I, Article 28-a.
1. Agency Name & Address:
   NH Banking Department
   53 Regional Drive
   Suite 200
   Concord, NH 03301

2. RSA Authority:
   RSA 383:9, VI; RSA 383-B:1-104; RSA 383-C:1-104;
   RSA 383-E:1-104

3. Federal Authority:

4. Short Title: REPEAL OF RULES ADOPTED UNDER RSA 394-A GRANTING STATE-CHARTERED FINANCIAL INSTITUTIONS POWERS OF CORRESPONDING FEDERALLY-CHARTERED FINANCIAL INSTITUTIONS

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 RSA 383-B:3-301(c), 2015, N.H. Laws Ch. 272:52, XXVIII, eff. October 1, 2015. These rules are no longer required.
   Ban 510.01 on definitions for Ban 510, Ban 510.03 on investments in service corporations under Ban 510, and Ban 510.06 on investment in a national credit union central liquidity facility are still in effect and are not being repealed at this time.
   Ban 510.07 on loans and lines of credit to members expired December 6, 1995 and Ban 510.09 on credit union banking expired November 11, 2013.

Rules to be repealed:

PART Ban 501 FORMAT AND PROCEDURES FOR PETITIONING OF COMMISSIONER
PART Ban 502 DEPOSITS OF PUBLIC MONEY IN THRIFT INSTITUTIONS
PART Ban 503 COMMERCIAL, CORPORATE OR BUSINESS LOANS OF THRIFT INSTITUTIONS
PART Ban 505 TRUST POWERS OF THRIFT INSTITUTIONS
PART Ban 506 SALE OF FEDERAL FUNDS BY STATE CHARTERED CREDIT UNIONS
PART Ban 508 INVESTMENTS OF THRIFT INSTITUTIONS IN SERVICE CORPORATIONS
PART Ban 509 VOTING PROXIES IN CONVERSION OF MUTUAL BANKS TO STOCK BANKS (CO-OPERATIVE BANKS)
PART Ban 510 CREDIT UNION POWERS
   Ban 510.02 Investments in Corporate Central Credit Unions
   Ban 510.04 Discounting Notes
   Ban 510.05 Sale or Purchase of Assets
   Ban 510.08 Supervisory Committee
PART Ban 511 DIVIDENDS AND INTEREST PAID BY THRIFT INSTITUTIONS
PART Ban 512 DEPOSITS IN FINANCIAL INSTITUTIONS
PART Ban 513 DISTRIBUTION OF PROFITS AND DIVIDENDS BY STATE-CHARTERED THRIFT INSTITUTIONS (COOPERATIVE BANKS)
PART Ban 514 INTERSTATE LENDING AUTHORITY
PART Ban 515 RECEIPT OF FUNDS FROM OTHER CREDIT UNIONS
PART Ban 516 SERVICE CHARGES ON SAVINGS ACCOUNTS OF STATE CHARTERED THRIFT INSTITUTIONS (BUILDING AND LOAN ASSOCIATIONS AND/OR CO-OPERATIVE BANKS)
PART Ban 517 CORPORATE TITLE OF THRIFT INSTITUTIONS
PART Ban 519 REQUIREMENTS AND PROCEDURES FOR CONVERSIONS OF MUTUAL SAVINGS BANKS AND ASSOCIATIONS TO STOCK FORM
PART Ban 520 REQUIREMENTS AND PROCEDURES FOR RETAIL SALES OF MUTUAL FUNDS AND OTHER UNINSURED PRODUCTS
PART Ban 522 REAL ESTATE LENDING STANDARDS
PART Ban 523 NATIONAL BANK POWERS
PART Ban 524 AFFILIATE AGENCY POWERS
PART Ban 525 FEDERAL SAVINGS ASSOCIATION POWERS
PART Ban 526 FEDERAL CREDIT UNION POWERS

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

Name: Doreen Sheppard
Address: NH Banking Department
          53 Regional Drive
          Concord, NH 03301
Title: Paralegal II
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: July 7, 2017

Fax √ E-mail □ Other format (specify):
legal@banking.nh.gov

8. Public hearing scheduled for:

Date and Time: June 30, 2017 9:30 a.m.
Place: NH Banking Department, 53 Regional Drive, Suite 200, Concord, NH