



Action Minutes

February 18, 2022

Members Present: Senators Reagan, Gray, Ward, and Whitley, and Representatives McGuire, Lang, 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 at this time, aside from Sen. Reagan, were Senators Gray, Ward, and Whitley, and Representatives McGuire, Lang, Rouillard, Tucker, and Schuett.

Sen. Reagan designated Reps. Rouillard, Tucker, and Schuett as alternates for absent members.

2. The Committee discussed the minutes of the Committee meeting on January 21, 2022.

Rep. McGuire moved that the minutes be approved.

Senator Ward seconded.

Adopted.

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

CONSENT AGENDA

2. Committee Approval of Final Proposals:

- | | |
|-----------------|--|
| (a) FP 2021-117 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
Former Division of Public Health Services
Disbursement of Child Support Payments |
| (b) EXRF 2022-1 | LIQUOR COMMISSION
Expedited Revisions to the License Type Worksheet
Sports Recreation Facility |

3. Committee Conditional Approvals:

- | | |
|-----------------|--|
| (a) FP 2021-128 | DEPARTMENT OF EMPLOYMENT SECURITY
Job training Program and Work Search Waivers
For WorkNowNH |
|-----------------|--|

Rep. McGuire moved that the Committee approve the Consent Agenda except for Final Proposal 2021-117, that is, approve the Final Proposal and Expedited Revision to Form in Item #2, and conditionally approve the Final Proposal in Item #3, based on the agencies' conditional approval requests.

Sen. Gray seconded.

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Adopted.

4. The Committee discussed an Emergency Rule filed in Document #13341, effective February 8, 2022, by the Board of Dental Examiners (Acceptance of 100% Virtual CEUs for Dentists' 2022 Renewal Cycle). Tina Kelley of the Office of Professional Licensure and Certification testified for the Board.

No action was taken.

5. The Committee was informed by its staff that a response to the Committee's preliminary objection had not yet been received for Final Proposal 2021-104 (Transfer of Animals and Birds) from the Department of Agriculture, Markets, and Food.

No action was taken.

6. The Committee discussed the response by the Board of Architects to the Committee's objection to Final Proposal 2021-107 (Licensure Requirements and Continued Status). Tina Kelley testified for the Board.

Rep. Lang moved that the Committee accept the response and approve Final Proposal 2021-107.

Rep. McGuire seconded.

Adopted.

7. The Committee discussed Final Proposal 2021-103 from the Board of Education (School Year and Distance Education). No one testified for the Board.

Rep. McGuire moved that the Committee approve Final Proposal 2021-103.

Rep. Lang seconded.

Adopted.

8. The Committee discussed Final Proposal 2021-102 from the Board of Education (Education Freedom Accounts). Commissioner Frank Edelblut and Attorney Christopher Bond from the Department of Education testified for the Board.

The Board had submitted a conditional approval request in a letter and amended rules dated January 18, 2022 and an amended conditional approval request in a letter and amended rules dated February 15, 2022.

Rep. McGuire moved that the Committee approve Final Proposal 2021-102 with the recommendation that the Department work with the Legislature to address the legislative issues that were mentioned in the meeting, including current legislation, and that the Department report back to the Committee detailing how the Department is addressing the issue of religious instruction.

Rep. Lang seconded.

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A roll call vote was called. The vote was as follows:

	<u>Yes</u>	<u>No</u>
Rep. Rouillard		X
Sen. Whitley		X
Sen. Ward	X	
Sen. Gray	X	
Sen. Reagan	X	
Rep. McGuire	X	
Rep. Schuett		X
Rep. Lang	X	
Rep. Tucker	X	

The vote was 6 “yes” and 3 “no”.

Adopted.

9. The Committee discussed Final Proposal 2021-117 from the Department of Health and Human Services (Former Division of Public Health Services, Disbursement of Child Support Payments). Allyson Zinno, testified for the Department and submitted an oral conditional approval request to address a concern of the Committee.

Rep. Lang moved that the Committee conditionally approve Final Proposal 2021-117 based on the Department’s oral request.

Sen. Gray seconded.

Adopted.

10. Committee staff informed the Committee that the number of rulemaking proceedings filed in the last 2 years has been well below the average number and that Committee staff is concerned that this will lead to an increase in expired rules. Committee staff noted that it is doing a search of the rules database to determine the number of expired and expiring rules for the period of 2021 through 2023 and will be sending letters to agencies regarding the expired rules.

11. The Committee discussed adjournment.

The Committee adjourned at the call of the Chair.

The Committee adjourned at 10:22 a.m.