



STATE OF NEW HAMPSHIRE
JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES
ROOM 219
25 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6312

Action Minutes

NOVEMBER 6, 2014

Members Present: Senators Reagan, Rausch, Cataldo, Lasky, and Watters, and Representatives Schmidt, McGuire, MacKay, Ladd, Sad, Kidder*, Hatch*, and Barry*. (*) 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 at 9:03 a.m. by Sen. Reagan as Chair.

Members present at this time, aside from Sen. Reagan, were Sens. Rausch, Cataldo, and Watters, and Reps. Schmidt, McGuire, MacKay, Ladd, Sad, and Kidder.

Sen. Reagan designated Rep. Kidder as an alternate for Sen. Lasky, who was absent.

2. The Committee discussed the minutes of the Committee meeting on October 16, 2014.

Rep. Schmidt moved that the Committee approve the minutes.

Rep. MacKay seconded.

After further discussion, Rep. Schmidt amended his motion to move that the Committee approve the minutes with an amendment to Item #10 relative to the motion to preliminarily object to Final Proposal 2013-222 of the Department of Safety, so that the grounds for the objection are amended to read: "on the ground of legislative intent, and of exceeding legislative authority in Saf-C 2607.01(c), based on public testimony and on the grounds as otherwise addressed in the conditional approval request".

Rep. MacKay amended his second.

The motion as amended was adopted.

3. The Committee discussed whether to postpone action on certain items to another meeting.

Sen. Watters moved that the Committee postpone action on the following items to the November 20, 2014 Committee meeting:

3. DEPARTMENT OF SAFETY

OR 2013-222 Commissioner
 Readoption of Marketing, Sales, and Possession of Fireworks Rules
 (JLCAR Deadline January 20, 2015.)
 (Response not yet received. Response due by December 1, 2014.)

4. INSURANCE DEPARTMENT

OR 2014-91 Long-Term Care Insurance
(JLCAR Deadline January 20, 2015.)
(Response not yet received. Response due by December 1, 2014.)

Rep. Schmidt seconded.

Adopted.

4. The Committee discussed the following item which had been withdrawn by the agency:

10. DEPARTMENT OF HEALTH AND HUMAN SERVICES

(a) FP 2014-44 Former Division of Public Health Services
Immunization Registry
(JLCAR Deadline November 20, 2014.)
(Formerly Item #13(c) on 9-18-14 and 10-2-14 agendas.)

No further Committee action was required or taken.

5. The Committee discussed Final Proposal 2014-78 from the Board of Accountancy (Board of Accountancy Rules Regarding Certification, Registration, and Permit Requirements; Continued Status; and Ethics). Louise Lavertu of the Joint Board of Licensure and Certification testified for the Board of Accountancy.

Louise Lavertu had submitted a conditional approval request from the Board of Accountancy in a letter and amended rule dated October 23, 2014.

Rep. Schmidt moved that the Committee accept the conditional approval request and conditionally approve Final Proposal 2014-78 based on the request.

Rep. McGuire seconded.

Adopted.

Rep. Hatch arrived in the meeting. He was not a voting member at this time.

6. The Committee discussed the response by the Pharmacy Board to the Committee's revised objection to Final Proposal 2014-66 (Pharmacy Technicians). Robert Stout, Board Vice-President, testified for the Board.

Sen. Cataldo moved that the Committee accept the response and approve the rules.

Rep. Kidder seconded.

Adopted.

Sen. Lasky and Rep. Barry arrived in the meeting. Rep. Barry was not a voting member at this time. Since Sen Lasky had arrived, Rep. Kidder was no longer a voting member.

7. The Committee discussed the response by the Pharmacy Board to the Committee's revised objection to Final Proposal 2014-67 (Pharmacy Interns). Robert Stout, Board Vice-President, testified for the Board.

Rep. MacKay moved that the Committee accept the response and approve the rules.

Rep. Hatch seconded initially, but since he was not a voting member, Rep. McGuire then seconded.

The motion was adopted.

8. The Committee discussed a memo prepared by Committee staff on proposed changes to RSA 541-A based on Committee experience over the last 2 years.

It was the consensus of the Committee to send the memo to Committee members electronically.

9. The Committee discussed with Sen. Rausch his departure from the State Senate and thanked him for his service.

10. The Committee discussed methods of saving paper on Committee members' meeting packets by making the material available electronically to members.

It was the consensus that Committee staff would investigate.

11. Rep. Schmidt moved that the Committee adjourn.

Sen. Lasky seconded.

Adopted.

The Committee adjourned at 9:15 a.m.