



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

Action Minutes

FEBRUARY 20, 2015

Members Present: Representatives McGuire, Schmidt, Kidder, Sad, and Gottling*, and Senators Reagan, Cataldo, Avard, Feltes, and Daniels*. (*) Indicates alternate member.

(**) Part I, 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 9:00 a.m. by Rep. McGuire as Chair.

Members present at this time, aside from Rep. McGuire, were Reps. Schmidt, Kidder, Sad, and Gottling, and Sens. Reagan, Cataldo, Avard, and Daniels.

Rep. McGuire designated Rep. Gottling and Sen. Daniels as alternates, respectively, for Rep. Ladd and Sen. Watters, who were absent.

2. The Committee discussed the minutes of the Committee meeting on February 6, 2015.

Rep. Schmidt moved that the minutes be approved.

Sen. Reagan seconded.

Adopted.

3. The Committee discussed the following Final Proposals (Consent Agenda – Final Proposals):

FP 2014-86 PUBLIC UTILITIES COMMISSION
Various Practice and Procedure Rules

FP 2014-128 DEPARTMENT OF SAFETY
Mechanical Licensing Board
Mechanical Licensing Board Organizational Rules and Practice and Procedural Rules

FP 2014-138 DEPARTMENT OF ADMINISTRATIVE SERVICES
Division of Personnel
Personnel Rules - Scope, Definitions, Rules of Practice, Informal Settlements, and Computation of Time

FP 2014-172 DEPARTMENT OF HEALTH AND HUMAN SERVICES
Commissioner
Payments to Non-Public Disproportionate Share Hospitals & Uncompensated Care Fund Reporting

- FP 2014-175 BOARD OF DENTAL EXAMINERS
Various Practice and Procedure Rules
- FP 2014-176 BOARD OF DENTAL EXAMINERS
Application Procedure, Qualification and Supervision Purpose, Examination, Assistants' Duties, and Continuing Education
- FP 2014-180 CURRENT USE BOARD
Assessment Range for Forest Land Categories, With and Without Stewardship

Rep. Schmidt moved that the Committee approve the Final Proposals.

Sen. Reagan seconded.

Adopted.

4. The Committee discussed whether to postpone certain items to another meeting.

Sen. Reagan moved that the following item be postponed to the next Committee meeting and the Committee request a waiver, pursuant to RSA 541-A:40, IV, from the Director of the Office of Legislative Services of the Committee's deadline:

7. EXECUTIVE BRANCH ETHICS COMMITTEE

- FP 2014-132 Organizational Rules; Practice and Procedure Rules
(*JLCAR Deadline March 12, 2015.*)

Rep. Schmidt seconded.

Adopted.

Sen. Feltes arrived in the meeting during the discussion of this item.

5. The Committee discussed Final Proposal 2014-139 from the Department of Administrative Services (Division of Personnel, Personnel Rules – Readoption and Various Amendments to Per 300 through Per 1500). Kathleen Belanger from the Department of Administrative Services and Sara Willingham, Director, Division of Personnel, testified for the Division.

Rep. Schmidt moved that the Committee make a preliminary objection based on the annotations to the Final Proposal by Committee staff.

Sen. Reagan seconded.

Adopted.

6. The Committee discussed Final Proposal 2014-184 from the Department of Revenue Administration (Residency and Taxability of Special Entities and Deductions for Trust Beneficiary Income). Caroline Delaney testified for the Department.

Sen. Reagan moved that the Committee conditionally approve Final Proposal 2014-184 on condition that the following definition of "association" be inserted in the Final Proposal:

“‘Association’ means an unincorporated group of 2 or more persons that is not a legal entity separate from the persons who compose it”

Sen. Cataldo seconded.

Adopted.

7. The Committee discussed Final Proposal 2014-88 from the Department of Health and Human Services (Commission, Foster Family Care Licensing Requirements). Michael Holt and Kathleen Companion testified for the Department.

Sen. Reagan left the meeting during the discussion of this item.

Rep. Schmidt moved that the Committee approve Final Proposal 2014-88.

Sen. Cataldo seconded.

Adopted.

8. The Committee discussed postponing further items to another meeting.

It was the consensus of the Committee to postpone action on the following items to the regular Committee meeting on March 20, 2015, and cancel the continued meeting scheduled for March 6, 2014:

11. DEPARTMENT OF LABOR

ROR 2014-143 Safety and Health of Public Employees
(JLCAR Deadline May 12, 2015.)
(Response not yet received. Response due by March 23, 2015.)

12. BOARD OF BARBERING, COSMETOLOGY, AND ESTHETICS

OR 2014-157 Apprentice, School Instructor and Shop License, School and Shop Requirements,
Estheticians, Individuals Licensed in Another State, Fine Procedures, Notice, Violation
Points, Tanning Facilities
(JLCAR Deadline May 20, 2015.)
(Response not yet received. Response due by March 31, 2015.)

13. BOARD OF MENTAL HEALTH PRACTICE

OR 2014-12 License Requirements, Applications, and Fees
(JLCAR Deadline May 26, 2015.)
(Response not yet received. Response due by April 6, 2015.)
(Formerly Item #14 on the 1-16-15 and 2-6-15 agendas.)

OTHER BUSINESS

14.

9. The Committee adjourned by consensus at 9:38 a.m.