



NEW HAMPSHIRE RULEMAKING REGISTER

OFFICE OF LEGISLATIVE SERVICES

ROOM 219, STATE HOUSE ANNEX

25 CAPITOL STREET

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VOLUME XXXVIII, Number 36, September 6, 2018

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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 September 6, 2018 Has Been Cancelled

REGULAR MEETING: **Thursday, September 20, 2018 9:00 a.m.**
Rooms 306/308, Legislative Office Building

JLCAR MEETING DATES AND RELATED FILING DEADLINES SEPTEMBER-DECEMBER, 2018

The JLCAR has voted to hold its regularly scheduled monthly meetings for September through December, 2018 on the third Thursday of the month as 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
September 6	September 20	October 4
October 4	October 18	November 1
November 1	November 15	December 6
December 6	December 20	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>
2018-153	Elec 105.01	Electricians' Board Meetings.	1
2018-154	Elec 301.04, 302.04, 303.07, 304.05	Electricians' Board Third Party Electrical Inspectors.	3

Notice Number 2018-153

Rule Number Elec 105.01

1. Agency Name & Address:
NH Electricians' Board
c/o Office of Professional Licensure & Certification
121 S. Fruit Street
Concord, NH 03301

2. RSA Authority: RSA 541-A:16, I(a);
RSA 319-C:6-a, IX

3. Federal Authority: N/A

4. Type of Action:
 Adoption _____
 Amendment _____
 Repeal _____
 Readoption _____
 Readoption w/amendment X

5. Short Title: **Meetings**

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

This proposal readopts with amendment Elec 105.01, relative to meetings of the Electricians' Board and effective 9-25-13, to remove the requirement that notice of Board meetings be posted at the State House, and to add the requirement that notice of Board meetings be posted on the Board's website.

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

This proposal affects any person seeking notice of Board meetings.

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

Rule	Specific State or Federal Statutes the Rule Implements
Elec 105.01	RSA 541-A:16, I(a); RSA 319-C:4; RSa 319-C:6-a, IX

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

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

Title: **Attorney III**

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

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

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

E-mail: **Robert.lambertjr@oplc.nh.gov**

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

NN 2018-153 Continued

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **October 2, 2018 at the conclusion of the public hearing**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **October 2, 2018 at 10:00 a.m.**

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

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

FIS # 18:154, dated 08/30/18

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 rule to the existing 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:

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

Notice Number 2018-154 Rule Number Elec 301.04, 302.04, 303.07, 304.05

<p>1. Agency Name & Address: NH Electricians' Board c/o Office of Professional Licensure & Certification 121 S. Fruit Street Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 319-C:5-a, RSA 319-C:6-a, II, V, VI</u></p> <p>3. Federal Authority: <u>N/A</u></p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Third Party Electrical Inspectors**

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

This proposal:

- (1) Adopts a new definition, in Elec 301.04, of “third party electrical inspector”, in order to implement RSA 319-C:5-a, which went into effect September 3, 2017;
- (2) Readopts with amendment Elec 302.04, relative to application forms and originally effective 9-25-13 but amended effective 4-1-15 and 7-22-17, in order to add a new paragraph (i), which covers application forms required to be submitted by an applicant to be approved as a third part electrical inspector;
- (3) Adopts a new Elec 303.07, relative to the approval of third party electrical inspectors, to delineate steps for Board approval or denial of third party electrical inspector candidates; and
- (4) Adopts a new Elec 304.05, relative to the qualifications of third party electrical inspectors, in order to outline the qualifications necessary to become an approved third party electrical inspector.

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

This proposal affects any person seeking to become approved as a third party electrical inspector and any person who wishes to utilize the services of a third party electrical inspector.

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

Rule	Specific State or Federal Statutes the Rule Implements
Elec 301.04	RSA 541-A:7
Elec 302.04	RSA 319-C:5-a; RSA 319-C:6-a, II, V, VI; RSA 319-C:7; RSA 319-C:10
Elec 303.07	RSA 319-C:5-a
Elec 304.05	RSA 319-C:5-a

NN 2018-154 Continued

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

Name: **Robert J. Lamberti, Jr.** Title: **Attorney III**
Address: **121 S. Fruit Street** Phone #: **(603) 271-3103**
Concord, NH 03301 Fax#: **(603) 271-6990**
E-mail: **Robert.lambertijr@oplc.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: **October 2, 2018 at the conclusion of the public hearing**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **October 2, 2018 at 10:00 a.m.**
Place: **Office of Professional Licensure & Certification, 121 S. Fruit St.,
Concord, NH 03301**

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

FIS # 18:155, dated 08/30/18

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

There is no cost when comparing proposed Elec 302.04 to the existing rule. Not applicable to Elec 301.04, Elec 303.07, and Elec 304.05 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:

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.