



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

Action Minutes

October 15, 2026

Members Present: Senators Lang, Long, Reardon, and Ward, and Representatives Layon, Dargie*, Hakken-Phillips, Lynn, McGuire, and Potenza*. (*) Indicates alternate member.

1. Sen. Lang, as Chair, convened the meeting at 9:00 a.m.

Members present at this time, aside from Senator Lang, were Senators Long, Reardon, and Ward, and Representatives Layon, Dargie, Hakken-Phillips, Lynn, and McGuire.

2. The Committee discussed the minutes of the Committee meeting on September 17, 2026.

Rep. Layon moved to approve the minutes.

Rep. Lynn seconded.

Rep. Dargie abstained, having not yet been seated.

Adopted.

3. Sen. Lang designated Rep. Dargie as an alternate for Sen. Innis, who was absent.

Note: Rep. Dargie was not designated for Rep. Schmidt because Rep. Schmidt indicated to Committee Staff that he would be in attendance and was running late.

4. Sen. Lang removed Final Proposal 2026-32 and Final Proposal 2026-122 from the Consent Agenda.

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

CONSENT AGENDA

FP 2026-53	COMMISSION FOR HUMAN RIGHTS Organization Hum 100
FP 2026-64	INSTALLATION STANDARDS BOARD Manufactured Housing Installation Standards Definitions Inst 702
FP 2026-70	DEPARTMENT OF ENVIRONMENTAL SERVICES DRINKING WATER PROGRAMS Small Production Wells for Small Community Water Systems Env-Dw 305

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FP 2026-114	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Income Computation He-W 654.02
FP 2026-130	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Home Health Services He-W 553
FP 2026-133	DEPARTMENT OF HEALTH AND HUMAN SERVICES FORMER DIVISION OF HUMAN SERVICES Supplemental Nutrition Assistance Program Reporting Requirements He-W 751
FP 2026-142	MECHANICAL LICENSING BOARD Voluntary Water Treatment Certification Mec 800
FP 2026-148	DEPARTMENT OF AGRICULTURE, MARKETS, AND FOOD Importation of Bovine and Domestic Animals Agr 2103
EXP 2026-4	FISH AND GAME DEPARTMENT Temporary Nonresident OHRV Registration Fis 1503.01
FP 2025-264	BOARD OF SEPTIC SYSTEM EVALUATORS Standards of Practice, Definitions, Septic System Evaluation Reports, and Ethical Standards Sep 600
FP 2026-10	REAL ESTATE COMMISSION License Requirements Rea 300
FP 2026-157	DEPARTMENT OF SAFETY COMMISSIONER DMV Form and Fee Update Saf-C 515.01
FP 2026-52	MECHANICAL LICENSING BOARD Initial Licensing Mec 300 various
FP 2026-56	DEPARTMENT OF EMPLOYMENT SECURITY Self Employment Assistance Program Emp 411

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- FP 2026-67** DEPARTMENT OF ENVIRONMENTAL SERVICES
DRINKING WATER PROGRAM
Definitions; Large Production Wells and Wells for Large Community
Water Systems; Groundwater Sources of Bottled Water
Env-Dw 301; Env-Dw 302; and Env-Dw 303
- FP 2026-98** FISH AND GAME DEPARTMENT
General Requirements; Wildlife Control at Public Use Airports; Baiting for Deer
Fis 304.02, Fis 304.07, and Fis 307.03
- FP 2026-118** FISH AND GAME DEPARTMENT
Recognition of Completion of Required Education Courses;
Hunter Education Program; Hunter Education Volunteer Instructors
Fis 1109.13; Fis 1201.01 – Fis 1201.09; and Fis 1202.01
- FP 2026-105** DEPARTMENT OF HEALTH AND HUMAN SERVICES
COMMISSIONER
Certification for Payment of Foster Care Programs
He-C 6355
- FP 2026-119** POLICE STANDARDS AND TRAINING COUNCIL
Police Standards Application and Qualification, Continued Status,
Ethical Standards, and Training Approval
Pol 300 – Pol 600
- FP 2026-134** DEPARTMENT OF HEALTH AND HUMAN SERVICES
FORMER DIVISION OF HUMAN SERVICES
Undue Hardship
He-W 895
- FP 2026-143** LIQUOR COMMISSION
Enforcement Policy
Liq 600
- FP 2026-147** LIQUOR COMMISSION
Rules Relating to Tobacco
Liq 1000
- FP 2026-149** DEPARTMENT OF AGRICULTURE, MARKETS, AND FOOD
New World Screwworm
Agr 4200
- INT 2026-22** BOARD OF EDUCATION
Criminal History Record Check Clearance
Ed 500 various

Rep. Hakken-Phillips moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2026-53, 2026-64, 2026-70, 2026-114, 2026-130, 2026-133, 2026-142, and 2026-148, and Expedited Repeal 2026-4; and conditionally approve Final Proposals 2025-264, 2026-10, 2026-157, 2026-52, 2026-56, 2026-67, 2026-98, 2026-118, 2026-105, 2026-119, 2026-134, 2026-143, 2026-147, and 2026-149, and Interim Rule 2026-22, based on the agencies' Conditional Approval Requests or amended Conditional Approval Requests.

Rep. Lynn seconded.

Adopted.

6. The Committee discussed Final Proposal 2026-2 and Final Proposal 2026-9 from the Board of Nursing (Nursing Education Program Approval; Nursing Assistants).

Sen. Lang informed the Committee that prior to the meeting the Board requested the Committee postpone the hearing on both proposals until the November 19, 2026, meeting to give the Board time to respond to Committee staff comments.

Sen. Lang made a motion to postpone the hearing on Final Proposal 2026-2 and Final Proposal 2026-9 until the November 19, 2026, Committee meeting, and to request a waiver of the Committee's statutory deadline to act.

Rep. Lynn seconded.

Adopted.

Rep. Potenza arrived after the Committee vote.

7. The Committee discussed Final Proposal 2026-3 from the Mechanical Licensing Board (Jurisprudence Examination). Robert Chebook, Board Member, testified on behalf of the Board.

Committee staff noted that the proposal was on the July 16, 2026, Committee meeting agenda and was postponed, in part, to allow the Board to hold another public hearing on the proposed rules, which the Board did on September 17, 2026. The minutes from that meeting reflect that one member of the public testified on the rules at that hearing. The Board subsequently submitted a Conditional Approval Request. Committee staff identified no grounds for objection based on the text of the proposal.

Sen. Lang asked Mr. Chebook if the Board held a public hearing and heard public testimony as agreed upon at the July 16, 2026, meeting, and Sen. Reardon asked if comments received by the Board were written or in person testimony.

Mr. Chebook testified that the Board received substantial public comment, both written and in person, at a meeting held on August 21, 2026, [the Board's minutes are dated August 20, 2026] and that meeting was the basis for the language in the Board's Conditional Approval Request.

Rep. McGuire and Rep. Potenza asked for clarification on the changes submitted in the Conditional Approval Request.

Mr. Chebook testified the changes to the rule would require all applicants for licensure to take a jurisprudence exam, and that the examination for licensure was split into two sections; one being technical, the other containing the jurisprudence component.

Gary Haines, representing the Propane Gas Association of New England, testified in opposition to the proposal. Mr. Haines testified that members of the Association were present at a hearing on the rule held in February, had not had an opportunity to work with the Board since the July 16, 2026, Committee meeting, and that he was told by the Board [the Board's minutes reflect Mr. Haines was present at the September 17, 2026, meeting] he was not permitted to comment but that he did ask a question of the Board.

Sen. Lang asked Mr. Haines if the Board worked with the stakeholders.

Mr. Haines testified the members of the Association were not provided an opportunity to speak to the changes in the proposal.

Rep. Potenza and Sen. Long asked clarifying questions pertaining to changes to the rule text and the Association's opportunity to work with the Board.

Mr. Haines testified that the Association's concerns were not addressed and that there was no opportunity to "workshop" with the Board.

Sen. Lang designated Rep. Dargie as an alternate for Rep. Schmidt, who was absent, and designated Rep. Potenza for Sen. Innis, who was absent.

Rep. Lynn expressed concerns there was no additional meeting with an opportunity for the public to comment on the proposal.

Rep. Layon echoed that concern and noted that there was no information pertaining to the August meeting in the Committee meeting packet.

Rep. Layon made a motion to preliminarily object to Final Proposal 2026-3 as contrary to public interest for lack of responsiveness to the public.

Rep. Lynn seconded.

Adopted.

8. The Committee discussed Final Proposal 2026-137 from the Department of Safety, Commissioner (Fee Updates to DMV Forms as a Result of 2025 NH Laws Ch 141). John Marasco, Director of the New Hampshire Division of Motor Vehicles, and Melissa Reilly, Deputy Director, testified on behalf of the Department.

Sen. Lang made a motion to postpone the hearing on Final Proposal 2026-137 until the November 19, 2026, Committee meeting and to request a waiver of the Committee's statutory deadline to act.

Rep. Layon seconded.

Adopted

9. The Committee discussed Final Proposal 2026-32 from the Department of Safety, Commissioner (Various Dealer Registration Rules). John Marasco, Director of the New Hampshire Division of Motor Vehicles, and Melissa Reilly, Deputy Director, testified on behalf of the Department.

Sen. Lang identified two changes to the rule the Department was seeking to change concerning dealer license plate returns, and dealership employee permissions in addition to the Department's written conditional approval request.

Mr. Marasco confirmed Sen. Lang's representation was accurate.

Sen. Lang made a motion to conditionally approve Final Proposal 2026-32 based on the Department's written conditional approval and oral conditional approval requests.

Rep. Lynn seconded.

Adopted.

10. The Committee discussed Final Proposal 2026-42 from the Board of Chiropractic Examiners (Continued Status). Attorney Rahkiya Medley, Counsel to the Board, testified on behalf of the Board.

Committee staff identified a basis for objection based on a lack of statutory authority pertaining to language in the proposed rule concerning advertising material.

Attorney Medley requested a change to the rule in addition to their written conditional approval request.

Rep. McGuire made a motion to conditionally approve Final Proposal 2026-42 based on the Board's written conditional approval and oral conditional approval requests.

Rep. Lynn seconded.

Adopted.

11. The Committee discussed Final Proposal 2026-71 from the Department of Labor (Workers' Compensation Claims). Attorney John Garrigan, General Counsel to the Department, and Cassie Abbott, Legal and Legislative Affairs Liaison, testified on behalf of the Department.

Committee staff raised concerns that the Department requested social security numbers on their forms for which the Department lacked the statutory authority to require.

Ms. Abbott testified that its current practice is to treat the request for a social security number as optional and that it does not reject the applicable form for lacking the number. Ms. Abbott requested a change to the rule to clarify on the form that providing a social security number is optional in addition to the Department's written conditional approval request.

Sen. Lang made a motion to conditionally approve Final Proposal 2026-71 based on the Department's written conditional approval and oral conditional approval requests.

Rep. Lynn seconded.

Adopted.

12. The Committee discussed Final Proposal 2026-73 from the Department of Labor (Payment of Wages and Requirements of Employers). Attorney John Garrigan, General Counsel to the Department, and Cassie Abbott, Legal and Legislative Affairs Liaison, testified on behalf of the Department.

Sen. Lang raised two concerns on behalf of the University System of New Hampshire; first, broad language potentially resulting in unintended consequences impacting student interns, and second, concerns around sole practitioners and workers compensation requirements.

The Department agreed to postpone the hearing on the proposal to address stakeholder concerns.

Sen. Lang made a motion to postpone the hearing on Final Proposal 2026-73 until the December 17, 2026, Committee meeting and to request a waiver of the Committee's statutory deadline to act.

Rep. McGuire seconded.

Adopted.

Sen. Lang noted that representatives of the University System of New Hampshire were present at the meeting and offered them an opportunity to testify. That offer was declined.

13. The Committee discussed Final Proposal 2026-128 from the Office of Professional Licensure and Certification (Substantially Similar Requirements for the Professions Regulated by the Electrician's Board). Executive Director Deanna Jurius testified on behalf of the Office.

Committee staff identified an issue with the proposal pertaining to substantially similar licensing requirements in which the language of the proposal created a requirement for other licensing jurisdictions over which the Office has no statutory or regulatory authority.

Ms. Jurius testified that she understood Committee staff comments, but that language suggested by Committee staff to remedy the issue would not work.

Sen. Lang suggested the Committee postpone the hearing on Final Proposal 2026-128.

Ms. Jurius noted that the existing rule on the same topic was an emergency rule set to expire in December, 2026 [the emergency rule in question, document # 14544, has an expiration date of November 2, 2026].

Sen. Lang suspended the hearing on Final Proposal 2026-128 to provide the Office the opportunity to draft language to address Committee concerns.

14. The Committee discussed Final Proposal 2026-122 from the Office of Professional Licensure and Certification (Substantially Similar Requirements for the Professions Regulated by the Board of Dental Examiners).

Committee staff informed the Committee that the Office submitted a conditional approval request addressing Committee staff comments but that there was public testimony requesting an additional change.

Angela Boyle from the Dupont Group, representing the New Hampshire Dental Hygiene Association, testified in support of the proposal subject to the Office agreeing to make the Association's suggested change. Ms. Boyle testified that the Association recommended the Office change the word "program" to "school" as it pertains to the education of dental hygienists.

Executive Director Deanna Jurius testified on behalf of the Office. Ms. Jurius testified that the Office considered the Association's request, that the term "program" had been consistently used in the rules since initially adopted, that use of the word "program" was at the recommendation of the Board of Dental Examiners, and that use of the word "schools" would unintentionally prohibit potential licensees from licensure by endorsement.

Sen. Lang made a motion to conditionally approve Final Proposal 2026-122 based on the Office's written conditional approval request.

Rep. Lynn seconded.

Adopted.

15. Sen. Lang reopened the hearing on Final Proposal 2026-128 from the Office of Professional Licensure and Certification (Substantially Similar Requirements for the Professions Regulated by the Electrician's Board). Executive Director Deanna Jurius testified on behalf of the Office.

Committee staff shared language proposed by the Office as part of an oral conditional approval request. Sen. Lang made a motion to conditionally approve Final Proposal 2026-128 based on the Office's oral conditional approval request.

Rep. McGuire seconded.

Adopted.

16. The meeting was adjourned by consensus at 9:54 a.m.

DRAFT