



Action Minutes

February 20, 2026

Members Present: Senators Lang, McGough*, and Ward, and Representatives Layon, Grote, and McGuire.
(*) 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 9:09 a.m. by Sen. Lang as Chair.

Members present at this time, aside from Senator Lang, were Senators McGough, and Ward, and Representatives Layon, Grote, and McGuire.

2. Sen. Lang designated Sen. McGough as an alternate for Sen. Innis, who was absent.
3. The Committee discussed the minutes of the Committee meeting on January 16, 2026.

Sen. Ward moved to approve the minutes.

Sen. McGough seconded.

Adopted.

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

CONSENT AGENDA

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| FP 2025-222 | BOARD OF LICENSURE FOR LAND SURVEYORS
Practice and Procedures
Lan 200 |
| FP 2025-246 | BOARD OF BARBERING, COMSMETOLOGY, AND ESTHETICS
Disciplinary Matters
Bar 402 |
| FP 2025-270 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
FORMER DIVISION OF HUMAN SERVICES
Good Cause Reasons for Non-Compliance with Child Support Requirements
He-W 606.31 |
| FP 2025-271 | DEPARTMENT OF HEALTH AND HUMAN SERVICES
FORMER DIVISION OF HUMAN SERVICES
Earned Income Disregard (EID) and Employment Expense Disregard (EED)
for Financial Assistance to Needy Families (FANF)
He-W 654.13 |
| FP 2025-274 | DEPARTMENT OF ENVIRONMENTAL SERVICES |

- HAZARDOUS WASTE PROGRAMS
Hazardous Waste Procedural Rules re: Waivers
Env-Hw 202.01
- FP 2025-275** DEPARTMENT OF ENVIRONMENTAL SERVICES
HAZARDOUS WASTE PROGRAMS
Hazardous Waste Procedural Rules re: Certifications
Env-Hw 207
- FP 2025-279** DEPARTMENT OF ENVIRONMENTAL SERVICES
HAZARDOUS WASTE PROGRAMS
Various Hazardous Waste Amendments re: Administrative Fine Schedules
Env-Hw 904.09, and Env-Hw 904.16 – Env-Hw 904.18
- FP 2025-280** DEPARTMENT OF ENVIRONMENTAL SERVICES
HAZARDOUS WASTE PROGRAMS
Various Amendments re: Hazardous Waste Cleanup Fund
Env-Hw 1003.03, Env-Hw 1003.10, and Env-Hw 1004.03
- FP 2025-281** DEPARTMENT OF ENVIRONMENTAL SERVICES
HAZARDOUS WASTE PROGRAMS
Management of Used Oil Being Recycled
Env-Hw 1406.05
- INT 2026-1** DEPARTMENT OF HEALTH AND HUMAN SERVICES
FORMER DIVISION OF HUMAN SERVICES
Utility Expenses Incurred Separately
He-W 742.02
- FP 2025-172** DEPARTMENT OF ENERGY
Affiliate Transactions
En 2100
- FP 2025-175** PUBLIC UTILITIES COMMISSION
Affiliate Transactions Rules
Puc 2100
- FP 2025-210** DEPARTMENT OF LABOR
Department of Labor Hearings
Lab 200
- FP 2025-253** LOTTERY COMMISSION
Rules for Prize Assignment
Lot 500
- FP 2025-276** DEPARTMENT OF ENVIRONMENTAL SERVICES
HAZARDOUS WASTE PROGRAMS
Identification and Listing of Hazardous Wastes
Env-Hw 400
- FP 2025-277** DEPARTMENT OF ENVIRONMENTAL SERVICES

HAZARDOUS WASTE PROGRAMS

Various Amendments to Hazardous Waste Generator Requirements
Env-Hw 505.02, Env-Hw 505.04, Env-Hw 514.02 – Env-Hw 514.04, Env-Hw
515.04, and Env-Hw 515.05

FP 2025-278 DEPARTMENT OF ENVIRONMENTAL SERVICES
HAZARDOUS WASTE PROGRAMS
Requirements for Recycling of Hazardous Waste
Env-Hw 800

FP 2025-288 DEPARTMENT OF HEALTH AND HUMAN SERVICES
BUREAU OF AGING AND ADULT SERVICES
Rights of Individuals Receiving Choices for Independence in the Community
He-E 310

Director Osterhoudt identified a clerical error in the paper copies of the agenda before the Committee which cited the rule contained in FP 2025-246, item (b) of the consent agenda, as Bar 500. The correct rule was Bar 402, and the agenda had been updated accordingly.

Sen. Lang moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2025-222, 2025-246, 2025-270, 2025-271, 2025-274, 2025-275, 2025-279, 2025-280, and 2025-281, and Interim Rule 2026-1; and conditionally approve Final Proposals 2025-172, 2025-175, 2025-210, 2025-253, 2025-276, 2025-277, 2025-278, and 2025-288, based on the agencies' Conditional Approval Requests or amended Conditional Approval Requests.

Sen. Ward seconded.

Adopted.

5. The Committee discussed Final Proposal 2025-156 from the Department of Transportation (Off-Premise Outdoor Advertising). Administrative Law Judge Stephen Labonte and Manager Lee Baronas testified on behalf of the Department.

Sen. Lang asked how the Department denied a request from Plymouth State University (PSU) if there were no rules in place. The Department answered the request from PSU was denied pursuant to other controlling federal regulations and statute.

Sen. Lang moved to conditionally approve Final Proposal 2025-156.

Rep. Grote seconded.

Adopted.

6. The Committee discussed Final Proposal 2025-161, and Final Proposal 2025-194, from the Department of Safety, Commissioner (Administrative License Suspension (ALS) Rules; Rules for Railroad Police). Director John Marasco testified on behalf of the Department.

At the Department's request, Rep. McGuire moved to postpone the hearing on Final Proposal 2025-161, and Final Proposal 2025-194, to the March 20, 2026, Committee meeting, and waive the March 16, 2026, Committee action deadline for Final Proposal 2025-161.

Rep. Layon seconded.

Adopted.

7. The Committee discussed Final Proposal 2025-168 from the Board of Architects (Initial License Requirements, Qualifications, Examinations, Reciprocity, Fees, and Credentials). Chantell Wheeler, Rules Administrator for the Office of Professional Licensure and Certification, testified on behalf of the Board.

Representative Grote moved to conditionally approve Final Proposal 2025-168.

Rep. Layon seconded.

Adopted.

8. The Committee discussed Final Proposal 2025-207 from the Department of Agriculture, Markets, and Food (Farm Products and Lumber Standards). Director Allen Wyman, and Patricia Benner, Legislative Coordinator, testified on behalf of the Department.

The Committee raised concerns about a 20-year gap between the expiration of the previous rule and the submission of Final Proposal 2025-207.

Based on the Department's response, Sen. Lang moved to postpone action on Final Proposal 2025-207 to the March 20, 2026, Committee meeting, and waive the February 20, 2026, Committee action deadline to allow for additional legal review of the statutory authority of the proposed rule.

Rep. Grote seconded.

Adopted.

9. The Committee discussed Emergency Rule 14504 from the Department of Safety, Commissioner (Fee Updates to DMV Forms as a Result of 2025 NH Laws ch 141). The Committee took no action.
10. The Committee discussed Emergency Rule 14515 from the New Hampshire Liquor Commission (New Tobacco Licensing and Seizure Rules). The Committee took no action.
11. Sen. Lang adjourned the meeting at 10:03 a.m.