



Action Minutes

April 17, 2026

Members Present: Senators Lang, Long, and Ward, and Representatives Layon, Grote, Hakken-Phillips*, McGuire, and Schmidt. (*) 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 9:00 a.m. by Sen. Lang as Chair.

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

2. Sen. Lang designated Rep. Hakken-Phillips as an alternate for Rep. Lynn, who was absent.

Note: Under Section 102.06 under the Rules of the JLCAR, Rep. Hakken-Phillips would typically have been named an alternate for Rep. Grote, following the same chamber, same party standards. However, as Rep. Grote indicated she was going to attend the meeting and was going to arrive a few minutes late, Rep. Hakken-Phillips was named as an alternate for Rep. Lynn so as to limit disruption. Deviation from the rule could not, and did not, alter the outcome of any Committee vote.

3. Sen. Lang made an announcement to the public reminding everyone that JLCAR is not a policy committee and informing those in attendance that he would be limiting public testimony to three minutes a person.
4. The Committee discussed the minutes of the Committee meeting on March 20, 2026.

Rep. Layon moved to approve the minutes.

Sen. Ward seconded.

Adopted.

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

CONSENT AGENDA

FP 2025-258	DEPARTMENT OF EMPLOYMENT SECURITY Reimbursing Employees Emp 304.02
FP 2025-260	DEPARTMENT OF EMPLOYMENT SECURITY Charging for Benefits in Cases of Two or More Concurrent Employers Emp 304.04
FP 2025-261	DEPARTMENT OF EMPLOYMENT SECURITY Transfers of Experience and Assignment of Rates Emp 304.11

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- FP 2025-262** DEPARTMENT OF EMPLOYMENT SECURITY
Application of Wages
Emp 502.07
- FP 2025-266** DEPARTMENT OF EMPLOYMENT SECURITY
Computation Date and Tax Rate in Event of Successorship
Emp 304.05
- FP 2025-286** BOARD OF BARBERING, COSMETOLOGY AND ESTHETICS
Tanning Facilities
Bar 600
- FP 2025-287** BOARD OF LICENSING FOR ALCOHOL AND
OTHER DRUG USE PROFESSIONALS
Definitions, Examinations, and Endorsement
Alc 300 various
- FP 2025-290** DEPARTMENT OF REVENUE ADMINISTRATION
Business Enterprise Tax
Rev 2400
- EXP 2025-3** BOARD OF HOME INSPECTORS
Voluntary License Surrender
Home 700
- EXRF 2026-1** DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER QUALITY AND QUANTITY PROGRAMS
Septage Management Forms
Env-Wq 1600
- FP 2025-183** INSURANCE DEPARTMENT
External Review
Ins 2703
- FP 2025-192** DEPARTMENT OF AGRICULTURE, MARKETS, AND FOOD
Importation of Bovines and Domestic Animals
Agr 2100
- FP 2025-208** BOARD OF EDUCATION
Educator Records and Credentials
Ed 502.02, Ed 502.03, Ed 504.05, and Ed 504.12
- FP 2025-225** MIDWIFERY COUNCIL
Scope of Midwifery Practice
Mid 500
- FP 2025-226** BOARD OF PSYCHOLOGISTS
Jurisprudence Examination
Psyc 306

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- FP 2025-231** BOARD OF REGISTRATION OF FUNERAL DIRECTORS
AND EMBALMERS
Crematory Regulations
Frl 800
- FP 2025-249** DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER QUALITY AND QUANTITY PROGRAMS
Sludge Management
Env-Wq 800
- FP 2025-297** FISH AND GAME DEPARTMENT
The Importation, Possession, and Use of all Wildlife
Fis 801-Fis 815
- FP 2026-1** BOARD OF LICENSING FOR ALCOHOL AND
OTHER DRUG USE PROFESSIONALS
Ethical Standards
Alc 500

Rep. Schmidt moved that the Committee approve the Consent Agenda, that is, approve Final Proposals 2025-258, 2025-260, 2025-261, 2025-262, 2025-266, 2025-286, 2025-287, 2025-290, Expedited Repeal 2025-3, and Expedited Revision to Form 2026-1; and conditionally approve Final Proposals 2025-183, 2025-192, 2025-208, 2025-225, 2025-226, 2025-231, 2025-249, 2025-297, and 2026-1, based on the agencies' Conditional Approval Requests or amended Conditional Approval Requests.

Rep. Layon seconded.

Adopted.

6. The Committee discussed Final Proposal 2025-215 from the Public Utilities Commission (Competitive Natural Gas Supplier and Aggregator Rules). Attorney Marissa Schuetz testified on behalf of the Commission.

Representative Grote arrived during the discussion.

Committee staff raised concerns around the Commission's lack of statutory authority to implement part of the rule as proposed.

Based on Attorney Schuetz's testimony, Rep. Schmidt moved to postpone action on Final Proposal 2025-215 to the May 15, 2026, Committee meeting, and waive the April 17, 2026, Committee action deadline, to allow Committee Staff to conduct further legal review of the proposal.

Rep. McGuire seconded.

Adopted.

7. The Committee discussed Final Proposal 2025-219, from the Department of Energy (Net Metering for Customer-Owned Renewable Energy Generation Resources of Less than 5,000 Kilowatts). Attorney Marie-Helene Bailinson testified on behalf of the Department. The Department requested an amended conditional approval of the rule.

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Packy Campbell, owner of Bright Spot Solar, submitted written testimony and testified in opposition to the rule as proposed.

Amanda Noonan, Director of Regulatory Support, testified on behalf of the Department.

Rep. McGuire requested the record reflect the need for legislation to clean up ambiguity in statute concerning “behind the meter” limits.

Rep. Grote moved to conditionally approve Final Proposal 2025-219 based on the Department’s written conditional approval request and oral amended conditional approval request.

Rep. Layon seconded.

Adopted.

8. The Committee discussed Final Proposal 2025-220, from the Department of Energy (Distributed Energy Resources Interconnection Procedures). Attorney Marie-Helene Bailinson testified on behalf of the Department.

Packy Campbell, owner of Bright Spot Solar, submitted written testimony and testified in opposition to the rule as proposed.

Payson Snyder, representing himself, testified in opposition to the rule as proposed.

Alicia Oswald, representing herself, testified in opposition to the rule as proposed.

Lindsay Bourgoine, representing ReVision Energy and Clean Energy companies, submitted written testimony and testified in opposition to the rule as proposed.

Vaughan Woodruff, representing EquinoxDG, submitted written testimony and testified in opposition to the rule as proposed.

Sen. Ward left the room at 10:00 a.m.

Chris Skoglund, representing Clean Energy NH, submitted written testimony and testified in opposition to the rule as proposed.

Attorney Marie-Helene Bailinson, Amanda Noonan, Director of Regulatory Support, and Mark Tescano, Consultant, testified on behalf of the Department.

Based on Committee discussion and public testimony, Rep. Layon moved to postpone action on Final Proposal 2025-220 to the May 15, 2026, Committee Meeting, and waive the April 28, 2026, Committee action deadline, to allow Committee and Department staff to conduct further legal review of the proposal, including a review of rate setting authority.

Rep. McGuire seconded.

Adopted.

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9. The Committee discussed Final Proposal 2026-35 from the Department of Health and Human Services, former Division of Human Services (Protected Income Levels). Attorney Robert Berry and Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Committee staff raised concerns around the Commission's lack of statutory authority to implement part of the rule as proposed.

Rep. Grote moved to conditionally approve Final Proposal 2026-35 based on the Department's written conditional approval request.

Rep. Layon seconded.

Adopted.

10. The Committee discussed Interim Rule 2026-2 from the Department of Health and Human Services, former Division of Public Health Services (Fees for Certificates of Registration, Radioactive Material Licenses, and Other Regulatory Services). Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Rep. Grote moved to conditionally approve Interim Rule 2026-2 based on the Department's written conditional approval request.

Rep. Hakken-Phillips seconded.

Adopted.

11. The Committee discussed Interim Rule 2026-3 from the Department of Health and Human Services, former Division of Public Health Services (Registration of Radiation Machines, Magnetic Resonance Imaging Machines and Providers of Services). Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Rep. McGuire moved to conditionally approve Interim Rule 2026-2 based on the Department's written conditional approval request.

Rep. Schmidt seconded.

Adopted.

12. The Committee discussed Interim Rule 2026-4 from the Department of Health and Human Services, former Division of Public Health Services (Cancer Registry Rules). Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Committee staff identified substantive issues with the proposal and recommended the Department take appropriate action when it enters regular rulemaking.

Rep. Layon moved to approve Interim Rule 2026-4.

Rep. Grote seconded.

Adopted.

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13. The Committee discussed Interim Rule 2026-5 from the Department of Health and Human Services, former Division of Public Health Services (Licensing of Radioactive Material). Nicole Valanzola, Rules Coordinator, testified on behalf of the Department.

Rep. Layon moved to conditionally approve Interim Rule 2026-5 based on the Department's written conditional approval request.

Rep. Grote seconded.

Adopted.

14. The Committee discussed Emergency Rule 14544 from the Department of Health and Human Services, former Division of Mental Health and Developmental Services (Certification Standards for Developmental Services Community Residences). Doreen Shockley, Director of Licensing, and Allyson Raadmae, Administrator for the Administrative Rules Unit, testified on behalf of the Department. The Committee took no action.

15. The Committee discussed Emergency Rule 14555 from the Department of Safety, Commissioner (Boater Education Internet Course). The Committee took no action.

16. Sen. Lang requested permission to file a petition for the adoption of rules to the State Board of Education on behalf of the Committee to request the Board amend Administrative Rule Ed 800, pertaining to the Education Freedom Accounts Program.

Based on Committee discussion, Rep. Lang moved to approve the request.

Sen. Long seconded.

Adopted.

17. Jason Hill, a member of the public, raised concerns around the Department of Environmental Services' inconsistencies in the application of the Department's rules.

Sen. Lang recognized the issue at hand went beyond the jurisdiction of the Committee, and suggested Mr. Hill contact the NH Attorney General's Office, or the Governor's Office, directly.

18. Sen. Lang adjourned the meeting at 11:53 a.m.