

**Adopt Spe 100 to read as follows:**

CHAPTER Sep 100 DEFINITIONS, ORGANIZATION AND PUBLIC INFORMATION

PART Sep 101 PURPOSE AND SCOPE

Sep 101.01 Purpose and Scope.

(a) The purpose of this subdivision is to assure that a septic system evaluator performs professional services only when the septic system evaluator is qualified by education and training in the specific technical areas involved.

(b) These provisions regulate but are not limited to the licensing of septic system evaluators and the practice of septic system evaluation in the state of New Hampshire.

PART Sep 102 DEFINITIONS

Sep 102.01 Terms Used. As used in these rules, the following terms shall have the meanings indicated:

(a) "Board" means "board" as defined in RSA 310-A:203, I namely "means the board of septic system evaluators."

(b) "Client" means "client" as defined in RSA 310-A:203, II namely "an individual who pays a fee for a septic system evaluation report."

(c) "Evaluation" means "evaluation" as defined in RSA 310-A:203, IV namely " means the process by which a septic system evaluator observes and determines the condition of a septic system at a point in time in accordance with the board-approved standards of practice and code of ethics."

(d) "Evaluator" means "evaluator" as defined in RSA 310-A:310, V namely "a person who, by reason of professional education or practical experience, or both, is qualified to engage in the practice of septic system evaluations as attested by licensure as a septic system evaluator."

PART Sep 103 BOARD ORGANIZATION

Sep 103.01 Duties and Responsibilities. The board shall administer the provisions of RSA 310-A:202-221 which include but are not limited to safeguarding property, to promoting public welfare and maintaining a high standard of integrity, skills and practice in the profession of septic evaluators in this state.

Spe 103.02 Composition of the Board. Pursuant to RSA 310-A:206, I the board shall consist of 5 members who meet the eligibility requirements of RSA 310-A:206 I-IV.

Sep 103.03 The Chairperson and Vice Chairperson. The chairperson shall preside at all meetings. In the absence of the chairperson, the vice-chairperson shall preside.

Sep 103.04 Organization. Every two years, the board shall elect or appoint a chairperson, vice-chairperson, and secretary at the first meeting of the board in a calendar year.

Sep 103.05 Office Hours, Office Location, Mailing Address, and Telephone Number.

(a) The board's office shall be located at the New Hampshire Office of Professional Licensure & Certification, 121 South Fruit Street, Concord, N.H. and shall be open to the public weekdays, excluding holidays, from 8:00 a.m. to 4:00 p.m.

(b) Correspondence shall be addressed to the board at:

The Board of Septic System Evaluators  
New Hampshire Office of Professional Licensure & Certification  
7 Eagle Square  
Concord, N.H. 03301

(c) The board's telephone number shall be (603)-271-2152.

PART Sep 104 PUBLIC INFORMATION

Sep 104.01 Record of Board Actions. Minutes shall be kept of board meetings and of official actions taken by the board. Minutes of board actions which are not confidential under RSA 91-A:3, II or RSA 91-A:5 shall be a governmental record and shall be available for inspection during the board's ordinary office hours within 5 days from the close of the meeting or vote in questions unless the 72 hours availability requirement of RSA 91-A:3, III is applicable.

Sep 104.02 Custodian of Records. Persons desiring copies of board records shall submit a request which identifies as particularly as possible the information being sought. If records are requested which contain both public and confidential information, the board shall delete the confidential information and provide the remaining information.

PART Spe 105 MEETINGS, DELIBERATIONS AND DECISIONS

Spe 105.01 Meetings. Regular meetings shall be held at least 3 times each year. Special meetings shall be called by order of the chairperson or vice chairperson. Each member of the board shall be notified in writing of each meeting and such notice shall contain the place, date, time, and subject of the meeting. Notice of meetings shall be posted in accordance with RSA 91-A.

Spe 105.02 Quorum. A quorum of the board shall consist of a majority of the appointed members to pass a motion unless otherwise specified by law. In the absence of the chair, vice chair, or secretary, a quorum of the board shall designate a pro tempore officer for the officer or officers absent.

**APPENDIX**

<b>Rule</b>	<b>Specific State Statute the Rule Implements</b>
Sep 101.01	RSA 310-A:202
Sep 102.01	RSA 310-A:203
Sep 103.01	RSA 310-A:202
Sep 103.02	RSA 310-A:206, I
Sep 103.03	RSA 310-A:206, VII
Sep 103.04	RSA 310-A:206, VII
Sep 103.05	RSA 541-A:16, I(b)
Sep 104.01	RSA 310-A:206, VIII
Sep 104.02	RSA 541-A:16, I(b)
Sep 105.01	RSA 310-A:206, VII
Sep 105.02	RSA 310-A:206, VII