

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Agr 2300

<p>1. Agency Name & Address:</p> <p>Department of Agriculture, Markets & Food Division of Pesticide Control 25 Capitol Street, PO Box 2042 Concord, NH 03302-2042</p>	<p>2. RSA Authority: <u>RSA 430:38,III(b)</u></p> <p>3. Federal Authority: _____</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 _____</p>
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5. Short Title: **Pesticide Registration Fees**

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

Pursuant to HB 364 (Chapter 229:22 of the Laws of 2015) which repealed and re-enacted RSA 430:38, III, Chapter Agr 2300 establishes annual fees to be paid by registrants that are required to register pesticides for sale and distribution in New Hampshire. Fees had formerly been set in RSA 430:38, III. This proposal increases the former statutory fees from \$120 to \$160.

6. (b) Brief description of the groups affected: **This rule affects manufacturers that sell or distribute pesticides in the state of New Hampshire.**

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

Rule	Statute Rule Intended to Implement
Agr 2301.01	RSA 430:36
Agr 2301.02	RSA 430:38,39, and 40
Agr 2302	RSA 430:38,III(a)

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

Name:	David J. Rousseau	Title:	Director
Address:	Dept. of Agriculture, Markets & Food	Phone #:	(603) 271-3640
	Division of Pesticide Control	Fax#:	(603) 271-1109
	25 Capitol Street	E-mail:	<u>David.Rousseau@agr.nh.gov</u>
	Concord, NH 03302-2042		

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 13, 2015 at 4 p.m.**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **October 5, 2015, 2:00 p.m.**

Place: **New Hampshire Department of Agriculture, Markets & Food**

25 Capitol Street, State House Annex, Room 201

Concord, NH 03302-2042

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

FIS # 15:157 , dated August 28, 2015

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution: **The proposed rules do not assign any new, modified, or expanded programs or responsibilities to political subdivisions of the state. The Department also does not believe that this rule proposal will cause any political subdivisions of the state to incur any new or additional costs. Accordingly, the proposal does not violate Part 1, Article 28-a of the New Hampshire Constitution.**

Adopt Agr 2300 to read as follows:

CHAPTER Agr 2300 PESTICIDE PRODUCT REGISTRATION FEES

Statutory Authority: RSA 430:38, III(b)

PART Agr 2301 PURPOSE AND SCOPE

Agr 2301.01 Purpose. The purpose of these rules is to establish fees for pesticide product registration pursuant to RSA 430:36.

Agr 2301.02 Scope. These rules shall apply to all registrants required to register pesticide products pursuant to RSA 430:36.

PART Agr 2302 PESTICIDE PRODUCT REGISTRATION FEES

Agr 2302.01 Fee. The registrant shall pay an annual fee for each pesticide registered as follows:

- (a) For a restricted use pesticide, \$160 per product per year;
- (b) For a general use pesticide, other than a specialty/household pesticide, \$160 per product per year;
and
- (c) For a specialty/household pesticide, \$160 per product per year.