

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Agr 1407

<p>1. Agency Name & Address:</p> <p>Dep't of Agriculture, Markets & Food Div. of Weights & Measures 25 Capitol St., State House Annex Concord, NH 03302</p>	<p>2. RSA Authority: <u> RSA 438:8, I (f) </u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p> Adoption _____</p> <p> Amendment _____</p> <p> Repeal _____</p> <p> Readoption _____</p> <p> Readoption w/amendment <u> X </u></p>
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5. Short Title: **Licensing of Commercial Devices**

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

Agr 1407 contains the procedure and requirements for the licensing of commercial weighing and measuring devices. The amendment to Agr 1407 changes the current rule to require pre-payment of the applicable license fee before a license is issued for commercial device licenses. Therefore, a license will be issued upon receipt of the following: (1) a completed application; (2) proof of inspection and certification; and (3) payment of the invoice sent by the Division to the device owner. The proposal also adds definitions for clarification.

The change is a procedural change and will clarify and make the licensing process more efficient and effective for the regulated community applying for such licenses.

6. (b) Brief description of the groups affected:

These rules affect current and future licensees of commercial weighing and measuring devices.

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

Rule	Statute
Agr 1407.01	RSA 541-A:7
Agr 1407.02	RSA 438:7, VI.
Agr 1407.03 through Agr 1407.08(a)	RSA 438-8:I.(f), RSA 438:10-a
Agr 1407.08(b)	RSA 438:19
Agr 1407.09 through 1407.13	RSA 438-8:I.(f), RSA 438:10-a

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

Name: **Rebecca Malila** Title: **Director**
Address: **25 Capitol St., Concord, NH 03302** Phone #: **271-3700**
Fax#: **271-1109**
E-mail: **Rebecca.Malila@agr.nh.gov**
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: **Friday, August 21, 2015 at 4 p.m.**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 14, 2015 at 10 am**
Place: **Room 411, State House Annex, 25 Capitol St., Concord, NH**

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

FIS # 15:124, dated July 13, 2015

Fiscal Impact Statement for Department of Agriculture, Markets and Food, Division of Weights and Measures, rules governing Licensing of Commercial Devices. [Agr 1407]

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
There is no difference in cost when comparing the proposed rules to the existing rules.
2. **Cite the Federal mandate. Identify the impact on state funds:**
No federal mandate, no impact on state funds.
3. **Cost and benefits of the proposed rule(s):**
 - A. **To State general or State special funds:**
None
 - B. **To State citizens and political subdivisions:**
None.
 - C. **To independently owned businesses:**
None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposal does not create a new program or responsibility. Although the proposal modifies a program or responsibility, it does not modify it in such a way as to mandate or assign this program or responsibility to any political subdivision so as to increase the costs a political subdivision must pay.