

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number **Fors 200**

<p>1. Agency Name & Address:</p> <p>Board of Foresters c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u> RSA 541-A:16, I(b)-(d) </u></p> <p>3. Federal Authority: <u> n/a </u></p> <p>4. Type of Action:</p> <p>Adoption <u> </u></p> <p>Repeal <u> X </u></p> <p>Readoption <u> </u></p> <p>Readoption w/amendment <u> </u></p>
---	--

5. Short Title: **Rules of Practice and Procedure**

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

The Board of Foresters is proposing to:

Repeal existing rules Fors 201 through Fors 218.01 containing the entirety of Chapter Fors 200 on rules of practice and procedure for the Board.

Adopt Fors 201.01 on rules of practice and procedure directing individuals to Plc 200 for the following rules:

- **Receipt of misconduct complaints;**
- **Adjudicatory proceedings;**
- **Rulemaking submissions, considerations, and disposition of rulemaking petitions;**
- **Public comment hearings;**
- **Declaratory rulings;**
- **All statements of policy and interpretation;**
- **Explanation of adopted rules;**
- **Voluntary surrender of license;**
- **Petitions of waiver of procedural rules; and**

Adopt Fors 201.02 describing the Board’s procedure for waiver of substantive rules.

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

The groups affected by these rules are the general public and individual licensees with licenses as foresters.

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

Rule	Statute
Fors 201-213	RSA 310-A:102, VI; RSA 310-A:112, 113; RSA 541-A:16, I (b) (2)

Rule	Statute
Fors 214	RSA 541-A:16, I (b) (3)
Fors 215	RSA 541-A:16, I (c)
Fors 216	RSA 541-A:16, I (d)
Fors 217	RSA 541-A:11, VII
Fors 218	RSA 541-A:16, I(b)

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

Name: **Jessica M. Whelehan**

Title: **Program Specialist IV**

Address: **Office of Professional
Licensure and Certification
7 Eagle Square
Concord, NH 03301**

Phone #: **(603) 271-2855**

Fax#: **None**

E-mail: **OPLC-Rules@oplcnh.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: **Monday, November 13, 2023, by 4:00 pm.**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, November 1, 2023 at 2:00 p.m.**

Place: **Office of Professional Licensure and Certification
7 Eagle Square
Concord, NH 03301**

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

FIS # 23:218, dated 9/12/2023

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

Not applicable as Fors 201 through Fors 218.01 are being repealed and new Fors 201.01 and Fors 201.02 are being adopted.

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):

This proposal repeals existing Fors 201 through Fors 218.01. The proposed rules adopt a new Fors 201.01 to utilize Plc 200 rules as directed by RSA 310-A:1-d, II(h)(2), which provides for OPLC to establish organization and procedural rules governing the administration of complaints and investigations, hearings, disciplinary proceedings and adopt a new Fors 201.02 describing the Board's procedure for waiver of administrative rules. There is no cost or benefit attributable to the proposed rules.

- 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:

These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.