

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____	Rule Number <u>Inst 200</u>
1. Agency Name & Address: Installation Standards Board for Manufactured Housing c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301	2. RSA Authority: RSA 205-D:20, X, RSA 541-A:16, I(b)-(d) 3. Federal Authority: <u>n/a</u> 4. Type of Action: Adoption <u>X</u> Repeal <u>X</u> Readoption _____ Readoption w/amendment _____
5. Short Title: Rules of Practice and Procedure	

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

The former RSA 310 was repealed by Chapter 112 the Laws of 2023, effective 7/1/2023 and reenacted. The counterpart to RSA 310-A:1-d, II(h)(2) is RSA 310:6, II. The Installation Standards Board for Manufactured Housing is proposing to:

Repeal existing rules Inst 201 through Ph 216 containing the entirety of Chapter Inst 200 on practice and procedure;

Adopt Inst 201.01 to utilize Plc 200 as directed by RSA 310:6, II that provides for the OPLC establish procedural rules governing the administration of complaints and investigations, hearings, and disciplinary proceedings; and

Adopt Inst 201.02 describing the Board's procedure for waiver of a substantive rule.

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

The groups affected by these rules are licensed installers of manufactured housing and the general public.

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

RULE	STATUTE
Inst 201 (repealed)	RSA 541-A:7
Inst 202.01 (repealed)	RSA 541-A:7
Inst 203 (repealed)	RSA 541-A:30-a, I
Inst 204 (repealed)	RSA 541-A:30-a, III (j)
Inst 205 (repealed)	RSA 541-A:30-a, III (b)
Inst 206 (repealed)	RSA 541-A:30-a, III(f)
Inst 207 (repealed)	RSA 541-A:30-a, III(a)
Inst 208.01, 208.02 (repealed)	RSA 541-A:30-a, III (a), RSA 205-D:20, IX

RULE	STATUTE
Inst 208.03 (repealed)	RSA 205-D:13 & RSA 541-A:30-a, III(a)
Inst 208.04-208.05 (repealed)	RSA 541-A:30-a, III(a)
Inst 209.01-209.03 (repealed)	RSA 541-A:30-a, I
Inst 209.04 (repealed)	RSA 541-A:30-a, III(g)
Inst 209.05 (repealed)	RSA 541-A:30-a, I
Inst 209.06 – 209.07 (repealed)	RSA 541-A:30-a, III(c)
Inst 209.08 (repealed)	RSA 541-A:33
Inst 209.09 (repealed)	RSA 541-A:31, VII
Inst 209.10 (repealed)	RSA 541-A:30-a, III(d)
Inst 209.11 (repealed)	RSA 541-A:30-a, III(e)
Inst 209.12-209.14 (repealed)	RSA 541-A:30-a, I
Inst 209.15 (repealed)	RSA 541-A:36
Inst 209.16 (repealed)	RSA 541-A:30-a, III(g)
Inst 209.17 (repealed)	RSA 541-A:30, II & 541-A:30-a, I
Inst 209.18 (repealed)	RSA 541-A:30, III
Inst 209.19 & 209.20 (repealed)	RSA 541-A:30-a, I
Inst 209.21 (repealed)	RSA 541-A:35
Inst 209.22 (repealed)	RSA 541-A:30-a, I
Inst 210 & 211 (repealed)	RSA 541-A:30-a, I
Inst 212 (repealed)	RSA 541-A:16, I (b), RSA 205-D:20, IX
Inst 213 (repealed)	RSA 541-A:16, I(c)
Inst 214 (repealed)	RSA 541-A:16, I(b)(3)
Inst 215 (repealed)	RSA 541-A:16, I(d)
Inst 216 (repealed)	RSA 541-A:16, I (d)
Inst 201.01	RSA 310-A:143(g)
Inst 201.02	RSA 541-A:16, I (b)

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

Name: **Tina Kelley**

Title: **Program Specialist IV**

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

Phone #: **(603) 271-5247**

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, October 30, 2023 at 4:00 pm.**

☐ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, October 18, 2023 at 10:30 a.m.**

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

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

FIS # 23:201, dated 8/24/2023

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
Not applicable as Inst 201 through Inst 216 are being repealed and new Inst 201.01 and Inst 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 Inst 201 through Inst 216. The proposed rules adopt a new Inst 201.01 to utilizes 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 Inst 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.