

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number **Rab 200**

<p>1. Agency Name & Address:</p> <p>NH Real Estate Appraisers Board 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> X </u></p>
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5. Short Title: **Applicability and Waiver of Substantive Rules**

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

The Real Estate Appraiser Board is proposing to:

Repeal Rab 201 through Rab 217 describing the procedural rules for the NH Real Estate Appraisers Board and renumber existing Rab 218.01 as Rab 201.02;

Adopt Rab 201.01 rule on the applicability of Plc 200 for the following rules:

- 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; and**
- Petitions of waiver of procedural rule; and**

Readopt with amendment and renumber the existing Rab 218.01 as Rab 201.02 on waivers of substantive rules. The amendments update cross references to the rules.

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

This proposal affects the general public and licensees seeking information or who wish to obtain knowledge about various procedures of the Real Estate Appraisers Board.

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

Rule	Specific State Statute which the Rule Implements
Rab 202-214 (repealed)	RSA 310-B:24, VIII, RSA 541-A:16, I (b) (2); RSA 541-A:30-a, RSA 310-B:18, RSA 310-B:19
Rab 203.02 (b) and (c) (repealed)	RSA 310-B:19; RSA 310-B:18-a, RSA 310-B:24, VIII
Rab 215 (repealed)	RSA 541-A:16, I (c)
Rab 216 (repealed)	RSA 541-A:16, I(b)(3)
Rab 217 (repealed)	RSA 541-A:16, I(d)
Rab 201.01	RSA 541-A:16, I (b)

Rule	Specific State Statute which the Rule Implements
Rab 201.02 (formerly Rab 218 .01)	RSA 541-A:16, I (b) intro.

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** Phone #: **(603) 271-5247**
7 Eagle Square Fax#: **None**
Concord, NH 03301 E-mail: **OPLC-Rules@oplc.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: **Monday, May 1, 2023 at 4:00 p.m.**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Friday, April 21, 2023 at 9:30 a.m.**
Office of Professional Licensure and Certification
Place: **7 Eagle Square**
Concord, NH 03301

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

FIS # 23:037, dated 2/13/2023

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.

- Not applicable to sections being repealed within the rules.
- Not applicable to Rab 201.01 as this section is new.

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):

These proposed rules repeal the procedures in various Rab 200 rules and adopt Rab 201 rules directing individuals to Plc 200 for the following:

- 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; and
- Petitions of waiver of rule.

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.