

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Sep 200

<p>1. Agency Name & Address:</p> <p>Board of Septic System Evaluators 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) </u></p> <p>3. Federal Authority: <u> n/a </u></p> <p>4. Type of Action:</p> <p>Adoption <u> X </u></p> <p>Repeal <u> X </u></p> <p>Readoption <u> </u></p> <p>Readoption w/amendment <u> </u></p>
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5. Short Title: **Rules of the Practice and Procedure**

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

The Board of Septic System Evaluators is planning to:

Repeal Sep 200 describing the procedural rules for the Board of Septic System Evaluators.

Adopt Sep 200 rules of Applicability and Waiver of Substantive Rule directing individuals to 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 rule; and**

Adopting rules for waiver of administrative rules.

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

The groups affected by these rules are those members of the who wish to obtain information about the procedures listed in (a) above.

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 the Rule Implements
Sep 201.01 (repealed)	RSA 541-A:16, I(b) intro.
Sep 202.01 (repealed)	RSA 541-A:16, I(b) intro.; RSA 541-A:7
Sep 202.02 (repealed)	RSA 541-A:16, I(b) intro.; RSA 541-A:7
Sep 203.01 (repealed)	RSA 541-A:7; RSA 541-A:16, I(b) intro.
Sep 203.02 (repealed)	RSA 541-A:7; RSA 541-A:16, I(b) intro.; RSA 541-A:30, II;
Sep 204.01 (repealed)	RSA 541-A:16, I(b)(2)
Sep 204.02 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(k)

Sep 204.03 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(j)
Sep 205.01 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(f)
Sep 206.01 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(a)
Sep 206.02 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(a)
Sep 206.03 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(a)
Sep 207.01 (repealed)	RSA 541-A:16, I(b)(2)
Sep 208.01 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:31, III
Sep 208.02 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30, III
Sep 208.03 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(b)
Sep 208.04 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(c); RSA 541-A:31, V
Sep 208.05 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:31, VII and VII-a
Sep 209.01 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(g); RSA 541-A:32
Sep 209.02 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(g); RSA 541-A:32
Sep 209.03 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(g)
Sep 209.04 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(g)
Sep 210.01 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(h)
Sep 211.01 (repealed)	RSA 541-A:16, I(b)(2)
Sep 211.02 (repealed)	RSA 541-A:16, I(b)(2)
Sep 212.01 (repealed)	RSA 541-A:16, I(b)(2)
Sep 212.02 (repealed)	RSA 541-A:16, I(b)(2)
Sep 212.03 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(a)
Sep 213.01 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(d) and (e)
Sep 213.02 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:32, I-IV
Sep 213.03 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:33
Sep 213.04 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:34
Sep 213.05 (repealed)	RSA 541-A:16, I(b)(2)
Sep 213.06 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:30-a, III(i)
Sep 213.07 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:35
Sep 213.08 (repealed)	RSA 541-A:16, I(b)(2)
Sep 214.01 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:38
Sep 215.01 (repealed)	RSA 541-A:16, I(c); RSA 541-A:4
Sep 215.02 (repealed)	RSA 541-A:16, I(c); RSA 541-A:4
Sep 216.01 (repealed)	RSA 541-A:16, I(c); RSA 541-A:11, I
Sep 217 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:16
Sep 218 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:16
Sep 219 (repealed)	RSA 541-A:16, I(b)(2); RSA 541-A:14-a
Sep 201.01	RSA 541-A:16, I (b)
Sep 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

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Thursday, April 20, 2023 at 4:00 p.m.**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday, April 10, 2023 at 9:30 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 # 22:271, dated 1/12/2023

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
Not applicable as this bill repeals Sep 200 and adopts new Sep 200 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):**
This bill repeals Sep 200 for procedural rules for the Board of Septic System Evaluators and adopts replacement Sep 200 rules for applicability and waiver of substantive rules directing individuals to Plc 200 for certain provisions. This bill has no cost or impact to the State or its citizens, political subdivisions, or independently owned businesses.
 - 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.