

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Agr 1400

<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, II </u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption <u> X </u></p> <p>Amendment _____</p> <p>Repeal <u> X </u></p> <p>Readoption <u> X </u></p> <p>Readoption w/amendment <u> X </u></p>
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5. Short Title: **Weights and Measures**

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

Chapter Agr 1400 governs weights and measures. The entire chapter is effectively being readopted with amendments. The amendments to Agr 1400 make minor changes to the current rules by: adding clarity to the licensing processes and other rules related to licensees; and amending rules so that they are consistent with the implementing statutes.

The amendments also add definitions for clarification through the Agr 1400 rules. Several changes are procedural and clarify existing processes for the regulated community by adding efficiency and clarity to the rules.

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

These rules affect current and future licensees including service technicians, weighmasters, and device licensees.

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

RULE	STATUTE IMPLEMENTED
Agr 1401	RSA 541-A:7
Agr 1402.01 - Agr 1402.13	RSA 438:7 IV
Agr 1402.02 through Agr 1402.04(a)(2)	RSA 438-8:I.(e)
Agr 1402.04(a)(3)	RSA 438:8, I.(h)(3)
Agr 1402.04(b) through Agr 1402.06(b)	RSA 438-8:I.(e);
Agr 1402.06(c)	RSA 438:8, I.(h)(3)
Agr 1402.06(d)	RSA 438-8:I.(e)
Agr 1402.07(a) through (e)	RSA 438:7, VIII.
Agr 1402.07(f)	RSA 438:8, I. (e)
Agr 1402.08 through Agr 1402.13	RSA 438-8:I.(e)
Agr 1403.01through Agr 1403.13	RSA 438:8, I(e)
Agr 1403.02 through Agr 1403.16	RSA 438-8:I.(e)
Agr 1404.01	RSA 541-A:7
Agr 1404.02	RSA 541-A:7
Agr 1404.03 through Agr 1404.05 (b)(3)	RSA 438:8, I.(h)(3)
Agr 1404.05(c) through Agr 1404.07(d)(2)a.	RSA 438-8:I.(d)
Agr 1404.07(d)(2)b.	RSA 438:8, I.(h)(3)
Agr 1404.07(e)	RSA 438-8:I.(d)
Agr 1404.08(a) through (e)	RSA 438:7, VIII.
Agr 1404.08(f)	RSA 438:8, I. (d)
Agr 1404.09(a)	RSA 438:5
Agr 1404.09(b) through Agr 1404.14	RSA 438-8:I.(d)
Agr 1405.01	RSA 541-A:7
Agr 1405.02	RSA 438-8:I (d)
Agr 1405.03 (a), (b) and (c)	RSA 438:5;RSA 438:8, IV.
Agr 1405.04(d) through Agr 1405.25	RSA 438-8:I.(d)
Agr 1405.25	RSA 541-A:7; RSA 438:1, XIII
Agr 1405.26	RSA 438:14-a; RSA 438:7, II
Agr 1405.27	RSA 438:14-a; RSA 438:7, II
Agr 1405.28	RSA 438:14-a; RSA 438:7, II
Agr 1405.29	RSA 438:14-a; RSA 438:7, II
Agr 1405.30	RSA 438:14-a; RSA 438:7, II-V
Agr 1405.31	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7, II
Agr 1405.32	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7, II
Agr 1405.33	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7
Agr 1405.34	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7, II

Agr 1405.35	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7, II
Agr 1405.36	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7, II
Agr 1405.37	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7, II
Agr 1405.38	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7, II
Agr 1405.39	RSA 541-A:19-b; RSA 438:14-a; RSA 438:7, II
Agr 1406.01	RSA 541-A:7
Agr 1406.02 through Agr 1406.03	RSA 438:21
Agr 1406.04 through Agr 1406.06	RSA 438:21
Agr 1406.07 through Agr 1406.13	RSA 438:26, RSA 438:26-a
Agr 1406.04	RSA 438:26-a, II., III., IV. and V.
Agr 1406.07 through Agr 1406.13	RSA 438:26, RSA 438:26-a
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 Agr 1407.13	RSA 438-8:I(f), RSA 438:10-a
Agr 1408.01	RSA 541-A:7
Agr 1408.02 through Agr 1408.09	RSA 438:20; RSA 438:26
Agr 1409.01 and Agr 1409.06	RSA 541-A:7
Agr 1410.01	RSA 541-A:7
Agr 1410.02	RSA 438:8, I. (k)
Agr 1410.03	RSA 438:8, I. (k)
Agr 1410.04	RSA 438:8, I. (k)
Agr 1410.05 and Agr 1410.06	RSA 438:8, I. (k)
Agr 1411.01	RSA 541-A:7
Agr 1411.02(a) and (b)	RSA 438:8, I. (i)
Agr 1411.02(c)	RSA 438:7, V.
Agr 1411.03(a)	RSA 438:7, III.
Agr 1411.03(b)	RSA 438:7, V.
Agr 1411.04	RSA 438:7, V
Agr 1411.05(a)	RSA 438:7, III.; RSA 438:40, IV.
Agr 1411.05(b)	RSA 438-8:I.(i)
Agr 1411.05(c)	RSA 438:7, IV.; RSA 438-8:I.(i)
Agr 1411.06	RSA 438-8:I.(i)
Agr 1411.07	RSA 438:7, V.; RSA 438-8:I.(i)
Agr 1412.01 - Agr 1412.07	RSA 438:26-b
Agr 1412.08	RSA 438:15 and RSA 438:26-b
Agr 1412.09	RSA 438:12, RSA 438:13 and RSA 438:26-b
Agr 1412.10	RSA438:7, III
Agr 1412.11	RSA 438:40
Agr 1412.12	RSA 438:26-b

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: **Thursday, September 21st 2017 at 4 pm**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, September 14^h, 2017 at 9 am**

Place: **Room 201, State House Annex, 25 Capitol St., Concord, NH**

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

FIS # 17:120, dated July 13, 2017

Fiscal Impact Statement for Department of Agriculture, Markets and Food, Division of Weights and Measures, rules governing Weights and Measures. [Agr 1400]

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.

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