

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number _____

Fis 400 (various)

<p>1. Agency Name & Address:</p> <p>NH Fish and Game Department 11 Hazen Drive Concord, NH 03301</p>	<p>2. RSA Authority: <u>206:10, I; RSA 211:5</u></p> <p>3. Federal Authority: <u>none</u></p> <p>4. Type of Action:</p> <p>Adoption <u>xx</u></p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption <u>xx</u></p> <p>Readoption w/amendment <u>xx</u></p>
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5. Short Title: **Freshwater Fishing**

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

The proposal readopts the following eight-year duration rules without change:

**Definition sections Fis 401.011, 401.021, 401.031, 401.151, and 401.181
Fis 402.12 relative to a Trolling Restriction for anglers being guided
Fis 405.07 relative to Hooks or Other Devices for Attachment of Bait
Fis 406.02 relative to restrictions in Trout Waters
Fis 406.03 relative to restrictions in Fly-Fishing Waters; and
Fis 408.04 relative to Black Bass.**

The following provisions expired on January 1, 2017, and are proposed for adoption again without change:

**Fis 402.08 relative to Possession and Use of Live Fish for Bait; and
Fis 405.04, relative to Cusk Fishing.**

An amendment is proposed for Fis 407.01, Table 400.2, to subject certain portions of the Magalloway River to new restrictions that are proposed in an amendment to Fis 407.03 (f) that would alter the open season for taking of all species of fish, and prohibit the taking of fish with live bait from January 1 to May 31 and Labor Day to September 30 in each year.

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

The proposal affects all licensed recreational anglers in inland waters.

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

Rule	Specific State or Federal Statutes or Regulations which the Rule Implements
Fis 401.011, 401.021, 401.031, 401.151, and 401.181	RSA 206:10, I
Fis 402.08 and 402.12	RSA 206:10, I
Fis 405.04, 405.07, 406.02 and 406.03	RSA 206:10, I
Fis 407.01	RSA 206:10, I
Fis 407.03	RSA 206:10, I
Fis 408.04	RSA 206:10; RSA 211:5

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

Name: **Paul G. Sanderson, Esq.**
 Address: **11 Hazen Drive
 Concord, NH 03301**

Title: **Legal Coordinator**
 Phone #: **603-271-1136**
 Fax#: **603-271-1438**
 E-mail: comments@wildlife.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: **Friday, December 8, 2017**

xx Fax

xx E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday November 30, 2017 at 6:00 PM**

Place: **Fish and Game Region 1 office 629B Main Street, Lancaster NH 03584 .**

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

FIS # 17:144 , dated 10/13/2017

Fiscal Impact Statement for New Hampshire Fish and Game Department rules governing Freshwater Fishing Definitions, Live Fish for Bait, Trolling Restriction, Cusk Fishing, Hooks, Trout Water Restrictions; Fly Fishing Water Restrictions, Named Rivers and Streams Restrictions, Other Waterbody Restrictions, Black Bass Restrictions. [Fis 401.011, 401.021, 401.031, 401.151, 401.181, 402.08, 402.12, 405.04, 405.07, 406.02, 406.03, 407.01, 407.03, 408.04]

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

There is no cost when comparing the proposed rules to the existing rules. Not applicable to Fis 402.08 or Fis 405.04 as they expired in January 2017.

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):

There are no costs associated with the proposed rules, or expired Fis 402.08 and Fis 405.04, therefore there is no difference in cost between the proposed rule and the expired rule.

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 impose any programs, responsibilities, or administrative duties upon any political subdivision of the state, and thus does not violate the NH Constitution, Part I, Article 28-a.