

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number _____

Fis 402.13 & Fis 1203.01

<p>1. Agency Name & Address:</p> <p>NH Fish and Game Department 11 Hazen Drive Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 206:10, I ; 214:1-e</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption <u> xx </u></p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u> xx </u></p>
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5. Short Title: **Free Fishing Days and Marking of Freshwater Fish Prohibited**

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

A new rule, Fis 402.13 is proposed to prohibit the marking of a freshwater fish that has been caught and is to be released back into the waters of the state. The proposal also readopts with amendment Fis 1203.01, to add a second free fishing day as permitted by RSA 214:1-e, as amended by Laws 2016, Ch. 135.

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

All persons who engage in fishing activities on the two days of each year that the legislature has authorized to be free of licensing fees. All anglers who catch a freshwater fish and then release the fish back into the waters of the state.

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 which the Rule Implements
Fis 402.13	RSA 207:10-b
Fis 1203.01	RSA 214:1-e

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: **Thursday, December 15, 2016**

xx Fax

xx E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Tuesday, December 6, 2016 at 1:30 P.M.**

Place: **Fish & Game Headquarters, 11 Hazen Dr. Concord, NH 03301**

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

FIS # 16:232, dated 10/31/2016

LBAO
FIS 16:232
10/31/16

Fiscal Impact Statement for New Hampshire Fish and Game Department rules governing Free Fishing Days and Marking of Fish Prohibited. [Fis 1203.01; Fis 402.13]

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 Fis 402.13 as this is a new rule.

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):

The proposed new rule Fis 402.13 prohibits the marking of fish caught and released back to the waters of the state, which may result in an indeterminable increase in enforcement related costs of the Fish and Game Department.

A. To State general or State special funds:

See 3 above. No impact on state general funds.

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.