



NEW HAMPSHIRE RULEMAKING REGISTER

OFFICE OF LEGISLATIVE SERVICES

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NOTE: POSSIBLE RULE EXTENSION

If the proposed rules contain existing, regular rules being readopted or readopted with amendments, and are not adopted and effective until after the expiration date(s) of the existing rules(s), then the existing rules will nevertheless continue in effect pursuant to RSA 541-A:14-a until the proposed rules are adopted and effective.

2. COMMITTEE (JLCAR)

CONTINUED MEETING Previously Scheduled for June 2, 2017 Has Been Cancelled

REGULAR MEETING: **Friday, June 16, 2017 9:00 a.m.**
Rooms 306/308, Legislative Office Building

NOTICE

PAID SUBSCRIPTIONS TO THE RULEMAKING REGISTER WILL EXPIRE JUNE 30th.

The subscription cost for the Register in paper format is \$80 for a one-year subscription (July 1, 2017 - June 30, 2018). To renew a subscription for the paper format a subscriber must use the enclosed subscription renewal form on page 15. Checks should be made payable to: "Treasurer, State of New Hampshire" and mailed to: Office of Legislative Services, Administrative Rules, State House Annex, 25 Capitol Street, Room 219, Concord, NH 03301.

PURSUANT TO NH RSA 541-A, STATE AGENCIES, LEGISLATORS, AND MUNICIPALITIES ARE EXEMPT AND RECEIVE THE RULEMAKING REGISTER FREE OF CHARGE.

See 2017 JLCAR Meeting dates and deadlines on page i and ii.

Notices of Proposed Rules

<u>Notice Number</u>	<u>Rule Number</u>	<u>Agency and Short Title of Rule</u>	<u>Page No.</u>
2017-71	He-W 742.02 (a), (b), (d), (f), & (n)	Department of Health and Human Services Former Division of Human Services Food Stamp Program Internet Only Standard Utility Allowance.	1
2017-72	Cub 304.07, 304.08, 304.13, 304.14	Current Use Board Assessment Ranges for Forest Land Categories, With and Without Stewardship, Unproductive Land and Wetland Categories.	3
2017-73	Bar 301.07, 302.03, 302.06, 303.01, 303.02, 303.05-303.07	Board of Barbering, Cosmetology and Esthetics Licensure Application; Schools and Shops Square Footage; School Operational Requirements; and Examinations.	6
2017-74	Saf-C 2200	Department of Safety, Commissioner Licensure of Private Investigators, Security Guards, and Bail Recovery Agents.	9
2017-75	Env-A 500	Department of Environmental Services Air Related Programs Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants.	12

**JLCAR MEETING DATES AND RELATED FILING DEADLINES
JUNE, 2017**

The JLCAR has voted to hold its regularly scheduled meetings for June, 2017 on the third Friday of the month as listed below. The minimum 14-day “deadline” prior to the regular JLCAR meeting is listed for agencies to file final proposals or proposed interim rules* for placement on the JLCAR agenda pursuant to RSA 541-A:12, I and RSA 541-A:19, V. The JLCAR has also scheduled continued meetings as listed below on select Fridays to address items postponed from the prior regular meetings.

Regular Meeting Filing Deadline*	Regular Meeting Date	Continued Meeting Date
June 2	June 16	June 30

***NOTE:** The filing deadlines relate to JLCAR meetings pursuant to RSA 541-A. However, if a proposed interim rule is filed with a rulemaking notice for publication in the *Rulemaking Register*, be aware that Thursdays—not Fridays—remain the filing deadline under the *Drafting and Procedure Manual for Administrative Rules* to have the rulemaking notice published the following week. Therefore, filing the notice together with the proposed interim rule no later than the Thursday **before** the 14-day statutory deadline would assure that both the 14-day deadline for filing the rule and the deadline for publication in the *Rulemaking Register* would be met. See description in §3.3 of Chapter 3 of the *Drafting and Procedure Manual for Administrative Rules*.

**JLCAR MEETING DATES AND RELATED FILING DEADLINES
JULY-DECEMBER, 2017**

The JLCAR has voted to hold its regularly scheduled monthly meetings for July through December, 2017 on the third Thursdays listed below. The minimum 14-day “deadline” prior to the regular JLCAR meeting is listed for agencies to file final proposals or proposed interim rules for placement on the JLCAR agenda pursuant to RSA 541-A:12, I and RSA 541-A:19, V. The JLCAR has also scheduled continued meetings as listed below on select Thursdays to address any items postponed from the prior regular meetings.

Regular Meeting Filing Deadline	Regular Meeting Date	Continued Meeting Date
July 6	July 20	August 3
August 3	August 17	August 31
September 7	September 21	October 5
October 5	October 19	November 2
November 2	November 16	December 7
December 7	December 21	None

Notice Number 2017-72 Rule Number Cub 304.07, 304.08, 304.13, Cub 304.14

<p>1. Agency Name & Address:</p> <p>Current Use Board c/o New Hampshire Department of Revenue Administration 109 Pleasant Street PO Box 487 Concord, NH 03302-0487</p>	<p>2. RSA Authority: <u>RSA 79-A:4, IV</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Assessment Ranges for Forest Land Categories, With and Without Stewardship, Unproductive Land and Wetland Categories**

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

The rules Cub 304.07, Cub 304.08, Cub 304.13 and Cub 304.14 on assessment ranges, respectively, for forest land categories, with and without stewardship, the unproductive land category and the wetland category are being readopted with amendment as follows:

1. The assessment ranges for the white pine category for forest land, with and without documented stewardship, have increased;
2. The assessment ranges for the hardwood category for forest land, with and without documented stewardship, have increased;
3. The assessment ranges for the “other” category for forest land, with and without documented stewardship, have increased;
4. The assessment range for the unproductive land category has increased; and
5. The assessment range for the wetland category has increased.

As a result of these rule changes, property owners may see an increase in their taxes. Municipalities and unincorporated places may see an increase in revenue from current use taxes.

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

Property owners with current use land in the forest land categories, and municipalities and unincorporated places with current use land will be affected.

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

RULE	STATUTE
Cub 304.07	RSA 79-A:4
Cub 304.08	RSA 79-A:4
Cub 304.13	RSA 79-A:4
Cub 304.14	RSA 79-A:4

NN 2017-72 Continued

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

Name: **Stephanie Derosier** Title: **Clerk, Current Use Board**
Address: **NH Department of Revenue Admin** Phone #: **603.230.5096**
109 Pleasant Street Fax#: **603.230.5947**
PO Box 487 E-mail: **stephanie.derosier@dra.nh.gov**
Concord, NH 03302-0487 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: **Wednesday, July 5, 2017**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, June 22, 2017 at 1:00 p.m.**

Place: **New Hampshire Department of Revenue Administration**
109 Pleasant Street, Training Room
Concord, NH 03301

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

FIS # 17:058, dated 5/8/2017

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

When compared to the existing rules, the proposed rules may increase costs by an indeterminable amount to state citizens and independently owned businesses.

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 Department of Revenue Administration states approximately 50 percent of taxable land in the state is subject to this alternative use (Current Use) valuation model and the proposed rates reflect changes in the valuation of the income-producing capacity of forest land and agricultural land in the state. The proposed rules make the following changes to the range of assessed values for land in current use:

NN 2017-72 Continued

(Item 10. continued)

Assessment Ranges for Forest Land Categories				
	Existing Rules		Proposed Rules	
	Minimum	Maximum	Minimum	Maximum
White Pine	\$110	\$165	\$113	\$170
Hardwood	\$47	\$71	\$51	\$76
Other	\$34	\$51	\$36	\$54
Assessment Ranges for Forest Land Categories with Documented Stewardship				
	Existing Rules		Proposed Rules	
	Minimum	Maximum	Minimum	Maximum
White Pine	\$66	\$99	\$68	\$102
Hardwood	\$28	\$43	\$31	\$46
Other	\$20	\$30	\$22	\$32

	Existing Rules	Proposed Rules
Unproductive Land (per acre)	\$20	\$22
Wetland (per acre)	\$20	\$22

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

To the extent state citizens own land falling within the affected categories, their costs may increase slightly based on the assessment changes. The proposed rules will result in a minor reapportionment of local tax burdens due to the changes in distribution of value and minimal impact to local tax rates.

C. To independently owned businesses:

To the extent independently owned businesses own land falling within the affected categories, their costs may increase slightly based on the assessment changes.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Readoption with amendments of Cub 304.07, Cub 304.08, Cub 304.13 and Cub 304.14 does not create a new program or responsibility, although it does modify the existing tax by increasing the assessment ranges for unproductive and wetland categories. The rule applies to any political subdivision with unproductive land and wetland, but there is no mandate which increases costs to a political subdivision. The rule does not violate Part I, Article 28-a, of the New Hampshire Constitution.