

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Fish and Wildlife (ODFW) – Wildlife Division

635

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Amendment of Rules	)	Statutory Authority,
Relating to the Department of Fish and	)	Statutes Implemented,
Wildlife and Miscellaneous and	)	Statement of Need,
Occupational Fees	)	Principal Documents Relied Upon,
	)	Statement of Fiscal Impact

Amend Rules relating to Miscellaneous and Occupational Fee to reflect legislative changes

Rule Caption: (Not more than 15 words that reasonably identify the subject matter of the agency's intended action.)

Statutory Authority: ORS 183 & 496; HB 2223 (2009)

Other Authority:

Stats. Implemented: ORS 183 & 496; HB 2223 (2009)

Need for the Rule(s):

These rule changes are necessary to increase the cost of miscellaneous and occupational licenses and permits issued by the Oregon Department of Fish and Wildlife (ODFW), as changed by the 2009 Legislative Assembly. The increases, which take effect January 2010, are required by HB 2223 (2009) and will allow continued maintenance and operation of current programs, address needs identified by the legislature, and to avoid future program cuts. Revenue from the sale of hunting and fishing licenses and tags supports approximately one-third of the agency's budget.

Documents Relied Upon, and where they are available:

HB 2223 (2009), available from the Department.

Fiscal and Economic Impact, including Statement of Cost of Compliance: See Attached

How were small businesses involved in the development of this rule? See attached

Administrative Rule Advisory Committee consulted?: No

These fees were set by the legislature, although the Department staff hosted a series of town hall meetings during the spring of 2008 to present fee increase proposals and get feedback from the public in the development of HB 2223.



Signature

Michelle Tate

Printed name

8/7/09

Date

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Fish and Wildlife (ODFW) – Wildlife	635	
Agency and Division	Administrative Rules Chapter Number	
Teri Kucera	3406 Cherry Ave. NE, Salem, OR 97303	(503)947-6033
Rules Coordinator	Address	Telephone

**RULE CAPTION**

Amend Rules relating to Miscellaneous and Occupational Fees

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

October 2, 2009	8:00 AM	3406 Cherry Ave NE Salem, OR 97303	Oregon Fish and Wildlife Commission
Hearing Date	Time	Location	Hearings Officer

Hearing Date	Time	Location	Hearings Officer
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*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:** OAR Chapter 635, Divisions: 004, 006, 007, 008, 010, 040, 043, 044, 047, 048, 049, 050, 051, 055, 056, 060, 065, 066, 067, 075, 090 and 200.

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth. : ORS 183 & 496; HB 2223 (2009)

Other Auth.:

Stats. Implemented: ORS 183 & 496; HB 2223 (2009)

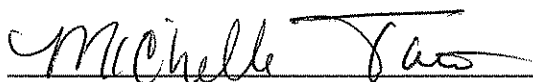
**RULE SUMMARY**

Adopt amendments to the Oregon Administrative Rules to implement HB 2223, enacted by the 2009 Legislative Assembly. This bill changed miscellaneous and occupational fees for the Department.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

October 2, 2009

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)



Michelle Tate

August 10, 2009

Signature

Printed name

Date

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

Fiscal and Economic Impact Statement for the October 2, 2009 Hearing in the Matter  
of Rules Relating to Miscellaneous and Occupational Fees

Fiscal and economic impact: Rule changes are being proposed to increase the cost of a number of licenses and permits issued by the Oregon Department of Fish and Wildlife (ODFW.) The additional revenues from this fee increase will support the agency's programs into the future and account for inflation in the cost of doing business. Many of these administratively established fees have not been changed in the recent past.

A. The only state agency that would be affected by adoption of these rules is the Oregon Department of Fish and Wildlife (ODFW.) Increased revenues from these fee increases are projected to total \$2,774,206 in 2009-2011 and \$2,856,654 in 2011-2013 to general license dollars in other funds. The commercial fishing fee increases considered here are expected to bring \$12,590 in additional revenues into the Commercial Fish Fund per biennium.

License or Tag	Current Price	Future Price	Additional Revenues 2009-2011	Additional Revenues 2011-2013 and beyond
Facility Inspection (New Falconers)	\$10.00	\$15.00	\$120	\$120
Falconry License (3 year license)	\$50.00	\$125.00	\$4,050	\$4,050
Raptor Capture Permit (Falconry)	\$10.00	\$15.00	\$400	\$400
Cervid Propagation License - Type 1	\$6.50	\$27.00	\$880	\$880
Cervid Propagation License - Type 2	\$6.50	\$27.00	\$1,080	\$1,080
Hide Dealer & Antler Dealer Permit	\$11.50	\$17.00	\$3,570	\$3,570
Wild Bird Seal (for Private Hunting Preserves)	\$10.00	\$15.00	\$500	\$500
Wildlife Scientific/Education Taking Permit (K-12)	\$11.50	\$17.00	\$2,370	\$2,370
Wildlife Scientific/Education Taking Permit (Other)	\$11.50	\$127.00	\$260	\$260
Fish Scientific/Education Taking Permit (K-12)	\$0.00	\$17.00	\$1,500	\$1,500
Fish Scientific/Education Taking Permit (Other)	\$0.00	\$127.00	\$76,250	\$76,250
Fish Transport Permit	Free	\$10.00	\$20,000	\$20,000
Grass Carp Permits	Free	\$125.00	\$6,250	\$6,250
Wildlife Area Bird Hunt Reservation/Permit	\$2.50	\$4.00	\$10,946	\$10,946
Wildlife Holding Permit	\$2.50	\$7.00	\$536	\$536
Duplicate Hunter Education Card (18 Years and Older)	Free	\$10.00	\$14,400	\$19,200
Sauvie Island Annual Parking Permit	\$11.00	\$22.00	\$114,062	\$152,426
Sauvie Island Daily Parking Permit	\$3.50	\$7.00	\$89,661	\$119,814
Controlled Hunt Application	\$4.50	\$8.00	\$2,399,982	\$2,399,982
Western Oregon Fee Pheasant Tag	\$11.50	\$17.00	\$27,390	\$36,520
<b>Total Additional Revenues in General License Dollars</b>			<b>\$2,774,206</b>	<b>\$2,856,654</b>
Experimental Fish Gear Permit	\$3.00	\$30.00	\$270	\$270
Vessel Permit, Brine Shrimp Fishery	\$75.00	\$125.00	\$100	\$100
Nonresident Vessel Permit, Brine Shrimp Fishery	\$75.00	\$290.00	\$0	\$0
Sardine Permit	Free	\$125.00	\$5,000	\$5,000
Nonresident Vessel Permit, Sardine Fishery	Free	\$290.00	\$3,480	\$3,480
Bay Clam Dive Permit	Free	\$125.00	\$2,000	\$2,000

Nonresident Bay Clam Dive Permit	Free	\$290.00	\$1,740	\$1,740
<b>Total Additional Revenues In Commercial Fish Fund</b>			<b>\$12,590</b>	<b>\$12,590</b>

B. No units of local government are expected to be affected by these rules. No significant changes from the current levels of any local agencies' operations or expenditures are expected as a result of the adoption of these rules.

C. The public could be affected by the adoption of these rules. The public will be required to pay more for the above permits than current fees. Commercial fishing businesses will also pay more annually for these permits and licenses.

Most businesses affected by these rules are believed to be "small business."

The rules are believed to be fully compatible with legislative direction on the goals of wildlife management in Oregon.

We do not believe that a less intrusive or less costly alternative adaptation to only small business is consistent with the purpose of the rule.