

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

<b>FILED</b>
10-15-15 3:12 PM
ARCHIVES DIVISION
SECRETARY OF STATE
635

Department of Fish and Wildlife

Agency and Division

Administrative Rules Chapter Number

Michelle Tate

(503) 947-6044

Rules Coordinator

Telephone

Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302

Address

**RULE CAPTION**

Per HB3315 Adopt Rules Regarding Reporting on Rendering Recompensable Assistance to Other State Agencies

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

Hearing Date	Time	Location	Hearings Officer
12-4-15	8:00 a.m.	Embassy Suites, 7900 NE 82nd Ave, PORTland, OR 97220	ODFW Commission

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

OAR Chapter 635, Division 001

**AMEND:****REPEAL:****RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.**Statutory Authority:**

ORS 496.012, 496.138, 496.146, HB 3315 (2015)

**Other Authority:****Statutes Implemented:**

HB 3315(2015)

**RULE SUMMARY**

Adopt rules to implement House Bill 3315, which requires the Oregon Department of Fish and Wildlife to track and prepare statements reporting on costs incurred by department personnel in rendering recompensable assistance to any executive department agency for advancing the administration of fee-funded programs on or after July 1, 2015, and before July 1, 2019.

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

12-04-2015 Close of Hearing	Michelle Tate	michelle.l.tate@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**  
A Notice of Proposed Rulemaking Hearing accompanies this form.

**FILED**  
10-15-15 3:12 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Department of Fish and Wildlife

635

Agency and Division

Administrative Rules Chapter Number

Per HB3315 Adopt Rules Regarding Reporting on Rendering Recompensable Assistance to Other State Agencies

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

In the Matter of:

OAR Chapter 635-Division 001, Administration Procedural Rules

**Statutory Authority:**

ORS 496.012, 496.138, 496.146, HB 3315 (2015)

**Other Authority:**

**Statutes Implemented:**

HB 3315(2015)

**Need for the Rule(s):**

Per House Bill 3315, these rules are needed to implement a process for the Department to track and prepare statements reporting the costs incurred by department personnel performing recompensable assistance for any executive department agency.

**Documents Relied Upon, and where they are available:**

Draft rules are available from the division's rules coordinator, located at 4034 Fairview Industrial Drive, SE; Salem, Or 97302. Rules are also on the ODFW website at <http://www.dfw.state.or.us/OARs/index.asp>. House Bill 3315 can be found at the following link: <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB3315/Enrolled>

**Fiscal and Economic Impact:**

The proposed rules are to implement Section (1)(a) of House Bill 3315, passed in the 2015 Legislative Session. For fiscal years beginning on or after July 1, 2015, and before July 1, 2019, the proposed rules direct the department to track and prepare statements reporting the number of hours spent by department personnel performing recompensable assistance for any executive department agency, including an hourly rate that would be charged, based on the class of department personnel performing the services. The department shall send statements to the state agency receiving services, but may not charge for services. "Recompensable assistance" means assistance rendered by the department as part of advancing fee-funded programs administered by another state agency.

Fiscal and economic impacts discussed below pertain to the proposed rules at the time of the writing of this FIS.

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

The proposed rules will affect state agencies, units of local government, and the public, respectively, as discussed below:

A. State agencies that could be affected by these rules are the Oregon Department of Fish and Wildlife (ODFW). No significant changes from the current levels of the agency's staffing, expenditures, or revenues are expected as a result of these particular rules.

The effort to track the variety of services provided to other executive department agencies by the Department will be spread across the Department and the costs are difficult to estimate. Field and headquarters staff will need to keep close track of their work with other state agencies and this tracking could mean something on the order of 15-30 minutes per week per staff member, multiplied by hundreds of staff members. Administrative Services Division staff have developed an online tracking tool for tracking staff hours and collecting the tracking data, which will then be aggregated at the agency level to produce the required statements. It is possible that this bill may lead to less need for interagency agreements and thus less contract work associated with those agreements, which would potentially save staff time. Overall, the work associated with these rules will be absorbed with existing agency resources.

B. No units of local governments will be affected by the proposed rules.

C. The public will not be affected by the proposed rules.

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

No small businesses are expected to be affected by these rules.

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

No significant changes in these costs are expected for the small businesses subject to the rule.

**c. Equipment, supplies, labor and increased administration required for compliance:**

No significant changes in these costs are expected for the small businesses subject to the rule.

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

Not Applicable

**Administrative Rule Advisory Committee consulted?:**No

**If not, why?:**

Not applicable as this House Bill (3315) was a legislative directive.

12-04-2015 Close of Hearing	Michelle Tate	michelle.l.tate@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address