

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) – Administrative Services Division		635
Agency and Division		Administrative Rules Chapter Number
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Rules Coordinator	Address	Telephone

RULE CAPTION

Amend Rules Related To Requirements for the Proof of Residency

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

October 10, 2008	8:00AM	3406 Cherry Ave NE Salem, OR 97303	Oregon Fish and Wildlife Commission
Hearing Date	Time	Location	Hearings Officer

Hearing Date	Time	Location	Hearings Officer
<i>Auxiliary aids for persons with disabilities are available upon advance request.</i>			

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, Division 010

REPEAL:

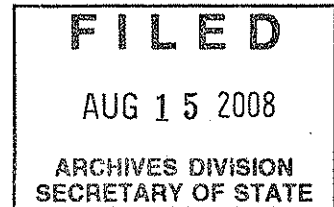
RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 496.138, 496.146, 496.162, 497.002, 497.022, 497.158

Other Auth.:

Stats. Implemented: ORS 496.138, 496.146, 496.162, 497.002, 497.022, 497.158



RULE SUMMARY

Amend Rules to establish uniform requirements for certification of residency regarding in-person, mail-order, fax, and internet license sales transactions.

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 10, 2008

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

Michelle Tate

August 15, 2008

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

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	)	Statutory Authority,
OAR Chapter 635, Division 010 in	)	Statutes Implemented,
regards to Issuing Resident Licenses/Tags	)	Statement of Need,
	)	Principal Documents Relied Upon,
	)	Statement of Fiscal Impact

Amend Rules Related To Requirements for the Proof of Residency

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

Statutory Authority: ORS 496.138, 496.146, 496.162, 497.002, 497.022, 497.158

Other Authority:

Stats. Implemented: ORS 496.138, 496.146, 496.162, 497.002, 497.022, 497.158

Need for the Rule(s): This action is one of the components necessary to implement ORS 497.158, license sales through mail and the World Wide Web. The current rules need to be updated to allow for this change. These amendments will also establish consistency in the requirements for certification of residency, for the sale of resident licenses, whether they are purchased in person, over the internet, via fax or via mail.

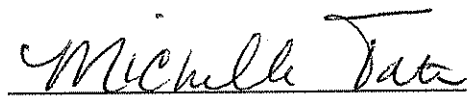
Documents Relied Upon, and where they are available:

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

How were small businesses involved in the development of this rule? n/a

Administrative Rule Advisory Committee consulted?: No

If not, why? The department staff consulted a Point of Sale Committee, state agencies, Oregon State Police, and other interested parties in the development of these rules. Correspondence from and testimony by interested and affected person is accepted into the record and is part of the rulemaking process.



Signature

Michelle Tate

Printed name

August 15, 2008

Date

Fiscal and Economic Impact Statement for the October 10, 2008 Hearing in the Matter of Rules Relating to Requirements for the Proof of Residency

Fiscal and economic impact: Rule changes are being proposed to establish uniform requirements for certification of residency regarding in-person, mail-order, fax, and internet license sales transactions.

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

A. The only state agency that might be affected by adoption of these rules is the Oregon Department of Fish and Wildlife (ODFW). Requirements to sign an affidavit to confirm residency will be applied to all license sales, whether in person, over the internet, via fax or via mail. Information is not available to determine how this might affect compliance rates. If compliance rates change, ODFW will realize gains or losses to license sales revenues accordingly.

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 would not be affected by these rules.

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.