

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	
Teri Kucera	3406 Cherry Ave. NE, Salem, OR 97303	(503) 947-6033
Rules Coordinator	Address	Telephone

RULE CAPTION

Amend Rules Relating to Internet, Mail-Order and Fax License and Tag Sales

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

October 10, 2008	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
<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:

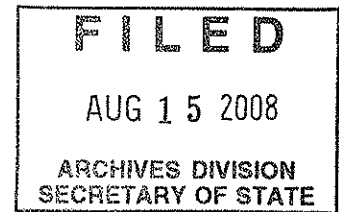
RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 496, 497 & 497.158

Other Auth.:

Stats. Implemented: ORS 496, 497 & 497.158



RULE SUMMARY

This rule is to establish internet license and tag sales and to add a \$2 shipping and handling convenience charge to those license sales conducted through the mail, via fax or over the internet.

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

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 Licenses and Tags Sales)	Statement of Need,
)	Principal Documents Relied Upon,
)	Statement of Fiscal Impact

Amend Rules Relating to Internet, Mail-Order and Fax License and Tag Sales

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

Statutory Authority: ORS 496, 497 & 497.158

Other Authority:

Stats. Implemented: ORS 496, 497 & 497.158

Need for the Rule(s): This rule is necessary to comply with the legislative directive to implement ORS 497.158 enacted by the 2001 Legislative Assembly. The statute directs the Oregon Fish and Wildlife Commission to adopt a system for renewing licenses through mail and the World Wide Web.

Documents Relied Upon, and where they are available: n/a

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?:

These rules were developed from the direction of the 2001 Legislative assembly. In addition, the department worked with the Oregon Department of Administrative Services in developing 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 Internet,
Mail-Order, and Fax License and Tag Sales**

Fiscal and economic impact: Rule changes are being proposed to establish internet license and tag sales and to add a \$2 shipping and handling convenience charge to those license sales conducted through the mail, via fax, or over the internet.

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

A. The only state agencies that might be affected by adoption of these rules are the Oregon Department of Fish and Wildlife (ODFW) and the Department of Administrative Services (DAS.) If ODFW elects to use the DAS E-commerce option, DAS may incur additional costs to adjust to the large number of transactions in the ODFW licensing system. The \$2 fee is intended to defray costs associated with processing of internet and fax or mail-order licenses. Shipping costs per document or set of documents are estimated as follows:

1. Postage costs (including Department of Administrative Services shuttle charges), cost of envelopes and paper at approximately \$1.00 per transaction.
2. Cost of equipment (printers, mailroom equipment, and computers) at approximately 25 cents per transaction.
3. Cost of labor to stuff envelopes, resolving returned documents and other related labor costs at approximately 75 cents per transaction.

ODFW also contacted several mail order fulfillment companies. Price quotes ranged from \$1.50 to \$2.00 per mailing if ODFW conducted the mailings through these outside businesses.

ODFW will conduct an estimated 160,000 transactions annually through the internet. This estimate is based on the 2 million documents that ODFW issues annually and on the ratios of internet transactions in Washington and Idaho. Based on the assumption that 8% of these 2 million documents will be ordered through the internet, there will be 160,000 internet transactions a year.

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 be affected by these rules. Those who wish to purchase a license or tag through a paper-based fax or mail order will now be charged a \$2 fee to do so. The opportunity to purchase licenses and tags over the internet is new, and will provide a convenient option at an additional cost to the licensee of \$2.

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.