

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

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ARCHIVES DIVISION
SECRETARY OF STATE

Board of Geologist Examiners
Agency and Division

809
Administrative Rules Chapter Number

Updates to procedural rules addressing public records, roster, exam application, deadline, and social security numbers

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

Updates to procedural rules addressing public records, roster, exam application, deadline, and social security numbers

Statutory Authority:

809-001-0015: ORS 192.430, 192.440, 192.502, 192.505, 182.466, 670.310
809-040-0001: ORS 670.310, 672.555, 672.575
809-050-0020: ORS 670.310, 672.635
809-050-0050: ORS 670.310, 25.785, 305.385, 42 USC §666, 42 USC §405

Other Authority:

Statutes Implemented:

809-001-0015: ORS 192.430, 192.440, 192.502, 192.505
809-040-0001: ORS 672.555, 672.575
809-050-0020: ORS 672.635
809-050-0050: ORS 672.555, 672.565, 672.585, 672.595, 25.785, 305.385

Need for the Rule(s):

Three rules will be amended to address the following needs: (1) The Board's rule covering procedures and fees for public records requests has not been updated since 2002 and needs to be modernized. (2) The Board determined that it can process certain examination applications in less time and thus wants to set a shorter application deadline as a benefit to these candidates. (3) The Board determined that it can fulfill the statutory obligation to maintain an annual roster of registrants without a roster rule. (4) The Board needs to update its application information rule to add a federal law citation and with housekeeping changes intended to improve the clarity of the rule regarding Board need for and use of federal Social Security Numbers.

Documents Relied Upon, and where they are available:

Board rules, Board statutes, other relevant state and federal statutes, advice from Board counsel, comments from rule committee members, and meeting minutes.

Fiscal and Economic Impact:

The Board does not anticipate that the proposed rule amendments or the deletion of the one rule will create fiscal and economic impacts.

Statement of Cost of Compliance:

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

Neither amendments regarding examination application deadlines and application information nor the proposed deletion of the roster rule will impact state agencies, local governments, or the public. Amendments to the rule for public records requests will apply to anyone requesting public records from the Board. Some fees related to public records requests have been increased. However, the Board has also added provisions for waiving records requests that take less than 15 minutes of staff time. The Board Administrator can also waive or reduce fees where response is determined to be in the public interest. Therefore, the Board does not anticipate significant impacts for that rule either.

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:

The proposed rule actions will not directly impact small businesses or other types of businesses. These Board rules apply primarily to individuals pursuing examination or registration and to the Board itself.

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

The Board does not anticipate any new reporting, recordkeeping or other administrative activities as a result of the proposed rule actions.

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

The Board does not anticipate the need for any new equipment, supplies, labor or additional administration as a result of the proposed rule actions.

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

Given that the proposed rule actions will not directly impact small businesses or other types of businesses, the Board did not conduct targeted outreach to businesses. The Board has discussed the proposed rule actions in public meetings and in meeting minutes for those meetings. Board meetings are open to the public, and meeting minutes are made available to the public. The Board will also issue public notice and post information on its website about the proposed rule actions in an effort to solicit public comment.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

The Board requested individual comments from members of its Rules Advisory Committee.

<u>10-24-2014 Close of Business</u>	<u>Christine Valentine</u>	<u>christine.valentine@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address