

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

Update Board Rules for Complaint Investigations, Renewals/Restorations, Fees and Professional Code of Conduct

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

In the Matter of:

Update Board Rules for Complaint Investigations, Renewals/Restorations, Fees and Professional Code of Conduct

Statutory Authority:

809-010-0001: ORS 182.466, 670.310 & 672.705
809-015-0000: ORS 670.310 & 672.585
809-015-0005: ORS 670.310 & 672.585
809-015-0010: ORS 670.310 & 672.585
809-020-0025: ORS 672.655, 670.310
809-055-0000: ORS 670.310(1), 670.315, 672.665, and 672.675

Other Authority:

N/A

Statutes Implemented:

809-010-0001: ORS 672.705
809-015-0000: ORS 672.585
809-015-0005: ORS 672.585
809-015-0010: ORS 672.585
809-020-0025: ORS 672.655
809-055-0000: ORS 672.665, 672.675

Need for the Rule(s):

Rule updates are proposed to provide improved explanation of various Board procedures and requirements and to improve overall readability of rules through consistent use of terms or by addition of details not currently included in rules. Changes in the code of professional conduct rule are needed to allow for increased efficiencies in Board business processes. Proration of registration fees is not currently explained in rule, and the fee rule otherwise will benefit from cleanup of language. The one rule to be deleted is not necessary or otherwise adding value.

Documents Relied Upon, and where they are available:

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

Fiscal and Economic Impact:

The Board does not anticipate that either the proposed rule amendments or the deletion of the one rule related to Geologist-in-Training registration 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)):

Updates to the Complaint Investigation rule should provide state agencies, local governments, and the public with a better understanding of how the Board deals with different types of complaint investigations. Other updates address requirements that apply only to Board registrants and thus will not impact state agencies, local governments or the public.

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 generally not directly impact small businesses or other types of businesses. These Board rules apply primarily to individuals registered with the Board. Businesses that provide geologic services could be tangentially impacted in terms of registrants on staff needing to learn what requirements have changed, but this should be a very short-term impact at best.

Those parties interested in Board complaint investigations should benefit from updates to the Complaint Investigation rule in that the rule will

be more comprehensive and clear.

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

None anticipated.

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

None anticipated.

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

Through participation of rules committee members and Board members that work for or own small businesses providing geologic services.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

<u>07-29-2016 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