



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 471
EMPLOYMENT DEPARTMENT

FILED
05/21/2018 11:00 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Housekeeping change to the Administrative Rules Procedure to reflect changes in technology

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/29/2018 5:00 PM

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.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S):

This is a housekeeping change to the Oregon Employment Department's Administrative Rules Procedures to reflect how modern technology has changed the way notice is given to the public. The rule needs to be amended to ensure the Administrative Rulemaking Notices reach as broad an audience as possible. Currently, the most efficient system to notify newspapers of any agency news is FlashAlert Newswire, which sends the information to a large number of local, national, and international news organizations. The revised administrative rule purposefully does not specify the way in which our agency furnishes notice because technology is changing so rapidly and in the future, there may be other ways that become more efficient than FlashAlert Newswire.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Oregon Revised Statutes, available online at www.oregonlegislature.gov or from the agency; and Oregon Administrative Rules, available online at: http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or from the agency.

FISCAL AND ECONOMIC IMPACT:

This is a non-substantive update to internal agency administrative processes due to changes in technology. The Employment Department does not anticipate any fiscal or economic impact from this rule amendment.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) This is an update to internal agency administrative processes; there is no cost of compliance for state agencies, units

of local government and the public.

(2)(a) This is an update to internal agency administrative processes; small businesses will not be affected by the rule change.

(2)(b) This is an update to internal agency administrative processes; small businesses will not be affected by the rule change. There are no reporting, recordkeeping or other administrative activities required for compliance.

(2)(c) This is an update to internal agency administrative processes; small businesses will not be affected by the rule change. There are no equipment, supply, labor or increased administration required for compliance.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

This is an update to internal agency administrative processes; small businesses will not be affected by the rule change so they were not involved in the development of the rule.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

This is a non-substantive update to internal agency administrative processes due to changes in technology so an Administrative Rule Advisory Committee was not consulted but the department will seek input during the public comment period.

AMEND: 471-010-0010

RULE SUMMARY: This is a housekeeping change to the Oregon Employment Department's Administrative Rules Procedures to reflect how modern technology has changed the way notice is given to the public. Currently, the most efficient system to notify newspapers of any agency news is FlashAlert Newswire, which sends the information to a large number of local, national, and international news organizations. The revised administrative rule purposefully does not specify the way in which our agency furnishes notice because technology is changing so rapidly and in the future, there may be other ways that become more efficient than FlashAlert Newswire.

The specific news agencies are being removed in an effort to account for the rapidly changing news environment. By saying a "news agency" notices will continue to be sent to news agencies like the Associated Press and those in the Capitol Press Room who are able to widely distribute the information so that the public and other interested parties have the opportunity to comment on all administrative rulemaking procedures.

CHANGES TO RULE:

471-010-0010

Rules Procedure ¶¶

Prior to the adoption, amendment, or repeal of any permanent rule, the Employment Department shall give notice of the proposed adoption, amendment, or repeal:¶¶

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least twenty-one (21) days prior to the effective date.¶¶

(2) By ~~mailing, e-mailing or fax~~ providing a copy of the notice to persons on the Employment Department's mailing list established pursuant to ORS 183.335(7) at least twenty-eight (28) days prior to the effective date.¶¶

(3) By ~~mailing, e-mailing or fax~~ providing a copy of the notice to the legislators specified in ORS 183.335(15) of this section at least 49 days before the effective date.¶¶

(4) By ~~mail~~ providing a copy of the notice to ~~the Associated Press, the United Press International, the Capitol Press Room, and to a newspaper of statewide circulation~~ news agencies, to a newspaper of statewide circulation, and other members of the media who have requested notification.

Statutory/Other Authority: ORS 183.335, 657.260, 657.265 - 657.270, 657.335, 657.610 & Ch. 729, OL 1993
Statutes/Other Implemented: ORS 183.335, 183.360