

OFFICE OF THE SECRETARY OF STATE

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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 628
OREGON FOREST RESOURCES INSTITUTE

FILED

11/25/2024 8:45 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Revising rule to reflect changes from HB 2992 passed in 2021

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/16/2025 12:00 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.

CONTACT: Kathy Storm
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9755 SW Barnes Road, Suite 210
Portland, OR 97225

Filed By:
Kathy Storm
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 01/16/2025

TIME: 9:30 AM - 9:35 AM

OFFICER: Paul Betts

IN-PERSON HEARING DETAILS

ADDRESS: Northwest Wine Studies Center, 215 Doaks Ferry Rd NW, Salem, OR 97304

NEED FOR THE RULE(S)

To reflect changes resulting from passage of HB 2992

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

None

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

No impact

FISCAL AND ECONOMIC IMPACT:

No impact to agency or the public

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).

None

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

Proposed changes are made due to passage of HB 2992, which does not affect small businesses

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

Housekeeping rule changes

AMEND: 628-010-0005

RULE SUMMARY: Amending rule to reflect changes created by passage of HB 2992 in 2021.

CHANGES TO RULE:

628-010-0005

Definitions ¶¶

The following words and phrases, when used in this division, shall mean the following unless the context otherwise requires:¶¶

(1) "Actual and necessary" means that a travel or other expense:¶¶

(a) Is an actual expense incurred by a member in carrying out official duties; and¶¶

(b) The expense is necessary to enable the member to carry out official duties.¶¶

(2) "OFRI" means the Oregon Forest Resources Institute.¶¶

~~(23)~~ "Board" means the Oregon Forest Resources Institute Board of Directors, inclusive of elected, appointed, and ex officio nonvoting members.¶¶

~~(34)~~ "Chairperson," "Chairman" or "Chair" means the Chairperson of the OFRI Board of Directors.¶¶

(45) "Committee" means a subcommittee of the OFRI Board of Directors.¶¶

~~(5) "Executive Director" means the Executive Director of the Oregon Forest Resources Institute~~ (6) "Employed in full-time public service" means employment by a public body as that term is defined in ORS 274.109. For example, the Dean of the College of Forestry at the Oregon State University is employed in full-time public service.¶¶

(7) "Executive Director" means the Executive Director of the Oregon Forest Resources Institute.¶¶

(8) "Member" or "Board member" or "OFRI Board member" means any individual appointed by the State Forester to serve on the Board of the Oregon Forest Resources Institute.¶¶

(9) "Non-qualified member" means a Board member other than a Qualified member.¶¶

(10) "Other expenses" includes, but is not limited to, expenses incurred by a Board member of the Oregon Forest Resources Institute in employing a substitute to perform duties, including personal, normally performed by the Member which the Member is unable to perform because of the performance of official duties and which by the nature of such duties cannot be delayed without risk to health or safety. No Member shall be reimbursed for expenses incurred in employing a substitute in excess of \$20 per day. ¶¶

(11) "Official duties" includes:¶¶

(a) Attendance at a Board meeting or subcommittee meeting;¶¶

(b) Substantial preparation for a Board meeting or Committee meeting; and¶¶

(c) Attendance at a conference or other activity as a representative of the Board, either at the request of the Chair or as authorized in advance by a vote of the Board.¶¶

(12) "Qualified member" means a member who is not in full-time public service and who had an adjusted gross income in the previous tax year:¶¶

(a) Of less than \$50,000, as reported on an income tax return other than a joint income tax return; or¶¶

(b) Of less than \$100,000, as reported on a joint income tax return.¶¶

(13) "Travel and other expenses" includes meals, overnight lodging, the cost of attending an event as a representative of the Board, and other miscellaneous travel expenses such as but not limited to postage, taxis/public transport/ground transport, airfare, parking fees, bridge tolls, telephone charges. "Travel and other expenses" does not include:¶¶

(a) Attendance at a sporting event, concert, theatrical or dance performance, or movie, including such events that occur at a trade show, festival, stock show, county fair, state fair, conference, or training;¶¶

(b) In-room movie rental;¶¶

(c) Telephone charges that are not associated with Board business;¶¶

(d) Use of a gym or health club;¶¶

(e) Cost of a gift for a host, business associate, family member, or Board member, employee, or contractor; or

(f) Alcoholic beverages.

Statutory/Other Authority: ORS 526.645

Statutes/Other Implemented: ORS 321.017