

REVENUE: No revenue impact

FISCAL: No fiscal impact

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Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Beyer, Kruse, Prozanski, Walker, Burdick

Nays: 0

Exc.: 0

Prepared By: Bill Taylor, Counsel

Meeting Dates: 2/26, 3/8, 3/13, 3/21

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**WHAT THE MEASURE DOES:** Allows an agency to give notice of rulemaking by reference to a website. Requires that any notice that refers to a website must also explain how the person receiving the notice may obtain paper copies of the proposed rules. Requires a person who has provided a mailing address for the purpose of receiving notice of proposed rulemaking must also state whether notice referring person to website is acceptable. Allows agency to change incorrect references to other rules or to correct addresses and telephone numbers without having to give notice of proposed change to rule.

**ISSUES DISCUSSED:**

- Not everyone has access to the Internet
- Many people still rely upon mailed notice

**EFFECT OF COMMITTEE AMENDMENT:** Requires that any notice that refers to a website must also explain how the person receiving the notice may obtain paper copies of the proposed rules. Requires a person who has provided a mailing address for the purpose of receiving notice of proposed rulemaking must also state whether notice referring person to website is acceptable.

**BACKGROUND:** Currently, notice of proposed rulemaking is given by regular or electronic mail. Agencies also must give notice of proposed rulemaking when changing an erroneous reference to another regulation or changing an incorrect address or telephone number. They do not have to do so when correcting spelling or grammatical mistakes, or when correcting references to statutes.

ORS 183.335(4) allows an interested person to postpone by 21 to 90 days the effective date of an agency rule so that a person may submit data, views, or arguments concerning the proposed rule.