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DENNIS RICHARDSON
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LESLIE CUMMINGS
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ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 123
OREGON BUSINESS DEVELOPMENT DEPARTMENT

FILED
12/17/2018 10:50 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: This rule is regarding grants determined by the Oregon Arts Commission.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/25/2019 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.

CONTACT: Brian Rogers
503-986-0087
brian.rogers@oregon.gov

775 Summer Street NE
Suite 200
Salem, OR 97301

Filed By:
Mindee Sublette
Rules Coordinator

NEED FOR THE RULE(S):

This rule is required to comply with statute.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

ORS 359

FISCAL AND ECONOMIC IMPACT:

This rule does not have a fiscal impact on small businesses or any business as it is a grant program.

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).

There is no cost of compliance as a result of the amendment to this rule.

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

Small businesses were not involved in the development of the amendment of this rule. This was a housekeeping amendment that added a few words to complete a sentence to add waiver language.

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

This rule amendment has no fiscal impact. The amendment added a few words to complete a sentence adding waiver language. An advisory committee was not necessary.

AMEND: 123-450-0010

RULE SUMMARY: This rule has been amended to include language regarding organization types granted a waiver.

CHANGES TO RULE:

123-450-0010

Grants ¶

(1) Receipt of Funds. The Commission may receive from state, federal, or local governments or from the community at large, funds for use by the Commission for its own programs or disbursements deemed worthy by the Commission within the restrictions provided by law.¶

(2) Purposes and Goals. With funds available to the Commission for such purposes, the Commission may from time to time, on application, approve and disburse grants to encourage and support artistic endeavor in all disciplines and to insure as feasible that the cultural resources of the state are made available to all. In the grant process, the Commission should consider the following goals:¶

(a) To support and promote excellence in the arts in Oregon;¶

(b) To make artistic activities of high quality available to all;¶

(c) To disseminate information about arts and cultural activities in the state, and about resources for the arts that are available, both regionally and nationally;¶

(d) To assist Oregon artists who contribute to its economic and cultural development;¶

(e) To encourage and aid the development of regional and local councils and organizations that promote cultural development and provide arts related services to the community.¶

(3) Eligibility. Grants to organizations shall be made only to those groups or organizations which are nonprofit and tax exempt pursuant to the then existing laws, with the exception of organization types granted a waiver in accordance with stated Commission guidelines. Grants may be made to individual Oregon artists through certain programs, as determined by the Commission; Grants may be matched by a grantee recipient at the discretion of the Commission.¶

(4) Reporting. The applicant must submit financial information satisfactory to the Commission at the time of application and prior to action by the Commission. In the event a grant is made, the grantee must comply with the budget outlines submitted with the application and make records available from time to time for periodic audit by the Commission.¶

(5) Action on Grants. All applications submitted to the Commission must be acted upon by the Commission in public meetings; provided, however, the Commission may delegate to the Executive Director authority to authorize grants minimal in nature, subject to ratification by the Commission.¶

(6) Guidelines. With the approval of the Commission, guidelines shall be written and published that provides the public and applicants with information regarding the grants process and procedures. Appropriate forms and materials designed in accordance with such guidelines shall be made available.

Statutory/Other Authority: ORS 359

Statutes/Other Implemented: ORS 359