



Oregon

**State Board of Examiners for
Engineering & Land Surveying**

670 Hawthorne Ave. SE, Suite 220

Salem, OR 97301

(503) 362-2666

Fax (503) 362-5454

E-mail: osbeels@osbeels.org

RULES & REGULATIONS COMMITTEE

Minutes of Meeting

June 4, 2008

Members present:

Grant Davis, Chair

Dan Linscheid

John Seward

Amin Wahab

Staff present:

Mari Lopez, Executive Secretary

Jenn Gilbert

Others present:

Sue Laszlo (observer)

Mari Kramer (observer)

Sue Newstetter (observer)

Joanna Tucker-Davis, AAG

The meeting of the Rules and Regulations Committee was called to order at 10:08 a.m. in the conference room of the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) office at 670 Hawthorne Avenue SE, Suite 220, Salem, OR 97301.

New Business:

OAR 820-010-0209 – Applications for Certification as a Water Right Examiner

As a result of the discussion held between Ms. Lopez and Dwight French, Water Resources Department, regarding a draft Memorandum of Understanding (MOU) to administer the program to certify water right examiners, the necessity was recognized to revise the relating Board rules. Draft language was provided to the Committee to clarify the application requirements. **After discussion, the Committee approved draft language to be included in the Oregon Administrative Rule (OAR) 820-010-0209 for presentation during the July Board meeting for approval to begin the rulemaking process.**

OAR 820-010-0215 – Forms of Applications

In an effort to clarify the supporting documents that must be submitted to the Board with an application, the Committee reviewed proposed language to revise the OAR 820-010-0215. Since the proposed language contains several exceptions, such as official transcripts and verifications from other licensing boards, the Committee determined to continue its review and discussion during the August meeting.

OAR 820-010-0235 – Information to Be Furnished by Water Right Examiner

As a result of the discussion held between Ms. Lopez and Mr. French regarding the draft MOU to administer the program to certify water right examiners, it was further recognized that the language contained in the OAR 820-010-0235 needed revision. **After review and discussion of the proposed language to include registered geologists, the Committee approved the draft language for presentation during the July Board meeting for approval to begin the rulemaking process.**

OAR 820-010-0440 – Schedule of Examinations

During the April 9, 2008 meeting, the OAR 820-010-0440 – Times for Examinations was discussed and the Committee drafted language to clarify the deadline for applications. However, after further review, it was noted that the rules do not contain the examinations offered during the Spring and Fall administrations. Therefore, the Committee reviewed language to include the examinations offered and shifted the deadlines for applications to another section in rule. The Committee believed that this would assist applicants during the application process. **Although a previous draft of this rule was approved for the rulemaking process, the Committee approved the revisions to the rule for presentation during the July Board meeting for approval to begin the rulemaking process.**

OAR 820-010-0442 – Application Deadlines

In the process of revising the OAR 820-010-0440 – Schedule of Examinations, the Committee developed the OAR 820-010-0442 – Application Deadlines in a separate rule. The proposed rule contains the postmark deadline for the Spring and Fall examination administration, along with process available to applicants to withdraw and forward an application. **The Committee approved the draft rule for presentation during the July Board meeting for approval to begin the rulemaking process.**

OAR 820-010-0443 – Requests for Reasonable Accommodations for Oregon State Specific Examinations

In the process of reviewing the rules related to examinations and deadlines for examinations, it was noted that the rules did not contain information for applicants that may require reasonable accommodations. Therefore, the Committee reviewed and discussed proposed language to allow reasonable accommodations for Oregon State Specific examinations due to documented disabilities within the meaning of the American Disabilities Act (ADA) of 1990 or for applicants whose religious convictions prohibit testing on the scheduled examination date. **The Committee approved the draft rule for presentation during the July Board meeting for approval to begin the rulemaking process.**

OAR 820-010-0455 – Exemption from FE or FLS Examination

It was brought to the attention of the Committee that this rule is currently the only OAR that refers to an Engineer or Land Surveyor *in Training*. It was further noted that subsection 1 is not necessary language. This information is contained in the ORS 672.002(3) and (6) Definitions. In addition, the Board does not provide wall certificates to EI's or LSI's. **The Committee reviewed the housekeeping changes and approved the draft rule for presentation during the July Board meeting for approval to begin the rulemaking process.**

OAR 820-010-0470 – Review of Examinations

The Committee reviewed proposed revisions to the OAR 820-010-0470 – Review of Examinations. The proposed language clarifies the review of the Washington Structural III examination and corrects the name of the Oregon Land Survey 4-hour Law examination. **The Committee approved the draft rule for presentation during the July Board meeting for approval to begin the rulemaking process.**

OAR 820-010-0600 – Records

From the discussion held between Ms. Lopez and Mr. French regarding the draft MOU to administer the program to certify water right examiners, it was also recognized that the rule related to the retention of Board records should include the records for certified water right examiners. **After discussion, the Committee approved the revisions to the OAR 820-010-0600 – Records for presentation during the July Board meeting for approval to begin the rulemaking process.**

OAR 820-020-0040 – Examination Subversion

It was brought to the attention of the Committee that there are no consequences provided in rule for an applicant that refuses to sign the compliance statement. Discussion was also held regarding subsection (2)(d). It was determined by the Committee to propose deleting this subsection and adding language regarding the consequence for refusing to sign the compliance statement. **The Committee approved the draft rule for presentation during the July Board meeting for approval to begin the rulemaking process.**

Unfinished Business:

Revision to Rules

The Committee continued the discussion related to the information and documentation required from applicants for registration. The discussed rules include: OAR 820-010-0200, 820-010-0204, 820-010-0205, 820-010-0206, 820-010-0207, 820-010-0208, 820-010-0210, 820-010-0255, and 820-010-0305. The purpose of the revisions is to assure that the rules are clear to applicants regarding the requirements. The Committee determined to continue further discussion during the August meeting.

Mission, Functions, and Goals

At the request of the External Relations Committee, the Committee included the following to the functions:

- Developing and maintaining Legislative procedures.

In addition, the Committee included “*Monitor legislation related to the professions regulated by the Board*” to its functions. **The revised document will be presented during the July Board meeting.**

The meeting adjourned at 12:11 p.m.