



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

PROFESSIONAL PRACTICES COMMITTEE

Minutes of Meeting

August 15, 2014

Members present:

Ken Hoffine, Chair

Steven Burger

Shelly Duquette

Staff present:

Mari Lopez, Administrator

Jenn Gilbert, Executive Assistant

Others present:

Katharine Lozano, Assistant Attorney General

Bill Boyd (Observer)

Oscar Zuniga (Observer)

The meeting of the Professional Practices Committee (PPC) was called to order at 1:00 p.m. in the OSBEELS Conference Room at 670 Hawthorne Avenue SE, Suite 220 Salem, OR 97301.

Public Comment

There was no public comment.

New Business

Request for Interpretation of ORS 672.047(4)

A request for interpretation of Oregon Revised Statute (ORS) 672.047(4) and questions regarding notice of right of entry made by land surveyors was received from attorney Steven Schell. After discussing the questions posed and noting the matter was discussed previously in June 2013, the Committee declined to issue a declaratory ruling. Staff was directed to include the draft response in the September Board packets for review. AAG Lozano also recommended including a reference to Oregon Administrative Rule (OAR) 820-010-0617 that address Mr. Schell's question about the factors considered in the mitigation of the \$1,000 civil penalty.

Hydrographic Surveying

A Question form was received from Jon Dasler about the requirement for an Oregon licensed professional land surveyor to conduct hydrographic surveys. Mr. Dasler gave a presentation on hydrographic surveying during the OSBEELS 2013 Symposium. He inquired if OSBEELS is currently considering waiving the licensure requirements for hydrographic surveys. After recounting the previous discussions held during the February and April 2013 PPC meetings, the

current Committee members were reminded that hydrographic surveying was not included in the definition of land surveying. However, when Mr. Johnston, Mr. Magalen, and Mr. Stecher attended the PPC meeting in December 2012 to give an overview of the practice of hydrographic surveying, they were informed to approach their legislators to if they wanted to move forward with regulation for hydrographic surveying.

CAD Files

A Question form was received from William Patton asking the Board's position or recommendation regarding providing AutoCAD files to clients or others. Mr. Patton is concerned about the risk of providing a product that can be changed by others and about intellectual property. After a brief discussion, the Committee noted that copyright is not a practice regulated by OSBEELS. If a product is considered a final document, then the laws and rules under the OSBEELS authority must be followed. Staff will respond accordingly.

The meeting adjourned at 1:30 p.m.