



Oregon

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

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RULES & REGULATIONS COMMITTEE

Minutes of Meeting

August 12, 2011

Members present:

Ken Hoffine

Carl Tappert

Amin Wahab

John Seward (excused absence)

Staff present:

Jenn Gilbert

Mari Lopez (excused absence)

Others present:

Joanna Tucker-Davis, Assistant Attorney General

Steven Burger, observer

Dan Linscheid, observer

Mark Mayer, PLS

The meeting of the Rules and Regulations Committee was called to order at 9:06 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 820-010-0204, OAR 820-010-0206 and OAR 820-010-0208 – Applications for Registration

The Committee reviewed the draft language proposed for the Oregon Administrative Rule (ORS) 820-010-0204, OAR 820-010-0206, and OAR 820-010-0208 as they relate to the application requirements for registration as a professional based on examination by another jurisdiction or by the National Council of Examiners for Engineering and Surveying (NCEES). In addition to meeting the requirements for registration, currently an applicant may submit evidence of passing the fundamental and professional examinations within two years. The proposed language reviewed by the Committee revises the timeframe from two years to five years and is consistent with the Oregon Revised Statute (ORS) 672.141. **The Committee approved the draft rules for presentation during the September Board meeting for further consideration.**

OAR 820-010-0442 – Application Deadlines

The Committee reviewed a draft of language proposed to OAR 820-010-0442 – Application Deadlines. The proposed language adds deadlines for applications to be considered for professional registration as an engineer or photogrammetrist based on registration in another jurisdiction (comity) or based on examination by another jurisdiction or by NCEES (1st

registration). The proposed language also clarifies the deadlines for registration as a professional land surveyor to sit for the Oregon Specific Land Surveying examination.

Staff explained to the Committee that, for professional land surveyors applying for registration in Oregon based on comity, the deadline for applying for the Oregon Specific Land Surveying examination was closer to the examination date to allow greater flexibility, but that all applications for re-examination were processed the same way and therefore, required to meet the same deadlines. After discussion and revisions, **the Committee approved the draft rule for presentation during the September Board meeting for further consideration.**

Draft Revisions to Model Rules

The Committee was provided with a confidential memorandum from the Assistant Attorney General's Office regarding the proposed changes to the Model Rules of Procedure for the Office of Administrative Hearings. That memorandum provided limited advice related to the legal effects of the proposed amendments but did not address potential policy implications for the Board. A brief discussion was held regarding the changes that would likely have the most impact on the contested case hearing process for the Board. However, since any requests for advice must be coordinated through the Department of Justice, staff was directed to provide the full Board with information and to receive and compile any inquiries for a single submittal to AAG Tucker-Davis. Further discussion, if warranted, may be held by teleconference in order to provide public comment by the September 8, 2011 deadline.

The meeting adjourned at 10:01 a.m.