



Oregon

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

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RULES & REGULATIONS COMMITTEE

Minutes of Meeting

October 14, 2011

Members present:

John Seward (excused absence)

Ken Hoffine

Carl Tappert

Amin Wahab

Staff present:

Jenn Gilbert (excused absence)

Mari Lopez

Others present:

Joanna Tucker-Davis, Assistant Attorney General

Steven Burger (observer)

In the absence of Chair Seward, Mr. Tappert called the meeting of the Rules and Regulations Committee to order at 9:00 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 –

WRD Memorandum

Mr. Tappert took the Committee into Executive Session as provided by Oregon Revised Statute (ORS) 192.660(2)(f) to discuss the advice provided by AAG Tucker-Davis. The Committee was provided with a confidential memorandum from AAG Tucker-Davis regarding the recently enacted Senate Bill 126; sponsored by the Water Resources Department (WRD). **Upon returning to open session, it was noted that no action was taken during Executive Session.**

A lengthy discussion was held concerning the future steps required by both agencies and ideas concerning continuing education requirements, the standards of practice, supervision and control, offering to perform services, and modifying documents of another. The Committee emphasized that further detailed information would be required by WRD prior to OSBEELS promulgating rules.

OAR 820-010-0510 – Registrants or Certificate Holders Qualified to Practice

The Committee reviewed a draft of language proposed to Oregon Administrative Rule (OAR) 820-010-0510 – Registrants or Certificate Holders Qualified to Practice. The proposed language attempts to provide direction for the use of the title “engineer” or “PE” on a business card,

letterhead, etc... particularly when the individual is not a registrant of the Board, but holds a registration in another jurisdiction. A second draft will be presented for the Committee to review during the next meeting in December.

OAR 820-010-0621(2) – Final Documents

The Committee reviewed a memo from staff regarding OAR 820-010-0621 – Final Documents. Staff advised the Committee that the last two sentences located in subsection 2 of the rule appear to conflict with each other. The Committee briefly discussed the rule and directed Staff to remove the sentences. As a result, **the Committee approved the draft rule for presentation during the November Board meeting for further consideration.**

OAR 820-010-0624 – Modifying Designs or Documents for Exempt Structures

The Committee reviewed a new draft rule; OAR 820-010-0624 – Modifying Designs or Documents for Exempt Structures. The proposed language attempts to provide further stamping requirements when it relates to engineering documents submitted on residential projects (i.e., plans prepared by persons who are not registered as professional engineers but solicited an engineer for a portion of the project). A second draft will be presented for the Committee to review during the next meeting in December.

Informational –

Legislative Concept for the February 2012 Session

For informational purposes, Staff provided an email string between Ms. Gilbert and Marjorie Taylor, Senior Policy Advisor, for the Department of Administrative Services (DAS) regarding legislative concepts for the February 2012 Legislative Session. Ms. Taylor stated that she added the OSBEELS proposed language to amend the Oregon Revised Statute (ORS) Chapter 672 to the list of ideas for the Governor’s Office to review. The proposed language was a result of the numerous discussions held with Michael Fox, George Fox University, and other universities including Oregon State University to allow additional timeline considerations for “senior status” students. Ms. Taylor further notes that in the event the proposed language is not considered for the 2012 Legislative Session, it can be proposed in 2013.

The meeting adjourned at 10:12 a.m.