



Oregon Geologist Examiner

April 2007

Official Publication of the Oregon State Board of Geologist Examiners

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Next Board Meeting:

June 7, 2007

1:00 PM

(Preceded by Work Session)

Salem, Oregon

Board Affirms Fee Increases for 2007-09 Biennium

In the month of March 2007, during one regularly scheduled meeting and one special telephone meeting of the Board, extensive discussion surrounded the 2007-09 draft operating budget. The draft budget, prepared by Administrator Knight and reviewed by the Budget Committee of Board Members Webb and McConnell, was presented for discussion at the March 15, 2007 Quarterly Board Meeting. The draft budget revealed a projected shortage of \$41,398 in the 2007-09 biennium. In addition to general cost increases, budget items contributing to this projected deficit include: 1) \$15,000 for funding the cost for an Engineering Geology Task Analysis (Washington and Oregon jointly share examination development expenses.); 2) \$10,000 in increased expenses under Government Services for projected non-attorney related expenses of the current appeal process; and 3) \$14,000 in increased Personnel costs. Another anticipated but difficult to project and therefore budget expense is the cost of continuing legal expenses relating to a compliance case in the appellate appeal process.

The Board was informed of increasing costs to procure and administer the ASBOG exams. Chair Webb informed the Board that ASBOG has increased the cost for the practice section of the national examination from \$150 to \$200. Taylor offered that an additional increase in the examination fee should be assessed to cover actual costs of administering the examination (for example, expenses for room rental, shipping fees, and proctor costs are currently absorbed

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Information of Interest for Cities and Counties

It is the goal of the Board to include information of interest for cities and counties that regularly receive a copy of this newsletter. A registrant recently directed staff to a 54-page publication titled "LOOK BEFORE YOU BUILD, Geologic Studies for Safer Land Development in the San Francisco Bay Area". The publication was prepared by the US Geological Survey (Circular 1130) and the information supplied in this circular can be applied throughout the nation to any community with geologic hazards. The publication should be of interest to any city and county official. The Introduction outlines the purpose of the publication and states:

"Local governments regulate land use and decide on proposals to develop private land. They can make better decisions if they know the geologic conditions of the development sites and what those conditions mean for the future safety of the proposed development. They can do this *only* if they have appropriate geologic information and include geologist in the process of reviewing land-development projects."

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Knight's Notes

It is a busy time at the Board. The Legislature is in session and this adds one multi-dimensional activity to the Board's agenda. Although the Board has initiated only one bill, Senate Bill 165 (SB165), other actions at the Capitol can provoke additional staff time.

SB165 deals with various parts of the Board's compliance authority. In particular, the Board is attempting to remove the requirement that all complaints must be "sworn to". The Board is also adding a provision to provide immunity for volunteers who work on behalf of the Board; increasing the current \$1,000 civil penalty authority. And finally, outlining the procedure for reapplying after a registration is revoked.

As this newsletter goes to press, the bill is still with the Senate Committee on Environment and Natural Resources. If you would be willing to support the Board's legislative process, please email the Board Administrator (susanna.knight@state.or.us). The Board spent much time in the evaluation and development of the statute changes and would like to see this bill become law.

You will note on the enclosed Board Committee Roster that various committees are in need of volunteers. Hopefully you will add your name to one of the committees. The work of the committees affects all of you, so make your voice heard!

And one *very important* last note. The Board is moving ahead with raising the current fees. Please see all the related articles in this newsletter including the notice of an upcoming Public Hearing on both fee increases and the 2007-09 budget.

Happy springtime!

Susanna Knight
Administrator



Thank You to Project Volunteers

The time required to do the work of regulating the practice of geology involves much more than just the volunteer time expended by the Board Members themselves. The Board always needs registrants to assist on committees and with special projects. [See solicitation in this newsletter.]

The Board extends a *hearty thank you* to the following individuals who assisted in a special project this past January:

Matthew **Brunengo**, RG, CEG
Jason **Hinkle**, RG, CEG
David **Michael**, RG, CEG
Brian **Ranney**, RG, CEG
Brooke **Running**, RG, CEG
James **Schick**, RG, CEG
Charles **Hammond**, RG, CEG.

Cities and Counties

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The U.S. maps in the publication reveal that very little of the U.S. land area is spared from geologic hazards. It is important that individuals charged with land use decisions for counties and cities be informed of issues effecting public safety. The Board encourages you to go online to <http://pubs.usgs.gov/circ/1995/c1130> and read or download this document. The Board would be honored to answer any follow-up questions you may have about geologic issues and concerns addressed in the publication.

Goal Accomplished:

"The White Paper" is on the Web!

In the last newsletter, registrants were asked to read and provide their input to "The White Paper". Numerous registrants contacted staff, as they were unable to locate the document on the web. The document is now there. If you have not yet provided your input, please read this document about the practice of geology here in Oregon, and submit any suggestions by May 15, 2007. This will allow the Professional Practice Committee time to analyze and incorporate any new information.

Volunteers: Mainstay of the Board

During the March 15, 2007, Board meeting, Chair Eileen Webb distributed a list of all Committee assignments. [See current committee membership listed below.] Webb noted that committee openings exist and directed staff to solicit volunteers via the upcoming newsletter. **Registrants are asked to volunteer to serve for these committees. Contact Board staff and submit your name.**

Board Member Humphrey chairs the Professional Practice Committee and the CEG Guideline Committee. The PCC committee is currently charged with researching and evaluating the addition of continuing education as a requirement of the Board. The CEG Guideline Committee must update the CEG Guidelines. Individuals interested in serving on either committee are asked to email the Board staff.

Board Member Taylor chairs the Outreach Committee. This committee would be well served by the addition of registrant membership. The committee chair and staff have generally handled the work of this committee, but committee membership could allow for an expanded scope.

The Legislative Committee is chaired by State Geologist and Board Member McConnell, who tracks legislative bills that affect the Board. Staff and other Board members work with McConnell as needed. But because there is no lobbyist for geologists at the Capitol as is true for numerous other professions, it is critical that a core committee of interested registrants be available to help with legislative issues that could arise. Please contact staff if you would be willing to volunteer some time to this effort.

COMMITTEES OF THE BOARD March 15, 2007

BUDGET COMMITTEE:

Chair: Susanna Knight, Administrator

1. Vicki McConnell
2. Eileen Webb

COMPLIANCE COMMITTEE:

Chair, Public Member of Board: Allen Morris

Additional Members appointed on a case-by-case basis

CEG GUIDELINE COMMITTEE:

Chair: Chris Humphrey

1. Jason Hinkle
- 2.
- 3.

GEOLOGY REPORT GUIDELINES COMMITTEE:

Chair: Eileen Webb

1. Craig Arola
2. Jennifer Berry
3. Ken Cameron
4. Terry Crotwell
5. Laura Maffei
6. Catherine Roso

JOINT COMPLIANCE COMMITTEE:

[MOU w/ OSBEELS]

Chair: Rodney Weick

1. Gary Peterson

LEGISLATIVE COMMITTEE:

Chair: Vicki McConnell

- 1.
- 2.
- 3.

OUTREACH COMMITTEE:

Chair: Steve Taylor

- 1.
- 2.
- 3.

PROFESSIONAL PRACTICES COMMITTEE :

Chair: Christopher Humphrey

1. Jason Hinkle
- 2.
- 3.

RULES ADVISORY COMMITTEE:

Chair: Eileen Webb

1. Jennifer Berry
2. Terry Crotwell
3. Audrey Eldridge
4. Bernie Kleutsch
5. David Livermore
6. Ted Weasma

Fee Increase and Board's Operating Budget Topics of Administrative Rules Hearing

The Oregon State Board of Geologist Examiners (OSBGE) is one of numerous semi-independent Boards that operate under statute in Oregon. The unique feature of semi-independent government is that funds for operating budgets do not come from any tax dollar source. For a regulatory Board such as OSBGE, the majority of the funding comes from registrants' annual fees. Semi-independent government must present its budget and any fee increases to its registrants through the Administrative Hearing process, thereby allowing the registrants the opportunity to ask questions about the budget and offer input to the budget.

OSBGE determined that the anticipated expenses of the 2007-09 biennium require increased fees to registrants as well as increased fees for other services rendered by the Board (see related article titled BOARD AFFIRMS FEE INCREASES). Anyone interested in the final budget figures may contact the Board office.

An Administrative Hearing on the fee increases and the 2007-09 budget will be held on Friday, June 1, 2007, beginning at 8:30 AM in the Conference Room of the Board office building. Registrants and the public are welcome to attend this hearing. Individuals unable to attend the hearing may provide written comments to the Board. All written comments must be received no later than 5:00 PM on Friday, June 1, 2007. Both written and oral comments will be considered by the Board when it convenes for the next quarterly meeting on Thursday, June 7, 2007, and takes final action on the budget and the fees.

Fee Increase

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by renewal fees). In addition to the fee increase for the practice section of ASBOG, and having reviewed the current fees, Webb asked for an increase in the restoration fee for the 1-to-90-day late period from \$10 to \$25 and an increase in the application fee from \$50 to \$75 for each application presented. During the fee discussion, the Board inquired as to the last fee increase and Knight reported that the last fee increase was in April 1999. After a lengthy discussion, the

Board approved a general increase in most fees. See the chart below for a list of all Board approved fee increases. Under Old Business at the meeting convened March 15, 2007, a stipend discussion was again held. A stipend is a flat amount awarded to each non-state employee Board Member for participation at a scheduled meeting. It is understood that all Board members are non-paid volunteers. The stipend currently stands at \$30/day where it has been since the 1977 inception of the Board. The Board agreed that it is time to raise the stipend to \$100/day, reflecting current dollars. Currently three Board members are eligible for stipends.

During New Business of the March 15, 2007 meeting, the Board directed staff to incorporate the fee increases into the draft revenue budget and the stipend increase into the expenditures; then provide the draft budget back to the members and schedule a special meeting to discuss the revised draft.

The Board met in a telephone meeting on Friday, March 23, 2007, to discuss the revised draft budget. With an increase in fees beginning in July 2007, the Board could anticipate a \$30,000 ending balance in 2007-09 operating budget rather than the initial projected \$45,000 deficit. Extensive discussion was held about an Anticipated Legal Fees line item of \$30,000 in the updated draft budget. Members agreed that funding legal costs is imperative to carry out the regulation of the profession, and enforcement should not be overlooked because of the associated costs. With the incorporated fee increases and the additional expense, a final budget of \$467,915 was approved.

Recommended Fee Increases 2007-09 Biennium Approved by the Board

Fundamental Exam: from \$150 to \$175
Practice Exam: from \$150 to \$225
Geologist-in-training Annual Fee: from \$25 to \$50
Registered Geologist (RG) Annual Renewal: from \$75 to \$100
Certified Engineering Geologist (CEG) Annual Renewal: from \$50 to \$75
Replacement Pocket Card: from \$3 to \$25
Restoration Fee if paid between 1 and 90 days: from \$10 to \$25
Over-70 RG Renewal: from \$10 to \$15
Over-70 CEG Renewal: from \$10 to \$15
Application Fee: from \$50 annually to \$75 for each application
Temporary Permit Fee: from \$50 to \$100

Senate Bill 165 (SB 165) Struggling in Senate Committee

The Board submitted one bill to the 74th Legislative Assembly currently convened in Salem, Oregon. The bill provides for changes to the statutes that deal with the compliance responsibility of the Board. You can view the bill at this link:

<http://www.leg.state.or.us/07reg/measpdf/sb0100.dir/sb0165.intro.pdf>

This bill will amend two sections of the current statute and repeal two sections of the current statute. In repealing ORS 672.665, a sworn to statement will no longer be required for submitting a complaint to the Board. This will give the public more timely access in the complaint process.

Historically the Board has dealt with complaints through education and voluntary compliance. The Board will continue to educate and seek voluntary compliance; however, it has become obvious to the Board in working with compliance cases in recent years that revisions are necessary to be effective in working with the complaint process.

Following are brief explanations of critical sections of the Bill:

1. **[Section 2]** This section defines the Board's right to investigate and provides immunization rights for Board members, staff, or volunteers who work as experts for the Board from either civil action or administrative agency action.
2. **[Section 3]** This section provides for the Board to define in rule the reapplication process for revoked registrants.
3. **[Section 4]** Allows the Board to pursue an investigation against a registrant that voluntarily chooses not to renew their registration should a complaint arise regarding the registrant.
4. **[Section 5]** The revision to OR 672.675 will allow the Board to deny an application for registration if fraud, deceit or misrepresentation occurs in obtaining the certificate of registration.
5. **[Section 6]** This statute change will increase the civil penalty authority of the Board from the 1977 level and move it into the twenty-first century.

The bill must pass the Senate Committee on the Environment and Natural Resources before it can go to the full floor of the Senate for a vote. It will then receive a committee assignment on the House side and begin the journey for approval. The legislature is on course to dismiss by mid-June, so action must occur soon in the Senate Committee if the bill is to become law.

Welcome New Registrants!

Since the last newsletter, the following individuals have been added to the roster of registrants of the Oregon State Board of Geologist Examiners. The Board welcomes all of you and wishes you the best as you practice in Oregon.

Braendle, James Patrick	E1910	03/19/2007
Castelli, Kathryn Lee	E2018	03/19/2007
Glonek, Lisa	G2044	11/21/2006
Koss, Ericka Joy	E2016	03/19/2007
Palmer, Stephen	G 2155	12/20/2006
Palmer, Stephen	E2155	03/19/2007
Pogue, Kevin R.	G 2156	02/08/2007



ADMINISTRATIVE RULES HEARING

will be convened on
Friday, June 1, 2007,
in the
Conference Room of
Sunset Center South,
1193 Royvonne Avenue SE,
Salem, Oregon
for the purpose of receiving input on
the 2007-09
proposed operating budget and the
proposed fee increases.

Please contact staff or any member of the Board for clarification or additional information regarding the budget and the related increase in fees. If you are unable to attend, please provide your written comment to the Board office by 5:00 PM on Friday, June 1

Oregon State Board of Geologist Examiners

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Lapsed Registrations

The following registrants' licenses to practice geology in Oregon lapsed between the months of December 2006 and February 2007. An active registration is required to practice geology in Oregon. A late fee is required to reinstate registrations that have expired. If your renewal payment was processed, but your name appears below, please contact the Board office so the error can be identified and a correction made to our registrant database. Your assistance is appreciated.

Howard, Daniel J. (G1614)
Johnson, Kim A. (G1501)
Manhart, Christine S. (G2106)

2007 Calendar of Upcoming Events

- May 15: Deadline for "White Paper" Comments
- June 1: Deadline for September ASBOG Exam Applications
Rulemaking Hearing on Budget and Fees
Salem, 8:30 AM
- June 7: Board Work Session
Salem, Oregon
Quarterly Board Meeting
Salem, Oregon
- July 30: Deadline to Withdraw for September ASBOG Exam
- Sept. 21: Quarterly Board Meeting
Salem, Oregon
- Sept. 28: ASBOG National Exams