

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

---

**Action:** Do Pass

**Vote:** 8 - 2 - 0

**Yeas:** Barton, Fagan, Holvey, Kennemer, Matthews, Thompson, Witt, Doherty

**Nays:** Thatcher, Weidner

**Exc.:** 0

**Prepared By:** Jan Nordlund, Administrator

**Meeting Dates:** 4/22

---

**WHAT THE MEASURE DOES:** Authorizes the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) to suspend, revoke or refuse to issue, restore or renew a certificate or permit, or to issue a reprimand, for failing to pay a civil penalty or fee in the manner prescribed by final order of the Board, or for failing to meet any other term of a final order of the Board. Repeals statute requiring OSBEELS to provide opportunity for a hearing under Administrative Procedures Act when Board proposes certain actions or imposes civil penalty.

**ISSUES DISCUSSED:**

- Repeal of statute providing hearing under Administrative Procedures Act
- Current inability to enforce final order

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** The Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS), established in 1919, is the state's regulatory agency for persons practicing engineering, land surveying, photogrammetric mapping and water right examination. OSBEELS oversees examinations for certification and registration to ensure that only qualified individuals are licensed to operate in those fields in the state. The Board was granted semi-independent status in 1997 on a pilot basis, which became permanent in 1999 with the passage of Senate Bill 1127.

OSBEELS has the authority to assess civil penalties or fees through a final order against those who practice in the fields regulated by the Board; however, the Board currently lacks clear statutory authority to take action against a certified or registered individual for failing to pay the civil penalty or fine. Senate Bill 209-A provides the Board with authority to suspend, revoke or refuse to issue/renew a certificate or registration to an individual for failure to pay a civil penalty or fee as prescribed by a final order issued by the Board or failure to meet any other terms of a final order. The measure also repeals the requirement that OSBEELS provide an opportunity for a hearing under Administrative Procedures Act when Board proposes certain actions or imposes civil penalty. However, the Board has other statutory requirements to provide a hearing for the suspension or revocation of a certificate, permit, or enrollment.

4/23/2013 8:50:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*