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SENATE COMMITTEE ON BUSINESS, LAW, & GOVERNMENT

February 26, 1997 Hearing Room A

1:00 PM Tapes 72 - 73 Tapes 72-a - ??

MEMBERS PRESENT:

Sen. Neil Bryant, Chair

Sen. Randy Miller, Vice-Chair

Sen. Kate Brown

Sen. Gene Derfler

Sen. Randy Leonard

Sen. David Nelson

MEMBER EXCUSED:

STAFF PRESENT:

Brian Krieg, Administrator

Vicki Champ, Administrative Support

MEASURES HEARD:

SB 127 Work Session

SB 349 Public Hearing and Work Session

SB 398 Public Hearing and Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

| Tape/# | Speaker | Comments |
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| TAPE 72, A | | |
| 002 | Chair Bryant | Opens meeting at 1:12 p.m. and opens work session on SB 127. |
| <u>SB 127 WORK SESSION</u> | | |
| 011 | Cecil Monroe | Administrator, Division of Finance and Corporate Securities, Department of Administrative Services. Presents (EXHIBIT A). Talks about amendments that need to be done by Legislative Counsel. |
| 033 | Chair Bryant | Closes work session on SB 127 and opens public hearing on SB 349. |
| <u>SB 349 PUBLIC HEARING</u> | | |
| 053 | Deborah Kafoury | Professional Land Surveyors of Oregon (PLSO), presents and explains (EXHIBIT B) in support of SB 349. |
| 056 | Tim Fassbender | PLSO. Supports SB 349 and explains it is a housekeeping measure. |
| 063 | Tyler Parsons | Parsons Surveying, Corvallis, Oregon. Presents (EXHIBIT C) in support of SB 349. Explains the existing standards are impractical. |
| 093 | Chair Bryant | Comments on some of the changes in SB 349. |
| 095 | Sen. Leonard | Asks about the Willamette stone. |
| 104 | Parsons | Explains the stone. |
| 112 | Chair Bryant | Describes a story about whiskey surveyors. |
| 118 | Kafoury | Comments on amendments. |
| 127 | | Discussion of amendment details. |
| 135 | Colin H. Handforth | Professional engineer and professional land surveyor, member, Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS), Washington County. Supports SB 349. |
| 153 | Robert Hovdem | Multnomah County Surveyor, and chair, Oregon Association of County Engineers and Surveyors. Supports SB 349. |
| 164 | Suzanne Crane | Licensed professional engineer and land surveyor, member, OSBEELS, Clackamas County. Supports SB 349. |
| 177 | Chair Bryant | Asks about the difference between becoming an engineer and getting a |

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| | | surveying certificate. |
| 179 | Handforth | Describes the difference. |
| 208 | Ed Graham | Professional Land Surveyor. Supports SB 349. |
| 216 | Ray Wilson | Professional Land Surveyor and Deputy County Surveyor, Benton County. Supports SB 349. |
| 219 | | Staff submits public written testimony submitted prior to the meeting (EXHIBIT D). |
| 220 | Chair Bryant | Closes public hearing and opens work session on SB 349. |
| <u>SB 349</u> <u>WORK</u> <u>SESSION</u> | | |
| 226 | Sen. Leonard | Suggests a motion to move SB 349 to the floor with a do pass recommendation. |
| 277 | Sen. Leonard | MOTION: Moves to AMEND SB 349 on page 5, in line 28, insert "The surveyor reestablishing any plat monuments shall prepare an affidavit stating that the reestablished corners of the subdivision or partition plat have been correctly surveyed and monumented with proper monuments as required under ORS 92.060." |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 278 | Sen. Leonard | MOTION: Moves to AMEND SB 349 on page 5, after line 36, insert "The county shall collect a fee for recording the affidavit in the county clerks office and the county surveyors office. The fee shall be set by the county governing body and shall be paid to the county surveyor." |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 279 | Sen. Leonard | MOTION: Moves to AMEND SB 349 on page 10, in line 25, change to read "...by the county surveyor (but not to exceed 18 inches by 24 inches)." |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 280 | Sen. Leonard | MOTION: Moves SB 349 to the floor with a DO PASS AS AMENDED recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. SEN. LEONARD will lead discussion on the floor. |
| 270 | Chair Bryant | Closes work session on SB 349 and opens public hearing on SB 398. |
| <u>SB 398</u> <u>PUBLIC</u> <u>HEARING</u> | | |

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| 284 | | Staff submits proposed amendments concerning sanitarians (EXHIBIT E). |
| 285 | Marshal Coba | Consulting Engineers Counsel of Oregon (CECO). Supports SB 398. |
| 288 | Michelle McKenna | Executive Director, CECO. Supports and explains SB 398. |
| 295 | Colin Handforth | Member, OSBEELS. Supports SB 398. Presents (EXHIBIT F) on behalf of Charles Pearson. |
| 324 | Chair Bryant | Asks about suggested amendments in (EXHIBIT E). |
| 326 | Handforth | States no objections to the proposed amendments. |
| 338 | Suzanne Crane | Member, OSBEELS, Clackamas County. Supports SB 398. |
| 353 | Ed Graham | Executive Secretary, OSBEELS. Supports SB 398. Explains he has outlined important items in SB 398. States this measure replaces outdated and confusing wording. |
| 376 | Tyler Parsons | Parsons Surveying and member, PLSO, Corvallis, Oregon. Presents (EXHIBIT G) in support SB 398. Explains the board. |
| 390 | Chair Bryant | Asks how many surveyors are currently on the board. |
| 392 | Parsons | Describes the composition of the board. |
| TAPE 73,A | | |
| 014 | Chair Bryant | Explains he has received two letters from surveyors that do not favor SB 398. Asks for comments. |
| 023 | Ed Graham | Explains the programs for licensing. |
| 047 | Chair Bryant | Asks about licensing. |
| 048 | Graham | Gives details of education for surveyors. Explains the professional societies will set different standards for different specialties. |
| 068 | Chair Bryant | Asks about the Board's responses to complaints which are made against surveyors. |
| 074 | Graham | Explains the Board's standard procedures in such cases and states the Board has authority to reprimand and assess civil penalties. |
| 083 | Tom Lindburg | Member, Operating Engineers, Local 701. Presents Otis. |
| 087 | Glenn Otis | President, Operating Engineers, Local 701 and a construction surveyor. Explains concerns with SB 398. |
| 110 | Chair Bryant | Asks for explanation of Otis' testimony. |
| 112 | Otis | Details surveying procedures. |
| 138 | | Discussion of procedures and section 2, subparagraph B, and subsection C. |
| 150 | Otis | Describes the surveying procedures further. |
| 166 | Chair Bryant | Explains Handforth will return for further testimony. |
| 170 | Ray Miller | Registered Engineer, Chairman, Structural Engineers of Oregon. |

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| | | Supports SB 398 on the basis of continuing education. |
| 179 | Chair Bryant | Asks Handforth about section 2, subsections B and C. |
| 188 | Handforth | Explains the wording is the same but the location is changed. Discusses the difference between engineers and surveyors. Explains the term "topography." |
| 217 | Sen. Derfler | Asks about the concern of having an engineer on site. |
| 222 | Handforth | Explains that is not the intent. |
| 237 | Sen. Leonard | Asks about language which was changed. |
| 245 | | Discussion and clarification of language on page 22, line 27. |
| 306 | Chair Bryant | Summarizes discussion saying that the language was not moved, but it was added. |
| 310 | Tim Fassbender | PLSO. Supports SB 398. |
| 315 | | Staff submits public written testimony received prior to the meeting (EXHIBIT H). |
| 316 | Chair Bryant | Closes public hearing and opens work session on SB 398. |
| SB 398 WORK SESSION | | |
| 327 | Sen. Leonard | MOTION: Moves to AMEND SB 398 on page 3, delete lines 26-28, and insert amendments as written on page 1, EXHIBIT E. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. |
| 330 | Sen. LEONARD: | MOTION: Moves SB 398 be sent to the floor with a DO PASS AS AMENDED recommendation. |
| | Chair Bryant | Hearing no objection, declares the motion CARRIED. SEN. NELSON will lead discussion on the floor. |
| | Chair Bryant | Closes work session on SB 398. Explains it will not be necessary to have a work session on SB 120. |
| 333 | Chair Bryant | Adjourns meeting at 2:03 p.m. |

Submitted By, Reviewed By,

Vicki Champ, Brian Krieg,

Administrative Support Administrator

Transcribed By,

Jennifer Peck,

Administrative Support

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EXHIBIT SUMMARY

A - SB 127, proposed amendments, Cecil Monroe, 24 pp

B - SB 349, proposed amendments, Deborah Kafoury, 1 p

C - SB 349, written testimony, Tyler B. Parsons, 1 p

D - SB 349, written testimony, staff, 2 pp

E - SB 398, proposed amendments, staff, 3 pp

F - SB 398, written testimony, Colin Handforth, 2 pp

G - SB 398, written testimony, Tyler B. Parsons, 1 p

H - SB 398, written testimony, staff, 1 p
