

Enrolled Senate Bill 44

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CHAPTER

AN ACT

Relating to the State Board of Geologist Examiners; creating new provisions; and amending ORS 672.565 and 672.615.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 672.615 is amended to read:

672.615. (1) The State Board of Geologist Examiners shall operate as a semi-independent state agency subject to ORS 182.456 to 182.472 for the purpose of carrying out ORS 672.505 to 672.705. The board shall consist of four geologists and one public member, appointed by the Governor.

(2) Each member of the board shall be a citizen of the United States, and shall have been a resident of this state for one year preceding appointment. Each of the appointed geologist members of the board shall be a geologist registered under ORS 672.505 to 672.705. The State Geologist shall be an ex officio member of the board. Insofar as possible the board shall be composed of members having diverse geological specialties including at least one engineering geologist.

(3) Members of the board shall hold office until the expiration of the term for which they were appointed and until their successors have been appointed and qualified. On the expiration of the term of any member, the successor of the member shall be appointed in like manner for a term of three years.

(4) *[No person shall]* **A person may not** serve as a member of the board for more than two consecutive three-year terms.

(5) The Governor may remove any member of the board for misconduct, incompetency, neglect of duty or other sufficient cause. Vacancies in the membership of the board shall be filled for the unexpired term by appointment as provided for in this section.

(6) The board shall hold at least two regular meetings each year.

(7) The board *[may]* **shall** fix **the** qualifications of *[and appoint]* an administrator *[who shall]*.

(8) The board may:

(a) In accordance with ORS 182.468 (1), select and appoint an administrator; or

(b) Notwithstanding ORS 182.468 (1), enter into an interagency agreement with another state agency to provide for the sharing of an administrator.

(9) The administrator may not be a member of the board.

(10) The board shall fix the compensation of the administrator, who shall be in the unclassified service.

[(8)] (11) The board shall have the authority to appoint committees as required or as considered advisable to perform such duties as the board may direct. Such committees shall be composed of registered geologists. Membership on all such committees is at the pleasure of the board.

SECTION 2. ORS 672.565 is amended to read:

672.565. (1) In addition to registering as a geologist, qualified persons also may be eligible for certification in a specialty. A specialty may be created by the State Board of Geologist Examiners by rule, with the rules to contain any required additional qualifications. Only a registered geologist is eligible for certification in a specialty. Application may be submitted for both registration as a geologist and for certification in a specialty at the same time, but the applicant must be approved for registration as a geologist before being considered for certification in a specialty.

(2) An applicant for certification in a specialty shall meet all of the requirements of a registered geologist and any special requirements as the board may establish by rule, including a written examination. [*In addition, the applicant's seven years of geological work shall include one of the following:*]

[(a) A minimum of three years performed under the supervision of a registered geologist who is certified in the specialty for which the applicant is seeking certification; or]

[(b) A minimum of five years' experience in responsible charge of geological work in the specialty for which the applicant is seeking certification.]

(3) The board [*shall*] **may** establish professional affairs committees, as needed, to represent each of the specialties into which the board determines certification of registration may be divided. Membership of each committee shall include geologists certified or qualified in the particular specialty involved. Each committee [*shall*] **may**:

(a) Establish qualifications[, *which shall include a written examination,*] for certification in its specialty;

(b) Establish a [*definition*] **description of the practice of** that specialty, subject to approval of the board; and

(c) Advise the board on professional affairs in which the committee is concerned.

(4) Engineering geology shall be one of the specialties requiring certification.

(5) The board may establish by rule criteria for exempting persons applying for a certification in a specialty from a written examination requirement.

SECTION 3. The amendments to ORS 672.565 by section 2 of this 2019 Act apply to applications for certifications in a specialty received by the State Board of Geologist Examiners on or after the effective date of this 2019 Act. Applications received before the effective date of this 2019 Act shall continue to be governed by the law applicable to applications for certifications in a specialty in effect immediately before the effective date of this 2019 Act.

Passed by Senate January 31, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 29, 2019

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State