

Oregon State Landscape Architect Board

2020 Annual Report on Rulemaking Activities

Submitted pursuant to HB 4106 (2016 Regular Session)

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2020 Annual Report – OSLAB Rulemaking Activities



Oregon

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Executive Summary

The Oregon State Landscape Architect Board (OSLAB) operates under authority granted through ORS 671.310 – 671.459, 670.300-670.380, and 182.454-182.472. OSLAB administrative rules are found in Chapter 804 of the Oregon Administrative Rules.

The reporting period for this report was changed to the calendar year, 01/01/2019 – 12/31/2019, instead of the 02/01 – 1/31 period used in past reports.

For this 2020 rulemaking activities report, OSLAB focused on both substantive and housekeeping updates to rules. The most significant permanent rulemaking activities were: (1) amendments to the Biennial Budget rule to reflect the Board’s 2019-2021 budget, as required by ORS 182.462, (2) amendments to the Board’s Public Records Requests rule to align the rules with legislative updates to the Oregon Public Records Law and direction from the Governor’s Office regarding state agency processing of public records requests, (3) addition of new definitions for key practice terms “construction details”, “construction specification”, and “final draft”, and (4) amendments to stamping and signature requirements for Registered Landscape Architects. OSLAB considered input from a special rules advisory committee and its standard administrative rules committee in rulemakings (3) and (4).

2020 Annual Report – OSLAB Rulemaking Activities

OSLAB adopted temporary rules towards the end of the reporting period in response to 2019 legislation, specifically HB 3030 and SB 688. The temporary rulemaking addressed temporary military spouse registration and associated fees.

For details of the administrative rulemaking activities completed by OSLAB for prior reporting periods, please see annual rulemaking activities reports submitted for prior years and also the biennial reports submitted by OSLAB to the Oregon Legislature.

Please direct any questions about this annual report or OSLAB in general to the Board office care of Christine Valentine, Board Administrator, at oslab.info@oregon.gov or 503-589-0093.

2020 Annual Report – OSLAB Rulemaking Activities

Oregon State Landscape Architect Board
Administrative Rulemaking for 01/01/2019 – 12/31/2019

Rulemaking Pursuant to ORS 183.335(2) and (3)							
#	Rule Citation	Rule Title & Description of Change	Type (Perm/Temp)	Notice in OR Bulletin	Public Hearing Date	Board Adoption Date	SOS/LC Filing Date
1	804-001-0002	<u>Biennial Budget</u> <i>Adopted by reference the 2019-2021 budget</i>	Perm	03/2019	04/09/2019	05/08/2019	05/14/2019 (eff. 07/01)
2	804-001-0020 (started in 2017-2019)	<u>Public Records Requests</u> <i>Clarified processes & fees, other housekeeping changes to ensure alignment with Public Records Law & direction from DAS/Governor's Office</i>	Perm	06/2019	07/08/2019	08/01/2019	08/02/2019
3	804-003-0000	<u>Definitions</u> <i>Added new definitions of "construction details", "construction specification", "final draft", plus miscellaneous housekeeping updates</i>	Perm	03/2019	04/09/2019	05/08/2019	05/14/2019
4	804-022-0025	<u>Inactive & Inactive Emeritus Status</u> <i>Updated cross reference to match renumbering in 804-003-0000</i>	Perm	03/2019	04/09/2019	05/08/2019	05/14/2019
5	804-027-0010	<u>Registered Landscape Architect</u> <i>Updated requirements related to document stamping and signing by registrants.</i>	Perm	03/2019	04/09/2019	05/08/2019	05/14/2019
6	804-030-0000	<u>Stamp of the Landscape Architect</u> <i>Clarified when documents must be stamped by registrants</i>	Perm	03/2019	04/09/2019	05/08/2019	05/14/2019
7	804-030-0003	<u>Signature</u> <i>Clarified when documents must be signed by registrants</i>	Perm	03/2019	04/09/2019	05/08/2019	05/14/2019

2020 Annual Report – OSLAB Rulemaking Activities

Rulemaking Pursuant to ORS 183.335(5)							
#	Rule Citation	Rule Title & Description of Change	Type (Perm/Temp)	Notice in OR Bulletin	Public Hearing Date	Board Adoption Date	SOS/LC Filing Date
1	804-022-0035	<u>Temporary Military Spouse Registration</u> – <i>establish new registration type pursuant to 2019 legislation</i>	Temp	12/2019	N/A	11/14/2019	11/15/2019
2	804-040-0000	<u>Fees</u> – <i>add new fees for temporary military spouse registration type</i>	Temp	12/2019	N/A	11/14/2019	11/15/2019

Statement of Need for Temporary Rulemaking

SB 688 and HB 3030 (2019) passed by the Oregon Legislature and signed by the Governor mandate that occupational licensure boards offer temporary military spouse registrations by 01/01/2020. The Board had to put rules in place to address these new statutory requirements.

Justification for Temporary Rulemaking

Per SB 688 and HB 3030 (2019 legislation), all occupational licensure boards must offer temporary registrations to spouses/domestic partners of military members under certain circumstances. Occupational licensure boards are required to be in compliance with this new mandate by 01/01/2020. The Board learned of this new legislation in late summer of 2019 and promptly started work to assess the new mandate. The Board directed staff to draft a new rule to address temporary military spouse registration. The Board then considered the proposed new rule at its next quarterly meeting in Nov. 2019. The Board adopted the temporary rule and associated fees to ensure spouses/domestic partners of military members have access to temporary registrations in the time frame and manner contemplated under the 2019 legislation. Failure to adopt temporary rules would have created a period of time during which the Board could not issue temporary registrations, which would have put the Board in violation of statute.

Rulemaking Pursuant to ORS 183.335(7)							
#	Rule Citation	Rule Title & Description of Change	Type (Perm, Temp, Delete)	Notice in OR Bulletin	Board Public Hearing Date	Board Adoption	SOS/LC Filing Date
1	804-022-0030	<u>Required Application Information</u> – corrected a rule reference that was inadvertently carried over from a rule used as a model for this rule	Minor Correction	N/A	N/A	N/A	07/02/2019