

Senate Bill 166

Sponsored by Senator BOQUIST (at the request of David Pearl) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes International System of Units as state's official system of measurement. Requires state agencies to use International System of Units in materials created on or after January 1, 2018.

A BILL FOR AN ACT

1 Relating to weights and measures; creating new provisions; and amending ORS 209.250 and 618.036.

2 Whereas there are very strong economic and scientific reasons for this state to adopt the
3 International System of Units; and
4

5 Whereas other than Myanmar and Liberia, the United States is the only country that does not
6 use the International System of Units; and

7 Whereas the cost of not using the International System of Units is increasing with the trend
8 toward globalization; and

9 Whereas failing to adopt the International System of Units could result in the United States
10 losing its competitive edge in science and technology and in continuing to create bilateral trade
11 impediments with other countries; and

12 Whereas the cost of adopting the International System of Units would be quickly recovered by
13 the economic benefits of global interoperability; and

14 Whereas this is particularly important as the dominance of United States companies is being
15 challenged in the competitive atmosphere of globalization; and

16 Whereas adopting the International System of Units would likely result in the creation of many
17 jobs and better prepare the current and future workforce of the United States to work in the
18 international marketplace; now, therefore,

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

20 **SECTION 1. (1) This section establishes the International System of Units as the official**
21 **system of weights and measures of this state.**

22 **(2) State agencies, as defined in ORS 183.750, shall use the International System of Units**
23 **in public documents and records created on or after January 1, 2018.**

24 **SECTION 2. State agencies may take any action after the effective date of this 2015 Act**
25 **that is necessary to enable the state agencies to exercise all the duties, functions and powers**
26 **conferred on the state agencies by section 1 of this 2015 Act.**

27 **SECTION 3. ORS 618.036 is amended to read:**

28 618.036. The State Department of Agriculture [*may utilize,*] **shall use**, for all commercial pur-
29 poses in this state, [*either that system of weights and measures customarily used in the United States*
30 *or the metric system of weights and measures*] **the International System of Units pursuant to**
31 **section 1 of this 2015 Act.** In prescribing the basic units of weight and measure, tables of weight

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 and measure, weight and measure equivalents, specifications, tolerances and other technical re-
 2 quirements for commercial weighing and measuring devices, the department shall recognize [*those*
 3 *published by the National Institute of Standards and Technology, and they shall*] **the International**
 4 **System of Units. The International System of Units shall** be applicable to weighing and meas-
 5 uring equipment and transactions in this state.

6 **SECTION 4.** ORS 209.250 is amended to read:

7 209.250. (1) A registered professional land surveyor making a survey of lands within this state
 8 wherein the surveyor establishes or reestablishes a boundary monument shall, within 45 days
 9 thereafter, submit for filing a permanent map of the survey to the county surveyor for review. When
 10 filed, the map is a permanent public record in the office of the county surveyor. In establishing or
 11 reestablishing a public land survey corner, the surveyor shall comply with ORS 209.070 (4), 209.130
 12 and 209.200. If the surveyor is unable to complete the survey and submit a permanent map within
 13 45 days, the surveyor shall, within 45 days of establishing or reestablishing a boundary monument,
 14 provide written notice to the county surveyor containing the reasons for the delay, an estimate of
 15 the amount of time reasonably necessary to complete the survey but not exceeding 180 days, and a
 16 temporary map showing the position of monuments established or reestablished.

17 (2) The permanent map must have a written narrative that may be on the face of the map. If the
 18 narrative is a separate document, the map and narrative must be referenced to each other. The
 19 map and narrative must be made on a suitable drafting material in the size required by the county
 20 surveyor. The lettering on the map and narrative must be of sufficient size and clarity to be re-
 21 produced clearly. The narrative must explain the purpose of the survey and how the boundary lines
 22 or other lines were established or reestablished and must state which deed records, deed elements,
 23 survey records, found survey monuments, plat records, road records or other pertinent data were
 24 controlling when establishing or reestablishing the lines. If the narrative is a separate document, the
 25 narrative must also contain the following:

26 (a) Location of survey by one-fourth section, Township and Range.

27 (b) The date of survey.

28 (c) The surveyor's seal and original signature.

29 (d) The surveyor's business name and address.

30 (3) A permanent map must show the following:

31 (a) Location of survey by one-fourth section, Township and Range.

32 (b) The date of survey.

33 (c) Scale of drawing and North Arrow.

34 (d) The distance and course of all lines traced or established, giving the basis of bearing and the
 35 measured distance and course to a monumented section corner, one-quarter corner, one-sixteenth
 36 corner or Donation Land Claim corner in Township and Range, or to a monumented lot or parcel
 37 corner or boundary corner of a recorded subdivision, partition or condominium.

38 (e) Measured bearings, angles and distances that are used as a basis for establishing or rees-
 39 tablishing lines or monuments separately indicated from those of record together with the recording
 40 reference. [*Metric measurements may be used if a conversion to feet is provided.*]

41 (f) Monuments set and their relation to older monuments found. A detailed description of mon-
 42 uments found and set must be included and monuments set must be separately indicated from those
 43 found.

44 (g) The surveyor's seal and original signature.

45 (h) The surveyor's business name and address.

1 (4)(a) Within 30 days of receiving a permanent map under this section, the county surveyor shall
2 review the map to determine if it complies with subsections (1), (2) and (3) of this section and ap-
3 plicable local ordinances. A map must be indexed by the county surveyor within 30 days following
4 a determination that the map is in compliance with this section. A survey prepared by the county
5 surveyor in an official or private capacity must comply with subsections (1), (2) and (3) of this sec-
6 tion.

7 (b) A survey map found not to be in compliance with subsection (1), (2) or (3) of this section
8 must be returned within 30 days of receipt for correction to the surveyor who prepared the map.
9 The surveyor shall return the corrected survey map to the county surveyor within 30 days of receipt
10 of the survey map from the county surveyor.

11 (c) A map that is not corrected within the specified time period must be forwarded to the State
12 Board of Examiners for Engineering and Land Surveying for action, as provided in subsection (11)
13 of this section.

14 (d) An action may not be maintained against the county surveyor for recording a survey map
15 that does not comply with this section.

16 (e) An action may not be maintained against the county surveyor for refusal to file a survey
17 map that does not comply with this section.

18 (5)(a) When a survey within this state is funded entirely or in part by public funds and the
19 survey results in the establishment of horizontal or vertical monuments for geodetic control, the
20 registered professional land surveyor performing the survey, within 45 days after completion of the
21 survey, shall file a report of the survey with the county surveyors of those counties where the newly
22 established monuments are located.

23 (b) Notwithstanding paragraph (a) of this subsection, the governing body of a county may, by
24 resolution or order, waive the filing of the report of the survey.

25 (6) A report required by subsection (5)(a) of this section may include maps or diagrams. The
26 maps or diagrams, if included, must be referenced to each other. The report must contain the fol-
27 lowing:

28 (a) The name and number of each newly established geodetic control monument.

29 (b) Location of newly established geodetic control monuments by Section, Township and Range.

30 (c) Location of the horizontal component of geodetic control monuments by the Oregon Coordi-
31 nate System referenced in ORS 93.312, including the scale factor, combined scale factor, convergence
32 and geographic or geodetic coordinates, indicating datum used.

33 (d) Location of the vertical component of geodetic control monuments by orthometric height,
34 ellipsoidal height and geoidal separation, indicating datum used.

35 (e) The date of survey.

36 (f) The business name and address of the surveyor.

37 (g) A description of all monuments set or found, including narrative or graphic information suf-
38 ficient to locate the monuments.

39 (h) A statement explaining the purpose of the survey, the equipment and procedures used, in-
40 cluding the geoid model and reference ellipsoid used, and the names or numbers of the found record
41 control monuments used and their source.

42 (i) The scale of drawing and North Arrow if a map or diagram is included.

43 (j) The seal and original signature of the surveyor.

44 (k) For geodetic control, a statement regarding the network accuracy and local accuracy of the
45 survey, categorized by horizontal position, ellipsoidal height and orthometric height, relative to the

1 National Spatial Reference System. The statement shall include the accuracy classification at the
 2 95 percent confidence level for both network and local classifications in accordance with Standards
 3 for Geodetic Control Networks, Part 2 of the federal Geospatial Positioning Accuracy Standards
 4 (FGDC 1998) for the newly established monuments.

5 (7) The county surveyor shall file and index reports that comply with subsections (5) and (6) of
 6 this section within 30 days of determining compliance.

7 (8) A monument set by a registered professional land surveyor to mark or reference a point on
 8 a property or land line or to mark or reference a geodetic control survey point must be durably and
 9 visibly marked or tagged with the registered business name or the letters "L.S." followed by the
 10 registration number of the surveyor in charge or, if the monument is set by a public officer, the
 11 monument must be marked with the official title of the office.

12 (9) If, in the performance of a survey, a registered professional land surveyor finds or makes
 13 changes in a public land survey corner or its accessories as described in an existing corner record
 14 or survey map in the office of the county surveyor, the surveyor shall complete and submit to the
 15 county surveyor a record of the changes found or made to a corner or accessories to the corner.
 16 The record must be submitted within 45 days of the corner visits, and must include the surveyor's
 17 seal and original signature, business name and address, and be on stable base reproducible material
 18 in the form required by the county surveyor.

19 (10) The signature and stamp of a registered professional land surveyor on a permanent survey
 20 map or plat constitutes certification that the map or plat complies with the applicable provisions
 21 of this chapter.

22 (11) A registered professional land surveyor failing to comply with the provisions of subsections
 23 (1) to (9) of this section, ORS 92.050 to 92.080 or a county ordinance establishing standards for sur-
 24 veys or plats is subject to disciplinary action by the State Board of Examiners for Engineering and
 25 Land Surveying.

26 (12) A federal or state agency, board or commission, special district or municipal corporation
 27 making a survey of lands within this state shall comply with this section.

28 **SECTION 5. (1) The amendments to ORS 209.250 and 618.036 by sections 3 and 4 of this**
 29 **2015 Act become operative on January 1, 2018.**

30 **(2) The State Department of Agriculture may take any action before the operative date**
 31 **specified in subsection (1) of this section that is necessary to enable to department to exer-**
 32 **cise, on and after the operative date specified in subsection (1) of this section, all the duties,**
 33 **functions and powers conferred on the department by the amendments to ORS 618.036 by**
 34 **section 3 of this 2015 Act.**