

**STATE OF NEVADA**  
**BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**  
**Minutes of the Legislative Committee Meeting**  
**held in Las Vegas, Nevada, January 10, 2018**

Committee Chairman Michael G Kidd, PLS, called the meeting to order via telephone conference at 2:17 pm in the Clark County Department of Building & Fire Prevention, Conference Room 1222, 4701 W Russell Road, Las Vegas, Nevada 89118. Committee members present were Patty Mamola, PE, Executive Director; L Brent Wright, PE/SE. Also present were Sarah Wiley, Administrative Assistant; Murray Blaney, Compliance Officer; Christopher MacKenzie, Board Counsel; Susan Fisher and Lindsay Knox both with McDonald Carano. Committee member Bud A Cranor, Public, was excused from the meeting.

**1. Public Comment Period**

There were no public comments.

**2. Review of Nevada Administrative Code chapter 625 for potential changes**

**a. Draft changes to stamping regulation – NAC 625.610 and 625.611**

Mr MacKenzie recommended that the term ‘stamp’ not be replaced by ‘seal’ because of the numerous references in NRS 625 and NAC 625.

Ms Mamola said refinements to other language in particular electronic signatures, will become clearer after the presentation by Notarius at the Board meeting tomorrow.

**b. Draft changes to advertising and offering services – NAC 625.630(1)-(3)**

**c. Draft changes to application for licensure – NAC 625.210(3) US Citizen or Right-to-Work**

**d. Coordinate possible changes by Nevada Association of Land Surveyors to NAC 625.651 – 625.795**

**e. Coordinate with structural engineering professional societies for possible changes to structural limits – NAC 625.260**

Ms Mamola stated that a conference call had been held with Mr Wright and former Board Chairman Christopher Roper and many edits and language changes were suggested for NAC 625.260.

Mr Wright stated that he would take the lead in connecting with Structural professional societies to obtain their input and review of the proposed changes.

**f. Coordinate with professional societies for possible changes to NAC to add requirement for errors and omissions insurance – NAC 625.545**

Ms Mamola discussed presenting the changes to the Professional Association Liaison (PAL) committee and hearing good feedback from the American Council of Engineering Companies (ACEC).

Mr MacKenzie was hesitant to have the wording including errors and omissions insurance as a requirement. Ms Mamola suggested a clause for disclosure of whether a licensee or firm carries the insurance be included in the regulation related to contract requirements. The committee agreed that would be a better approach.

**g. Consider other possible changes to NAC 625**

Ms Mamola discussed the need for board members to review drafts on Dropbox to refine language and discuss concerns before returning to full board for vote to adopt changes. She stated that feedback from the PAL committee will be helpful as well.

Chairman Kidd stated that workshops to be held before items go to Legislative Council Bureau need to get scheduled. Ms Mamola stated that the committee must get language finalized prior to the public workshops and by March board meeting get board approval and workshops scheduled to meet August deadline.

**3. Review of Nevada Revised Statutes chapter 625 for potential changes**

**a. Draft changes to qualifications for licensure – NRS 625.183(1)(b) and 625.390(6) US Citizen or Right-to-Work**

Ms Mamola stated that the staff and Mr MacKenzie need to work through the changes.

**b. Draft changes to waiving requirements for licensure – NRS 625.203 and NRS 625.285**

Ms Mamola stated that these are housekeeping items to clean up old laws that allowed license without a degree.

**c. Draft changes to qualifications for land surveyor intern and engineer intern – NRS 625.386 (1)(b) and (2)(b)**

Ms Mamola expressed the need to clean up language that doesn't make sense, and requirements that are no longer valid.

**d. Draft changes to full-time engineer or land surveyor in Nevada office – NRS 625.407(1)-(5)**

No discussion on this item

**e. Consider removing protection of term “engineer” – NRS 625.520(3)**

Ms Mamola stated the need for this, or else Nevada may find itself in similar situation to Oregon: selectively enforcing the law. Mr Wright asked if that includes protection of the term “structural engineer” or just “Professional Engineer.” Ms Fisher asked how many kinds of engineers are licensed and if there needs to be a defined list. Ms Mamola said no, because you cannot legally use the term “Professional” unless you're qualified. Mr MacKenzie recommended a change where you cannot use the term “Professional” or “Engineer” coupled with a discipline recognized by the board. The committee agreed this is a good method to prevent someone from calling themselves something in which they're not qualified or licensed.

Ms Knox asked if applicants must specify their discipline when they apply. Ms Mamola answered yes, as Nevada is one of 14 states that license engineers by discipline.

**f. Consider other possible changes to NRS 625**

Ms Mamola stated there are not any other changes yet identified.

**4. Discuss strategy and schedule for moving forward with potential changes to NRS 625 and NAC 625**

Ms Mamola discussed the schedule prepared by Mr MacKenzie. She read the timeline which states that the board must review its regulations at least once every ten years. The board must consider the impact of regulations on small businesses and consult with small business owners. Ms Mamola stated that she and Mr MacKenzie need to work together to develop the small business impact survey. She then discussed the requirement to provide notice of a time and place at least 15 days prior to two workshops (one north, one south) for solicitation of public comment on any new regulation.

Chairman Kidd stated the dates for the workshops should be done by the next week. Ms Mamola commented that the board must approve, with a week or two allowed for changes.

Mr Blaney asked if the small business impact needed to be complete prior to the workshops. Mr MacKenzie answered that the workshops allow finalization of the language which is then used to determine the small business impact. Ms Fisher stated that the small business impact then goes to the Legislative Commission, which reviews it before approving. The regulation then goes to the Legislature for a final approval.

Ms Mamola commented that soon after the board approves, the workshop dates should be chosen. Ms Mamola and Mr MacKenzie will work together to pick the dates which will be brought back to the committee for approval. Chairman Kidd commented that there is a survey conference in Las Vegas in February that may be beneficial for the Nevada Association of Land Surveyors (NALS) to jump on. Ms Mamola responded that the board must approve before a workshop is held. She suggested that a special meeting of the board could be held, which may help focus the board on the proposed changes.

Ms Mamola stated that Nevada Administrative Codes (NAC) have a different process for making changes than the process for changing Nevada Revised Statutes (NRS). She stated that she, Mr MacKenzie, and Ms Fisher need to strategize the approach for changing NRS and then return to the committee to determine how to proceed.

The commission picked a date for the next legislative meeting: Monday, January 22, 2018 at 10:30am via telephone.

**5. Public Comment Period**

There were no public comments.

**6. Adjourn**

There being no further discussion, Chairman Kidd adjourned the meeting at 2:40 pm on Wednesday, January 10, 2018.

Respectfully,

Patty Mamola  
Executive Director