

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Professional Association Liaison Committee Meeting
March 7, 2018 - 4:00 pm
1755 East Plumb Lane, Suite 130
Reno, NV 89502
(775) 688-1231

Gregory P DeSart, PE called the meeting to order at 4:01 pm, in the Ed and Mary Alice Pine Board Room at 1755 East Plumb Lane, Suite 130, Reno, Nevada. Committee members present were Board Chairman Robert O LaRiviere, PLS; and Patty Mamola, PE, Executive Director. Also present was Murray Blaney, Compliance Officer, and Sarah Wiley, Administrative Assistant.

1. Public comment period

There were no public comments.

2. Introductions

Those present introduced themselves. The following persons representing professional organizations were in attendance:

Kevin Almeter – Nevada Association of Land Surveyors (NALS)
Ruedy Edgington – American Council of Engineering Companies (ACEC)
Carl Cde Baca, PLS – Nevada Association of Land Surveyors (NALS)
Mike Wilhelm – American Society of Civil Engineers (ASCE)
Joy Guinn – American Public Works Association (APWA)
Susan Fisher – McDonald Carano Law Office

3. Provide update on proposed changes to Nevada Revised Statutes 625 and Nevada Administrative Code 625

Mr DeSart called on Ms Fisher to speak on the four proposed NAC changes. Ms Fisher asked that Ms Mamola present the information related to the proposed NAC changes. Ms Mamola stated that staff created and sent a small business impact survey to all active licensees. Based on the input received from the survey, minor changes to the language will be proposed. Then the survey results will be used to draft the required small business impact report that will be submitted to the Legislative Counsel Bureau along with the proposed language changes. Public Workshops related to the NAC proposed changes are planned April 11th in Reno and April 12th in Las Vegas.

Mr Edgington asked what items would be covered in the workshop. Ms Mamola stated that the proposed language changes for the four NAC changes would be covered as well as the related small business impact statements. Mr Blaney stated the following NAC changes would be included for the public workshops: stamping and sealing documents, modifying language for structural engineers as to what constitutes the highest point of a building, disclosing whether a professional has professional liability insurance in the required written contract, and removing requirement of a full-time engineer to be physically present in a Nevada office.

Mr LaRiviere inquired about the amount of time it would take for the NAC changes to take effect. Ms Mamola stated that the process to make the proposed changes are as follows: the board must approve the language changes, small business impact survey results report, workshop for public comments on proposed changes, then the LCB would draft the language changes and then another workshop would be conducted for final public input. Ms Fischer added that after the LCB and final workshop, the changes would then go to the Sunset Subcommittee for review then referred back to the Legislative commission for final adoption. During this process there are several options for the public to comment on those proposed changes. Ms Fischer stated that she would make sure the Legislative commission knew the steps that the board had taken prior to their review. Ms Mamola stated that the Legislative commissions are required to respond within 30 days of receiving the draft regulations from the board and the regulations should be adopted by the end of the year. However, the Legislative commission has an additional 30 days each time we submit drafts for their review. Ms Fisher said that in June there will be more bill draft requests that are getting sent into the Legislative Counsel Bureau and it could slow down the process for regulation reviews. The state agencies bill draft requests are due in August.

Ms Mamola explained that proposed changes to NRS's are handled differently than NAC's. She stated that there are two NRS's that we call the "Donut Hole Laws". Those Donut Hole Laws were enacted in 2010 when we had people trapped in the PLS and the PE tracks where they were approved to take the PE exam but had not yet passed the exam and would then miss the window of opportunity to become licensed by the July 1, 2010 date. So the legislature allowed the law language addition that gave those applicants a number of years to retake the test, that time frame has now passed, and the laws no longer apply and need to be removed. Ms Mamola also stated that there are changes to NRS 625.329, survey monuments survey corners, these changes are on the agenda for tomorrow's board meeting to see if we will move forward with those changes. Ms Mamola stated that they need to figure out who will be elected to various political offices so we can determine how best to move forward, whether it's a bill draft through the governor's office or a sponsor through the legislature. Ms Mamola said that she does not believe there will be any opposition to the NRS changes because it's really just house cleaning of the laws that will have no impact on applicants or licensees.

Mr DeSart had a question regarding the NAC workshops, asking if in addition to notifying licensees that there can be notifications sent to other professional organizations. Ms Mamola answered yes and that they can send it to the PAL committee members. She also stated that staff has already sent the survey information to the Architects Board and Contractors Board. Ms Mamola also stated that the Architects Board included that information in their newsletter.

4. Discuss South Dakota Governor's proposed legislation for multi-state compact for temporary professional licenses

Mr DeSart addressed item number four on the agenda and stated that in South Dakota the Governor is presenting legislation that says if you are licensed in another state and you want to get licensed in South Dakota you automatically get a temporary license. The reason that this is up for discussion is because of the possibility that this might happen in Nevada and how we would respond to it.

Ms Mamola stated this topic was on the agenda for the last board meeting. Ms Mamola stated to the PAL Committee if any member was interested in what the board's comments were she would be happy to report. Ms Mamola also stated that this topic is on the agenda for the upcoming board meeting.

Mr LaRiviere asked who wrote the letter asking for the surveyors to be taken out of that process. Ms Mamola stated that it was Colorado Surveyors Association. Mr Almeter stated that he believed problems were occurring from the practice of new business coming in and not being aware of the laws.

Mr CdeBaca explained that he was present at the Western Federation Land Surveyors conference where all the western states were represented. The NSPS board of directors was discussing the South Dakota bill and they announced that that bill was pulled and is now dead. He further explained that it seems within the land surveyor community that the mobility of licensure is good but the temporary licensure and lack of exams does not adequately protect the public.

Ms Mamola discussed the issues surrounding the proposed changes regarding licensure issues within the State of Nevada and other states regarding the lack of continuity. Ms Mamola said that the NCEES was created by state licensing boards to get uniformity in licensing laws and come up with a uniform national exam to facilitate mobility and affordability of licensees. But the reality is, nearly 100 years later we don't have mobility and licenses aren't portable from state to state. The state boards can't seem to get out of their own way to fix it. We need to figure out a way to improve the licensing from state to state by taking a case to case look at the history of any business looking to do business in other states.

Mr LaRiviere stated staff updated the board on comity licensure related to the Governor's bill SB69 that was signed into law June 2017. The turnaround time for comity licensure has been expedited significantly with a turnaround time of 10 days or less. Ms Mamola explained that regarding bill SB69, the Governor enabled the board by including language in the bill that states an action by the board chair and executive director is the same as action taken by the full board.

Mr Almeter inquired if there is still testing on a state level for PLS licensure? Mr LaRiviere answered yes; we were still conducting the 2 hour state specific exam.

Ms Mamola stated that this board's position is that we do not want a multi-state compact. What that does is add another layer of bureaucracy. Ms Mamola went on to say that we would rather have a memo of understanding with our sister states. We have that now with Wyoming and it basically says if somebody applies to Wyoming and they want to be licensed in Nevada and they are an NCEES model law engineer or surveyor we will license them too. But they would still need to take the state specific survey exam and for engineers they would have the take home test on Nevada laws.

Mr Almeter asked how the degree requirement goes into play for land surveyor in that situation, if someone licensed in Wyoming and wanted to be licensed in Nevada but did not have that degree. Ms Mamola stated that Wyoming requires a degree as do most states. Mr LaRiviere said that steps are taken to make sure that the laws are not circumvented prior to July 1st, 2010 when the four year degree requirement was enacted. Ms Momola explained that with the agreement with Wyoming, is that the applicant meets the NCEES model law standard which is the four year degree. So if they do not meet those standards of having the four year degree, then they could not be part of that agreement. She further explained that the NCEES model law should take care of the 80-85% of all professionals, it would only be the few that did not conform to the law that would need to be looked at case by case.

The conclusion was that the board is not in support of temporary licensing or any multi-state compacts in the State of Nevada.

5. Nevada State Board of Professional Engineers and Land Surveyors Activities

Mr DeSart stated that a one-day "PDH Fest" is being planned for the fall to be held in Las Vegas at the Springs Reserves on Thursday, October 11th. The cost for this will be subsidized by the board. The cost for attendees will be around \$75. Multiple speakers will present at this event that will be focusing on personal branding and organizational and leadership skills as opposed to technical skills.

Ms Mamola discussed the new Las Vegas office. The office is in the Holsum Bread building on West Charleston and I15. Tentatively the May board Meeting will be in the new location.

Ms Mamola explained that the board just underwent Sunset Review, February 21st. Ms Fisher stated that it went well and stated that Ms Mamola answered the many questions presented to her effectively. Mr Edgington asked who was doing the review. Mr LaRiviere responded that Ms Bustamante-Adams chaired that meeting.

Mr LaRiviere inquired regarding digital signatures. Ms Mamola stated that Clark County implemented a new electronic submittal system and they realized it doesn't work with our current laws for electronic signing and stamping. The board is considering becoming the authorized government agency issuing digital signatures. Ms Mamola stated that the board has charged her with holding workshops with Nevada building officials to determine if there is support.

Mr LaRiviere stated that Karen Purcell will be nominated for the NCEES West Zone VP. If Karen is successful she would be in the rotation to serve as NCEES President.

Ms Fisher stated that if we proceed with the electronic signature changes to enable licensees to submit documents electronically should be submitted to the Nevada Taxpayers Associations board next September for the Nevada Taxpayers Good Government Award.

6. Professional Association/Industry Activities

Mr Edgington stated that the ACEC is working with RTC on their RFP's that RTC is still requiring cost information. Ms Mamola offered to go with Russell Rowe to meet with the RTC. Mr Edgington had concerns about this and is still working it through.

Mr Cde Baca with NALS stated that they are still trying to come up with the funds to hire a lobbyist. He questioned about mylars and whether they still need to be produced. Mr LaRiviere questioned if Public Works was still using the mylars. Ms Mamola stated they will investigate if it is in 625. Mr DeSart stated that it was in the 278 regulations. Recommendations were made from Mr DeSart, Mr C. de Baca and Ms Fisher on who might be utilized.

Mr Wilhelm stated that the Truckee Meadows Branch Annual Awards and Student Night Banquet will be held tomorrow night at the Peppermill. ASCE statewide is progressing on the infrastructure report card update. He stated that they have been asked to present the report card at the Nevada Economic Development Conference in August. A first draft of that will be done April 1st for review.

Ms Guinn with APWA stated that March 1st was the deadline for their national award submittal. Sheri Edelman was submitted as Nevada's applicant for the Top Ten Public Works Leader recognition. Four total projects were submitted for National Project of the Year. The APWA Spring Conference will be held in April in Laughlin, Nevada. Ms Guinn announced that the APWA membership drive is going on right now and has a Never Been a Member Young Professional opportunity where they are offering 50% off young professional memberships for professionals who have never been a member.

7. Open discussion topics

No open discussion.

8. Next meeting date and location

Next PAL meeting will be held in Las Vegas on May 9th at 4:00 pm tentatively planning to be held at the new board office located at 241 West Charleston Boulevard, Suite 130, Las Vegas, Nevada.

9. Public comment period

No public comment.

10. Adjourn

There being no further business, Chairman LaRiviere adjourned the meeting at 4:49pm on Wednesday, March 7, 2018.

Respectfully,

Patty Mamola, PE
Executive Director