

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Regulations Workshop Meeting Minutes
Held at 1755 E Plumb Lane, Suite 258, Reno, NV 89502
and 241 W Charleston Blvd., Suite 130, Las Vegas, NV 89102
on Monday, March 27, 2023 at 12:00 pm

1. Call to order

Ms Mamola began the meeting by thanking everyone in attendance and called the meeting to order at 12:01 pm. She said this meeting is a public workshop for receiving public comment on the board's recommendations as set out in attachment A and B in response to Governor Lombardo's executive order 2023-003. It's also for public comment to identify any other regulatory changes that workshop participants feel are worthy of consideration by the board.

2. Introduction of workshop process

Ms Mamola introduced the rules of engagement for the workshop and said that public comment is limited to 5 minutes. She said that Derek Vogel will serve as timekeeper. She instructed everyone who intends to make public comment that they will need to complete a public comment form and hand it to Mr Vogel before coming up to the microphone. Mr Vogel will note the time on the form.

Ms Mamola informed everyone that we will alternate between Las Vegas and Reno for each regulation proposed to be amended or appealed, beginning with the regulation that most people are here for. She said she would then go back to the other regulations proposed for repeal or update.

3. Public comment

There was no public comment.

4. Public comment on proposed repeal and amendments of Nevada Administrative Code chapter 625 as set out in Attachments A and B

The proposed repeal and amendments to Chapter 625 of the Nevada Administrative Code will provide for the following:

1) Eliminate license application fees for active military and active military spouses, and military veterans and military veterans' spouses

Ms Mamola reviewed the category and asked if there were any public comments. There were no comments.

2) Eliminate state specific exams

Ms Mamola asked if there were public comments on NAC 625.310, which the board proposes to remove Nevada specific exams to streamline and speed the licensing process.

Bob LaRiviere – *Bob LaRiviere, land surveyor for the record, previous board chair and member of this board for nine plus years. I've always found the best way to work with people as a middle ground. My solution is I'm not for, I'm not against. What I would like to do is find a middle of ground of what I did 30 years ago in the state of California is a take home exam. That way everybody could take it, do a take home exam, be tested on our statutes of 278 and 625, and I see nothing wrong with the take home exam. Thank you.*

Ms Mamola thanked Mr LaRiviere and read the following comment sent via email from **Robert McMillan**, a licensed land surveyor from California:

Dear Executive Director Mamola,

Please read this into the record at today's public hearing and register my comments in extreme opposition to the possibility of elimination of the Nevada State Specific Professional Land Surveyor Exam. I have been licensed as a Professional Land Surveyor in California since 1996. I am currently considering pursuing licensure in Nevada, with the intent to relocate to the Silver State. The actual practice and the laws that govern the practice of land surveying in Nevada are similar to those in California, however, Nevada is different enough that I, as a licensee, would feel very uncomfortable with the reduction of professional competency of licensees that would be caused by the elimination of the Nevada State Specific Professional Land Surveyor Exam. I understand that some people are concerned with the time between candidates being approved for examination in Nevada, and them actually taking the Nevada State Specific Professional Land Surveyor Exam, however, that is not attributable to any bureaucratic, legislative or regulatory delays created by the Nevada Board. The responsibility for the

delay is entirely up to the candidates. The delay in scheduling is a matter of candidate choice. In fact, the Nevada Board has streamlined the process of exam application approval so much that a candidate's application can be approved and the candidate can schedule the examination in as little as 24 hours, and results are available within 3 days. The current Nevada State Specific Professional Land Surveyor Exam is an open book exam with a passing rate of approximately 85%. Eliminating this exam would result in those 15% of candidates who are incapable of passing the open book exam to become licensed as Land Surveyors in Nevada. This would unleash their incompetence on the citizens of Nevada, jeopardizing the largest and most sacred investment that most people ever make - their homes. The Nevada Board website features the following quote: "Licensed professionals are regulated and have an obligation to adhere to ethical standards and protect health, safety, welfare of the public." To eliminate the Nevada State Specific Professional Land Surveyor Exam would be an unconscionable breach of ethics and dereliction of duty by the Nevada Board and Governor to the people of Nevada.

Sincerely,

Robert McMillan

Ms Mamola then asked for public comment from Las Vegas and Murray Blaney welcomed speakers to the microphone.

Mr Burn – Good afternoon board, my name's Paul Burn, PLS 11174, since January of 1995. I've been practicing here ever since. That's about 28 years. I'm also licensed in other states, which I'll get to in a minute. Given the governor's regulations, I'm in support of almost all of the and commend the board on their work on these streamlining, however, I'm solidly against the action to remove the state specific exam for comity PLS, this is in NRS 625.240.2.B and NAC 625.310.4 and 5, which I understand that's where we are now. My reasons are land surveying is very unique science and differences between states vary greatly. I also have a license in California and Colorado and have practiced in each with important differences in each land surveying. Differences are found in history, boundary determination and mapping to name a few. Surveyors in other states within our region have difficulty with mapping. Without understanding our laws in NRS 625.N78, they should at a minimum have to be familiar and show that by passing a state exam, NCEES uses the analogy of the three-legged table. The legs represent education, experience and exams. Here in Nevada just two years ago, the state exam for surveyors changed to open book. Even though I wasn't totally in favor of that, it happened and that raised the pass rate from percents in the forties to approximately 83%. I would think that would be sufficient to demonstrate a mindset of making it easier to successfully accommodate comity. I brought with me in closing one of many emails that I get often that this came, Thursday, March 23rd to me from one of my attorney clients. And it's not unusual and I want to read it to you word for word. Paul. Hope you're doing well. We are looking to carve out the drive-through pad from the AP and above, which is attached to this email. The client hired in Alice State Surveyor who said this can't be done by record of survey, but it looks like the property is already within a commercial subdivision. I am hoping to get the work moved to you guys. Would you be able to confirm this would be by record of survey and provide an information, quote, retiming and cost? If I am wrong, please let me know. Thank you. From my attorney client, we have, as we're all aware very unique mapping law here, which the testing forces a review. I know that you have some alternatives in mind, but the actual state exam is totally important for anyone who shows up with a PLS from another state and asks for comity in our state. It seems to me that it is the minimum requirement to become a PLS here. Thank you.

Mr Hancock – Good afternoon, Gary Hancock, city surveyor for the city of North Las Vegas. I'm going to try, I don't want to repeat a lot of this stuff because I agree with everything that both, Robert, which you read in and Paul have said 100%, just want to add a couple words. I do disagree with the proposal to eliminate this state specific exam, eliminating the state specific exam jeopardizes the health and the safety, and will have a negative impact on the public. I think it's very important that we vet who actually gets licensed, specifically for that reason. That is in statute that we are here to protect the health and the safety and you know, just signing something to say, yes, I've read the statutes, I don't think is good enough. Anybody can and it will happen. Unfortunately, there are people out there, they'll, hey, I'll just sign it and go on. And now I'm licensed. The exam already is open book and available during any time in the week, that's not prohibitive at all to me. That's, I don't know how you could speed that up any further than that, one of the things I know that they've talked to, you know, take home exam. I'm not sure if I'm in favor of a take home exam. This was my kind of idea on that one, and I'm not opposed to this completely, is have an internet exam that is timed and is at least, instead, hey,

take this home and take three weeks to look up the specific statutes to answer the questions. I think that's a little much, go ahead and have something that is timed. I'm not one who's completely in favor of memorizing statute. I'm in statute all the time. I'm rereading statute all the time. I get a question from the outside and I'm reviewing it. I'm also asking, towards other surveyors, what's your opinion on this and how do you read it? So, you're always back into statute. So I'm not asking people to memorize, which they don't have to. Thing is you have to be familiar enough to actually look it up. So, we need to know, we need to vet who is actually being licensed to know that they have that ability to do it. And with the pass rate where it is with open book, I think we're actually doing that already. And I don't see, by eliminating the exam with how it is currently set up, or even just modifying it a little bit, we'll really actually change and speed any of that up at the moment. Thank you.

Mr Wittie – *Good afternoon. My name's Frank Wittie. I'm a Nevada PLS since 2011. PS number 21292. I'm the current NALS treasurer and I am the GPS coordinator for City of North Las Vegas. I am here to express my opposition to the proposed elimination of the Nevada State specific exam. I've reviewed the governor's executive orders 2023-003 and 004, and the board's minutes to address the same. In my professional opinion, the board has misinterpreted the orders by proposing the elimination of the Nevada State specific exam. The orders are requesting that the licensing process be sped up not eliminated. And if we were to eliminate the exam, we would be the only state to not have a state specific exam. That's not a state I want to be in. Thank you.*

Mr Hulslander – *Hello, my name's Jonas Hulslander, LSIT, Nevada Resident. I'm grateful for your time and consideration for my concerns regarding this proposal, the repeal of NAC 625.310. And I firmly believe that repealing this state's specific exam would negatively affect our profession in Nevada. It's widely acknowledged that among the Western states that there are significant gaps between the national exam and the public land survey system. And therefore, until NCEES can bridge this gap, it's crucial to maintain a state specific exam. And I believe that it's in our best interest of the entire profession to explore alternative solutions, in line with the governor Lombardo's executive order that will expedite incoming surveyors while safeguarding the integrity of our state surveyors. Thank you again for your time and attention to this matter.*

Mr Phan – *Good afternoon. My name is Eric and I'm a Nevada surveyor number 22408. I'm associated with the Aerotech mapping in town. I've been surveying for 20 years plus, between California and Nevada, the reason I'm here, I just want to state my statement as opposed to the board regard to eliminate the Nevada's state Pacific exam. For me, my opinion is that that's the only scale or the only hold back that we allowed to, I mean, for the system to investing the individual that who can qualify to do the work. I mean, technically surveying is very unique and, I'm proud to be part of that this profession. And, I don't want to make it any more kind of like handed out to me is, it's almost like now you're taking away, it's almost like handed out to anybody walking down the street. So, would you like to have a surgeon doctorate without taking a specific exam and going and surgery on you? I don't think that you want to do that. So that's what my take on it. Thank you.*

Mr Blaney said that concludes comment from Las Vegas.

Ms Mamola then invited speakers in the Reno office and began by reading a letter from **Nancy Almanzan**:

Dear Ms. Mamola,

The Nevada Association of Land Surveyors (NALS) Board of Directors has reviewed Nevada State Board of Professional Engineers and Land Surveyors (BP ELS) proposed changes to the Nevada Administrative Code (NAC) 625 in response to the Nevada Governor's Executive Order 2023-003. In the interest of public safety, NALS strongly opposes the removal of the state-specific exam requirement. While we wholeheartedly support reciprocity and mobility of licensure, it is critical for those practicing have an understanding of the standards of practice, regulations, and laws for the creation of legal boundaries in the state of Nevada. The state-specific exam ensures that those seeking licensure meet that minimum competency. Professions such as Land Surveying are highly technical, and laws vary from state to state. We understand that the FS and PS provide the assessment of minimum competency for initial entry into the profession, but they do not address individual state laws and regulations. Requiring the state-specific examination provides this safeguard and protects the public. Since the state-specific examination is open book and can be administered immediately upon application, maintaining this protection does not create a barricade or hardship to those seeking reciprocity. Therefore, to safeguard life, health, and property and to ensure public welfare, we urge the State Board to not proceed with the proposal to change the current requirements for Licensure pursuant to NAC 625.310. Representatives of NALS are available to discuss our position, should you have any questions.

Sincerely,

Nancy Almanzan, PLS

Ms Almanzan – *Thank you, Patty. My name is Nancy Almanzan. I'm a licensed land surveyor in Nevada PLS 1363. I'm the current state president of the Nevada Association Land Surveyors and also the director from Nevada to the National Society of Professional Surveyors Professional Licensure According to the NCEES website, under the Surveying licensure section states that professional licensure ensures that individuals practice in a manner that protects the health, safety, and welfare of the public by satisfying minimum qualifications and education work experience and exams. Removal of the Nevada State specific exam unprecedented and will weaken the minimum competency of the Nevada surveying profession and have negative impacts on the public. I oppose the board's proposed proposal to eliminate the Nevada specific exam for professional land surveyors. In addition, I have comments from our executive director of the National Society of Professional Surveyors. The National Society of Professional Surveyors is the National Association representing professionally licensed land surveyors from all 50 states and territories. We work with our affiliate associations to provide guidance in keeping the health, safety and welfare of the public foremost in our duties of the surveying profession. NSPS has reviewed the proposed Nevada State Board of Professional Engineers and land surveyors proposed change to the Nevada Administrative Code 6 25. In response to the Nevada Governor's Executive Order, 2023-003, we offer the following comments. The surveying profession is dissimilar to other license professions. Each state has statutory law and procedural rules that*

provide specific guidance for preparing a boundary survey. The state's specific exam is a critical part of assessing a candidate's competency. In regards to said laws and rules, this state's specific testing requirement must be in addition to the technical competencies typically tested by the National Council of Examiners for Engineers and surveying standard exams consisting of the fundamentals of surveying and the practical survey by keeping the state specific exam in place. This requirement supports surveyors duties to provide professional services that coincide with protecting the health, safety, and welfare of the public we serve. We also work with our affiliates to help educate those professionals who seek licensure by providing educational materials and training. Each state affiliate can guide the potential candidate with key information that highlights the unique laws and rules to recognize the successful completion of the state specific exam, also is our understanding that the state specific examination for Nevada is open book for each candidate. NSPS sees this as an opportunity for testing state law and rural competency is the best possible environment to encourage applicants to successfully pass the exam. In the interest of health, safety and public and welfare of the public NSPS strongly opposes the removal of the state specific exam requirement as proposed by the executive order. And signed by Timothy Birch, PLS the director of Executive Director of NSPS. Thank you.

Mr Keenan – *Good afternoon, everyone. My name is Trent Keenan. I'm Nevada PLS 16802. Been licensed since December of 2004. I'm also licensed in Arizona, California, Utah, and Washington, where I took a and passed the state specific exam to practice in each one of those states. I'm here today on behalf of the Western Federation Professional Surveyors Board of Directors, where I'm currently the secretary Treasurer on the board. West Fed has reviewed this Nevada State Board of Professional Engineers and Lance Surveyors proposed changes to the Nevada administrative code NAC 625 in response to the executive order 2023-003 issued by the Nevada governor. The Westford West Fed Board opposes the elimination of the state specific examination requirement in the interest of public safety. While the West Fed Board supports the idea of reciprocity and mobility of licensure for its members, it is crucial for the practitioners to comprehend the standards and practices, regulations, and laws for creating boundaries in each state that they practice. The state's specific examination ensures that all aspiring licensees meet the minimum competency level. Land surveying is highly specialized profession and laws vary from state to state. And of course, while the FS and the PS offer the minimum competency of evaluation for initial entry into the profession, they do not address individual state laws. The state specific examination requirement is necessary to guarantee the public protection since the state specific examination is open and immediately available upon application. Retaining this requirement does not create a hindrance or hardship for individuals seeking licensure to practice in Nevada. Therefore, to protect the public health safety and ensure the welfare, the West Fed Board urges the state and the state board to not proceed with the proposed changes to the existing licensure requirements under NAC 625.310. Thank you.*

Mr Carrington – *Hello, my name is Robert Carrington. I'm a land surveyor in the state Nevada PLS number 9103 prior, and during my career I also served as a city surveyor for the city of Henderson. So I'm uniquely qualified to speak about the laws of the state of Nevada because I made sure that surveyors complied with them. First of all, I do agree with all the comments today about the removal of the state specific exam, it does prove minimum competency. It at*

least requires surveyors to review those statutes and then further on as they develop their career to follow the statutes and regulations of local governments, and that's what I'd say. Thank you.

Mr Calkins – Good afternoon, Las Vegas. Good afternoon. Byron Calkins, great Basin College Land Surveying Department. I'm one of the instructors there. If you go to GBC, their website, if you go to the land surveying page, under degree plan, we have six or seven bullet points. These are objectives that a student would earn if earning this degree. And I'm just going to read the bullet list. Yep. Okay. So, land surveying GEOMATIC program objectives graduates with a BS with an emphasis and land surveying and geomatics will be able to proficiently apply sound measurement methods, mathematics, science, and surveying tools to collect, analyze, edit spatial information and professional applications, demonstrate competency in fundamentals and applications of land surveying and the acquisition and management of spatial data. Develop a sound background in the humanities social sciences, the arts to function in a multicultural and diverse environment. Provide fundamentals in business management to enable graduates to understand business environments and decision making processes, convey spatial information and graphical textual and verbal forms as an individual or a member of a collaborating group and professional team prepared to take and pass the fundamentals of land surveying examination developed by the National Council of Examiners and Engineering and Surveying and NCEES enter interprofessional employment in land surveying geomatics in the state of Nevada or other states or other countries, covered by we have the North American Free Trade Agreement. I have to update that. Obviously, we're no longer practicing under that. The statutes believe it's and then finally, satisfy the educational requirements for licensure required by NRS 625.257 as a professional land surveyor in Nevada and recognize the benefit of lifelong learning by participating in continuing education as students or as instructors. Thank you very much.

Mr C deBaca – Also, hello to Las Vegas. Hello, my name is Carl deBaca. My license number in Nevada is 7633. I was licensed in 1987. As a side note, I was licensed in 1988 in California after taking and passing a 50 question take home test, which they ceased offering in 1988, maybe minutes after I took the test. I have been an active participant in professional societies, including the Nevada Association of Land Surveyors, the California Land Surveyors Association, and the National Society of Professional Surveyors. Since 1990, I have served the profession of Land surveying in a number of capacities, including being the 2016 President of NALS. I have edited both the California surveyor and the Nevada Traverse magazines and have acted as the liaison from NALS to this board. And I have acted as the liaison from CLSA to the California Board of Professional Engineers, land Surveyors and geologists, for those reasons, I think that makes me uniquely qualified to comment on some of this stuff. In addition to those things, I also have served for many years on the curriculum advisory committee for Great Basin College, and I served as an adjunct professor there. So, I believe the proposed change to eliminate the state's specific examination and the licensing criteria is the result of the conflation of two completely separate issues. The first and most obvious is the problem with a declining number of professional surveyors and by association Nevada licensees. This is a national and demographic problem, and I don't believe that the proposed change will contribute to a resolution of this problem in any way. The second issue is a nationwide movement embraced and recently

expressed by our governor to tear down barriers to occupational licensing. This is a very honorable endeavor and one that I support completely, however, there's a world of difference between occupational licensing and professional licensing and the high standards that boards of regulation hold professional licensed land surveyors to in order to safeguard the health and safety of the public. In the case of the reciprocity applicant, the board can look at both the educational background and experience, but is there any guarantee that his knowledge of the public land survey system and Nevada laws and regulations is sufficient in the absence of an exam? In the case of a new applicant, the average college course on the public land survey system is not by itself sufficient to guarantee minimal competency any more than a single college course on route surveying that most civil engineering schools used to offer would guarantee that an engineer would be minimally competent to practice surveying, the exam in some form is a necessary component to ensure the public is protected and to prevent an inevitable increase in enforcement cases and an increase in malpractice related litigation. I believe that there are other options available to streamline the licensing process for reciprocity applicants. Thank you.

Mr Higgins said he has a letter from his firm that he wants entered into the record. Ms Mamola said that the letter would be entered without reading it out loud.

Dear Mr. Kidd,

Wallace Morris Kline Surveying, LLC (WMK) is a Nevada based land surveying only firm with over fifty employees and eleven (11) Nevada licensed professional land surveyors. The following comments are made regarding the proposed elimination of the Nevada State specific exam for professional land surveyors.

We have reviewed the Nevada Governor's Executive Orders 2023-003 and 2023-004, together with the minutes from the February 9, 2023 Interim Board meeting, which passed the motion to eliminate the state exams for licensing engineers and land surveyors as proposed by staff in the supporting documents for the board meeting.

WMK commends the work by the Nevada State Board of Professional Engineers and Land Surveyors (Board) in recent years of streamlining the process for reciprocity and testing. We encourage the Board to include the accomplishments already completed and proven successful in its report to the Office of the Governor and the Director of the Legislative Counsel Bureau.

WMK supports the expedited process, now in place for those seeking initial licensure or by reciprocity. However, the elimination of the state specific exam jeopardizes the mission of the Board, as stated in Nevada Revised Statute 625.005, "is to safeguard life, health and property and to promote the public welfare by providing for the licensure of qualified and competent professional engineers and professional land surveyors."

All 50 states and the District of Columbia require examination in order to demonstrate specific knowledge within each state. Executive Order 20233-004, Section 3 states:

"To the extent an occupation or profession is currently licensed in Nevada but is not subject to licensure requirements in the majority of states (26 or more), licensure shall be presumed to be unnecessary and that board shall provide a recommendation for phasing out such a licensing requirement by July 1, 2023."

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Eliminating the state exams for licensing engineers and land surveyors is in direct conflict with this portion of the executive order. The National Council of Examiners for Engineering and Surveying (NCEES) promotes the path to licensure through three (3) steps, Education, Experience and Exams. Elimination of the Nevada State specific exam for professional land surveyors weakens 1/3 of this pathway.

Statutes and code vary greatly between states and specifically between eastern states, Texas and the Public Land Survey System (PLSS). Nevada now has an open book exam for the state specific exam for land surveyors. It is our understanding that the pass rate has increased dramatically since the open book was introduced. This has further advanced the licensing process, while maintaining an applicant's responsibility to be familiar with Nevada statutes, administrative code, the PLSS, water law, etc.

WMK will continue to support the Board, professional associations and our Nevada community. We believe an open dialogue between the Board and the professional community is warranted, prior to major decisions like this being made. We make the following recommendations:

- Remove the proposed elimination of the Nevada State specific exam for professional land surveyors.*
- Immediately create a legislative sub-committee to address this specific issue. Include the formation of this sub-committee within the Board's report to the Office of the Governor and the Director of the Legislative Counsel Bureau. Also note that findings of the sub-committee's work will be provided in a subsequent report.*
- Create legislative sub-committee, with a majority being Nevada licensed professional surveyors.*
- Provide requisite public meeting notice(s) and start meetings as soon as practicable.*

WMK will provide a representative if asked, should a legislative sub-committee be formed. Thank you for considering our comments. Please contact us with any questions you may have.

Sincerely,

Kevin Wallace, PLS Principal/CEO, Craig L. Morris, PLS Principal/COO, Jason Kline, PLS Principle/President, Tex J. Brooks, PLS Principal, Matthew Burrell, PLS Principal, Jason Higgins, PLS Principal, Craig Matsueda, PLS, Kurt Orban, PLS, Lance West, PLS

Mr Higgins – *Members of the board. Thank you for the opportunity to be here. My name is Jason Higgins, Nevada, PLS 13601. I'm also licensed in Arizona. I've served our professional community on numerous boards, including a state president of the Nevada Association of Land Surveyors in*

2019. I've served on the Nevada Board of Engineers and Land Surveyor subcommittee on the Nevada specific exam review for Land surveyors and currently serve on the standards of practice subcommittee. I've reviewed the proposed changes outlined in materials provided for this public workshop. The governor's executive orders 2023-003 and 004. I support the proposed changes included herein with the exception of the elimination of any state specific exam currently required. I provide the following comments regarding the elimination of the state specific exam for Land surveyors. One, the Nevada Board of professional Engineers and Land surveyors is to be commended for the proactive work accomplished in recent years to streamline the process of licensure. Gone are the days when it would take months to have an application approved exams given twice a year and results would take weeks or longer to find out. Once an application is approved, a candidate may sit for examination the next business day, allowing issuance of licensure within weeks or even days from initial application. The barrier of someone seeking reciprocity has in effect been removed. The board has also made the Nevada specific exam for land surveyors and open book exam. This has increased the pass rate from less than 50 to over 80%. The board has satisfied the governor's request without elimination of the Nevada State specific exam. I believe the board's proactive approach to getting applicants licensed in an expedient manner provides a great story to tell in its report to the office of the governor and the director of the legislative general counsel bureau. The Nevada specific exam for land surveyors tests for minimum competency on the public land survey system and the following chapters of Nevada law NRS 116 Common Interest Communities, 278 Planning and zoning, 327 Nevada Coordinate System, 329 Perpetuation of Corners, 533 Adjudication of vested water rights, 534 underground water and wells, 625 professional engineers and land surveyors and also NAC 625 being the same. These statutes and codes are unique to Nevada and have been the foundation of the Nevada specific exam since its beginning. Removal of the exam lowers the minimum competency requirement below minimum. How can the board, public or other professionals rely upon professional and surveyors that have not met the minimum competency to provide these professional services? I encourage the board to consider the following. Remove the proposal to eliminate the state specific exams. Immediately create a legislative subcommittee to include Nevada license land surveyors include the subcommittee creation in the board's report to the governor's office of the governor and the director of the legislative council. Then provide subsequent reports as needed to continue to show the board's proactive work beyond the requirements and request in the executive orders. This approach satisfies or exceeds compliance with the governor's executive orders while providing an opportunity for dialogue with the professional community. Thank You.

Mr Phillips – Good afternoon. My name is Greg Phillips. I'm a Nevada Professional Land Surveyor Certificate 17616. I am past president of Nevada Associational Land surveyors and the other west Fed delegate from Nevada. I'm here today to oppose elimination of the Nevada State specific exam for professional and surveyors in my opinion this proposal will jeopardize the health and safety of the public. There's been a lot of good comments today and I'm sure there's going to be quite a few more. So, I will follow up with a written statement with more detail on my specific concerns. Thank you.

Mr Moore – Hello, good afternoon. My name is Justin Moore, Nevada Professional Land Surveyor 22362. And I am in opposition, imagine that as everyone here seems to be, all 50 states including, Washington, DC have a state specific examination for that reason, because every state is different, a universal or a regional licensure would, excuse me, it's not effective going state to state. Each state has different regulations, different codes, and a professional needs to be competent in those state and local codes, statutes. And I just am in opposition. Thank you.

Mr Jefferson – Good morning. My name is Brett Jefferson. I'm a fellow of the National Society of Professional Land Surveyors, a trustee to the NSPS Foundation, past area director for NSPS and a past NSPS Governor. I'm a past president of the Nevada Association of Land Surveyors as well as the Southern chapter. I'm also a past adjunct professor in the Land Surveying Associate Program at CSN, where I taught surveying 101 boundary control and legal principles and writing and interpreting legal descriptions. I'm a professional land surveyor licensed to practice in Nevada, California, and Arizona. I was first licensed in Nevada in 1989. I was required to pass a state specific exam. I then applied to California and successfully passed their state exam in 1990 and subsequently applied to Arizona and pass their state specific exam. In 1991, I did not view the requirement to pass a state-specific exam as a barrier to licensure or to expand my practice to other states. It was a process to measure my professional competence and I accepted it and in fact embraced it. I reached out to those states for study material recommendations and I studied before I sat for the exams. Neither did I feel that it was anything unfair or unnecessary contained in these exams. They ensured that I was minimally competent to practice in those states as well as the unique problems and challenges that are prevalent to surveying in those states. The qualifications and examination standards set by the Nevada Board of Professional and Surveyors, for ethical, professional and technical competency are intended to protect Nevadans in their businesses, public and private developments, real property investments and incorporated cities and counties. Lowering the proven knowledge by eliminating the state specific exam will obviously reduce that level of protection. If the knowledge component contained in the state specific exam is no longer tested for the state board sacrifices the security provided by the exam, which will likely lead to increased complaints and litigation filed by damaged agencies, governments, and citizens. As a result, the purpose of the board to safeguard life, health and the property and promote the public welfare through the state specific exam has accomplished these goals for decades. The result of eliminating the exam will lower the minimum competence bar the board's mission to uphold the value and of the professional of land surveying licensure by assessing minimum competency for initial entry into the profession. The state's specific exam for land surveying in Nevada has been the gold standard in the Western states for literally decades. Other states have emulated Nevada's exam the board and now should be complimented on the relevancy of the exam. The board should also be complimented for streamlining the state specific exam process. It is an open book exam. Zoom proctors can be scheduled with the examinees within 24 hours of application. The streamlining of the exam process by the board has now facilitated an expedient state specific exam timeline. That eliminates time as a barrier to obtaining a PLS license. The fact that 15 to 20% of applicants fail the state specific exam is a critical argument to this issue. There are individuals that are the individuals that are of concern that elimination of the exam would

become licensed. The protection of agencies, governments, and of citizens would be reduced. The exam is doing its job. Perhaps even more importantly, to note that the public does not and will not ever know which professional land surveyors have been tested versus those land surveyors that have not been tested for Nevada state specific laws. These things will not come to fruition until damages have occurred. Complaints have been filed and litigation instituted. I urge the board and our PLS representatives to take testimony today into consideration and not lower the minimum competency standards for Nevada PLS candidates by eliminating the state specific exam. Thank you for your time regarding and thank you for this opportunity to speak on this very important issue. Thank you.

Mr Denman – *Good afternoon. Just want to take a minute to thank the board for allowing us to be here, it's an honor to be in the building, just an honor for the representation they give to our profession and the livelihood that is brought to all of us and to be in the same room with all of you. So, my name is Eric Denman. I'm a Nevada PLS 14900. Been a PLS for over 20 years and currently serving as the Vice President of the Southern Chapter of the Nevada Association of Land Surveyors. I believe the board has taken practice steps to streamline the licensing process over the last decade with the most recent step in making the Nevada State Specific Exam open book. The board is to be commended for these accomplishments. However, elimination of the state specific exam for Land Surveyors goes a step too far. Each and every state in our nation has different laws, regulations, and codes applicable to their respective states. Whether an initial applicant or someone seeking reciprocity, minimal competency is an essential to licensure. Elimination of the state's specific exam lowers the bar where minimal competency cannot be reached. I also find the elimination of the state's specific exam as a conflicting concept from the board that recently implemented a requirement for continuing education for Nevada licensed surveyors focused on the same state specific material. If it's important enough to require continuing education, which it definitely is, then it remains important for new licensees to this great state to be tested on the same specific exam to maintain competency. Thank you for your time.*

Mr Enke – *Good morning, Todd Enke, PLS 19734, second generation surveyor. My dad is a licensed surveyor in California where I grew up, I strive to get a California surveyor's license, after obtaining my Nevada one, I realized how hard I had to study to be proficient in that. One of my goals is to, again, a California surveying license, but I understand how different the rules are from continually talking to my dad, who is the city surveyor for City of Tracy, that's my goal law. And I, for me to be a competent surveyor in our state or any other state, I believe knowing the laws and rules and regulations of those states is important. Thank you.*

Mr Trotter – *Hi everyone, Shane Trotter, Nevada PLS 24870. I'm here to express my opposition to the proposed elimination of the Nevada State Specific Exam for professional land surveyors. And the one thing I have to add is, I am a land surveyor that was licensed with a bachelor's degree in land surveying in geomatics as well as, I was an adjunct professor at GBC, and just to kind of give you guys an idea or example, when I graduated from GBC I took the national exam. I studied about 30 minutes for it and, and passed the test on my first try, with the education, knowledge and experience that I was given as a student of GBC. I studied several hours for the*

Nevada State specific exam, reading and becoming familiar with the laws and I barely passed the state specific exam. So I think it's important to keep an exam, and I think that the board has done a good job of streamlining it. Making it open book is fair because we all as professionals reference the law, and, I think it's important to keep the exam. Thank you.

Mr Wright – *Hi there. My name is Stewart Justin Wright. I'm licensed in Arizona originally and in Nevada second as a reciprocity applicant here in 2009. I'm opposing the removal of the state specific exam, when I moved here from the state of Arizona, I was familiar with the Arizona law because I had taken their state specific exam and I had learned how to navigate the laws in regards to subdividing land according to their laws. When I moved to Nevada and applied for reciprocity, I took their state exam as well, studied for the exam. I learned quickly that the laws that applied in Arizona were significantly different than the laws in Nevada, and I think that's important. And in my case, I feel like the test did its job, so I'm opposed to it. I also believe that the test should be testing us on ethics. And, I think that if we don't have a benchmark for ethics, so we don't test people on ethics, how are we going to offer continued education on ethics and how are we going to ask people to apply continuing education when it comes to ethics, when we don't even test them as a baseline when it comes to the ethical values. And finally, I'd just like to state that I think that the exam also touches on the public land survey system and others from other states. The move here may not be familiar with the public land survey system, and I think that we need to touch base on the public land survey system. And I think the idea was to try to test people on their weaknesses when they come to our state and work under our laws.*

Mr West – *Lance West, Nevada PLS 18232. Also licensed in the state of Oklahoma. Currently to become a PLS in Nevada, you have to have a land surveying degree, but we don't differentiate if that comes from a PLS state or some other state. By removing the state specific, you have no way to know if that applicant has met the minimum competency requirements yesterday, someone compared driving a car from one state to another and how the laws are different. And comparing that to the survey laws. If I break a law in another state driving a car that affects me, I pay the price. If I don't know the law of surveying in another state that not only affects me, but countless other people as well. That's all I have. Thank you.*

Mr Matsueda – *Hi, I'm Craig Matsueda from Las Vegas, Nevada PLS 17022. Also licensed in California, licensed number 6820. I would like the record to show that as a licensed surveyor in the state of Nevada, I oppose the elimination of the state's specific exam currently required for in Nevada. From a mapping perspective, there are specific regulations in the Nevada revised statutes that are unique to Nevada and are essential to the minimum proficiency requirements for Nevada licensure. My main concern in eliminating the state specific exam presumes and I emphasize presumes a minimum proficiency regarding state statutes rather than currently an applicant has to demonstrate to the public that he or she has knowledge and possesses a minimum proficiency in regarding Nevada statutes by passing an exam. I strongly feel that knowledge of and possession of minimum proficiency requirements of state specific regulations to practice land surveying in the state of Nevada should be demonstrated and I emphasize demonstrated by passing an exam and not presumed prior to licensure. Thank you.*

Mr Wooten – Good afternoon. My name is Jonathan Wooten, PLS number 18146, licensed in Nevada and also Arizona. I'm here today to object to the board's recommendation to remove the requirement for the state specific exam. I feel that the state exam is a necessary step in the licensing process to ensure the minimum competency to practice land surveying in accordance with the laws and regulations specific to the professional work of land surveying in this state, without testing the applicant for licensure, I believe that we're failing to protect the profession of land surveying in the state and also, failing to promote the ethical obligations. Land surveyors are charged with to protect the public safety and welfare. And I also believe that it's the duty of this board to ensure that you're providing licensure to qualified and competent professional land surveyors as stated in NRS 625.005. And I strongly urge the board to not eliminate the requirement for the state specific exam.

Mr Hamlin – Hello, I'm Cole Hamlin. I'm not a PLS, but as a person who's working towards licensure, I think my perspective is important. I'm opposed to removing the state specific exam because I believe it is important for a state licensed professional to be competent in state statute. I also feel that the state exam is not a hurdle, but a necessary step in becoming a professional, a licensed professional.

Mr Ariotti – Hello, my name is Nicholas Arriotti, Nevada PLS 22373. I would like to say that I strongly disagree with the removal of the state specific exam, and I would like to support every comment made here today as being something that I would like to say myself. So, thank you.

Mr Perazzo – Hello Las Vegas. My name is Pete Perazzo, PLS 14634. I was licensed in the year 2000. I sat for the test and also the state specific, which I failed. I got passed on the federal level. So I started survey in 1985, sat for the test 15 years later and failed the state specific, I'm not proud of that, but working eight years with the Bureau Land management gives you a perspective that you don't have at other agencies. I then went to the state DOT where there was a few PLSs, but very few in the field, none of which had PLSS backgrounds. Other comments I will send by email, but I'm in opposition to the change. Thank you.

Mr Callahan – Silas Callahan, I am not a surveyor. I am an engineer, but I want to express my opposition as an engineer. I rely on land surveyors that know the laws and removing that test is a detriment to that, that's all I have.

Ms Mamola asked if there are any more comments related to NAC 625.310. There were no comments, and she moved on to the next category.

3) Repeal regulations that are outdated, unnecessary, and/or redundant

There were no comments.

5. Public comment on any other regulatory changes that workshop participants feel are worthy of consideration by the Board.

There were no comments.

6. Closing public comment.

There were no comments.

7. Adjournment

Ms Mamola thanked everyone for their participation and adjourned the workshop at 1:05 pm.