

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Minutes of the Legislative Committee Meeting
Held virtually (zoom) at 9:45AM, Thursday, December 14, 2023

Committee Chairman Greg DeSart, PE, called the meeting to order at 9:45 am.
Committee members participating via video conferencing were Matt Gingerich, PLS; Jay Dixon, PE; and Robert Fyda, PE. Also participating was Michael Kidd, PLS; Patty Mamola, Executive Director; Christopher MacKenzie, Board Legal Counsel, and Murray Blaney, Operations/Compliance.

1. Meeting conducted by Committee Chair Greg DeSart, call to order and roll call to determine presence of quorum—committee members: Jay Dixon, Matt Gingerich, Robert Fyda.

A quorum was determined.

2. Public comment period.

There was no public comment via e-mail, virtually, or in-person.

3. Approval of November 15, 2023, Legislative Committee meeting minutes.

LGC 23-9 A motion was made by Mr Dixon to approve the November 15, 2023 minutes, Mr Gingerich seconded, and the motion passed.

4. Discuss proposed regulation changes, see Attachment A for list of regulations.

a. Consider PLS Standards of Practice Committee recommendations to make further changes to proposed regulation changes because of public comments received during the public process.

Mr DeSart asked Mr Gingerich to review the PLS Standards of Practice Committee recommendations for revisions. Mr Gingerich highlighted the proposed additional revisions to the following regulations:

NAC 625.666

- The additional deletion of “US Survey” in the positional certainty tables in sections 1. and 2. to have the titles read just “Feet”.
- Text edits in section 6 to remove the burden of an additional required deliverable and contract requirement.

NAC 625.720

- A text edit in section 1 for clarity. Text originally proposed caused some confusion.

NAC 625.775

- Changes were originally proposed to a number of the tolerances for Horizontal and Vertical Certainty to align with the National Society of Professional Surveyors prescribed standards, but after feedback from the SBI Survey and comments from the Nevada Association of Land Surveyors, the sub-

committee's recommendation is to strike the changes and revert back to the existing listed tolerances.

LGC 23-9 A motion was made by Mr DeSart, seconded by Mr Gingerich, to make a recommendation of approval to the board of the revisions proposed by the PLS Sub-committee. The motion passed.

b. Consider if additional changes are needed to proposed regulation changes in response to the public comments received at the workshop held December 6, 2023.

Ms Mamola reported that there was no additional comment or feedback received at the public workshops. She added this was another opportunity for the committee to propose any additional revisions.

Mr DeSart asked if the committee had any additional revisions to put forward for discussion. There were none.

LGC 23-10 A motion was made by Mr DeSart, seconded by Mr Fyda, to recommend the board approve the regulations as presented in the committee meeting materials. The motion passed.

5. Discussion on process and schedule for updates to Nevada Administrative Code chapter 625.

Ms Mamola gave an overview of the schedule for the two groups of regulation updates—the PLS Standards of Practice group and the Executive Order group. She said the regulations relating to the Governor's Executive Orders have or are being drafted by the LCB. Ms Mamola added that we have received all but one of the R-files back for review. When the final R-file is received and reviewed, a committee meeting will be scheduled for initial consideration and then forwarded to the board for consideration/approval – hopefully at the January meeting. Ms Mamola said an Intent to Adopt Regulations hearing would then need to be scheduled.

Ms Mamola said the batch with NAC 625.545 and the PLS regulation changes, following the committee's recommendation today, would go before the board in January for approval. They would then be packaged by staff and forward to the LCB to be assigned R #s and be drafted. The process would then follow what was outlined for the Governor's Executive Order batch.

Mr Gingerich asked how the regulation updated would be communicated to licensees.

Ms Mamola said the newsletter would be the initial release, then they would be addressed in the Board's biannual webinars on chapter 625 of NRS and NAC. She added that board members would also include in any presentations for local industry groups and any statewide conferences.

6. Discussion on status of committee and staff assignments.

Mr DeSart reviewed the status of action committee and staff assignments.

Ms Mamola said any action items from this meeting will be added to the list for review at the next

meeting.

7. Open discussion of items related to the Legislative Committee.

The committee discussed setting the next meeting date prior to the January board meeting with a view to review and recommendation of the R-Files drafts from the LCB legal. Ms Mamola said one file was still outstanding, but when it is in hand, she would reach out to Mr DeSart to schedule a committee meeting. (ACTION Item)

Mr Fyda suggested incorporating the time schedules for the two batches of regulation changes into the committee action item list. (ACTION Item)

Mr Gingerich recommended meeting with our Government Affairs Liaison representatives to discuss who the point person for the board will be for the next legislative session. Mr DeSart asked that Ms Mamola make contact and try to schedule a meeting in early January with Ms Fisher to then be able to report back to the board at the January 24 board meeting. (ACTION Item)

8. Public comment period.

There was no public comment via e-mail, virtually, or in-person.

9. Adjourn.

Mr DeSart thanked the committee members for their participation and adjourned the meeting at 10:15 am.

Respectfully,

Patty Mamola
Executive Director