

# NOTICE OF INTENT TO ACT UPON A REGULATION



## Notice of Hearing for the Amendment of Regulations of the Nevada State Board of Landscape Architecture

The Nevada State Board of Landscape Architecture will hold a public hearing at 9:00 am., on November 6, 2020 via Zoom Webcast. The purpose of the hearing is to receive comments from all interested persons regarding the Amendment of regulations that pertain to *Chapter 623A of the Nevada Administrative Code LCB file R055-20P*

**Topic: Zoom Webcast Meeting**

**Time: Nov 6, 2020 09:00 AM Pacific Time (US and Canada)**

Join Zoom Meeting

<https://us02web.zoom.us/j/85444790511?pwd=TTNsZ3NDSDg5WFB0M3NLZjFyRzRxUT09>

Meeting ID: 854 4479 0511

One tap mobile

+12532158782,,85444790511#,,,,,0#,,840007# US (Tacoma)

+13462487799,,85444790511#,,,,,0#,,840007# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 854 4479 0511

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### LCB File R055-20P

**The following information is provided pursuant to the requirements of NRS 233B.0603:**

**1. The need for and purpose of the proposed regulation or amendment.**

The purpose of the amendment is to bring the following items and language that were approved by the 2019 legislature in NRS623A.240 Fees and NRS623A.305 Consideration of complaint by Executive Director; recommendation to Board; action by Board, into NRS623A.170 and NRS623A.513.

**2. Either the terms of the substance of the regulations to be adopted, amended or repealed or a description of the subjects and issues involved.**

Changes in the Not-to-Exceed fees as approved by the 2019 legislature and prescribed in NAC623A.240 as listed in R055-20P.

**Section 1.** NAC 623A.170 is hereby amended to read as follows: 623A.170

1. The Board will charge and collect the following fees:

Application fee for a certificate of registration pursuant to the provisions of NAC 623A.220 or 623A.226.....	<del>1200.00</del> 300.00
Application fee for a certificate of registration pursuant to the provisions of NAC 623A.222.....	<del>200.00</del> 300.00
Application fee for a certificate to practice as a landscape architect intern.....	<del>100.00</del> 50.00
Examination fee for the Nevada specific examination for an applicant for a certificate of registration.....	100.00
Fee for the review of a Nevada specific examination, if requested pursuant to NAC 623A.250 .....	<del>75.00</del> 100.00
Certificate of registration.....	<del>25.00</del> 50.00
Certificate of eligibility.....	300.00
Certificate to practice as a landscape architect intern.....	<del>25.00</del> 50.00
Annual renewal fee for a certificate of registration .....	<del>200.00</del> 300.00
Delinquency fee for a certificate of registration.....	<del>50.00</del> 100.00
Reinstatement fee for a certificate of registration.....	<del>300.00</del> 400.00
Annual renewal fee for a certificate of eligibility.....	125.00
Annual renewal fee for a certificate to practice as a landscape architect intern.....	<del>125.00</del> 50.00
Delinquency fee for a certificate to practice as a landscape architect intern.....	<del>50.00</del> 100.00
Reinstatement fee for a certificate to practice as a landscape architect intern.....	<del>300.00</del> 400.00
Change of address fee .....	<del>10.00</del> 20.00

Fee for a duplicate certificate of eligibility.....	<del>30.00</del> 50.00
Fee for an official stamp .....	50.00
Fee for an electronic official stamp.....	50.00
Mailing list, all registrants .....	<del>10.00</del> 20.00
Returned check .....	25.00

Copy of the <i>Construction Industry Reference Manual</i> , which is also known as the “Blue Book”.....	5.00
Copy of a document, per page .....	<del>25</del> .50

2. The renewal fee for a certificate of registration or a certificate to practice as a landscape architect intern will be prorated on a monthly basis for each month after July 1 that the renewal fee is submitted.

Change the wording in NAC623A.513.1 to strike designated member of the board and replace with Executive Director. Presented here:  
 NAC 623A.513 Complaints against certificate holders: Public meeting of the Board; dismissal; preparation and service of formal disciplinary complaint and notice of hearing. ([NRS 623A.130](#))

1. At a public meeting of the Board, the Board will review the recommendation of the ~~designated member of the Board~~ Executive Director on a complaint provided pursuant to the provisions of [NAC 623A.511](#) and decide whether to:  
 (a) Dismiss the complaint; or  
 (b) Proceed with a formal disciplinary hearing on the complaint and fix a date for the hearing on the matter.

**3. The estimated economic effect of the regulation on the business which it is to regulate and on the public.** (These must be stated separately and in each case must include:)

(a) Both adverse and beneficial effects; and  
 The economic effect of increasing fees may be an increase in the cost of licensure to the professional if/when the fees are increased by the board to provide the level of service that the licensees are used to. The economic effect to the public may be slight increase in the fees charged by the professional as a part of the overhead cost of doing business. As for the changing of the designation for disciplinary complaint, there is no economic

effect on the public. The economic effect upon NRS Chapter 623A licensees is limited to compliance-related issues typically limited to adjudication hearing, as the full board may hear the complaint.

(b) Both immediate and long-term effects.

There is no immediate effect on the professionals or the public. The board may in the future raise the fees in accordance with standard economic indicators.

As for the changing of the designation for disciplinary complaint, there is no immediate or long-term effect, it would depend on the number of complaints being processed. This is expected to reduce the cost and time of regulatory investigations and adjudication of licensees.

**4. The estimated cost to the agency for enforcement of the proposed regulation.**

Cost to the agency should be minimal.

**5. There are no overlapping or duplicate regulations from local, state or federal agencies.**

The proposed regulation does not overlap or duplicate any regulation.

**6. The regulation is not required pursuant to federal law.**

Does not apply.

**7. The regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.**

Does not apply

**8. Whether proposed regulation establishes a new fee or increases an existing fee.**

The proposed amended regulation NAC623A.240 increases existing fees as approved by 2019 legislature.

Persons wishing to comment upon the proposed action of the Nevada State Board of Landscape Architecture may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Nevada State Board of Landscape Architecture, P.O. Box 34143 Reno, Nevada, 89533, Written submissions must be received by the Nevada State Board of Landscape Architecture on or before November 5, 2020. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Landscape Architecture may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be Amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be Amended will be available at Nevada State Board of Landscape Architecture, 1755 E. Plumb Lane, Reno, NV 89502, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise

statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Nevada State Board Landscape Architecture Website: [nsbla.nv.gov/meetings](https://nsbla.nv.gov/meetings)

Nevada Legislative Website: <https://www.leg.state.nv.us/App/Notice/A>

Nevada Public Notice Website: <https://notice.nv.gov>

Nevada State Board of Landscape Architecture Office: 1755 E. Plumb Lane, Suite 107, Reno, Nv 89502



NEVADA STATE BOARD OF LANDSCAPE ARCHITECTURE  
NOTICE OF INTENT TO ACT UPON A REGULATION  
AGENDA

Steve Sisolak  
Governor

**DATE:** November 6, 2020

**TIME:** 9:00 AM

**BOARD MEMBERS**

Melinda Gustin, President/Public  
Member  
Stan Southwick, Secretary  
Marc Chapelle, CLARB  
Representative  
Laura Miller, Outreach  
Ryan Hansen, Newsletter &  
Website

**PLACE:** Zoom Meeting

<https://us02web.zoom.us/j/6555590472>

**Meeting ID: 655 559 0472**

**Phone Via Zoom at: 16699006833, or mobile at:**

**6555590472# US (San Jose)**

**Meeting ID 655-559-0472**

*Pursuant to the Governor's Emergency Directive 006, this meeting will be conducted online and there will be no physical location for the meeting. This meeting can be viewed live over the Internet at the above stated Zoom Meeting website.*

**Please Note:** The Nevada State Board of Landscape Architecture may 1) take agenda items out of order; 2) combine two or more items for consideration; 3) remove an item from the agenda or delay discussion related to an item at any time. Reasonable efforts will be made to assist and accommodate individuals with disabilities who wish to attend the meeting. Please, contact Ellis Antuñez at (775) 971-4410 ([landscapeboard@nsbla.nv.gov](mailto:landscapeboard@nsbla.nv.gov)), in advance, so that arrangements can be made.

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Proposed additions, amendment and/or repeal of regulations, Chapter 623AA of the Nevada Administrative Code.

1. Introduction – Open Public Hearing

The purpose of the hearing is to receive comments from all interested parties regarding the adoption of regulations that pertain to LCB File No. R055-20P, Chapter 623A of the Nevada Administrative Code. The purpose of the amendment is to bring the following items and language that were approved by the 2019 legislature in NRS623A.240 Fees and NRS623A.305 Consideration of complaint by Executive Director; recommendation to Board; action by Board, into NRS623A.170 and NRS623A.513.



2. Public Comments

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. Close Public Hearing