

**MINUTES OF THE  
SENATE COMMITTEE ON COMMERCE AND LABOR**

**Eightieth Session  
February 13, 2019**

The Senate Committee on Commerce and Labor was called to order by Chair Pat Spearman at 2:16 p.m. on Wednesday, February 13, 2019, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Pat Spearman, Chair  
Senator Kelvin Atkinson, Vice Chair  
Senator Nicole J. Cannizzaro  
Senator James Ohrenschall  
Senator Chris Brooks  
Senator Joseph P. Hardy  
Senator James A. Settelmeyer  
Senator Heidi Seevers Gansert

**STAFF MEMBERS PRESENT:**

Cesar Melgarejo, Policy Analyst  
Marjorie Paslov Thomas, Policy Analyst  
Bryan Fernley, Committee Counsel  
Lynn Hendricks, Committee Secretary

**OTHERS PRESENT:**

Stan Southwick, Nevada State Board of Landscape Architecture  
Ellis Antuñez, Executive Director, Nevada State Board of Landscape Architecture

CHAIR SPEARMAN:

I will open the hearing on Senate Bill (S.B.) 125.

**SENATE BILL 125:** Revises provisions relating to landscape architecture.  
(BDR 54-612)

SENATOR JOSEPH P. HARDY (Senatorial District No. 12):

I am sponsoring this bill in response to a request from Stan Southwick. I will let him explain why we need S.B. 125.

STAN SOUTHWICK (Nevada State Board of Landscape Architecture):

I am a board member of the Nevada State Board of Landscape Architecture (NSBLA). This bill revises *Nevada Revised Statutes* (NRS) 623A, which governs the practice of landscape architecture in Nevada. There are three main items we are asking to be revised. The first is to allow the NSBLA to accept electronic funds as payment for the fees we assess. The second is to allow our executive director to review and investigate violations that come before the NSBLA. The third is to increase the fees we charge.

Last year, the Sunset Subcommittee of the Legislative Commission looked at the NSBLA and recommended that it continue. The report of the Subcommittee is included on pages 2 and 3 of the reference materials provided to the Committee ([Exhibit C](#)). The Subcommittee recommended that we change NRS 623A to allow credit cards, debit cards and any other electronic fund transfer methods be used to pay license fees. Currently, we can only accept checks, cash and money orders.

The Subcommittee recommended that our executive director have the ability to investigate any violations brought before the NSBLA. Currently, our president is designated to investigate violations. If one of these issues comes to a vote of the NSBLA, the president would have to abstain. Since the NSBLA only has five members, we could have a tie vote.

The Subcommittee recommended that the fees listed in the *Nevada Administrative Code* be in line with those listed in the NRS.

Finally, the Subcommittee recommended we implement a continuing education program, which we hope to do at our board meeting on Friday.

These fee increases are necessary to align with our neighboring states. We looked at six of our neighboring states, and the fees they charge for registering, renewing a license, taking the test and so on are listed in page 5 of [Exhibit C](#). As you can see, our fees are considerably lower than most states and lower than the average. We need to get our fees in line with the states around us.

We also know there are going to be administrative costs involved with the continuing education program. We are a self-funding board, and we want to make sure we have sufficient funds to cover that program. Our last fee change was in 2007. We are asking for these fee increases to maintain the level of service needed to protect the health, safety and welfare of our licensees.

CHAIR SPEARMAN:

Did you say that you cannot accept credit or debit cards to pay your fees?

ELLIS ANTUÑEZ (Executive Director, Nevada State Board of Landscape Architecture):

No, we cannot. It is in NRS 623A.240, subsection 4, which states, "The fees prescribed by the Board pursuant to this section must be paid in United States currency in the form of a check, cashier's check or money order."

SENATOR OHRENSCHALL:

How many licensees does the NSBLA supervise?

MR. ANTUÑEZ:

We currently have 385 licensees.

SENATOR OHRENSCHALL:

Do you think these fee increases will dissuade licensees from keeping their licenses active or make them try to sidestep the process?

MR. ANTUÑEZ:

We do not believe so. Our neighbor states charge more and have had greater increases than Nevada. We do not believe these increases will be a hindrance.

SENATOR HARDY:

This bill is self-explanatory. I appreciate the questions about these fee increases. The bill has no fiscal note because the NSBLA is fee-supported. The increased fees will be important for the continuing education program, which is needed for our ongoing assurance that our citizens are safe.

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CHAIR SPEARMAN:

I will close the hearing on S.B. 125. Is there any public comment? Hearing none,  
I will adjourn at 2:27 p.m.

RESPECTFULLY SUBMITTED:

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Lynn Hendricks,  
Committee Secretary

APPROVED BY:

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Senator Pat Spearman, Chair

DATE: \_\_\_\_\_

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	2		Attendance Roster
S.B. 125	C	11	Ellis Antuñez / Nevada State Board of Landscape Architecture	Reference Materials