

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Eighty-First Session  
March 8, 2021**

The Committee on Commerce and Labor was called to order by Chair Sandra Jauregui at 1:31 p.m. on Monday, March 8, 2021, Online. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/81st2021](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Sandra Jauregui, Chair  
Assemblywoman Maggie Carlton, Vice Chair  
Assemblywoman Venicia Considine  
Assemblywoman Bea Duran  
Assemblyman Edgar Flores  
Assemblyman Jason Frierson  
Assemblywoman Melissa Hardy  
Assemblywoman Heidi Kasama  
Assemblywoman Susie Martinez  
Assemblywoman Elaine Marzola  
Assemblyman P.K. O'Neill  
Assemblywoman Jill Tolles

**COMMITTEE MEMBERS ABSENT:**

Assemblywoman Jill Dickman (excused)

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Marjorie Paslov-Thomas, Committee Policy Analyst  
Terri McBride, Committee Manager  
Louis Magriel, Committee Secretary  
Cheryl Williams, Committee Assistant



**OTHERS PRESENT:**

Susan Fisher, representing State Board of Professional Engineers and Land Surveyors  
Patty Mamola, P.E., Executive Director, State Board of Professional Engineers and  
Land Surveyors  
Scott Leedom, Director, Public Affairs, Southwest Gas Corporation

**Chair Jauregui:**

[Roll was called. Committee protocol and virtual rules were discussed.]

[Assemblywoman Carlton assumed the Chair.]

**Vice Chair Carlton:**

We will go ahead and open the hearing on Assembly Bill 173.

**Assembly Bill 173:** Revises provisions relating to professional engineers and land surveyors. (BDR 54-798)

**Assemblywoman Sandra Jauregui, Assembly District No. 41:**

Presenting Assembly Bill 173 with me today is Patty Mamola, professional engineer and Executive Director of the State Board of Professional Engineers and Land Surveyors. With her we also have Susan Fisher, their government liaison. After my introduction, I will hand it over to Ms. Mamola and Ms. Fisher for a brief presentation and questions.

In order to best serve my constituents and the state of Nevada, I used the interim to reach out to stakeholders, cultivate dialogue, and understand the challenges of the institution and industries that we oversee, especially in those areas that come through this Committee. During the interim and in conversations with Ms. Mamola and Ms. Fisher, they flagged a change that would help improve the industry. I was happy to provide them with the vehicle to help make the change, and in return they allowed me to learn about the Board. Ms. Mamola and Ms. Fisher, along with the rest of the State Board of Professional Engineers and Land Surveyors, have been excellent partners and have worked diligently on this legislation.

Today, we would like to present Assembly Bill 173, which revises provisions relating to the licensure of professional engineers who are employees of certain public utility companies as well as examinations relating to the licensure of professional land surveyors.

**Susan Fisher, representing State Board of Professional Engineers and Land Surveyors:**

I have with me Patty Mamola as well as Karen Purcell, who is also a professional engineer and the Chair of the Board. First and foremost, our state regulatory boards do not have bill allocation, so we appreciate and thank Assemblywoman Jauregui for sponsoring this legislation, which will make changes to *Nevada Revised Statutes* 625.095 and 625.270. You should have all received a document from me outlining the two outcomes we hope to achieve with this bill [[Exhibit C](#)]. The two separate issues which are addressed in A.B. 173

are, first, a change recommended by the National Transportation Safety Board (NTSB) to better protect the public, and second, a change to remove what could be a barrier to licensure for those seeking a license to work as a land surveyor.

In October of 2019, as a result of a tragic accident in Massachusetts involving overpressurization of a natural gas distribution system and a resulting explosion, the NTSB issued a safety recommendation to all states that have a certain provision in their statutes, which Nevada has. The recommendation went out regarding an exemption from licensure for professional engineers who are employees of a public utility. That sounds a little bit backward; what we are asking to do is to remove that exemption. In other words, the removal of the exemption means that all future natural gas infrastructure projects will require a licensed professional engineer's approval and stamping. The provisions removing the exemption are found in sections 1 and 3 of A.B. 173, with the guts of it in section 3 of the bill.

The Public Utilities Commission of Nevada (PUCN) will be tasked with adopting regulations to identify the types of projects which will require the use of a licensed professional engineer to approve and stamp the plans. We worked with the PUCN, which was instrumental in drafting the original bill language, along with Southwest Gas Corporation, NV Energy, and our licensees, the professional engineers who are licensed here in Nevada. You will find a letter from the NTSB to Governor Sisolak requesting that the state consider this recommendation [[Exhibit D](#)]. You should also have a letter from the Executive Director of the PUCN, Stephanie Mullen, expressing support [[Exhibit E](#)].

You will find the second issue, which I think is a really easy one, in section 2 of the bill. Currently, our statute states that applicants for a land surveyor's license must do certain things in a certain order before they can be licensed. They must have four or more years of active land surveying experience under a licensed land surveyor before they can sit for the two required examinations, which are the fundamentals of land surveying and principles and practices of land surveying.

In A.B. 173, the same components are still required, but applicants will be able to sit for the exam when they feel comfortable doing so rather than waiting until after they have had four years of field experience. If you have just come out of college and you have all of this information in your head, but you do not have the actual hands-on experience, you may take your exams or you can wait until you have a little bit of field experience. We just want to remove that barrier. This is especially helpful for those potential licensees who may have had a bit of break between the time they graduated with their degree and the time that they actually got into the field.

With that, we would be happy to answer any questions that the hardworking Committee may have. If there are any tough questions, I will turn it over to Ms. Mamola or Ms. Purcell.

**Assemblywoman Jauregui:**

I wanted to note that in the exhibits, you will find a letter of support from Ms. Mamola [[Exhibit F](#)], a letter from the National Transportation Safety Board [[Exhibit D](#)], as well as a couple of other letters in support from the Public Utilities Commission of Nevada [[Exhibit E](#)] and from NV Energy [[Exhibit G](#)].

**Vice Chair Carlton:**

To make sure that we are clear, the requirement to have four years of experience still exists. This is just a matter of timing for when they actually take the exam, correct?

**Susan Fisher:**

Yes. They still have to have four years of experience and the same education level; it is just that they can choose the timing.

**Assemblywoman Considine:**

I wanted to clarify that this bill is specifically in regard to exemptions for folks who work on natural gas lines. Does that mean that there is no exemption for any other public utilities? Does this bill bring it in line with others? Why is it not at the same level for all utilities?

**Patty Mamola, P.E., Executive Director, State Board of Professional Engineers and Land Surveyors:**

The exemption has been in the law for quite some time. Now that it has been in the law, the utility companies would not take kindly to trying to get it removed from the law. That would be a very challenging prospect. There are actually good reasons why the exemption exists; utility companies are inter- and intra-state companies, they work across borders. They would have to get a license in each of those states. Here at the Board, we want to do our best to protect Nevadans from what happened in Merrimack Valley, Massachusetts, and support the NTSB's recommendation to remove that exemption for the natural gas utility work that those utility companies do. At this time, we would not want to pursue removing the entire exemption for all of the utility companies such as electric companies.

**Vice Chair Carlton:**

I do not believe that I see any Committee members wishing to ask a question at this time. Do we have anyone other than the presenters here to testify in support? [There was no one.] Can we go to the telephone line to see if there is anyone signed up in support?

**Scott Leedom, Director, Public Affairs, Southwest Gas Corporation:**

I appreciate the opportunity to make a few brief comments in support of Assembly Bill 173. To be consistent with the NTSB's recommendation, Southwest Gas Corporation supports the removal of the current public utilities exemption in state licensing laws for complex and high-risk natural gas projects, provided that a clear delineation is made between the jurisdictional authority for natural gas pipeline safety compliance currently held by the Public Utilities Commission of Nevada and the oversight of the licensing of professional engineers held by the state licensing boards. We feel like this legislation accomplishes that.

We are very appreciative of Ms. Susan Fisher, the State Board of Professional Engineers and Land Surveyors, and the PUCN for reaching out to us many months ago to work with us on this legislation and get us to a place where we can support it. We appreciate the efforts that were made, and we are in full support of the bill as drafted.

**Vice Chair Carlton:**

Is there anyone else on the telephone line for testimony in support? [There was no one.] Can we go to testifiers in opposition? [There was no one.] Can we go to testifiers in neutral? [There was no one.] Assemblywoman Jauregui, are there any closing remarks?

**Assemblywoman Jauregui:**

I am going to hand it over to my copresenters to see if they would like to give any closing remarks.

**Susan Fisher:**

We feel that this is in the interests of all Nevadans and we appreciate your support of this provision.

[[Exhibit H](#), a brochure from the National Transportation Safety Board, was submitted but not discussed and is included as an exhibit of the hearing.]

**Vice Chair Carlton:**

I will go ahead and close the hearing on Assembly Bill 173.

[Assemblywoman Jauregui reassumed the Chair.]

**Chair Jauregui:**

We will go to the last item on our agenda, which is public comment. [Protocol concerning public comment was discussed.] Is there anyone on the telephone line for public comment? [There was no one.] Committee members, our next meeting will be on Wednesday, March 10, at 1:30 p.m. We are adjourned [at 1:50 p.m.].

RESPECTFULLY SUBMITTED:

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Louis Magriel  
Committee Secretary

APPROVED BY:

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Assemblywoman Sandra Jauregui, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a document titled "AB 173," presented and submitted by Susan Fisher, representing State Board of Professional Engineers and Land Surveyors, regarding Assembly Bill 173.

[Exhibit D](#) is a letter to Governor Sisolak, dated February 12, 2021, signed by Robert L. Sumwalt, III, Chairman, National Transportation Safety Board, submitted by Susan Fisher, representing State Board of Professional Engineers and Land Surveyors, regarding a safety recommendation implemented in Assembly Bill 173.

[Exhibit E](#) is a letter to the Assembly Committee on Commerce and Labor, dated March 2, 2021, signed by Stephanie Mullen, Executive Director, Public Utilities Commission of Nevada, submitted by Susan Fisher, representing State Board of Professional Engineers and Land Surveyors, in support of Assembly Bill 173.

[Exhibit F](#) is a letter to Governor Sisolak, dated February 25, 2021, signed by Patty Mamola, P.E., Executive Director, State Board of Professional Engineers and Land Surveyors, submitted by Susan Fisher, representing State Board of Professional Engineers and Land Surveyors, in support of Assembly Bill 173.

[Exhibit G](#) is a letter to Chair Jauregui, et al., dated March 8, 2021, signed by Jesse Murray, Vice President of Gas Delivery, NV Energy, submitted by Christina B. Shaver, Senior Government Strategy Adviser, NV Energy, in support of Assembly Bill 173.

[Exhibit H](#) is a brochure titled "NTSB Recommendations and You," submitted by Susan Fisher, representing State Board of Professional Engineers and Land Surveyors, regarding a safety recommendation implemented in Assembly Bill 173.