



NEVADA STATE BOARD OF LANDSCAPE ARCHITECTURE
NOTICE OF WORKSHOP
TO SOLICIT COMMENTS

AGENDA

Joe Lombardo
Governor

DATE: March 24, 2023

BOARD MEMBERS

Stan Southwick, President

Melinda Gustin,
Secretary/Public Member

Marc Chapelle, CLARB
Representative

Laura Miller, Newsletter Editor

John L'Etoile, Outreach

DEPUTY ATTORNEY GENERAL
Henna Rasul

EXECUTIVE DIRECTOR
Ellis Antuñez

TIME: 1:00 PM

Teleconference Access:

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

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), in advance, so that arrangements can be made.

1. CALL TO ORDER-Stan Southwick, President

- 2. PUBLIC COMMENT:** Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later date. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126. *The public may comment via video conference or telephone using the meeting identification listed above.*

3. INTRODUCTION – OPEN PUBLIC WORKSHOP

Pursuant to Governor's Executive Order Numbers 2023-003 & 004

The purpose of the Workshop is to solicit comments on the Nevada Administrative Code 623A (NAC 623A). Pursuant to the Governor's Executive Orders Number 2023-003 & 004 a review of NAC 623A is to be conducted. Public comments will be limited to 5 minutes per person and must be directly related to the proposed regulation topics. Interested parties are strongly encouraged to submit comments in writing prior to the Workshop. See Attachments.



- 4. Public Comment:** Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later date. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126. *The public may comment via video conference or telephone using the meeting identification listed above.*

5. ADJOURNMENT

At the discretion of the Chair, public comment is welcomed by the Board, but will be limited to five minutes per person. A public comment time will be available at the beginning of the meeting and then once again prior to adjournment of the meeting. The Chair may allow additional time to be given a speaker as time allows and at his/her discretion. Once all items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126.

Anyone desiring agenda or supporting Materials regarding any board meeting is invited to call or email the Executive Director, Ellis Antuñez at (775) 971-4410 or by email at landscapeboard@nsbla.nv.gov and is available on the web site: <http://landscapeboard.nv.gov/Agendas.html> The agenda and supporting materials may also be picked up in person at 1755 E. Plumb Lane, Suite 107, Reno, Nevada 89502

In accordance with NRS 241.020, this public notice and agenda was posted on or before February 22 on the Nevada State Board of Landscape Architecture website, <http://landscapeboard.nv.gov>, the State of Nevada's Public Notice Website, <https://notice.nv.gov>, and in the following locations:

- A. Nevada State Board of Landscape Architecture, 1755 E. Plumb Lane, Suite 107-C, Reno, NV 89502
 - B. NEVADA State Board of Landscape Architecture Website:
<http://nsbla.nv.gov/meetings/2020/home>
 - C. Nevada Meeting Notice Website: <https://NV.GOV>
 - D. Nevada Legislature Administrative Regulation Notices:
<https://www.leg.state.nv.us/App/Notice/A/>
- The Board reserves the right to change the order of items (other than those items posted with a specific date and time) on the agenda. Agenda items may be taken out of sequence to accommodate persons appearing before the Board and/or to aid in the effectiveness of the meeting.
 - The Board is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements are necessary, in this regard, please notify Ellis Antuñez at 1755 E. Plumb Lane, Suite 107, Reno, NV 89502 or phone at 775 971-4410 as soon as possible prior to the date of the meeting.
 - This Agenda was sent to all requestors for notice in accordance with NRS 241.0203B. Persons/facilities must submit a request in writing every six months, NRS241.0204(c).
 - With regard to any Board meeting, it is possible that an amended notice will be published adding new items to the original agenda. Amended notices will be posted in accordance with the Open Meeting Law.



AFFIDAVIT OF POSTING
Revised 2-22-2023

The undersigned affirms that on or before 9AM on February 22, 2023, he/she posted a copy of the Notice of Public Meeting and Agenda for the March 24, 2023 meeting of the Nevada State Board of Landscape Architecture in accordance with NRS 241.020: said agenda was posted at the following location:

Signature	Title	Date & Time of Posting
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EXECUTIVE ORDER 2023-003

Order Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations by All Executive Branch Agencies, Departments, Boards and Commissions

WHEREAS, state regulations should protect workers, consumers and the environment, while promoting entrepreneurship and economic growth; and

WHEREAS, state regulations can become outdated, result in unintended consequences, create conflicts or impose an unnecessary burden on citizens, businesses or government entities; and

WHEREAS, it is in the best interest of the state of Nevada that its regulatory environment be concise, transparent, stable, balanced, predictable and thoughtfully constructed; and

WHEREAS, Nevada's current regulatory structure is too often unfocused and inefficient, contains regulations that are obsolete and includes regulations that are unnecessarily onerous, thereby limiting the economic potential of the State; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

SECTION 1

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor's office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

SECTION 2:

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

SECTION 3:

Prior to submitting their respective reports, every executive branch department, agency, board and commission shall hold a public hearing, after having provided reasonable notice consistent with Chapter 233B of the Nevada Revised Statutes, to key industry stakeholders, to: (i) vet their recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration. Stakeholder input shall be reflected in the summary of findings and recommendations included in each submitted report.

SECTION 4:

Unless specifically exempt from this Executive Order as set forth in Section 5, no new regulations shall be proposed, approved or acted on by any executive branch agency, department, board or commission until such time as this Executive Order is rescinded.

SECTION 5:

The following regulations are not subject to the suspension set forth in Section 4:


- (a) Regulations that affect public health;

- (b) Regulations that affect public safety and security;
- (c) Regulations that are necessary in the pursuit of federal funds and certifications;
- (d) Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;
- (e) Regulations that affect pending judicial deadlines; and
- (f) Regulations necessary to comply with federal law.


Until the suspension of this Executive Order, each executive branch department, agency, board and commission that intends to continue with the enactment of a proposed regulation under an exception to the freeze set forth in Section 4 shall submit a report to the Governor's office identifying which exemption the proposed regulation falls within and detailing the problem the regulation addresses or the value to the public of the regulation, how the regulation addresses the problem or the benefits provided by the regulation, why alternate forms of regulation are insufficient to address the problem and whether other regulations currently address the problem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twenty-three.





Governor



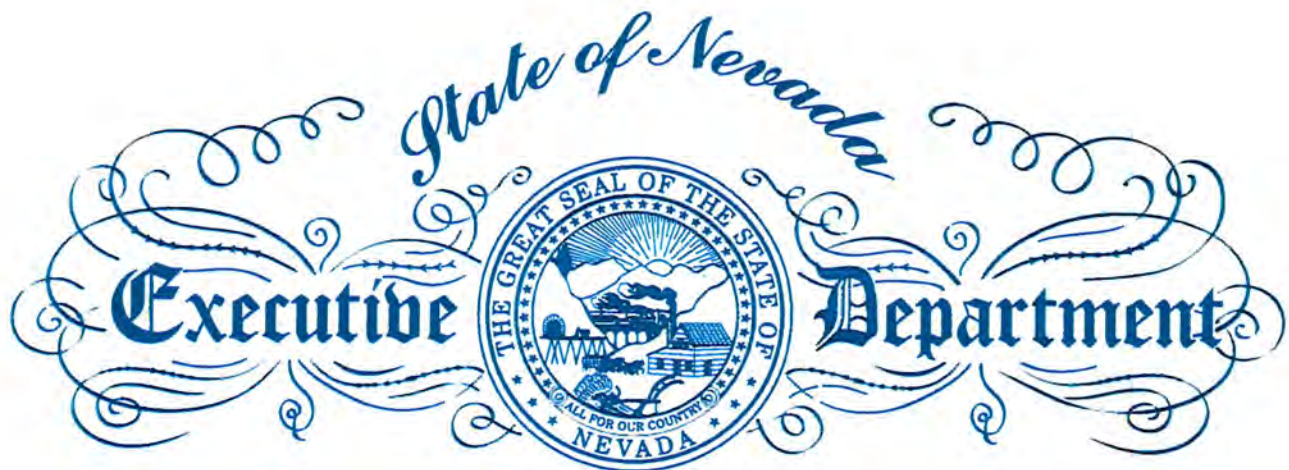
Secretary of State



Deputy

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EXECUTIVE ORDER 2023-004

Order Directing All Nevada Occupational and Professional Licensing Boards to Suspend the Issuance of Any New Regulations, Show Cause for All Occupational Licensing Requirements and to Provide a Recommended Pathway for Facilitating Licensure Reciprocity

WHEREAS, Nevada's economic growth and vitality is dependent upon the depth and quality of the State's workforce; and

WHEREAS, Nevada currently has 1.7 job openings for every unemployed person actively looking for work and there are acute shortages of employees in core sectors of the economy, including, without limitation, education, health care and technology; and

WHEREAS, Nevada has been identified nationally as having among the nation's most onerous occupational licensing requirements, and it is in the State's best long-term economic interest to have a fair, open, competitive and inclusive economy; and

WHEREAS, the Sunset Subcommittee of the Nevada State Legislature identified financial disparities and expressed concerns with practices of Nevada's occupational and professional licensing boards including, without limitation, those involving hearing officers, training, operating reserves, fines and fee structures, electronic access and payments, use of outside counsel and lobbyists and centralized coordination of expenditures; and

WHEREAS, The State Division of Internal Audits concluded that the current composition and actions of Nevada occupational and professional licensing Boards may expose the State to anti-trust liability; and

WHEREAS, it is in the best interest of Nevada that its occupational and professional licensing boards are seeking opportunities to attract and retain qualified workers to the State and not create unnecessary barriers to entry; and

WHEREAS, Nevada's occupational and professional licensing boards are subject to oversight by both the legislative and executive branch of government; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada."

NOW, THEREFORE by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

SECTION 1:

Effective immediately and until the suspension of this order, all Nevada occupational and professional licensing boards shall suspend the creation of any new regulations that limit or otherwise impact the ability persons to enter any occupation or profession in Nevada.

SECTION 2:

Before April 1, 2023, all Nevada occupational and professional licensing boards shall provide a report to the Office of the Governor and the Director of the Legislative Counsel Bureau detailing all regulations that restrict entry into any occupation or profession regulated by the board. Section 1 of the report shall include, at a minimum, all pertinent regulations, fees and other costs, examinations and any other requirements for entry into any occupation or profession regulated by the board. Section 2 of the report shall include, at a minimum, the board's justification for the regulations, fees and other costs, examinations and other requirements set forth in Section 1 of the report. Section 2 shall also include an analysis of the number of states that currently license

each profession or occupation regulated by the board. Section 3 of the report shall provide, at a minimum, any recommended revisions to the current regulatory construct that would expedite licensure for new workers. Finally, Section 4 of the report shall identify state compacts or any other pathways to professional licensure reciprocity that exist regionally, nationally or internationally. Section 4 shall also include a summary of states currently providing reciprocity for each profession or occupation regulated by the board to include those states that do not license the profession or occupation, and therefore, do not require reciprocity. To the extent Nevada does not currently participate in any identified reciprocity opportunity, the board's report shall provide a justification as to why Nevada does not currently participate and shall set forth an action plan should the state decide it should participate in such a reciprocity program.

SECTION 3:

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.

SECTION 4:

To the extent an occupation or profession that is currently licensed in Nevada allows for licensing reciprocity in the majority of states (26 or more), reciprocity shall be presumed to be possible and appropriate, and the board shall provide a recommendation for implementing a program for reciprocity participation by July 1, 2023.

SECTION 5:


Failure for any board to fully comply with the provisions of this order shall trigger an immediate operational and financial audit of the board by the Division of Internal Audits as well as recommendation to the Legislature that the board be subject to sanctions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twentythree.





Governor



Secretary of State



Deputy

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