



NEVADA STATE BOARD OF LANDSCAPE ARCHITECTURE
QUARTERLY MEETING MINUTES
August 23, 2019

PLACE: Suite 107, 1755 E. Plumb Lane, Reno, NV 89502 & video via Zoom to Southwick Landscape Architects, 1700 West Horizon Ridge Parkway, Suite 203, Henderson, NV 89012, and Laura B. Miller, RLA.

Board Members:

Present in Reno: Melinda Gustin, Marc Chapelle, Ryan Hansen
Present in Henderson: Stan Southwick, Laura Miller

Staff Present in Reno: Ellis Antuñez, Executive Director

Staff Present in Henderson: Sophia Long, Deputy Attorney General

Guest Present in Henderson: Dave Farley, President NVASLA

Guest on-line video: Shan Cai, applicant for licensure

Call to Order: By President Melinda Gustin at 10:09 AM
A Quorum was established.

Public Comment: None

3. Meeting Minutes of May 17, 2019, Motion to approve, by Laura Miller, Second by Ryan Hansen. Passed unanimously.

Motion by Ryan Hansen, second by Laura Miller to move New Business to be heard at this time. Passed unanimously

New Business:

Motion was made by Ryan Hansen, second by Laura Miller to move New Business Agenda Items to be heard at this time. Passed Unanimously.

A.1) Motion to approve license for Shan Cai by Laura Miller, Second by Marc Chapelle, Passed unanimously

2) Motion to approve license for Shane Ice by Laura Miller, Second by Ryan Hansen, Passed unanimously

B. A discussion followed about the strategic plan that was being worked on last year prior to workshops on the changes to the NAC and NRS. Stan Southwick and Ellis will work to put together the plan for presentation at the next meeting.

C. A discussion followed concerning to Nevada Specific Exam. Laura will review the bank of existing questions and provide a mockup of the exam with the questions to be included into the current exams in-place of questions that are missed the most often.

D. The current website has information and articles that need updating. Marc Chapelle will author an update on CLARB and its new leadership model.



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- E. An article for NVASLA Newsletter on a rotating basis from board members was discussed. The articles will cover what is happening at the board level, especially after the quarterly meetings. Laura Miller will author the article for the upcoming NVASLA newsletter.

4. Old Business:

An update on the legislative bills that will possibly affect the operation of the board was presented.

- 1) SB125 Update on the legislation. The bill was passed in both houses of the legislature and signed into law by Governor Sisolak.
- 2) SB128 did not make it out of the legislature.
- 3) SB162 was passed and signed into law, it allows the use of Electronic Transactions i.e. blockchains to be used for payment.
- 4) SB 164 was passed and signed into law; it allows for virtual currencies to be used for payment.
- 5) SB219; This bill was passed and signed into law, it allows boards and agencies of the state to accept credit cards.
- 6) SB 287 was passed and signed into law, it modifies the retention times of files, recordings and meeting minutes.
- 7) SB 388 was passed and signed into law, this allows for electronic archiving of files, meetings, correspondence, etc.
- 8) AB70 was passed and signed into law,
- 9) AB 275 was passed and signed into law,
- 10) AB319 was passed and signed into law,
- 11) SCR6 was passed and signed into law establishing the Sunset Subcommittee to continue the review of the boards and commissions in the state.

B. There are changes to NRS 622 were discussed, especially, the use of fingerprinting and background checks. It was stated that most boards have applicants pay for these.

5. Executive Director Report:

- A. 1. Total Balance of All accounts as of August 22, 2019: \$160,234.57
This includes: Checking, Savings & CD.
A discussion followed that included possible changing of bank institution, also investigate the credit card and other possible ways of accepting payments.
2. A review of the current fiscal year budget statement; FY2018-2019.
With a comparison to FY2017-18. Also, a discussion of the current budget followed with recognition to the changes that are to be made due to the office move, new phone service, moving cost, and zoom communication software use. A discussion followed



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3. A review and discussion of the Budget for FY2019-2020 followed, The following changes to the budget were proposed:
 - 1) Increase Meeting Salary per Board Member to \$150 per day as per NRS623A.090.1(a) This increases line item 071 by \$600.
 - 2) Move the \$5000 listed online item 166 in FY2018-19 budget to the following FY2019-20 line items; \$600 to 071 board salary the remainder to 136 Office Rent for new office and moving expenses.
- B. The number of new licenses granted via reciprocity by CLARB Council Record in the past quarter: 5. Number of current registrants to date: 343 including those approved today.
- C. The Governor's Audit is following up on Part 2 of the annual audit from last year. A survey was sent out requesting the following information: Individual salary of staff, cost of social security or PERS, Medicare, and Employment security fees. A report to follow once all information is gathered and collated.
- D. Received a codified version of NAC623A. After review, it was found that NAC623A.511 did not delete the "designated board member" and add "executive director" as the person to review the complaint and recommend to the board that proceedings to take place. As NRS623A was changed in the last legislature with the executive director replacing the designated board member for complaint reviews and process of determination and presentation to the board, this may be a moot point. As a future date, the board may want to visit the NAC623A to make the change.
- E. The changes to NRS623A as proposed to the last legislature was approved. Waiting on the codification for Legislative Council Bureau for review.
- F. Review and approval of the following Policies were discussed;
 - 1) Nevada Specific Exam Timeline, currently 90 days, if an applicant takes longer, they must pay for new exam. A motion to reduce the timeline to 45 days. Motion by Laura Miller, second by Stan Southwick. Passed unanimously. A question was asked as to what if the applicant goes over 45 days. A motion was made that the applicant goes past the 45 day deadline, a new fee and exam is required. Motion by Marc Chapelle, second by Ryan Hansen, Motion Passed Unanimously.
 - 2) A discussion and approval of a policy for initial Nevada Landscape Architect license was brought forward. There have been applicants, that have applied for a license by and have not followed through with completing the requirements within one year. Requirements include, 1) payment for and/or completing the Nevada Specific Exam, and/or 2) paying for the registration, certificate, and stamp. Motion to establish a one (1) year timeline to complete the process, failure to do so requires the reciprocity or LARE initial license applicant to start over. Motion to approve by Ryan Hansen, Second by Laura Miller. Motion Passed Unanimously.



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- G. An update on the costs for the relocation of the office to the current address was presented. The total costs, including Movers, Telephone and Internet installation, Phone purchase, Security Deposit for new office was \$796. Monthly office rent is \$409.
 - H. The Legislative Committee met on Wednesday August 21, 2019 and did not name the chair or committee members for the Sunset Subcommittee. Therefore, the letter to the Subcommittee concerning the implementation of Continuing Education is on hold until the committee and its chair are identified.
 - I. A topic of purchasing new equipment for the office was discussed. The current need is for a new computer and software. The current laptop is 3 years old. The new computer would be a standalone and monitor with webcam capabilities. A motion to spend up to \$2500 for a new computer and monitor with \$200 for new Microsoft software to be included. Motion by Ryan Hansen, Second by Marc Chapelle, Passed Unanimous.
7. Marc Chapelle reported on the following CLARB topics:
- A. In-the-know Webinars & Foresight have been held every month for the past 4 months. On August 22, the Region 5 meeting was held as a webcast. The various jurisdictions within the region reported as to their specific 'hot topics'. There was a presentation concerning the new governance structure for CLARB that will be voted on at the annual meeting in September. A vote for regional director was taken with 2 candidates vying for the position. Marc presented the vote from the Nevada Board. Winner to be announced.
 - B. The annual meeting will have a vote on the new governance structure for CLARB. The board authorized Marc to cast the following votes at the annual meeting: Resolution 1, support the resolution. Motion by Ryan Hansen, second by Marc Chapelle, Pass unanimously.
Resolution 2, support resolution. Motion by Stan Southwick, second by Marc Chapelle, Pass unanimously.
Indiana Amendment to Resolution 2, No vote Motion by Ryan Hansen, second by Stan Southwick.
If Indiana Amend passes, No vote on Resolution 2 with amendment, motion by Ryan Hansen, second by Stan Southwick, Passed unanimously.
Resolution 3, Motion to support resolution by Marc Chapelle, second by Ryan Hansen. Passed unanimously.
For the resolutions and the Indiana Amendment see the attachment to these minutes.



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- C. Marc will represent the Nevada Board at the Annual Meeting. Ellis will represent the Member Board Executive as the Nevada Representative to the Member Board Executive Committee.

The Board Reviewed and voted for CLARB officers:

President Elect: Cary Baird, Motion by Ryan Hansen, second Stan Southwick, Passed Unanimously.

Vice President: Les Smith, Motion by Marc Chapelle, second by Laura Miller, Passed unanimously.

Treasurer: Allison Fleury, Motion by Stan Southwick, second by Laura Miller, Passed unanimously.

Committee on Nominations: Chad Danos and Deb Peters, Motion by Marc Chapelle, second by Ryan Hansen, Passed Unanimously.

2019 Annual Meeting in St. Louis, Mo. At the Four Seasons Hotel, September 26 -28 with arrival on September 25 and depart on the 28th. Still waiting to find out more about the CLARB 50th Anniversary, may find out in St. Louis.

- D. Stan read David Farley's present notes on NVASLA information; 88 members of the chapter. The chapter is sponsoring Parking Day on September 20, 2019. Pink Flamingo on November 2, 2019. The executive committee retreat on November 2, 2019. Developing a mentorship program with UNLV, pairing professionals with students in the L.A. program. Looking for possible assistance for Fellow Nomination, as the timeline is approaching at the beginning of the year. New committees are being looked at to get people involved in the chapter. Recognize the Site Tour in Carson City.

8. Topics for Future Meetings

Strategic Plan to review in November meeting.

Report on NV Exam Update.

Vote for 2020 board officers

Sending yearly licenses as an electronic PDF vs hard copy.

9. Next meeting Dates

November 1, 2019 in Las Vegas.

10. Public Comment: None

11. Meeting Adjourned at 1:15PM

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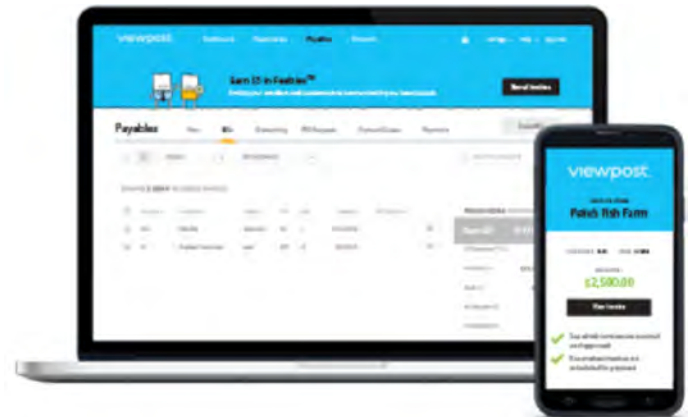
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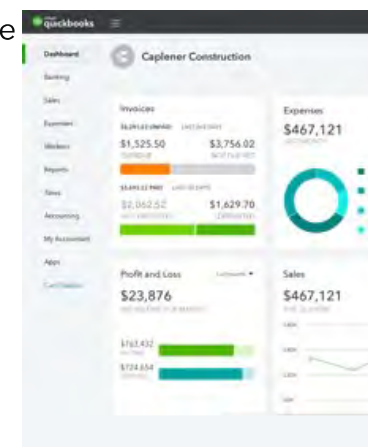
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Small business owners love PayPal because of its affordable, transparent pricing. The very small businesses we spoke with said they chose PayPal over other credit card processors because the rates are friendlier for lower-volume sales. Here's a breakdown of PayPal's transaction fees:

- In-person sales accepted using the PayPal Here app and a card reader cost 2.7% per transaction.
- Online transactions (invoice and e-commerce) cost 2.9% + \$0.30 per transaction.
- Cards that you accept using PayPal's virtual terminal cost 3.1% + \$0.30 per transaction.
- Cards that you manually key into the app cost 3.5% + \$0.15 per transaction.
- Registered charitable organizations can apply for discounts on online donation transactions. These cost 2.2% + \$0.30 per transaction.

PayPal doesn't charge any application or setup fees, monthly fees, or PCI compliance fees. If a customer disputes a charge, there is a \$20 chargeback fee. The company doesn't require any long-term contracts, so you won't be hit with a hefty early-termination fee if you decide the service no longer suits your business.

Helcim

[Helcim](#) uses the interchange-plus pricing structure, and the retail merchant rates posted on its website are lower than average. When evaluating interchange-plus pricing, keep in mind that the percentage rate and the per-transaction fee are the processor's margin and will be added to the base interchange rate and card brand fee set by the credit card networks. Here's how Helcim's pricing works:

- In-person sales accepted using a card reader: 0.25% + \$0.8 above interchange
- Online transactions (invoices and e-commerce sales): 0.45% + \$0.25 above interchange
- Registered nonprofit organizations receive a discounted rate: 0.10% + \$0.10 above interchange

Volume-based discounts are available for businesses that process more than \$25,000 per month. You can view Helcim's complete discount rate table on its website.

Monthly Fees

Like most full-service processors, Helcim charges a monthly fee for its services. Although it's higher than the monthly fees many of its competitors charge for statements and customer service, Helcim's monthly fees include PCI compliance, which is normally a separate fee. It also includes access to the Helcim Commerce platform, which includes a virtual terminal, invoicing and customer management tools. The retail fee includes a point-of-sale app, and the online fee includes a hosted online store. Here are Helcim's monthly fees:

- If you accept credit cards in person, you pay a retail monthly fee of \$15.
- If you accept credit cards online, you pay an online monthly fee of \$35.
- If you accept credit cards in person and online, you pay a monthly fee of \$50.

Incidental Fees

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- Each time a customer disputes a charge and requests a payment reversal, you pay a \$15 chargeback fee.
- If you fail to establish your PCI compliance, you pay a \$60 PCI non-compliance fee each month until you get your compliance certificate. This is an expensive fee meant to discourage you from letting your compliance lapse. You can avoid it by taking your PCI self-assessment questionnaire within the first 90 days of setting up your account and annually thereafter.
- If you change your bank account or business name, you pay a \$25 fee.

Other Fees

There are several fees that Helcim doesn't charge. There's no application or setup fee, and because it provides services on a month-to-month basis, there's no cancellation or early

termination fee. There's no PCI compliance fee either, as it's already included in the monthly fee. Here are some other fees you may pay if you add extra features to your account:

- Helcim deposits the money from your transactions into your bank account within two business days. If you need your money faster than this, you can pay an extra \$10 per month for next-day deposits.
- If you have international clients and need multicurrency processing, it costs \$25 per month.
- If your business primarily sells to other businesses or the government, level 3 data processing may reduce your transaction rates and save you money. This service costs \$25 per month.
- If your customers prefer to pay invoices using ACH transfers, you can add ACH processing to your account for \$25 per month plus 25 cents per transaction.
- You can add an additional location or merchant ID to your account for \$15 per month.

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1:35 PM

10/28/19

Cash Basis

Nevada State Board of Landscape Architecture
Profit & Loss Prev Year Comparison
July 1 through October 28, 2019

	Jul 1 - Oct 28, 19	Jul 1 - Oct 28, 18	\$ Change	% Change
Income				
001 · Application Fees				
002 · LAIT (\$50)	100.00	0.00	100.00	100.0%
003 · LARE (\$175)	175.00	0.00	175.00	100.0%
004 · Reciprocity (\$100)	1,000.00	1,000.00	0.00	0.0%
Total 001 · Application Fees	1,275.00	1,000.00	275.00	27.5%
010 · Exam Fees				
015 · Nevada Specific Exam (\$75)	825.00	675.00	150.00	22.2%
Total 010 · Exam Fees	825.00	675.00	150.00	22.2%
020 · Interest Income	180.09	25.99	154.10	592.9%
030 · New Registration Fees				
031 · New Certificate Fee (\$25)	200.00	225.00	-25.00	-11.1%
032 · New License Fee - LARE (\$200)	325.00	200.00	125.00	62.5%
033 · New License Fee - Recipr (\$200)	1,325.00	1,800.00	-475.00	-26.4%
034 · New Stamp Fee (\$25)	250.00	250.00	0.00	0.0%
Total 030 · New Registration Fees	2,100.00	2,475.00	-375.00	-15.2%
040 · Registration Renewal Fees				
041 · Reinstatement Fee (\$300)	300.00	300.00	0.00	0.0%
042 · Renewal Delinquency Fee (\$50)	1,700.00	900.00	800.00	88.9%
043 · Renewal Fee LA (\$200)	65,634.00	68,117.02	-2,483.02	-3.7%
044 · Renewal Fee LAIT (\$100)	100.00	0.00	100.00	100.0%
045 · Duplicate Renewal License (\$25)	25.00	0.00	25.00	100.0%
Total 040 · Registration Renewal Fees	67,759.00	69,317.02	-1,558.02	-2.3%
050 · Other Income				
051 · Address Change (\$10)	80.00	390.00	-310.00	-79.5%
053 · Electronic/Replacemt Stamp(\$25)	50.00	75.00	-25.00	-33.3%
055 · Returned Check Fee (\$25)	13.00	0.00	13.00	100.0%
056 · Duplicate Certificate Fee (\$25)	25.00	25.00	0.00	0.0%
Total 050 · Other Income	168.00	490.00	-322.00	-65.7%
Total Income	72,307.09	73,983.01	-1,675.92	-2.3%
Gross Profit	72,307.09	73,983.01	-1,675.92	-2.3%
Expense				
070 · Board Expenses				
071 · Board Member Mtg Fee (\$150)	600.00	390.00	210.00	53.9%
072 · Meals - Board Meetings	58.65	119.21	-60.56	-50.8%
073 · Travel - Board Meetings	340.96	412.32	-71.36	-17.3%
Total 070 · Board Expenses	999.61	921.53	78.08	8.5%
080 · CLARB Affiliation Dues	5,475.00	5,820.00	-345.00	-5.9%
090 · CLARB Annual Meeting Expenses				
091 · Board Member Per Diem (\$150)	450.00	0.00	450.00	100.0%
093 · Annual Meeting Registration	975.00	1,462.50	-487.50	-33.3%
094 · Travel	864.00	1,617.64	-753.64	-46.6%
095 · Meals	66.90	172.25	-105.35	-61.2%
096 · Lodging	1,438.26	2,041.27	-603.01	-29.5%
Total 090 · CLARB Annual Meeting Expenses	3,794.16	5,293.66	-1,499.50	-28.3%

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10/28/19

Cash Basis

Nevada State Board of Landscape Architecture
Profit & Loss Prev Year Comparison
July 1 through October 28, 2019

	Jul 1 - Oct 28, 19	Jul 1 - Oct 28, 18	\$ Change	% Change
130 · Office Expenses				
131 · Grasshopper	0.00	5.00	-5.00	-100.0%
132 · DoIT Email & Web Hosting	446.20	353.37	92.83	26.3%
133 · Miscellaneous Office Expense	189.74	0.00	189.74	100.0%
134 · Licensee Stamp	166.00	213.00	-47.00	-22.1%
135 · Computer Updates & Maint	399.88	149.99	249.89	166.6%
136 · Office Rent	1,093.84	1,400.00	-306.16	-21.9%
137 · Office Supplies	26.98	111.97	-84.99	-75.9%
138 · Post Office Box Rent	3.45	0.00	3.45	100.0%
139 · Postage & Delivery	0.00	9.20	-9.20	-100.0%
141 · Telephone, Fax & Internet	498.68	439.38	59.30	13.5%
145 · Capital Equipment & Furniture	1,991.88	0.00	1,991.88	100.0%
Total 130 · Office Expenses	4,816.65	2,681.91	2,134.74	79.6%
150 · Payroll Expenses				
152 · Executive Director	12,333.32	12,333.32	0.00	0.0%
153 · Executive Director - Bonus	7,299.40	0.00	7,299.40	100.0%
154 · Mileage	11.60	21.80	-10.20	-46.8%
157 · Payroll Taxes	1,692.40	1,165.49	526.91	45.2%
159 · Payroll Service	500.00	472.00	28.00	5.9%
150 · Payroll Expenses - Other	8.75	0.00	8.75	100.0%
Total 150 · Payroll Expenses	21,845.47	13,992.61	7,852.86	56.1%
160 · Professional Fees				
162 · Bookkeeping	1,430.00	325.00	1,105.00	340.0%
163 · Attorney General's Office	740.93	2,485.19	-1,744.26	-70.2%
165 · Legislative Counsel Bureau	0.00	1,000.00	-1,000.00	-100.0%
167 · Liability Insurance	470.97	533.89	-62.92	-11.8%
Total 160 · Professional Fees	2,641.90	4,344.08	-1,702.18	-39.2%
Total Expense	39,572.79	33,053.79	6,519.00	19.7%
Net Income	32,734.30	40,929.22	-8,194.92	-20.0%

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10/28/19

Cash Basis

Nevada State Board of Landscape Architecture
Profit & Loss Budget vs. Actual
July 1 through October 28, 2019

	Jul 1 - Oct 28, 19	Budget	\$ Over Budget	% of Budget
Income				
001 · Application Fees				
002 · LAIT (\$50)	100.00	50.00	50.00	200.0%
003 · LARE (\$175)	175.00	175.00	0.00	100.0%
004 · Reciprocity (\$100)	1,000.00	1,500.00	-500.00	66.7%
001 · Application Fees - Other	0.00	0.00	0.00	0.0%
Total 001 · Application Fees	1,275.00	1,725.00	-450.00	73.9%
010 · Exam Fees				
011 · Redline Reviewer Fee (\$50)	0.00	0.00	0.00	0.0%
012 · LARE - Late Fee (\$100)	0.00	0.00	0.00	0.0%
013 · LARE - Section C & E (\$280)	0.00	0.00	0.00	0.0%
014 · LARE - Sitting Fee (\$100/sectn)	0.00	0.00	0.00	0.0%
015 · Nevada Specific Exam (\$75)	825.00	1,000.00	-175.00	82.5%
016 · Redline Review (\$120)	0.00	0.00	0.00	0.0%
010 · Exam Fees - Other	0.00	0.00	0.00	0.0%
Total 010 · Exam Fees	825.00	1,000.00	-175.00	82.5%
020 · Interest Income	180.09	35.00	145.09	514.5%
025 · Credit Card Fee Income	0.00	0.00	0.00	0.0%
030 · New Registration Fees				
031 · New Certificate Fee (\$25)	200.00	300.00	-100.00	66.7%
032 · New License Fee - LARE (\$200)	325.00	200.00	125.00	162.5%
033 · New License Fee - Recipr (\$200)	1,325.00	2,400.00	-1,075.00	55.2%
034 · New Stamp Fee (\$25)	250.00	325.00	-75.00	76.9%
030 · New Registration Fees - Other	0.00	0.00	0.00	0.0%
Total 030 · New Registration Fees	2,100.00	3,225.00	-1,125.00	65.1%
040 · Registration Renewal Fees				
041 · Reinstatement Fee (\$300)	300.00	500.00	-200.00	60.0%
042 · Renewal Delinquency Fee (\$50)	1,700.00	600.00	1,100.00	283.3%
043 · Renewal Fee LA (\$200)	65,634.00	65,700.00	-66.00	99.9%
044 · Renewal Fee LAIT (\$100)	100.00	100.00	0.00	100.0%
045 · Duplicate Renewal License (\$25)	25.00	25.00	0.00	100.0%
040 · Registration Renewal Fees - Other	0.00	0.00	0.00	0.0%
Total 040 · Registration Renewal Fees	67,759.00	66,925.00	834.00	101.2%
050 · Other Income				
051 · Address Change (\$10)	80.00	120.00	-40.00	66.7%
052 · Nevada Blue Book (\$5)	0.00	0.00	0.00	0.0%
053 · Electronic/Replacemt Stamp(\$25)	50.00	50.00	0.00	100.0%
054 · Enforcement Revenue	0.00	0.00	0.00	0.0%
055 · Returned Check Fee (\$25)	13.00	25.00	-12.00	52.0%
056 · Duplicate Certificate Fee (\$25)	25.00	25.00	0.00	100.0%
050 · Other Income - Other	0.00	0.00	0.00	0.0%
Total 050 · Other Income	168.00	220.00	-52.00	76.4%
Total Income	72,307.09	73,130.00	-822.91	98.9%
Cost of Goods Sold				
50000 · Cost of Goods Sold	0.00	0.00	0.00	0.0%
Total COGS	0.00	0.00	0.00	0.0%
Gross Profit	72,307.09	73,130.00	-822.91	98.9%
Expense				
060 · Bank Charges	0.00	100.00	-100.00	0.0%
070 · Board Expenses				
071 · Board Member Mtg Fee (\$150)	600.00	4,800.00	-4,200.00	12.5%
072 · Meals - Board Meetings	58.65	1,000.00	-941.35	5.9%
073 · Travel - Board Meetings	340.96	3,000.00	-2,659.04	11.4%
074 · Board Special Event	0.00	250.00	-250.00	0.0%
075 · Miscellaneous Board Expenses	0.00	0.00	0.00	0.0%
070 · Board Expenses - Other	0.00	0.00	0.00	0.0%
Total 070 · Board Expenses	999.61	9,050.00	-8,050.39	11.0%
080 · CLARB Affiliation Dues	5,475.00	5,850.00	-375.00	93.6%

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10/28/19

Cash Basis

Nevada State Board of Landscape Architecture
Profit & Loss Budget vs. Actual
July 1 through October 28, 2019

	Jul 1 - Oct 28, 19	Budget	\$ Over Budget	% of Budget
090 · CLARB Annual Meeting Expenses				
091 · Board Member Per Diem (\$150)	450.00	600.00	-150.00	75.0%
092 · CLARB Representative Expenses	0.00	0.00	0.00	0.0%
093 · Annual Meeting Registration	975.00	2,500.00	-1,525.00	39.0%
094 · Travel	864.00	2,600.00	-1,736.00	33.2%
095 · Meals	66.90	400.00	-333.10	16.7%
096 · Lodging	1,438.26	3,000.00	-1,561.74	47.9%
090 · CLARB Annual Meeting Expenses - Other	0.00	0.00	0.00	0.0%
Total 090 · CLARB Annual Meeting Expenses	3,794.16	9,100.00	-5,305.84	41.7%
100 · Education & Training				
101 · Registration	0.00	500.00	-500.00	0.0%
102 · Meals	0.00	300.00	-300.00	0.0%
103 · Lodging	0.00	0.00	0.00	0.0%
104 · Travel	0.00	810.00	-810.00	0.0%
100 · Education & Training - Other	0.00	0.00	0.00	0.0%
Total 100 · Education & Training	0.00	1,610.00	-1,610.00	0.0%
105 · FARB				
106 · Registration	0.00	0.00	0.00	0.0%
107 · Lodging	0.00	0.00	0.00	0.0%
108 · Meals	0.00	0.00	0.00	0.0%
109 · Travel	0.00	0.00	0.00	0.0%
105 · FARB - Other	0.00	0.00	0.00	0.0%
Total 105 · FARB	0.00	0.00	0.00	0.0%
110 · LARE Exam Expenses				
111 · Exam Room Rental	0.00	0.00	0.00	0.0%
112 · Proctor Expenses	0.00	0.00	0.00	0.0%
113 · LARE Exams (\$280)	0.00	0.00	0.00	0.0%
114 · Redline & Standard Review \$120	0.00	0.00	0.00	0.0%
115 · Redline Reviewer Fees	0.00	0.00	0.00	0.0%
110 · LARE Exam Expenses - Other	0.00	0.00	0.00	0.0%
Total 110 · LARE Exam Expenses	0.00	0.00	0.00	0.0%
120 · NCIRC				
121 · Board Member NCIRC Mtg Fee \$150	0.00	150.00	-150.00	0.0%
122 · Miscellaneous - NCIRC	0.00	0.00	0.00	0.0%
123 · Travel - NCIRC	0.00	210.00	-210.00	0.0%
120 · NCIRC - Other	0.00	0.00	0.00	0.0%
Total 120 · NCIRC	0.00	360.00	-360.00	0.0%
130 · Office Expenses				
131 · Grasshopper	0.00	480.00	-480.00	0.0%
132 · DoIT Email & Web Hosting	446.20	864.00	-417.80	51.6%
133 · Miscellaneous Office Expense	189.74	400.00	-210.26	47.4%
134 · Licensee Stamp	166.00	180.00	-14.00	92.2%
135 · Computer Updates & Maint	399.88	1,000.00	-600.12	40.0%
136 · Office Rent	1,093.84	5,600.00	-4,506.16	19.5%
137 · Office Supplies	26.98	350.00	-323.02	7.7%
138 · Post Office Box Rent	3.45	180.00	-176.55	1.9%
139 · Postage & Delivery	0.00	350.00	-350.00	0.0%
140 · Printing & Reproduction	0.00	100.00	-100.00	0.0%
141 · Telephone, Fax & Internet	498.68	1,200.00	-701.32	41.6%
142 · Merchant Services Fees	0.00	0.00	0.00	0.0%
145 · Capital Equipment & Furniture	1,991.88	2,200.00	-208.12	90.5%
130 · Office Expenses - Other	0.00	0.00	0.00	0.0%
Total 130 · Office Expenses	4,816.65	12,904.00	-8,087.35	37.3%
150 · Payroll Expenses				
151 · Enforcement Officer	0.00	0.00	0.00	0.0%
152 · Executive Director	12,333.32	37,500.00	-25,166.68	32.9%
153 · Executive Director - Bonus	7,299.40	5,625.00	1,674.40	129.8%
154 · Mileage	11.60	300.00	-288.40	3.9%
155 · Nevada Business Tax	0.00	0.00	0.00	0.0%
156 · Payroll Penalties & Interest	0.00	0.00	0.00	0.0%
157 · Payroll Taxes	1,692.40	4,788.00	-3,095.60	35.3%
158 · Deputy Executive Director	0.00	0.00	0.00	0.0%
159 · Payroll Service	500.00	500.00	0.00	100.0%
150 · Payroll Expenses - Other	8.75	0.00	8.75	100.0%
Total 150 · Payroll Expenses	21,845.47	48,713.00	-26,867.53	44.8%

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10/28/19

Cash Basis

Nevada State Board of Landscape Architecture
Profit & Loss Budget vs. Actual
July 1 through October 28, 2019

	Jul 1 - Oct 28, 19	Budget	\$ Over Budget	% of Budget
160 · Professional Fees				
161 · Accountant	0.00	0.00	0.00	0.0%
162 · Bookkeeping	1,430.00	900.00	530.00	158.9%
163 · Attorney General's Office	740.93	4,900.00	-4,159.07	15.1%
164 · Legislative Bill Tracker	0.00	0.00	0.00	0.0%
165 · Legislative Counsel Bureau	0.00	1,000.00	-1,000.00	0.0%
166 · Legislative Session	0.00	5,000.00	-5,000.00	0.0%
167 · Liability Insurance	470.97	550.00	-79.03	85.6%
168 · Temporary Office Help	0.00	300.00	-300.00	0.0%
169 · Attorney - Board Hire	0.00	0.00	0.00	0.0%
160 · Professional Fees - Other	0.00	0.00	0.00	0.0%
Total 160 · Professional Fees	2,641.90	12,650.00	-10,008.10	20.9%
170 · Registration Renewal Expenses				
171 · Mailing Renewal Forms	0.00	0.00	0.00	0.0%
172 · Printing Renewal Forms	0.00	0.00	0.00	0.0%
170 · Registration Renewal Expenses - Other	0.00	0.00	0.00	0.0%
Total 170 · Registration Renewal Expenses	0.00	0.00	0.00	0.0%
200 · Publications				
201 · Nevada Blue Book	0.00	0.00	0.00	0.0%
200 · Publications - Other	0.00	0.00	0.00	0.0%
Total 200 · Publications	0.00	0.00	0.00	0.0%
66900 · Reconciliation Discrepancies	0.00	0.00	0.00	0.0%
999 · FY04	0.00	0.00	0.00	0.0%
Total Expense	39,572.79	100,337.00	-60,764.21	39.4%
Net Income	32,734.30	-27,207.00	59,941.30	-120.3%



**STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Division of Internal Audits**

209 E. Musser Street, Suite 302 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | <http://iaudits.nv.gov> | Fax: (775) 687-0145

November 7, 2019

Members of the Executive Branch Audit Committee

The Honorable Steve Sisolak
Governor, Chairman

The Honorable Kate Marshall
Lieutenant Governor

The Honorable Barbara Cegavske
Secretary of State

The Honorable Zach Conine
State Treasurer

The Honorable Catherine Byrne
State Controller

The Honorable Aaron Ford
Attorney General

Trudy Dulong, CPA
Member of the Public

This is the first annual follow-up report on the implementation status of DIA Report No. 18-05, Boards and Commissions, Occupational and Professional Licensing Boards. We have compiled the reported actions taken by the 34 independent licensing boards (Boards) to address the outstanding recommendation. The Boards reported the following progress implementing our recommendation:

Recommendations	Fully Implemented	Partially Implemented	No Action	Total
Anticipated implementation period more than six months	1	0	0	1

Appendix A describes our follow-up assessment of the reported status for each outstanding recommendation. Exhibit I of Appendix A summarizes the reported salaries for each of the Boards' executive directors and other positions earning \$115,000 and over annually.¹

We would like to thank the management of the Boards for their cooperation and assistance.

Sincerely,

Warren Lowman
Administrator

cc: Boards
Susan Brown, Director, Governor's Finance Office

¹ The titles of the Boards' senior operating/administrative executives vary and include, executive director, executive officer, executive secretary, secretary/treasurer and chief inspector.

Appendix A
Division of Internal Audits
Follow-up Assessment

Category 2: Recommendations with an anticipated implementation period more than six months.

Recommendation 1

Comply with statute and guidelines for salaries.

Status – Fully Implemented

Board Actions – All 34 Boards report compliance with statute requiring that, "...the salary of a person employed by the State or any agency of the State must not exceed 95 percent of the salary for the office of the Governor..."² As of July, 15, 2019, the salary for the office of the Governor is set at \$163,474 for employee/employer paid retirement (Pay Policy 30) and \$143,616 for employer paid retirement (Pay Policy 31). The resulting statutory limit for Board salaries is \$155,300 and \$135,485 for Pay Policies 30 and 31 respectively. We reviewed supporting documentation for Board reported salaries noting reported salaries were authorized by the Boards.³

Exhibit I lists the reported salaries of all Board staff with a salary of \$115,000 and over. The exhibit shows whether the salaries are based on an employee/employer retirement or an employer paid retirement along with the type of retirement plan in effect, if any. In addition, the exhibit shows the estimated benefits provided by the Boards for each position along with total compensation (salaries and wages plus benefits) and the percent of total benefits to salaries and wages.⁴ Exhibit I(a) shows full-time staff and Exhibit 1(b) shows part-time staff.

² NRS 281.123

³ Supporting documentation includes; contracts, employment agreements, evaluations, meeting minutes.

⁴ Benefits include; retirement contributions, group insurance, bonuses and allowances, and employer taxes.

Exhibit I(a)

Salaries, Wages and Benefits: Full-Time Staff

Board	Title	Salaries & Wages ¹		Retirement Plan ⁴	Total Benefits ⁵	Total Compensation	Benefit %
		Employer/ Employee Paid	Employer Paid				
	Governor²	155,300	135,485	(95 Percent of Governor's Salary)			
Accountancy	Executive Director ⁷	-	135,485	PERS	57,223	192,708	42%
Contractors	Executive Officer ⁷	155,300	-	Other	38,618	193,918	25%
Cosmetology	Executive Director	155,300	-	PERS	35,497	190,797	23%
Medical	Executive Director ⁷	-	135,485	PERS	57,281	192,766	42%
Pharmacy	Executive Secretary ^{7,8}	-	135,200	PERS	54,389	189,589	40%
Pharmacy	Deputy Executive Secretary	-	135,200	PERS	54,373	189,573	40%
Pharmacy	General Counsel	-	135,200	PERS	54,373	189,573	40%
Pharmacy	General Counsel	-	135,200	PERS	54,373	189,573	40%
Nursing	Board Counsel	-	135,000	PERS	51,999	186,999	39%
Nursing	Board Counsel	-	135,000	PERS	42,229	177,229	31%
Nursing	Executive Director ⁸	-	135,000	PERS	51,999	186,999	39%
Pharmacy	Inspector	-	133,153	PERS	53,248	186,401	40%
Pharmacy	Inspector	-	133,080	PERS	53,223	186,303	40%
Dental	Executive Director	-	124,394	PERS	48,667	173,061	39%
Contractors	General Counsel	140,000	-	Other	53,400	193,400	38%
Engineers	Executive Director	140,000	-	Other	29,247	169,247	21%
Pharmacy	PMP Administrator	-	121,685	PERS	49,460	171,145	41%
Nursing	Director of Nurse Practice	-	120,515	PERS	48,005	168,520	40%
Pharmacy	Inspector	-	120,078	PERS	48,928	169,006	41%
Medical	Deputy Executive Director	-	119,305	PERS	50,656	169,961	42%
Nursing	Director of Nursing Education	-	117,744	PERS	50,683	168,427	43%
Contractors	Licensing Administrator	134,000	-	Other	41,758	175,758	31%
Contractors	Director of Investigations	134,000	-	Other	25,059	159,059	19%
Dental	General Counsel	-	115,000	PERS	45,784	160,784	40%
Osteopathic	Executive Director	-	110,600	PERS	43,665	154,265	39%
Cosmetology	Executive Director	117,074	-	PERS	29,166	146,240	25%
Physical Therapy	Executive Director	-	101,000	PERS	31,704	132,704	31%
Optometry	Executive Director	-	100,506	PERS	41,728	142,234	42%
Massage	Executive Director	-	98,061	PERS	41,956	140,017	43%
Investigators	Executive Director	-	97,154	PERS	42,246	139,400	43%
Alcohol, Drug	Executive Director	-	85,063	PERS	38,527	123,590	45%
Occupational	Executive Director ⁶	97,238	-	Other	20,283	117,521	21%
Funeral	Executive Director	97,113	-	Other	32,834	129,947	34%
Petroleum	Chief Inspector	-	83,973	PERS	36,715	120,688	44%
Veterinary	Executive Director	-	81,034	PERS	37,348	118,382	46%
Architecture	Executive Director	84,460	-	PERS	22,843	107,303	27%
Chiropractic	Executive Director	83,666	-	PERS	28,013	111,679	33%
Marriage	Executive Director	80,000	-	PERS	13,979	93,979	17%
Social Workers	Executive Director	79,000	-	PERS	23,216	102,216	29%
Long-Term Care	Executive Director	74,344	-	SSA	11,145	85,489	15%
Psychological	Executive Director	63,725	-	PERS	14,146	77,871	22%
Opticians	Executive Director	57,002	-	PERS	16,291	73,293	29%

Source: Salaries, wages and benefits reported by Boards as of September 2019 for all Board employees with annual base compensation of \$115,000 and over.

Exhibit and Table Notes Continued on Next Page

Exhibit I(b)

Salaries, Wages and Benefits: Part-Time Staff

Board	Title	Salaries & Wages ¹				Retirement Plan ⁴	Total Benefits ⁵	Total Compensation	Benefit %
		Annual Salary		Hourly Rate ³					
		Employer/ Employee Paid	Employer Paid	Employer/ Employee Paid	Employer Paid				
	Governor ²	155,300	135,485	-	-	(95 Percent of Governor's Salary)			
Medical	Medical Reviewer	-	119,600	-	100.00	PERS	50,754	170,354	42%
Speech	Executive Director ⁶	72,000	-	92.31	-	None	0	72,000	0%
Environmental	Executive Director ⁶	24,000	-	92.31	-	None	0	24,000	0%
	Governor ²	-	-	74.46	64.96	(95 Percent of Governor's Hourly Rate)			
Podiatry	Executive Director	23,400	-	30.00	-	None	0	23,400	0%
Landscape	Executive Director	37,000	-	28.46	-	SSA	3,348	40,348	9%
Court Reporters	Executive Secretary	49,140	-	26.00	-	SSA	9,974	59,114	20%
Athletic Trainers	Executive Secretary	20,000	-	25.64	-	SSA	1,783	21,783	9%
Homeopathic	Executive Director	24,000	-	23.08	-	None	0	24,000	0%
Oriental	Executive Director	20,400	-	23.08	-	None	0	20,400	0%
Barbers	Secretary/Treasurer	6,450	-	4.13	-	None	7,800	14,250	121%

Source: Salaries, wages and benefits reported by Boards as of September 2019 for all Board employees with annual base compensation of \$115,000 and over.

Table Notes:

¹ Board reported salaries & wages classified according to Pay Policies approved by the Legislature for elected officials (Effective July 15, 2019): Pay Policy 30 for employee/employer paid retirement and Pay Policy 31 for employer paid retirement.

² Governor's salary and rate represents 95% of the salary for the office of the Governor in accordance with NRS 281.123 as follows: (1) For Pay Policy 30 - 95% of \$163,474 and \$78.34; (2) For Pay Policy 31 - 95% of \$142,616 and \$68.38.

³ Hourly rates based on average hours worked as reported by Boards.

⁴ Retirement Plan: PERS = Public Employees Retirement System; SSA = Social Security Administration; Other = Nevada Deferred Compensation, Sep/IRA, or IRS 401(a) defined contribution plans where Boards make contributions to employee accounts based on a percent of compensation.

⁵ Benefits include employer contributions to retirement plans, group insurance, bonuses, expense allowances, and employer payroll taxes.

⁶ One executive director oversees three boards under a co-location and cost sharing arrangement. Executive director is an employee of the Occupational Therapy board and an independent contractor the other two boards. Combined salary and total compensation amount to \$193,238 and \$213,521 respectively. Contract with Speech board expires December 31, 2019 and will not be renewed.

⁷ Board positions noted as exceeding 95% of Governor's salary in original audit report (June 2018).

⁸ Statute requires the executive director of the Pharmacy board to have experience as a licensed pharmacist and the executive director of the Nursing board to be a licensed professional nurse.



Application for Landscape Architect-In-Training Registration

Please Type or Print Legibly in Black Ink Completing All Sections

Nonrefundable Application Fee Registration \$50

All Applications must be delivered to the Board office at least 21 days prior to the board meeting in order to be approved.

Section 1 Identifying information

Last Name Agulian		First Name Nairee		Date of Birth [REDACTED]
Place of Birth Pasadena, CA	Social Security Number [REDACTED]		Citizenship or Legal Residence citizenship: U.S.A.	
Residence Address 8232 Golf Player Ave.				
City Las Vegas	State NV	Zip code 89145	Home Telephone 702-981-9810	
Business Name N.A.				
Business Address N.A.				
City N.A.	State N.A.	Zip code N.A.	Business Telephone N.A.	
Facsimile Number N.A.		Electronic Mail Address(s) N.A.		
Have you ever served in the military? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, Which Branch(es) of Service? (Circle all that apply) Army/Army Reserve; Marine Corps/Marine Corps Reserve; Navy/Navy Reserve; Air Force/Air Force Reserve; Coast Guard/Coast Guard Reserve; National Guard. What was your Military Occupation or Specialty? _____ What were your Date(s) of Service: _____ If the answer to any of the following questions is "yes" attach a detailed explanatory statement.				
1. Have you ever been convicted of a misdemeanor or gross misdemeanor?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Have you ever been convicted of a felony?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

 Applicant Name **Nairee Agulian** Date Submitted **6/9/2019**
 Nevada State Board of Landscape Architecture LAIT Registration Application Revised 12-2016

Section 2 Education

All Landscape Architect-In-Training Candidates-State in chronological order the name and address of each institution attended, the dates spent at each, major, indicate the degree received if applicable and the year of graduation. Use additional sheets if needed.

Candidates are to submit certified transcripts from each institution that has been attended.

1. Name of Institution Palo Verde High School			Graduation Date June 2011
Address 333 S. Pavilion Center Dr.	City Las Vegas	State NV	Zip code 89144
Degree Received High School Diploma		Major	Dates Attended
2. Name of Institution University of Nevada Las Vegas			Graduation Date May 2019
Address 4505 S. Maryland PKwy	City Las Vegas	State NV.	Zip code 89154
Degree Received Bachelors		Major Landscape Architecture	Dates Attended January 2015 - May 2019
3. Name of Institution			Graduation Date
Address	City	State	Zip code
Degree Received		Major	Dates Attended
4. Name of Institution			Graduation Date
Address	City	State	Zip code
Degree Received		Major	Dates Attended

Applicant Name **Nairee Agulian** Date Submitted **6/9/2019**

Nevada State Board of Landscape Architecture LAIT Registration Application Revised 12-2016

Section 4 Professional References

All Candidates-Submit 2 professional references, at least 1 from a registered landscape architect, who have direct knowledge of your professional abilities. Also, submit 1 reference from 1 teacher or professor who has direct knowledge of the scholastic ability of the applicant. All professional references must be stamped by the person providing the reference.

1. Name of Landscape Architect David Farley			Nature of Relationship Professor
Address 314 S. Water Street.	City Henderson	State NV	Zip code 89015
2. Name of Landscape Architect			Nature of Relationship
Address	City	State	Zip code
3. Name of Professional Reference Samantha Solano			Nature of Relationship Professor
Address 4505 S. Maryland Pkwy	City Las Vegas	State NV	Zip code 89154
2. Name of Professional Reference			Nature of Relationship
Address	City	State	Zip code

Applicant Name **Nairee Aquilian** Date Submitted **6/9/2019**
 Nevada State Board of Landscape Architecture LAIT Registration Application Revised 12-2016

AFFIDAVIT

I certify the information contained in this application to be truthful, complete and accurate.

I acknowledge that the Nevada State Board of Landscape Architecture will compile and evaluate a record containing all aspects of my education, experience, moral character and reputation. I agree to provide any additional information as requested by the Board. I hereby authorize any individual, company or institution with whom I have been associated to furnish to the Nevada State Board of Landscape Architecture any information concerning my qualifications for professional registration in Nevada which they have on record or otherwise, and do hereby release the individual, company or institution and all individuals therewith from all liability for any damage whatsoever incurred by me as a result of their furnishing such information.

I attest that if I am subject to a court order for child support of one or more children that I am not out of compliance with the order or with a plan approved by the District Attorney or other public agency enforcing the order for repayment in the amount owed pursuant to the order.

I acknowledge that any statements, papers or documents received by the Board in its investigation may be transmitted by the Board to the Council of Landscape Architectural Registration Boards or other political subdivisions registering landscape architects as requested.

I attest that I am a citizen of the United States or that I am lawfully entitled to remain and work in the United States.

Signature of Applicant *Agulian* Date 6/9/2019

State of Nevada County of Clark

Being first duly sworn, deposes and says: I am the applicant named in this application, have read and understand the contents thereof, and to the best of my knowledge and belief, the foregoing statements are true and correct in every respect.

Subscribed and sworn to before me this 9th day of June, 2019

Signature of Notary Public _____ my commission expires _____

NOTARY SEAL

Mail should be sent to (choose one)

home address ☒

office address _____

Please securely attach a recognizable photo (2"x 2 1/2"). Photo must be taken within one year of submission of this application. Affix your signature and date of the photo over the lower right-hand corner of the photo.



Applicant Name Nairee Agulian Date Submitted 6/9/2019
Nevada State Board of Landscape Architecture LAIT Registration Application Revised 12-2016



Nevada State Board of Landscape Architecture
LANDSCAPE ARCHITECT PROFESSIONAL
REFERENCE FORM

APPLICANT NAME: Nairee Agulian

Please keep in mind it is the intent of licensure to insure the safeguarding of public health, safety and welfare, and it is the Board's responsibility to grant licensure only to those who are qualified for the profession on the basis of quality of work, moral character and practical experience in Landscape Architecture. As one of the applicant's references, it is expected that you are familiar with the applicant's professional work and have knowledge of his/her ability, character, and reputation.

1. How long have you known the applicant? 2 Years
2. In what setting(s) and with what frequency did you observe the applicant? (i.e., office, educational institutions, professional organizations etc./daily, weekly, monthly, etc.)
Educational setting on a weekly basis, professional organization on a monthly basis
3. Would you be pleased to have this applicant as an associate with you in practice?
☒ Yes ☐ No
4. My general recommendation concerning this applicant is:
 1. Recommend highly without reservations ✓
 2. Recommend as qualified and competent ✓
 3. Recommend with some reservation _____
 4. Do not recommend _____
5. Please indicate, to the best of your knowledge, the applicant's qualification toward the practice of Landscape Architecture by placing an X in the appropriate space below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence		✓			
Professional Integrity	✓				
Character (honesty, ethics)	✓				

6. Do you consider the applicant fully qualified to become a registered Landscape Architect in the State of Nevada?
☒ Yes ☐ No

Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for licensure.

I attest that the referenced applicant is of good moral character and has never:

Been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture; committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture; incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern; committed fraud or misrepresentation in connection with the submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or the taking of one or more examinations pursuant to the provisions of chapter 623.A; had a certificate of registration suspended or revoked by the Board or in any other state or country; in lieu of receiving disciplinary action against himself, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country; u engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; within the 5 years immediately preceding the filing of an application specified in the previous statement, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

Name: David L. Farley, PLA

Licensed Professional? ☒ Yes ☐ No

Profession: _____

Signature: _____

License #/State: PLA #806, Nevada

(Pursuant to NAC 623A.120 place state stamp over signature)



Date: June 8, 2019

David L. Farley, PLA
314 S. Water St., Suite 120
Henderson, NV 89015
(702) 479-5223

Nevada State Board of Landscape Architects
PO Box 34143
Reno, NV 89533

RE: Recommendation for Nairee Agulian

State Board Members,

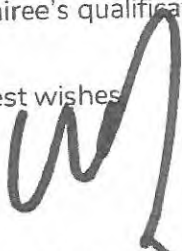
It's my absolute pleasure to recommend Nairee Agulian as a Landscape Architect-in-Training.

I met Nairee when I was an adjunct professor at UNLV teaching third-year design studio and material and methods of construction. It was also my pleasure to work closely with her in her role as Vice-President of the UNLV Student Chapter of ASLA.

During my personal interactions with her, I found her to be extremely conscientious and of high moral character.

Please feel free to contact me at the address/phone number above should you like to discuss Nairee's qualifications and experience further. I'd be happy to expand on my recommendation.

Best wishes

A handwritten signature in dark ink, appearing to be 'DLF', written over the words 'Best wishes'.

David L. Farley, PLA, ASLA



**Nevada State Board of Landscape Architecture
LANDSCAPE ARCHITECT PROFESSIONAL
REFERENCE FORM**

APPLICANT NAME: Nairee Agulian

Please keep in mind it is the intent of licensure to insure the safeguarding of public health, safety and welfare, and it is the Board's responsibility to grant licensure only to those who are qualified for the profession on the basis of quality of work, moral character and practical experience in Landscape Architecture. As one of the applicant's references, it is expected that you are familiar with the applicant's professional work and have knowledge of his/her ability, character, and reputation.

1. How long have you known the applicant? 3 Years
2. In what setting(s) and with what frequency did you observe the applicant? (I.e., office, educational institutions, professional organizations etc./daily, weekly, monthly, etc.)
educational institutions
3. Would you be pleased to have this applicant as an associate with you in practice?
☒ Yes ☐ No
4. My general recommendation concerning this applicant is:
 1. Recommend highly without reservations x
 2. Recommend as qualified and competent _____
 3. Recommend with some reservation _____
 4. Do not recommend _____
5. Please indicate, to the best of your knowledge, the applicant's qualification toward the practice of Landscape Architecture by placing an X in the appropriate space below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence	x				
Professional Integrity	x				
Character (honesty, ethics)	x				

6. Do you consider the applicant fully qualified to become a registered Landscape Architect in the State of Nevada? ☒ Yes ☐ No

Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for licensure.

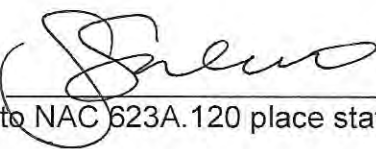
I attest that the referenced applicant is of good moral character and has never:

Been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture; committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture; incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern; committed fraud or misrepresentation in connection with the submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or the taking of one or more examinations pursuant to the provisions of chapter 623.A; had a certificate of registration suspended or revoked by the Board or in any other state or country; in lieu of receiving disciplinary action against himself, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country; u engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; within the 5 years immediately preceding the filing of an application specified in the previous statement, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

Name: Samantha Solano

Licensed Professional? ☐ Yes ☒ No

Profession: Assistant Professor

Signature: 

License #/State: _____

(Pursuant to NAC 623A.120 place state stamp over signature)

Date: 3/26/2019

March 26, 2019

Nevada State Board of Landscape Architecture
P. O. Box 34143
Reno, NV 89533

RE: Landscape Architect in Training
Recommendation for Nairee Agulian

Dear Nevada State Board of Landscape Architecture:

It is more than a pleasure to provide this letter of recommendation for Nairee Agulian in her application to register as a Landscape Architect in Training. Ms. Agulian is extremely talented, professional and an extraordinary student, whose commitment to landscape architecture and learning has been nothing short of influential.

Ms. Agulian shows great promise in the field of landscape architecture. Her ability to think critically and challenge her designs is what we at the School of Architecture seek in our students – it is truly a pleasure to witness such tenacity and growth and I have nothing but praise for her work. She is currently the vice president of the UNLV American Society of Landscape Architects and has helped steer head initiatives that promote student collaboration, networking, and community. Also, being involved in extracurricular activities while working and maintaining a high degree of excellence is something to be commended. The landscape architecture degree program here at UNLV is a fast-paced intensive track to graduation and requires students to adopt a high level of self-discipline and independence to succeed and Ms. Agulian has been able to accommodate these demands with excellence, rigor, and a great attitude.

I would not hesitate in recommending Ms. Agulian to start the journey to licensure under the LAIT program. I am strongly confident that she will continue to grow and succeed at becoming a responsible, thoughtful and influential landscape architect.

Should you have any questions regarding her application, please do not hesitate to contact me at your convenience.

Sincerely yours,



Samantha Solano
Assistant Professor of Landscape Architecture
University of Nevada College of Fine Arts – School of Architecture
4505 Maryland Parkway, Box 454018
Las Vegas, NV 89154-4018
samantha.solano@unlv.edu

Official Transcript

Student ID: [REDACTED] Name: Agulian, Nairee

07/24/2019 Page 1 of 2
Order Nbr: 001274480

Degrees Awarded
Degree: Bachelor of Landscape Architecture
Confer Date: 05/18/2019
Plan: Landscape Architecture

Beginning of Undergraduate Record

College of Southern Nevada
Transfer/Test Credits
TRANSFER CREDIT 53.00

2013 Fall

			Att	Ehr	Grd
FAB	101	Food Service Sanitation I	1.00	1.00	B-
NUTR	223	Principles of Nutrition	0.00	0.00	W
NUTR	271	Intro to Nutr/Dietetics	0.00	0.00	W
NUTR	301	Nutr, Health & Ethn Issue	0.00	0.00	W
PBH	165	Pers Hlth Acrs Lifespan	0.00	0.00	W
PBH	200	Multicultural Health	0.00	0.00	W

	Att	Earned	Points	GPA	GP Bal
Term Totals:	1.00	1.00	2.70	2.70	0.70

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	1.00	1.00	2.70	2.70	0.70

2015 Spring

			Att	Ehr	Grd
BIOL	189	Fund Life Sci	4.00	4.00	B
CHEM	108	Introduction to Chemistry	4.00	4.00	B-
RAD	100	Intro to Medical Imaging	3.00	3.00	B
WMST	113	Gender, Race, & Class	3.00	3.00	A

	Att	Earned	Points	GPA	GP Bal
Term Totals:	14.00	14.00	43.80	3.12	15.80

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	15.00	15.00	46.50	3.10	16.50

2015 Fall

			Att	Ehr	Grd
AAE	100	Intro Architecture	3.00	3.00	A-
ART	101	Drawing I	3.00	3.00	A-
GEOG	103	Phy Geog of Earth's Env	3.00	3.00	B-
GEOG	104	Physical Geog Lab	1.00	1.00	A
LAND	255	History of Land Arch	3.00	3.00	A-

	Att	Earned	Points	GPA	GP Bal
Term Totals:	13.00	13.00	45.40	3.49	19.40

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	28.00	28.00	91.90	3.28	35.90

2016 Spring

			Att	Ehr	Grd
AAD	180	Design Foundation I	3.00	3.00	B
LAND	240	Intro to Horticulture	3.00	3.00	A
MATH	95	Elementary Algebra	3.00	0.00	A-
		Grading Basis: Remedial Letter Grades			
PHIL	102	Crit Thinking & Reasoning	3.00	3.00	A
PSY	360	Foundations Social Psychology	3.00	3.00	C+

	Att	Earned	Points	GPA	GP Bal
Term Totals:	15.00	12.00	39.90	3.32	15.90

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	43.00	40.00	131.80	3.29	51.80

2016 Fall

			Att	Ehr	Grd
FREN	113	Elementary French I	3.00	3.00	C-
LAND	267	Intro Digi Media	3.00	3.00	A-
LAND	280	Design Foundation II	6.00	6.00	B-
MATH	96	Intermediate Algebra	3.00	0.00	B
		Grading Basis: Remedial Letter Grades			

	Att	Earned	Points	GPA	GP Bal
Term Totals:	15.00	12.00	32.40	2.70	8.40

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	58.00	52.00	164.20	3.15	60.20

2017 Spring

			Att	Ehr	Grd
LAND	282	Design Foundation III	6.00	6.00	B+
		Service Learning Course			
Attributes:					
LAND	455	Theory in Land. Arch.	3.00	3.00	B
MATH	126	Precalculus I	3.00	3.00	D+

	Att	Earned	Points	GPA	GP Bal
Term Totals:	12.00	12.00	32.70	2.72	8.70

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	70.00	64.00	196.90	3.07	68.90

2017 Fall

			Att	Ehr	Grd
LAND	340	Plants for Arid Env.	3.00	3.00	B-
LAND	367	Adv Digital Media	3.00	3.00	B-
LAND	384	Land Arch Design I	6.00	6.00	B
LAND	495	CAD for Landscape Architecture	3.00	3.00	C+

	Att	Earned	Points	GPA	GP Bal
Term Totals:	15.00	15.00	41.10	2.74	11.10

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	85.00	79.00	238.00	3.01	80.00

THIS OFFICIAL UNIVERSITY TRANSCRIPT DOES NOT
REQUIRE A RAISED SEAL



RAINIER SPENCER, PhD
OFFICE OF THE REGISTRAR

Nairee Agulian
8232 Golf Player
Las Vegas, NV 89145
United States

Official Transcript

Student ID: [REDACTED] Name: Agulian, Nairee

07/24/2019

Page 2 of 2

Order Nbr:

001274480

2018 Spring

			Att	Ehr	Grd
AAD	400	Clinical Internship	0.00	0.00	S
LAND	342	Plant & Irrigation Design	3.00	3.00	C
LAND	343	Site Grading	3.00	3.00	C+
LAND	386	Land Arch Design II	6.00	6.00	B-
Course		Service Learning Course			
Attributes:					
LAND	442	Mat & Method for Land Arch	3.00	3.00	B
Term Totals:			15.00	15.00	38.10
					2.54
					8.10

			Att	Ehr	Grd
Cumulative Totals:			100.00	94.00	276.10
					2.93
					88.10

2018 Fall

			Att	Ehr	Grd
HIST	443	Comp Environ Hist	3.00	3.00	C-
LAND	443	Stormwater Management	3.00	3.00	B+
LAND	467	GIS for Land Arch	3.00	3.00	B+
LAND	484	Landscape Arch Design III	6.00	6.00	A-
Term Totals:			15.00	15.00	47.10
					3.14
					17.10

			Att	Ehr	Grd
Cumulative Totals:			115.00	109.00	323.20
					2.96
					105.20

2019 Spring

			Att	Ehr	Grd
LAND	486	Landscape Arch Design IV	6.00	6.00	A
Course		Service Learning Course			
Attributes:					
LAND	491	Professional Practice	3.00	3.00	A-
Term Totals:			9.00	9.00	35.10
					3.90
					17.10

			Att	Ehr	Grd
Cumulative Totals:			124.00	118.00	358.30
					3.03
					122.30

Undergraduate Career Totals

Cumulative Totals:			124.00	171.00	358.30
					3.03
					122.30

End of Official Transcript

THIS OFFICIAL UNIVERSITY TRANSCRIPT DOES NOT
REQUIRE A RAISED SEAL



RAINIER SPENCER, PhD
OFFICE OF THE REGISTRAR



Application for Professional Registration

Please Type or Print Legibly in Black Ink Completing All Sections

Nonrefundable Application Fee Registration by Examination \$75.00

Nonrefundable Application Fee Registration by Reciprocity \$100.00

RECEIVED
NOV 1 2018
Nevada State Board of Landscape Architecture

All returned exams must be delivered to the Board office at least 2 weeks prior to the meeting in order to be approved.

Section 1 Identifying information

Last Name BUSTER		First Name JESSEN		Date of Birth [REDACTED]
Place of Birth REXBURG, IDAHO	Social Security Number [REDACTED]		Citizenship or Legal Residence CITIZEN	
Residence Address 2901 W AGATE ST				
City BOISE	State ID	Zip code 83705	Home Telephone 208.716.4787	
Business Name STACK ROCK GROUP				
Business Address 404 S 8TH ST #154				
City BOISE	State ID	Zip code 83702	Business Telephone 208.345.0500	
Facsimile Number		Electronic Mail Address(s) jesse@stackrockgroup.com		
<p>Have you ever served in the military? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, Which Branch(es) of Service? (Circle all that apply) Army/Army Reserve; Marine Corps/Marine Corps Reserve; Navy/Navy Reserve; Air Force/Air Force Reserve; Coast Guard/Coast Guard Reserve; National Guard.</p> <p>What was your Military Occupation or Specialty? _____</p> <p>What were your Date(s) of Service: _____</p> <p>If the answer to any of the following questions is "yes" attach a detailed explanatory statement.</p> <p>1. Have you ever been convicted of a misdemeanor or gross misdemeanor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Have you ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>				

Applicant Name

Date Submitted 10.31.18

Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 2 Landscape Architect Registration

Registration by Examination Candidates may omit this section

Registration by Reciprocity Candidates-List all states or provinces of Canada, which have issued you a certificate of registration, use additional sheets if needed.

- **Submit verification from your home state of registration or province of Canada that you are/were active and registered in good standing, with no disciplinary action ever taken and that you received a minimum passing score of 75 percent on each section of the national examination.**
- **Submit verification from each additional state or province of Canada that you are/were active and registered in good standing, with no disciplinary action ever taken.**

1. Name of State or Province of Canada

IDAHO

Date of Registration

3/20/2017

Address of Board issuing Certificate of Registration

700 West State Street, PO Box 83720, Boise, Idaho

City, Zip code

83720-0063

E-mail address of Board Issuing Certificate of Registration

ibol@ibol.idaho.gov

Registration Number

LA-16830

2. Name of State or Province of Canada

OREGON

Date of Registration

9/21/2018

Address of Board issuing Certificate of Registration

707 13th Street SE, Suite 114 Salem, OR

City, Zip code

97301

E-mail address of Board Issuing Certificate of Registration

marilou.arrobang@oregon.gov

Registration Number

0900

3. Name of State or Province of Canada

UTAH

Date of Registration

10/17/2018

Address of Board issuing Certificate of Registration

160 E 300 S, Salt Lake City, UT

City, Zip code

84114

E-mail address of Board Issuing Certificate of Registration

trtaylor@utah.gov

Registration Number

11025508-5301

Professional Organizations

Please provide a list of professional organizations of which you are a member.

CLARB

ASLA

Applicant Name JESSEN BUSTER Date Submitted 11/1/2018

Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 3 Professional Practice

For Registration by Examination Candidates-State in chronological order the name and address of each employer. Use additional sheets as needed. Please include with your application a completed Post Graduate Work Verification Form for each employer listed.

<http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/ProfessionalExperienceVerificationForm.pdf>

For Registration by Reciprocity Candidates-Provide verification of 2 or more years of active engagement in full-time practice as a Registered Landscape Architect. Use as many forms as needed to provide verification for 2 years.

<http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/ProfessionalExperienceVerificationForm.pdf>

Council of Landscape Architect Registration Board Certificate holders may omit this section.

Name of Employer STACK ROCK GROUP			Dates of Employment 12/2013-CURRENT	
Address 404 S 8TH ST #154	City BOISE	State ID	Zip code 83702	
Title of Position Held PARTNER, LANDSCAPE ARCHITECT	Duties Performed DESIGN, PROJECT MANAGEMENT, OPERATIONS			
Describe in Particular Duties Performed in the field of Landscape Architecture All aspects of design process, planning, design, bidding, construction observation, coordination, design review, agency coordination, community engagement, charrette facilitation, youth engagement & education, office operations				
Name of Employer			Dates of Employment	
Address	City	State	Zip code	
Title of Position Held	Duties Performed			
Describe in Particular Duties Performed in the field of Landscape Architecture				
Name of Employer			Dates of Employment	
Address	City	State	Zip code	
Title of Position Held	Duties Performed			
Describe in Particular Duties Performed in the field of Landscape Architecture				

Applicant Name JESSEN BUSTER Date Submitted 11/1/2018
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 4 Professional References

All Candidates-Submit 4 professional references, 2 from registered landscape architects and 2 from other licensed professionals in a related design profession who have direct knowledge of your professional abilities. All references must be stamped by the person providing the reference. <http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/LandscapeArchitectReferenceForm.pdf>

1. Name of Landscape Architect WILLET C HOWARD			Nature of Relationship
Address	City	State	Zip code
2. Name of Landscape Architect DARIAN WESTRICK			Nature of Relationship
Address	City	State	Zip code
404 S 8TH STREET #154	BOISE	IDAHO	83702
3. Name of Professional Reference CHAD SLICHTER			Nature of Relationship CONSULTANT /CLIENT
Address	City	State	Zip code
415 S 13TH ST	BOISE	IDAHO	83702
2. Name of Professional Reference CORINNE GRAHAM			Nature of Relationship CONSULTANT /CLIENT
Address	City	State	Zip code
921 S. Orchard Street, Suite 200	BOISE	IDAHO	83705

Applicant Name **JESSEN BUSTER** Date Submitted **11/1/2018**

Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 5 Education

All Candidates-State in chronological order the name and address of each institution attended, the dates spent at each, major, indicate the degree received if applicable and the year of graduation. Use additional sheets if needed.

Registration by Examination Candidates-Arrange to have transcripts from all educational institutions forwarded to the Nevada State Board of Landscape Architecture.

Council of Landscape Architect Registration Board Certificate holders may omit this section.

1. Name of Institution			Graduation Date
Address	City	State	Zip code
Degree Received	Major		Dates Attended
2. Name of Institution			Graduation Date
Address	City	State	Zip code
Degree Received	Major		Dates Attended
3. Name of Institution			Graduation Date
Address	City	State	Zip code
Degree Received	Major		Dates Attended
4. Name of Institution			Graduation Date
Address	City	State	Zip code
Degree Received	Major		Dates Attended

Applicant Name _____ Date Submitted _____

Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

AFFIDAVIT

I certify the information contained in this application to be truthful, complete and accurate.

I acknowledge that the Nevada State Board of Landscape Architecture will compile and evaluate a record containing all aspects of my education, experience, moral character and reputation. I agree to provide any additional information as requested by the Board. I hereby authorize any individual, company or institution with whom I have been associated to furnish to the Nevada State Board of Landscape Architecture any information concerning my qualifications for professional registration in Nevada which they have on record or otherwise, and do hereby release the individual, company or institution and all individuals therewith from all liability for any damage whatsoever incurred by me as a result of their furnishing such information.

I attest that if I am subject to a court order for child support of one or more children that I am not out of compliance with the order or with a plan approved by the District Attorney or other public agency enforcing the order for repayment in the amount owed pursuant to the order.

I acknowledge that any statements, papers or documents received by the Board in its investigation may be transmitted by the Board to the Council of Landscape Architectural Registration Boards or other political subdivisions registering landscape architects as requested.

I attest that I am a citizen of the United States or that I am lawfully entitled to remain and work in the United States.

Signature of Applicant [Signature] Date 11/9/18
State of Idaho County of Ada

Being first duly sworn, deposes and says: I am the applicant named in this application, have read and understand the contents thereof, and to the best of my knowledge and belief, the foregoing statements are true and correct in every respect.

Subscribed and sworn to before me this 9th day of November, 2018

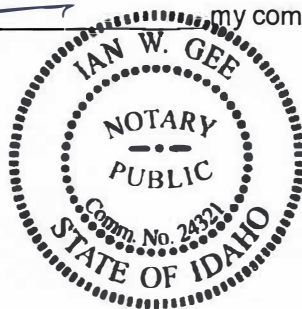
Signature of Notary Public [Signature] my commission expires 9/16/20

NOTARY SEAL

Mail should be sent to (choose one)

home address _____

office address _____



Please securely attach a recognizable photo (2"x 2 1/2"). Photo must be taken within one year of submission of this application. Affix your signature and date of the photo over the lower right-hand corner of the photo.



Applicant Name JESSEN BUSTER Date Submitted 11/1/2018

Nevada State Board of Landscape Architecture Registration Application Revised 4-2016



November 5, 2018

RE: Reference Letter for Jesson Buster

To Whom It May Concern:

I am pleased to recommend Jesson for a license with Nevada's State Board of Landscape Architecture. I have known Jesson professionally for the past two years. He has provided landscape architecture consulting on many development projects that we've worked on together. I recommend him highly because of his professionalism, integrity, and attention to detail.

Jesson's landscape designs are well thought out and provide each Client with a finished product that limits maintenance and water use while still fulfilling the Client's goals and desires for their project. He has also mastered the skill of project management and leads his team to complete projects efficiently and cost effectively.

I believe Jesson would be a great addition to Nevada's roster of Professional Landscape Architects. I am happy to speak further about Jesson's qualifications by phone: (208) 946-3874 or email: cgraham@cswengineering.com.

Respectfully,

A handwritten signature in cursive script that reads "Corinne M. Graham".

Corinne M. Graham, PE
Principal



921 S. ORCHARD STREET, SUITE 200
BOISE, ID 83705
(208) 946-3874
cgraham@cswengineering.com

November 2, 2018

Recommendation Letter for Jesson Buster

To Whom It May Concern:

On behalf of Slichter | Ugrin Architecture, I would like to express my sincere appreciation for the great work that Jesson Buster has done for our projects and clients. We have had the pleasure of working with Jesson on many projects over the past 5 years. He has provided outstanding service, experience and quality, and we can be assured that the project will have a positive outcome and result.

We have had the pleasure of working with Jesson on numerous projects and each time he brings great value to our team. Jesson looks for opportunities to enhance our architectural work with integration of hard and softscapes that provide clients outdoor spaces that are inviting, interesting, and better the overall context within which our work is sited.

Jesson also brings a personal upbeat presence to our teams and is a pleasure to have engaged in our work. He enjoys his work, people, and is truly an inspiration to others.

Should you have any questions concerning Jesson Buster, please contact me to discuss. I can be reached at my office, 208.658.1679, or by cell, 208.830.1458.

Respectfully,



Chad Slichter, AIA, NCARB
Principal, Slichter | Ugrin Architecture



To whom it may concern,

Thanks for reviewing this narrative regarding an unfortunate incident in September of 2014 which I was arrested for a DUI. I mistakenly chose to drive home while over the legal alcohol limit, and was pulled over and arrested after crossing a line. I pled guilty, paid my fines, attended the required drug and alcohol classes, and fulfilled my community service requirement. I remain ashamed and embarrassed by the incident, and what I have learned of it since is to not repeat the same behavior as the consequences could have been much worse and negatively impacted other people and their families. I have been diligent in using the experience as a positive tool to advise people to not make the same mistake. Since the time, I have continued to work hard in my profession, acquired my Idaho, Utah, and Oregon license, and aim to continue to represent the industry to the best of my capacity.

Thanks for your understanding

Jessen Buster
Stack Rock Group

State of Idaho

Bureau Of Occupational Licenses

Public Record Information (Detail)

Public Record

Name: JESSEN BUSTER
Profession: IDAHO BOARD OF LANDSCAPE ARCHITECTS
Type: LANDSCAPE ARCHITECT
Number: LA - 16830
Address Of Record:
City/State/Zip: BOISE ID 83702
Country: USA
Business Phone: (208) 345 - 0500
Original Date of Issue: 3/20/2017
Registered/Licensed By: Examination
Status: Current
Discipline Status:
Expiration Date: 10/5/2020

Status History

Date	Action
9/10/2019	Renewed
10/16/2018	Renewed
10/6/2018	Expired
3/20/2017	New License

Disciplinary Action Documents

None

NOTE: This document is a copy of the electronic record of the person named above and constitutes a verification of that record. If [official certification](#) of this record is required, a written request must be submitted together with a \$10.00 fee to the Bureau of Occupational Licenses, 700 West State Street, PO Box 83720, Boise, Idaho 83720-0063.

NOTE: If a disciplinary document is not available on the Documents tab, please fill out and submit a [Public Records Request](#) form.

Nevada State Board of Landscape Architecture



Application for Professional Registration

Please Type or Print Legibly in Black Ink Completing All Sections

Nonrefundable Application Fee Registration by Examination \$175.00

Nonrefundable Application Fee Registration by Reciprocity \$100.00

RECEIVED
SEP 24 2019
Nevada State Board of Landscape Architecture

All returned exams must be delivered to the Board office at least 2 weeks prior to the meeting in order to be approved.

Section 1 Identifying information

Last Name DUFRESNE		First Name KELLY		Date of Birth [REDACTED]
Place of Birth Carson City, NV	Social Security Number [REDACTED]		Citizenship or Legal Residence U.S.	
Residence Address 512 HUMBLDT ST. #1				
City RENO	State NV	Zip code 89509	Home Telephone 775-750-9046	
Business Name				
Business Address				
City	State	Zip code	Business Telephone	
Facsimile Number		Electronic Mail Address(s) kellidufresne@charter.net		
Have you ever served in the military? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If yes, Which Branch(es) of Service? (Circle all that apply) Army/Army Reserve; Marine Corps/Marine Corps Reserve; Navy/Navy Reserve; Air Force/Air Force Reserve; Coast Guard/Coast Guard Reserve; National Guard.				
What was your Military Occupation or Specialty? _____				
What were your Date(s) of Service: _____				
If the answer to any of the following questions is "yes" attach a detailed explanatory statement.				
1.	Have you ever been convicted of a misdemeanor or gross misdemeanor?			<input type="checkbox"/> Yes <input type="checkbox"/> No
2.	Have you ever been convicted of a felony?			<input type="checkbox"/> Yes <input type="checkbox"/> No

Applicant Name **DuFresne** Date Submitted **09-24-19**
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 2 Landscape Architect Registration

Registration by Examination Candidates may omit this section

Registration by Reciprocity Candidates-List all states or provinces of Canada, which have issued you a certificate of registration, use additional sheets if needed.

- **Submit verification from your home state of registration or province of Canada that you are/were active and registered in good standing, with no disciplinary action ever taken and that you received a minimum passing score of 75 percent on each section of the national examination.**
- **Submit verification from each additional state or province of Canada that you are/were active and registered in good standing, with no disciplinary action ever taken.**

1. Name of State or Province of Canada		Date of Registration
Address of Board issuing Certificate of Registration		City, Zip code
E-mail address of Board Issuing Certificate of Registration	Registration Number	
2. Name of State or Province of Canada		Date of Registration
Address of Board issuing Certificate of Registration		City, Zip code
E-mail address of Board Issuing Certificate of Registration	Registration Number	
3. Name of State or Province of Canada		Date of Registration
Address of Board issuing Certificate of Registration		City, Zip code
E-mail address of Board Issuing Certificate of Registration	Registration Number	

Professional Organizations

Please provide a list of professional organizations of which you are a member.

Applicant Name Kelli Dufresne Date Submitted 9-24-19
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 3 Professional Practice

For Registration by Examination Candidates-State in chronological order the name and address of each employer. Use additional sheets as needed. Please include with your application a completed Post Graduate Work Verification Form for each employer listed.

<http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/ProfessionalExperienceVerificationForm.pdf>

For Registration by Reciprocity Candidates-Provide verification of 2 or more years of active engagement in full-time practice as a Registered Landscape Architect. Use as many forms as needed to provide verification for 2 years.

<http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/ProfessionalExperienceVerificationForm.pdf>

Council of Landscape Architect Registration Board Certificate holders may omit this section.

Name of Employer			Dates of Employment	
Address		City	State	Zip code
Title of Position Held		Duties Performed		
Describe in Particular Duties Performed in the field of Landscape Architecture				

Name of Employer			Dates of Employment	
Address		City	State	Zip code
Title of Position Held		Duties Performed		
Describe in Particular Duties Performed in the field of Landscape Architecture				

Name of Employer			Dates of Employment	
Address		City	State	Zip code
Title of Position Held		Duties Performed		
Describe in Particular Duties Performed in the field of Landscape Architecture				

Applicant Name Du Fresno Date Submitted 9-24-19
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 4 Professional References

All Candidates-Submit 4 professional references, 2 from registered landscape architects and 2 from other licensed professionals in a related design profession who have direct knowledge of your professional abilities. All references must be stamped by the person providing the reference. <http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/LandscapeArchitectReferenceForm.pdf>

1. Name of Landscape Architect VERN KRAHN, SR Park Planner			Nature of Relationship mentor / employer
Address 3303 Butti Way #9	City Carson City	State NV	Zip code 89701
2. Name of Landscape Architect Kraig Mebust, Professor TMCC			Nature of Relationship Professor / employer
Address 475 Edison Way 270A	City Reno	State NV	Zip code 89502
3. Name of Professional Reference Celin Hayes, Summit Engineering			Nature of Relationship Colleague
Address 5405 Mac Anne Ave	City Reno	State NV	Zip code 89523
2. Name of Professional Reference Darrin Berger, Berger Hanafin Architects			Nature of Relationship Colleague
Address 312 W. 3rd St.	City Carson City	State NV	Zip code 89703

Applicant Name **DuFresne** Date Submitted **9-24-19**
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 5 Education

All Candidates-State in chronological order the name and address of each institution attended, the dates spent at each, major, indicate the degree received if applicable and the year of graduation. Use additional sheets if needed.

Registration by Examination Candidates-Arrange to have transcripts from all educational institutions forwarded to the Nevada State Board of Landscape Architecture.

Council of Landscape Architect Registration Board Certificate holders may omit this section.

1. Name of Institution TRUCKEE MEADOWS COMMUNITY COLLEGE			Graduation Date 12-2012
Address 7000 DANDINI Blvd	City RENO	State NV	Zip code 89512
Degree Received Associate Arts	Major LANDSCAPE Architecture		Dates Attended 8-2010 12-2012
2. Name of Institution UNIVERSITY OF NEVADA, RENO			Graduation Date 12-1991
Address 1664 N. Virginia St.	City RENO	State NV	Zip code 89557
Degree Received Bachelor of Arts	Major JOURNALISM		Dates Attended 01-1985 → 12-1991
3. Name of Institution			Graduation Date
Address	City	State	Zip code
Degree Received	Major		Dates Attended
4. Name of Institution			Graduation Date
Address	City	State	Zip code
Degree Received	Major		Dates Attended

Applicant Name **DuFresne** Date Submitted **9-24-19**
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

AFFIDAVIT

I certify the information contained in this application to be truthful, complete and accurate.

I acknowledge that the Nevada State Board of Landscape Architecture will compile and evaluate a record containing all aspects of my education, experience, moral character and reputation. I agree to provide any additional information as requested by the Board. I hereby authorize any individual, company or institution with whom I have been associated to furnish to the Nevada State Board of Landscape Architecture any information concerning my qualifications for professional registration in Nevada which they have on record or otherwise, and do hereby release the individual, company or institution and all individuals therewith from all liability for any damage whatsoever incurred by me as a result of their furnishing such information.

I attest that if I am subject to a court order for child support of one or more children that I am not out of compliance with the order or with a plan approved by the District Attorney or other public agency enforcing the order for repayment in the amount owed pursuant to the order.

I acknowledge that any statements, papers or documents received by the Board in its investigation may be transmitted by the Board to the Council of Landscape Architectural Registration Boards or other political subdivisions registering landscape architects as requested.

I attest that I am a citizen of the United States or that I am lawfully entitled to remain and work in the United States.

Signature of Applicant Kelly Rae Du Fresne Date 9-24-19

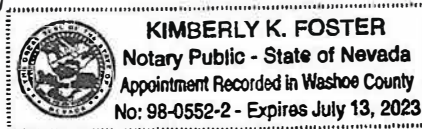
State of Nevada County of Washoe

Being first duly sworn, deposes and says: I am the applicant named in this application, have read and understand the contents thereof, and to the best of my knowledge and belief, the foregoing statements are true and correct in every respect.

Subscribed and sworn to before me this 24th day of September, 2019,
by xx Kelly Rae Du Fresne. xx

Signature of Notary Public Kimberly K. Foster my commission expires 7-13-2023

NOTARY SEAL



Mail should be sent to (choose one)

home address ☒

office address ☐

Please securely attach a recognizable photo (2"x 2 1/2"). Photo must be taken within one year of submission of this application. Affix your signature and date of the photo over the lower right-hand corner of the photo.



Kelly Rae Du Fresne
9/24/19
Photo

Applicant Name _____ Date Submitted _____
Nevada State Board of Landscape Architecture Registration Application Revised 4-2016



NEVADA STATE BOARD OF LANDSCAPE
ARCHITECTURE
POSTGRADUATE WORK VERIFICATION

APPLICANT'S NAME: Kel liDu Fresne

1. Have you employed the above named applicant? ☒ Yes ☐ No
If yes, give dates: Jan 2, 2018 to Present
Company: L.A. Studio Nevada
Address: 1552 C Street
City/State/Zip: Sparks, NV 89431
Telephone: (775) 323-2223 Fax: n/a
Applicant's Position: Landscape Architect in Training
Your Position: Landscape Architect/Principal Owner

2. Indicate types of services rendered by firm:
☒ Landscaping Architecture ☐ Contracting ☐ Architecture ☐ Planning
☐ Engineering ☐ Other (Explain) _____

3. Position of immediate supervisor: ☒ Registered Landscape Architect
☐ Registered Contractor ☐ Registered Architect ☐ Registered Planner
☐ Registered Engineer ☐ Other (Explain) _____

4.

Dates of Employment	Full or Part Time	Applicant's Position	Indicate primary areas in which applicant spent time practicing Landscape Architecture
Jan 2, 2018 to Present	Full	Landscape Architect in Training	Landscape and Irrigation Design

5. Please indicate, to the best of your knowledge, the applicant's qualifications toward the practice of Landscape Architecture by placing an X in the appropriate spaces below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence		X			
Professional Integrity	X				
Character (honesty/ethics)	X				

6. Do you consider the applicant qualified to become a professional practitioner?
☒ Yes ☐ No ☐ Not qualified to answer

7. Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for registration. Please keep in mind it is the intent of registration to insure the safeguarding of public health, safety and welfare and it is the Board's responsibility to grant registration only to those who are qualified for the profession on the basis of quality of work, character and practical experience in Landscape Architecture. As one of the applicant's confirmation of work experience, it is expected that you are familiar with the professional work and have knowledge or his/her ability, character and reputation.

7. Your Name: Alexander W. Hansen, PLA #440
Signature: _____
(Pursuant to NAC 623A.120 place state stamp over signature)

Licensed Professional? ☒ Yes ☐ No
Profession: Landscape Architect
License #/State: #440 Nevada

Date: 9/19/19 Expires: 6/30/20





Nevada State Board of Landscape Architecture
LANDSCAPE ARCHITECT PROFESSIONAL
REFERENCE FORM

APPLICANT NAME:

Kelli Du Fresne

Please keep in mind it is the intent of licensure to insure the safeguarding of public health, safety and welfare, and it is the Board's responsibility to grant licensure only to those who are qualified for the profession on the basis of quality of work, moral character and practical experience in Landscape Architecture. As one of the applicant's references, it is expected that you are familiar with the applicant's professional work and have knowledge of his/her ability, character, and reputation.

1. How long have you known the applicant? 3 years
2. In what setting(s) and with what frequency did you observe the applicant? (I.e., office, educational institutions, professional organizations etc./daily, weekly, monthly, etc.)
WORKED IN/ APPLICANT ON SCHOOL DISTRICT PROJECTS.
3. Would you be pleased to have this applicant as an associate with you in practice?
☒ Yes ☐ No
4. My general recommendation concerning this applicant is:
☒ 1. Recommend highly without reservations _____
☐ 2. Recommend as qualified and competent _____
☐ 3. Recommend with some reservation _____
☐ 4. Do not recommend _____
5. Please indicate, to the best of your knowledge, the applicant's qualification toward the practice of Landscape Architecture by placing an X in the appropriate space below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence	X				
Professional Integrity	X				
Character (honesty, ethics)	X				

6. Do you consider the applicant fully qualified to become a registered Landscape Architect in the State of Nevada?
☒ Yes ☐ No

Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for licensure.

I attest that the referenced applicant is of good moral character and has never:

Been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture; committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture; incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern; committed fraud or misrepresentation in connection with the submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or the taking of one or more examinations pursuant to the provisions of chapter 623.A; had a certificate of registration suspended or revoked by the Board or in any other state or country; in lieu of receiving disciplinary action against himself, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country; u engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; within the 5 years immediately preceding the filing of an application specified in the previous statement, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

Name: Darrin Berger

Licensed Professional? ☒ Yes ☐ No

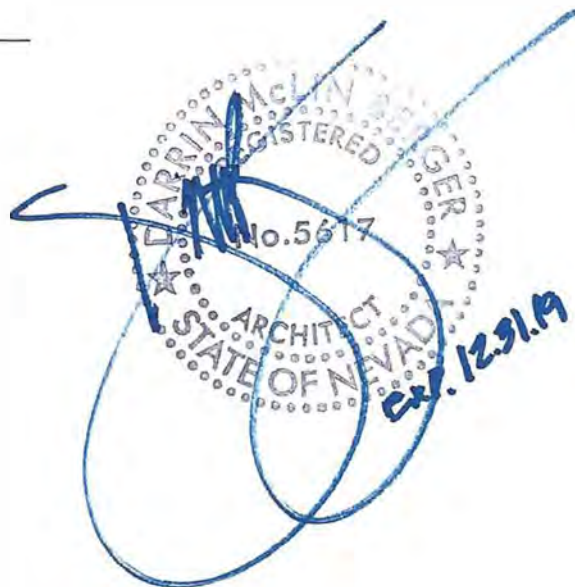
Profession: ARCHITECT

Signature: [Signature]

License #/State: NV # 5617

(Pursuant to NAC 623A.120 place state stamp over signature)

Date: Sept. 18, 2017





Nevada State Board of Landscape Architecture
LANDSCAPE ARCHITECT PROFESSIONAL
REFERENCE FORM

APPLICANT NAME: KELLI DU FRESNE

Please keep in mind it is the intent of licensure to insure the safeguarding of public health, safety and welfare, and it is the Board's responsibility to grant licensure only to those who are qualified for the profession on the basis of quality of work, moral character and practical experience in Landscape Architecture. As one of the applicant's references, it is expected that you are familiar with the applicant's professional work and have knowledge of his/her ability, character, and reputation.

1. How long have you known the applicant? 1 yr ±
2. In what setting(s) and with what frequency did you observe the applicant? (I.e., office, educational institutions, professional organizations etc./daily, weekly, monthly, etc.)
WE'VE COLLABORATED ON TWO DESIGN PROJECTS AND TALKED MONTHLY.
3. Would you be pleased to have this applicant as an associate with you in practice?
☒ Yes ☐ No
4. My general recommendation concerning this applicant is:
 1. Recommend highly without reservations ✓
 2. Recommend as qualified and competent _____
 3. Recommend with some reservation _____
 4. Do not recommend _____
5. Please indicate, to the best of your knowledge, the applicant's qualification toward the practice of Landscape Architecture by placing an X in the appropriate space below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence	X				
Professional Integrity	X				
Character (honesty, ethics)	X				

6. Do you consider the applicant fully qualified to become a registered Landscape Architect in the State of Nevada?
☒ Yes ☐ No

Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for licensure.

I attest that the referenced applicant is of good moral character and has never:

Been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture; committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture; incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern; committed fraud or misrepresentation in connection with the submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or the taking of one or more examinations pursuant to the provisions of chapter 623.A; had a certificate of registration suspended or revoked by the Board or in any other state or country; in lieu of receiving disciplinary action against himself, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country; u engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; within the 5 years immediately preceding the filing of an application specified in the previous statement, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

Name: COLIN HAYES

Licensed Professional? ☒ Yes ☐ No

Profession: CIVIL

Signature: 

License #/State: 14162 NV

(Pursuant to NAC 623A.120 place state stamp over signature)

Date: 9-18-19



L.A.R.E. Score Transmittal CRM:00171803

Parker, Morgan <MParker@clarb.org>

Mon 10/7/2019 1:31 PM

To:Landscape Board <LandscapeBoard@nsbla.nv.gov>;



L.A.R.E. Candidate: Kelly Du Fresne

The above mentioned candidate has indicated an application has been submitted to your Board. Below is a summary of the candidate's passing examination results, per his/her request.

Course Code Credit Status Activity Date

EXAM-1	Passed	04/14/2018
EXAM-2	Passed	08/14/2018
EXAM-3	Passed	12/20/2018
EXAM-4	Passed	08/06/2019

The Council of Landscape Architectural Registration Boards certifies the information provided is accurate and reflects the records of the Council.

Please feel free to contact a CLARB staff member by phone (571-432-0332) or email (info@clarb.org) should you need assistance.

Sincerely,
Morgan, Emily & Alison
Your Council Record Team

TMCC Official Transcript

Name: Du Fresno, Kelli Rae
Student ID: 1004052412
DOB: [REDACTED]

Ellis Antunez
PO Box 34143
Reno, NV 89533
USA

RECEIVED
NOV 17 2016
Nevada State Board of
Landscape Architecture

						2012 Spring						
						<u>Course</u>	<u>Description</u>	<u>Att.</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>	
						AAD	202	Analysis of the Built Env	3.00	3.00	A	12.000
						AAD	262	CAD for Landscape Arch	3.00	3.00	A-	11.100
						AAD	282	Fund of Arch Design II	3.00	3.00	A-	11.100
						MATH	95	Elementary Algebra	3.00	3.00	A	12.000
Degrees Awarded								<u>Att.</u>	<u>Earned</u>	<u>GPA Unit</u>	<u>Points</u>	
Degree:	Associate of Arts					Term GPA	3.85	Term Tot	12.00	12.00	12.000	46.200
Confer Date:	12/16/2012											
Plan:	ASSOCIATE OF ARTS, LANDSCAPE ARCHITECTURE											
						2012 Summer						
						<u>Course</u>	<u>Description</u>	<u>Att.</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>	
						MATH	96	Intermediate Algebra	3.00	3.00	B	9.000
								<u>Att.</u>	<u>Earned</u>	<u>GPA Unit</u>	<u>Points</u>	
						Term GPA	3.00	Term Tot	3.00	3.00	3.000	9.000
Transfer Credits						2012 Fall						
Transfer Credit from University of Nevada Reno						<u>Course</u>	<u>Description</u>	<u>Att.</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>	
Course Tran GPA:	0.00	Transfer Tot:	68.00	68.00	0.000	AAD	101	Design with Nature	3.00	3.00	A	12.000
						GEOG	103	Physical Geography	3.00	3.00	A	12.000
						GEOG	104	Physical Geography Lab	1.00	1.00	A	4.000
						MATH	126	Pre-Calculus I	3.00	3.00	A	12.000
Transfer Credit from Western Nevada College								<u>Att.</u>	<u>Earned</u>	<u>GPA Unit</u>	<u>Points</u>	
Course Tran GPA:	0.00	Transfer Tot:	6.00	6.00	0.000	Term GPA	4.00	Term Tot	10.00	10.00	10.000	40.000
						Undergraduate Career Totals						
						Cum GPA:	3.90	Cum Tot	58.00	58.00	58.000	226.300
						End of TMCC Official Transcript						
Beginning of Undergraduate Record												
2010 Fall												
<u>Course</u>	<u>Description</u>	<u>Att.</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>							
AAD	100	Intro Architectural Design	3.00	3.00	A	12.000						
AAD	125	Const Drawings & Detailing	3.00	3.00	A	12.000						
AAD	180	Fundamentals of Design I	3.00	3.00	A	12.000						
AAD	181	Fund Design I Discussion	3.00	3.00	A	12.000						
Term Honor/Award:						Dean's List						
						<u>Att.</u>	<u>Earned</u>	<u>GPA Unit</u>	<u>Points</u>			
Term GPA	4.00	Term Tot	12.00	12.00	12.000	48.000						
2011 Spring												
<u>Course</u>	<u>Description</u>	<u>Att.</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>							
AAD	182	Fundamentals of Design II	3.00	3.00	A	12.000						
AAD	183	Fund of Design II Discuss	3.00	3.00	A	12.000						
AAD	230	Design with Climate	3.00	3.00	A	12.000						
						<u>Att.</u>	<u>Earned</u>	<u>GPA Unit</u>	<u>Points</u>			
Term GPA	4.00	Term Tot	9.00	9.00	9.000	36.000						
2011 Fall												
<u>Course</u>	<u>Description</u>	<u>Att.</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>							
AAD	201	History of the Built Env	3.00	3.00	A	12.000						
AAD	223	Graphic Software	3.00	3.00	A-	11.100						
AAD	257	Plant Materials	3.00	3.00	A	12.000						
AAD	280	Fund of Arch Design I	3.00	3.00	A	12.000						
Term Honor/Award:						Dean's List						
						<u>Att.</u>	<u>Earned</u>	<u>GPA Unit</u>	<u>Points</u>			
Term GPA	3.92	Term Tot	12.00	12.00	12.000	47.100						

Kreg L. Mebust
Instructor of Architecture, Residential Design, and Landscape Architecture
Truckee Meadows Community College
475 Edison Way
Reno, NV 89502-4103

Tuesday, January 12, 2017

Nevada State Board of Landscape Architecture
P.O. Box 34143
Reno, NV 89533

RE: Kelli DuFresene

Dear Board Members and Executive Director:

I have the pleasure and honor to speak on behalf of Kelli DuFresne. As an instructor at Truckee Meadows Community College, Kelli was a student of mine in several classes. Each class provided a platform for Kelli to highlight her knowledge, skills and abilities.

The Design With Nature class introduced students to a challenging multi-phased project. Kelli, an inspiring student of landscape architecture, was paired up with an architectural student. Kelli demonstrated leadership skills and creative design solutions in her development of a campus-wide memorial garden master plan, specific design solutions for a sub-component of the initial phase of construction, and design direction for the main entry. She defended her solutions to TMCC's directors of Finance, Facilities, and Maintenance. She understood and excelled in the concepts of team collaboration, concept development, and presentation skills. Kelli received a superior grade.

Kelli's participation History of the Built Environment fulfills both a required landscape architectural and a humanities requirement. Each student is exposed to the built environment as it pertains to architects and landscape architects. Students are exposed to the early civilizations and contemporary projects. They are placed in a demanding setting that calls for a great deal of research then application as it pertains to knowledge of the available tools and materials. Kelli received a superior grade.

Kelli's participation in the Plant Identification course demonstrated her knowledge of native and ornamental plants indigenous to the Truckee Meadows. Each student is quizzed upon their knowledge of multiple plant characteristics and their suitability in the built environment. Kelli received a superior grade.

If there is a difficult and challenging road to take toward personal and professional goals, Kelli will be there. With great pleasure I recommend Kelli toward her path of landscape architectural licensure.

Sincerely,



Kreg L. Mebust, RLA, BLA, Ma.Ed.
NV 384, CA 4807

Nevada State Board of Landscape Architecture



Application for Professional Registration

Please Type or Print Legibly in Black Ink Completing All Sections

Nonrefundable Application Fee Registration by Examination \$175.00
Nonrefundable Application Fee Registration by Reciprocity \$100.00

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All returned exams must be delivered to the Board office at least 2 weeks prior to the meeting in order to be approved.

Section 1 Identifying information

Last Name Arizmendez		First Name Cameron		Date of Birth [REDACTED]
Place of Birth Dallas, Oregon		Social Security Number [REDACTED]	Citizenship or Legal Residence Natural born U.S. Citizen	
Residence Address 2951 Siena Heights Dr. Apt # 3823				
City Henderson	State NV	Zip code 89052	Home Telephone 907-538-1188	
Business Name Jacobs				
Business Address 2485 Village View Dr. Suite 350				
City Henderson	State NV	Zip code 89074	Business Telephone 702-953-1262	
Facsimile Number 702-369-1107		Electronic Mail Address(s) Cameron.Arizmendez@Jacobs.com		
Have you ever served in the military? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If yes, Which Branch(es) of Service? (Circle all that apply) Army/Army Reserve; Marine Corps/Marine Corps Reserve; Navy/Navy Reserve; Air Force/Air Force Reserve; Coast Guard/Coast Guard Reserve; National Guard.				
What was your Military Occupation or Specialty? _____				
What were your Date(s) of Service: _____				
If the answer to any of the following questions is "yes" attach a detailed explanatory statement.				
1.	Have you ever been convicted of a misdemeanor or gross misdemeanor?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.	Have you ever been convicted of a felony?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Name **Cameron John Arizmendez** Date Submitted **10/4/19**
Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 2 Landscape Architect Registration

Registration by Examination Candidates may omit this section

Registration by Reciprocity Candidates-List all states or provinces of Canada, which have issued you a certificate of registration, use additional sheets if needed.

- **Submit verification from your home state of registration or province of Canada that you are/were active and registered in good standing, with no disciplinary action ever taken and that you received a minimum passing score of 75 percent on each section of the national examination.**
- **Submit verification from each additional state or province of Canada that you are/were active and registered in good standing, with no disciplinary action ever taken.**

1. Name of State or Province of Canada

Date of Registration

Address of Board issuing Certificate of Registration

City, Zip code

E-mail address of Board Issuing Certificate of Registration

Registration Number

2. Name of State or Province of Canada

Date of Registration

Address of Board issuing Certificate of Registration

City, Zip code

E-mail address of Board Issuing Certificate of Registration

Registration Number

3. Name of State or Province of Canada

Date of Registration

Address of Board issuing Certificate of Registration

City, Zip code

E-mail address of Board Issuing Certificate of Registration

Registration Number

Professional Organizations

Please provide a list of professional organizations of which you are a member.

Applicant Name

Cameron John Arizmendez

Date Submitted

10/4/19

Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 3 Professional Practice

For Registration by Examination Candidates-State in chronological order the name and address of each employer. Use additional sheets as needed. Please include with your application a completed Post Graduate Work Verification Form for each employer listed.

<http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/ProfessionalExperienceVerificationForm.pdf>

For Registration by Reciprocity Candidates-Provide verification of 2 or more years of active engagement in full-time practice as a Registered Landscape Architect. Use as many forms as needed to provide verification for 2 years.

<http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/ProfessionalExperienceVerificationForm.pdf>

Council of Landscape Architect Registration Board Certificate holders may omit this section.

Name of Employer Jacobs			Dates of Employment 04/18/2016 - 09/23/2019 (current)	
Address 2485 Village View Dr. suite 350		City Henderson	State NV	Zip code 89074
Title of Position Held Landscape Planner/Designer		Duties Performed landscape plan production, irrigation plans, grading plans.		
Describe in Particular Duties Performed in the field of Landscape Architecture planting plans, grading plans, irrigation plans, site analysis				
Name of Employer			Dates of Employment	
Address		City	State	Zip code
Title of Position Held		Duties Performed		
Describe in Particular Duties Performed in the field of Landscape Architecture				
Name of Employer			Dates of Employment	
Address		City	State	Zip code
Title of Position Held		Duties Performed		
Describe in Particular Duties Performed in the field of Landscape Architecture				

Applicant Name **Cameron Arizmendez** Date Submitted **10/4/19**
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 4 Professional References

All Candidates-Submit 4 professional references, 2 from registered landscape architects and 2 from other licensed professionals in a related design profession who have direct knowledge of your professional abilities. All references must be stamped by the person providing the reference. <http://nsbla.nv.gov/uploadedFiles/nsblanvgov/content/Forms/LandscapeArchitectReferenceForm.pdf>

1. Name of Landscape Architect David L. Farley			Nature of Relationship Colleague
Address 314 S. Water St. 120	City Henderson	State NV	Zip code 89015
2. Name of Landscape Architect Justin Van Cleef			Nature of Relationship Colleague
Address 2866 Loveland Dr #2029	City Las Vegas	State Nevada	Zip code 89109
3. Name of Professional Reference James A. Monroe, Jr.			Nature of Relationship Colleague
Address 2485 village view	City Henderson	State Nevada	Zip code 89074
2. Name of Professional Reference Jeffrey N. Griest			Nature of Relationship Colleague
Address 1680 Flores Lane	City Henderson	State Nevada	Zip code 89012

Applicant Name **Cameron Arizmendez** Date Submitted **10/4/19**
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

Section 5 Education

All Candidates-State in chronological order the name and address of each institution attended, the dates spent at each, major, indicate the degree received if applicable and the year of graduation. Use additional sheets if needed.

Registration by Examination Candidates-Arrange to have transcripts from all educational institutions forwarded to the Nevada State Board of Landscape Architecture.

Council of Landscape Architect Registration Board Certificate holders may omit this section.

1. Name of Institution College of Southern Nevada			Graduation Date _____
Address 6375 W. Charleston Blvd		City Las Vegas	State Nevada
Degree Received None		Major Architctural Design Technology	Zip code 89146
2. Name of Institution University of Nevada Las Vegas			Dates Attended 08/31/2009 - 08/15/2012
Address 4505 S. Maryland Pkwy		City Las Vegas	State Nevada
Degree Received Bachelor of Landscape Architecture		Major Landscape Architecture	Zip code 89154
3. Name of Institution			Graduation Date
Address		City	State
Degree Received		Major	Zip code
4. Name of Institution			Dates Attended
Address		City	State
Degree Received		Major	Zip code
			Dates Attended

Applicant Name **Cameron Arizmendez** Date Submitted **10/4/19**
 Nevada State Board of Landscape Architecture Registration Application Revised 4-2016

AFFIDAVIT

I certify the information contained in this application to be truthful, complete and accurate.

I acknowledge that the Nevada State Board of Landscape Architecture will compile and evaluate a record containing all aspects of my education, experience, moral character and reputation. I agree to provide any additional information as requested by the Board. I hereby authorize any individual, company or institution with whom I have been associated to furnish to the Nevada State Board of Landscape Architecture any information concerning my qualifications for professional registration in Nevada which they have on record or otherwise, and do hereby release the individual, company or institution and all individuals therewith from all liability for any damage whatsoever incurred by me as a result of their furnishing such information.

I attest that if I am subject to a court order for child support of one or more children that I am not out of compliance with the order or with a plan approved by the District Attorney or other public agency enforcing the order for repayment in the amount owed pursuant to the order.

I acknowledge that any statements, papers or documents received by the Board in its investigation may be transmitted by the Board to the Council of Landscape Architectural Registration Boards or other political subdivisions registering landscape architects as requested.

I attest that I am a citizen of the United States or that I am lawfully entitled to remain and work in the United States.

Signature of Applicant Cameron Arizmendez Date 10/2/19

State of NEVADA County of CLARK

Being first duly sworn, deposes and says: I am the applicant named in this application, have read and understand the contents thereof, and to the best of my knowledge and belief, the foregoing statements are true and correct in every respect.

Subscribed and sworn to before me this 2nd day of October, 2019

Signature of Notary Public Carolyn M. Bowens my commission expires 12.17.21

NOTARY SEAL



Mail should be sent to (choose one)

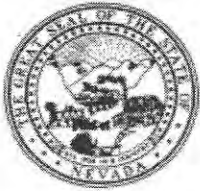
home address ☒

office address ☐

Please securely attach a recognizable photo (2"x 2 1/2"). Photo must be taken within one year of submission of this application. Affix your signature and date of the photo over the lower right-hand corner of the photo.



Applicant Name Cameron John Arizmendez Date Submitted 10/4/19
Nevada State Board of Landscape Architecture Registration Application Revised 4-2016



NEVADA STATE BOARD OF LANDSCAPE
ARCHITECTURE
POSTGRADUATE WORK VERIFICATION

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OCT 09 2019
Nevada State Board of
Landscape Architecture

APPLICANT'S NAME: Cameron John Arizmendez

1. Have you employed the above named applicant? ☒ Yes ☐ No
If yes, give dates: 04/18/2016 - 09/23/19 (Current employee)
Company: Jacobs
Address: 2485 Village View Dr. Suite 350
City/State/Zip: Henderson, NV 89074
Telephone: 702-953-1228 Fax: _____
Applicant's Position: Landscape Designer
Your Position: Sr. Landscape Architect/Project Manager

2. Indicate types of services rendered by firm:
☒ Landscaping Architecture ☐ Contracting ☐ Architecture ☒ Planning
☒ Engineering ☐ Other (Explain) _____
3. Position of immediate supervisor: ☒ Registered Landscape Architect
☐ Registered Contractor ☐ Registered Architect ☐ Registered Planner
☐ Registered Engineer ☐ Other (Explain) _____

4.

Dates of Employment	Full or Part Time	Applicant's Position	Indicate primary areas in which applicant spent time practicing Landscape Architecture
04/18/2016-09/23-19 (Current employee)	Full	Landscape Designer	Concept to final design, graphics, CADD, estimating, specs, construction observation,

5. Please indicate, to the best of your knowledge, the applicant's qualifications toward the practice of Landscape Architecture by placing an X in the appropriate spaces below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence	X				
Professional Integrity	X				
Character (honesty/ethics)	X				

6. Do you consider the applicant qualified to become a professional practitioner?
☒ Yes ☐ No ☐ Not qualified to answer

7. Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for registration. Please keep in mind it is the intent of registration to insure the safeguarding of public health, safety and welfare and it is the Board's responsibility to grant registration only to those who are qualified for the profession on the basis of quality of work, character and practical experience in Landscape Architecture. As one of the applicant's confirmation of work experience, it is expected that you are familiar with the professional work and have knowledge or his/her ability, character and reputation.

7. Your Name: Linda A. Kersgaard
Signature: [Signature]
(Pursuant to NRS 623A.120, place state stamp over signature)

Licensed Professional? ☒ Yes ☐ No
Profession: Landscape Architect
License #/State: #900/NV

Date: 10/02/2019 Expires: June 30, 2020





Nevada State Board of Landscape Architecture
LANDSCAPE ARCHITECT PROFESSIONAL
REFERENCE FORM

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Nevada State Board of
Landscape Architecture

APPLICANT NAME: Cameron John Arizmendez

Please keep in mind it is the intent of licensure to insure the safeguarding of public health, safety and welfare, and it is the Board's responsibility to grant licensure only to those who are qualified for the profession on the basis of quality of work, moral character and practical experience in Landscape Architecture. As one of the applicant's references, it is expected that you are familiar with the applicant's professional work and have knowledge of his/her ability, character, and reputation.

1. How long have you known the applicant? 3 Years
2. In what setting(s) and with what frequency did you observe the applicant? (I.e., office, educational institutions, professional organizations etc./daily, weekly, monthly, etc.)
Office on a weekly basis
3. Would you be pleased to have this applicant as an associate with you in practice?
☒ Yes ☐ No
4. My general recommendation concerning this applicant is: ☒
1. Recommend highly without reservations _____
2. Recommend as qualified and competent _____
3. Recommend with some reservation _____
4. Do not recommend _____
5. Please indicate, to the best of your knowledge, the applicant's qualification toward the practice of Landscape Architecture by placing an X in the appropriate space below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence	X				
Professional Integrity	X				
Character (honesty, ethics)	X				

6. Do you consider the applicant fully qualified to become a registered Landscape Architect in the State of Nevada?
☒ Yes ☐ No

Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for licensure.

I attest that the referenced applicant is of good moral character and has never:

Been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture; committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture; incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern; committed fraud or misrepresentation in connection with the submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or the taking of one or more examinations pursuant to the provisions of chapter 623.A; had a certificate of registration suspended or revoked by the Board or in any other state or country; in lieu of receiving disciplinary action against himself, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country; u engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; within the 5 years immediately preceding the filing of an application specified in the previous statement, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

Name: David L. Farley

Licensed Professional? ☒ Yes ☐ No
Profession: _____

Signature: _____

License #/State: 806/Nevada

(Pursuant to NAC 623A.180 place state stamp over signature)



Date: 9/24/19



Nevada State Board of Landscape Architecture
LANDSCAPE ARCHITECT PROFESSIONAL
REFERENCE FORM

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Nevada State Board of
Landscape Architecture

APPLICANT NAME: Cameron John Arizmendez

Please keep in mind it is the intent of licensure to insure the safeguarding of public health, safety and welfare, and it is the Board's responsibility to grant licensure only to those who are qualified for the profession on the basis of quality of work, moral character and practical experience in Landscape Architecture. As one of the applicant's references, it is expected that you are familiar with the applicant's professional work and have knowledge of his/her ability, character, and reputation.

1. How long have you known the applicant? 6 Years
2. In what setting(s) and with what frequency did you observe the applicant? (I.e., office, educational institutions, professional organizations etc./daily, weekly, monthly, etc.)
Office, educational, & professional orgs. Originally weekly but currently monthly.
3. Would you be pleased to have this applicant as an associate with you in practice?
☒ Yes ☐ No
4. My general recommendation concerning this applicant is:
 1. Recommend highly without reservations X
 2. Recommend as qualified and competent _____
 3. Recommend with some reservation _____
 4. Do not recommend _____
5. Please indicate, to the best of your knowledge, the applicant's qualification toward the practice of Landscape Architecture by placing an X in the appropriate space below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence	X				
Professional Integrity	X				
Character (honesty, ethics)	X				

6. Do you consider the applicant fully qualified to become a registered Landscape Architect in the State of Nevada?
☒ Yes ☐ No

Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for licensure.

I attest that the referenced applicant is of good moral character and has never:

Been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture; committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture; incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern; committed fraud or misrepresentation in connection with the submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or the taking of one or more examinations pursuant to the provisions of chapter 623.A; had a certificate of registration suspended or revoked by the Board or in any other state or country; in lieu of receiving disciplinary action against himself, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country; u engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; within the 5 years immediately preceding the filing of an application specified in the previous statement, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

Name: JUSTIN

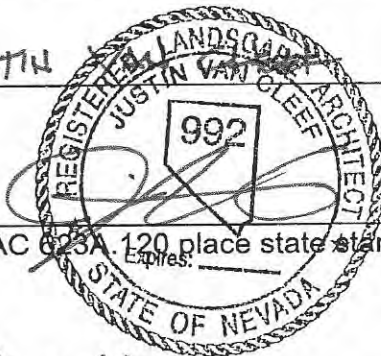
Licensed Professional? ☒ Yes ☐ No

Profession: LANDSCAPE ARCHITECT

Signature: _____

License #/State: 992, NV

(Pursuant to NAC 623A.120 place state stamp over signature)



Date: 10-2-19



Nevada State Board of Landscape Architecture
LANDSCAPE ARCHITECT PROFESSIONAL
REFERENCE FORM

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Nevada State Board of
Landscape Architecture

APPLICANT NAME: Cameron John Arizmendez

Please keep in mind it is the intent of licensure to insure the safeguarding of public health, safety and welfare, and it is the Board's responsibility to grant licensure only to those who are qualified for the profession on the basis of quality of work, moral character and practical experience in Landscape Architecture. As one of the applicant's references, it is expected that you are familiar with the applicant's professional work and have knowledge of his/her ability, character, and reputation.

1. How long have you known the applicant? 1 year
2. In what setting(s) and with what frequency did you observe the applicant? (I.e., office, educational institutions, professional organizations etc./daily, weekly, monthly, etc.)
Office
3. Would you be pleased to have this applicant as an associate with you in practice?
☒ Yes ☐ No
4. My general recommendation concerning this applicant is:
 1. Recommend highly without reservations ✓
 2. Recommend as qualified and competent _____
 3. Recommend with some reservation _____
 4. Do not recommend _____
5. Please indicate, to the best of your knowledge, the applicant's qualification toward the practice of Landscape Architecture by placing an X in the appropriate space below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence	X				
Professional Integrity	X				
Character (honesty, ethics)	X				

6. Do you consider the applicant fully qualified to become a registered Landscape Architect in the State of Nevada?
☒ Yes ☐ No

Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for licensure.

I attest that the referenced applicant is of good moral character and has never:

Been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture; committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture; incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern; committed fraud or misrepresentation in connection with the submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or the taking of one or more examinations pursuant to the provisions of chapter 623.A; had a certificate of registration suspended or revoked by the Board or in any other state or country; in lieu of receiving disciplinary action against himself, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country; u engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; within the 5 years immediately preceding the filing of an application specified in the previous statement, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

Name: James A. Monroe, Jr.

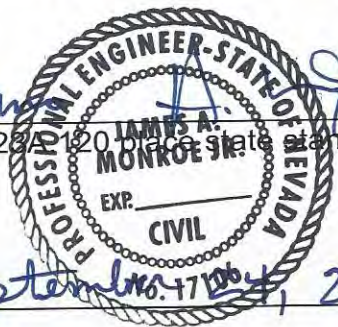
Licensed Professional? ☒ Yes ☐ No

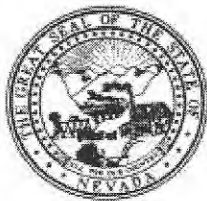
Profession: Civil Engineer

Signature: [Signature]
(Pursuant to NAC 623A.120 place state stamp over signature)

License #/State: 17106 / NV

Date: September 17th, 2019





Nevada State Board of Landscape Architecture
LANDSCAPE ARCHITECT PROFESSIONAL
REFERENCE FORM

APPLICANT NAME: Cameron John Arizmendez

Please keep in mind it is the intent of licensure to insure the safeguarding of public health, safety and welfare, and it is the Board's responsibility to grant licensure only to those who are qualified for the profession on the basis of quality of work, moral character and practical experience in Landscape Architecture. As one of the applicant's references, it is expected that you are familiar with the applicant's professional work and have knowledge of his/her ability, character, and reputation.

1. How long have you known the applicant? 3 1/2 years
2. In what setting(s) and with what frequency did you observe the applicant? (I.e., office, educational institutions, professional organizations etc./daily, weekly, monthly, etc.)
OFFICE / WEEKLY
3. Would you be pleased to have this applicant as an associate with you in practice?
☒ Yes ☐ No
4. My general recommendation concerning this applicant is:
 1. Recommend highly without reservations X
 2. Recommend as qualified and competent _____
 3. Recommend with some reservation _____
 4. Do not recommend _____
5. Please indicate, to the best of your knowledge, the applicant's qualification toward the practice of Landscape Architecture by placing an X in the appropriate space below.

Phase/Activity	Excellent	Satisfactory	Marginal	Unsatisfactory	Unknown
Technical Competence	X				
Professional Integrity	X				
Character (honesty, ethics)	X				

6. Do you consider the applicant fully qualified to become a registered Landscape Architect in the State of Nevada?
☒ Yes ☐ No

Please provide by attachment any additional information or comments you feel would benefit the Board in determining the applicant's qualifications for licensure.

I attest that the referenced applicant is of good moral character and has never:

Been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture; committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture; incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern; committed fraud or misrepresentation in connection with the submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or the taking of one or more examinations pursuant to the provisions of chapter 623.A; had a certificate of registration suspended or revoked by the Board or in any other state or country; in lieu of receiving disciplinary action against himself, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country; u engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; within the 5 years immediately preceding the filing of an application specified in the previous statement, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

Name: JEFFREY N

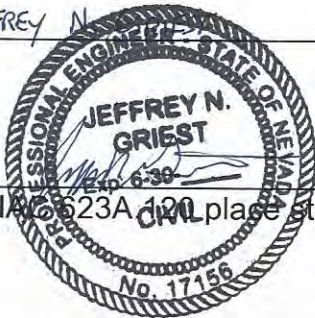
Licensed Professional? ☒ Yes ☐ No

Profession: CIVIL ENGINEER

Signature: JEFFREY N. GRIEST

License #/State: 17156 / NV

(Pursuant to NAC 623A.120 place state stamp over signature)



Date: 9-25-19

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OCT 03 2019

Official Transcript

Nevada State Board of
Landscape Architecture

Student ID: 1014365832

Name: Arizmendez, Cameron John

09/24/2019

Page 1 of 1

Order Nbr:

001297452

Degrees Awarded

Degree: Bachelor of Landscape Architecture
 Confer Date: 05/17/2014
 Plan: Landscape Architecture

2013 Spring

			Att	Ehr	Grd
LAND	258	Xeric plant materials	3.00	3.00	A
LAND	306	Charrette	1.00	1.00	A
LAND	386	Ldscp Arch Design IV	6.00	6.00	A-
LAND	443	Stormwater Management	3.00	3.00	B
LAND	491	Professional Practice	3.00	3.00	A
			Att	Earned	Points GPA GP Bal
Term Totals:			16.00	16.00	59.20 3.70 27.20

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	62.00	62.00	213.20	3.43	89.20

Term Honor: Dean's Honor List

Beginning of Undergraduate Record

Transfer/Test Credits

College of Southern Nevada TRANSFER CREDIT 34.00

2011 Fall

			Att	Ehr	Grd
AAD	201	History of Built Environ	3.00	3.00	C+
LAND	257	Plant Materials	3.00	3.00	C
LAND	262	Cad for Landscape Arch	3.00	3.00	A-
LAND	284	Landscape Arc Des I	6.00	6.00	B+

	Att	Earned	Points	GPA	GP Bal
Term Totals:	15.00	15.00	43.80	2.92	13.80

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	15.00	15.00	43.80	2.92	13.80

2012 Spring

			Att	Ehr	Grd
GEOG	103	Phy Geog of Earth's Env	3.00	3.00	B+
GEOG	104	Physical Geog Lab	1.00	1.00	A
LAND	241	Grading and Drainage	3.00	3.00	A-
LAND	255	History of Land Arch	3.00	3.00	A
LAND	286	Landscape Design II	6.00	6.00	A-

	Att	Earned	Points	GPA	GP Bal
Term Totals:	16.00	16.00	59.20	3.70	27.20

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	31.00	31.00	103.00	3.32	41.00

Term Honor: Dean's Honor List

2012 Fall

			Att	Ehr	Grd
ENV	220	Intro Ecological Prin	3.00	3.00	B
LAND	242	Irrigation	3.00	3.00	A-
LAND	384	Landscape Arch Des III	6.00	6.00	B+
LAND	442	Landscape Arch Structures	3.00	3.00	A-

	Att	Earned	Points	GPA	GP Bal
Term Totals:	15.00	15.00	51.00	3.40	21.00

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	46.00	46.00	154.00	3.34	62.00

2013 Summer

			Att	Ehr	Grd
ECON	190	Global Economics	3.00	3.00	B+
PSC	101	Intro Amer Politics	4.00	4.00	A
WMST	113	Gender, Race, & Class	3.00	3.00	A

	Att	Earned	Points	GPA	GP Bal
Term Totals:	10.00	10.00	37.90	3.79	17.90

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	72.00	72.00	251.10	3.48	107.10

2013 Fall

			Att	Ehr	Grd
AAD	400	Clinical Internship	0.00	0.00	S
CRJ	104	Intr Admin of Justice	3.00	3.00	A
LAND	484	Landscape Arch Design V	6.00	6.00	A
SPAN	113	Elementary Spanish I	3.00	3.00	A

	Att	Earned	Points	GPA	GP Bal
Term Totals:	12.00	12.00	48.00	4.00	24.00

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	84.00	84.00	299.10	3.56	131.10

Term Honor: Dean's Honor List

2014 Spring

			Att	Ehr	Grd
LAND	455	Landscape Interpretation	3.00	3.00	A-
LAND	486	Landscape Arch Design VI	6.00	6.00	B
LAND	499	Sustainable Design	3.00	3.00	A

	Att	Earned	Points	GPA	GP Bal
Term Totals:	12.00	12.00	41.10	3.42	17.10

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	96.00	96.00	340.20	3.54	148.20

Undergraduate Career Totals

	Att	Earned	Points	GPA	GP Bal
Cumulative Totals:	96.00	130.00	340.20	3.54	148.20

End of Official Transcript

Nevada State Board of Landscape Architecture
 P.O. Box 34143
 Reno, NV 89533
 United States



SAM J. FUGAZZOTTO, Ed.D
 OFFICE OF THE REGISTRAR

L.A.R.E. Score Transmittal CRM:00171855

Parker, Morgan <MParker@clarb.org>

Thu 10/10/2019 11:00 AM

To:Landscape Board <LandscapeBoard@nsbla.nv.gov>;



L.A.R.E. Candidate: Cameron Arizmendez

The above mentioned candidate has indicated an application has been submitted to your Board. Below is a summary of the candidate's passing examination results, per his/her request.

Course Code Credit Status Activity Date

EXAM-1	Passed	08/12/2019
EXAM-2	Passed	08/10/2018
EXAM-3	Passed	12/19/2018
EXAM-4	Passed	04/10/2019

The Council of Landscape Architectural Registration Boards certifies the information provided is accurate and reflects the records of the Council.

Please feel free to contact a CLARB staff member by phone (571-432-0332) or email (info@clarb.org) should you need assistance.

Sincerely,

Morgan, Emily & Alison
Your Council Record Team

WAIVER

NEVADA STATE BOARD OF LANDSCAPE ARCHITECTURE

Friday, November 1, 2019, at 10:00 AM

The Nevada open Meeting Law, NRS 241.033(1) (see below), states that the "public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person, unless it has given written notice to that person of the time and place of the meeting." Such written notice must either be (a) delivered personally to that person at least five (5) working days before the meeting, or (b) sent by certified mail to the last known address of that person at least twenty-one (21) working days before the meeting. I hereby acknowledge my right to be noticed under NRS 241.033, however, I hereby waive such notice so that the Nevada State Board of Landscape Architecture may discuss and consider my qualifications as a Landscape Architect at its next meet. I understand the Nevada State Board of Landscape Architecture meeting is scheduled to commence at 10:00 AM on November 1, 2019.

I further understand that the Nevada State Board of Landscape Architecture meeting is scheduled for Friday, November 1, 2019 at 10:00 a.m., at the Governor's Conference Room, Sawyer State Office Building, 555 East Washington Ave. Suite 5100 Las Vegas, NV 89101

**Please email this completed form to LandscapeBoard@nsbla.nv.gov or
fax this completed form to: 775 671-3424**

October 9th, 2019

Date

Cameron Arizmendez

Signature

Cameron John Arizmendez

Printed name

NRS 241.033

Meeting to consider character, misconduct, competence or health of person or to consider appeal of results of examination: Written notice to person required; exception; public body required to allow person whose character, misconduct, competence or health is to be considered to attend with representative and to present evidence; attendance of additional persons; copy of record.

1. A public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person or to consider an appeal by a person of the results of an examination conducted by or on behalf of the public body unless it has:

(a) Given written notice to that person of the time and place of the meeting; and

(b) Received proof of service of the notice.

2. The written notice required pursuant to subsection 1:

(a) Except as otherwise provided in subsection 3, must be:

(1) Delivered personally to that person at least 5 working days before the meeting; or

(2) Sent by certified mail to the last known address of that person at least 21 working days before the meeting.

(b) May, with respect to a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, include an informational statement setting forth that the public body may, without further notice, take administrative action against the person if the public

body determines that such administrative action is warranted after considering the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) Must include:

(1) A list of the general topics concerning the person that will be considered by the public body during the closed meeting; and

(2) A statement of the provisions of subsection 4, if applicable.

3. The Nevada Athletic Commission is exempt from the requirements of subparagraphs (1) and (2) of paragraph (a) of subsection 2, but must give written notice of the time and place of the meeting and must receive proof of service of the notice before the meeting may be held.

4. If a public body holds a closed meeting or closes a portion of a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, the public body must allow that person to:

(a) Attend the closed meeting or that portion of the closed meeting during which his character, alleged misconduct, professional competence, or physical or mental health is considered;

(b) Have an attorney or other representative of his choosing present with him during the closed meeting; and

(c) Present written evidence, provide testimony and present witnesses relating to his character, alleged misconduct, professional competence, or physical or mental health to the public body during the closed meeting.

5. Except as otherwise provided in subsection 4, with regard to the attendance of persons other than members of the public body and the person whose character, alleged misconduct, professional competence, physical or mental health or appeal of the results of an examination is considered, the

chairman of the public body may at any time before or during a closed meeting:

(a) Determine which additional persons, if any, are allowed to attend the closed meeting or portion thereof; or

(b) Allow the members of the public body to determine, by majority vote, which additional persons, if any, are allowed to attend the closed meeting or portion thereof.

6. A public body shall provide a copy of any record of a closed meeting prepared pursuant to NRS 241.035, upon the request of any person who received written notice of the closed meeting pursuant to subsection 1.

7. For the purposes of this section, casual or tangential references to a person or the name of a person during a closed meeting do not constitute consideration of the character, alleged misconduct, professional competence, or physical or mental health of the person.

NEVADA STATE BOARD OF LANDSCAPE ARCHITECTS

STRATEGIC PLAN

2019 Update

The Process

The Nevada State Board of Landscape Architects (NSBLA) began development of a strategic plan in June 2016. The draft plan was developed and discussed at board meetings until December 2016 at which time it was tabled to devote full attention of the board to address sunseting, needed Nevada Administrative Code (NAC) revisions and continuing education requirements. In Aug 2019 a board committee was selected to finish the strategic plan. A public meeting for information purposes was held in November 2019 and the strategic plan was officially adopted as board policy at the November 2019 board meeting. This plan will serve as a guide for all board functions and will be updated every three years.

Mission

The mission of the Nevada State Board of Landscape Architects is to regulate the practice of Landscape Architecture protecting the public's health, safety and welfare relative to outdoor spaces, while safeguarding the environment.

Vision

The Board will promote a healthier and safer built environment for the state of Nevada through enforcement of the laws governing professional licensure.

Values

The Board will serve Nevadans through regulation of qualified practitioners, education of professionals and the general public, and licensing of new landscape architects.

Strategic Goals

1. Ensure that Landscape Architects are qualified to practice by maintaining requirements for education, experience and testing.
2. Protect the public through regulation and enforcement of the Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC).
3. Maintain an office and staff per the requirements of the Attorney General's Office and NRS regulations.
4. Keep a current web site for licensee and candidate communication.
5. Remain proactive and strategic to avoid future Board "sunsetting" attempts.
6. Update this strategic plan every three years to stay current and relevant for our licensees.

Objectives

Goal 1- *Ensure that Landscape Architects are qualified to practice by maintaining requirements for education, experience and testing.*

1. The Executive Director to review and make recommendations for approval or denial of new applicants to the Board at quarterly meetings.
2. The Executive Director to review and approve reciprocal licensees with a Council of Landscape Architectural Registration Board (CLARB) certificate upon receipt without Board approval per the Nevada Revised Statutes (NRS) and board policy.

Goal 2- *Protect the public through regulation and enforcement of the Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC).*

1. Investigate and make decisions with potential penalties for licensee complaints, as required by Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC).
2. Modify the statutes and codes in a timely manner to stay current with the practice of landscape architecture.
3. Support Nevada schools and universities to promote the practice of landscape architecture.
4. Continue to be a self-sustaining Board without state monetary support. The Board to remain solvent and healthy, with adequate funding to carry on Board functions through annual license renewal fees.
5. Update test questions and administer the Nevada specific exam section.
6. Approve qualified candidates for licensure and reciprocity in a consistent, fair and timely manner.
7. Continue to communicate with the Council of Landscape Architectural Registration Board (CLARB) on national licensing requirements.

Goal 3- *Maintain an office and staff per the requirements of the Attorney General's Office and NRS regulations.*

1. The Board to keep informed on the latest rules and guidelines from the state to ensure compliance.
2. Provide a timely response to all licensee requests for reports and information.
3. The Board to maintain a concise list of enforcement officers to report and investigate complaints.

Goal 4- *Keep a current web site for licensee and candidate communication.*

1. Include a current strategic plan, an updated path to licensure, educational programs, Council of Landscape Architectural Registration Board (CLARB) updates and Board contact information.
2. Develop and maintain a continuing education requirement for licensees.
3. At a minimum, provide quarterly updates to the website. Encourage Board member and licensee posts to the site. Coordinate with the State on a website update schedule.
4. Develop and maintain lines of communication with the Nevada Chapter of the American Society of Landscape Architects (NVASLA).

Goal 5- *Remain proactive and strategic to successfully navigate future "sunsetting" legislation.*

1. Maintain good working relationships with related boards, professional groups (American Society of Landscape Architects (ASLA), National Landscape Association (NLA), American Institute of Architects (AIA), engineer's board, contractor's board, other related associations), legislative members and the Attorney General's Office.
2. Develop methods of payments that meet with current economic practices and the marketplace.
3. Board members to stay current by attending seminars on ethics, open meeting laws and other educational courses as required by legislation.
4. Identify and retain qualified and enthusiastic board members for long term continuity.

Goal 6- *Update this strategic plan every three years in order to stay current and relevant for our licensees.*

1. The plan should reflect local, regional and national trends, ideas and policy revisions.
2. The plan must remain consistent with the plans prepared by related professions, the American Society of Landscape Architects, Council of Landscape Architectural Registration Board, State Board of Architecture, State Board of Engineers, State Contactor's Board, State and Local Building and Planning Departments.

Board Accomplishments

2016

1. Complied with the requirements for an office open to the public per the standards set by the Attorney General's office.
2. Found and hired a new Executive Director with experience and knowledge of the profession.
3. Began development of a Strategic Plan.
4. Worked towards the establishment of a continuing education program.
5. Worked with Council of Landscape Architectural Registration Board (CLARB) on world and national regulation and trends, and how those may affect Nevada in the future.
6. Participated in Council of Landscape Architectural Registration Board (CLARB) annual meetings and webinars.
7. Continued development of Nevada specific exam questions.

2017-2019

1. Continued to develop updated Nevada specific exam questions.
2. Implemented Continuing Education requirements for license renewals.
3. Participated in Council of Landscape Architectural Registration Board (CLARB) annual meetings.
4. Adopted the Strategic Plan as Board policy.

Agenda Item 6.B.2.b

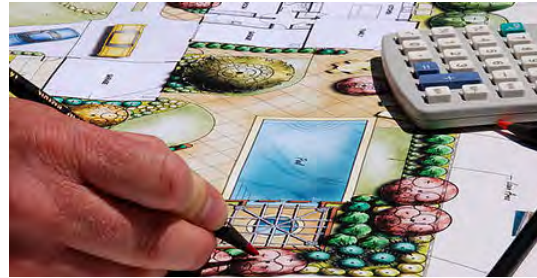


(/)



Landscape Architects Continuing Education

The following online PDH or CE continuing education courses help the licensed landscape architects to meet their continuing education requirements to renew their landscape architect license to practice as a landscape architect. The title "landscape architect" is a regulated term. Only those individuals who have become registered as landscape architects may legally call themselves a landscape architect.



DiscountPDH offers online CE and PDH courses for licensed landscape architects to renew their PE license. All online PDH and CE courses for licensed landscape architects are technical in nature and address business management practices, professional ethics, quality assurance, codes or other similar topics which facilitate the licensee's professional development as a professional landscape architect and serves to safeguard Health, Safety and Welfare (HSW) of the citizens.





Better courses at
Affordable prices

PDH Courses

We are Pre-approved by the State Board of Engineers in the following States:

- Florida (Area of Practice 0003758, Laws and Rules 0010297 Ethics 0010298)
- North Carolina
- New York
- Louisiana
- New Jersey
- Indiana
- Maryland
- Pennsylvania



Our courses have been accepted by all the following State Board of Engineers since 2004.

Alabama	Arkansas	Alaska	Georgia
Idaho	Illinois	Iowa	Kansas
Kentucky	Maine	Minnesota	Mississippi
Missouri	Montana	Nebraska	Nevada
Oregon	South Carolina	South Dakota	Tennessee
Texas	Utah	Virginia	West Virginia
Wisconsin	Wyoming		

None of our courses have ever been denied by any State Board of Engineers nationwide.



Evaluation of Urban Soils:

Suitability for Green Infrastructure or Urban Agriculture



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Acronyms and Units of Measure

ASTM	American Society for Testing and Materials
CEC	cation exchange capacity
EPA	Environmental Protection Agency
NCSS	National Cooperative Soil Survey
NRCS	Natural Resources Conservation Service (U.S. Department of Agriculture)
PAH	polycyclic aromatic hydrocarbon
PCB	polychlorinated biphenyl
ppm	parts per million
SVOC	semi-volatile organic compound
SWCS	Soil and Water Conservation Society
USDA	U.S. Department of Agriculture
VOC	volatile organic compound

Executive Summary

Many urban areas are experiencing a significant increase in the number of vacant properties and a corresponding underutilization of substantial tracts of land. As part of efforts to revitalize these areas, communities are looking at *green* reuses of vacant properties, including parks, green infrastructure, and urban agriculture. The poor condition of the soils on these properties, however, can often be a significant impediment to green infrastructure and urban agriculture uses. The soils are often severely compacted, lack sufficient organic matter, and can contain large amounts of construction debris, making them unsuitable as a growing medium.

This report provides a concise, practical, and scientifically-based overview of the typical conditions of urban soils and offers recommendations for how such soils can be rehabilitated or reconditioned to support green infrastructure or urban agriculture. Reconditioning methods for improving poor quality soils will vary depending on soil conditions and the intended use of the site. In general, the objective is to restore disturbed urban soils to a condition more consistent with the functions and services of native soils. Sites intended for urban agriculture might need considerable reconditioning to achieve the characteristics needed to grow certain crops, whereas areas intended for recreation (e.g., parks, playgrounds, hiking trails) might need only moderate improvement to allow for vegetation.

Reconditioning of urban soils is intended to adjust drainage characteristics, improve soil structure, add organic matter, and mitigate compaction. Examples of soil reconditioning techniques include:

- Raking out construction debris and using a subsoiler to break up compacted soils
- Adding compost and tilling
- Altering the soil chemistry to achieve desired parameters (e.g., pH)
- Manipulating organism populations to achieve a desired change in soil characteristics (e.g., using earthworms to promote easier air, water, and nutrient penetration into the soil profile).

In many cases, reconditioning of soils on vacant parcels involves raking out rubble and debris and tilling in compost or topsoil. In procuring compost or topsoil, care should be taken to bring in materials from sources where the origin of the compost or soil is known, and the quality of the materials is certified or otherwise ensured. This is important to make certain there are not undesirable characteristics in the soil or compost being brought to the site, such as contaminants or seeds from invasive plant species.

In some cases, urban soils may have concentrations of contaminants from past land uses or air deposition. Possible soil contamination issues should be considered when planning reuses of urban parcels. This report does not specifically address assessment or remediation of contaminated soils. The U.S. EPA Brownfields Program and/or State Brownfield or Voluntary Clean-up Programs should be consulted for technical information on assessing sites and addressing soil contamination, if identified. This report focuses on assessing and reconditioning soils to provide good drainage and support plant growth.

Soil quality and characteristics should be assessed during the project planning phase, and initial reconditioning should be done before vegetation is established. Project planners need to understand that long-term management of the soils is needed to ensure success. Soil management is a dynamic process that usually requires a large initial effort followed by smaller sustained efforts to achieve a lasting beneficial result.

1.0 Introduction

Many urban areas, especially within the industrial Midwest, are experiencing a significant increase in the number of vacant properties and underutilization of substantial tracts of land. In an effort to revitalize these areas, communities are looking at using vacant properties as locations for green infrastructure and urban agriculture. The poor conditions of soils on these properties, however, can often be a significant impediment to successfully implementing green infrastructure or urban agriculture projects. Soils are often lacking organic matter and/or are severely compacted, and may contain large amounts of construction debris, making them unsuitable as a growing medium.

This report provides a concise, practical, and scientifically-based overview of the typical conditions of urban soils and offers recommendations for how such soils can be rehabilitated or reconditioned to support green infrastructure or urban agriculture. The focus of the document is on conditions within the Great Lakes Basin, although many of the principles apply to urban environments throughout the U.S.

U.S. EPA defines *green infrastructure* as “an adaptable term used to describe an array of products, technologies, and practices that use natural systems—or engineered systems that mimic natural processes—to enhance overall environmental quality and provide utility services. Green infrastructure can be used as a component of a stormwater management system when soils and vegetation are used to infiltrate, evapotranspiration, or recycle stormwater runoff.” Rain gardens, permeable pavement, trees and urban forestry, downspout disconnection from storm sewers, vegetated swales, green parking and green streets, and riparian buffers are examples of green infrastructure. Many communities and neighborhood groups are working to implement green infrastructure on vacant properties.



Figure 1. Community garden in Detroit

Green infrastructure has the potential to provide the following benefits:

- Reduced and delayed stormwater runoff volumes;
- Enhanced groundwater recharge;
- Stormwater pollutant reduction;
- Reduced sewer overflow events;
- Increased carbon sequestration;
- Urban heat island mitigation;
- Reduced energy demand;
- Improved air quality;
- Additional wildlife habitat and recreational space;
- Improved human health; and
- Increased land values.

Urban agriculture is the cultivation of crops in urban or suburban areas for local consumption or sale. While individuals may develop backyard gardens or begin a for-profit venture, the focus of this report is on community gardens that can be established on a vacant parcel or at a school or another communal location in a neighborhood. Urban agriculture can provide many benefits, including:

- Improving the quality of life for people living near the garden;
- Providing a catalyst for neighborhood and community development and neighborhood stabilization;
- Stimulating social interaction;
- Beautifying neighborhoods;
- Producing nutritious food;
- Reducing family food budgets;
- Conserving resources, including those which would otherwise be needed to transport food from remote areas to urban dwellers;
- Creating an opportunity for recreation, exercise, therapy, and education;
- Preserving green space;
- Creating income opportunities and economic development;
- Reducing city heat from streets and parking lots;
- Reducing impervious urban land area; and
- Providing opportunities for intergenerational and cross-cultural connections.

The use of certain green infrastructure practices and the development of urban agriculture can be challenging in an urban environment due to a number of factors, including the poor condition of the soils.

This report provides information on the characteristics of urban soils (Section 2), summarizes how urban soils should be assessed before initiating a project (Section 3), and provides recommendations for reconditioning urban soils (Section 4). The report concludes with a description of a case study (Section 6)

2.0 Characteristics of Urban Soils

Soil is the unconsolidated mineral or organic material on the immediate surface of the Earth that serves as a natural medium for the growth of plants. Soil characteristics reflect the effects of climate (including water and temperature effects) and macro- and microorganisms acting on parent material over time. An *urban soil* on a parcel in a metropolitan area has typically been moved, graded, and/or compacted over time, often as a result of construction and demolition activity at the site. Movement of soil and addition of non-native soils is relatively common in developed areas. As low areas are filled, and hills are graded, soils are shifted and relocated, resulting in mixing of the soil profile or placement in a different order. Fill is often brought on-site from nearby areas and frequently has characteristics different from the native soils on site. Because of the way's soils have been altered, there can be great variation in the characteristics of soils within an urban land parcel.

Soil studies in urban areas have found that soil compaction, low organic matter content, and low levels of contamination, usually from air deposition or from historical uses on site, are common attributes of urban soils. The issue of assessing soil quality becomes two-fold: the health of the soil as a growing medium need to be addressed as well as the possible contamination that may be present.

The history of a vacant parcel can provide valuable information to help identify possible soil contamination. In industrial areas, historical contaminants might include heavy metals, hydrocarbons, or chemicals used during the manufacturing process. In residential areas built before the early 1980s, contaminants generally include lead paint residues, and may have asbestos, coal and wood ash deposits, fuel oil, used motor oil residues, or pesticides. Remnants of abandoned septic systems, cisterns, and wells are also often uncovered during redevelopment of residential sites. Residential areas tend to have relatively less compaction and better-quality soils than more heavily urbanized areas. Knowing the development history of a parcel is key to determining what type of soil testing should be done, if any, prior to redevelopment or reuse.

Some vacant parcels in an urban environment are referred to as Brownfields. Brownfield sites are properties that are available for redevelopment, but site redevelopment is complicated by the presence or potential presence of contaminants in the soil and/or the groundwater. U.S. EPA's Brownfield Program and many States provide funding for the assessment and clean-up of Brownfields through grants and loans. In many cities Brownfields and other vacant properties have been successfully remediated and are being reused as community gardens and stormwater parks (U.S. EPA, 2009).

This report does not specifically address how to assess or remediate contaminated soils. U.S. EPA Brownfields Program and/or State Brownfield, Voluntary Clean-up Programs, or health agencies should be consulted for technical information on assessing sites and addressing soil contamination. The focus in this report is on improving urban soils so that they provide an adequate growing medium for urban agriculture or native plants, and/or so the soils are suitable to support green infrastructure strategies for managing stormwater.



Figure 2. Vacant residential lot, Cleveland, Ohio

Photo: William Shuster (U.S. EPA)

3.0 Site Suitability Evaluation

Before urban agriculture or green infrastructure is implemented at a site, the suitability of the site for these practices must be evaluated. This section of the report provides general guidance for assessing soil quality at an urban site.

The suitability of a site is dependent on redevelopment goals and must take into account possible human health concerns. Sites where the planned end use is a green space, or a stormwater park may have different site preparation and soil reconditioning needs as compared to a parcel where food products will be grown. For example, if a site is to become a swale for stormwater runoff, the risk to human health from low-level historical contamination is relatively small (note risks to workers coming in contact with soil should always be considered). Risks to human health must be more explicitly evaluated for urban agriculture because the food products grown will be eaten, and adults and children will come into direct contact with the soil as agricultural activities are carried out.

Suitability assessments also vary depending on what type of vegetation the soil will need to support. The types of testing used to determine soil quality for urban agriculture focuses on whether the desired crops can be grown, and whether there may be uptake of contaminants into plants grown for consumption. Testing to determine if the soil is suitable for infiltration or green infrastructure focuses on the soil as a growing medium for plants, the capacity of soil to store water and infiltrate water, and the possibility of mobilization or migration of contaminants.

3.1 Characterization of the Site and Soils

After determining the goals for the site, site characterization is an important next step in the process. Site characterization includes assessing the site's historical, physical, chemical, and biological characteristics by reviewing available records and visiting the site.

3.1.1 Historical Uses

After the objectives of the site are decided upon, an assessment of the historical usage of the site is valuable to determine the potential for contamination. If the site has been used for residential housing for the entire time period since the neighborhood was developed, it is less likely that there will be significant soil contamination as compared to a site in an industrial area. The full process for determining the characteristics of historical use and potential environmental concerns is called a Phase I Environmental Site Assessment (ASTM E1527-05). This includes interviewing neighbors, local city officials, or former property owners and trying to acquire old aerial photographs or maps. Useful information is available from many sources, including local conservation district offices (e.g., soil surveys), city halls (e.g., permits), county offices (e.g., tax records), libraries, and historical societies and preservation offices (e.g., photos, hand-drawn site maps, paintings). Doing a Phase I Environmental Site Assessment will typically include evaluations of public land ownership records and environmental databases. Phase I assessments which identify potential environmental concerns are followed by field data collection, known as Phase II Environmental Site Assessments (ASTM E1903).

3.1.2 Field Assessment

A site visit and field assessment are critical to helping guide future activities. Notes should be recorded, and photographs should be taken for future analyses. Example field sheets are available from the *Urban Watershed Forestry Manual, Part 3: Urban Tree Planting Guide* (USDA, 2006).

The site history is used to guide the field visit. For example, if records show a former structure, site visitors can use local landmarks to try to locate the former location of the structure. Also, if remediation occurred at the surface, it might be observable. Field visitors can use current and historical aerial imagery in an effort to ground-truth the imagery and to help focus the on-the-ground analysis.

Existing utilities should be documented during the field assessment. Underground and aboveground utilities can pose hazards and might limit the site's restoration or re-use potential. Public utilities are typically identified through a statewide utility locator company, such as Miss Digg in Michigan, Gopher State One in Minnesota, and the Ohio Utilities Protection Service in Ohio. Private utilities need to be identified by a property owner or by using plans and maps.

Site topographic, hydrologic, and biological conditions should also be thoroughly assessed. Both urban agriculture and stormwater management practices require an accurate understanding of the hydrologic condition of the urban site. Existing drainage patterns should be identified, as well as the general slope of the site and locations of concentrated flow or erosion. The contributing drainage area to the site, or watershed, should be evaluated for land use. Land uses that are higher in paved areas or are impervious generate larger volumes of runoff and peak flows that could impact the site. Areas of depressional storage and the presence of wetlands should be identified. Soil type should also be evaluated to determine infiltration potential.

Many methods are available to determine the degree of soil compaction on a site. These methods range from visual observations to field measurements to laboratory analyses. Typically, visual observations provide enough information to determine reconditioning needs. Compaction can be identified by observing a lack of or poor plant growth at the surface or a lack of roots or biological activity within the soil profile. A professional can perform laboratory and field tests when needed. Also, soil particle size can be evaluated in the field to determine the relative proportions of various particle sizes or can be analyzed in a laboratory through grain size and hydrometer analysis.

Vacant properties that have had recent demolition occur are likely to include a significant amount of construction debris and fill. In addition, basement foundations might still be present several feet below the ground surface, possibly with fill material placed into what was once the basement. It is important to note the presence of any remnant structures or evidence of structures in order to anticipate possible construction costs and expected performance of a green infrastructure practice. The site might also have been further compacted as a result of the demolition work.

Finally, soil sampling for suitability as a growing medium is strongly recommended for urban agriculture and green infrastructure sites. At a minimum, the soil test should include pH, percent organic matter, nutrients, micronutrients, and metals, including lead. Local soil testing information can be obtained from or performed by USDA Cooperative Extension System offices and from many land grant universities and private local laboratories. Information on interpretation of soil test results is presented in this fact sheet:

http://www.soiltest.uconn.edu/factsheets/InterpretationResults_new.pdf

Further information on Evaluating Soil Suitability is presented in Appendix A.



Figure 3. Example of raised planting beds being used to support urban agriculture in Cleveland, Ohio

Photo: Jennifer Olson (Tetra Tech)

3.2 Strategies to Address Unsuitable Soils

If the preliminary evaluations determine that soils are unsuitable for the site's intended purpose, efforts can often be made to enhance the condition of the soils. Where soil reconditioning is feasible, it is likely that multiple strategies will be needed, with a relatively large effort at the beginning and smaller sustained efforts over time. In cases where it is not feasible to recondition soil, or there are contamination issues that preclude use of site soils, altering the plans for site use may be an option.

In some cases, raised planting beds, vertical gardening, and container gardening can be used in lieu of using existing site soils for urban agriculture. These garden alternatives can be used if the existing soils are unsuitable for the intended crops for urban agriculture, or if the existing soil is contaminated at the surface or in the root zone. Procedures to prevent contamination during the installation of raised beds or containers can be used to minimize or eliminate plant and human contact. In Connecticut, Stilwell et al. (2008) found that using raised planting beds with imported clean soils for planting above areas contaminated with high existing levels

of lead or other heavy metals was a cost-effective method for community gardening on a site with unsuitable soils. The authors also recommend using physical barriers such as mulch around the planting beds and a porous barrier between the planting bed media and the site soils.

If a site has soils that cannot support the intended use, it might be possible to use the parcel for another use. For example, a site that turns out to be not well-suited for stormwater runoff control might still be suitable for urban agriculture. Another example: if soils are of relatively poor quality and cannot support urban agriculture, they might still be satisfactory for hearty native plants. In many cases, native landscaping can be aesthetically pleasing, and seeds can be collected for sale or use at another site.

4.0 Reconditioning Urban Soils

Soil reconditioning goals are dependent on the intended use of the site. In general, the objective is to increase the soils' ability to support different types of plants and their ability to infiltrate stormwater. Sites intended for urban agriculture might need relatively more work to achieve the specific characteristics needed to grow certain crops, whereas areas intended for recreation (e.g., parks, playgrounds, hiking trails) might need only moderate work to allow for urban grasses, certain manicured plants, or native vegetation. Soils on green infrastructure sites that will be used for stormwater management might need to be modified to promote increased infiltration and to support the desired plant types. Longer term methods for reconditioning soils include amending existing soils with mulch and compost, and/or planting cover crops to provide additional nutrients and erosion control over the winter months.

4.1 Types of Reconditioning

Physical reconditioning of urban soils is intended to adjust drainage characteristics, improve soil structure, and mitigate compaction. The mitigation of compaction is important for both urban agriculture (e.g., for root penetration) and stormwater management (e.g., for infiltration capacity). After physical reconditioning is performed, chemical and biological reconditioning techniques can be used to improve soil productivity.

Chemical reconditioning involves altering the soil chemistry to achieve desired parameters (e.g., altering soil pH). Chemical reconditioning should be performed only after evaluating soil chemistry through the laboratory analysis of field-collected samples. Testing should also occur after chemical reconditioning and into the future to determine whether the reconditioning was successful and whether supplemental reconditioning is necessary.

Biological reconditioning practices involve manipulating organism populations to achieve a desired change in soil characteristics. Biological conditioning should be performed after physical and chemical reconditioning because the latter two prepare the soil ecosystem for biological production.

In general, physical techniques should be performed first, followed by chemical and then finally biological techniques.

The most common types of physical, chemical, and biological reconditioning that are used with urban soils are presented in Table 1 and discussed throughout the remainder of this section.

Table 1. Reconditioning Methods

Method	Physical	Chemical	Biological
Soil Removal	X		
Raking	X		
Tillage and subsoiling	X		
Drainage	X		
Soil amendments and additives	X	X	X
Recyclers			X
Cover crops			X
Mulch	X	X	X

4.1.1 Soil Removal

Excavation typically involves removing contaminated soils or structures. Depending on the level of existing contamination, soils can be managed or capped on site or hauled off-site for disposal. Excavation is typically the most expensive reconditioning or remediation technique and is often very costly for privately funded residents or community groups. Local municipalities might already own the necessary equipment which lowers costs and may make excavation a viable alternative for city-owned properties.

4.1.2 Raking

Some urban soils, especially those on vacant parcels that have recently had structures removed, might have extensive rocks, rubble, and debris resulting from the demolition activity and the placement of fill material (see Case Study in Section 6 as an example). In these situations, it is advisable to rake and remove the debris. Small areas can be raked by hand, or for larger areas, landscape rakes can be rented and used with a compact tractor. Raking can efficiently collect small rocks (as small as $\frac{3}{4}$ inch) while at the same time leveling the soil.

4.1.3 Tillage and Subsoiling

In most situations, compaction problems are in the top 12 to 24 inches of site soils, the root zone of most plants. Compaction is typically the result of construction on the site, historical use of the site (e.g., driving on the driveway, parking a vehicle in a garage), and use of heavy equipment during demolition. Often deeper soil layers are relatively less compacted.

Tillage is the process of turning over or mixing the soil for the purpose of loosening and aerating in preparation for seeding or plantings. Deep tillage or subsoiling techniques such as ripping, or scarification of the soils can be used to recreate soil structure and break up compacted soils. These techniques typically involve tilling to depths from three to eight feet, where soil is typically ripped in a gridded pattern using metal shanks to create pore spaces and flow paths for water and air in the soil. Subsoiling can be used in combination with other tilling techniques to mitigate the effect of compaction and is commonly used for agricultural purposes. Tilling or subsoiling for compaction mitigation will likely only be required once. Care should be taken to ensure newly-exposed soils are properly stabilized to prevent erosion.

In the Great Lakes region, soil freezing, and thawing is a key factor affecting soil conditions, and it can be a beneficial tool for soil manipulation in urban areas. Fall plowing can be used to expose soils to freezing and thawing. As soil water freezes, it expands and acts as a wedge to break compacted soil clods. As thawing occurs, pore spaces remain, allowing air and soil microorganisms to thrive. These processes can improve soil structure, allow better water infiltration, and kill weed seeds, insects, and pathogens. Combined with other soil manipulation techniques, tillage and freezing can be an effective and inexpensive soil-conditioning tool.

4.1.4 Drainage

Ensuring appropriate drainage of a project site is a necessary component of a successful green infrastructure or urban agriculture project. The object of drainage in a horticultural context is to promote a healthy root environment; therefore, the root zone is the target area for moisture control. Every plant has a soil moisture range in which it thrives. Surface drainage can be modified with grading, excavating, and restricting drainage outlets. Soil amendments can also modify surface drainage patterns by increasing infiltration capacity and the moisture conditions of the soils. Care should be taken to modify soils to the appropriate root zone depth for desired plant materials. If drainage modification is difficult, plants should be selected accordingly (e.g., native wetland vegetation).

4.1.5 Soil Amendments and Additives

Soil amendments and additives introduced into soils to modify specific physical soil characteristics. Any materials brought in to improve a soil's condition should be of known origin and quality to ensure that diseases, unwanted chemicals or seeds, and allergens are not introduced. Urban (2008, p. 176) categorizes soil amendments into five types:

Organic: Composted plant residues that increase the organic matter content of the soil.

Mineral: Natural or processed mineral products that change the texture of the soil.

Physical: Manufactured additives designed to amend or replace natural soil structure and improve the soils'

resistance to compaction or erosion.

Biological: Condensed organic compounds and biological inoculants used in small amounts to alter soil biology or soil chemistry.

Chemical: Compounds used in small amounts to add nutrients, change pH, or stimulate biological activity.

These five types of soil amendments are discussed in the remainder of this subsection.

4.1.5.1 Organic Amendments

Organic soil amendments and additives are organic materials added to improve the soil food web, both by introducing organisms and providing the carbon source to support those organisms (Urban 2008, p. 176). Organic amendments can also improve the CEC, chemical buffering, and initial aeration of the soils.

One of the most common organic amendments is compost. Research conducted by Pitt et al. (1999) determined that compost added to an urban soil improved the physical properties and the nutrient content of the soil. Compost also provides plant-protection benefits and stimulates biological activity. The quality of compost can vary significantly and should be taken into account when selecting a supplier. The U.S. Composting Council sets standards for compost and provides specifications that can be used to ensure high-quality compost.

Food scrap items such as vegetable and fruit waste, meal leftovers, coffee grounds, tea bags, stale bread, grains, and general refrigerator spoilage can be effectively composted to be used as organic amendments. Food scraps should be adequately secured in a bin while they degrade to avoid attracting rodents and other scavengers and should not be directly tilled or applied into the soil. It is important that organic materials be composted properly to avoid introducing noxious weed seeds, insect eggs, and other undesirable organisms to any site. Composting does not eliminate all pesticide residues or chemicals. Other organic amendments and additives include peat moss, sludge, and manure.

Organic materials hold abundant moisture and require proper aeration. Organic amendments are therefore typically not effective for improving drainage in compacted or abused soils where excess water cannot move from the root zone. To be effective, organic materials generally must be periodically replenished to maintain benefits.

4.1.5.2 Mineral Amendments

Mineral amendments are inorganic and “are generally permanent and dimensionally stable in the soil and may increase drainage if used in sufficient quantity” (Urban 2008, p. 179). Perlite, hadite, and pumice are three mineral amendments excellent for soil mixing because they have large internal pore spaces and hold air and water in suitable proportions for plant growth. Perlite is an inert volcanic rock structurally expanded with steam? It comes in different grades and is used for a wide array of applications. Hadite is a clay product baked at high temperatures to form a porous, inert additive.

Pumice

is a light, foamy volcanic rock? They are all chemically stable and sterile, and they make excellent soil additives. Powdered charcoal can be beneficial for soils because it is chemically stable, has high CEC, can absorb a wide array of chemicals, stabilizes pH, and stimulates secondary biological activity.

Gravel and sand are commonly recommended to improve drainage and are typically used in drainage structures and green infrastructure practices. Sand mixed with compost and topsoil is typically used as a soil amendment beneath rain gardens and bioretention facilities. Sand and gravel can also be used in other filtering practices such as a rain garden with an underdrain (biofiltration). However, infiltration capacity typically does not improve in clayey soils with just the addition of sand and gravel.



Figure 4. Example of compost amendment used for green infrastructure projects

Photo: Jennifer Olson (Tetra Tech)

Additional mineral amendments include:

- Calcine clay – increases moisture retention;
- Expanded shale, clay, and slate (ESCS) – increases porosity;
- Diatomaceous earth – increases moisture retention; and
- Vermiculite – increases moisture retention (not recommended for agricultural uses).

4.1.5.3 Physical Amendments

Physical amendments are structures that stabilize loosely compacted soil within the root zone. Physical amendments include soil stabilizer grids, geoweb, and turf cells. This type of physical control commonly has the ability to support loads or control erosion and is recommended for certain types of green infrastructure such as permeable parking areas. These amendments are not appropriate for urban agriculture and are generally used to stabilize soils for grasses and small plants.

4.1.5.4 Biological Amendments

Biological amendments are used to improve the soil ecosystem by improving the soil food web. Types of biological amendments include:

- Mycorrhizae, a symbiotic fungus that colonizes plant roots and increases water and nutrient absorption;
- Kelp extracts, which contain trace minerals and nutrients;
- Humic acid, which stimulates microbial activity and increases nutrient uptake;
- Compost tea, which inoculates microbial life into the soil and adds soluble nutrients; and
- The addition of macrofauna or macrofauna to break down organic material.

In terms of their abundance and their soil forming roles, earthworms, termites and ants are the most important macrofauna components of soils. Many of these animals' burrow in the soil, aiding soil drainage and aeration; in addition, some organic material passes into the soil through the burrows. Most macrofauna consume decaying plant material and organic debris. They bury seeds, provide readily available nutrition and air to the root zone by burrowing and excreting, and cull weak plants to allow stronger ones to grow.

The most effective and readily manipulated soil macrofauna are earthworms. Many earthworm species burrow several feet deep, and all ingest soil. Earthworms leave castings that aggregate soil particles and resist degradation and promote easier air, water, and nutrient penetration into the soil profile. Earthworms alter soil in a variety of ways, including:

- Altering soil chemistry, including pH, CEC, and other major soil parameters
- Efficiently burying seeds and other organic debris
- Detoxifying a wide array of contaminants, including petrochemicals
- Altering heavy metal bioavailability
- Promoting microorganism growth and dissemination
- Providing ideal macrospore space for micro fauna and root penetration.

Compacted, rocky, biologically barren, and extremely wet or dry soils require modification before earthworms will thrive. Reconditioning using earthworms is a relatively new, but maturing and viable, technology for improving soils in urban areas, provided species are properly selected and sites are made suitable. For example, "red worms" are extensively used for composting but are not as well suited to survive in soil, and common bait worms and night crawlers thrive in soil but are not really efficient composters.

4.1.5.5 Chemical Amendments

Chemical amendments are added to affect soil chemistry (usually to alter nutrient levels or soil pH) but changing the chemical composition of a soil is difficult. Chemical amendments should be applied only after the soil has been physically reconditioned using the techniques described previously. Chemical amendments should also be applied only after the chemistry of the urban site has been analyzed and after proper chemicals have been selected. The application of a chemical amendment, often a fertilizer, is intended to rectify a chemical imbalance in the soil. Chemical amendments can have unintended side-effects (e.g., soil salinization¹) that can be avoided or limited through review of the amendments and existing soils conditions. It should also be noted that over-application of fertilizers is common; every effort should be made to apply the least amount of fertilizer that is necessary to achieve the intended results. This is especially true because phosphorus, included in many fertilizers, is often a limiting nutrient in waterways and over-fertilization can lead to excessive algae growth in lakes, streams, and ponds.

1 The accumulation of salts in the soil, which affects the fertility of the soil. Salinization is commonly a problem for irrigated areas.

Table 2. Recommended reconditioning measures (after USDA 2006).

Soil Characteristic	Moderately Impacted Threshold	Severely Impacted Threshold	Reconditioning Measure
Infiltration, percolation, and permeability rates (in/hr.)	<0.25	<0.20	Adjust drainage depending on type of vegetation; refer to Table 3
Percent sand	>75	>90	Add compost or peat
Percent clay	>50	>65	Add compost or peat
Bulk density of clay (mg/m ³)	>1.4	>1.5	Add compost or peat
Bulk density of loam (mg/m ³)	>1.5	>1.7	Add compost or peat
Depth to bedrock (ft)	<4	<2	Add new soil
Acidic soils (pH)	<6	<4	Add lime
Alkaline soils (pH)	>7.5	>8.5	Add compost or peat, add iron sulfate/iron oxide
Cation exchange capacity (meg/100g)	<5	<3	Add compost and/or peat
Potassium (lbs./acre)	<124		Add compost
Phosphorus (lbs./acre)	<44		Add compost
Percent organic matter	<1		Add compost or peat
Soluble salt (ppm)	600	1,000	Add gypsum, add compost or peat

4.1.5.2 Cover Crops

Cover crops can be used to create organic matter; stimulate biological activity; inhibit weed species; buffer moisture, temperature, and pH; and in some instances, fertilize and improve infiltration with root systems. Cover crops double as secondary biological indicators to show troublesome areas not observed by spot tests. Cover crops can be planted in the late fall or winter to provide soil cover. Common winter cover crops include clover, oats, and rye. Summer cover crops, sometimes referred to as green manure, are often used to provide improved conditions of poor soils or prepare land for a perennial crop. Legumes, such as soybeans, can be used as summer cover crops to add nitrogen and organic matter to the soil. Non-legumes such as millet, forage sorghum, annual rye, clover, oats, or alfalfa can be used to provide biomass, control weeds, and improve soil conditions.

A living mulch is a cover crop that is planted along with an annual or perennial cash crop. Living mulches suppress weeds, reduce soil erosion, enhance soil fertility, and improve water infiltration. Examples of living mulches in annual cropping systems include overseeding hairy vetch into corn at the last cultivation, no-till planting of vegetables into subclover, sweet clover drilled into small grains, and annual ryegrass broadcast into vegetables. Living mulches in perennial cropping systems are simply the grasses or legumes planted in the alleyways between rows in orchards, vineyards, berry farms, windbreaks, and field nursery trees to control erosion and provide traction.

Cover crop seed is relatively inexpensive and easy to plant. Since even common pre-grown conservation plant species are relatively more expensive and labor-intensive to install than cover crops, it makes proper fiscal sense to use cover crops to ensure soil characteristics are satisfactory before incurring the expense and doing so allows more time to properly plan the site. *Managing Cover Crops Profitably* (SAN 2007) has a great deal of detailed information on cover crops; this publication is available online:

<http://www.sare.org/publications/covercrops/covercrops.pdf>.

4.1.6 Mulch

Mulch is “material placed on the soil surface primarily for the purpose of reducing evaporation or controlling weeds” (Brady and Weil 1999, p. 231). Mulch can also help reduce compaction by retaining soil moisture (compaction naturally decreases because of the freeze-thaw cycle) and promoting biological activity (Urban 2008). Mulch can include granulated or pulverized soil; organics, including peat moss, leaves, wood chips, bark, compost, rice hulls, and straw; synthetic materials, including shredded tires, sheet plastic, shredded paper, crushed glass and cans; and geotextiles. Mulches can serve as walking paths through green infrastructure parks or in urban agriculture areas.

Each type of mulch has benefits and disadvantages, but all modify soil surface temperatures, soil air and moisture relations, compaction potential, and biological activity. Mulches are usually intended to keep root systems cool, moist, uncompacted, biologically active, and protected from freezing. Mulch can help soil recover from light compaction and shallow surficial compaction, but it is decreasingly effective in warmer and drier climates and as biological activity decreases and root penetration diminishes (Urban 2008).

Properly executed mulching can be beneficial, but overuse or misuse can harm the soil and can even kill long-established shrubs and trees. Unless used as a growth medium, more than two inches of any non-living mulch application can result in biological degradation through soil anoxia and by providing a home for detrimental animals.

Organic non-living mulches are the most common mulches used in landscaping and perennial crop production. They have distinct advantages over other mulch forms because with few exceptions, they decompose readily and are easily obtainable in bulk quantities. Decomposition allows mulch matter to be incorporated into soil, benefitting many levels of soil organisms and releasing nutrients slowly to roots. Organic mulches of proper thickness are highly insulating and are the best choice to keep underlying soil cool and moist in summer and above freezing in winter. Organic materials can be used to introduce beneficial microorganisms and fungi to gardens.

However, slowly decomposing mulches such as cypress mulch, while requiring fewer applications, can form a water and air impermeable barrier because their fine structure can act like a thatched roof, repelling water and preventing necessary air movement. Plants tolerate such mulches poorly over time if the mulches are not mechanically disturbed. Poor mulching practices can also introduce diseases, chemicals, unwanted seeds, and allergens. It is important to research the intended plants and mulches carefully, and to match the mulch with the desired crop and function. Over time decomposition of mulches will allow “thatched” or compacted mulches to develop a porous structure and be more water absorbent.

Table 3. Reconditioning considerations for compacted urban soils with low organic matter

Type of Vegetation	Goals	Reconditioning Considerations
Native plants	The purpose is to cover the ground with native species that survive and outcompete nonnative species under less-than-ideal conditions with little or no maintenance. Common impediments include low nutrition, slow drainage, and no or very little supplemental water (Survival)	Compost should be incorporated into existing soil to a depth of 4 to 8 inches until soil works easily with tools. (Deeper depths will be needed if planting trees.) Generally, no supplemental drainage is required or needed other than subsoil plowing.
Ornamental plants	The purpose is to cover the ground with vegetation that looks good under moderately maintained conditions, including low to moderate nutrition levels and only occasional supplemental water. (Survival and aesthetics)	Adequate drainage and a deep root zone are critical to long-term survival because most ornamentals do not tolerate more than occasional saturation in root systems. Root zone incorporation of compost and perlite should be 12 to 18 inches deep until soil is uniform and has no aggregates larger than marbles. Supplemental drainage beyond subsoil plowing might be necessary, depending on plant selection, because excess water in the root zone should be gone within 30 minutes to 8 hours. Supplemental drainage is passive and only allows water to leave without actively drawing moisture out of the soil.

Food plants	The purpose is to produce vigorous growth and large, edible parts under high-maintenance conditions. No growth impediments and luxury consumption of nutrients, rapid drainage, deep root zones, and all needed supplemental water and nutrition. (Survival, aesthetics, vigorous growth, and safe to eat)	Compost should be incorporated into the root zone (12 inches deep for root crops; 6 to 8 inches for other crops). Contamination control is critical for safety. Excess water should be out of the root zone in 15 to 20 minutes. Soil should be worked easily with hands, and aggregates should be marble-sized or smaller. More frequent and larger quantities of compost are needed with frequent tillage. Organic additions will decompose quickly due to frequent aerating activities. Perlite or other porous additive is not generally necessary because of the frequent tillage (at least once in the growing season). Supplemental drainage may be necessary. Supplemental watering and nutrition are typical. Use cover crops to store nutrients and improve soil structure.
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5.0 Bioremediation

Project managers who wish to implement site/ soil remediation before implementing green infrastructure or urban agriculture are encouraged to engage State Brownfield, Voluntary Clean-up Programs, or health agencies for technical information on addressing soil contamination. In some cases, bioremediation and phytoremediation is long- term strategies for remediation that may be integrated into a green infrastructure management plan.

Bioremediation involves the use of “enhanced plant and/or microbial action to degrade organic contaminants into harmless metabolic products” (Brady and Weil 1999, p. 737). The concept of bioremediation is based on the use of organisms’ natural abilities to repair the urban soil ecosystem. Bioremediation typically involves plants, microorganisms and application of compost or soil amendments to digest harmful chemicals such as gasoline or oil, resulting in harmless byproducts (U.S. EPA 2001a). All of these must work in concert to achieve maximum benefit.

Phytoremediation is a type of bioremediation that uses plants to take up harmful chemicals from the soil and groundwater and then store the chemicals in their roots, stems, or leaves, changing the chemicals into less-harmful substances, or releasing them into the atmosphere. For example, prairie grass can stimulate the breakdown of petroleum products (NRCS 2000b). While some plants can absorb and metabolize specific organic constituents and others help degrade pollutants at the root level, the primary agents of phytoremediation are the microorganisms associated with the rhizosphere of the plants (Brady and Weil 1999, p. 738). Phytoremediation is typically used on sites that are not severely contaminated. This practice often includes harvesting of the plant material to remove contaminants from a site.

6.0 Case Study

Reimagining A More Sustainable Cleveland was adopted by the Cleveland City Planning Commission in December 2008. “Reimagining Cleveland” is a collaborative grant and technical assistance program of the Cleveland Community Development Department and partnering nonprofit organizations aimed at creating sustainable land reuses on vacant land parcels in Cleveland. The Bellaire-Puritas Development Corporation (BPDC) in Cleveland is working in partnership with community members, Neighborhood Progress, Inc., Park Works, Inc., Cuyahoga County Soil and Water Conservation District (SWCD), Ohio State University, the Northeast Ohio Regional Sewer District, and other partners to enhance vacant parcels with community gardens and green infrastructure.

An objective of the BPCD projects is to demonstrate many of the types of sustainable land reuse projects suggested in the report and in the companion *Reimagining Cleveland Pattern Book*. The goals for implementing green infrastructure included:

- **Improving stormwater management:**
 - reducing delivery of pollutants to local waterways;
 - reducing erosion in stream channels due to stormwater; and
 - reducing localized flooding.

- **Providing amenities for the neighborhood:**

- green open space;
- aesthetically pleasing landscaping (using native plants to the extent practicable);
- educational signage;
- source of neighborhood pride; and
- reduction in supply of vacant properties.

6.1 Project Overview

In 2010 the BPDC undertook a project to implement green infrastructure at a vacant parcel located on West 131st Street in Cleveland (Figure 5). Green infrastructure was seen as a beneficial site reuse at this location because the parcel is adjacent to a perennial stream, the Chevy Branch of Big Creek, which is greatly affected by wet weather flows. The amount of water in the Chevy Branch increases dramatically during and after rain events due to the runoff from impervious surfaces in the area. Green infrastructure practices will retain and infiltrate stormwater, which helps to reduce the volumes of water in the stream and the associated adverse water quality impacts.

Prior to site work, a residential home was demolished at the site. Based on visual observations and field work done by a U.S. EPA National Risk Management Research Laboratory (NRMRL) team, it was found that much of the demolition debris (rubble-type material, rocks, and debris) had been left at the site, much collected into the basement of the former structure (Figure 5). The home and driveway had been leveled and compacted, leaving the area poorly suited for infiltration or the establishment of vegetation. The NRMRL team observed that there had been an unsuccessful attempt to establish turf grass at the site after demolition. The compaction and amount of construction debris mixed into the top 1.5 feet of fill limited the stormwater management opportunities at the site if soil restoration work was not undertaken. Soil tests, conducted May 17, 2010, indicated low levels of organic matter, low levels of nitrogen and phosphorus, and a slightly higher than normal pH. Low levels of lead were detected in the soils. Other parameters were normal.

The restoration work was completed in November 2010. The goal for the site was to provide a natural area in the neighborhood that would serve as an amenity and learning center and provide stormwater treatment. Restoration activities included:

1. Chisel tilling and debris/rock removal in the upper one foot of soil on the site
2. Amendment of the topsoil with compost
3. Grading and excavation of a rain garden and swale, which will retain runoff from the contributing drainage area and overflow to the Chevy Branch of Big Creek
4. Soil amendment in the rain garden and swale, consisting of a mix of compost, sand, and topsoil
5. Planting of the rain garden and swale with native plant plugs and broadcast seeding of the remaining portions of the site using a native grass and forb mix (Figure 6)
6. Installation of a permeable paver path on the site
7. Installation of signage with information on the Chevy Branch, native plants, and green infrastructure.



Figure 5. The case study location. Left photo shows the site post-demolition. Photo on the right shows an example of construction debris left after demolition.

Photos: William Shuster, EPA and Jennifer Olson, Tetra Tech

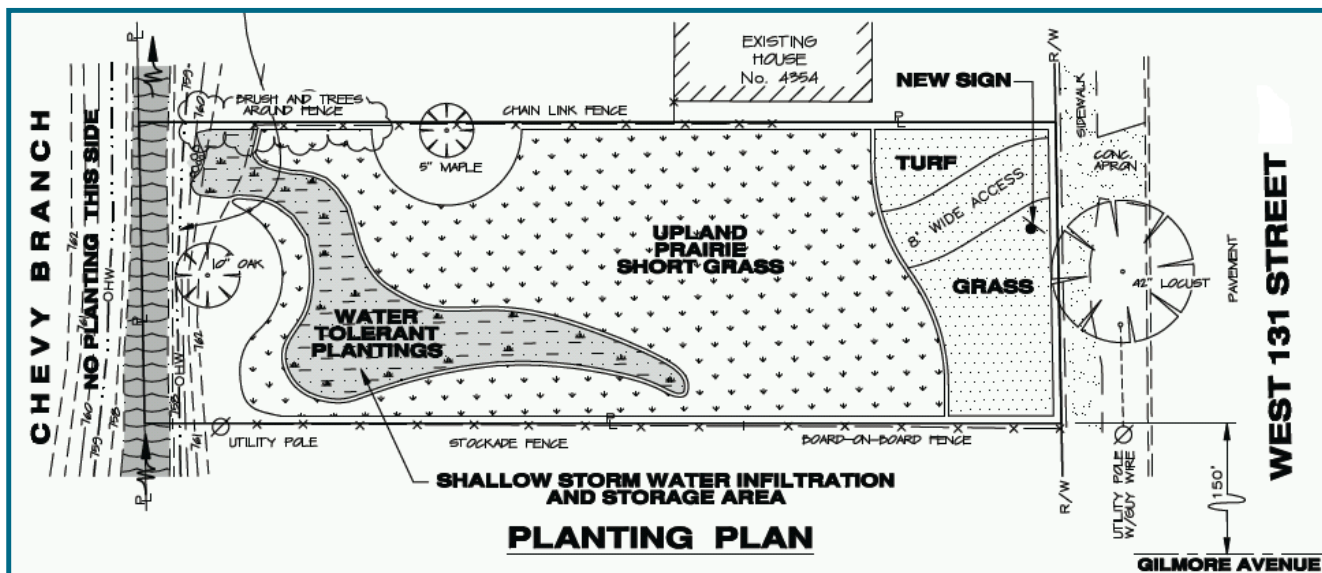


Figure 6. Planting plan for the case study site. Plan developed by Zwick Assoc., Inc., 2010.

The soil restoration and the establishment of vegetation improved infiltration in the areas of the site where demolition debris had been present and made the site more aesthetically pleasing for residents in the neighborhood. The infiltration area now stores and infiltrates stormwater runoff that does not soak into the ground on the upland areas of the site in larger storms; under certain circumstances, the green infrastructure can accept some high-water flows from the Chevy Branch. The vegetation and enhanced infiltration reduce stormwater discharges to the Chevy Branch during and after rain events and thus help to reduce localized flooding in the area.

6.2 Challenges and Lessons Learned

Restoration of vacant properties can pose many challenges. The West 131st Street site is an example of a vacant residential property where a structure (and related features such as a driveway) was demolished. Restoration of the site (following a period of project planning) was completed in less than a month. The BPDC, along with many local nonprofits, agencies, and organizations, as well as community members, provided input and support of the project.

Key challenges were created in large part due to the demolition practices implemented at the site. Stormwater infiltration is reduced due to the presence of the remaining structure of the basement. The incorporation of rubble and debris into the basement and within fill material reduced the infiltration capacity and ability of the existing soils to sustain plant life and was the most expensive task to remediate during construction. Increased soil compaction was created while removing aboveground structures, which resulted in poor performing soils that could not establish vegetation prior to restoration.

The development and use of contract/bid specifications for demolition work that would take into account *green* reuses of the site could be an important step to facilitate green infrastructure and urban agriculture on vacant urban parcels. Such contract/bid specifications could potentially address:

- Deconstruction for reuse of materials;
- Consideration of air quality and dust issues during demolition;
- Proper removal and disposal of debris;
- Creating an infiltration pathway through any basement or foundation remaining onsite;
- Establishing vegetative cover to reduce erosion; and
- Minimizing compaction during demolition activities.

Demolition procedures that minimize compaction and minimize the amount of debris and rubble left on the site would have lessened the amount of work that need to be done at the case study site to make it ready for green infrastructure.

APPENDIX A

Evaluating Soil Suitability

Soil suitability evaluations vary depending on the end use of the site. For green infrastructure, testing should focus on the capacity of the soil to retain and infiltrate stormwater runoff and to support naturalized or ornamental vegetation. For urban agriculture, soil nutrient levels and the capacity of the soils to sustain certain crops are of greatest interest. Particle size distribution, infiltration capacity, nutrient content and soil chemistry are all factors that determine soil health and its ability to support plant life. Each of these are components of a sampling strategy to evaluate the existing conditions of the soil and what improvements may be necessary in order to implement the planned reuse of the site.

Soils Background

In assessing soils, it is important to consider the physical, chemical, and biological conditions and characteristics of the soil.

Physical characteristics of urban soils that are relevant to *green* reuses of a site include soil texture, structure, permeability and porosity, and organic matter content. Physical characteristics can be observed and assessed to help determine soil rehabilitation or reconditioning needs.

Soil Texture

Soil infiltration rate, which is heavily dependent upon the soil texture, is a critical factor when designing and constructing many stormwater practices. The USDA's Soil Texture Triangle (Figure A-1) illustrates soil textures and provides the relative sand, silt, and clay content for each soil class. Soils with extensive clay content slow

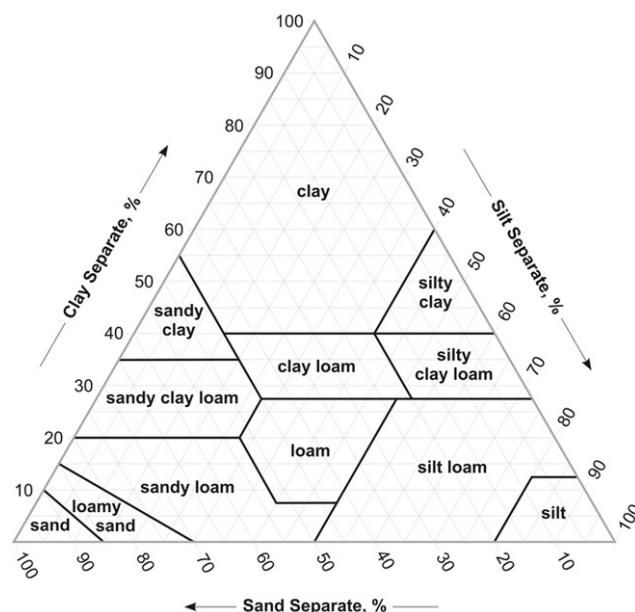


Figure A-1. USDA Soil Texture Triangle

the infiltration process, and facilities to be constructed on such soils must be appropriately evaluated and designed. When amending soil for a green infrastructure practice it is common to use a mix of topsoil, sand, and compost to have a soil condition conducive to plant growth and infiltration.

Sandy Soil

Sandy soils can typically retain their structure and are less likely to have severe compaction and drainage-related problems. However, they typically have the lowest nutrient levels, and may need amendments to support dense vegetation. Sandy soils are not likely to retain high soluble contaminant concentrations, and they typically respond well to organic additions. Green infrastructure practices planned to infiltrate stormwater work particularly well on sandy soils, although pretreatment practices should be included to ensure the stormwater is free of trash and high sediment loads prior to infiltrating.

Loamy Soil

Loamy soils can be described as a mixture of sand, silt, and clay that exhibits properties of each in equal proportion. Loamy soils have historically been the most productive soil type for food crops. These soils are typically friable,² soft, and rich in organic material. The same features that make this soil so conducive to plant growth make it prone to compaction, and wind and water erosion. Drainage and infiltration rates in loamy soils vary based on silt and clay content. In uncompacted loamy soils, drainage is typically sufficient to ensure soil moisture conditions that are ideal for plant growth.

Clayey Soil

Clay is the smallest soil particle size, and because clay particles are flat, clay has “tremendous capacity to absorb water and other substances” (Brady and Weil 1999). Certain clays have the propensity to shrink when

² A friable substance can be easily crumbled or broken into smaller pieces.

dry and swell when wet. The small particles give clay cohesiveness and a unique ability to resist wind erosion; however, water erosion can be severe. Clayey soil is typically poorly drained and is the easiest to compact by both human activity and natural phenomena. Establishing vegetation in clayey soils can often require aeration or soil amendments.

In the field, clay can easily be pressed into a ribbon between the fingers, and the length of ribbon created before it breaks can be used as a field assessment tool for determining clay content. If you create a small ball of moist soil in the palm of your hand and the soil does not retain the ball shape, the soil is silty, not clayey.

Soil Structure

Soil is made up of distinct horizontal layers; these layers are called horizons. Soil horizons in natural conditions include from rich, organic upper layers (humus and topsoil) to underlying rocky layers (subsoil, regolith and bedrock). Different soil horizons are important for various soil functions and processes.

Natural soils have a variety of structures depending on parent material, weathering, and biological factors. Soil particles arrange in aggregates with pore spaces between them that allow air and water to penetrate. In compacted soils, these areas (identified as “Soil Air” and “Soil Water” in Figure A-2) are reduced. Soil structure provides physical resiliency, as well as allowing moisture buffering and temperature insulation because of the air spaces in the soil matrix. Soil structure is preserved when protected from erosion, compaction, and other disturbing activities.

Soil structure tends to deteriorate during and after site development, a result of grading, filling, construction and demolition activities, and the absence of deep-rooted vegetation. Degraded soil structure results in compaction, decreased aeration, decreased drainage, decreased water-holding capacity, and decreased root penetration (Craul 1994), as well as reduced soil biological activity and reduced plant uptake of water and nutrients.

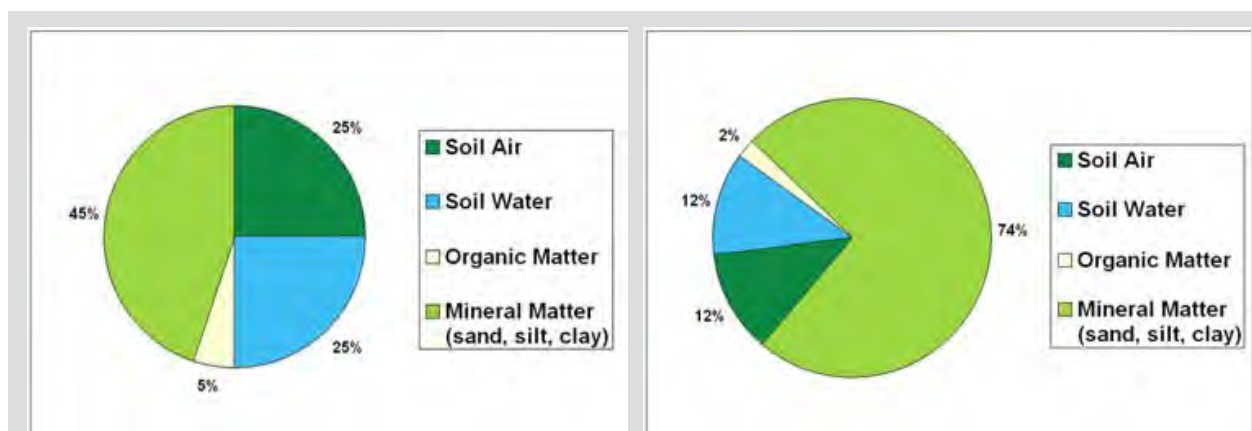


Figure A-2. Comparison of a natural soil (left) to a compacted urban soil (right) by weight (adapted from Scheyer et al. 2005).

Compaction occurs when heavy weight on a soil surface collapses the pore space between soil particles. It can be caused by pressure exerted by heavy equipment and vehicle traffic, tillage practices, water, or construction activities. Compacted soil becomes denser, increasing heat transfer and resulting in soil temperature extremes. Temperature extremes result in unnaturally dry or oversaturated areas, and the ability of the soil to support plant life is diminished. Heavy compaction produced by construction, grading, and heavy or repetitive traffic, causes impervious layers that prevent water and air movement and results in root mortality. Heavily compacted soils can exhibit stormwater runoff characteristics that are comparable to those of impervious surfaces such as streets and parking lots.

Soil Moisture/Infiltration

Permeability is “the ease with which water passes through the soil,” and it “depends on the amount, size, and distribution of pore spaces in the soil” (Easterbrook 1999, p. 101). A sandy soil that is composed of rounded particles has a high permeability, whereas a clayey soil that is composed of flat particles has a low

permeability, because water and air cannot move through clay easily. Porosity is the ratio of the volume of pore space to the total volume, (Easterbrook 1999, p. 531) or, a measure of the amount of pore space between particles. Fine-grained, uniform materials like clay tend to have higher porosities, while soils comprised of varying grain sizes have low porosity. Soil porosity tends to decrease with increasing depth due to compaction from the weight of overlying soils.

A soil with high porosity does not necessarily has high permeability. Permeability is dependent on the interconnectedness of pore spaces (Easterbrook 1999). Thus, a soil like clay, with a large volume of pore spaces that are not interconnected, has high porosity but low permeability, and water and air have limited opportunity for movement within the clay. A sandy soil can have a high permeability but less porosity, allowing for drainage, but limiting the moisture retained in the soil profile. Soil remediation efforts and plant selection should take into account the porosity and permeability of existing soils.

Soil moisture content is an important factor when considering green infrastructure or urban agriculture. The best time to observe soil water movement over the entire project site is immediately after a soaking thunderstorm or during snowmelt when the ground is thawed. Results should be recorded over several hours and days and should include the time when the soil surface starts to dry and whether standing water is still in the root zone (depth of 12 to 18 inches). Long dry periods later in the spring and summer are perfect for observing soil water retention and unusual saturation areas such as those caused by clogged drainage systems, leaking subterranean pipes, springs, and other unusual soil features.

Once general soil characteristics have been determined, simple tests can be performed to further test the soil for supporting vegetation. As a simple screening-level assessment, one can dig into the soil about six inches, grab a handful of soil, and squeeze. If the soil remains in a “ball” and a wet outline of water appears, it is considered very moist. If the “ball” breaks apart but remains in large clumps, the soil is moist. (Note that this assessment does not work for very sandy soils.) Because the root zone soil will most likely be amended or manipulated, it is useful to see if water can leave the root zone within a suitable time. To evaluate this, one can dig a 12- to 18-inch-deep hole and fill it with three inches of water. If the water drains within 15 to 20 minutes, the soil is suitable for most plants and root crops; if it takes between one-half and eight hours to drain, the soil is suitable for most general woody and grass species; if water is still present after eight hours, drainage modification is probably necessary for all but wetland vegetation.

Soil Chemistry

Soil chemistry is an important factor regardless of the intended use of a site. Soil chemistry is particularly important for the growth of food products. Soil should be tested at sites that will be used for urban agriculture.

Soil chemical characteristics are a function of soil reactions with nutrients, contaminants, air, and water, and they are greatly dependent on temperature and biological activity. Interactions are complex, but for green infrastructure purposes, knowledge of the presence and quantities of nutrients and contaminants, and the soil pH will allow you to gauge the soil's ability to serve as a growing medium. All chemical soil chemical reactions require water, and many are influenced by oxygen and other air components.

Standard test parameters usually include soil pH, potassium, phosphorus, and lime index (calcium and magnesium), and cation exchange capacity (CEC), which is a gauge of soil's potential nutrient holding capacity. Widely offered tests also include nitrogen (total nitrogen, nitrate, and ammonium), heavy metals (aluminum, arsenic, cadmium, lead, and mercury), salinity, and micronutrient tests that vary by locale.

Because plants take up only nutrients that are dissolved in the soil solution and are in contact with the root surface, plant nutrient availability is largely controlled by pH. pH is a measure of the acidity or alkalinity of a substance (see Figure A-3). In soils, a high pH can prevent chemicals from entering a plant, and low pH (a more acidic soil) can result in certain elements concentrating in the soil (Urban 2008, p. 64). The optimal soil pH range is between 6.0 and 7.5 standard units. Most native soils around the Great Lakes have

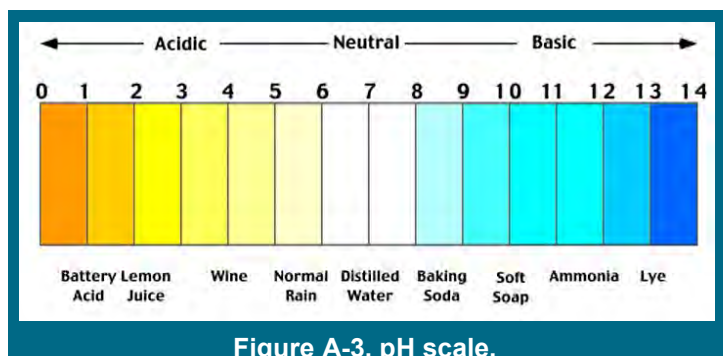


Figure A-3. pH scale.

a pH in the range of 6.0 to 8.0 standard units. This pH range is where most plants and soil microorganisms thrive. Great Lakes soils also have a large buffering capacity, or ability to withstand a rapid change in pH, due to generally high natural amounts of silt, clay, or organic matter in the soils. In urban areas, concrete and masonry construction may have leached lime into the soil, increasing the soil pH (Urban 2008, p. 63).

Local soil testing lab information can be obtained from State Cooperative Extension Service offices and from many land grant universities. The University of Massachusetts at Amherst² also performs a series of soil tests to help determine the suitability of site soils for green infrastructure or urban agriculture. For green infrastructure, such tests might include the University's *Soil Texture* test, which provides the USDA Textural Classification. Various soil tests that provide pH, nutrients, or metals data can be used to determine the suitability of urban agriculture. Soil tests that cover standard test parameters typically cost \$25 to \$30.

Note again the while focus of this report is on assessing and reconditioning soils so they can effectively support plant growth, assessing soils for possible contamination issues is also very important. There can be health risks associated with touching and tilling contaminated soil, and for urban agriculture sites, there can be risks from eating food products grown in contaminated soils. Root vegetables may require more attention and concern than aboveground, fruiting plants or woody perennial crops because of the potential for uptake and increased soil interaction by gardeners. Check the site history and where appropriate seek assistance from State or local Brownfield authorities as you evaluate a site for green infrastructure or urban agriculture uses.

Biological Characteristics

The biological characteristics of urban soils vary based on factors such as drainage, land use, and contamination. During a site visit, the growing condition of the soil can be determined based on the status and species of the plants growing on it; plants should be observed, and their condition recorded. Existing large trees "are often the best long-term indicators of soil condition" (Urban 2008). Various plant species can also indicate soil conditions. Plant species vary regionally, and local professionals should be contacted to determine what various species might indicate about the soils.

Soil organic matter is derived from decomposed plant leaves and other carbonaceous materials on the ground surface. The amount of organic matter that accumulates is influenced by temperature and moisture (Urban 2008). Organic matter levels generally vary by soil type: forest soils typically contain 4 to 5 percent organic matter; agricultural soils can contain up to 15 percent organic matter (Craul 1994); and horticulturally productive soils can contain around 3 to 4 percent organic matter (Urban 2008). Soils that are well watered and have high plant productivity generate higher levels of soil organic matter (Brady and Weil 1999). Colder climates also inhibit rapid decomposition and allow organic matter to accumulate faster.

The natural processes that generate soil organic matter are often interrupted in an urban environment (Craul 1994). Various aspects of the urban environment (e.g., pavement, bagging leaves/grass clippings, removal of tree branches) prevent the cycling of organic matter and nutrients back into the soil. Without decay of plant materials, microorganisms in the soil cannot persist. Therefore, the restoration of urban soils (to make them more suitable for green infrastructure and urban agriculture) often involves increasing the amount of soil organic matter.

On sites with no or little vegetation, soil odors can also indicate biological activity. If soil has little or no odor, microbial activity is poor or absent, and the amount of organic matter is often low. If soil has an "earthy" odor, microbial activity is good and aerated organic matter is present in the soil. Soil with a putrid or sour odor either has been wet for a long time or has had improperly processed compost applied.

The presence of earthworms in a soil is a sign of good soil conditions, but if the earthworms are skinny or anemic-looking, the soil might lack good nutrition and be low in organic matter. Lack of earthworms is a fair indicator of compaction; in the case of friable soils, this condition can indicate heavy metal or chemical contamination or extremely low organic matter content.

Agenda Item 6.B.2.c

NSBAIDRD

NEVADA STATE BOARD OF ARCHITECTURE, INTERIOR DESIGN AND
RESIDENTIAL DESIGN



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Design

CONTINUING EDUCATION OPPORTUNITIES |

Below is a listing of continuing education opportunities. The board does not pre-approve courses. Listing below does not imply an endorsement by this board. This listing is a service to registrants and it is each registrant's responsibility to ensure that any courses reported for credit comply with the continuing education regulation.

If you would like your continuing education event listed below, please email Stacey Hatfield (mailto:shatfield@nsbaidrd.nv.gov). Only classes given in Nevada or available online will be listed on this page.

UPCOMING OPPORTUNITIES |

THE NSBAIDRD & AIA NEVADA CONTINUING EDUCATION SEMINAR

This seminar provides registrants with all eight required CEUs for annual registration renewal in Nevada. Sessions will provide health, safety, and welfare related topics relevant to the professions of architecture, residential design, and registered interior design.

Date: December 5, 2019

Provider: AIA Nevada

Location: World Market Center, Las Vegas, Nevada

CEUs: 8 HSW (includes 2 building code related)

Cost: \$65

More Information: [AIA Nevada](https://www.aianevada.org/events/EventDetails.aspx?id=1274702&group=) (https://www.aianevada.org/events/EventDetails.aspx?id=1274702&group=)

***** Registration closes December 3, 2019.*****

CHECK OUT OUR FACEBOOK PAGE FOR MORE UPCOMING OPPORTUNITIES

As we find out about continuing education opportunities, we share them on the NSBAIDRD Facebook page. Follow us on Facebook and always be up to date on upcoming continuing education classes.



(<https://www.facebook.com/NSBAIDRD/>)

ONLINE FREE OR LOW COST CLASSES |

Provider: NCARB

Program: NCARB Mini-Monographs

Date/Location: online at NCARB (<https://www.ncarb.org/publications>)

CEUs: vary from 1 or more hours by course

Cost: free for **NCARB Record Holders**; \$35 for others

Provider: AEC Daily

Program: Multiple classes

Date/Location: Continuous at AEC Daily (<http://www.aecdaily.com>)

CEUs: 1 hr

Cost: Free

Provider: Ron Blank & Associates, Inc.

Program: Multiple classes

Date/Location: Continuous at ronblank.com (<http://www.ronblank.com>)

CEUs: 1 hr

Cost: Free

Provider: Continuing Education Center

Program: Multiple classes

Date/Location: Continuous at Continuing Education Center
(<https://continuingeducation.bnppmedia.com/index.php?upgrade=new&>)

CEUs: 1 hr

Cost: Free

Provider: US Department of Energy

Program: Multiple classes

Date/Location: Continuous at www.energycodes.gov
(<http://www.energycodes.gov/training>)

CEUs: 1 hr

Cost: Free

Provider: Whole Building Design Guide

Program: Multiple classes

Date/Location: Continuous at Whole Building Design Guide (http://www.wbdg.org/education/cont_education.php)

CEUs: 1 hr

Cost: Free

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2019 AIA Nevada / NSBAIDRD Seminars

[Register](#)[Tell a Friend](#)**12/5/2019****REGISTER**

When: 12/05/2019
7:30am - 5:30pm

Online registration is available until: 12/3/2019

Where: Worldview on 16 - World Market Center
475 S Grand Central Pkwy.
Las Vegas, NV 89106

Contact: Kelly Lavigne
klavigne@aianeveda.org
702-483-3838

[« Go to Upcoming Event List](#)

THIS EVENT IS IN TAKING PLACE IN LAS VEGAS, NV.

Registration Fee is \$65.00 - Includes Continental Breakfast and Lunch

The Nevada State Board of Architecture, Interior Design & Residential Design in partnership with the Nevada Chapter of the American Institute of Architects provides an opportunity for Nevada architects, interior designers and residential designers to earn all of Nevada's 8 required health, safety and welfare (HSW) credits in one day!

PLEASE NOTE: AIA Nevada and AIA Las Vegas are AIA CES Providers. The Provider Manual, updated in 2018, is the basis for the specific criteria for Health, Safety and Welfare (HSW) LU credits. Since the enforcement of the new standards, the course being offered, "A Duty to Live Up To", does not meet AIA's definition for HSW credit but will qualify for LU credit. The Nevada State Board of Architecture, Interior Design & Residential Design will grant HSW credit for the purpose of annual registration renewal for this course.

SCHEDULE FOR THE DAY

7:30 - 8:00am

Continental Breakfast

8:00 - 10:00am

Professional Ethics: A Duty To Live Up To*Presented by James Mickey, AIA and Jared Zurn, AIA, NCARB*

Ethical dilemmas risk your professional livelihood as well as reputation management. Learn how the actions of others create behavior slipped. This session will engage participants in small-group activities as they dissect case studies from our professional Model rules of Conduct, the AIA Code of Ethics and Professional Conduct as well as the rules and regulations from the State challenges.

10:00 - 10:15am

Break

10:15 - 12:15am

Aging In Place: Designing the Aging Experience In The 21st Century*Presented by Attila Lawrence and Dr. Dylan Wint*

Opportunities to synthesize cross-disciplinary evidence to create a new knowledge base informing innovative design strategies for multigenerational living.

11:15am - 12:15pm

12:15 - 1:15pm

Lunch is Served

1:15 - 3:15pm

Introduction To The Living Building Challenge*Presented by Alexia Chen, AIA*

A green building certification program with a sustainable design framework, this criteria visualizes the ideal built environment and key components to create spaces that reconnect occupants with nature. Learn implementation tools to create spaces that

3:15 - 3:30pm

Break

3:30 - 5:30pm

2018IBC Transition From The 2012 IBC*Presented by Jerry Steuve, Director - Clark County Department of Building & Fire*

The interactive course will assist attendees in implementing the transition from the 2012 IBC to the 2018 IBC focusing on key code changes and changes in organization. Review questions will provide an opportunity to discuss and consider the impact



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01 00 00 - GENERAL REQUIREMENTS - 41 Courses (24 online courses and 17 live courses)

02 00 00 - EXISTING CONDITIONS - 16 Courses (16 online courses)

03 00 00 - CONCRETE - 74 Courses (53 online courses and 21 live courses)

04 00 00 - MASONRY - 66 Courses (54 online courses and 12 live courses)



05 00 00 - METALS - 60 Courses (57 online courses and 3 live courses)

06 00 00 - WOOD, PLASTICS, AND COMPOSITES - 76 Courses (58 online courses and 18 live courses)

07 00 00 - THERMAL AND MOISTURE PROTECTION - 296 Courses (176 online courses and 120 live courses)

08 00 00 - OPENINGS - 104 Courses (72 online courses and 32 live courses)

09 00 00 - FINISHES - 183 Courses (141 online courses and 42 live courses)



10 00 00 - SPECIALTIES - 118 Courses (110 online courses and 8 live courses)



11 00 00 - EQUIPMENT - 47 Courses (44 online courses and 3 live courses)

12 00 00 - FURNISHINGS - 78 Courses (55 online courses and 23 live courses)

13 00 00 - SPECIAL CONSTRUCTION - 77 Courses (73 online courses and 4 live courses)

14 00 00 - CONVEYING EQUIPMENT - 10 Courses (10 online courses)

21 00 00 - FIRE SUPPRESSION - 20 Courses (18 online courses and 2 live courses)

22 00 00 - PLUMBING - **66 Courses (55 online courses and 11 live courses)**

23 00 00 - HEATING, VENTILATING AND AIR CONDITIONING - **59 Courses (52 online courses and 7 live courses)**

25 00 00 - INTEGRATED AUTOMATION - **22 Courses (12 online courses and 10 live courses)**

26 00 00 - ELECTRICAL - **65 Courses (47 online courses and 18 live courses)**

27 00 00 - COMMUNICATIONS - **12 Courses (12 online courses)**

28 00 00 - ELECTRONIC SAFETY AND SECURITY - **10 Courses (10 online courses)**

31 00 00 - EARTHWORK - **3 Courses (3 online courses)**

32 00 00 - EXTERIOR IMPROVEMENTS - **118 Courses (91 online courses and 27 live courses)**

33 00 00 - UTILITIES - **15 Courses (15 online courses)**

42 00 00 - PROCESS HEATING, COOLING, AND DRYING EQUIPMENT - **3 Courses (3 online courses)**

44 00 00 - POLLUTION CONTROL EQUIPMENT - **5 Courses (5 online courses)**

46 00 00 - WATER AND WASTEWATER EQUIPMENT - **2 Courses (2 online courses)**

48 00 00 - ELECTRICAL POWER GENERATION - **3 Courses (3 online courses)**

Other - **18 Courses (17 online courses and 1 live course)**



Agenda Item 6.E

The following Criteria is proposed to be used in review of courses applying as approved providers for Nevada State Board of Landscape Architecture (NSBLA) Continuing Education Credits.

Criteria 1. Registered courses must adhere to the NSBLA policy definition of continuing professional education: “educational activities must encompass the study of relevant technical and professional subjects directly relating to topics involving the public health, safety, and welfare of landscape architecture practice and the ethical standards of landscape architectural practice including but not limited to; safeguarding of life, health, the environment, and property and promoting the public welfare.” (NAC623A.315)

Criteria 2. Registered courses must specify whether the primary subject matter qualifies as meeting the health, safety, and welfare (HSW) definition. Seventy-five (75) percent of the course material must qualify under this definition for courses to be identified as meeting the health, safety, and welfare standard.

Criteria 3. Courses must be at least 50 minutes in length to equal 1 CEU. A course that is 25 minutes in length equals 0.5 CEU. (As per NAC623A.315)

Criteria 4. Registered courses must be planned in response to the learning needs of target audiences and include clear and concise written statements of learning objectives/outcomes. Providers are required to include a minimum of three learning objectives/outcomes for each course.

Criteria 5. Registered courses must use qualified instructional personnel in course development and delivery; include content and instructional methods that are appropriate for the intended learning objectives/outcomes; and use materials that do not contain proprietary information, are educational and generic in nature, and serve to reinforce the learning objectives. Course instructors should have experience, knowledge, and credentials relevant to the course they are teaching. The instructor should not act as a salesperson to promote any products or services. All course content and materials must be educational and may not be commercial. The promotion or discussion of proprietary information is strictly forbidden during the course.

Criteria 6. Registered courses must include a mechanism for assessing participant attainment of the learning objectives/outcomes. Submit a copy of the assessment method used.

Criteria 7. Registered courses must be evaluated by participants and issue a confirmation and verification of completion for each participant who completes a course.

Criteria 8. Registered courses must maintain complete attendance records that are available to participants on request for a minimum of six (6) years and have a review process in operation that ensures that NSBLA CEU criteria are met. Attendance records must be reported to the NSBLA within thirty(30) days of the completion of the event. In addition, approved providers must keep copies of all course materials for a minimum of six (6) years. In jointly sponsored programs the responsibility for attendance records, ensuring the criteria are met, and retention of course materials rests with the organization issuing the professional development hours.

Assembly Bill No. 319—Assemblymen Tolles, Yeager, Roberts;
Hansen, Hardy, Kramer, Leavitt and McCurdy

Joint Sponsors: Senators Kieckhefer,
Denis, Seevers Gansert; and Brooks

CHAPTER.....

AN ACT relating to professional licensing; authorizing a person to petition a professional or occupational licensing board for a determination of whether the person's criminal history will disqualify him or her from obtaining a license; requiring a professional or occupational licensing board to implement a process for such a petition; establishing certain requirements for such process; requiring a professional or occupational licensing board to make a quarterly report to the Legislative Counsel Bureau with certain information; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law allows a person to apply for various professional and occupational licenses if a person meets the requirements established in statute and by the professional or occupational licensing board which grants the license. (Title 54 of NRS; Chapters 1, 7, 90, 232B, 240A, 244, 289, 361, 379, 394, 433, 435, 445B, 453A, 455C, 457, 477, 482, 487, 489, 490, 502-505, 534, 544, 555, 557, 576, 581, 582, 584, 587, 599A, 599B, 618 and 706 of NRS, NRS 391.060, 458.0255, 458.0256) Existing law requires certain boards to submit a quarterly report to the Director of the Legislative Counsel Bureau containing certain information. (NRS 622.100) **Section 1** of this bill requires a regulatory body to develop and implement a process by which a person can petition the regulatory body for a determination of whether the person's criminal history will disqualify the person from obtaining a license from the regulatory body. **Section 1** requires the regulatory body to inform the person of the regulatory body's determination within 90 days after the petition is submitted and allows the regulatory body to rescind the determination at any time. **Section 1** authorizes a regulatory body to provide instructions to a person who receives a determination of disqualification to remedy the determination and resubmit his or her petition after remedying the determination. **Section 1** authorizes a person to petition the regulatory body at any time, including before obtaining any education necessary to obtain a license. **Section 1** authorizes the regulatory body to charge a fee of up to \$50 for the costs of considering a petition. **Section 1** authorizes a regulatory body to post information on its Internet website concerning the requirements for obtaining a license and a list of crimes that would disqualify a person for a license. **Section 1** also authorizes a regulatory body to request the criminal history record of a person who petitions the regulatory body for a determination of disqualification or qualification. **Section 1** prohibits a person who petitions a regulatory body from submitting false or misleading information to the regulatory body. **Section 2** of this bill requires a regulatory body to include certain information concerning the determinations of qualification or disqualification in its quarterly report to the Director of the Legislative Counsel Bureau. **Sections 3, 9-13, 15, 16, 19, 25, 26, 28, 29, 32, 36, 38, 43-45, 47-51, 53, 57, 63, 67-70 and 72-76** of this bill replicate the



requirements of **section 1** for other professional or occupational licensing boards, in addition to requiring the respective professional or occupational licensing board to submit a quarterly report to the Director of the Legislative Counsel Bureau containing certain information.

Assembly Bill No. 131, enacted during the current legislative session, makes various changes concerning community-based living arrangement services, including repealing the provisions governing community-based living arrangement services in chapter 433 of NRS and moving them instead to chapter 449 of NRS. Instead of requiring providers of such services to obtain a certificate, Assembly Bill No. 131 requires the providers to obtain a license from the Division pursuant to chapter 449 of NRS. (Chapter 51, Statutes of Nevada 2019) For that reason, **section 19.1** of this bill was added to chapter 449 of NRS.

Existing law establishes the Sunset Subcommittee of the Legislative Commission. (NRS 232B.210-232B.250) Existing law requires the Sunset Subcommittee to conduct reviews of the professional and occupational licensing boards in this State and make recommendations on the continued existence or efficiency of the board. (NRS 232B.220, 232B.250) **Section 6** of this bill requires the Sunset Subcommittee to conduct a review of each professional or occupational licensing board and regulatory body in this State to determine whether the restrictions on the criminal history of an applicant for an occupational or professional license are appropriate. **Section 8** of this bill requires the Sunset Subcommittee to include in any recommendation made on the appropriateness of a restriction on the criminal history of an applicant suggestions for legislative action.

Sections 7, 14, 17, 18, 19.2-24, 27, 30, 31, 37, 46, 52, 54-56, 58-62, 64-66, 71 and 77-85 of this bill make conforming changes.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

WHEREAS, The right of a natural person to pursue an occupation or profession is a fundamental right; and

WHEREAS, Regulations of occupations and professions shall be construed and applied to increase economic opportunities, promote competition and encourage innovation; and

WHEREAS, Where the State of Nevada finds it is necessary to displace competition, it will use the least restrictive regulation necessary to protect consumers from present, significant and substantiated harms that threaten public health and safety; and

WHEREAS, A regulation of an occupation or profession may be enforced against a natural person only to the extent the natural person sells goods or provides services that are explicitly included in the statute that defines the scope of practice of the occupation; and

WHEREAS, The fundamental right of a natural person to pursue an occupation includes the right of a natural person with a criminal history to obtain an occupational or professional license; now, therefore,



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 622 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in chapters 624 and 648 of NRS, a regulatory body shall develop and implement a process by which a person with a criminal history may petition the regulatory body to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license from the regulatory body.

2. Not later than 90 days after a petition is submitted to a regulatory body pursuant to subsection 1, a regulatory body shall inform the person of the determination of the regulatory body of whether the person's criminal history will disqualify the person from obtaining a license. A regulatory body is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. A regulatory body may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the regulatory body at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the regulatory body.

5. A person may submit a new petition to the regulatory body not earlier than 2 years after the final determination of the initial petition submitted to the regulatory body.

6. A regulatory body may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. A regulatory body may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. A regulatory body may post on its Internet website:

(a) The requirements to obtain a license from the regulatory body; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the regulatory body.

8. A regulatory body may request the criminal history record of a person who petitions the regulatory body for a determination pursuant to subsection 1. To the extent consistent with federal law,



if the regulatory body makes such a request of a person, the regulatory body shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions a regulatory body for a determination pursuant to subsection 1 shall not submit false or misleading information to the regulatory body.

Sec. 2. NRS 622.100 is hereby amended to read as follows:

622.100 1. Each regulatory body shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director:

(a) A summary of each disciplinary action taken by the regulatory body during the immediately preceding calendar quarter against any licensee of the regulatory body; and

(b) A report that includes:

(1) For the immediately preceding calendar quarter:

(I) The number of licenses issued by the regulatory body;

(II) The total number of applications for licensure received by the regulatory body;

(III) The number of applications rejected by the regulatory body as incomplete;

(IV) The average number of days between the date of rejection of an application as incomplete and the resubmission by the applicant of a complete application;

(V) A list of each reason given by the regulatory body for the denial of an application and the number of applications denied by the regulatory body for each such reason; ~~and~~

(VI) The number of applications reviewed on an individual basis by the regulatory body or the executive head of the regulatory body; ~~and~~

(VII) The number of petitions submitted to the regulatory body pursuant to section 1 of this act;

(VIII) The number of determinations of disqualification made by the regulatory body pursuant to section 1 of this act; and

(IX) The reasons for such determinations; and

(2) Any other information that is requested by the Director or which the regulatory body determines would be helpful to the Legislature in evaluating whether the continued existence of the regulatory body is necessary.

2. The Director shall:



(a) Provide any information received pursuant to subsection 1 to a member of the public upon request;

(b) Cause a notice of the availability of such information to be posted on the public website of the Nevada Legislature on the Internet; and

(c) Transmit a compilation of the information received pursuant to subsection 1 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

3. The Director, on or before the first day of each regular session of the Legislature and at such other times as directed, shall compile the reports received pursuant to paragraph (b) of subsection 1 and distribute copies of the compilation to the Senate Standing Committee on Commerce, Labor and Energy and the Assembly Standing Committee on Commerce and Labor, each of which shall review the compilation to determine whether the continued existence of each regulatory body is necessary.

Sec. 3. Chapter 1 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Court Administrator shall develop and implement a process by which a person with a criminal history may petition the Court Administrator to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certificate or registration as a court interpreter pursuant to NRS 1.510.

2. Not later than 90 days after a petition is submitted to the Court Administrator pursuant to subsection 1, the Court Administrator shall inform the person of the determination of the Court Administrator of whether the person's criminal history will disqualify the person from obtaining a certificate or registration. The Court Administrator is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The Court Administrator may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Court Administrator at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate or registration.



5. A person may submit a new petition to the Court Administrator not earlier than 2 years after the final determination of the initial petition submitted to the Court Administrator.

6. The Court Administrator may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Court Administrator may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Court Administrator may post on its Internet website:

(a) The requirements to obtain a certification or registration as a court interpreter; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certification or registration as a court interpreter from the Court Administrator.

8. The Court Administrator may request the criminal history record of a person who petitions the Court Administrator for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Court Administrator makes such a request of a person, the Court Administrator shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Court Administrator for a determination pursuant to subsection 1 shall not submit false or misleading information to the Court Administrator.

10. The Court Administrator shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Court Administrator pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Court Administrator pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Court Administrator determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.



Secs. 4 and 5. (Deleted by amendment.)

Sec. 6. Chapter 232B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Sunset Subcommittee of the Legislative Commission shall conduct a review of each professional or occupational licensing board and regulatory body in this State to determine whether the restrictions on the criminal history of an applicant for an occupational or professional license are appropriate.

2. Each professional or occupational licensing board and regulatory body subject to review pursuant to subsection 1 must submit information to the Sunset Subcommittee on a form prescribed by the Sunset Subcommittee. The information must include, without limitation:

(a) The number of petitions submitted to a professional or occupational licensing board and regulatory body pursuant to sections 1, 3, 9-13, 15, 16, 19, 19.1, 25, 26, 28, 29, 32, 36, 38, 43-45, 47-51, 53, 57, 63, 67-70 and 72-76 of this act;

(b) The number of determinations of disqualification made by the professional or occupational licensing board and regulatory body pursuant to sections 1, 3, 9-13, 15, 16, 19, 19.1, 25, 26, 28, 29, 32, 36, 38, 43-45, 47-51, 53, 57, 63, 67-70 and 72-76 of this act; and

(c) The reasons for such determinations of disqualification.

3. As used in this section, "regulatory body" has the meaning ascribed to it in NRS 622.060.

Sec. 7. NRS 232B.220 is hereby amended to read as follows:

232B.220 1. The Sunset Subcommittee of the Legislative Commission shall conduct a review of each board and commission in this State which is not provided for in the Nevada Constitution or established by an executive order of the Governor to determine whether the board or commission should be terminated, modified, consolidated with another board or commission or continued. Such a review must include, without limitation:

(a) An evaluation of the major policies and programs of the board or commission, including, without limitation, an examination of other programs or services offered in this State to determine if any other provided programs or services duplicate those offered by the board or commission;

(b) Any recommendations for improvements in the policies and programs offered by the board or commission; and

(c) A determination of whether any statutory tax exemptions, abatements or money set aside to be provided to the board or commission should be terminated, modified or continued.



2. The Sunset Subcommittee shall review not less than 10 boards and commissions specified in subsection 1 each legislative interim.

3. Any action taken by the Sunset Subcommittee concerning a board or commission pursuant to NRS 232B.210 to 232B.250, inclusive, *and section 6 of this act* is in addition or supplemental to any action taken by the Legislative Commission pursuant to NRS 232B.010 to 232B.100, inclusive.

Sec. 8. NRS 232B.250 is hereby amended to read as follows:

232B.250 1. If the Sunset Subcommittee of the Legislative Commission determines to recommend the termination of a board or commission, its recommendation must include suggestions for appropriate direct legislative action, if any, which is made necessary or desirable by the termination of the board or commission.

2. If the Sunset Subcommittee determines to recommend the consolidation, modification or continuation of a board or commission, its recommendation must include suggestions for appropriate direct legislative action, if any, which would make the operation of the board or commission or its successor more efficient or effective.

3. *If the Sunset Subcommittee determines to recommend the modification, continuation or removal of the restrictions on the criminal history of an applicant for an occupational or professional license, its recommendation must include suggestions for appropriate direct legislative action, if any, which is made necessary or desirable by any modification, continuation or removal of such restrictions.*

4. On or before June 30, 2012, the Sunset Subcommittee shall make all of its initial recommendations pursuant to this section, if any. The Sunset Subcommittee shall make all subsequent recommendations pursuant to this section, if any, on or before June 30 of each even-numbered year occurring thereafter.

Sec. 9. Chapter 240A of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Secretary of State shall develop and implement a process by which a person with a criminal history may petition the Secretary of State to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a registration pursuant to NRS 240A.100.*

2. *Not later than 90 days after a petition is submitted to the Secretary of State pursuant to subsection 1, the Secretary of State shall inform the person of the determination of the Secretary of State of whether the person's criminal history will disqualify the*



person from obtaining a registration. The Secretary of State is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The Secretary of State may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Secretary of State at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a registration from the Secretary of State.

5. A person may submit a new petition to the Secretary of State not earlier than 2 years after the final determination of the initial petition submitted to the Secretary of State.

6. The Secretary of State may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Secretary of State may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Secretary of State may post on its Internet website:

(a) The requirements to obtain a registration pursuant to NRS 240A.100 from the Secretary of State; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a registration from the Secretary of State.

8. The Secretary of State may request the criminal history record of a person who petitions the Secretary of State for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Secretary of State makes such a request of a person, the Secretary of State shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Secretary of State for a determination pursuant to subsection 1 shall not submit false or misleading information to the Secretary of State.

10. The Secretary of State shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:



- (a) The number of petitions submitted to the Secretary of State pursuant to subsection 1;*
- (b) The number of determinations of disqualification made by the Secretary of State pursuant to subsection 1;*
- (c) The reasons for such determinations; and*
- (d) Any other information that is requested by the Director or which the Secretary of State determines would be helpful.*

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 10. Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A board of county commissioners or county license board shall develop and implement a process by which a person with a criminal history may petition the board of county commissioners or county license board to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license.

2. Not later than 90 days after a petition is submitted to a board of county commissioners or county license board pursuant to subsection 1, a board of county commissioners or county license board shall inform the person of the determination of the board of county commissioners or county license board of whether the person's criminal history will disqualify the person from obtaining a license. The board of county commissioners or county license board is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. A board of county commissioners or county license board may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the board of county commissioners or county license board at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the board of county commissioners or county license board.

5. A person may submit a new petition to the board of county commissioners or county license board not earlier than 2 years



after the final determination of the initial petition submitted to the board of county commissioners or county license board.

6. A board of county commissioners or county license board may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. A board of county commissioners or county license board may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. A board of county commissioners or county license board may post on its Internet website:

(a) The requirements to obtain a license from the board of county commissioners or county license board, as applicable; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from a board of county commissioners or county license board.

8. A board of county commissioners or county license board may request the criminal history record of a person who petitions the board of county commissioners or county license board for a determination pursuant to subsection 1. To the extent consistent with federal law, if the board of county commissioners or county license board makes such a request of a person, the board of county commissioners or county license board shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the board of county commissioners or county license board for a determination pursuant to subsection 1 shall not submit false or misleading information to the board of county commissioners or county license board.

10. A board of county commissioners or county license board shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to a board of county commissioners or county license board pursuant to subsection 1;

(b) The number of determinations of disqualification made by a board of county commissioners or county license board pursuant to subsection 1;

(c) The reasons for such determinations; and



(d) Any other information that is requested by the Director or which a board of county commissioners or county license board determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 11. Chapter 361 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining an appraiser's certificate pursuant to NRS 361.221.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a certificate. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Department may post on its Internet website:

(a) The requirements to obtain an appraiser's certificate from the Department; and



(b) A list of crimes, if any, that would disqualify a person from obtaining a certificate from the Department.

8. The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.

10. The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Department pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Department pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 12. Chapter 379 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Library, Archives and Public Records Administrator shall develop and implement a process by which a person with a criminal history may petition the State Library, Archives and Public Records Administrator to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certification pursuant to NRS 379.0073.

2. Not later than 90 days after a petition is submitted to the State Library, Archives and Public Records Administrator pursuant to subsection 1, the State Library, Archives and Public Records Administrator shall inform the person of the determination of the State Library, Archives and Public Records



Administrator of whether the person's criminal history will disqualify the person from obtaining a certification. The State Library, Archives and Public Records Administrator is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The State Library, Archives and Public Records Administrator may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the State Library, Archives and Public Records Administrator at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certification from the State Library, Archives and Public Records Administrator.

5. A person may submit a new petition to the State Library, Archives and Public Records Administrator not earlier than 2 years after the final determination of the initial petition submitted to the State Library, Archives and Public Records Administrator.

6. The State Library, Archives and Public Records Administrator may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The State Library, Archives and Public Records Administrator may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The State Library, Archives and Public Records Administrator may post on its Internet website:

(a) The requirements to obtain a certification from the State Library, Archives and Public Records Administrator; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certification from the State Library, Archives and Public Records Administrator.

8. The State Library, Archives and Public Records Administrator may request the criminal history record of a person who petitions the State Library, Archives and Public Records Administrator for a determination pursuant to subsection 1. To the extent consistent with federal law, if the State Library, Archives and Public Records Administrator makes such a request of a person, the State Library, Archives and Public Records Administrator shall require the person to submit his or her criminal history record which includes a report from:



(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the State Library, Archives and Public Records Administrator for a determination pursuant to subsection 1 shall not submit false or misleading information to the State Library, Archives and Public Records Administrator.

10. The State Library, Archives and Public Records Administrator shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the State Library, Archives and Public Records Administrator pursuant to subsection 1;

(b) The number of determinations of disqualification made by the State Library, Archives and Public Records Administrator pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the State Library, Archives and Public Records Administrator determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 13. Chapter 433 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certificate pursuant to NRS 433.601 to 433.621, inclusive.

2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a certificate. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a



petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Division may post on its Internet website:

(a) The requirements to obtain a certification pursuant to NRS 433.601 to 433.621, inclusive, from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certification from the Division.

8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.

10. The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Division pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.



11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 14. NRS 433.601 is hereby amended to read as follows:

433.601 As used in NRS 433.601 to 433.621, inclusive, *and section 13 of this act*, unless the context otherwise requires, the words and terms defined in NRS 433.603 and 433.605 have the meanings ascribed to them in those sections.

Sec. 15. Chapter 435 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certificate pursuant to this chapter.

2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a certificate. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Division may post on its Internet website:



(a) The requirements to obtain a certificate from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certificate from the Division.

8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.

10. The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Division pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 16. Chapter 445B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department of Motor Vehicles shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a qualification to inspect devices for the control of emissions for motor vehicles pursuant to NRS 445B.775.

2. Not later than 90 days after a petition is submitted to the Department of Motor Vehicles pursuant to subsection 1, the Department shall inform the person of the determination of the



Department of whether the person's criminal history will disqualify the person from obtaining a qualification. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department of Motor Vehicles may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department of Motor Vehicles at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a qualification from the Department.

5. A person may submit a new petition to the Department of Motor Vehicles not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department of Motor Vehicles may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Department of Motor Vehicles may post on its Internet website:

(a) The requirements to obtain a qualification from the Department; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a qualification from the Department.

8. The Department of Motor Vehicles may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Department of Motor Vehicles for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.



10. The Department of Motor Vehicles shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Department pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Department pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 17. NRS 445B.790 is hereby amended to read as follows:

445B.790 1. The Department of Motor Vehicles shall, by regulation, establish procedures for inspecting authorized inspection stations, authorized stations and fleet stations, and may require the holder of a license for an authorized inspection station, authorized station or fleet station to submit any material or document which is used in the program to control emissions from motor vehicles.

2. The Department may deny, suspend or revoke the license of an approved inspector, authorized inspection station, authorized station or fleet station if:

(a) The approved inspector or the holder of a license for an authorized inspection station, authorized station or fleet station is not complying with the provisions of NRS 445B.700 to 445B.815, inclusive **and section 16 of this act.**

(b) The holder of a license for an authorized inspection station, authorized station or fleet station refuses to furnish the Department with the requested material or document.

(c) The approved inspector has issued a fraudulent certificate of compliance, whether intentionally or negligently. A "fraudulent certificate" includes, but is not limited to:

(1) A backdated certificate;

(2) A postdated certificate; and

(3) A certificate issued without an inspection.

(d) The approved inspector does not follow the prescribed test procedure.

Sec. 18. NRS 445B.845 is hereby amended to read as follows:

445B.845 1. A violation of any provision of NRS 445B.700 to 445B.845, inclusive, **and section 16 of this act** relating to motor



vehicles, or any regulation adopted pursuant thereto relating to motor vehicles, is a misdemeanor. The provisions of NRS 445B.700 to 445B.845, inclusive, *and section 16 of this act*, or any regulation adopted pursuant thereto, must be enforced by any peace officer.

2. Satisfactory evidence that the motor vehicle or its equipment conforms to those provisions or regulations, when supplied by the owner of the motor vehicle to the Department of Motor Vehicles within 10 days after the issuance of a citation pursuant to subsection 1, may be accepted by the court as a complete or partial mitigation of the offense.

Sec. 18.5. Chapter 449 of NRS is hereby amended by adding thereto the provisions set forth as sections 19 and 19.1 of this act.

Sec. 19. 1. *The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certificate to operate an intermediary service organization pursuant to NRS 449.431.*

2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a certificate. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.



7. *The Division may post on its Internet website:*

(a) *The requirements to obtain a certificate from the Division; and*

(b) *A list of crimes, if any, that would disqualify a person from obtaining a certificate from the Division.*

8. *The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:*

(a) *The Central Repository for Nevada Records of Criminal History; and*

(b) *The Federal Bureau of Investigation.*

9. *A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.*

10. *The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) *The number of petitions submitted to the Division pursuant to subsection 1;*

(b) *The number of determinations of disqualification made by the Division pursuant to subsection 1;*

(c) *The reasons for such determinations; and*

(d) *Any other information that is requested by the Director or which the Division determines would be helpful.*

11. *The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*

Sec. 19.1. 1. *The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to NRS 449.029 to 449.2428, inclusive.*

2. *Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a license. The Division is not bound by its determination of*



disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Division may post on its Internet website:

(a) The requirements to obtain a license pursuant to NRS 449.029 to 449.2428, inclusive, from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Division.

8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.

10. The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Division pursuant to subsection 1;



(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 19.2. NRS 449.029 is hereby amended to read as follows:

449.029 As used in NRS 449.029 to 449.240, inclusive, *and section 19.1 of this act*, unless the context otherwise requires, “medical facility” has the meaning ascribed to it in NRS 449.0151 and includes a program of hospice care described in NRS 449.196.

Sec. 19.3. NRS 449.0301 is hereby amended to read as follows:

449.0301 The provisions of NRS 449.029 to 449.2428, inclusive, *and section 19.1 of this act*, do not apply to:

1. Any facility conducted by and for the adherents of any church or religious denomination for the purpose of providing facilities for the care and treatment of the sick who depend solely upon spiritual means through prayer for healing in the practice of the religion of the church or denomination, except that such a facility shall comply with all regulations relative to sanitation and safety applicable to other facilities of a similar category.

2. Foster homes as defined in NRS 424.014.

3. Any medical facility, facility for the dependent or facility which is otherwise required by the regulations adopted by the Board pursuant to NRS 449.0303 to be licensed that is operated and maintained by the United States Government or an agency thereof.

Sec. 19.4. NRS 449.0302 is hereby amended to read as follows:

449.0302 1. The Board shall adopt:

(a) Licensing standards for each class of medical facility or facility for the dependent covered by NRS 449.029 to 449.2428, inclusive, *and section 19.1 of this act* and for programs of hospice care.

(b) Regulations governing the licensing of such facilities and programs.

(c) Regulations governing the procedure and standards for granting an extension of the time for which a natural person may provide certain care in his or her home without being considered a residential facility for groups pursuant to NRS 449.017. The



regulations must require that such grants are effective only if made in writing.

(d) Regulations establishing a procedure for the indemnification by the Division, from the amount of any surety bond or other obligation filed or deposited by a facility for refractive surgery pursuant to NRS 449.068 or 449.069, of a patient of the facility who has sustained any damages as a result of the bankruptcy of or any breach of contract by the facility.

(e) Any other regulations as it deems necessary or convenient to carry out the provisions of NRS 449.029 to 449.2428, inclusive **HH**, *and section 19.1 of this act.*

2. The Board shall adopt separate regulations governing the licensing and operation of:

(a) Facilities for the care of adults during the day; and

(b) Residential facilities for groups,

↳ which provide care to persons with Alzheimer's disease.

3. The Board shall adopt separate regulations for:

(a) The licensure of rural hospitals which take into consideration the unique problems of operating such a facility in a rural area.

(b) The licensure of facilities for refractive surgery which take into consideration the unique factors of operating such a facility.

(c) The licensure of mobile units which take into consideration the unique factors of operating a facility that is not in a fixed location.

4. The Board shall require that the practices and policies of each medical facility or facility for the dependent provide adequately for the protection of the health, safety and physical, moral and mental well-being of each person accommodated in the facility.

5. In addition to the training requirements prescribed pursuant to NRS 449.093, the Board shall establish minimum qualifications for administrators and employees of residential facilities for groups. In establishing the qualifications, the Board shall consider the related standards set by nationally recognized organizations which accredit such facilities.

6. The Board shall adopt separate regulations regarding the assistance which may be given pursuant to NRS 453.375 and 454.213 to an ultimate user of controlled substances or dangerous drugs by employees of residential facilities for groups. The regulations must require at least the following conditions before such assistance may be given:

(a) The ultimate user's physical and mental condition is stable and is following a predictable course.



(b) The amount of the medication prescribed is at a maintenance level and does not require a daily assessment.

(c) A written plan of care by a physician or registered nurse has been established that:

(1) Addresses possession and assistance in the administration of the medication; and

(2) Includes a plan, which has been prepared under the supervision of a registered nurse or licensed pharmacist, for emergency intervention if an adverse condition results.

(d) Except as otherwise authorized by the regulations adopted pursuant to NRS 449.0304, the prescribed medication is not administered by injection or intravenously.

(e) The employee has successfully completed training and examination approved by the Division regarding the authorized manner of assistance.

7. The Board shall adopt separate regulations governing the licensing and operation of residential facilities for groups which provide assisted living services. The Board shall not allow the licensing of a facility as a residential facility for groups which provides assisted living services and a residential facility for groups shall not claim that it provides "assisted living services" unless:

(a) Before authorizing a person to move into the facility, the facility makes a full written disclosure to the person regarding what services of personalized care will be available to the person and the amount that will be charged for those services throughout the resident's stay at the facility.

(b) The residents of the facility reside in their own living units which:

(1) Except as otherwise provided in subsection 8, contain toilet facilities;

(2) Contain a sleeping area or bedroom; and

(3) Are shared with another occupant only upon consent of both occupants.

(c) The facility provides personalized care to the residents of the facility and the general approach to operating the facility incorporates these core principles:

(1) The facility is designed to create a residential environment that actively supports and promotes each resident's quality of life and right to privacy;

(2) The facility is committed to offering high-quality supportive services that are developed by the facility in collaboration with the resident to meet the resident's individual needs;



(3) The facility provides a variety of creative and innovative services that emphasize the particular needs of each individual resident and the resident's personal choice of lifestyle;

(4) The operation of the facility and its interaction with its residents supports, to the maximum extent possible, each resident's need for autonomy and the right to make decisions regarding his or her own life;

(5) The operation of the facility is designed to foster a social climate that allows the resident to develop and maintain personal relationships with fellow residents and with persons in the general community;

(6) The facility is designed to minimize and is operated in a manner which minimizes the need for its residents to move out of the facility as their respective physical and mental conditions change over time; and

(7) The facility is operated in such a manner as to foster a culture that provides a high-quality environment for the residents, their families, the staff, any volunteers and the community at large.

8. The Division may grant an exception from the requirement of subparagraph (1) of paragraph (b) of subsection 7 to a facility which is licensed as a residential facility for groups on or before July 1, 2005, and which is authorized to have 10 or fewer beds and was originally constructed as a single-family dwelling if the Division finds that:

(a) Strict application of that requirement would result in economic hardship to the facility requesting the exception; and

(b) The exception, if granted, would not:

(1) Cause substantial detriment to the health or welfare of any resident of the facility;

(2) Result in more than two residents sharing a toilet facility; or

(3) Otherwise impair substantially the purpose of that requirement.

9. The Board shall, if it determines necessary, adopt regulations and requirements to ensure that each residential facility for groups and its staff are prepared to respond to an emergency, including, without limitation:

(a) The adoption of plans to respond to a natural disaster and other types of emergency situations, including, without limitation, an emergency involving fire;

(b) The adoption of plans to provide for the evacuation of a residential facility for groups in an emergency, including, without



limitation, plans to ensure that nonambulatory patients may be evacuated;

(c) Educating the residents of residential facilities for groups concerning the plans adopted pursuant to paragraphs (a) and (b); and

(d) Posting the plans or a summary of the plans adopted pursuant to paragraphs (a) and (b) in a conspicuous place in each residential facility for groups.

10. The regulations governing the licensing and operation of facilities for transitional living for released offenders must provide for the licensure of at least three different types of facilities, including, without limitation:

(a) Facilities that only provide a housing and living environment;

(b) Facilities that provide or arrange for the provision of supportive services for residents of the facility to assist the residents with reintegration into the community, in addition to providing a housing and living environment; and

(c) Facilities that provide or arrange for the provision of alcohol and drug abuse programs, in addition to providing a housing and living environment and providing or arranging for the provision of other supportive services.

➤ The regulations must provide that if a facility was originally constructed as a single-family dwelling, the facility must not be authorized for more than eight beds.

11. As used in this section, "living unit" means an individual private accommodation designated for a resident within the facility.

Sec. 19.5. NRS 449.080 is hereby amended to read as follows:

449.080 1. If, after investigation, the Division finds that the:

(a) Applicant is in full compliance with the provisions of NRS 449.029 to 449.2428, inclusive ~~(H)~~, *and section 19.1 of this act;*

(b) Applicant is in substantial compliance with the standards and regulations adopted by the Board;

(c) Applicant, if he or she has undertaken a project for which approval is required pursuant to NRS 439A.100, has obtained the approval of the Director of the Department of Health and Human Services; and

(d) Facility conforms to the applicable zoning regulations,

➤ the Division shall issue the license to the applicant.

2. A license applies only to the person to whom it is issued, is valid only for the premises described in the license and is not transferable.



Sec. 19.6. NRS 449.089 is hereby amended to read as follows:
449.089 1. Each license issued pursuant to NRS 449.029 to 449.2428, inclusive, *and section 19.1 of this act* expires on December 31 following its issuance and is renewable for 1 year upon reapplication and payment of all fees required pursuant to NRS 449.050 unless the Division finds, after an investigation, that the facility has not:

(a) Satisfactorily complied with the provisions of NRS 449.029 to 449.2428, inclusive, *and section 19.1 of this act* or the standards and regulations adopted by the Board;

(b) Obtained the approval of the Director of the Department of Health and Human Services before undertaking a project, if such approval is required by NRS 439A.100; or

(c) Conformed to all applicable local zoning regulations.

2. Each reapplication for an agency to provide personal care services in the home, an agency to provide nursing in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a hospital described in 42 U.S.C. § 1395ww(d)(1)(B)(iv) which accepts payment through Medicare, a psychiatric hospital that provides inpatient services to children, a psychiatric residential treatment facility, a residential facility for groups, a program of hospice care, a home for individual residential care, a facility for the care of adults during the day, a facility for hospice care, a nursing pool, a peer support recovery organization, the distinct part of a hospital which meets the requirements of a skilled nursing facility or nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that provides swing-bed services as described in 42 C.F.R. § 482.58 or, if residential services are provided to children, a medical facility or facility for the treatment of abuse of alcohol or drugs must include, without limitation, a statement that the facility, hospital, agency, program, pool, organization or home is in compliance with the provisions of NRS 449.115 to 449.125, inclusive, and 449.174.

3. Each reapplication for an agency to provide personal care services in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a facility for the care of adults during the day, a peer support recovery organization, a residential facility for groups or a home for individual residential care must include, without limitation, a statement that the holder of the license to operate, and the administrator or other person in charge and employees of, the facility, agency, pool, organization or home are in compliance with the provisions of NRS 449.093.



Sec. 19.7. NRS 449.160 is hereby amended to read as follows:
449.160 1. The Division may deny an application for a license or may suspend or revoke any license issued under the provisions of NRS 449.029 to 449.2428, inclusive, *and section 19.1 of this act* upon any of the following grounds:

(a) Violation by the applicant or the licensee of any of the provisions of NRS 439B.410 or 449.029 to 449.245, inclusive, *and section 19.1 of this act* or of any other law of this State or of the standards, rules and regulations adopted thereunder.

(b) Aiding, abetting or permitting the commission of any illegal act.

(c) Conduct inimical to the public health, morals, welfare and safety of the people of the State of Nevada in the maintenance and operation of the premises for which a license is issued.

(d) Conduct or practice detrimental to the health or safety of the occupants or employees of the facility.

(e) Failure of the applicant to obtain written approval from the Director of the Department of Health and Human Services as required by NRS 439A.100 or as provided in any regulation adopted pursuant to NRS 449.001 to 449.430, inclusive, *and section 19.1 of this act*, and 449.435 to 449.531, inclusive, and chapter 449A of NRS if such approval is required.

(f) Failure to comply with the provisions of NRS 449.2486.

2. In addition to the provisions of subsection 1, the Division may revoke a license to operate a facility for the dependent if, with respect to that facility, the licensee that operates the facility, or an agent or employee of the licensee:

(a) Is convicted of violating any of the provisions of NRS 202.470;

(b) Is ordered to but fails to abate a nuisance pursuant to NRS 244.360, 244.3603 or 268.4124; or

(c) Is ordered by the appropriate governmental agency to correct a violation of a building, safety or health code or regulation but fails to correct the violation.

3. The Division shall maintain a log of any complaints that it receives relating to activities for which the Division may revoke the license to operate a facility for the dependent pursuant to subsection 2. The Division shall provide to a facility for the care of adults during the day:

(a) A summary of a complaint against the facility if the investigation of the complaint by the Division either substantiates the complaint or is inconclusive;



(b) A report of any investigation conducted with respect to the complaint; and

(c) A report of any disciplinary action taken against the facility.

➔ The facility shall make the information available to the public pursuant to NRS 449.2486.

4. On or before February 1 of each odd-numbered year, the Division shall submit to the Director of the Legislative Counsel Bureau a written report setting forth, for the previous biennium:

(a) Any complaints included in the log maintained by the Division pursuant to subsection 3; and

(b) Any disciplinary actions taken by the Division pursuant to subsection 2.

Sec. 19.8. NRS 449.163 is hereby amended to read as follows:

449.163 1. In addition to the payment of the amount required by NRS 449.0308, if a medical facility, facility for the dependent or facility which is required by the regulations adopted by the Board pursuant to NRS 449.0303 to be licensed violates any provision related to its licensure, including any provision of NRS 439B.410 or 449.029 to 449.2428, inclusive, *and section 19.1 of this act* or any condition, standard or regulation adopted by the Board, the Division, in accordance with the regulations adopted pursuant to NRS 449.165, may:

(a) Prohibit the facility from admitting any patient until it determines that the facility has corrected the violation;

(b) Limit the occupancy of the facility to the number of beds occupied when the violation occurred, until it determines that the facility has corrected the violation;

(c) If the license of the facility limits the occupancy of the facility and the facility has exceeded the approved occupancy, require the facility, at its own expense, to move patients to another facility that is licensed;

(d) Impose an administrative penalty of not more than \$5,000 per day for each violation, together with interest thereon at a rate not to exceed 10 percent per annum; and

(e) Appoint temporary management to oversee the operation of the facility and to ensure the health and safety of the patients of the facility, until:

(1) It determines that the facility has corrected the violation and has management which is capable of ensuring continued compliance with the applicable statutes, conditions, standards and regulations; or

(2) Improvements are made to correct the violation.



2. If the facility fails to pay any administrative penalty imposed pursuant to paragraph (d) of subsection 1, the Division may:

(a) Suspend the license of the facility until the administrative penalty is paid; and

(b) Collect court costs, reasonable attorney's fees and other costs incurred to collect the administrative penalty.

3. The Division may require any facility that violates any provision of NRS 439B.410 or 449.029 to 449.2428, inclusive, *and section 19.1 of this act* or any condition, standard or regulation adopted by the Board to make any improvements necessary to correct the violation.

4. Any money collected as administrative penalties pursuant to paragraph (d) of subsection 1 must be accounted for separately and used to administer and carry out the provisions of NRS 449.001 to 449.430, inclusive, *and section 19.1 of this act*, 449.435 to 449.531, inclusive, and chapter 449A of NRS to protect the health, safety, well-being and property of the patients and residents of facilities in accordance with applicable state and federal standards or for any other purpose authorized by the Legislature.

Sec. 19.9. NRS 449.240 is hereby amended to read as follows:

449.240 The district attorney of the county in which the facility is located shall, upon application by the Division, institute and conduct the prosecution of any action for violation of any provisions of NRS 449.029 to 449.245, inclusive ~~H~~ , *and section 19.1 of this act*.

Sec. 20. NRS 449.4304 is hereby amended to read as follows:

449.4304 As used in NRS 449.4304 to 449.4339, inclusive, *and section 19 of this act*, unless the context otherwise requires, "intermediary service organization" means a nongovernmental entity that provides services authorized pursuant to NRS 449.4308 for a person with a disability or other responsible person.

Sec. 21. NRS 449.431 is hereby amended to read as follows:

449.431 1. Except as otherwise provided in subsection 2, a person shall not operate or maintain in this State an intermediary service organization without first obtaining a certificate to operate an intermediary service organization as provided in NRS 449.4304 to 449.4339, inclusive ~~H~~ , *and section 19 of this act*.

2. A person who is licensed to operate an agency to provide personal care services in the home pursuant to this chapter is not required to obtain a certificate to operate an intermediary service organization as described in this section.

3. A person who violates the provisions of this section is guilty of a misdemeanor.



Sec. 22. NRS 449.4321 is hereby amended to read as follows:

449.4321 The Division may deny an application for a certificate to operate an intermediary service organization or may suspend or revoke any certificate issued under the provisions of NRS 449.4304 to 449.4339, inclusive, *and section 19 of this act* upon any of the following grounds:

1. Violation by the applicant or the holder of a certificate of any of the provisions of NRS 449.4304 to 449.4339, inclusive, *and section 19 of this act* or of any other law of this State or of the standards, rules and regulations adopted thereunder.

2. Aiding, abetting or permitting the commission of any illegal act.

3. Conduct inimical to the public health, morals, welfare and safety of the people of the State of Nevada in the operation of an intermediary service organization.

4. Conduct or practice detrimental to the health or safety of a person under contract with or employees of the intermediary service organization.

Sec. 23. NRS 449.4335 is hereby amended to read as follows:

449.4335 1. If an intermediary service organization violates any provision related to its certification, including, without limitation, any provision of NRS 449.4304 to 449.4339, inclusive, *and section 19 of this act*, or any condition, standard or regulation adopted by the Board, the Division, in accordance with the regulations adopted pursuant to NRS 449.4336, may, as it deems appropriate:

(a) Prohibit the intermediary service organization from providing services pursuant to NRS 449.4308 until it determines that the intermediary service organization has corrected the violation;

(b) Impose an administrative penalty of not more than \$1,000 per day for each violation, together with interest thereon at a rate not to exceed 10 percent per annum; and

(c) Appoint temporary management to oversee the operation of the intermediary service organization and to ensure the health and safety of the persons for whom the intermediary service organization performs services, until:

(1) It determines that the intermediary service organization has corrected the violation and has management which is capable of ensuring continued compliance with the applicable statutes, conditions, standards and regulations; or

(2) Improvements are made to correct the violation.



2. If the intermediary service organization fails to pay any administrative penalty imposed pursuant to paragraph (b) of subsection 1, the Division may:

(a) Suspend the certificate to operate an intermediary service organization which is held by the intermediary service organization until the administrative penalty is paid; and

(b) Collect court costs, reasonable attorney's fees and other costs incurred to collect the administrative penalty.

3. The Division may require any intermediary service organization that violates any provision of NRS 449.4304 to 449.4339, inclusive, *and section 19 of this act*, or any condition, standard or regulation adopted by the Board, to make any improvements necessary to correct the violation.

4. Any money collected as administrative penalties pursuant to this section must be accounted for separately and used to protect the health or property of the persons for whom the intermediary service organization performs services in accordance with applicable federal standards.

Sec. 24. NRS 449.4338 is hereby amended to read as follows:

449.4338 1. Except as otherwise provided in subsection 2 of NRS 449.431, the Division may bring an action in the name of the State to enjoin any person from operating or maintaining an intermediary service organization within the meaning of NRS 449.4304 to 449.4339, inclusive ~~§~~, *and section 19 of this act*:

(a) Without first obtaining a certificate to operate an intermediary service organization; or

(b) After the person's certificate has been revoked or suspended by the Division.

2. It is sufficient in such action to allege that the defendant did, on a certain date and in a certain place, operate and maintain the intermediary service organization without a certificate.

Sec. 25. Chapter 450B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The health authority shall develop and implement a process by which a person with a criminal history may petition the health authority to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license as an attendant or firefighter or a certificate pursuant to NRS 450B.160.

2. Not later than 90 days after a petition is submitted to the health authority pursuant to subsection 1, the health authority shall inform the person of the determination of the health authority of whether the person's criminal history will disqualify



the person from obtaining a license or certificate. The health authority is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The health authority may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the health authority at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license or certificate from the health authority.

5. A person may submit a new petition to the health authority not earlier than 2 years after the final determination of the initial petition submitted to the health authority.

6. The health authority may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The health authority may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The health authority may post on its Internet website:

(a) The requirements to obtain a license or certificate from the health authority; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license or certificate from the health authority.

8. The health authority may request the criminal history record of a person who petitions the health authority for a determination pursuant to subsection 1. To the extent consistent with federal law, if the health authority makes such a request of a person, the health authority shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the health authority for a determination pursuant to subsection 1 shall not submit false or misleading information to the health authority.

10. The health authority shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:



(a) The number of petitions submitted to the health authority pursuant to subsection 1;

(b) The number of determinations of disqualification made by the health authority pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the health authority determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 26. Chapter 453A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a medical marijuana establishment agent registration card or medical marijuana establishment registration certificate pursuant to this chapter.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a medical marijuana establishment agent registration card or medical marijuana establishment registration certificate. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a medical marijuana establishment agent registration card or medical marijuana establishment registration certificate from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.



6. *The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.*

7. *The Department may post on its Internet website:*

(a) *The requirements to obtain a medical marijuana establishment agent registration card and a medical marijuana establishment registration certificate from the Department; and*

(b) *A list of crimes, if any, that would disqualify a person from obtaining a medical marijuana establishment agent registration card or a medical marijuana establishment registration certificate from the Department.*

8. *The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:*

(a) *The Central Repository for Nevada Records of Criminal History; and*

(b) *The Federal Bureau of Investigation.*

9. *A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.*

10. *The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) *The number of petitions submitted to the Department pursuant to subsection 1;*

(b) *The number of determinations of disqualification made by the Department pursuant to subsection 1;*

(c) *The reasons for such determinations; and*

(d) *Any other information that is requested by the Director or which the Department determines would be helpful.*

11. *The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*



Sec. 27. NRS 453A.344 is hereby amended to read as follows:
453A.344 1. Except as otherwise provided in subsection 2,
the Department shall collect not more than the following maximum
fees:

For the initial issuance of a medical marijuana establishment registration certificate for a medical marijuana dispensary	\$30,000
For the renewal of a medical marijuana establishment registration certificate for a medical marijuana dispensary	5,000
For the initial issuance of a medical marijuana establishment registration certificate for a cultivation facility	3,000
For the renewal of a medical marijuana establishment registration certificate for a cultivation facility	1,000
For the initial issuance of a medical marijuana establishment registration certificate for a facility for the production of edible marijuana products or marijuana-infused products	3,000
For the renewal of a medical marijuana establishment registration certificate for a facility for the production of edible marijuana products or marijuana-infused products	1,000
For each person identified in an application for the initial issuance of a medical marijuana establishment agent registration card	75
For each person identified in an application for the renewal of a medical marijuana establishment agent registration card	75
For the initial issuance of a medical marijuana establishment registration certificate for an independent testing laboratory	5,000
For the renewal of a medical marijuana establishment registration certificate for an independent testing laboratory	3,000

2. In addition to the fees described in subsection 1, each applicant for a medical marijuana establishment registration certificate must pay to the Department:

- (a) A one-time, nonrefundable application fee of \$5,000; and



(b) The actual costs incurred by the Department in processing the application, including, without limitation, conducting background checks.

3. Any revenue generated from the fees imposed pursuant to this section:

(a) Must be expended first to pay the costs of the Department in carrying out the provisions of NRS 453A.320 to 453A.370, inclusive ~~H~~, *and section 26 of this act*; and

(b) If any excess revenue remains after paying the costs described in paragraph (a), such excess revenue must be paid over to the State Treasurer to be deposited to the credit of the State Distributive School Account in the State General Fund.

Sec. 28. Chapter 455C of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certificate as a boiler inspector or elevator mechanic pursuant to NRS 455C.110.

2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a certificate. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or



allow such fees to be covered by funds from a scholarship or grant.

7. The Division may post on its Internet website:

(a) The requirements to obtain a certificate from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certificate from the Division.

8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.

10. The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Division pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 29. Chapter 457 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certificate of authorization to operate a radiation machine for mammography pursuant to NRS 457.183.



2. *Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a certificate. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.*

3. *The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.*

4. *A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate from the Division.*

5. *A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.*

6. *The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.*

7. *The Division may post on its Internet website:*

(a) The requirements to obtain a certificate from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certificate from the Division.

8. *The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:*

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. *A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.*



10. The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Division pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 30. NRS 457.182 is hereby amended to read as follows:

457.182 As used in NRS 457.182 to 457.187, inclusive, *and section 29 of this act*, unless the context otherwise requires:

1. "Mammography" means radiography of the breast to enable a physician to determine the presence, size, location and extent of cancerous or potentially cancerous tissue in the breast.

2. "Radiation" means radiant energy which exceeds normal background levels and which is used in radiography.

3. "Radiography" means the making of a film or other record of an internal structure of the body by passing X-rays or gamma rays through the body to act on film or other receptor of images.

Sec. 31. NRS 457.187 is hereby amended to read as follows:

457.187 1. The Division may impose an administrative fine, not to exceed \$5,000, against the owner, lessee or other person responsible for a radiation machine for mammography for a violation of the provisions of NRS 457.182 to 457.186, inclusive, *and section 29 of this act*, or for a violation of a regulation adopted pursuant thereto.

2. Any money collected as a result of an administrative fine imposed pursuant to subsection 1 must be deposited in the State General Fund.

Sec. 32. Chapter 458 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from



obtaining a certificate as a detoxification technician pursuant to NRS 458.025.

2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a certificate. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Division may post on its Internet website:

(a) The requirements to obtain a certification from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certification from the Division.

8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.



9. *A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.*

10. *The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) The number of petitions submitted to the Division pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. *The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*

Secs. 33-35. (Deleted by amendment.)

Sec. 36. Chapter 477 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The State Fire Marshal shall develop and implement a process by which a person with a criminal history may petition the State Fire Marshal to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certificate of registration as a fire performer or apprentice fire performer pursuant to NRS 477.223.*

2. *Not later than 90 days after a petition is submitted to the State Fire Marshal pursuant to subsection 1, the State Fire Marshal shall inform the person of the determination of the State Fire Marshal of whether the person's criminal history will disqualify the person from obtaining a certificate of registration. The State Fire Marshal is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.*

3. *The State Fire Marshal may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.*

4. *A person with a criminal history may petition the State Fire Marshal at any time, including, without limitation, before*



obtaining any education or paying any fee required to obtain a certificate from the State Fire Marshal.

5. A person may submit a new petition to the State Fire Marshal not earlier than 2 years after the final determination of the initial petition submitted to the State Fire Marshal.

6. The State Fire Marshal may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The State Fire Marshal may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The State Fire Marshal may post on its Internet website:

(a) The requirements to obtain a certificate from the State Fire Marshal; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certificate from the State Fire Marshal.

8. The State Fire Marshal may request the criminal history record of a person who petitions the State Fire Marshal for a determination pursuant to subsection 1. To the extent consistent with federal law, if the State Fire Marshal makes such a request of a person, the State Fire Marshal shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the State Fire Marshal for a determination pursuant to subsection 1 shall not submit false or misleading information to the State Fire Marshal.

10. The State Fire Marshal shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the State Fire Marshal pursuant to subsection 1;

(b) The number of determinations of disqualification made by the State Fire Marshal pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the State Fire Marshal determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.



Sec. 37. NRS 477.220 is hereby amended to read as follows:

477.220 As used in NRS 477.220 to 477.226, inclusive, *and section 36 of this act*, unless the context otherwise requires, the words and terms defined in NRS 477.221 and 477.222 have the meanings ascribed to them in those sections.

Sec. 38. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to this chapter.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Department may post on its Internet website:

(a) The requirements to obtain a license from the Department; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Department.



8. *The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:*

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. *A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.*

10. *The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) The number of petitions submitted to the Department pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Department pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. *The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*

Secs. 39-42. (Deleted by amendment.)

Sec. 43. Chapter 487 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to this chapter.*

2. *Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.*



3. *The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.*

4. *A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Department.*

5. *A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.*

6. *The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.*

7. *The Department may post on its Internet website:*

(a) *The requirements to obtain a license from the Department; and*

(b) *A list of crimes, if any, that would disqualify a person from obtaining a license from the Department.*

8. *The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:*

(a) *The Central Repository for Nevada Records of Criminal History; and*

(b) *The Federal Bureau of Investigation.*

9. *A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.*

10. *The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) *The number of petitions submitted to the Department pursuant to subsection 1;*

(b) *The number of determinations of disqualification made by the Department pursuant to subsection 1;*



(c) The reasons for such determinations; and
(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 44. Chapter 489 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to this chapter.

2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a license. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Division may post on its Internet website:

(a) The requirements to obtain a license from the Division; and



(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Division.

8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.

10. The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Division pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 45. Chapter 490 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to NRS 490.200 or a temporary permit.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license or temporary permit. The Department is not bound by its



determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license or temporary permit from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Department may post on its Internet website:

(a) The requirements to obtain a license or temporary permit from the Department; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license or temporary permit from the Department.

8. The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.

10. The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Department pursuant to subsection 1;



(b) The number of determinations of disqualification made by the Department pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 46. NRS 490.510 is hereby amended to read as follows:

490.510 1. The Department may impose an administrative fine, not to exceed \$2,500, for a violation of any provision of NRS 490.0827, 490.125 and 490.150 to 490.520, inclusive, *and section 45 of this act*, or any rule, regulation or order adopted or issued pursuant thereto. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121.

2. All administrative fines collected by the Department pursuant to subsection 1 must be deposited with the State Treasurer to the credit of the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration created by NRS 490.085.

3. In addition to any other remedy provided by this chapter, the Department may compel compliance with any provision of this chapter and any rule, regulation or order adopted or issued pursuant thereto by injunction or other appropriate remedy, and the Department may institute and maintain in the name of the State of Nevada any such enforcement proceedings.

Sec. 47. Chapter 502 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license to practice taxidermy pursuant to NRS 502.370.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.



3. *The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.*

4. *A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Department.*

5. *A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.*

6. *The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.*

7. *The Department may post on its Internet website:*

(a) *The requirements to obtain a license from the Department; and*

(b) *A list of crimes, if any, that would disqualify a person from obtaining a license from the Department.*

8. *The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:*

(a) *The Central Repository for Nevada Records of Criminal History; and*

(b) *The Federal Bureau of Investigation.*

9. *A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.*

10. *The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) *The number of petitions submitted to the Department pursuant to subsection 1;*

(b) *The number of determinations of disqualification made by the Department pursuant to subsection 1;*



(c) The reasons for such determinations; and
(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 48. Chapter 503 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a falconry license pursuant to NRS 503.583.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a falconry license. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a falconry license from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Department may post on its Internet website:

(a) The requirements to obtain a falconry license from the Department; and



(b) A list of crimes, if any, that would disqualify a person from obtaining a falconry license from the Department.

8. The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.

10. The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Department pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Department pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 49. Chapter 504 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a master guide license or subguide license pursuant to NRS 504.390.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license. The Department is not bound by its determination of



disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Department may post on its Internet website:

(a) The requirements to obtain a license from the Department; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Department.

8. The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.

10. The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Department pursuant to subsection 1;



(b) The number of determinations of disqualification made by the Department pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 50. Chapter 505 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a fur dealer's license pursuant to NRS 502.240.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Department may post on its Internet website:



(a) The requirements to obtain a license from the Department; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Department.

8. The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.

10. The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Department pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Department pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 51. Chapter 534 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Engineer shall develop and implement a process by which a person with a criminal history may petition the State Engineer to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license to drill pursuant to NRS 534.140.

2. Not later than 90 days after a petition is submitted to the State Engineer pursuant to subsection 1, the State Engineer shall inform the person of the determination of the State Engineer of whether the person's criminal history will disqualify the person from obtaining a license. The State Engineer is not bound by his



or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The State Engineer may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the State Engineer at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the State Engineer.

5. A person may submit a new petition to the State Engineer not earlier than 2 years after the final determination of the initial petition submitted to the State Engineer.

6. The State Engineer may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The State Engineer may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The State Engineer may post on its Internet website:

(a) The requirements to obtain a license from the State Engineer; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the State Engineer.

8. The State Engineer may request the criminal history record of a person who petitions the State Engineer for a determination pursuant to subsection 1. To the extent consistent with federal law, if the State Engineer makes such a request of a person, the State Engineer shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the State Engineer for a determination pursuant to subsection 1 shall not submit false or misleading information to the State Engineer.

10. The State Engineer shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the State Engineer pursuant to subsection 1;



(b) The number of determinations of disqualification made by the State Engineer pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the State Engineer determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 52. NRS 534.190 is hereby amended to read as follows:

534.190 Any person violating any of the provisions of NRS 534.010 to 534.180, inclusive, *and section 51 of this act* shall be guilty of a misdemeanor.

Sec. 53. Chapter 544 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Director shall develop and implement a process by which a person with a criminal history may petition the Director to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license and a permit pursuant to NRS 544.120.

2. Not later than 90 days after a petition is submitted to the Director pursuant to subsection 1, the Director shall inform the person of the determination of the Director of whether the person's criminal history will disqualify the person from obtaining a license and a permit. The Director is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The Director may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Director at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license and a permit from the Director.

5. A person may submit a new petition to the Director not earlier than 2 years after the final determination of the initial petition submitted to the Director.

6. The Director may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Director may waive such fees or



allow such fees to be covered by funds from a scholarship or grant.

7. The Director may post on its Internet website:

(a) The requirements to obtain a license and a permit from the Director; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license and a permit from the Director.

8. The Director may request the criminal history record of a person who petitions the Director for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Director makes such a request of a person, the Director shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Director for a determination pursuant to subsection 1 shall not submit false or misleading information to the Director.

10. The Director of the State Department of Conservation and Natural Resources shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director of the Legislative Counsel Bureau, a report that includes:

(a) The number of petitions submitted to the Director of the State Department of Conservation and Natural Resources pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Director of the State Department of Conservation and Natural Resources pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director of the Legislative Counsel Bureau or which the Director of the State Department of Conservation and Natural Resources determines would be helpful.

11. The Director of the Legislative Counsel Bureau shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 54. NRS 544.070 is hereby amended to read as follows:

544.070 As used in NRS 544.070 to 544.240, inclusive, *and section 53 of this act*, unless the context requires otherwise:



1. “Director” means the Director of the State Department of Conservation and Natural Resources.

2. “Operation” means:

(a) The performance of weather modification and control activities pursuant to a single contract entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding 1 year; or

(b) If the performance of weather modification and control activities is to be undertaken individually or jointly by a person or persons to be benefited and not undertaken pursuant to a contract, the performance of weather modification and control activities entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding 1 year.

3. “Research and development” means theoretical analysis, exploration and experimentation and the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials and processes.

4. “Weather modification and control” means changing or controlling, or attempting to change or control, by artificial methods the natural development of any or all atmospheric cloud forms or precipitation forms which occur in the troposphere.

Sec. 55. NRS 544.220 is hereby amended to read as follows:

544.220 1. The Director may suspend or revoke any license or permit issued if it appears that the licensee no longer possesses the qualifications necessary for the issuance of a new license or permit. The Director may suspend or revoke any license or permit if it appears that the licensee has violated any of the provisions of NRS 544.070 to 544.240, inclusive **H** , and *section 53 of this act*. Such suspension or revocation shall occur only after notice to the licensee and a reasonable opportunity granted such licensee to be heard respecting the grounds for the proposed suspension or revocation. The Director may refuse to renew the license of, or to issue another permit to, any applicant who has failed to comply with any provisions of NRS 544.070 to 544.240, inclusive **H** , and *section 53 of this act*.

2. The Director may modify the terms of a permit after issuance thereof if the licensee is first given notice and a reasonable opportunity for a hearing respecting the grounds for the proposed modification and if it appears to the Director that it is necessary for



the protection of the health or the property of any person to make the modification proposed.

Sec. 56. NRS 544.240 is hereby amended to read as follows:

544.240 Any person violating any of the provisions of NRS 544.070 to 544.240, inclusive, *and section 53 of this act*, or any lawful regulation or order issued pursuant thereto shall be guilty of a misdemeanor and a continuing violation is punishable as a separate offense for each day during which it occurs.

Sec. 57. Chapter 555 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Director shall develop and implement a process by which a person with a criminal history may petition the Director to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license as a government applicator pursuant to NRS 555.2772 or a business license or license as an applicator pursuant to NRS 555.290.

2. Not later than 90 days after a petition is submitted to the Director pursuant to subsection 1, the Director shall inform the person of the determination of the Director of whether the person's criminal history will disqualify the person from obtaining a license. The Director is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The Director may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Director at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Director.

5. A person may submit a new petition to the Director not earlier than 2 years after the final determination of the initial petition submitted to the Director.

6. The Director may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Director may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Director may post on its Internet website:



(a) The requirements to obtain a license from the Director; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Director.

8. The Director may request the criminal history record of a person who petitions the Director for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Director makes such a request of a person, the Director shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Director for a determination pursuant to subsection 1 shall not submit false or misleading information to the Director.

10. The Director of the State Department of Agriculture shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Director of the State Department of Agriculture pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Director of the State Department of Agriculture pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director of the Legislative Counsel Bureau or which the Director of the State Department of Agriculture determines would be helpful.

11. The Director of the Legislative Counsel Bureau shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 58. NRS 555.2605 is hereby amended to read as follows:

555.2605 As used in NRS 555.2605 to 555.460, inclusive, *and section 57 of this act*, unless the context otherwise requires, the words and terms defined in NRS 555.261 to 555.2695, inclusive, have the meanings ascribed to them in those sections.

Sec. 59. NRS 555.273 is hereby amended to read as follows:

555.273 All state agencies, municipal corporations and public utilities or any other governmental agency and any government applicator is subject to the provisions of NRS 555.2605 to 555.460,



inclusive, *and section 57 of this act*, and rules adopted thereunder concerning the application of restricted-use pesticides by any person.

Sec. 60. NRS 555.350 is hereby amended to read as follows:

555.350 1. The Director may suspend, pending inquiry, for not longer than 10 days, and, after opportunity for a hearing, may revoke, suspend or modify any business license or license issued to an applicator or government applicator under NRS 555.2605 to 555.460, inclusive, *and section 57 of this act* if the Director finds that:

- (a) The licensee is no longer qualified;
- (b) The licensee has engaged in fraudulent business practices in pest control;
- (c) The licensee has made false or fraudulent claims through any media by misrepresenting the effect of materials or methods to be used;
- (d) The licensee has applied known ineffective or improper materials;
- (e) The licensee has operated faulty or unsafe equipment;
- (f) The licensee has made any application of materials in a manner inconsistent with labeling or any restriction imposed by regulation of the Director, or otherwise in a faulty, careless or negligent manner;
- (g) The licensee has violated any of the provisions of NRS 555.2605 to 555.460, inclusive, *and section 57 of this act*, or regulations adopted pursuant thereto;
- (h) The licensee has engaged in the business of pest control without having a licensed agent, operator, primary principal or principal in direct on-the-job supervision;
- (i) The licensee has aided or abetted a licensed or an unlicensed person to evade the provisions of NRS 555.2605 to 555.460, inclusive, *and section 57 of this act*, combined or conspired with such a licensee or an unlicensed person to evade the provisions, or allowed the license to be used by an unlicensed person;
- (j) The licensee was intentionally guilty of fraud or deception in the procurement of the license;
- (k) The licensee was intentionally guilty of fraud, falsification or deception in the issuance of an inspection report on wood-destroying pests or other report or record required by regulation;
- (l) The licensee has been convicted of, or entered a plea of nolo contendere to, a category A or B felony or a category C, D or E felony if the conviction occurred or the plea was entered for the category C, D or E felony during the immediately preceding 10



years in any court of competent jurisdiction in the United States or any other country; or

(m) The licensee has failed to provide adequate instruction or supervision to any unlicensed employee working under the supervision of the licensee.

2. A business license and any license issued to a principal of the business as an applicator is suspended automatically, without action of the Director, if the proof of public liability and property damage or drift insurance filed pursuant to NRS 555.330 is cancelled, and the licenses remain suspended until the insurance is re-established.

3. If the licensee is a natural person, any licensee against whom the Director initiates disciplinary action pursuant to this section shall, within 30 days after receiving written notice of the disciplinary action from the Director and in accordance with any regulations adopted by the Department, submit to the Director any document or other information required by the Department to perform a background check of the licensee. Any document or other information submitted pursuant to this subsection must be accompanied by the appropriate fees, if any, specified in regulations adopted by the Department for performing the background check. A willful failure of a licensee to comply with the requirements of this subsection constitutes an additional ground for the revocation, suspension or modification of the license pursuant to this section.

Sec. 61. NRS 555.460 is hereby amended to read as follows:

555.460 Any person violating the provisions of NRS 555.2605 to 555.420, inclusive, *and section 57 of this act*, or the regulations adopted pursuant thereto, is guilty of a misdemeanor and, in addition to any criminal penalty, shall pay to the Department an administrative fine of not more than \$5,000 per violation. If an administrative fine is imposed pursuant to this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the Department.

Sec. 62. NRS 555.470 is hereby amended to read as follows:

555.470 1. The Director shall adopt regulations specifying a schedule of fines which may be imposed, upon notice and a hearing, for each violation of the provisions of NRS 555.2605 to 555.460, inclusive **H**, *and section 57 of this act*. The maximum fine that may be imposed by the Director for each violation must not exceed \$5,000 per day. All fines collected by the Director pursuant to this subsection must be remitted to the county treasurer of the county in which the violation occurred for credit to the county school district fund.



2. The Director may:

(a) In addition to imposing a fine pursuant to subsection 1, issue an order requiring a violator to take appropriate action to correct the violation; or

(b) Request the district attorney of the appropriate county to investigate or file a criminal complaint against any person that the State Board of Agriculture suspects may have violated any provision of NRS 555.2605 to 555.460, inclusive ~~H~~, and section 57 of this act.

Sec. 63. Chapter 557 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from registering as a grower, handler or producer pursuant to NRS 557.200.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from registration. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a registration from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Department may post on its Internet website:



- (a) *The requirements to register with the Department; and*
- (b) *A list of crimes, if any, that would disqualify a person from obtaining a registration from the Department.*

8. *The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:*

- (a) *The Central Repository for Nevada Records of Criminal History; and*
- (b) *The Federal Bureau of Investigation.*

9. *A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.*

10. *The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

- (a) *The number of petitions submitted to the Department pursuant to subsection 1;*
- (b) *The number of determinations of disqualification made by the Department pursuant to subsection 1;*
- (c) *The reasons for such determinations; and*
- (d) *Any other information that is requested by the Director or which the Department determines would be helpful.*

11. *The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*

Sec. 64. NRS 557.100 is hereby amended to read as follows:

557.100 As used in NRS 557.100 to 557.290, inclusive, *and section 63 of this act*, unless the context otherwise requires, the words and terms defined in NRS 557.110 to 557.180, inclusive, have the meanings ascribed to them in those sections.

Sec. 65. NRS 557.190 is hereby amended to read as follows:

557.190 The provisions of NRS 557.100 to 557.290, inclusive, *and section 63 of this act* do not apply to the Department or an institution of higher education which grows or cultivates industrial hemp pursuant to NRS 557.010 to 557.080, inclusive.

Sec. 66. NRS 557.280 is hereby amended to read as follows:

557.280 1. The Department may refuse to issue or renew, suspend or revoke the registration of a grower, handler or producer



for a violation of any provision of NRS 557.100 to 557.290, inclusive, *and section 63 of this act*, the regulations adopted pursuant thereto or any lawful order of the Department.

2. In addition to any other penalty provided by law, the Department may impose an administrative fine on any person who violates any of the provisions of NRS 557.100 to 557.290, inclusive, *and section 63 of this act*, the regulations adopted pursuant thereto or any lawful order of the Department in an amount not to exceed \$2,500.

3. All fines collected by the Department pursuant to subsection 2 must be deposited with the State Treasurer for credit to the State General Fund.

Sec. 67. Chapter 576 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license as a broker, dealer, commission merchant or agent pursuant to NRS 576.030.

2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Department.

5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department.

6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or



allow such fees to be covered by funds from a scholarship or grant.

7. The Department may post on its Internet website:

(a) The requirements to obtain a license from the Department; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Department.

8. The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department.

10. The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Department pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Department pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Department determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 68. Chapter 581 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Sealer of Consumer Equitability shall develop and implement a process by which a person with a criminal history may petition the State Sealer of Consumer Equitability to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certificate of registration pursuant to NRS 581.103.



2. *Not later than 90 days after a petition is submitted to the State Sealer of Consumer Equitability pursuant to subsection 1, the State Sealer of Consumer Equitability shall inform the person of the determination of the State Sealer of Consumer Equitability of whether the person's criminal history will disqualify the person from obtaining a certificate of registration. The State Sealer of Consumer Equitability is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.*

3. *The State Sealer of Consumer Equitability may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.*

4. *A person with a criminal history may petition the State Sealer of Consumer Equitability at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certificate of registration from the State Sealer of Consumer Equitability.*

5. *A person may submit a new petition to the State Sealer of Consumer Equitability not earlier than 2 years after the final determination of the initial petition submitted to the State Sealer of Consumer Equitability.*

6. *The State Sealer of Consumer Equitability may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The State Sealer of Consumer Equitability may waive such fees or allow such fees to be covered by funds from a scholarship or grant.*

7. *The State Sealer of Consumer Equitability may post on its Internet website:*

(a) The requirements to obtain a certificate of registration from the State Sealer of Consumer Equitability; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certificate of registration from the State Sealer of Consumer Equitability.

8. *The State Sealer of Consumer Equitability may request the criminal history record of a person who petitions the State Sealer of Consumer Equitability for a determination pursuant to subsection 1. To the extent consistent with federal law, if the State Sealer of Equitability makes such a request of a person, the State*



Sealer of Equitability shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the State Sealer of Consumer Equitability for a determination pursuant to subsection 1 shall not submit false or misleading information to the State Sealer of Consumer Equitability.

10. The State Sealer of Consumer Equitability shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the State Sealer of Consumer Equitability pursuant to subsection 1;

(b) The number of determinations of disqualification made by the State Sealer of Consumer Equitability pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the State Sealer of Consumer Equitability determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 69. Chapter 582 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Sealer of Consumer Equitability shall develop and implement a process by which a person with a criminal history may petition the State Sealer of Consumer Equitability to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license as a public weighmaster pursuant to NRS 582.028.

2. Not later than 90 days after a petition is submitted to the State Sealer of Consumer Equitability pursuant to subsection 1, the State Sealer of Consumer Equitability shall inform the person of the determination of the State Sealer of Consumer Equitability of whether the person's criminal history will disqualify the person from obtaining a license. The State Sealer of Consumer Equitability is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.



3. *The State Sealer of Consumer Equitability may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.*

4. *A person with a criminal history may petition the State Sealer of Consumer Equitability at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the State Sealer of Consumer Equitability.*

5. *A person may submit a new petition to the State Sealer of Consumer Equitability not earlier than 2 years after the final determination of the initial petition submitted to the State Sealer of Consumer Equitability.*

6. *The State Sealer of Consumer Equitability may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The State Sealer of Consumer Equitability may waive such fees or allow such fees to be covered by funds from a scholarship or grant.*

7. *The State Sealer of Consumer Equitability may post on its Internet website:*

(a) The requirements to obtain a license from the State Sealer of Consumer Equitability; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the State Sealer of Consumer Equitability.

8. *The State Sealer of Consumer Equitability may request the criminal history record of a person who petitions the State Sealer of Consumer Equitability for a determination pursuant to subsection 1. To the extent consistent with federal law, if the State Sealer of Consumer Equitability makes such a request of a person, the State Sealer of Consumer Equitability shall require the person to submit his or her criminal history record which includes a report from:*

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. *A person who petitions the State Sealer of Consumer Equitability for a determination pursuant to subsection 1 shall not submit false or misleading information to the State Sealer of Consumer Equitability.*



10. The State Sealer of Consumer Equitability shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the State Sealer of Consumer Equitability pursuant to subsection 1;

(b) The number of determinations of disqualification made by the State Sealer of Consumer Equitability pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the State Sealer of Consumer Equitability determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 70. Chapter 584 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Director shall develop and implement a process by which a person with a criminal history may petition the Director to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a milk tester's license pursuant to NRS 584.215.

2. Not later than 90 days after a petition is submitted to the Director pursuant to subsection 1, the Director shall inform the person of the determination of the Director of whether the person's criminal history will disqualify the person from obtaining a license. The Director is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The Director may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Director at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Director.



5. *A person may submit a new petition to the Director not earlier than 2 years after the final determination of the initial petition submitted to the Director.*

6. *The Director may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Director may waive such fees or allow such fees to be covered by funds from a scholarship or grant.*

7. *The Director may post on its Internet website:*

(a) *The requirements to obtain a license from the Director; and*

(b) *A list of crimes, if any, that would disqualify a person from obtaining a license from the Director.*

8. *The Director may request the criminal history record of a person who petitions the Director for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Director makes such a request of a person, the Director shall require the person to submit his or her criminal history record which includes a report from:*

(a) *The Central Repository for Nevada Records of Criminal History; and*

(b) *The Federal Bureau of Investigation.*

9. *A person who petitions the Director for a determination pursuant to subsection 1 shall not submit false or misleading information to the Director.*

10. *The Director of the State Department of Agriculture shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) *The number of petitions submitted to the Director of the State Department of Agriculture pursuant to subsection 1;*

(b) *The number of determinations of disqualification made by the Director of the State Department of Agriculture pursuant to subsection 1;*

(c) *The reasons for such determinations; and*

(d) *Any other information that is requested by the Director of the Legislative Counsel Bureau or which the Director of the State Department of Agriculture determines would be helpful.*

11. *The Director of the Legislative Counsel Bureau shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*



Sec. 71. NRS 584.285 is hereby amended to read as follows:

584.285 Any person violating any provision of NRS 584.215 to 584.285, inclusive, *and section 70 of this act* shall be guilty of a misdemeanor.

Sec. 72. Chapter 587 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Director shall develop and implement a process by which a person with a criminal history may petition the Director to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license or registration pursuant to this chapter.

2. Not later than 90 days after a petition is submitted to the Director pursuant to subsection 1, the Director shall inform the person of the determination of the Director of whether the person's criminal history will disqualify the person from obtaining a license or registration. The Director is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The Director may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Director at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license or registration from the Director.

5. A person may submit a new petition to the Director not earlier than 2 years after the final determination of the initial petition submitted to the Director.

6. The Director may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Director may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Director may post on its Internet website:

(a) The requirements to obtain a license or registration from the Director; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license or registration from the Director.

8. The Director may request the criminal history record of a person who petitions the Director for a determination pursuant to



subsection 1. To the extent consistent with federal law, if the Director makes such a request of a person, the Director shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Director for a determination pursuant to subsection 1 shall not submit false or misleading information to the Director.

10. The Director of the State Department of Agriculture shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director of the Legislative Counsel Bureau, a report that includes:

(a) The number of petitions submitted to the Director of the State Department of Agriculture pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Director of the State Department of Agriculture pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director of the Legislative Counsel Bureau or which the Director of the State Department of Agriculture determines would be helpful.

11. The Director of the Legislative Counsel Bureau shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 73. Chapter 599A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of county commissioners of any county and the governing body of an incorporated city shall develop and implement a process by which a person with a criminal history may petition the board of county commissioners of any county and the governing body of an incorporated city to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to NRS 599A.050.

2. Not later than 90 days after a petition is submitted to the board of county commissioners of any county and the governing body of an incorporated city pursuant to subsection 1, the board of county commissioners of any county and the governing body of an incorporated city shall inform the person of the determination of



the board of county commissioners of any county and the governing body of an incorporated city of whether the person's criminal history will disqualify the person from obtaining a license. The board of county commissioners of any county and the governing body of an incorporated city is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The board of county commissioners of any county and the governing body of an incorporated city may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the board of county commissioners of any county and the governing body of an incorporated city at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the board of county commissioners of any county and the governing body of an incorporated city.

5. A person may submit a new petition to the board of county commissioners of any county and the governing body of an incorporated city not earlier than 2 years after the final determination of the initial petition submitted to the board of county commissioners of any county and the governing body of an incorporated city.

6. The board of county commissioners of any county and the governing body of an incorporated city may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The board of county commissioners of any county and the governing body of an incorporated city may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The board of county commissioners of any county and the governing body of an incorporated city may post on its Internet website:

(a) The requirements to obtain a license from the board of county commissioners or the governing body, as applicable; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license from the board of county commissioners of any county and the governing body of an incorporated city, as applicable.



8. *The board of county commissioners of any county and the governing body of an incorporated city may request the criminal history record of a person who petitions the board of county commissioners or the governing body, as applicable, for a determination pursuant to subsection 1. To the extent consistent with federal law, if the board of county commissioners or governing body, as applicable, makes such a request of a person, the board of county commissioners or governing body, as applicable, shall require the person to submit his or her criminal history record which includes a report from:*

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. *A person who petitions the board of county commissioners of any county and the governing body of an incorporated city for a determination pursuant to subsection 1 shall not submit false or misleading information to the board of county commissioners or governing body, as applicable.*

10. *The board of county commissioners of any county and the governing body of an incorporated city shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) The number of petitions submitted to the board of county commissioners of any county and the governing body of an incorporated city pursuant to subsection 1;

(b) The number of determinations of disqualification made by the board of county commissioners of any county and the governing body of an incorporated city pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the board of county commissioners of any county and the governing body of an incorporated city determines would be helpful.

11. *The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*

Sec. 74. Chapter 599B of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the*



person's criminal history will disqualify the person from obtaining a registration pursuant to NRS 599B.080.

2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a registration. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a registration from the Division.

5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.

6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Division may post on its Internet website:

(a) The requirements to obtain a registration from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a registration from the Division.

8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.



9. *A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.*

10. *The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) The number of petitions submitted to the Division pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. *The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*

Sec. 75. Chapter 618 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Division shall develop and implement a process by which a person with a criminal history may petition the Division to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license or certification pursuant to this chapter.*

2. *Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a license or certification. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.*

3. *The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.*

4. *A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license or certification from the Division.*



5. *A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division.*

6. *The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant.*

7. *The Division may post on its Internet website:*

(a) The requirements to obtain a license or certification from the Division; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a license or certification from the Division.

8. *The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from:*

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. *A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division.*

10. *The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:*

(a) The number of petitions submitted to the Division pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Division pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Division determines would be helpful.

11. *The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.*



Sec. 76. Chapter 706 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Authority shall develop and implement a process by which a person with a criminal history may petition the Authority to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a driver's permit pursuant to NRS 706.462.

2. Not later than 90 days after a petition is submitted to the Authority pursuant to subsection 1, the Authority shall inform the person of the determination of the Authority of whether the person's criminal history will disqualify the person from obtaining a driver's permit. The Authority is not bound by its determination of disqualification or qualification and may rescind such a determination at any time.

3. The Authority may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the Authority at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a driver's permit from the Authority.

5. A person may submit a new petition to the Authority not earlier than 2 years after the final determination of the initial petition submitted to the Authority.

6. The Authority may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Authority may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The Authority may post on its Internet website:

(a) The requirements to obtain a driver's permit from the Authority; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a driver's permit from the Authority.

8. The Authority may request the criminal history record of a person who petitions the Authority for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Authority makes such a request of a person, the Authority shall require the person to submit his or her criminal history record which includes a report from:



(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the Authority for a determination pursuant to subsection 1 shall not submit false or misleading information to the Authority.

10. The Authority shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the Authority pursuant to subsection 1;

(b) The number of determinations of disqualification made by the Authority pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the Authority determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

Sec. 77. NRS 706.011 is hereby amended to read as follows:

706.011 As used in NRS 706.011 to 706.791, inclusive, *and section 76 of this act*, unless the context otherwise requires, the words and terms defined in NRS 706.013 to 706.146, inclusive, have the meanings ascribed to them in those sections.

Sec. 78. NRS 706.158 is hereby amended to read as follows:

706.158 The provisions of NRS 706.011 to 706.791, inclusive, *and section 76 of this act* relating to brokers do not apply to any person whom the Authority determines is:

1. A motor club which holds a valid certificate of authority issued by the Commissioner of Insurance;

2. A bona fide charitable organization, such as a nonprofit corporation or a society, organization or association for educational, religious, scientific or charitable purposes; or

3. A broker of transportation services provided by an entity that is exempt pursuant to NRS 706.745 from the provisions of NRS 706.386 or 706.421.

Sec. 79. NRS 706.163 is hereby amended to read as follows:

706.163 The provisions of NRS 706.011 to 706.861, inclusive, *and section 76 of this act* do not apply to vehicles leased to or owned by:

1. The Federal Government or any instrumentality thereof.



2. Any state or a political subdivision thereof.

Sec. 80. NRS 706.2885 is hereby amended to read as follows:

706.2885 1. A certificate of public convenience and necessity, permit or license issued in accordance with this chapter is not a franchise and may be revoked.

2. The Authority may at any time, for good cause shown, after investigation and hearing and upon 5 days' written notice to the grantee, suspend any certificate, permit or license issued in accordance with the provisions of NRS 706.011 to 706.791, inclusive, *and section 76 of this act* for a period not to exceed 60 days.

3. Upon receipt of a written complaint or on its own motion, the Authority may, after investigation and hearing, revoke any certificate, permit or license. If service of the notice required by subsection 2 cannot be made or if the grantee relinquishes the grantee's interest in the certificate, permit or license by so notifying the Authority in writing, the Authority may revoke the certificate, permit or license without a hearing.

4. Except as otherwise provided in NRS 706.1519, the proceedings thereafter are governed by the provisions of chapter 233B of NRS.

Sec. 81. NRS 706.461 is hereby amended to read as follows:

706.461 When:

1. A complaint has been filed with the Authority alleging that any vehicle is being operated without a certificate of public convenience and necessity or contract carrier's permit as required by NRS 706.011 to 706.791, inclusive ~~§~~, *and section 76 of this act*; or

2. The Authority has reason to believe that any:

(a) Person is advertising to provide:

(1) The services of a fully regulated carrier in intrastate commerce; or

(2) Towing services,

↳ without including the number of the person's certificate of public convenience and necessity or permit in each advertisement; or

(b) Provision of NRS 706.011 to 706.791, inclusive, *and section 76 of this act* is being violated,

↳ the Authority shall investigate the operations or advertising and may, after a hearing, order the owner or operator of the vehicle or the person advertising to cease and desist from any operation or advertising in violation of NRS 706.011 to 706.791, inclusive ~~§~~, *and section 76 of this act*. The Authority shall enforce compliance with the order pursuant to the powers vested in the Authority by



NRS 706.011 to 706.791, inclusive, *and section 76 of this act* or by other law.

Sec. 82. NRS 706.736 is hereby amended to read as follows:

706.736 1. Except as otherwise provided in subsection 2, the provisions of NRS 706.011 to 706.791, inclusive, *and section 76 of this act* do not apply to:

(a) The transportation by a contractor licensed by the State Contractors' Board of the contractor's own equipment in the contractor's own vehicles from job to job.

(b) Any person engaged in transporting the person's own personal effects in the person's own vehicle, but the provisions of this subsection do not apply to any person engaged in transportation by vehicle of property sold or to be sold, or used by the person in the furtherance of any commercial enterprise other than as provided in paragraph (d), or to the carriage of any property for compensation.

(c) Special mobile equipment.

(d) The vehicle of any person, when that vehicle is being used in the production of motion pictures, including films to be shown in theaters and on television, industrial training and educational films, commercials for television and video discs and tapes.

(e) A private motor carrier of property which is used for any convention, show, exhibition, sporting event, carnival, circus or organized recreational activity.

(f) A private motor carrier of property which is used to attend livestock shows and sales.

(g) The transportation by a private school of persons or property in connection with the operation of the school or related school activities, so long as the vehicle that is used to transport the persons or property does not have a gross vehicle weight rating of 26,001 pounds or more and is not registered pursuant to NRS 706.801 to 706.861, inclusive.

2. Unless exempted by a specific state statute or a specific federal statute, regulation or rule, any person referred to in subsection 1 is subject to:

(a) The provisions of paragraph (d) of subsection 1 of NRS 706.171 and NRS 706.235 to 706.256, inclusive, 706.281, 706.457 and 706.458.

(b) All rules and regulations adopted by reference pursuant to paragraph (b) of subsection 1 of NRS 706.171 concerning the safety of drivers and vehicles.

(c) All standards adopted by regulation pursuant to NRS 706.173.



3. The provisions of NRS 706.311 to 706.453, inclusive, 706.471, 706.473, 706.475 and 706.6411 which authorize the Authority to issue:

(a) Except as otherwise provided in paragraph (b), certificates of public convenience and necessity and contract carriers' permits and to regulate rates, routes and services apply only to fully regulated carriers.

(b) Certificates of public convenience and necessity to operators of tow cars and to regulate rates for towing services performed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle apply to operators of tow cars.

4. Any person who operates pursuant to a claim of an exemption provided by this section but who is found to be operating in a manner not covered by any of those exemptions immediately becomes liable, in addition to any other penalties provided in this chapter, for the fee appropriate to the person's actual operation as prescribed in this chapter, computed from the date when that operation began.

5. As used in this section, "private school" means a nonprofit private elementary or secondary educational institution that is licensed in this State.

Sec. 83. NRS 706.756 is hereby amended to read as follows:

706.756 1. Except as otherwise provided in subsection 2, any person who:

(a) Operates a vehicle or causes it to be operated in any carriage to which the provisions of NRS 706.011 to 706.861, inclusive, *and section 76 of this act* apply without first obtaining a certificate, permit or license, or in violation of the terms thereof;

(b) Fails to make any return or report required by the provisions of NRS 706.011 to 706.861, inclusive, *and section 76 of this act*, or by the Authority or the Department pursuant to the provisions of NRS 706.011 to 706.861, inclusive ~~H~~, *and section 76 of this act*;

(c) Violates, or procures, aids or abets the violating of, any provision of NRS 706.011 to 706.861, inclusive ~~H~~, *and section 76 of this act*;

(d) Fails to obey any order, decision or regulation of the Authority or the Department;

(e) Procures, aids or abets any person in the failure to obey such an order, decision or regulation of the Authority or the Department;

(f) Advertises, solicits, proffers bids or otherwise is held out to perform transportation as a common or contract carrier in violation



of any of the provisions of NRS 706.011 to 706.861, inclusive ~~†~~,
and section 76 of this act;

(g) Advertises as providing:

(1) The services of a fully regulated carrier; or

(2) Towing services,

↳ without including the number of the person's certificate of public convenience and necessity or contract carrier's permit in each advertisement;

(h) Knowingly offers, gives, solicits or accepts any rebate, concession or discrimination in violation of the provisions of this chapter;

(i) Knowingly, willfully and fraudulently seeks to evade or defeat the purposes of this chapter;

(j) Operates or causes to be operated a vehicle which does not have the proper identifying device;

(k) Displays or causes or permits to be displayed a certificate, permit, license or identifying device, knowing it to be fictitious or to have been cancelled, revoked, suspended or altered;

(l) Lends or knowingly permits the use of by one not entitled thereto any certificate, permit, license or identifying device issued to the person so lending or permitting the use thereof; or

(m) Refuses or fails to surrender to the Authority or Department any certificate, permit, license or identifying device which has been suspended, cancelled or revoked pursuant to the provisions of this chapter,

↳ is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

2. Any person who, in violation of the provisions of NRS 706.386, operates as a fully regulated common motor carrier without first obtaining a certificate of public convenience and necessity or any person who, in violation of the provisions of NRS 706.421, operates as a contract motor carrier without first obtaining a permit is guilty of a misdemeanor and shall be punished:

(a) For a first offense within a period of 12 consecutive months, by a fine of not less than \$500 nor more than \$1,000. In addition to the fine, the person may be punished by imprisonment in the county jail for not more than 6 months.

(b) For a second offense within a period of 12 consecutive months and for each subsequent offense that is committed within a period of 12 consecutive months of any prior offense under this subsection, by a fine of \$1,000. In addition to the fine, the person



may be punished by imprisonment in the county jail for not more than 6 months.

3. Any person who, in violation of the provisions of NRS 706.386, operates or permits the operation of a vehicle in passenger service without first obtaining a certificate of public convenience and necessity is guilty of a gross misdemeanor.

4. If a law enforcement officer witnesses a violation of any provision of subsection 2 or 3, the law enforcement officer may cause the vehicle to be towed immediately from the scene and impounded in accordance with NRS 706.476.

5. The fines provided in this section are mandatory and must not be reduced under any circumstances by the court.

6. Any bail allowed must not be less than the appropriate fine provided for by this section.

Sec. 84. NRS 706.758 is hereby amended to read as follows:

706.758 1. It is unlawful for any person to advertise services for which a certificate of public convenience and necessity or a contract carrier's permit is required pursuant to NRS 706.011 to 706.791, inclusive, *and section 76 of this act*, unless the person has been issued such a certificate or permit.

2. If, after notice and a hearing, the Authority determines that a person has engaged in advertising in a manner that violates the provisions of this section, the Authority may, in addition to any penalty, punishment or disciplinary action authorized by the provisions of NRS 706.011 to 706.791, inclusive, *and section 76 of this act*, issue an order to the person to cease and desist the unlawful advertising and to:

(a) Cause any telephone number included in the advertising, other than a telephone number to a provider of paging services, to be disconnected.

(b) Request the provider of paging services to change the number of any beeper which is included in the advertising or disconnect the paging services to such a beeper, and to inform the provider of paging services that the request is made pursuant to this section.

3. If a person fails to comply with paragraph (a) of subsection 2 within 5 days after the date that the person receives an order pursuant to subsection 2, the Authority may request the Commission to order the appropriate provider of telephone service to disconnect any telephone number included in the advertisement, except for a telephone number to a provider of paging services. If a person fails to comply with paragraph (b) of subsection 2 within 5 days after the date the person receives an order pursuant to subsection 2, the



Authority may request the provider of paging services to switch the beeper number or disconnect the paging services provided to the person, whichever the provider deems appropriate.

4. If the provider of paging services receives a request from a person pursuant to subsection 2 or a request from the Authority pursuant to subsection 3, it shall:

(a) Disconnect the paging service to the person; or

(b) Switch the beeper number of the paging service provided to the person.

➤ If the provider of paging services elects to switch the number pursuant to paragraph (b), the provider shall not forward or offer to forward the paging calls from the previous number, or provide or offer to provide a recorded message that includes the new beeper number.

5. As used in this section:

(a) “Advertising” includes, but is not limited to, the issuance of any sign, card or device, or the permitting or allowing of any sign or marking on a motor vehicle, in any building, structure, newspaper, magazine or airway transmission, on the Internet or in any directory under the listing of “fully regulated carrier” with or without any limiting qualifications.

(b) “Beeper” means a portable electronic device which is used to page the person carrying it by emitting an audible or a vibrating signal when the device receives a special radio signal.

(c) “Provider of paging services” means an entity, other than a public utility, that provides paging service to a beeper.

(d) “Provider of telephone service” has the meaning ascribed to it in NRS 707.355.

Sec. 85. NRS 706.781 is hereby amended to read as follows:

706.781 In addition to all the other remedies provided by NRS 706.011 to 706.861, inclusive, *and section 76 of this act*, for the prevention and punishment of any violation of the provisions thereof and of all orders of the Authority or the Department, the Authority or the Department may compel compliance with the provisions of NRS 706.011 to 706.861, inclusive, *and section 76 of this act*, and with the orders of the Authority or the Department by proceedings in mandamus, injunction or by other civil remedies.

Sec. 85.5. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 86. 1. This section and sections 1 to 19, inclusive, and 20 to 85.5, inclusive, of this act become effective on July 1, 2019.



2. Sections 13 and 14 of this act expire by limitation on December 31, 2019.

3. Sections 19.1 to 19.9, inclusive, of this act become effective on January 1, 2020.





**State of Nevada
Office of the Attorney General**

**TRAINING FOR BOARD AND COMMISSION MEMBERS,
EXECUTIVE DIRECTORS, ADMINISTRATORS, AND STAFF**

MONDAY, NOVEMBER 18, 2019

CARSON CITY

**Legislative Building
Legislative Counsel Bureau
Room 4100
401 South Carson Street
Carson City, NV 89701**

LAS VEGAS

**Grant Sawyer State Office Building
Legislative Counsel Bureau
Room 4412
555 East Washington Avenue
Las Vegas, NV 89101**

AGENDA AND SCHEDULE OF TOPICS

8:15 am Registration/Sign-In

Open Meeting Law (OML) 8:30-9:30

State Contracting and Audits 9:30-10:30

BREAK

Ethics in Government 10:45-11:45

LUNCH

Administrative Hearing Procedure 1:00-2:00

BREAK

Administrative Rulemaking 2:15-3:15

Nevada Public Records Act (NPRA) 3:15-4:15

Closing Q&A 4:15-4:30

Please RSVP to Debra Turman using the attached form. The RSVP form may be submitted by email to dturman@ag.nv.gov or facsimile to (702) 486-3416 before November 12, 2019.

Persons with disabilities who require accommodations or assistant at the training should directly notify Debra Turman prior to November 8, 2019, at (702) 486-3171 or by email at dturman@ag.nv.gov



**State of Nevada
Office of the Attorney General**

**TRAINING FOR BOARD AND COMMISSION MEMBERS,
EXECUTIVE DIRECTORS, ADMINISTRATORS, AND STAFF**

REGISTRATION FORM

Location:
(Please Check One)

Carson City _____

Las Vegas _____

Name: _____

Title: _____

Board or Commission: _____

Address: _____

Office Telephone: _____

Email Address: _____

*RSVP form may be submitted by email to dturman@ag.nv.gov or facsimile to
(702) 486-3416 before November 12, 2019.*

[NAC-623A Revised Date: 8-19]

CHAPTER 623A - LANDSCAPE ARCHITECTS

GENERAL PROVISIONS

623A.010	Definitions.
623A.020	“Actively engaged” defined.
623A.025	“Advertisement” defined.
623A.030	“Board” defined.
623A.032	“Certificate holder” defined.
623A.0321	“Certificate of eligibility” defined.
623A.0323	“Complainant” defined.
623A.0325	“Complaint” defined.
623A.0326	“Contact hour” defined.
623A.03263	“Continuing education unit” defined.
623A.0327	“Council” defined.
623A.034	“Designated member of the Board” defined.
623A.0345	“Fiscal year” defined.
623A.035	“Group practice” defined.
623A.040	“Instruments of service” defined.
623A.045	“National examination” defined.
623A.050	“Nevada specific examination” defined.
623A.055	“Registrant” defined.
623A.057	“Respondent” defined.

- [623A.058](#) “Self-directed educational activity” defined.
- [623A.059](#) “Structured educational activity” defined.
- [623A.060](#) “Work experience under the direct supervision of a landscape architect” defined.
- [623A.070](#) Practice of landscape architecture: Interpretation of statutory definition.

STATE BOARD OF LANDSCAPE ARCHITECTURE

- [623A.135](#) Duties of Executive Director.
- [623A.140](#) Official stamp or electronic official stamp of registrant: Issuance and use.
- [623A.145](#) Lost, stolen, mutilated or destroyed certificate: Notification of Board; issuance of duplicate.
- [623A.147](#) Granting of title as emeritus: Requirements; use; prohibitions; return to active practice.
- [623A.150](#) Filing of business address of certificate holder; change of address.
- [623A.155](#) Mailing list of certificate holders.
- [623A.160](#) Request for history of complaints and disciplinary action taken against certificate holder and status of certificate.
- [623A.170](#) Schedule of fees; proration.

CERTIFICATION OF LANDSCAPE ARCHITECTS

- [623A.210](#) Application for certificate.
- [623A.220](#) Eligibility based on combination of education and experience.
- [623A.222](#) Eligibility based on reciprocity.
- [623A.226](#) Eligibility based on work experience.
- [623A.228](#) Nevada specific examination: Contents; preparation; additional information.
- [623A.240](#) Nevada specific examination: Administration and conduct; anonymous grading; prohibited activities.

[623A.250](#) Nevada specific examination: Notification of results; review; appeal; reexamination.

[623A.310](#) Issuance and scope of certificate.

[623A.315](#) Expiration and renewal or reinstatement of certificate.

CONTINUING EDUCATION

[623A.316](#) Requirements for renewal of license; approval by Board; application of excess units.

[623A.3165](#) Credit for structured educational activities.

[623A.317](#) Required subjects and topics.

[623A.3175](#) Exemptions.

[623A.318](#) Retention of records verifying credit.

[623A.3185](#) Audits of registrants to ensure compliance with requirements; falsification of documents constitutes grounds for disciplinary action.

[623A.319](#) Submission of proof of compliance with application for renewal; fees for violation.

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[623A.3205](#) Failure to comply constitutes grounds for nonrenewal of registration.

CERTIFICATE OF ELIGIBILITY TO RECEIVE PREFERENCE WHEN COMPETING FOR PUBLIC WORKS

[623A.321](#) Definitions.

[623A.323](#) “Affidavit for a certificate of eligibility” defined.

[623A.324](#) “Affidavit for renewal of a certificate of eligibility” defined.

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[623A.329](#) Prerequisites.

[623A.331](#) Application: Contents; form.

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<u>623A.351</u>	Examination: Contents.
<u>623A.355</u>	Examination: Qualification for issuance of certificate.
<u>623A.370</u>	Examination: Use of passing scores.
<u>623A.380</u>	Issuance and scope of certificate.
<u>623A.385</u>	Expiration and renewal or reinstatement of certificate.

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<u>623A.480</u>	Standards for ethical conduct of registrants.

[623A.490](#) Professional conduct and duties of certificate holders; grounds for disciplinary action.

ADMINISTRATIVE PROCEEDINGS

[623A.505](#) Complaints against certificate holders: Action by Board.

[623A.507](#) Complaints against certificate holders: Review by Executive Director to determine completeness.

[623A.509](#) Complaints against certificate holders: Written response by respondent.

[623A.511](#) Complaints against certificate holders: Review of complaint and response by designated member of the Board to determine violation has occurred; recommendation to the Board.

[623A.513](#) Complaints against certificate holders: Public meeting of the Board; dismissal; preparation and service of formal disciplinary complaint and notice of hearing.

[623A.515](#) Settlement of complaints: Determination of parameters; offer; proposed stipulated agreement; approval of stipulated agreement by Board; dismissal of complaint.

[623A.517](#) Subpoenas.

[623A.520](#) Hearings before Board or hearing panel: Notice; rights of parties; continuances; rules of evidence; final determination.

[623A.600](#) Petition for adoption, filing, amendment or repeal of regulation; petition for declaratory order or advisory opinion.

GENERAL PROVISIONS

NAC 623A.010 Definitions. ([NRS 623A.130](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NAC 623A.020](#) to [623A.060](#), inclusive, have the meanings ascribed to them in those sections.

[Bd. of Landscape Arch., § 1.6, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006; R217-03, 12-30-2011; R142-11 & R147-11, 9-14-2012)

NAC 623A.020 “Actively engaged” defined. ([NRS 623A.130](#)) “Actively engaged” means to practice or provide the professional services of landscape architecture.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

NAC 623A.025 “Advertisement” defined. ([NRS 623A.130](#)) “Advertisement” means title blocks, business cards, inside and outside signs, brochures, stationery, listings in a telephone or other directory, postings and other advertisements in a newspaper or magazine or on the television, radio or Internet or by any other electronic means or any other method of advertising.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

NAC 623A.030 “Board” defined. ([NRS 623A.130](#)) “Board” means the State Board of Landscape Architecture.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

NAC 623A.032 “Certificate holder” defined. ([NRS 623A.130](#)) “Certificate holder” means a person who has been issued:

1. A certificate of registration; or
2. A certificate to practice as a landscape architect intern.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

NAC 623A.0321 “Certificate of eligibility” defined. ([NRS 338.173](#), [623A.130](#)) “Certificate of eligibility” means a certificate of eligibility to receive a preference when competing for public works issued by the Board to a registrant pursuant to [NRS 338.173](#).

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.0323 “Complainant” defined. ([NRS 623A.130](#)) “Complainant” means a person filing a complaint.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.0325 “Complaint” defined. ([NRS 623A.130](#)) “Complaint” means a complaint filed with the Board concerning:

1. A landscape architect;
2. A landscape architect intern;
3. An applicant for a certificate of registration;

4. An applicant for a certificate to practice as a landscape architect intern; or
5. Any other person accused of violating a provision of this chapter or [chapter 623A](#) of NRS.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.0326 “Contact hour” defined. ([NRS 623A.130](#), [623A.215](#)) “Contact hour” means 50 minutes of learning or instruction.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.03263 “Continuing education unit” defined. ([NRS 623A.130](#), [623A.215](#)) “Continuing education unit” means 1 contact hour in a course or program of continuing education approved by the Board.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.0327 “Council” defined. ([NRS 338.173](#)) “Council” means the Council of Landscape Architectural Registration Boards or its successor organization.

(Added to NAC by Bd. of Landscape Arch. by R142-11, eff. 9-14-2012)

NAC 623A.034 “Designated member of the Board” defined. ([NRS 623A.130](#)) “Designated member of the Board” means:

1. The President of the Board; or
2. The member of the Board designated by the President of the Board pursuant to the provisions of [NRS 623A.305](#).

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.0345 “Fiscal year” defined. ([NRS 623A.130](#), [623A.215](#)) “Fiscal year” means the 12-month period beginning on July 1 and ending on June 30 of the following year.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.035 “Group practice” defined. ([NRS 623A.130](#)) “Group practice” means a firm, partnership, corporation or association which engages in the practice of landscape architecture.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

NAC 623A.040 “Instruments of service” defined. ([NRS 623A.130](#)) “Instruments of service” means finalized working drawings and specifications which have been prepared by a registrant or under his or her immediate and responsible direction.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

NAC 623A.045 “National examination” defined. ([NRS 623A.130](#)) “National examination” means the national examination for registration as a landscape architect or a certificate to practice as a landscape architect intern which is created and administered by the Council.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006; R142-11, 9-14-2012)

NAC 623A.050 “Nevada specific examination” defined. ([NRS 623A.130](#)) “Nevada specific examination” means the jurisdictional examination for registration in this State as a landscape architect which is created and administered by the Board.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

NAC 623A.055 “Registrant” defined. ([NRS 623A.130](#)) “Registrant” means a landscape architect who holds a certificate of registration issued by the Board.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

NAC 623A.057 “Respondent” defined. ([NRS 623A.130](#)) “Respondent” means a person against whom a complaint is filed.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.058 “Self-directed educational activity” defined. ([NRS 623A.130](#), [623A.215](#)) “Self-directed educational activity” means an educational activity which primarily consists of a registrant engaging in an activity concerning a subject relating to public health, safety and welfare which is not systematically presented by another person, including the study of such subjects.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.059 “Structured educational activity” defined. ([NRS 623A.130](#), [623A.215](#)) “Structured educational activity” means an educational activity in which the teaching methodology consists primarily of the systematic presentation of technical and professional subjects by a person or group of persons qualified by professional, practical or academic experience to conduct the educational activity.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.060 “Work experience under the direct supervision of a landscape architect” defined. ([NRS 623A.130](#)) “Work experience under the direct supervision of a landscape architect” means full-time or part-time employment in the field of landscape architecture under the professional counsel, guidance and instruction of a registrant who critically examines, evaluates and monitors the applicant’s work product for quality and compliance with all applicable laws, codes, ordinances and regulations.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

NAC 623A.070 Practice of landscape architecture: Interpretation of statutory definition. ([NRS 623A.060](#), [623A.130](#)) As used in [NRS 623A.060](#), the Board interprets:

1. The phrase “consideration and determination of issues of the land relating to erosion, wear and tear” to mean the design or preparation of plans and specifications to address:

- (a) Control of erosion;
- (b) Preservation of native vegetation;
- (c) Repair of any wear and tear on the surface of the earth caused by the activities of either humans or nature;
- (d) Restoration or reintroduction of vegetation into the natural environment;
- (e) Using native vegetation for water quality purposes or for the creation of natural aesthetic values;
- (f) Historic preservation of gardens, land forms and natural environments; or
- (g) Site design and the use of environmental sciences to promote the health, safety and general welfare of the public.

2. The phrase “design of landscape irrigation” to mean the design or preparation of plans and specifications for the delivery and distribution of potable and nonpotable water to irrigate plant materials on a project site.

3. The term “grading” to mean the manipulation of the surface contours of the land to:

- (a) Control and direct the flow of water.
- (b) Create aesthetic values associated with topographic landforms.
- (c) Establish elevations and degrees of inclination on slopes for:

- (1) Setting and locating buildings, structures, facilities and other improvements; or

- (2) Locating corridors for the movement of vehicles and pedestrians.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R142-11, 9-14-2012)

STATE BOARD OF LANDSCAPE ARCHITECTURE

NAC 623A.135 Duties of Executive Director. ([NRS 623A.100](#), [623A.130](#)) The Executive Director shall:

1. Assist the Board in the review of an application for a certificate of registration or a certificate to practice as a landscape architect intern;
2. Investigate and make recommendations to the Board and assist the Board with the regulation of landscape architects and landscape architect interns; and
3. Keep an accurate record of the financial transactions and proceedings of the Board.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

NAC 623A.140 Official stamp or electronic official stamp of registrant: Issuance and use. ([NRS 623A.130](#), [623A.195](#))

1. A registrant must have an official stamp issued by the Board.
2. An official stamp will be issued by the Board to a registrant after:
 - (a) A certificate of registration is issued to the registrant; and
 - (b) The registrant pays the fee for the official stamp as provided in [NAC 623A.170](#).
3. In addition to an official stamp, a registrant may obtain an electronic official stamp from the Board by submitting to the Board a request for an electronic official stamp and the fee for the electronic official stamp provided pursuant to the provisions of [NAC 623A.170](#).
4. The use of any stamp other than the official stamp or an electronic official stamp is prohibited.
5. A registrant may obtain additional official stamps or electronic official stamps from the Board at any time by submitting to the Board a request for an additional official stamp or an additional electronic official stamp and the fee for the official stamp or electronic official stamp as provided in [NAC 623A.170](#).
6. If a registrant was issued an official stamp pursuant to the provisions of this section before June 1, 2006, the registrant may:

- (a) Submit a request for an official stamp pursuant to the provisions of subsection 5; or
- (b) Use the official stamp issued to the registrant before June 1, 2006, if he or she handwrites the expiration date of his or her registration immediately below the stamp impression.

[Bd. of Landscape Arch., § 1.3, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006)

NAC 623A.145 Lost, stolen, mutilated or destroyed certificate: Notification of Board; issuance of duplicate. ([NRS 623A.130](#), [623A.230](#))

1. A certificate holder shall notify the Board in writing if his or her certificate of registration or certificate to practice as a landscape architect intern is lost, stolen, mutilated or destroyed.

2. The Board will issue a duplicate certificate of registration or certificate to practice as a landscape architect intern upon request of a certificate holder which is accompanied by a signed affidavit detailing the loss, theft, mutilation or destruction of the original certificate, and upon payment of the fee for the issuance of a certificate of registration as provided in [NAC 623A.170](#).

[Bd. of Landscape Arch., § 4.6, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006) — (Substituted in revision for NAC 623A.350)

NAC 623A.147 Granting of title as emeritus: Requirements; use; prohibitions; return to active practice. ([NRS 338.173](#))

1. The Board may grant the title of “Landscape Architect Emeritus” to a person upon his or her written request if the person:

- (a) Is a holder of a certificate of registration that has expired for failure to be renewed;
- (b) Was in good standing with the Board at the time that his or her certificate of registration expired through failure to be renewed; and
- (c) Actively engaged in the practice of landscape architecture for more than 25 years.

2. A person whose written request is granted pursuant to this section may use the title so granted by the Board only during such time as the person’s certificate of registration is expired and not active.

3. A person using the title granted by the Board pursuant to this section must not:

- (a) Be actively engaged in the practice of landscape architecture; or
- (b) Indicate that he or she is authorized to practice in this State as a landscape architect.

4. A person who has been granted the title “Landscape Architect Emeritus” by the Board may return to active practice as a landscape architect:

(a) Within 1 year after the expiration of his or her certificate of registration upon application to and with the approval of the Board and upon payment of the annual renewal fee and the delinquency fee as provided in [NAC 623A.170](#).

(b) More than 1 year but less than 3 years after the expiration of his or her certificate of registration upon application to and with the approval of the Board and upon payment of the annual renewal fee for each year, or part thereof, for which the certificate of registration was not renewed, the delinquency fee and the reinstatement fee as provided in [NAC 623A.170](#).

(c) More than 3 years after the expiration of his or her certificate of registration by applying for and obtaining a new certificate of registration if he or she:

(1) Is otherwise eligible;

(2) Pays all fees required by [NAC 623A.170](#);

(3) Passes any examination required by the Board; and

(4) Establishes to the satisfaction of the Board that he or she is qualified to practice landscape architecture.

(Added to NAC by Bd. of Landscape Arch. by R142-11, eff. 9-14-2012)

NAC 623A.150 Filing of business address of certificate holder; change of address. ([NRS 623A.130](#), [623A.230](#))

1. A certificate holder shall file his or her proper and current business address with the Board.

2. A certificate holder shall notify the Board in writing within 30 days after any change of address. The notification must include both his or her old and new address.

3. The fee for a change of address as provided in [NAC 623A.170](#) must accompany the notification.

[Bd. of Landscape Arch., § 1.7, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006)

NAC 623A.155 Mailing list of certificate holders. ([NRS 623A.130](#), [623A.135](#))

1. The Board will maintain a mailing list of the persons issued certificates of registration and certificates to practice as a landscape architect intern.

2. The mailing list will contain a record of the name, address and other personal information of each person issued a certificate of registration or a certificate to practice as a landscape architect intern.

3. A person may obtain a copy of the mailing list by submitting to the Board a request and the fee as provided in [NAC 623A.170](#).

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

NAC 623A.160 Request for history of complaints and disciplinary action taken against certificate holder and status of certificate. ([NRS 623A.130](#))

1. A person may file a written request with the Board for the history of complaints and disciplinary action taken against a certificate holder and the status of the certificate held by the certificate holder.

2. If the Board receives a request pursuant to subsection 1, the Board will provide to the person submitting the request:

- (a) The number of complaints filed against the certificate holder within the past 5 years;
- (b) The disposition of any complaint filed against the certificate holder within the past 5 years;
- (c) The number of disciplinary actions taken against the certificate holder within the past 5 years;
- (d) If a disciplinary action has been taken against a certificate holder within the past 5 years:
 - (1) The date the disciplinary action was taken; and
 - (2) The disposition of the disciplinary action; and
- (e) The status of the certificate of the certificate holder.

3. In addition to the information provided pursuant to subsection 2, the Board will provide the person submitting the request:

- (a) Information to help the person understand the material provided by the Board; and
- (b) A statement regarding the utility of using the history of complaints and disciplinary action against a certificate holder in selecting a certificate holder.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R142-11, 9-14-2012)

NAC 623A.170 Schedule of fees; proration. ([NRS 338.173](#), [623A.130](#), [623A.165](#), [623A.240](#))

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	\$200.00
Application fee for a certificate of registration pursuant to the provisions of NAC 623A.222	200.00
Application fee for a certificate to practice as a landscape architect intern.....	100.00
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	75.00
Certificate of registration.....	25.00
Certificate of eligibility.....	300.00
Certificate to practice as a landscape architect intern.....	25.00
Annual renewal fee for a certificate of registration.....	200.00
Delinquency fee for a certificate of registration.....	50.00
Reinstatement fee for a certificate of registration.....	300.00
Annual renewal fee for a certificate of eligibility.....	125.00
Annual renewal fee for a certificate to practice as a landscape architect intern.....	125.00
Delinquency fee for a certificate to practice as a landscape architect intern.....	50.00
Reinstatement fee for a certificate to practice as a landscape architect intern.....	300.00
Change of address fee.....	10.00
Fee for a duplicate certificate of eligibility.....	30.00
Fee for an official stamp.....	50.00
Fee for an electronic official stamp.....	50.00
Mailing list, all registrants.....	10.00

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.....	.25

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.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006; R142-11 & R147-11, 9-14-2012; R082-18, 10-25-2018) — (Substituted in revision for NAC 623A.360)

CERTIFICATION OF LANDSCAPE ARCHITECTS

NAC 623A.210 Application for certificate. ([NRS 623A.130](#), [623A.170](#))

1. Application for a certificate of registration must be made on a form prescribed by the Board.

2. An applicant for a certificate of registration must:

(a) Include with his or her application form the nonrefundable application fee; and

(b) Arrange for his or her scores on the national examination to be sent directly from the Council to the Board.

3. Except as otherwise provided in subsection 4, an applicant for a certificate of registration must provide the following information on the application form:

(a) The name, business and residence addresses, business and residence telephone numbers and, if applicable, facsimile numbers and electronic mail address of the applicant.

(b) The state of residence of the applicant.

(c) The birthplace, birth date and social security number of the applicant.

(d) Information regarding any conviction of the applicant for a felony, gross misdemeanor or misdemeanor.

(e) Evidence that the applicant is a citizen of the United States or is lawfully entitled to remain and work in the United States.

(f) A chronological statement of the educational background of the applicant, including the names and addresses of schools attended, years of attendance, major subject and degree received, as applicable.

(g) A statement of all prior registrations of the applicant as a landscape architect, indicating each state in which registration has been granted, the date of issuance of the certificate or license and the current status of his or her registration in each state.

(h) A list of professional organizations of which the applicant is a member.

(i) The names and addresses of two registered landscape architects and two licensed professionals from a related design profession who have direct knowledge of the professional abilities of the applicant.

(j) A complete record of the work experience of the applicant, including the beginning and ending dates of that employment, the titles of the positions held by the applicant and the duties performed by the applicant in those positions. Employment in the field of landscape architecture must be described in particularity.

(k) An affidavit signed by the applicant attesting that the information provided to the Board is truthful, complete and accurate.

(l) Any other information deemed necessary by the Board.

4. If an applicant for a certificate of registration has been certified by the Council, the applicant may submit a copy of the certification of the Council instead of the information required pursuant to the provisions of paragraphs (f) to (j), inclusive, of subsection 3 when submitting the application for a certificate of registration.

[Bd. of Landscape Arch., § 3.1, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006; R142-11, 9-14-2012)

NAC 623A.220 Eligibility based on combination of education and experience. ([NRS 623A.130](#), [623A.140](#), [623A.170](#), [623A.190](#))

1. Except as otherwise provided in [NAC 623A.222](#) and [623A.226](#), an applicant for a certificate of registration must:

(a) Have 6 years of education and experience in landscape architecture;

(b) Achieve a passing score on each section of the national examination; and

(c) Achieve a minimum score of 75 percent on the Nevada specific examination.

2. The Board will accept the following combinations of education and experience to fulfill the requirements contained in paragraph (a) of subsection 1:

(a) A bachelor's or master's degree in landscape architecture from an approved school and 2 years of postgraduate work experience under the direct supervision of a landscape architect who is registered in this State, any other state in the United States, any province of Canada or any other jurisdiction approved by the Board.

(b) An associate degree in landscape architecture, or, except as otherwise provided in paragraph (c), a bachelor's degree in a related field, including, but not limited to, horticulture or forestry, and 4 years of postgraduate work experience under the direct supervision of a landscape architect who is registered in this State, any other state in the United States, any province of Canada or any other jurisdiction approved by the Board. A master's degree in a related field will be deemed equivalent to 1 year of postgraduate work experience.

(c) A bachelor's degree in architecture or civil engineering from an institution that is accredited by an accrediting body approved by the Board and 3 years of postgraduate work experience under the direct supervision of a landscape architect who is registered in this State, any other state in the United States, any province of Canada or any other jurisdiction approved by the Board. A master's degree in architecture or civil engineering will be deemed equivalent to 1 year of postgraduate work experience.

(d) Any other combination of education and experience which is deemed by the Board to be equivalent to the requirements set forth in paragraphs (a), (b) and (c).

3. An applicant for registration as a landscape architect pursuant to this section must be 21 years of age or older, of good moral character and a citizen of the United States or lawfully entitled to remain and work in the United States.

4. As used in this section, "approved school" means an institution which offers a program of landscape architecture accredited by the Landscape Architectural Accreditation Board of the American Society of Landscape Architects or a program deemed by the Board to be equivalent thereto.

[Bd. of Landscape Arch., §§ 3.5 & 3.6, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006)

NAC 623A.222 Eligibility based on reciprocity. ([NRS 623A.130](#), [630A.140](#), [630A.170](#), [623A.190](#))

1. An applicant is eligible for a certificate of registration by reciprocity if the applicant:

(a) Holds an active certificate or license in good standing to practice landscape architecture in any other state of the United States, any province of Canada or any other jurisdiction approved by the Board;

(b) Has had no disciplinary action taken against him or her during the period in which he or she has been certified or licensed as a landscape architect;

(c) Has received a passing score on each section of the national examination;

(d) Achieves a minimum score of 75 percent on the Nevada specific examination; and

(e) Has:

(1) Been actively engaged in full-time practice as a registered landscape architect for 2 or more years; or

(2) Fulfilled the requirements for education and work experience as set forth in [NAC 623A.220](#).

2. An applicant for a certificate of registration pursuant to this section must be 21 years of age or older, of good moral character and a citizen of the United States or lawfully entitled to remain and work in the United States.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

NAC 623A.226 Eligibility based on work experience. ([NRS 623A.130](#), [623A.170](#), [623A.190](#))

1. An applicant for a certificate of registration who does not meet the educational qualifications set forth in paragraph (a) of subsection 1 of [NAC 623A.220](#) may be eligible for a certificate of registration on the basis of his or her work experience in landscape architecture if the applicant:

(a) Establishes to the satisfaction of the Board that he or she has been actively engaged in the full-time professional practice of landscape architecture under the direct supervision of a registered landscape architect for at least 6 years;

(b) Achieves a passing score on each section of the national examination; and

(c) Achieves a minimum score of 75 percent on the Nevada specific examination.

2. An applicant for registration as a landscape architect in accordance with this section must be 21 years of age or older, of good moral character and a citizen of the United States or lawfully entitled to remain and work in the United States.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

NAC 623A.228 Nevada specific examination: Contents; preparation; additional information. ([NRS 623A.130](#), [623A.170](#), [623A.190](#))

1. The Board will prepare the Nevada specific examination. The Nevada specific examination will test, without limitation, the applicant's knowledge of local environmental conditions, plants, soils, water management, and local laws and regulations relating to landscape architecture. The Board may seek the assistance of independent, qualified persons to prepare questions for the Nevada specific examination.

2. Further information regarding the Nevada specific examination may be obtained from the Board.

[Bd. of Landscape Arch., § 3.9, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006; R142-11, 9-14-2012)

NAC 623A.240 Nevada specific examination: Administration and conduct; anonymous grading; prohibited activities. ([NRS 623A.130](#), [623A.190](#))

1. The Nevada specific examination for a certificate of registration will be administered and conducted under the direction and control of the Board. The Board may seek the assistance of independent, qualified persons to conduct the Nevada specific examination, score the Nevada specific examination and provide verification of the scoring.

2. The Nevada specific examination for a certificate of registration will be graded anonymously. An applicant who takes the Nevada specific examination will be assigned a random identification number, and his or her identity will not be revealed until after the final grading on the Nevada specific examination has been completed.

3. An applicant shall not:

(a) Take notes or speak with other examinees during the Nevada specific examination; or

(b) Engage in any other activity that would result in the disclosure of the contents of the Nevada specific examination or interfere with the orderly administration of the Nevada specific examination.

[Bd. of Landscape Arch., § 3.7, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006; R142-11, 9-14-2012)

NAC 623A.250 Nevada specific examination: Notification of results; review; appeal; reexamination. ([NRS 623A.130](#), [623A.190](#))

1. An applicant will be notified by the Board as to his or her passage or failure of each section of the Nevada specific examination for a certificate of registration.

2. An applicant who receives a failing grade on the Nevada specific examination may submit a request to the Board to review his or her examination. After receiving a request from an applicant for a review of the Nevada specific examination, the Executive Director shall provide information to the applicant on how the applicant may pursue such a review.

3. An applicant who receives a failing grade on the Nevada specific examination may submit a written appeal to the Board. A request for a review of an examination pursuant to this subsection must be submitted in writing to the office of the Board not later than 15 calendar days after the date on which the applicant receives notification of the results on the Nevada specific

examination. The Board will consider the appeal at its next regularly scheduled Board meeting, at which time it will render a decision on the matter by formal action.

4. For a period of 5 years after an applicant first sits for the Nevada specific examination, he or she may retake any section of the Nevada specific examination on which he or she failed to achieve a passing score without submitting a new application for a certificate of registration.

5. If an applicant does not achieve a passing score on the Nevada specific examination within the 5-year period pursuant to subsection 4, the applicant must submit a new application for a certificate of registration and achieve a passing score on the Nevada specific examination before he or she will be issued a certificate of registration.

[Bd. of Landscape Arch., § 3.8, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006; R142-11, 9-14-2012)

NAC 623A.310 Issuance and scope of certificate. ([NRS 623A.130](#), [623A.165](#)) The Board will issue a certificate of registration to an applicant entitling him or her to practice landscape architecture in this State in accordance with the provisions of this chapter and [chapter 623A](#) of NRS if:

1. The Board finds that the applicant is of good moral character;
2. The applicant satisfies the requirements for a certificate of registration provided pursuant to the provisions of [NAC 623A.220](#), [623A.222](#) or [623A.226](#); and
3. The applicant has timely submitted all of the required fees.

[Bd. of Landscape Arch., § 4.1, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006)

NAC 623A.315 Expiration and renewal or reinstatement of certificate. ([NRS 623A.130](#), [623A.200](#), [623A.215](#))

1. A certificate of registration issued by the Board expires at midnight on June 30 next following the date of issuance, unless the certificate is renewed.
2. To renew an unexpired certificate, the registrant must, on or before June 30 following the date that the certificate or renewal was issued:
 - (a) Apply for renewal of the certificate on a form prescribed by the Board;
 - (b) Complete all requirements for continuing education set forth in [NAC 623A.316](#) and submit to the Board proof of the continuing education units claimed pursuant to [NAC 623A.319](#); and
 - (c) Pay the annual renewal fee.

3. To renew an expired certificate within 1 year after the certificate expires, the registrant must:

- (a) Apply for renewal of the certificate on a form prescribed by the Board;
- (b) Complete all requirements for continuing education set forth in [NAC 623A.316](#) and submit to the Board proof of the continuing education units claimed pursuant to [NAC 623A.319](#); and
- (c) Include the fee for renewal and the fee for delinquent renewal of the certificate as provided in [NAC 623A.170](#).

4. To renew an expired certificate more than 1 year after the date on which the certificate expired, the registrant must:

- (a) Apply for renewal of the certificate on a form prescribed by the Board;
- (b) Complete all requirements for continuing education set forth in [NAC 623A.316](#) and submit to the Board proof of the continuing education units claimed pursuant to [NAC 623A.319](#); and
- (c) Include the fee for renewal, the fee for delinquent renewal and the fee for reinstatement as provided in [NAC 623A.170](#).

↪ A certificate which is not reinstated within 3 years after the date on which the certificate expired may not be reinstated.

5. If a registrant complies with the provisions for the renewal of a certificate of registration pursuant to the provisions of subsection 2 or 3 or the reinstatement of a certificate of registration pursuant to the provisions of subsection 4, the Board will issue a renewal card to the registrant. A renewal card issued by the Board will contain:

- (a) The expiration date of the renewal or reinstatement of the certificate of registration;
- (b) The seal of the Board;
- (c) The number of the certificate of registration to which the renewal card applies; and
- (d) The signature of the Executive Director.

6. The Executive Director shall record the renewal or reinstatement of a certificate of registration.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R083-18, 10-25-2018)

CONTINUING EDUCATION

NAC 623A.316 Requirements for renewal of license; approval by Board; application of excess units. ([NRS 623A.130](#), [623A.215](#))

1. Except as otherwise provided in [NAC 623A.3175](#), to renew a certificate of registration, the registrant must complete at least 8 continuing education units each fiscal year. The continuing education units may be earned in self-directed educational activities or structured educational activities but must not include more than 4 continuing education units in self-directed educational activities.

2. Continuing education may be completed in any jurisdiction and at any location.

3. All courses of instruction, continuing education units and contact hours must be approved by the Board.

4. Continuing education units may only be earned in activities that are not part of the regular day-to-day business activities of the registrant.

5. The Board may approve one-half of a continuing education unit for a partial contact hour of not less than 25 minutes of learning or instruction.

6. Except as otherwise provided in this subsection, if a registrant completes more than 8 continuing education units during a fiscal year, not more than 4 continuing education units earned by a registrant during that fiscal year may be carried forward and applied to the requirements for continuing education applicable to the next following fiscal year. A registrant may not carry forward any continuing education units that were completed before the issuance of his or her certificate of registration.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.3165 Credit for structured educational activities. ([NRS 623A.130](#), [623A.215](#))

1. The structured educational activities in which a registrant may earn continuing education units include, without limitation:

- (a) Attendance at a meeting, convention or conference;
- (b) Attendance at an in-house program sponsored by a corporation or other organization;
- (c) Successful completion of a course sponsored by a college or university; and
- (d) Successful completion of a seminar, tutorial, short course, Internet course or correspondence course.

2. To receive credit for a structured educational activity, a registrant must have received documentation of completion of the structured educational activity from the sponsor of the activity.

3. The Board may require a detailed synopsis or report concerning any continuing education units claimed by a registrant for a structured educational activity.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.317 Required subjects and topics. ([NRS 623A.130](#), [623A.215](#)) All continuing education units claimed by a registrant for self-directed educational activities and structured educational activities must encompass the study of relevant technical and professional subjects directly relating to topics involving:

1. The relationship between the practice of landscape architecture and the public health, safety and welfare; and

2. The ethical standards of the practice of landscape architecture, including, without limitation, the safeguarding of life, health, property and the environment and promoting the public welfare.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.3175 Exemptions. ([NRS 623A.130](#), [623A.215](#))

1. A registrant holding an initial certificate of registration issued by the Board is exempt from the requirements for continuing education set forth in [NAC 623A.316](#) for the fiscal year in which the certificate of registration was issued and the next following fiscal year.

2. A registrant who serves on active duty in the Armed Forces of the United States for a period of more than 120 consecutive days during a fiscal year is exempt from the requirements for continuing education set forth in [NAC 623A.316](#) for that fiscal year.

3. The Board may exempt a registrant from the requirements for continuing education set forth in [NAC 623A.316](#) if the registrant cannot meet the requirements because of illness, physical disability or undue hardship, as determined by the Board based on documentation provided by the registrant before the date of expiration of the certificate of registration.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.318 Retention of records verifying credit. ([NRS 623A.130](#), [623A.215](#))

1. Each registrant who claims credit for continuing education units earned during a fiscal year shall retain records sufficient to support the continuing education units claimed for not less than 3 years after the date of renewal of his or her certificate of registration. The records must include any continuing education units that the registrant has carried forward.

2. The records that must be retained by a registrant include, without limitation:

(a) A log, on a form prescribed by the Board, which shows the type of activity claimed, sponsoring organization, location, duration, name of the instructor or speaker, and continuing education units earned;

(b) Verification of attendance, in the form of a certificate of completion, signed attendance receipt, paid receipt, copy of a list of all persons who attended the activity signed by the person in charge of the activity, or other documentation supporting evidence of attendance; or

(c) Records as maintained by professional repositories which are approved by the Board.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.3185 Audits of registrants to ensure compliance with requirements; falsification of documents constitutes grounds for disciplinary action. ([NRS 623A.130](#), [623A.215](#))

1. The Board may perform random audits of registrants to ensure compliance with the requirements for continuing education set forth in [NAC 623A.316](#).

2. If the Board chooses to conduct an audit of a registrant, the Board will notify the registrant of its decision to conduct an audit. The registrant shall provide to the Board detailed information and documentation concerning the continuing education units claimed. Falsification of documentation concerning continuing education is grounds for disciplinary action.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.319 Submission of proof of compliance with application for renewal; fees for violation. ([NRS 623A.130](#), [623A.215](#), [623A.240](#))

1. Each registrant shall, on or before June 30 of each fiscal year, submit to the Board proof of the continuing education units claimed for that fiscal year, together with the application for the renewal of registration.

2. If a registrant violates the provisions of subsection 1, the application for renewal must include the fees set forth in subsection 3 or 4 of [NAC 623A.315](#), as applicable, for the renewal of an expired certificate of registration.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.3195 Notice to registrant of nonacceptance of proof; opportunity to correct deficiency or request hearing; final decision of Board. ([NRS 623A.130](#), [623A.215](#))

1. If the Board does not accept the proof of the continuing education units claimed by a registrant pursuant to [NAC 623A.319](#), the Board will send written notification to the registrant

by mail and grant the registrant a period of not less than 30 days from the date of the notification to correct any deficiency or request a hearing before the Board.

2. If a registrant requests a hearing before the Board pursuant to subsection 1, the decision of the Board is final.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

NAC 623A.3205 Failure to comply constitutes grounds for nonrenewal of registration. ([NRS 623A.130](#), [623A.215](#)) Failure of a registrant to complete the requirements for continuing education set forth in [NAC 623A.316](#) or satisfy the annual requirement for reporting continuing education units to the Board pursuant to [NAC 623A.319](#) is grounds for the nonrenewal of his or her certificate of registration.

(Added to NAC by Bd. of Landscape Arch. by R083-18, eff. 10-25-2018)

CERTIFICATE OF ELIGIBILITY TO RECEIVE PREFERENCE WHEN COMPETING FOR PUBLIC WORKS

NAC 623A.321 Definitions. ([NRS 338.173](#), [623A.130](#)) As used in [NAC 623A.321](#) to [623A.339](#), inclusive, unless the context otherwise requires, the words and terms defined in [NAC 623A.323](#), [623A.324](#) and [623A.326](#) have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.323 “Affidavit for a certificate of eligibility” defined. ([NRS 338.173](#), [623A.130](#)) “Affidavit for a certificate of eligibility” means an affidavit from a certified public accountant required pursuant to subsection 2 of [NRS 338.173](#).

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.324 “Affidavit for renewal of a certificate of eligibility” defined. ([NRS 338.173](#), [623A.130](#)) “Affidavit for renewal of a certificate of eligibility” means an affidavit from a certified public accountant required pursuant to subsection 5 of [NRS 338.173](#).

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.326 “Statement of compliance” defined. ([NRS 338.173](#), [623A.130](#)) “Statement of compliance” means a statement from a registrant who applies for a certificate of eligibility which states that he or she is properly registered as a landscape architect pursuant to the provisions of [chapter 623A](#) of NRS for the certificate of eligibility for which he or she is applying.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.329 Prerequisites. ([NRS 338.173](#), [623A.130](#))

1. A registrant who wishes to obtain a certificate of eligibility must submit to the Board:

- (a) An application on a form provided by the Board;
- (b) A notarized affidavit for a certificate of eligibility on a form provided by the Board;
- (c) A notarized statement of compliance on a form provided by the Board;
- (d) The fee set forth in [NAC 623A.170](#); and
- (e) Any other documentation required by the Board.

2. The Board will deem that a registrant who is an employee of a group practice has satisfied the requirement set forth in paragraph (a) of subsection 2 of [NRS 338.173](#) if the affidavit for a certificate of eligibility submitted to the Board by the registrant indicates that the group practice which employs the registrant has paid directly, on its own behalf, the excise tax imposed upon an employer by [NRS 363B.110](#) of not less than \$1,500 for each consecutive 12-month period for 36 months immediately preceding the submission of the affidavit for a certificate of eligibility.

3. If two or more group practices wish to combine in any legal form for the purpose of submitting a proposal on a public work or a project for the construction, reconstruction or improvement of a highway for which the combined entity will seek a preference pursuant to [NRS 338.1711](#) to [338.1727](#), inclusive, or [408.3875](#) to [408.3887](#), inclusive, the entity resulting from the combination is not eligible for the applicable preference unless each group practice entering into the combination employs a registrant who holds, or applies and qualifies for, a certificate of eligibility.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.331 Application: Contents; form. ([NRS 338.173](#), [623A.130](#))

1. An application for a certificate of eligibility must include, without limitation:

- (a) The name of the applicant;
- (b) The certificate number of the applicant;
- (c) The mailing address of the applicant;
- (d) The telephone number of the applicant;
- (e) The signature of the applicant; and
- (f) Any other information that the Board may require.

2. An affidavit for a certificate of eligibility must:

- (a) Be on a form provided by the Board;
- (b) Be notarized; and
- (c) Include a certificate by a certified public accountant that the applicant meets the requirements of [NRS 338.173](#).

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.332 Issuance or denial. ([NRS 338.173](#), [623A.130](#)) The Board or its designee will issue or deny a certificate of eligibility within a reasonable time after the date on which the Board receives the application, all required documentation that supports the application and the fee set forth in [NAC 623A.170](#).

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.333 Contents of certificate. ([NRS 338.173](#), [623A.130](#)) The certificate of eligibility must include, without limitation:

- 1. The date of issuance;
- 2. The date of expiration;
- 3. The name and certificate number of the registrant to whom the certificate of eligibility is issued; and
- 4. Such other information as the Board deems appropriate.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.334 Issuance of duplicate certificate. ([NRS 338.173](#), [623A.130](#)) The Board will issue a duplicate certificate of eligibility to any registrant who has received a certificate of eligibility, who certifies that his or her certificate of eligibility has been lost or destroyed and who pays the fee set forth in [NAC 623A.170](#).

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.335 Affidavit for renewal. ([NRS 338.173](#), [623A.130](#))

- 1. An affidavit for renewal of a certificate of eligibility must be on a form provided by the Board and must be notarized.
- 2. The Board will deem that a registrant who is an employee of a group practice has satisfied the requirement set forth in subsection 5 of [NRS 338.173](#) if the affidavit for renewal of

a certificate of eligibility submitted to the Board by the registrant indicates that the group practice which employs the registrant has paid directly, on its own behalf, the excise tax imposed upon an employer by [NRS 363B.110](#) of not less than \$1,500 for the 12-month period immediately preceding the submission of the affidavit for renewal of a certificate of eligibility.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.336 Issuance of certificate prohibited if license not active; revocation; reapplication. ([NRS 338.173](#), [623A.130](#)) The Board will not issue a certificate of eligibility to a registrant whose certificate of registration is expired or not on active status. If a registrant whose certificate of registration is expired or not on active status has received a certificate of eligibility, the Board will revoke the certificate of eligibility. Such a registrant must reapply for a certificate of eligibility pursuant to [NRS 338.173](#) and [NAC 623A.321](#) to [623A.339](#), inclusive.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.337 Disciplinary action. ([NRS 338.173](#), [623A.130](#))

1. If a registrant who applies to the Board for a certificate of eligibility submits false or misleading information, submits an application which is incomplete or does not comply with the provisions of this chapter or [chapter 338](#) of NRS, the Board may:

(a) Deny the application;

(b) If the registrant has received a certificate of eligibility, revoke the certificate of eligibility;

or

(c) Take such action as the Board deems appropriate under the circumstances.

2. In carrying out the provisions of this section, the Board may rely on information contained in the records maintained by the Board and need not conduct any investigation, inquiry or hearing regarding the information contained in those records.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.338 Written objection filed with public body. ([NRS 338.173](#), [623A.130](#)) If a written objection is filed with a public body pursuant to subsection 10 of [NRS 338.173](#), the Board or its designee will, upon request by the public body, provide to the public body a copy of the application of the registrant against whom the complaint was made and any documentation submitted with the application.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

NAC 623A.339 Notification to Board of determination by public body; revocation of certificate. ([NRS 338.173](#), [623A.130](#))

1. If a public body determines that a written objection is accompanied by the required proof or substantiating evidence pursuant to subsection 11 of [NRS 338.173](#), the public body must notify the Board in writing of the determination of the public body within 30 days after the date of its determination.

2. Upon receipt of the written documentation from the public body, the Board or its designee will immediately revoke the certificate of eligibility of the registrant. No formal disciplinary hearing is required before revocation of the certificate of eligibility based upon the receipt of the documentation from the public body which received the proposal on a contract for the completion of a public work.

(Added to NAC by Bd. of Landscape Arch. by R147-11, eff. 9-14-2012)

CERTIFICATION OF LANDSCAPE ARCHITECT INTERNS

NAC 623A.341 Application for certificate. ([NRS 623A.130](#), [623A.182](#))

1. Application for a certificate to practice as a landscape architect intern must be made on a form prescribed by the Board and accompanied by the nonrefundable application fee.

2. An applicant for a certificate to practice as a landscape architect intern must:

(a) Provide the following information on an application form submitted to the Board:

(1) The name, business and residence addresses, business and residence telephone numbers and facsimile numbers, and electronic mail address of the applicant.

(2) The state of residence of the applicant.

(3) The birthplace, birth date and social security number of the applicant.

(4) Information regarding any conviction of the applicant for a felony, gross misdemeanor or misdemeanor.

(5) Evidence that the applicant is a citizen of the United States or is lawfully entitled to remain and work in the United States.

(6) A chronological statement of the educational background of the applicant, including the names and addresses of schools attended, years of attendance, major subject and degree received, as applicable.

(7) A signed release authorizing the Board to investigate the education, experience, moral character and reputation of the applicant.

(8) The names and addresses of three personal references who have direct knowledge of the applicant.

(9) The name and address of one teacher or professor who has direct knowledge of the scholastic ability of the applicant.

(10) An affidavit signed by the applicant attesting that the information provided to the Board is truthful, complete and accurate.

(11) Any other information deemed necessary by the Board.

(b) Arrange for certified transcripts to be sent directly to the Board from each college, university or other educational institution that the applicant attended.

(c) Arrange for his or her scores on the national examination to be sent directly from the Council to the Board.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R142-11, 9-14-2012)

NAC 623A.351 Examination: Contents. ([NRS 623A.130](#), [623A.170](#), [623A.190](#)) The examination for a certificate to practice as a landscape architect intern consists of the following sections of the national examination:

1. Section 1: Project and Construction Management; and
2. Section 2: Inventory and Analysis.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R142-11, 9-14-2012; R082-18, 10-25-2018)

NAC 623A.355 Examination: Qualification for issuance of certificate. ([NRS 623A.130](#), [623A.190](#)) To qualify for the issuance of a certificate to practice as a landscape architect intern, an applicant must achieve a passing score on each section of the national examination that is required pursuant to [NAC 623A.351](#).

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R142-11, 9-14-2012)

NAC 623A.370 Examination: Use of passing scores. ([NRS 623A.130](#), [623A.170](#), [623A.190](#)) If a person who has been issued a certificate to practice as a landscape architect intern applies for a certificate of registration, the person may use the passing scores achieved on the sections of the national examination taken as part of the examination for a certificate to practice as a landscape architect to satisfy the requirement to pass those sections for a certificate of registration.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R142-11, 9-14-2012)

NAC 623A.380 Issuance and scope of certificate. ([NRS 623A.130](#), [623A.165](#), [623A.184](#))
The Board will issue a certificate to practice as a landscape architect intern to an applicant entitling him or her to practice landscape architecture in this State in accordance with the provisions of this chapter and [chapter 623A](#) of NRS and under the direct supervision of a registrant if:

1. The Board finds that the applicant is of good moral character;
2. The applicant achieves passing scores on the sections of the national examination required pursuant to [NAC 623A.351](#) for a certificate to practice as a landscape architect intern; and
3. The applicant has timely submitted all of the required fees.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R142-11, 9-14-2012)

NAC 623A.385 Expiration and renewal or reinstatement of certificate. ([NRS 623A.130](#), [623A.184](#))

1. A certificate to practice as a landscape architect intern issued by the Board expires at midnight on June 30 next following the date of issuance, unless the certificate is renewed.
2. To renew an unexpired certificate, the holder of a certificate to practice as a landscape architect intern must apply for renewal of the certificate on a form prescribed by the Board and pay the annual renewal fee on or before June 30 following the date that the certificate or renewal was issued.
3. To renew an expired certificate to practice as a landscape architect intern within 1 year after the certificate expires, the holder of a certificate to practice as a landscape architect intern must apply for renewal of the certificate on a form prescribed by the Board and include the prorated fee for renewal and the fee for delinquent renewal of the certificate as provided in [NAC 623A.170](#).
4. To renew an expired certificate to practice as a landscape architect intern more than 1 year after the date on which the certificate expired, the holder of a certificate to practice as a landscape architect intern must apply for renewal of the certificate on a form prescribed by the Board and include the prorated fee for renewal, the fee for delinquent renewal and the fee for reinstatement as provided in [NAC 623A.170](#). A certificate which is not reinstated within 3 years after the date on which the certificate expired may not be reinstated.
5. If a holder of a certificate to practice as a landscape architect intern complies with the provisions for the renewal of a certificate to practice as a landscape architect intern pursuant to the provisions of subsection 2 or 3 or the reinstatement of a certificate to practice as a landscape architect intern pursuant to the provisions of subsection 4, the Board will issue a renewal card to the registrant. A renewal card issued by the Board will contain:

(a) The expiration date of the renewal or reinstatement of the certificate to practice as a landscape architect intern;

(b) The seal of the Board;

(c) The number of the certificate to practice as a landscape architect intern to which the renewal card applies; and

(d) The signature of the Executive Director.

6. The Executive Director shall record the renewal or reinstatement of a certificate to practice as a landscape architect intern.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006; A by R142-11, 9-14-2012)

PRACTICE AND ENFORCEMENT

NAC 623A.410 Operation of branch office. ([NRS 623A.130](#), [623A.260](#)) Upon the approval of the Board, a group or individual landscape architectural practice which has its headquarters in any state of the United States, any province of Canada or any other jurisdiction approved by the Board may operate a branch office in Nevada. Each branch office must be operated by a current registrant in good standing for whom the branch office is his or her principal place of business.

[Bd. of Landscape Arch., § 5.1, eff. 9-9-76] — (NAC A 11-1-95)

NAC 623A.420 Advertising. ([NRS 623A.130](#), [623A.355](#))

1. The name and certificate number of the registrant and the title “Landscape Architect” must appear in a conspicuous manner in all advertisements of the registrant.

2. An advertisement of a registrant must not be false, deceptive or misleading.

3. If the Board has probable cause to believe that a person without a certificate of registration is advertising for the performance of the practice of landscape architecture, the Board may issue a letter to the person ordering the person:

(a) To cease and desist advertising without a certificate of registration.

(b) If the advertisement is being conducted by another person, to inform the person making the advertisement to cease and desist the advertisement.

[Bd. of Landscape Arch., § 6.1, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006)

NAC 623A.430 Group practice. ([NRS 623A.130](#), [623A.250](#))

1. A landscape architectural service performed by a group practice must be performed by or under the direct supervision of a registrant who is a partner, principal, officer or employee of the group practice. All instruments of service of the group practice must be stamped and signed pursuant to the provisions of [NAC 623A.440](#) by the registrant who provided the direct supervision for the work performed.

2. All advertisements and other similar materials used by the group practice must contain the name of the registrant and his or her certificate number.

[Bd. of Landscape Arch., §§ 7.1 through 7.3, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006; R142-11, 9-14-2012)

NAC 623A.440 Instruments of service; official stamp. ([NRS 623A.130](#), [623A.195](#))

1. All submitted instruments of service, including, without limitation, landscape architectural plans, specifications, reports, papers and other professional documents relating to the practice of landscape architecture, must be stamped, signed and dated pursuant to the provisions of subsection 3 by the registrant who prepared them or provided the direct supervision under which they were prepared.

2. If a submitted instrument of service, including, without limitation, a landscape architectural plan, specification, report, paper or other professional document relating to the practice of landscape architecture, is prepared by a person other than a registrant, the submitted instrument of service must contain the name and registration number of the registrant who provided the direct supervision under which the submitted instrument of service was prepared.

3. A registrant shall use the original stamp provided by the Board pursuant to [NAC 623A.140](#) and place his or her original signature, the date of execution and the expiration date of the registration across the stamp, on the front page of the work prepared by him or her.

4. If a professional document contains the product of more than one design professional, the registrant must stamp, sign and date the document pursuant to the provisions of subsection 3 and add a notation which clearly denotes the sheets that he or she prepared.

5. Details, shop drawings, product descriptions and other product information prepared by a manufacturer, supplier or installer of a specific product or system may be integrated into documents prepared, stamped, signed and dated pursuant to the provisions of subsection 3 by a registrant if the details, drawings, descriptions or other information are incidental to the overall scope of the project and do not, in themselves, describe spaces, elements or systems which directly affect the public health, safety and welfare.

[Bd. of Landscape Arch., § 1.4, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006) — (Substituted in revision for NAC 623A.120)

NAC 623A.450 Authorized use of words or letters. ([NRS 623A.130](#)) A registrant may use in connection with his or her name the words or letters “Registered Landscape Architect,” “Professional Landscape Architect,” “RLA” or “PLA.”

(Added to NAC by Bd. of Landscape Arch. by R142-11, eff. 9-14-2012)

NAC 623A.480 Standards for ethical conduct of registrants. ([NRS 623A.130](#)) A registrant shall uphold and advance the honor and dignity of the profession by maintaining a high standard of ethical conduct. In particular, the registrant:

1. Shall exert every effort toward the preservation and protection of the natural resources and toward understanding the interaction of the economic and social systems with these resources.
2. Shall have a social and environmental responsibility to reconcile the public’s needs and the natural environment with minimal disruption of the natural system.
3. Shall further the public health, safety and welfare and advance the profession by constantly striving to provide the highest level of professional services and avoiding the appearance of improper conduct.
4. Shall serve his or her client or employer with integrity, understanding, knowledge and creative ability and respond morally to social, political, economic and technological influences.
5. Shall encourage educational research and the development and dissemination of useful technical information relating to the planning, design and construction of the physical environment.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R142-11, 9-14-2012)

NAC 623A.490 Professional conduct and duties of certificate holders; grounds for disciplinary action. ([NRS 623A.130](#), [623A.133](#))

1. A certificate holder shall not perform or attempt to perform a professional service relating to landscape architecture unless he or she is qualified by education and experience to perform that service. A certificate holder may accept employment which requires practice in a related design field if he or she limits the actual practice to those areas in which he or she is qualified. The certificate holder may associate with other professional persons to the extent necessary. When practicing in a related design field, the certificate holder must be held to the same standards of technical knowledge and skill as apply to that profession.
2. If a certificate holder observes a situation or circumstance which, in his or her professional opinion, could result in a threat to the public health, safety and welfare, the certificate holder shall notify the responsible party, official, agency or board, as may be appropriate, of the potential threat.

3. A certificate holder shall not accept a work project or employment where his or her duty to a client or the public would conflict with his or her personal interest or the interest of another client of the certificate holder without full disclosure of all material facts of the conflict to each person who might be related to or affected by the project or employment.

4. A certificate holder shall not accept compensation from more than one person for services related to the same project or professional employment without making full disclosure to and obtaining the express written consent of all such persons.

5. A certificate holder shall not give, lend or promise anything of value to a public officer with the intent to influence or attempt to influence the officer's judgment or actions.

6. A certificate holder shall not attempt to obtain, offer to undertake or accept a work project or employment for which he or she knows another legally qualified person or firm has been selected or employed until the certificate holder has evidence that the latter agreement has been terminated.

7. A certificate holder shall not engage in fraud, deceit, misrepresentation, exaggeration or concealment of material facts in advertising, soliciting or providing professional services.

8. A certificate holder shall accurately represent his or her qualifications and the scope and nature of his or her responsibilities in connection with work for which he or she is claiming credit.

9. A certificate holder shall not maliciously injure the professional reputation, business prospects or practice of another certificate holder or professional person.

10. A certificate holder shall comply with all federal, state, municipal and county laws, codes, ordinances and regulations pertaining to the practice of landscape architecture.

11. A certificate holder shall not engage in conduct which involves fraud or the wrongful exploitation of the rights of other persons and shall not counsel or assist a client in conduct that the certificate holder knows, or should know, involves fraud or other illegal acts.

12. A certificate holder shall not materially alter the scope or objectives of a project without the consent of the client. The certificate holder shall keep the client fully informed of any changes in the scope of a project.

13. A certificate holder who reasonably believes, based on substantial information, that another landscape architect or landscape architect intern has committed a violation of the provisions of this chapter or [chapter 623A](#) of NRS which raises a serious question as to the honesty, trustworthiness or fitness of that landscape architect or landscape architect intern shall report that information to the Board.

14. A certificate holder shall notify the Board within 30 days after any disciplinary action or judgment against the certificate holder issued by any public agency or court which substantially relates to the qualifications, functions or duties of the practice of landscape architecture.

15. A certificate holder shall not:

(a) Fail to make timely payments for the support of one or more children pursuant to a court order; or

(b) Fail to comply with any warrant or subpoena relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of one or more children.

16. Any violation of this chapter or [chapter 623A](#) of NRS is a ground for disciplinary action.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

ADMINISTRATIVE PROCEEDINGS

NAC 623A.505 Complaints against certificate holders: Action by Board. ([NRS 623A.130](#))
If a complaint is filed with the Executive Director pursuant to the provisions of [NRS 623A.290](#), the Board:

1. If the complaint does not allege a violation of this chapter or [chapter 623A](#) of NRS, will transmit the complaint together with any evidence or information relating to the complaint to the agency, public or private, who, in the opinion of the Board, has jurisdiction over the complaint.

2. If the person filing the complaint is known, will notify the person filing the complaint of the final action taken on the complaint.

3. May meet and confer with the person filing the complaint and the person against whom the complaint is filed to facilitate a resolution of the complaint.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

NAC 623A.507 Complaints against certificate holders: Review by Executive Director to determine completeness. ([NRS 623A.130](#))

1. Upon the receipt of a complaint, the Executive Director shall review the complaint to determine if the complaint is complete by adequately setting forth:

(a) The nature of the complaint;

(b) The identity of the complainant; and

(c) The identity of the respondent.

2. If the Executive Director determines that the complaint does not meet the requirements of subsection 1, the Executive Director shall:

(a) If the complaint was not submitted on the official complaint form of the Board, provide to the person filing the complaint the official complaint form of the Board.

(b) Request that the person submitting the complaint provide the information that the Executive Director has determined to be missing from the complaint.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011; A by R082-18, 10-25-2018)

NAC 623A.509 Complaints against certificate holders: Written response by respondent. ([NRS 623A.130](#))

1. Once the Executive Director has determined pursuant to [NAC 623A.507](#) that a complaint is complete, the Executive Director shall provide a copy of the complaint to the respondent.

2. Upon the receipt of a copy of a complaint that has been filed against the respondent, the respondent shall submit to the Board a written response to the complaint within 20 days.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011; A by R082-18, 10-25-2018)

NAC 623A.511 Complaints against certificate holders: Review of complaint and response by designated member of the Board to determine violation has occurred; recommendation to the Board. ([NRS 623A.130](#))

1. Upon the receipt of the response to a complaint pursuant to [NAC 623A.509](#), the designated member of the Board shall review the complaint and the response to determine whether a probable violation of this chapter or [chapter 623A](#) of NRS has occurred.

2. The designated member of the Board may consult with the Executive Director or the legal counsel for the Board in conducting the review of a complaint pursuant to the provisions of subsection 1.

3. After conducting a review of a complaint pursuant to the provisions of subsection 1, the designated member of the Board shall recommend to the Board that:

(a) The Board dismiss the complaint; or

(b) The Board proceed with a formal disciplinary hearing and schedule the matter for a disciplinary hearing.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

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 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.

2. If the Board decides pursuant to the provisions of subsection 1 to dismiss the complaint, the Board will provide a copy of its decision to the complainant and the respondent.

3. If the Board decides pursuant to the provisions of subsection 1 to proceed with a formal disciplinary hearing, the legal counsel for the Board shall prepare:

(a) A formal disciplinary complaint setting forth the specific violations of this chapter or [chapter 623A](#) of NRS that the respondent is alleged to have violated; and

(b) A notice of hearing pursuant to the provisions of [NAC 623A.520](#).

4. The legal counsel for the Board shall serve the formal disciplinary complaint and the notice of hearing prepared pursuant to the provisions of subsection 3 upon the respondent by certified mail, return receipt requested.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.515 Settlement of complaints: Determination of parameters; offer; proposed stipulated agreement; approval of stipulated agreement by Board; dismissal of complaint. ([NRS 623A.130](#))

1. After the formal disciplinary complaint and the notice of hearing have been served upon the respondent pursuant to the provisions of [NAC 623A.513](#), the Executive Director and the legal counsel for the Board may determine parameters within which the complaint may be settled with the respondent.

2. If, pursuant to the provisions of subsection 1, the Executive Director and the legal counsel for the Board determine parameters within which the complaint may be settled, the legal counsel for the Board shall offer to the respondent to settle the complaint.

3. If the legal counsel for the Board and the respondent reach an agreement to settle the complaint, the legal counsel for the Board shall prepare a proposed stipulated agreement that resolves the complaint.

4. The legal counsel for the Board shall submit the proposed stipulated agreement to the Board for the approval of the Board at the next public meeting of the Board. If the Board approves the proposed stipulated agreement, the stipulated agreement is effective and the complaint against the respondent must be dismissed.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011; A by R082-18, 10-25-2018)

NAC 623A.517 Subpoenas. ([NRS 623A.130](#)) Any party to a formal disciplinary complaint may request that the Board issue a subpoena pursuant to the provisions of [NRS 623A.140](#).

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.520 Hearings before Board or hearing panel: Notice; rights of parties; continuances; rules of evidence; final determination. ([NRS 623A.130](#))

1. All parties to a disciplinary proceeding or other contested matter under the Nevada Administrative Procedure Act will be afforded an opportunity for a hearing before the Board or a duly appointed hearing panel after reasonable notice of at least 20 days.

2. The notice must contain:

- (a) The time, place and nature of the hearing.
- (b) The legal authority and jurisdiction under which the hearing will be held.
- (c) A reference to the particular sections of NRS and this chapter which are involved.
- (d) A clear statement of the matters asserted.

3. At the hearing, each party has the right to be represented by counsel, to respond to and introduce evidence and argument on all issues involved, and to produce witnesses and to examine and cross-examine opposing witnesses.

4. The respondent may request a continuance of a hearing. The Board will grant the first request for a continuance of a hearing requested by a respondent. The Board will grant a second or subsequent request for a continuance only upon a showing by the respondent of clear and convincing grounds for the granting of the second or subsequent request for a continuance of a hearing.

5. The President of the Board or another member of the Board appointed by the President shall chair the hearing.

6. The member of the Board chairing the hearing shall make all rulings concerning the admissibility of evidence. The formal rules of evidence do not apply.

7. A hearing will be conducted in the following order:

(a) The legal counsel for the Board shall mark and place into evidence all exhibits that support the allegations contained in the complaint.

(b) The respondent may state his or her objections, if any, to the exhibits marked and placed into evidence by the legal counsel for the Board.

(c) The respondent shall mark and place into evidence all exhibits which support the defense of the respondent.

(d) The legal counsel for the Board may state his or her objections, if any, to the exhibits marked and placed into evidence by the respondent.

(e) The legal counsel for the Board may make an opening statement.

(f) The respondent may make an opening statement.

(g) The legal counsel for the Board shall call witnesses, if any, to testify concerning the allegations contained in the complaint.

(h) The respondent may cross-examine a witness called by the legal counsel for the Board.

(i) The respondent shall call witnesses, if any, to testify concerning the allegations contained in the complaint.

(j) The legal counsel for the Board may cross-examine a witness called by the respondent.

(k) The respondent may make a closing statement.

(l) The legal counsel for the Board may make a closing statement.

8. All allegations in a complaint must be proved by substantial evidence.

9. After the hearing has concluded, the Board will, by majority vote, make an initial determination as to the allegations contained in the complaint.

10. After the Board has made a determination as to the decision of the Board regarding the allegations contained in the complaint:

- (a) The Board will orally announce the decision of the Board; and
- (b) The legal counsel of the Board shall draft a written final determination of the Board.

11. The Executive Director of the Board shall submit the written final determination of the Board prepared pursuant to the provisions of subsection 10 to the Board for approval. If the Board approves of the written final determination of the Board prepared pursuant to the provisions of subsection 10, the Board will serve the written final determination on the respondent by certified mail, return receipt requested.

12. A person who is aggrieved by a final decision of the Board in a contested case is entitled to a judicial review pursuant to the Nevada Administrative Procedure Act.

[Bd. of Landscape Arch., §§ 8.2 through 8.5, eff. 9-9-76] — (NAC A 11-1-95; R216-03, 6-1-2006; R217-03, 12-30-2011)

NAC 623A.600 Petition for adoption, filing, amendment or repeal of regulation; petition for declaratory order or advisory opinion. ([NRS 623A.130](#))

1. Any interested person or agency may petition the Board to adopt, file, amend or repeal any regulation of the Board, by letter addressed to the Executive Director of the Board. Relevant data, views and arguments must accompany such a petition. The Board will consider a petition filed pursuant to this subsection at its next regularly scheduled Board meeting. The Board will, not later than 30 days after the meeting:

- (a) Initiate the rule-making process; or
- (b) Deny the petition in writing, stating its reasons for the denial.

2. Any interested person or agency may petition the Board for a declaratory order or an advisory opinion regarding the applicability of any statutory provision or regulation or decision of the Board. The Board will consider a petition for a declaratory order or an advisory opinion filed pursuant to this subsection at its next regularly scheduled Board meeting. The Board will, not later than 30 days after the date of the meeting:

- (a) Issue a declaratory order or an advisory opinion; or
- (b) Deny the petition for an order or opinion in writing stating the reasons therefor.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

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CHAPTER 623A - LANDSCAPE ARCHITECTS

GENERAL PROVISIONS

<u>NRS 623A.010</u>	Legislative declaration.
<u>NRS 623A.020</u>	Definitions.
<u>NRS 623A.030</u>	"Board" defined.
<u>NRS 623A.033</u>	"Certificate of registration" defined.
<u>NRS 623A.035</u>	"Direct supervision" defined.
<u>NRS 623A.040</u>	"Instruments of service" defined.
<u>NRS 623A.050</u>	"Landscape architect" defined.
<u>NRS 623A.055</u>	"Landscape architect intern" defined.
<u>NRS 623A.060</u>	"Practice of landscape architecture" defined.
<u>NRS 623A.065</u>	Good moral character.
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<u>NRS 623A.120</u>	Employees: Hiring, compensation and reimbursement.
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<u>NRS 623A.133</u>	Preparation and adoption of code of conduct.
<u>NRS 623A.135</u>	Record of certificates: Maintenance; contents; availability for inspection and sale.
<u>NRS 623A.137</u>	Confidentiality of certain records of Board; exceptions.
<u>NRS 623A.140</u>	Powers.

[NRS 623A.143](#) Authority of Board to grant or deny applications for or revoke or suspend certificates to practice as landscape architect intern, hold membership in certain organizations and administer examinations.

[NRS 623A.147](#) Fiscal year.

[NRS 623A.150](#) Deposit and use of money collected by Board; delegation of authority concerning disciplinary action; deposit of fines; claim for attorney's fees or cost of investigation.

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CERTIFICATES

[NRS 623A.165](#) Practice of landscape architecture or use of certain titles without certificate prohibited; issuance of certificate; proration of fees; contents of certificate of registration.

[NRS 623A.170](#) Certificate of registration: Qualifications of applicant; application; study equivalent to work experience; standards for examinations; regulations; deadline for application.

[NRS 623A.180](#) Certificate of registration: Action of Board on application; notification of applicant.

[NRS 623A.182](#) Certificate to practice as landscape architect intern: Qualifications of applicant; application.

[NRS 623A.184](#) Certificate to practice as landscape architect intern: Issuance of certificate; supervision by holder of certificate of registration; expiration; renewal.

[NRS 623A.185](#) Payment of child support: Submission of certain information by applicant; grounds for denial of certificate; duty of Board. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

[NRS 623A.187](#) Crediting of work experience; regulations; applicant required to comply with requirements for education and experience before taking examination.

[NRS 623A.190](#) Examination; prohibition on participation in preparing or grading examination.

[NRS 623A.193](#) Certificate of registration: Issuance without examination.

[NRS 623A.195](#) Certificate of registration: Issuance and use of seal; regulations; unlawful acts.

[NRS 623A.200](#) Certificate of registration: Expiration, renewal or reinstatement; issuance of renewal card; record of renewal; unlawful acts.

- [NRS 623A.210](#) Certificate of registration: New certificate required after failure to renew within 3 years.
- [NRS 623A.215](#) Certificate of registration: Continuing education; regulations.
- [NRS 623A.220](#) Certificate of registration: Renewal of suspended certificate; reinstatement of revoked certificate.
- [NRS 623A.225](#) Issuance of temporary certificate prohibited.
- [NRS 623A.230](#) Notification of Executive Director upon change of address or if certificate of registration is lost, stolen, destroyed or mutilated; duplicate certificate of registration; regulations.
- [NRS 623A.240](#) Fees.
- [NRS 623A.250](#) Conditions under which business organization or association may practice landscape architecture; conditions under which landscape architects may form business organizations or associations with certain other persons; business organization or association and certain owners responsible for violations.
- [NRS 623A.260](#) Conditions under which business organization or association may establish and operate branch offices.

LANDSCAPE ARCHITECT INTERNS

- [NRS 623A.263](#) Application; qualifications of applicant. [Replaced in revision by [NRS 623A.182](#).]
- [NRS 623A.267](#) Issuance of certificate; supervision by holder of certificate of registration; expiration. [Replaced in revision by [NRS 623A.184](#).]

DISCIPLINARY AND OTHER ACTIONS

- [NRS 623A.270](#) Authorized actions of Board; conditions of probation; orders imposing discipline deemed public records; private reprimands prohibited; regulations.
- [NRS 623A.280](#) Grounds.
- [NRS 623A.285](#) Suspension of certificate for failure to pay support or comply with certain subpoenas or warrants; reinstatement of certificate. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
- [NRS 623A.290](#) Complaint against holder of certificate: Contents; filing.

[NRS 623A.305](#) Consideration of complaint by President of Board; recommendation to Board; action by Board.

[NRS 623A.350](#) Limitations on complaints.

MISCELLANEOUS PROVISIONS

[NRS 623A.351](#) Immunity from civil action.

[NRS 623A.353](#) Confidentiality of certain records of Board; exceptions. [Replaced in revision by [NRS 623A.137.](#)]

[NRS 623A.355](#) Inclusion of number of certificate of registration in advertising and business cards.

[NRS 623A.357](#) Allegation and proof of certificate in action for compensation.

PROHIBITED ACTS; PENALTIES; ENFORCEMENT

[NRS 623A.360](#) Prohibited acts; penalty.

[NRS 623A.365](#) Civil penalty.

[NRS 623A.370](#) Injunctive relief; remedies cumulative.

GENERAL PROVISIONS

NRS 623A.010 Legislative declaration. The practice of landscape architecture affects the public welfare and is charged with the public interest and therefore subject to protection and regulation by the State.

(Added to NRS by [1975, 1464](#))

NRS 623A.020 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 623A.030](#) to [623A.060](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1975, 1464](#); A [2001, 502](#))

NRS 623A.030 “Board” defined. “Board” means the State Board of Landscape Architecture.

(Added to NRS by [1975, 1464](#); A [2001, 502](#))

NRS 623A.033 “Certificate of registration” defined. “Certificate of registration” means a certificate of registration issued by the Board to a landscape architect pursuant to the provisions of this chapter.

(Added to NRS by [2001, 497](#))

NRS 623A.035 “Direct supervision” defined. “Direct supervision” means a critical examination and evaluation of the work product by a holder of a certificate of registration, during and after the work product is prepared, to ensure that the work product complies with any applicable law or regulation concerning the practice of landscape architecture.

(Added to NRS by [2001, 497](#))

NRS 623A.040 “Instruments of service” defined. “Instruments of service” means the finalized drawings or specifications prepared by the holder of a certificate of registration.

(Added to NRS by [1975, 1464](#); A [2001, 502](#))

NRS 623A.050 “Landscape architect” defined. “Landscape architect” means any person who engages in the practice of landscape architecture.

(Added to NRS by [1975, 1465](#))

NRS 623A.055 “Landscape architect intern” defined. “Landscape architect intern” means a person who is issued a certificate to practice as a landscape architect intern pursuant to the provisions of this chapter.

(Added to NRS by [2001, 497](#))

NRS 623A.060 “Practice of landscape architecture” defined. “Practice of landscape architecture” means to provide or hold professional services out to the public, including, without limitation, services for consultation, investigation, reconnaissance, research, planning, design, preparation of drawings and specifications, and supervision, if the dominant purpose of the services is for the:

1. Preservation, enhancement or determination of proper land uses, natural land features, ground cover and planting, naturalistic and esthetic values, natural drainage, and the settings and approaches to buildings, structures, facilities and other improvements; and
2. Consideration and determination of issues of the land relating to erosion, wear and tear, lighting characteristics, and design of landscape irrigation, lighting and grading.

The term includes the location and arrangement of such tangible objects, structures and features as are incidental and necessary to that dominant purpose, but does not include the design of structures or facilities with separate and self-contained purposes for habitation or industry whose design is normally included in the practice of architecture or professional engineering.

(Added to NRS by [1975, 1465](#); A [1995, 1048](#); [2001, 502](#))

NRS 623A.065 Good moral character. For the purposes of this chapter, a person has good moral character if the person:

1. Has not been convicted of a felony, misdemeanor or gross misdemeanor that is directly related to the practice of landscape architecture;
2. Has not committed an act involving dishonesty, fraud, misrepresentation, breach of a fiduciary duty, gross negligence or incompetence while engaged in the practice of landscape architecture;
3. Is not incarcerated in a jail or prison at the time of submitting an application for a certificate of registration or a certificate to practice as a landscape architect intern;
4. Has not committed fraud or misrepresentation in connection with:
 - (a) The submission of an application for a certificate of registration or certificate to practice as a landscape architect intern; or
 - (b) The taking of one or more examinations pursuant to the provisions of this chapter;
5. Has not had a certificate of registration suspended or revoked by the Board or in any other state or country;
6. Has not, in lieu of receiving disciplinary action, surrendered a certificate of registration or certificate to practice as a landscape architect intern in this State or a certificate or license to practice landscape architecture issued in another state or country;
7. Has not engaged in the practice of landscape architecture in this State or in any other state or country without a license or certificate of registration or certificate to practice as a landscape architect intern within the 2 years immediately preceding the filing of an application for a certificate of registration or certificate to practice as a landscape architect intern pursuant to the provisions of this chapter; or
8. Has not, within the 5 years immediately preceding the filing of an application specified in subsection 7, engaged in unprofessional conduct in violation of the regulations adopted by the Board.

(Added to NRS by [2001, 497](#); A [2003, 2703](#))

NRS 623A.070 Applicability of chapter.

1. This chapter does not apply to:
 - (a) Owners of property who make plans, specifications or drawings for their own property.
 - (b) Any person engaged in the practice of architecture who is registered pursuant to the provisions of [chapter 623](#) of NRS.
 - (c) A contractor licensed pursuant to the provisions of [chapter 624](#) of NRS who provides his or her own drawings for his or her own construction activities.

(d) Any person who is licensed as a civil engineer pursuant to the provisions of [chapter 625](#) of NRS.

(e) Any person who designs, manufactures or sells irrigation equipment and provides instructions pertaining to the mechanical erection and installation of the equipment but does not install the equipment.

2. Any person exempted by the provisions of this section is not thereby absolved from any civil or criminal liability that might otherwise accrue.

3. The exemptions provided by this section do not entitle any person who does not hold a certificate of registration or certificate to practice as a landscape architect intern to hold himself or herself out to the public or advertise himself or herself as a landscape architect or a landscape architect intern.

(Added to NRS by [1975, 1469](#); A [1995, 1049](#); [1997, 1037](#); [2001, 502](#))

STATE BOARD OF LANDSCAPE ARCHITECTURE

NRS 623A.080 Creation; number, appointment and qualifications of members; terms; oaths; removal; vacancies; immunity.

1. The State Board of Landscape Architecture, consisting of five members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) Four members who, at the time of their appointment, are not the subject of any disciplinary action by the Board and who, for not less than 3 years immediately preceding their appointment, have been:

(1) Engaged in the practice of landscape architecture; and

(2) Holders of certificates of registration; and

(b) One member who is a representative of the general public. This member must not be:

(1) A landscape architect or a landscape architect intern; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a landscape architect or a landscape architect intern.

3. Each member must have been a resident of this State for not less than 3 years immediately preceding appointment to the Board.

4. A member of the Board shall not serve for more than three terms.

5. Each member of the Board shall, within 30 days after being appointed, take and subscribe to the oath of office as prescribed by the laws of this State and file the oath with the Secretary of State.

6. Upon receipt of a complaint concerning a member of the Board and for good cause shown, the Governor may, after providing 10 days' notice to the member and providing an opportunity for a hearing, remove the member for inefficiency, neglect of duty or malfeasance in office.

7. An appointment to fill a vacancy in the membership of the Board for a cause other than expiration of the term must be for the unexpired portion of the term.

8. A member, agent or employee of the Board or any hearing officer or member of a hearing panel appointed by the Board is immune from personal liability relating to any action taken in good faith and within the scope of his or her authority.

(Added to NRS by [1975, 1465](#); A [1977, 1248](#); [2001, 503](#); [2003, 1188](#))

NRS 623A.090 Salary of members; per diem allowance and travel expenses of members and employees.

1. Members of the Board are entitled to receive:

(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and

(b) A per diem allowance and travel expenses, at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

2. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

3. Any salary, per diem allowance or travel expenses paid pursuant to the provisions of this section must be paid from money kept or deposited by the Board in accordance with the provisions of [NRS 623A.150](#).

(Added to NRS by [1975, 1465](#); A [1981, 1991](#); [1989, 1694](#); [2001, 503](#); [2007, 2940](#))

NRS 623A.100 Officers; appointment, salary and duties of Executive Director.

1. At each annual meeting of the Board, the members shall:

(a) Elect a President and a Secretary; and

(b) Appoint an Executive Director.

2. The President and the Secretary of the Board serve without additional compensation.

3. The Executive Director must not be a member of the Board and is entitled to a salary fixed by the Board.

4. The Executive Director shall:

(a) Keep an accurate record of all proceedings of the Board;

(b) Maintain custody of the official seal;

(c) Maintain a file containing the names and addresses of all holders of certificates of registration and certificates to practice as a landscape architect intern;

(d) Submit to the Board each application for a certificate of registration or certificate to practice as a landscape architect intern that is filed with the Board;

(e) If a holder of a certificate of registration or certificate to practice as a landscape architect intern has violated any provision of this chapter, file a complaint with the Attorney General; and

(f) Perform any other duties assigned by the Board.

(Added to NRS by [1975, 1465](#); A [1995, 1049](#); [2001, 503](#))

NRS 623A.110 Meetings; quorum.

1. The Board shall meet at least once each calendar quarter for the purpose of transacting its regular business and may meet at any other time as the Board designates.

2. Special meetings of the Board must be called by the Executive Director upon the written request of any member, by giving 20 days' written notice of the meeting and the time and place the meeting is to be held to each member of the Board.

3. Three members of the Board constitute a quorum.

(Added to NRS by [1975, 1466](#); A [1979, 962](#); [1995, 1049](#))

NRS 623A.120 Employees: Hiring, compensation and reimbursement. The Board may:

1. Employ and fix the compensation for legal counsel, inspectors, special agents, investigators and clerical personnel necessary to the discharge of its duties; and

2. Reimburse an employee specified in subsection 1 for any actual expenses incurred by the employee while acting on behalf of the Board.

(Added to NRS by [1975, 1466](#); A [2001, 504](#))

NRS 623A.130 Duties. The Board shall:

1. Adopt an official seal.

2. Administer and enforce the provisions of this chapter.

3. Adopt regulations for the administration of this chapter.
4. Administer and conduct comprehensive examinations of applicants, which must test the applicant's fitness to engage in the practice of landscape architecture.

(Added to NRS by [1975, 1466](#); A [1977, 87](#); [2001, 504](#))

NRS 623A.133 Preparation and adoption of code of conduct. The Board shall prepare and adopt a code of conduct for holders of certificates of registration and holders of a certificate to practice as a landscape architect intern. The code must ensure the maintenance of a high standard of integrity, dignity and professional responsibility by members of the profession. Before adopting the code, the Board shall send a copy of the proposed code to each holder of a certificate of registration and holder of a certificate to practice as a landscape architect intern. Each holder of a certificate of registration and holder of a certificate to practice as a landscape architect intern may vote on any provision included in the code. The Board may adopt each provision in the code unless 25 percent or more of the holders of certificates of registration vote against that provision.

(Added to NRS by [2001, 498](#); A [2003, 4](#))

NRS 623A.135 Record of certificates: Maintenance; contents; availability for inspection and sale. The Board shall prepare and maintain a record of each certificate of registration and certificate to practice as a landscape architect intern. The record must include, without limitation, the name of the holder of the certificate of registration or the certificate to practice as a landscape architect intern, the address at which he or she resides and the number of the certificate of registration or certificate to practice as a landscape architect intern. The Board shall make the record available:

1. For inspection by each holder of a certificate of registration or certificate to practice as a landscape architect intern in a manner prescribed by the Board; and
2. For sale to a member of the general public who is not a holder of a certificate of registration or certificate to practice as a landscape architect intern.

(Added to NRS by [2001, 498](#); A [2003, 4](#))

NRS 623A.137 Confidentiality of certain records of Board; exceptions.

1. Except as otherwise provided in this section and [NRS 239.0115](#), a record of the Board that relates to an employee of the Board or an examination administered by the Board is confidential.
2. The records described in this section may be disclosed, pursuant to procedures established by regulation of the Board, to:
 - (a) A court;
 - (b) An agency of the Federal Government;

- (c) Another state;
- (d) A political subdivision of this State; or
- (e) Any other related professional board or organization.

3. The Board may report to any other related professional board and organization the score of an applicant on an examination administered by the Board.

4. Except as otherwise provided in this section and [NRS 239.0115](#), a complaint filed with the Board, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action against a person are confidential, unless the person submits a written statement to the Board requesting that such documents and information be made public records.

5. The charging documents filed with the Board to initiate disciplinary action pursuant to [chapter 622A](#) of NRS and all other documents and information considered by the Board when determining whether to impose discipline are public records.

6. The provisions of this section do not prohibit the Board from communicating or cooperating with or providing any documents or other information to any other licensing board or any other agency that is investigating a person, including, without limitation, a law enforcement agency.

(Added to NRS by [2001, 498](#); A [2005, 758](#); [2007, 2130](#))—(Substituted in revision for NRS 623A.353)

NRS 623A.140 Powers. In a manner consistent with the provisions of [chapter 622A](#) of NRS, the Board may:

1. Grant or refuse certificates after examination and revoke or suspend a certificate or take any other disciplinary action set forth in [NRS 623A.270](#) for any of the causes specified in this chapter.
2. Take depositions and issue subpoenas for the purpose of any hearing authorized by this chapter.
3. Establish reasonable educational requirements for applicants.
4. Establish requirements for approval of schools of landscape architecture.

(Added to NRS by [1975, 1466](#); A [1981, 97](#); [1995, 1050](#); [2005, 755](#))

NRS 623A.143 Authority of Board to grant or deny applications for or revoke or suspend certificates to practice as landscape architect intern, hold membership in certain organizations and administer examinations. The Board may:

1. Grant or deny an application for a certificate to practice as a landscape architect intern after examination and revoke or suspend a certificate to practice as a landscape architect intern or take any other disciplinary action set forth in [NRS 623A.270](#) for any of the causes specified in this chapter;

2. Hold membership in any organization relating to landscape architects or the practice of landscape architecture; or

3. Administer examinations on behalf of any national association of registered boards that certifies landscape architects.

(Added to NRS by [2001, 501](#))

NRS 623A.147 Fiscal year. The Board shall operate on the basis of a fiscal year beginning on July 1 and ending on June 30.

(Added to NRS by [2001, 498](#))

NRS 623A.150 Deposit and use of money collected by Board; delegation of authority concerning disciplinary action; deposit of fines; claim for attorney's fees or cost of investigation.

1. All money coming into the possession of the Board must be kept or deposited by the Executive Director in an account in a bank, credit union or savings and loan association in this State.

2. Except as otherwise provided in subsection 6, all money collected by the Board must be used to pay the expenses of:

(a) Examinations and the issuance of certificates of registration and certificates to practice as a landscape architect intern; and

(b) Conducting the business of the Board.

3. The expenses, including the per diem allowances and travel expenses of the members and employees of the Board while engaged in the business of the Board and the expenses to conduct examinations, must be paid from the current receipts. No portion thereof may be paid from the State Treasury.

4. Any balance remaining in excess of the expenses incurred may be retained by the Board and used to defray the future expenses of the Board.

5. In a manner consistent with the provisions of [chapter 622A](#) of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to the provisions of this chapter, impose and collect fines and penalties therefor and deposit the money therefrom in an account maintained by the Board in a bank, credit union or savings and loan association specified in subsection 1.

6. If a hearing officer or panel is not authorized to take disciplinary action pursuant to the provisions of subsection 5 and the Board deposits the money collected from the imposition of

files with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

(Added to NRS by [1975, 1466](#); A [1995, 1050](#); [1999, 1528](#); [2001, 504](#); [2005, 755](#))

NRS 623A.160 Designation of Attorney General as legal adviser. The Attorney General is the legal adviser of the Board, but the Board may employ legal counsel.

(Added to NRS by [1975, 1466](#))

CERTIFICATES

NRS 623A.165 Practice of landscape architecture or use of certain titles without certificate prohibited; issuance of certificate; proration of fees; contents of certificate of registration.

1. A person shall not engage in the practice of landscape architecture or use the title of "landscape architect" or "landscape architect intern" unless the person is issued a certificate of registration or certificate to practice as a landscape architect intern by the Board pursuant to the provisions of this chapter.

2. If an applicant complies with the provisions of this chapter and is otherwise qualified to engage in the practice of landscape architecture, the Board shall, upon payment by the applicant of the applicable fees prescribed by the Board pursuant to the provisions of [NRS 623A.240](#), issue to the applicant a certificate of registration or certificate to practice as a landscape architect intern. If a certificate of registration or certificate to practice as a landscape architect intern is issued after the beginning of the fiscal year, the Board may prorate the fee that the applicant must pay for that year pursuant to those provisions.

3. Each certificate of registration must include the complete name of the holder of the certificate, the number of the certificate, and the signatures of the President and Secretary of the Board.

(Added to NRS by [2001, 501](#))

NRS 623A.170 Certificate of registration: Qualifications of applicant; application; study equivalent to work experience; standards for examinations; regulations; deadline for application.

1. Any person who:

(a) Is at least 21 years of age;

(b) Is of good moral character;

(c) Is a citizen of the United States or is lawfully entitled to remain and work in the United States; and

(d) Has satisfied the requirements for education and experience in landscape architecture, in any combination deemed suitable by the Board, may submit an application for a certificate of registration to the Board upon a form and in a manner prescribed by the Board. The application must be accompanied by the application fee prescribed by the Board pursuant to the provisions of [NRS 623A.240](#) and all information required to complete the application.

2. Each year of study, not exceeding 5 years of study, satisfactorily completed in a program of landscape architecture accredited by the Landscape Architectural Accrediting Board or a similar national board approved by the Board, or a program of landscape architecture in this State approved by the Board, is considered equivalent to 1 year of experience in landscape architectural work for the purpose of registration as a landscape architect.

3. The Board shall, by regulation, establish standards for examinations which may be consistent with standards employed by other states. The Board may adopt the standards of a national association of registered boards approved by the Board, and the examination and grading procedure of that organization, as they exist on the date of adoption. Examinations may include tests in such technical, professional and ethical subjects as are prescribed by the Board.

4. If the Board administers or causes to be administered an examination during:

(a) June of any year, an application to take that examination must be postmarked not later than March 1 of that year; or

(b) December of any year, an application to take that examination must be postmarked not later than September 1 of that year.

(Added to NRS by [1975, 1466](#); A [1997, 2111](#); [2001, 505](#); [2005, 2701](#), [2807](#))

NRS 623A.180 Certificate of registration: Action of Board on application; notification of applicant.

1. The Board shall approve or disapprove each application. Except as otherwise provided in subsection 4, the Board shall approve the application if the Board is satisfied that:

(a) The information set forth in the application is true;

(b) The applicant is qualified to take the examination;

(c) The applicant has paid the examination fee; and

(d) The applicant has submitted all information required to complete the application.

2. If the Board approves an application, the Executive Director shall promptly notify the applicant in writing of the approval and of the time and place of the examination, if required.

3. If the Board disapproves an application, the Executive Director shall promptly notify the applicant of the disapproval, stating the reasons therefor.

4. The Board may disapprove an application for any violation of the provisions of this chapter.

(Added to NRS by [1975, 1466](#); A [1977, 87](#); [1995, 1050](#); [1997, 2111](#); [2001, 505](#); [2005, 2702, 2807](#))

NRS 623A.182 Certificate to practice as landscape architect intern: Qualifications of applicant; application.

1. Any person who:

(a) Is at least 21 years of age;

(b) Is of good moral character;

(c) Is a citizen of the United States or is lawfully entitled to remain and work in the United States; and

(d) Has graduated from a school approved by the Board or has completed at least 4 years of work experience in the practice of landscape architecture in accordance with regulations adopted by the Board,

Ê may submit an application to the Board for a certificate to practice as a landscape architect intern.

2. The application must be submitted on a form furnished by the Board and include:

(a) The applicable fees prescribed by the Board pursuant to the provisions of [NRS 623A.240](#); and

(b) All information required to complete the application.

(Added to NRS by [2001, 499](#); A [2005, 2705](#))—(Substituted in revision for NRS 623A.263)

NRS 623A.184 Certificate to practice as landscape architect intern: Issuance of certificate; supervision by holder of certificate of registration; expiration; renewal.

1. The Board shall issue a certificate to practice as a landscape architect intern to any person who is qualified pursuant to the provisions of [NRS 623A.182](#) and who passes an examination or any portion of an examination required by the Board.

2. Such a person may engage in the practice of landscape architecture only under the direct supervision of a holder of a certificate of registration. Any work performed by the person as a landscape architect intern may be credited toward the requirements for a certificate of registration in accordance with regulations adopted by the Board.

3. A certificate to practice as a landscape architect intern expires on June 30 and may be renewed for 1 year from each succeeding July 1 in accordance with regulations adopted by the

Board and upon the payment of the annual renewal fee prescribed by the Board pursuant to the provisions of [NRS 623A.240](#).

(Added to NRS by [2001, 500](#))—(Substituted in revision for NRS 623A.267)

NRS 623A.185 Payment of child support: Submission of certain information by applicant; grounds for denial of certificate; duty of Board. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a certificate of registration or certificate to practice as a landscape architect intern shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a certificate of registration or certificate to practice as a landscape architect intern shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to the provisions of [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to the provisions of subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the certificate of registration or certificate to practice as a landscape architect intern; or

(b) A separate form prescribed by the Board.

3. A certificate of registration or certificate to practice as a landscape architect intern may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to the provisions of subsection 1; or

(b) Indicates on the statement submitted pursuant to the provisions of subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2110](#); A [2001, 506](#); [2005, 2702, 2807, 2810](#))

NRS 623A.185 Payment of child support: Submission of certain information by applicant; grounds for denial of certificate; duty of Board. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]

1. In addition to any other requirements set forth in this chapter, an applicant for the issuance or renewal of a certificate of registration or certificate to practice as a landscape architect intern shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to the provisions of [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to the provisions of subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the certificate of registration or certificate to practice as a landscape architect intern; or

(b) A separate form prescribed by the Board.

3. A certificate of registration or certificate to practice as a landscape architect intern may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to the provisions of subsection 1; or

(b) Indicates on the statement submitted pursuant to the provisions of subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2110](#); A [2001, 506](#); [2005, 2702, 2703, 2807, 2810](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 623A.187 Crediting of work experience; regulations; applicant required to comply with requirements for education and experience before taking examination.

1. For the purpose of issuing a certificate of registration or a certificate to practice as a landscape architect intern pursuant to the provisions of this chapter, the Board shall credit work experience as follows:

(a) One hundred and thirty hours or more of work in the practice of landscape architecture completed during a month is equal to 1 month of work experience.

(b) Eighty-five hours or more but less than one hundred and thirty hours of work in the practice of landscape architecture completed during a month is equal to one-half of a month of work experience.

2. The Board shall not grant credit for work experience to an applicant for less than 85 hours of work experience in the practice of landscape architecture completed during a month.

3. Before the Board may grant credit to an applicant for work experience pursuant to the provisions of this section, the employer of the applicant must submit proof satisfactory to the Board that the applicant completed the work experience for which the applicant wishes to receive credit.

4. Except as otherwise provided in this subsection, all work experience must be completed under the direct supervision of a holder of a certificate of registration. The Board may adopt regulations that provide for the granting of credit for not more than 1 year of work experience completed under the direct supervision of a person who is licensed in a profession other than the practice of landscape architecture.

5. Each applicant for a certificate of registration or certificate to practice as a landscape architect intern must, before taking one or more examinations required for the certificate, comply with the requirements for education and experience set forth in this chapter and any regulations adopted by the Board.

(Added to NRS by [2001, 499](#))

NRS 623A.190 Examination; prohibition on participation in preparing or grading examination.

1. The Board shall administer or cause to be administered a written examination to each applicant for a certificate of registration or certificate to practice as a landscape architect intern.

2. The examination must be given at such times and places and under such supervision as the Board may determine.

3. The Board may include in the written examination any theoretical or applied fields and ethical issues it deems appropriate to determine professional skills and judgment.

4. Except as otherwise provided in [NRS 622.090](#), the Board shall, by regulation, establish the grade that is required to pass the written examination.

5. The written examination may be waived by the Board if the applicant:

(a) Presents documentation that he or she has passed an examination in another state or country that has been accepted as an equivalent by a national association of registered boards; or

(b) Has been certified by such an organization.

6. Written examination papers must be destroyed after a certificate of registration is issued.

7. If the applicant fails to pass the written examination or any part thereof, the applicant may retake the examination or the part failed in a subsequent examination upon the payment of the applicable fees prescribed by the Board pursuant to the provisions of [NRS 623A.240](#).

8. The member of the Board who is a representative of the general public shall not participate in preparing or grading any examination required by the Board.

(Added to NRS by [1975, 1467](#); A [1981, 780](#); [2001, 506](#); [2007, 2940](#))

NRS 623A.193 Certificate of registration: Issuance without examination. The Board may issue a certificate of registration without examination to a person who submits evidence satisfactory to the Board that he or she:

1. Is licensed, registered or certified as a landscape architect in another jurisdiction if, as determined by the Board, the qualifications required for the license, registration or certification are substantially equivalent to the qualifications set forth in this chapter for the issuance of a certificate of registration; and

2. Is otherwise qualified for a certificate of registration to engage in the practice of landscape architecture in this State.

(Added to NRS by [2001, 499](#))

NRS 623A.195 Certificate of registration: Issuance and use of seal; regulations; unlawful acts.

1. Upon issuing a certificate of registration, the Board shall issue to the holder of the certificate of registration a seal of the design authorized by the Board, bearing the name of the holder of the certificate of registration, the number of the certificate of registration and the title "landscape architect."

2. A plan, specification, report or other document issued by a holder of a certificate of registration for official use must be signed, sealed and dated on the title page by him or her with a permanently legible imprint of his or her seal and signature. The Board may adopt regulations specifying the manner in which a holder of a certificate of registration may electronically transmit such a plan, specification, report or other document.

3. It is unlawful for a person to stamp or seal any plan, specification, report or other document with the seal of a holder of a certificate of registration after the certificate of

registration has expired or has been suspended or revoked, unless the certificate of registration has been renewed or reissued.

(Added to NRS by [2001, 500](#))

NRS 623A.200 Certificate of registration: Expiration, renewal or reinstatement; issuance of renewal card; record of renewal; unlawful acts.

1. Each certificate of registration expires on June 30 next following the date of issuance.
2. A certificate of registration may be renewed for 1 year from each succeeding July 1, upon submission of:
 - (a) The annual renewal fee prescribed by the Board pursuant to the provisions of [NRS 623A.240](#);
 - (b) Proof of compliance with the requirements established by the Board for continuing education for the renewal of the certificate of registration; and
 - (c) All information required to complete the renewal.
3. A certificate of registration that has expired through failure to be renewed may be renewed at any time within 1 year after the date of its expiration upon application to and with the approval of the Board and upon payment of the annual renewal fee and the delinquency fee prescribed by the Board pursuant to the provisions of [NRS 623A.240](#).
4. A certificate of registration that has expired for failure to be renewed within 1 year after the date of its expiration may be reinstated by the Board without examination within 3 years after the date the certificate of registration expires upon application to and with the approval of the Board and upon payment of:
 - (a) The annual renewal fee for each year, or part thereof, the certificate of registration is not renewed;
 - (b) The delinquency fee; and
 - (c) The reinstatement fee.
5. If a holder of a certificate of registration submits to the Board the annual renewal fee, proof and information required pursuant to the provisions of subsection 2, or if the Board approves the renewal or reinstatement of a certificate of registration pursuant to the provisions of subsection 3 or 4, the Executive Director of the Board shall, upon receipt of the applicable fees, proof and information or upon receipt of the approval of the Board, issue a renewal card to the applicant, indicating that the certificate of registration is renewed for 1 year. The renewal card must bear the seal of the Board and include:
 - (a) The number of the certificate of registration; and

(b) The signature of the President or Executive Director of the Board or a facsimile of that signature.

6. The renewal of a certificate of registration and the number of the certificate of registration must be recorded by the Executive Director of the Board in accordance with the provisions of [NRS 623A.135](#).

7. The unauthorized use or display of a certificate of registration or renewal card for that certificate of registration, or the seal of a holder of a certificate of registration, is unlawful.

(Added to NRS by [1975, 1467](#); A [1995, 1051](#); [1997, 2112](#); [2001, 507](#); [2005, 2704](#), [2807](#))

NRS 623A.210 Certificate of registration: New certificate required after failure to renew within 3 years. If a certificate of registration has not been renewed within 3 years after its expiration, the holder of the certificate of registration may apply for and obtain a new certificate of registration if he or she:

1. Is otherwise eligible;
2. Pays all fees required by this chapter;
3. Passes an examination administered or approved by the Board; and
4. Establishes to the satisfaction of the Board that he or she is qualified to practice landscape architecture.

(Added to NRS by [1975, 1467](#); A [1995, 1051](#); [2001, 508](#))

NRS 623A.215 Certificate of registration: Continuing education; regulations. The Board may, by regulation, require each holder of a certificate of registration to complete a course of continuing education as a condition for the renewal of the certificate of registration. The regulations must include the number of hours of continuing education that the holder of the certificate of registration must complete to renew the certificate.

(Added to NRS by [2001, 501](#))

NRS 623A.220 Certificate of registration: Renewal of suspended certificate; reinstatement of revoked certificate.

1. A suspended certificate of registration expires unless it is renewed by the holder of the certificate of registration. The renewal does not entitle the holder to engage in the practice of landscape architecture until the expiration of the suspension period or until the certificate of registration is reinstated by the Board.

2. A revoked certificate of registration expires and is not subject to renewal. If the certificate of registration is reinstated after its expiration, the holder of the certificate of registration shall pay the fee for reinstatement prescribed by the Board pursuant to the provisions of [NRS 623A.240](#).

(Added to NRS by [1975, 1467](#); A [1995, 1051](#); [2001, 508](#))

NRS 623A.225 Issuance of temporary certificate prohibited. The Board shall not issue a temporary certificate of registration or certificate to practice as a landscape architect intern.

(Added to NRS by [2001, 501](#))

NRS 623A.230 Notification of Executive Director upon change of address or if certificate of registration is lost, stolen, destroyed or mutilated; duplicate certificate of registration; regulations.

1. A holder of a certificate of registration shall notify the Executive Director in writing of any change of address of his or her business or residence and if the certificate of registration has been lost, stolen, destroyed or mutilated.

2. The Executive Director shall issue a duplicate certificate of registration in accordance with regulations established by the Board upon application and payment of the fee for replacement of a certificate of registration prescribed by the Board pursuant to the provisions of [NRS 623A.240](#).

(Added to NRS by [1975, 1467](#); A [1995, 1051](#); [2001, 508](#))

NRS 623A.240 Fees.

1. The following fees must be prescribed by the Board and must not exceed the following amounts:

Application fee.....	\$200.00
Examination fee.....	100.00,
	plus the actual
	cost of the
	examination
Certificate of registration.....	25.00
Annual renewal fee.....	200.00
Reinstatement fee.....	300.00
Delinquency fee.....	50.00
Change of address fee.....	10.00
Copy of a document, per page.....	.25

2. In addition to the fees set forth in subsection 1, the Board may charge and collect a fee for the expedited processing of a request or for any other incidental service it provides. The fee must not exceed the cost incurred by the Board to provide the service.

3. The Board may authorize a landscape architect intern to pay the application fee or any portion of that fee during any period in which he or she is the holder of a certificate to practice as a landscape architect intern. If a landscape architect intern pays the fee or any portion of the fee during that period, the Board shall credit the amount paid towards the entire amount of the application fee for the certificate of registration required pursuant to this section.

4. 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. If any check submitted to the Board is dishonored upon presentation for payment, repayment of the fee, including the fee for a returned check in the amount established by the State Controller pursuant to [NRS 353C.115](#), must be made by money order or certified check.

5. The fees prescribed by the Board pursuant to this section are nonrefundable.

(Added to NRS by [1975, 1468](#); A [1979, 962](#); [1987, 146](#); [1995, 1051](#); [2001, 508](#); [2003, 20th Special Session, 219](#); [2007, 2940](#))

NRS 623A.250 Conditions under which business organization or association may practice landscape architecture; conditions under which landscape architects may form business organizations or associations with certain other persons; business organization or association and certain owners responsible for violations.

1. A firm, partnership, corporation or association may engage in the practice of landscape architecture if:

(a) All work is performed under the supervision and direction of a holder of a certificate of registration;

(b) The name of the holder of a certificate of registration appears in the name of the firm, partnership, corporation or association;

(c) The name of the holder of the certificate of registration appears on all papers or documents used in the practice of landscape architecture; and

(d) All instruments of service are signed by the holder of the certificate of registration.

2. Architects, registered interior designers, residential designers, professional engineers and landscape architects may, in accordance with [NRS 623.349](#), join or form a partnership, corporation, limited-liability company or other business organization or association with registrants and licensees outside of their field of practice, or with persons who are not registered or licensed.

3. Each office or place of business of any partnership, corporation, limited-liability company or other business organization or association engaged in the practice of landscape architecture pursuant to the provisions of subsection 2 shall have a landscape architect who is a resident of this State and holds a certificate of registration issued pursuant to this chapter regularly working in the office or place of business and directly responsible for the administration of the landscape architectural work conducted in the office or place of business.

4. A registrant or licensee practicing in a business organization or association pursuant to subsection 2 remains subject to [NRS 89.220](#).

5. If a person who is not a holder of a certificate of registration, or if a holder of a certificate of registration who is not an owner, and who is employed by or affiliated with a business organization or association that holds a certificate issued pursuant to [NRS 623.349](#) is found by the Board to have violated a provision of this chapter or a regulation adopted by the Board, the Board may hold the business organization or association and each holder of a certificate of registration who is an owner responsible for the violation.

(Added to NRS by [1975, 1467](#); A [1997, 1407](#); [2001, 509](#))

NRS 623A.260 Conditions under which business organization or association may establish and operate branch offices.

1. A firm, partnership, corporation or association engaged in the practice of landscape architecture may, upon the approval of the Board, establish and operate branch offices within this State.

2. A branch office must be operated by a resident landscape architect who holds a certificate of registration.

3. Offices established for the purpose of observing construction work on a project are considered branch offices.

(Added to NRS by [1975, 1468](#); A [2001, 510](#))

LANDSCAPE ARCHITECT INTERNS

NRS 623A.263 Application; qualifications of applicant. [Replaced in revision by [NRS 623A.182](#).]

NRS 623A.267 Issuance of certificate; supervision by holder of certificate of registration; expiration. [Replaced in revision by [NRS 623A.184](#).]

DISCIPLINARY AND OTHER ACTIONS

NRS 623A.270 Authorized actions of Board; conditions of probation; orders imposing discipline deemed public records; private reprimands prohibited; regulations.

1. The Board may:

(a) Suspend or revoke a certificate of registration or certificate to practice as a landscape architect intern;

(b) Refuse to renew a certificate of registration or certificate to practice as a landscape architect intern;

(c) Place a holder of a certificate of registration or certificate to practice as a landscape architect intern on probation;

(d) Issue a public reprimand to a holder of a certificate of registration or certificate to practice as a landscape architect intern;

(e) Impose upon a holder of a certificate of registration or certificate to practice as a landscape architect intern a fine of not more than \$5,000 for each violation of this chapter;

(f) Require a holder of a certificate of registration or certificate to practice as a landscape architect intern to pay restitution; or

(g) Take such other disciplinary action as the Board deems appropriate,

if the holder of a certificate of registration or certificate to practice as a landscape architect intern has committed any act set forth in [NRS 623A.280](#).

2. The conditions for probation imposed pursuant to the provisions of subsection 1 may include, without limitation:

(a) Restriction on the scope of professional practice;

(b) Peer review;

(c) Education or counseling;

(d) The payment of restitution to each person who suffered harm or loss; and

(e) The payment of all costs of the administrative investigation and prosecution.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

4. The Board shall not issue a private reprimand to a holder of a certificate of registration or certificate to practice as a landscape architect intern.

5. The Board may adopt regulations setting forth a schedule of fines for the purposes of paragraph (e) of subsection 1.

(Added to NRS by [1975, 1469](#); A [1995, 1052](#); [2001, 510](#); [2003, 3421](#))

NRS 623A.280 Grounds.

1. The following acts, among others, constitute cause for disciplinary action:

(a) A holder of a certificate of registration has signed or sealed instruments of service which were not prepared by him or her or under his or her direct supervision.

(b) A holder of a certificate of registration has permitted the use of his or her signature or seal by another person to evade the provisions of this chapter or any regulation adopted by the Board.

(c) A holder of a certificate of registration has not signed, sealed or dated instruments of service prepared by him or her.

(d) A holder of a certificate of registration or certificate to practice as a landscape architect intern impersonates a landscape architect or landscape architect intern of the same or similar name.

(e) A holder of a certificate of registration or certificate to practice as a landscape architect intern practices under an assumed, fictitious or corporate name.

(f) A holder of a certificate of registration or certificate to practice as a landscape architect intern practices landscape architecture in violation of the provisions of this chapter or any regulation adopted by the Board.

(g) A holder of a certificate of registration or certificate to practice as a landscape architect intern has obtained the certificate of registration or certificate to practice as a landscape architect intern by fraud or misrepresentation.

(h) A holder of a certificate of registration or certificate to practice as a landscape architect intern is guilty of fraud or deceit in the practice of landscape architecture.

(i) A holder of a certificate of registration or certificate to practice as a landscape architect intern is guilty of incompetency, negligence or gross negligence.

(j) A holder of a certificate of registration or certificate to practice as a landscape architect intern is convicted of or enters a plea of nolo contendere to any crime an essential element of which is dishonesty or which is directly related to the practice of landscape architecture.

(k) A holder of a certificate of registration or certificate to practice as a landscape architect intern is guilty of aiding or abetting any person in the violation of the provisions of this chapter or any regulation adopted by the Board.

(l) A person practices as a landscape architect with a certificate of registration or certificate to practice as a landscape architect intern that has expired or has been suspended or revoked.

(m) A holder of a certificate of registration or certificate to practice as a landscape architect intern is disciplined by an agency of another state or foreign country which regulates the practice of landscape architecture and at least one of the grounds for the disciplinary action taken is a ground for disciplinary action pursuant to the provisions of this chapter.

(n) A holder of a certificate of registration or certificate to practice as a landscape architect intern fails to comply with an order issued by the Board or to cooperate in an investigation conducted by the Board.

2. As used in this section:

(a) "Gross negligence" means conduct that demonstrates a reckless disregard of the consequences affecting the life or property of another person.

(b) "Incompetency" means conduct that, in the practice of landscape architecture, demonstrates a significant lack of ability, knowledge or fitness to discharge a professional obligation.

(c) "Negligence" means a deviation from the normal standard of professional care exercised generally by other members in the practice of landscape architecture.

(Added to NRS by [1975, 1469](#); A [1995, 1052](#); [2001, 511](#); [2003, 2703](#); [2005, 756](#))

NRS 623A.285 Suspension of certificate for failure to pay support or comply with certain subpoenas or warrants; reinstatement of certificate. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Board receives a copy of a court order issued pursuant to the provisions of [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a certificate of registration or certificate to practice as a landscape architect intern, the Board shall deem the certificate of registration or certificate to practice as a landscape architect intern issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the certificate of registration or certificate to practice as a landscape architect intern by the district attorney or other public agency pursuant to the provisions of [NRS 425.550](#) stating that the holder of the certificate of registration or certificate to practice as a landscape architect intern has complied with the subpoena or warrant or has satisfied the arrearage pursuant to the provisions of [NRS 425.560](#).

2. The Board shall reinstate a certificate of registration or certificate to practice as a landscape architect intern that has been suspended by a district court pursuant to the provisions of [NRS 425.540](#) if the Board receives a letter issued by the district attorney or other public agency pursuant to the provisions of [NRS 425.550](#) to the person whose certificate of registration or certificate to practice as a landscape architect intern was suspended stating that the person

whose certificate of registration or certificate to practice as a landscape architect intern was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to the provisions of [NRS 425.560](#).

(Added to NRS by [1997, 2111](#); A [2001, 512](#); [2005, 2807, 2810](#))

NRS 623A.290 Complaint against holder of certificate: Contents; filing.

1. The Board, any member of the Board or any other person who becomes aware that any one or more of the grounds for initiating disciplinary action may exist as to a holder of a certificate of registration or certificate to practice as a landscape architect intern may file a complaint specifying the relative facts with the Executive Director of the Board.

2. A complaint must be made in writing and be signed and verified by the person making it.

(Added to NRS by [1975, 1468](#); A [1995, 1053](#); [2001, 512](#))

NRS 623A.305 Consideration of complaint by President of Board; recommendation to Board; action by Board.

1. When a complaint is filed with the Executive Director of the Board, it must be considered by the President of the Board or a member of the Board designated by the President. If it appears to the President or the person designated by the President that further proceedings are warranted, he or she shall report the results of the investigation together with a recommendation to the Board in a manner which does not violate the right of the person charged in the complaint to due process in any later hearing on the complaint.

2. The Board shall promptly make a determination with respect to each complaint reported to it by the President or a person designated by the President and shall dismiss the complaint or proceed with disciplinary action pursuant to [chapter 622A](#) of NRS.

(Added to NRS by [1995, 1048](#); A [2005, 757](#))

NRS 623A.350 Limitations on complaints.

1. Except as otherwise provided in subsection 2, a complaint must not be filed against the holder of a certificate of registration or certificate to practice as a landscape architect intern if 2 years or more have elapsed since the occurrence of the act or omission alleged as the ground for disciplinary action.

2. If the act or omission alleges fraud or misrepresentation, the complaint must be filed within 2 years after the discovery of the fraud or misrepresentation.

(Added to NRS by [1975, 1469](#); A [2001, 513](#))

MISCELLANEOUS PROVISIONS

NRS 623A.351 Immunity from civil action. In addition to any other immunity provided by the provisions of [chapter 622A](#) of NRS:

1. Any person who, in good faith and without malicious intent, provides information concerning a holder of a certificate of registration or certificate to practice as a landscape architect intern or an applicant for a certificate of registration or certificate to practice as a landscape architect intern is immune from any civil action for providing that information.

2. Any person who assists the Board in the investigation or prosecution of an alleged violation of a provision of this chapter, a proceeding concerning the issuance or renewal of a certificate of registration or certificate to practice as a landscape architect intern or a criminal prosecution is immune from any civil liability for:

(a) Any decision or action taken in good faith and without malicious intent in response to information acquired by the Board; and

(b) Disseminating information concerning a holder of a certificate of registration or certificate to practice as a landscape architect intern or an applicant for a certificate of registration or certificate to practice as a landscape architect intern to:

- (1) Any other licensing board;
- (2) A national association of registered boards;
- (3) An agency of this State or the Federal Government;
- (4) The Attorney General; or
- (5) Any law enforcement agency.

(Added to NRS by [2001, 500](#); A [2005, 757](#))

NRS 623A.353 Confidentiality of certain records of Board; exceptions. [Replaced in revision by [NRS 623A.137](#).]

NRS 623A.355 Inclusion of number of certificate of registration in advertising and business cards. All advertising by or business cards of a holder of a certificate of registration must include the number of the certificate of registration.

(Added to NRS by [1995, 1048](#); A [2001, 513](#))

NRS 623A.357 Allegation and proof of certificate in action for compensation. No person may bring or maintain any action in the courts of this State for the collection of compensation for the performance of any act or contract for which a certificate of registration or certificate to practice as a landscape architect intern is required by this chapter without alleging and proving that the plaintiff in the action was registered pursuant to the provisions of this chapter at all times during the performance of the act or contract.

(Added to NRS by [2001, 501](#))

PROHIBITED ACTS; PENALTIES; ENFORCEMENT

NRS 623A.360 Prohibited acts; penalty. Any person who:

1. Violates any of the provisions of this chapter;
2. Having had his or her certificate of registration or certificate to practice as a landscape architect intern suspended or revoked, continues to solicit business or otherwise represent himself or herself as a landscape architect or landscape architect intern;
3. Engages in the practice of landscape architecture without holding a certificate of registration or certificate to practice as a landscape architect intern; or
4. Uses the title or term "landscape architect," "landscape designer," "landscape consultant," "landscape draftsman" or "landscape architect intern," or any other title or term indicating or implying that the person is a landscape architect or landscape architect intern, in any sign, card, listing, advertisement or in any other manner without holding a certificate of registration or certificate to practice as a landscape architect intern, is guilty of a misdemeanor.

(Added to NRS by [1975, 1470](#); A [1995, 1054](#); [2001, 513](#))

NRS 623A.365 Civil penalty.

1. In addition to any other penalty provided by law, a person who violates any provision of this chapter or any regulation adopted by the Board is subject to a civil penalty of not more than \$5,000 for each violation. Any such penalty must be imposed by the Board at a hearing conducted pursuant to the provisions of [chapter 622A](#) of NRS.
2. If a person does not pay a civil penalty imposed pursuant to subsection 1 within 60 days after the order of the Board becomes final, the order may be executed upon in the same manner as a judgment issued by a court.

(Added to NRS by [1995, 1048](#); A [2005, 758](#))

NRS 623A.370 Injunctive relief; remedies cumulative.

1. A violation of a provision of this chapter by a person:
 - (a) Unlawfully representing himself or herself as a landscape architect, landscape designer, landscape consultant, landscape draftsman or landscape architect intern, or using any other title or term indicating or implying that he or she is a landscape architect or landscape architect intern; or
 - (b) Engaging in the practice of landscape architecture, without holding a certificate of registration or certificate to practice as a landscape architect intern, may be enjoined by a district court on petition by the President of the Board in the name of the Board. In any such proceeding, it is not necessary to show that any person is individually injured.

2. If the respondent in a proceeding specified in subsection 1 is found guilty of:

(a) Unlawfully representing himself or herself as a landscape architect, landscape designer, landscape consultant, landscape draftsman or landscape architect intern, or using any other title or term indicating or implying that he or she is a landscape architect or landscape architect intern; or

(b) Engaging in the practice of landscape architecture, without holding a certificate of registration or certificate to practice as a landscape architect intern, the court shall enjoin the respondent from continuing that representation, usage or practice. The procedure in such cases must be the same as in any other application for an injunction. The remedy by injunction is in addition to any criminal prosecution and punishment or any disciplinary action taken by the Board.

(Added to NRS by [1975, 1470](#); A [1995, 1054](#); [2001, 514](#))