



NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Workshop and Hearing for the Adoption of Regulations

The Nevada State Board of Architecture, Interior Design and Residential Design LCB File No. R073-17

The Nevada State Board of Architecture, Interior Design and Residential Design Board will hold a **Public Workshop** on Thursday, August 16, 2018 at 10:00 a.m. in the Gina Spaulding Boardroom located at 2080 E. Flamingo Road, Suite 120, Las Vegas, Nevada.

The **Public Hearing** will be held on October 24, 2018 at 2:00 p.m. in the Gina Spaulding Boardroom located at 2080 E. Flamingo Road, Ste. 120, Las Vegas, Nevada 89119.

The purpose of the workshop and hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to Chapter 623 of the Nevada Administrative Code.

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

1. The need for and purpose of the proposed regulations or amendments.

- a. **Proposed regulation section of the NAC:** The purpose of the proposed regulation is to amend Chapter 623 of the Nevada Administrative Code concerning certain individuals exemptions from provisions related to architects, interior designers and residential designers. This proposed regulation revises provisions relating to proof of continuing education that is already required to be completed by the registrants before renewing their individual license. It also amends the requirements for residential design applicants by allowing them to obtain work experience credit by working under the supervision of out-of-state registered design professionals and contractors. This regulation also revises provisions concerning the signing, stamping or sealing of a document containing the work of others and revises the provisions relating to plans and documents submitted to a public authority.

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 Either the terms of the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved.

- a. A copy of the proposed regulation R073-17 is attached hereto. The proposed regulation R073-17 amends and includes definitions for "public authority" and "plans submitted to a public authority" to clarify misinterpretations of these words; section 4 revises the table of equivalence for residential designers by allowing them to obtain credit for working under the supervision of design professionals and contractors who are licensed out-of-state; Section 5 through 7 revises and updates the process for submitting proof of continuing education to the agency, which is currently being submitted only if the individual has been randomly chosen to be audited after the renewal of their certificate. Lastly, sections 8 and 9 amends and improves obsolete language regarding signing, stamping or sealing documents submitted to a public authority. Additionally, the agency sent, through its notices of the proposed regulations to all of its registrants and small businesses on July 25, 2018 and July 26, 2018 and on its newsletter on August 3, 2018. The agency discussed and reviewed the proposed regulations at its publicly noticed board meetings on August 16, 2017, October 25, 2017, January 24, 2018, March 6, 2018 and also posted a copy of the draft regulations on its website on July 26, 2018, along with a revised version from LCB.

3. The estimated economic effect of this proposed regulation on the business that it is to regulate and on the public. These must be stated separately and in each case must include:

a. Both adverse and beneficial effects; and

The intent of the proposed regulations under R073-17 should have no adverse economic effect on businesses that will be subject to the regulation. To date, the Board has not received any comments in writing or at any of its meetings that indicate that the regulations will have any economic effect, either adverse or beneficial.

b. Both direct and indirect effects.

R073-17 is not intended to and will not have any direct or indirect economic effects on the businesses that will be subject to the regulation.

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

There is no cost to the agency.

5. A description of and citation to any regulations of other state or local governmental agencies that the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates federal regulation, the notice must include the name of the regulating federal agency

The proposed regulation does not overlap or duplicate any regulation of other state or local governmental entities.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

Does not apply.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

Does not apply.

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

Does not apply.

Persons wishing to comment upon the proposed action of the Nevada State Board of Architecture may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form to the Executive Director of the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Road, Suite 120, Las Vegas, Nevada 89119. **Written submissions must be received by the Board on or before Friday, October 19, 2018.** If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notices and the regulation to be adopted will be available at the Nevada State Board of Architecture, Interior Design and Residential Design, 2080 E. Flamingo Road, Suite 120, Las Vegas, Nevada 89119 and in all counties in which an office of the Board is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

Upon adoption of any regulation, the Board, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for an against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

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

CARSON CITY LIBRARY
900 NORTH ROOP STREET
CARSON CITY, NV 89701-3101

CHURCHILL COUNTY LIBRARY
553 SOUTH MAIN STREET
FALLON, NV 89046-3306

LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT HEADQUARTERS
833 LAS VEGAS BLVD NORTH
LAS VEGAS, NV 89101-2062

DOUGLAS COUNTY PUBLIC LIBRARY
1625 LIBRARY LANE
MINDEN, NV 89423-0337

ELKO COUNTY LIBRARY
720 COURT STREET
ELKO, NV 89801-3397

ESMERELDA COUNTY LIBRARY
CORNER OF CROOK & 4TH STREET
PO BOX 430
GOLDFIELD, NV 89013-0430

EUREKA COUNTY LIBRARY
10190 MONROE STREET
EUREKA, NV 89316

HUMBOLDT COUNTY LIBRARY
85 EAST 5TH STREET
WINNEMUCCA, NV 89445-3095

BATTLE MOUNTAIN BRANCH LIBRARY
625 SOUTH BROAD STREET
BATTLE MOUNTAIN, NV 89820

LINCOLN COUNTY LIBRARY
63 MAIN STREET
PIOCHE, NV 89043

LYON COUNTY LIBRARY SYSTEM
20 NEVIN WAY
YERINGTON, NV 89447-2399

MINERAL COUNTY PUBLIC LIBRARY
P O BOX 1390
HAWTHORNE, NV 89415

PERSHING COUNTY LIBRARY
1125 CENTRAL AVENUE
LOVELOCK, NV 89149

STOREY COUNTY TREASURER & CLERK'S OFFICE
DRAWER D
VIRGINIA CITY, NV 89440

TONOPAH PUBLIC LIBRARY
167 SOUTH CENTRAL STREET
TONOPAH, NV 89049

WASHOE COUNTY LIBRARY SYSTEM
301 SOUTH CENTER STREET
RENO, NV 89501-2102

WHITE PINE COUNTY LIBRARY
950 CAMPTON STREET
ELY, NV 89301

STATE PUBLICATIONS
NEVADA STATE LIBRARY & ARCHIVES
100 N. STEWART STREET
CARSON CITY, NV 89701

THE SAWYER BUILDING
555 W. WASHINGTON BLVD.
LAS VEGAS, NV 89101