Assembly MINUTES

COMMERCE COMMITTEE - NEVADA STATE LEGISLATURE - 58TH SESSION

APRIL 28, 1975

The meeting was called to order by Chairman Robinson at 4:15 P.M.

MEMBERS PRESENT: Mr. Benkovich

Mr. Demers
Mr. Getto
Mr. Harmon
Mr. Hickey
Mr. Moody

Mr. Schofield Mr. Chairman

MEMBERS ABSENT: Mr. Wittenberg - excused

SPEAKING GUESTS: Rex Lundberg, Consumer Affairs Division

Gene Milligan, Nevada Association of Realtors

James Slattery, Plumbing Representative

Sam Paternostro, Plumbing Board

John Darre, Plumbing Board

Assemblyman Jeffrey Assemblyman Polish Lou Paley, U.F.L.C.I.O Leo Henrikson, Teamsters

John Madolf, Nevada Association of Mechanical

Contractors, Inc.

Bob Warren, Nevada League of Cities

Jerry Hansen, Clark County Building Department

Ray Conner, Plumbing Board Edward Pine, Civil Engineer

David Hoy, attorney representing State Board of

Registered Engineers

Tom Stephens, Nevada Society of Professional

Engineers

Mr. Speaker (Keith Ashworth)

Bob Gagnier, SNEA Stan Mosher, engineer

The purpose of this meeting was to hear testimony on the following bills:

AB	<u> 130</u>		AB	601
AB	255		AB	602
AB	541	_	AB	603
AB	597	_	AB	604
AB	598	_	AB	605
AB	599	_	AΒ	730
AB	606			

Testimony was first taken on AB 130 which:

Enacts Fair Rental Housing Act.

Mr. Rex Lundberg went over the amendments submitted to the committee by himself, Mr. Rappaport, Mr. Landish and Ms. Montoya who all

concur with them and a copy is attached hereto as <u>Exhibit A</u> along with Amendment No. 8408 which follows these amendments submitted by Mr. Lundberg and also a copy of a letter from Mr. Rappaport is attached which acknowledges his concurrence.

Mr. Getto also presented to the committee amendments to <u>AB 130</u> (Amendment No. 8426). He said this amendment goes along with the Fair Housing Bill and also goes along with real estate law.

Mr. Gene Milligan spoke before the committee stating that he concurred with Mr. Getto's amendments.

AB 255 was then taken up by the committee. It:

Provides for examination and licensing of plumbers and for inspectors to enforce Uniform Plumbing Code.

Mr. Slattery spoke in favor of this bill saying many years ago there were two boards formed - one in Southern Nevada and one in Northern Nevada. He said he has been on the Board for four years. Mr. Slattery stated that the Board has no power and if none is given to it, it might as well be abolished. He said he felt they would become self-sustaining.

Mr. Sam Paternostro then spoke saying this had nothing to do with the Union membership. It would simply mean if they met the qualifications to be a journeyman, they would get a certificate and would be able to work anywhere in the State. As it is presently a plumber must take a test each time he works for a different That is if he worked in Las Vegas he would have to encity. take a test there. Then if we went to work in Henderson, he would have to take their test and the same with every city and county in the State. They must also pay a minimal fee to each of these entities. He said the main thing was that the State of Nevada adopt a uniform plumbing code because presently each entity in the State has a variation of the plumbing code. He said if this bill is passed, a State exam would be required. The Federal Government sets up what classes are to be taken. He said those people already licensed would be grandfathered in. The new ones would have to take an exam. He said currently having to take an exam for each entity involves waiting to take such test and by that time, the particular job may be given to someone else.

Another plumber present commented that a plumber in Washoe County need only comply with a gas test. He felt anyone could do this and it was really creating a problem with inadequate work. He said one plumber took the test last year and failed it but was still issued a certificate. He went on to say that the inspector in Carson City made one plumber who has been in the business for 24 years take out an entire job because it was inadequate. He felt much ûnsatisfactory work was being done because of unqualified people.

Assemblyman Jeffrey spoke in favor of AB 255. He said he was aware of the problem because he said there was a similar problem in the electrical industry and what they have done is have one set of exams in Clark County. He said this does not have anything to do with the Union, it is up to the local entities.

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He went on to say that the problem is really not with locally trained people but rather with people from out of state who come into Nevada with a letter that says they are qualified and the Union sends him out on a job. He felt this was a matter of public safety. Mr. Jeffrey felt the time was approaching when something has to be done regionally not only with licenses but with codes also. He commented that in outlying areas work was being done that was a hazard to public health because of lack of enforcement.

Assemblyman Polish also spoke in favor of this bill. He, too, was concerned with the out of state workers. He did not think they should be able to just take a test but rather that they also be certified in the apprentice program. He was concerned that the uniform plumbing code would fit in with the cow counties.

Lou Paley then spoke also in favor of this bill saying he felt it would improve the structure of the plumbing industry in the State and would make it easier for inspection and reduce building costs because of the uniform codes. He also felt this bill would insure getting the best journeymen plumbers because the State would license apprentices.

In answer to a question by Mr. Getto, Mr. Paley stated that this would make the codes the same for Lake Tahoe as for Las Vegas and that he felt the jobs should be done the same. Mr. Paternostro added that the only changes would be with regard to weather conditions in that, for example, pipe would be laid deeper at Tahoe than at Las Vegas. Mr. Jeffrey added that the Regional Board would still have the authority to expand on the uniform code.

Leo Henrikson spoke in favor of this bill stating he concurred with previous statements. He felt the best thing that could be done with a trade is uniformity. He said it had nothing to do with the Union.

John Madolf spoke in favor of <u>AB 255</u> saying that the plumbing industry is not as fortunate as the electrical industry with regard to reciprocity. He said in Washoe County alone, there are three sets of regulations.

Mr. Bob Warren then spoke commenting that AB 222 has been passed and signed by the Governor and provides for a Uniform Plumbing Code. He said the League of Cities support the first half of AB 255 and if it were broken into two bills it would be easier for them to cope with. He said they can support the provisions in the bill for licensing and exams but they question the manner in which inspectors are to enforce the code. This bill would give enforcement and interpretative powers to the regional offices which could create a mass of red tape and unnecessary regulations. They would have the power to close down major jobs if there was, for an example, a disagreement between the State inspector and the inspector from the local entity. This would damage the contractor and could increase the cost to the consumer because of the delay. The consumer is already paying the cost for inspectors on the local level.

Mr. Warren also felt that two inspectors would be inadequate to do the job and that additional inspectors would quickly have to be requested and this would create a great fiscal impact. All of this would be added to the present cost on the city and county level. He went on to say that AB 255 does not disturb AB 222 but is an addition to it and would be a manner of enforcement. Mr. Warren felt the enforcement could be done by the city and county rather than by a police force to do it.

Mr. Jerry Hansen of the Clark County Building Department said he and his immediate superior have no question about the licensing. He said Clark County takes a rather dim view of a State Inspector and he felt local entities have adequate ordinances. He said he would like to see legislation which define that the Uniform Plumbing Code wo3ld be the plumbing code for the State of Nevada and that all buildings should be constructed in accordance with that code.

He felt rather than having a State Inspector that the Public Health Department and the Public Works Department and others who monitor construction codes could be trained in the rudiments of plumbing inspection. He felt this should be investigated rather than hiring and setting up a State Inspector. His idea was to train those people who are already available.

A journeyman plumber from Reno then spoke saying he purchased a mobile home in Sun Valley and a County inspector came out to inspect the sewage system and pipes. Two weeks later drainage problems developed in the sewage system and it cost this man \$100 to have it repaired. He said he went to the County buy had no recourse as they said his system had met minimum requirements. He felt it was the minimum requirements that was costing the consumer money. If the requirements had been more strict, he would not have had to put out the \$100. He stated that he has worked in several areas of the State and he has yet to have an inspector look at a job that knew what he was looking at. He felt the Uniform Plumbing Code is only good for bathroom material.

Mr. Ray Conner, the Building Inspector in Carson City, said he found it hard to believe that all inspectors are incompetent. He said he did not foresee any conflict working with a State Inspector. He said they have worked with the State Fire Marshal. He felt a State Inspector would be able to come in and correct problems that are not being corrected by local inspectors. He did not feel the cities would be troubled with the State Inspectors overriding them because he felt the State Inspectors would be very busy in outlying areas where there are no inspectors. He felt if there were only two inspectors that they would be extremely busy and would have to work on a priority basis and he did not think they would come around often enough to catch the problems that are going on all the time. Mr. Conner felt it might be a good idea to bond the inspectors and let them upgrade their profession.

This concluded testimony on \overline{AB} 255 and discussion turned to \overline{AB} 541.

Restricts use of professional engineer's seal and changes qualifications of applicants for certificate to practice land surveying.

Mr. Edward Pine, a civil engineer, spoke on this bill saying it was in conflict with AB 601 and they would favor AB 541 rather than AB 601.

David Hoy, attorney representing the Nevada State Board of Registered Professional Engineers, then spoke. He said the purpose of the bill was to require that a registrant sign the plans and affix his stamp or seal. In the past, Mr. Hoy said he believed engineers' stamps have been left in the office of a building designer or an architect who are not authorized and the stamp is used because plans will not be accepted without the stamp. This bill would stop this problem. Mr. Hoy said he had prepared amendments to solve the conflict between AB 541 and 601 and that he would bring them in to the committee.

Tom Stephens said he supported the bills presented by the Nevada Society of Professional Engineers.

This concluded testimony on <u>AB 541</u> and testimony was then taken on AB 730 which:

Permits mortgage companies to submit audits by registered public accountants with license removal renewal applications.

Mr. Speaker commented on this bill saying in 1960, the State of Nevada in Chapter 628 passed a law forming two classifications of accountants. That is the Certified Public Accountant (CPA) and the Registered Public Accountants which took in the "dying class" of public accountants. He went on to say that there is a formula whereby this dying class of public accountants upon reducing to 25 people would no long be represented on the State Board of Accountancy. Chapter 628 says a Registered Accountant can do anything a CPA can do as far as signing audit reports and testifying to the authenticity of records, etc. They are, however, denied the right to represent a client before a particular body. This bill just changes this so that a registered public accountant has the authority to report before a mortgage company. Mortgage companies want a registered public accountant recognized just as a CPA. This would clean up the Mortgage Act so they are recognized.

Mr. Speaker added that presently there are about 75 registered public accountants in the State of Nevada. When this number reaches 40, representation on the State Board will be reduced to one member. When reduced to 25, there will be no more representation. In 1964, all applicants in the State of Nevada were required to take the CPA test so eventually, since there are no new registered accountants, there will no longer be any registered accountants. He said when the law was passed, all registered accountants were grandfathered in.

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This concluded testimony on AB 730 and the following bills were then taken up:

- AB 597 Redefines "responsible charge of work" in law regulating professional engineers and surveyors.
- AB 598 Allows registered professional civil engineer to be reference for person applying for registration as land surveyor.
- AB 599 Revises provisions concerning discipline of registered professional engineers and land surveyors.
- AB 606 Increases renewal period and fees for registration of professional engineers and surveyors.

Mr. Edward Pine, a civil engineer, spoke briefly on each of these bills explaining what they would do and stated that the State Board of Engineers recommends approval of these above mentioned bills. There were no opponents present to speak on these bills.

With regard to AB 601 and AB 541, Mr. Pine reiterated that the State Board recommended that the two bills be amended to bring them into compliance with each other.

AB 602 was then discussed. It:

Increases penalty for unlawful practice of engineering.

Mr. Pine said they have had many problems and when they have taken them to court, the person involved has occasionally been fined \$10.00. This bill would put some teeth into this law and increases the penalties for violations. Tom Stephens commented that when a man misrepresents himself, this jeopardizes public safety and money. He felt this certainly should be a gross misdemeanor.

There were no opponents to this bill present.

Discussion was then taken up on AB 603 which:

Prohibits professional engineers employed by public agencies from engaging in the private practice of professional engineering during hours of duty with such agencies.

Mr. Pine said it is fine for these employees to moonlight as long as it is not done on State time. Additional testimony will be heard on this bill when the meeting reconvenes this evening at 7:30.

AB 604 was then taken up. It:

Authorizes state board of registered professional engineers to define the scope of each branch of professional engineering.

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Mr. Pine explained that they have many calls in their office on how many engineers are licensed, i.e. what areas they are qualified to work in. This bill would provide for a public roster. He felt this would help those who want emergency service and would also help in the operation of his office. He added that most states do publish such a roster identifying engineers by classification. It would be a convenience to the consumer.

There were no opponents to this bill present.

AB 605 was taken up. It:

Limits exemption of certain persons from registration requirements for professional operates engineers and surveyors.

Mr. Pine and Mr. Hoy explained what this bill would do. There were no opponents present to testify against this measure.

The meeting was then recessed until 7:50 when further discussion was taken up on AB 603 which is with regard to engineers employed by public agencies engaging in private practice during hours of duty.

Mr. Hoy explained that the summary of the bill and the body of the bill provided two different things. He suggested that Line 8 of the bill should be amended to have the same intent as the summary of the bill. The purpose of the bill was to prevent engineers from using the time and equipment of the State agency for their own profit gain. The intent is not to prohibit moonlighting as long as it is not on State time. The existing law only applies to land surveyors and this bill would encompass engineers. When this is practiced, complaints are received from "disgruntled" competitors.

Tom Stephens spoke on this bill saying he was in favor of this bill if amended as proposed. He would be totally opposed to the bill if it were not so amended.

Bob Gagnier then spoke in opposition to this bill not for what it says but for what it intends down the road. He felt the intent of the bill was to stifle moonlighting and he said that many of the State's engineers must moonlight in order to make a living because the State salaries are not enough to provide them with the living they could get working somewhere else. If private practice is limited, people will quit and the State will lose the best people they have. He said the bill does not say this but he felt it was leading to it.

Mr. Stan Mosher, a State engineer, then spoke saying he performs private practice while in the office but with the permission of his supervisor because that is part of the engineers' code of ethics.

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Mr. Getto commented on the situation where a State engineer would be able to refer to certain State work and be able to complete some private work with little or no additional work. Mr. Mosher said this could happen but he added that outside consultants have access to, for example, the State's bridge designs and may come into the office and make a copy of the plans and use them so the public does have access to these things.

Chairman Robinson asked Mr. Mosher to get with Mr. Hoy and work out a suitable amendment that would satisfy the State engineers.

This concluded the hearings on these bills.

Mr. Getto then made the motion for a "do pass" on the following bills:

AB 59	7 <u>A</u> E	604
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This motion was seconded by Mr. Benkovich and carried the committee.

Mr. Hickey moved that \underline{AB} 730 be "do passed". This was seconded by Mr. Harmon and carried the committee with Mr. Benkovich not voting.

Mr. Harmon moved that Amendment No. 8348 be adopted to <u>AB 656</u>. This was seconded by Mr. Moody and carried the committee. Mr. Harmon then moved that <u>AB 656</u> be "do passed as amended". This was seconded by Mr. Schofield and carried the committee.

Mr. Benkovich moved that Amendment No. 8408 to AB 130 be adopted. This was seconded by Mr. Schofield and carried the committee. Mr. Schofield moved that Amendment No. 8426 be adopted to AB 130. This was seconded by Mr. Benkovich and carried the committee. Mr. Getto moved that AB 130 be "do passed with the two amendments" and Mr. Moody seconded that motion and it carried the committee.

With no further business, the meeting was adjourned at 8:30 P.M.

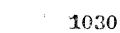
Respectfully submitted,

Joan Anderson, Secretary

ASSEMBLY



HEARING



COMMITTEE ON COMMERCE

April 28, 1975
Time 7:30 P.M. Room 316

Bill or Resolution to be considered	Subject			
AB 601	Makes is unlawful for registered professional engineer or land surveyor to identify any document as his work which was not prepared by him or for which he was not principally responsible for preparing.			
AB 602	Increases penalty for unlawful practice of engineering.			
AB 603	Prohibits professional engineers employed by public agencies from engaging in the private practice of professional engineering during hours of duty with such agencies.			
AB 604	Authorizes state board of registered professional engineers to define the scope of each branch of professional engineering.			
AB 605	Limits exemption of certain persons from registration requirements for professional engineers and surveyors.			

COMMERCE COMMITTEE LEGISLATION ACTION

DATE April 28, 1975 MANNAM MOTION: Do pass AB 597, AB 598, AB 599, AB 602, AB 604, AB 605, and AB 606 MOTION: Do Pass ____ Amend ___ Indefinitely Postpone ____ Reconsider Moved By ____ Mr. Getto Seconded By Mr. Benkovich AMENDMENT: Moved By ____ Seconded By AMENDMENT: Moved BY Seconded By MOTION AMEND AMEND VOTE: Yes Yes Yes No No No Robinson Harmon Demers Hickey Moody Schofield Wittenberg Excused Benkovich Getto ORIGINAL MOTION: Passed X Defeated Withdrawn AMENDED & PASSED AMENDED & DEFEATED AMENDED & PASSED AMENDED & DEFEATED

COMMERCE COMMITTEE LEGISLATION ACTION

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58TH NEVADA LEGISLATURE

COMMERCE COMMITTEE LEGISLATION ACTION

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COMMERCE COMMITTEE LEGISLATION ACTION

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GUEST REGISTER

COMMERCE COMMITTEE

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GUEST REGISTER

COMMERCE COMMITTEE

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EXHIBIT A

Proposed Amendments to Assembly Bill 130 - "Fair Rental Housing Act" - as of April 24, 1975, as agreed to by Irv Rappaport, Southern Chapter Nevada Apartment Association, Rex Lundberg, Consumer Affairs Division, and Josh Landish, Clark County Legal Services.

✓ Amend Section 6, Page 1, Line 16

Delete "District Court or Justices" and insert "Justice or appropriate".

Explanation: NRS 40.410, 4.370.1 (h) and (i), and the Nevada Constitution,

Article 6, Sections 6 and 8, establish jurisdiction. The present language

might encourage some action in district court as a first step.

✓ Amend Section 25.1 (c), Page 4, Lines 24 and 25

Delete "if the management prevails in court; or".

<u>Explanation</u>: The court may award fees to the prevailing party - this merely prevents waiver of the residents' rights.

Amend Section 25.2, Page 4, Line 32

Delete the "period" and insert "actual damages or one month's rent, whichever is greater."

<u>Explanation</u>: (a) Complete sentence; (b) Helps deter deliberate use of prohibited provisions.

Amend Section 27.1, Page 4, Line 37

Delete "any" and insert "either".

Line 39, add "or" after "semi-colon".

Line 41, delete "semi-colon and" and insert "period."

Line 42, delete entirely.

<u>Explanation</u>: Removes "cleaning fees" from definition of "securities" and allows for cleaning fees being "non-refundable" if so desired by management. These are fees and not securities.

√ Amend Section 27.3, Page 4, Line 48

After "any security", insert "unable to be returned pursuant to subsection 7 of this section".

<u>Explanation</u>: If resident is unable to claim his returnable security, or portion thereof, within two weeks, this clause provides its availability for a determinable period of time, thereafter reverting to management.

Amend Section 27.7, Page 5, Line 18

Delete "comma" insert "or".

Line 19 - Delete "or to clean the premises".

<u>Explanation</u>: This completes intent of cleaning fees being removed from definition of security (above).

/ Amend Section 27.10, Page 5, Line 39

Delete "period" and insert "and punitive damages, not to exceed treble the actual damages".

Explanation: Operates in this section only, and only to securities. Inoperable if subsection 7 is complied with. Provides incentive to comply with subsection 7. If the management is complying with subsection 7 above, subsection 10 will not apply and there needs to be some deterrent to prevent the non-compliance that this Section relates to, otherwise, all that can be lost is what is due the tenant anyway.

Amend Section 31.1 (e), Page 6, Line 43

After "reasonable heat" insert "or cooling".

<u>Explanation</u>: This is consistent with intent of Line 44 and was inadvertently omitted in previous drafting.

Amend Section 43.1 (b), Page 10, Line 33

After "and, if the" insert "incoming".

Amend Section 43.1 (b), Page 10, Line 33 (Continued)

<u>Explanation</u>: This clarifies which resident, prospective or holdover, is entitled to action as it relates to this section.

Amend Section 43.1 (b), Page 10, Line 34

Delete "management or any".

<u>Explanation</u>: This would prevent harassing an innocent management by making liable the person in actual possession of the dwelling - a holdover tenant, if occupied, or management if unoccupied.

Amend Section 45.1, Page 11, Line 19

Delete "for" and before "one day" insert "and management has not commenced remedial action within".

<u>Explanation</u>: "Notice" may be duly "regarded" but some affirmative action by management (i.e. requesting repair service) is the intent of this Section, not merely acknowledgment of the problem.

✓ Amend Section 49.1, Page 12, Lines 35 through 40

Delete and insert "Non-compliance by the resident with Section 35 of this Act materially affecting health, safety, waste of property, or disturbance of neighbors, the management may deliver a written notice to the resident specifying the acts and omissions constituting the breach and that the rental agreement will terminate pursuant to NRS 40.250, Subsection 1 (d). The rental agreement shall terminate".

<u>Explanation</u>: This allows for immediate remedy for the management when 30 days delay may result in expensive repair bills or loss of other tenants.

Amend Section 50.2, Page 13, Line 22

Delete "by installments".

<u>Explanation</u>: This is redundant with "may arrange payments" - the latter adequately covers all situations.

3 Except

Delete "To which Sections 2 to 61, inclusive, of this Act do not apply".

Explanation: The wording of Subsection 3 of this Section (Page 17, Lines

22 and 23) provides for the meaning and intent of this quoted Section.

Amend Section 62.3, Page 17, Line 22

After "section" insert "comma except subsection 1 (d),".

Amend Section 63, Page 17, Lines 36 through 39, Page 18, Lines 1 through 7

Delete Lines 36 through 39 on Page 17

Delete Lines 1 through 7 on Page 18

Insert "2. Upon non-compliance with such notice, the landlord or his agent may apply by affidavit to the Justice of the Peace in the township wherein the dwelling, apartment, or mobile home is located. Such Justice of the Peace may thereupon issue an order: (a) Directing the sheriff or the constable of the county to remove the tenant within 24 hours after receipt of the order; or, (b) Allowing the landlord or his agent, in a peacable manner, to provide for the non-admittance of the tenant to the premises by locking or otherwise. 3. The affadavit provided for in Subsection 2 shall contain: (a) The date the tenancy commenced. (b) The amount of periodic rent reserved. (c) The amounts of any cleaning or rent deposits paid in advance, in excess of the first month's rent, by the tenant. (d) The date the rental payments became delinquent. (e) The length of time the tenant has remained in possession without paying rent. (f) The amount of rent claimed due and delinquent. (g) A statement that the written notice was served on the tenant in accordance with NRS 40.280. (h) A copy of the written notice served on the tenant."

<u>Explanation</u>: This amendment is meant to provide due process for the **tenant in** either of the case of the landlor requesting assistance from

Minder of Windows

Explanation: (Continued)

the sheriff or constable, or in effecting the remedy himself by peacable lockout wherein both actions require a concurrence by the Justice of the Peace. As it now stands, the landlord will either comply with due process by approaching the Justice or, in the alternative, may take the law in his own hands and lockout without the benefit of hearing or due process in the latter case.

	ASSEMBLY /XXXXXXXXX AMENDMENT BLANK	Budden 3
-	Amendments to Assembly /XXXXXXXX	
	Bill /XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	33_)
	Proposed by Committee on Commerce	
	1	

Amendment Nº 8408

Amend sec. 6, page 1, by deleting lines 16 and 17 and inserting:

"Sec. 6. "Court" means a court of competent jurisdiction.".

Amend sec. 25, page 4, by deleting lines 24 and 25 and inserting:

"(c) Agrees to pay the management's attorney fees; or".

Amend sec. 25, page 4, by deleting line 32 and inserting:

"dent may recover actual damages or one month's rent, whichever is greater.".

Amend sec. 27, page 4, line 37, by deleting "any" and insert:

"either or both".

AS Form 1a (Amendment Blank) 3044A

Drafted 4-28-75 By JNK (more)

To Xerox (1) CB Amendment No. 8408 to Assembly Bill No. 130 (BDR 10-233) Page 2

Amend sec. 27, page 4, line 39, by deleting the semicolon and insert a period.

Amend sec. 27, page 4, by deleting lines 41 and 42 and inserting: "tear caused by the resident.".

Amend sec. 27, page 4, by deleting lines 48 and 49 and insert:

- "3. If management is unable to return a portion of the security, as provided in subsection 7, because:
 - (a) The resident does not claim the security; or
- (b) The resident did not provide management with a mailing address or other accurate instructions for returning the security,

 90 days after termination of the tenancy, such security may become the property of such management.".

Amend sec. 27, page 5, line 18, by deleting "rent," insert: "rent or".

Amend sec. 27, page 5, by deleting line 19 and inserting:

than normal wear and tear. The management".

Amend sec. 27, page 5, by deleting line 39 and inserting:
"transferee to liability for actual damages and punitive damages. Punitive
damages shall not exceed treble actual damages.".

Amend sec. 31, page 6, line 43, inserting "and cooling" after "heat".

Amend sec. 43, page 10, line 33, inserting "incoming" after "if the".

Amend sec. 43, page 10, line 34, delete "management or any".

Amend sec. 43, page 10, line 35, by deleting "him." and insert:

"such incoming resident.".

Amend sec. 45, page 11, by deleting lines 18 and 19 and inserting:

Amendment No. 8408 to Assembly Bill No. 130 (BDR 10-233) Page 3

"to the management clearly identifying the alleged breach. If management has not commenced remedial action within 1 day, not including a Saturday, Sunday or legal holiday, after such notice has been".

Amend sec. 49, page 12, by deleting lines 34 through 40 and inserting:

"Sec. 49. 1. In addition to any other remedies available to management,
if there is material noncompliance by a resident with any of the provisions
of section 35 of this act, management may deliver written rotice to such
resident specifying the acts or omissions, or both, constituting such
noncompliance and stating that the rental agreement will terminate in 3
days after which management may bring an action for unlawful detainer
pursuant to paragraph (d), subsection 1 of NRS 40.250. The rental agreement shall ter-".

Amend sec. 50, page 13, by deleting lines 21 and 22 and inserting:
"management may apply to the court for relief or may arrange installment
payments from the resident.".

Amend sec. 62, page 16, by deleting lines 23 and 24 and inserting:

"40.250 l. A tenant of real property or a mobile home for a term less
than life".

Amend sec. 62, page 17, line 22, by deleting "This" and insert:
"[This] Except as provided in section 49 of this act, this".

Amend sec. 63, page 17, line 36, by deleting "notice: and insert: "notice [:]".

Amend sec. 63, page 17, line 37, by deleting "(a) The" and inserting: "[(a) The] the".

Amendment No. 8408 to Assembly Bill No. 130 (BDR 10-233) Page 4

Amend sec. 63, page 17, line 40, by deleting "directing" and inserting: "[directing] :

(a) Directing".

Amend sec. 63, page 17, by deleting line 41 and inserting:

"within 24 hours after receipt of the order [.] or

- (b) Permitting the landlord or his agent to provide, in a peaceable manner, for the nonadmittance of the tenant to the premises by locking such tenant out, or otherwise.
 - 3. The affidavit provided for in".

Amend sec. 63, page 17, by deleting line 42 and inserting: "this [paragraph] subsection shall contain:".

Amend sec. 63, page 17, line 43, by deleting "(1)" and insert: "[(1)] (a)".

Amend sec. 63, page 17, line 44, by deleting "(2)" and insert: "[(2)] (b)".

Amend sec. 63, page 17, line 45, by deleting "(3)" and insert: "[(3)] (c)".

Amend sec. 63, page 17, line 47, by deleting "(4)" and insert: "[(4)] (d)".

Amend sec. 63, page 17, line 48, by deleting "(5)" and insert: "[(5)] (e)".

Amend sec. 63, page 18, line 1, by deleting "(6)" and insert: "[(6)] $\underline{\text{(f)}}$ ".

Amend sec. 63, page 18, line 2, by deleting "(7)" and insert: "[(7)] (g)".

Amend sec. 63, page 18, line 4, by deleting "(8)" and insert: "[(8)] (h)".

Amend sec. 63, page 18, line 5, by inserting open bracket before "(b)".

Amend sec. 63, page 18, by deleting line 7 and inserting:

"wise.]".

Amend sec. 63, page 18, line 8, by deleting "3." and insert: "[3.] $\underline{4}$.".



Nevada Apartment Association

515 LAS VEGAS BLVD. SOUTH

LAS VEGAS, NEVADA 89101

(702) 382-3256

April 24, 1975

The Honorable Robert Robinson Nevada Legislature Carson City, Nevada

Dear Assemblyman Robinson:

Rex Lundburg, Director of the Consumer Affairs, and the Nevada Apartment Association are in accord on the amendments regarding A.B. 130, and we are commissioning Rex to speak for us.

Sincerely yours,

Irv Rappaport

Chairman of the Legislature

Committee

IR:gs

2590 Oppio Street Sparks, Nevada 89431 (702) 358-0736



COMMITTEES

CHAIRMAN

WAYS AND MEANS
INTERIM FINANCE

MEMBER

Legislative Commission
Legislative Functions

Nevada Legislature

FIFTY-EIGHTH SESSION

April 22, 1975

Mr. Richard A. Weller Business Manager United Association of Plumbing & Pipe Fitters 735 North Lamb Boulevard Las Vegas, Nevada 89110

Dear Mr. Weller:

Thank you for your letter of April 15, expressing support for the construction of the new corrections center in Clark County.

I am in favor of the institution being built in Clark County; and the Ways and Means Committee concurred by passing the measure out of committee by a vote of 8 to 1, recommending the construction in Clark County.

The site location problem seems to rest in Senate Finance, as I have heard through very reliable sources that they favor construction in Carson City. May I suggest that you write the Senate Finance Committee Chairman Floyd Lamb, and member Senators James Gibson, B. Mahlon Brown, Warren Monroe, Lee Walker, William Raggio, and Clifton Young.

If I may be of further assistance to you, please do not hesitate to call on me.

Sincerely,

Donald R. Mello, Chairman Ways and Means Committee

DRM et

1056

TELEPHONE 386-4011

March 29, 1973

United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada

ATTN: Mr. Richard A. Weller
Business Manager - Lcl. 525
Las Vegas, Nevada

Dear Mr. Weller:

Your letter of March 12, 1973, concerning Inspection and Testing of plumbing installations from the 13th floor through the 18 floor at the MGM Hotel is acknowledged. Your attention is directed to the fact that our Director, Mr. John S. Pisciotta, has thoroughly reviewed the Inspection and Testing procedures for the subject plumbing installations and has authorized the methods being employed under the authority granted to the Administrative Authority in Section 201 (e) of the Uniform Plumbing Code, 1970 Edition.

Very truly yours,

Alan F. Walter Chief Engineer

AFW: jcy

TAYLOR CONSTRUCTION COMPANY

MANAGING CONTRACTORS •

CONSULTANTS

M.G.M. GRAND HOTEL CONSTRUCTION OFFICE
3650 AUDRIE STREET • LAS VEGAS, NEV. 89109 • 702/739-6701

1057

March 16, 1973

Refer to: 3-3-149

Mr. Ron Weller
United Association of Journeymen &
Apprentices of the Plumbing and Pipe
Fitting Industries of the United States
& Canada
Local Union No. 525
735 North Lamb Boulevard
Las Vegas, Nevada

Dear Dick:

We appreciate your letter of March 12, 1973.

I have investigated the problem and found as follows:

- 1. The 19th Floor through the top of the building was tested as required by the Uniform Building Code. At the end of the test, the plug at the bottom of the 19th Floor was pulled and all the water in the sanitary system was thus drained from the 18th Floor on down to the bottom. Of course, there was considerable head on the water as it passed through the 18th Floor to the 13th Floor.
- 2. This method of testing, between the 13th and 18th Floor, was approved by John Pisciotta of the Clark County Building Department, so I have been informed by Miles Nay.
- 3. I further asked Miles Nay why he selected this method of testing. Miles replied that he felt that the plumbers were "camping" on the 13th floor and not doing productive work.

Again, I appreciate you calling this to our attention and request that you do not hesitate in the future to call to our attention any discrepancy of which you may have knowledge.

Very truly yours,

Stuart J. Mason

President

VU-NITED ASSOCIATION

of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada



MARTIN J. WARD

is no substitute for U. A. skilled craftsmen

WILLIAM T. DODD

EUGENE W. BRADSHAW

OWEN P. KELLY Ass't. Gen'l. Secretary-Traus

> JOSEPH A. WALSH Executive Vice President

735 N. Lamb Blvd.

LOCAL UNION 525 CITY Las Vegas

STATE Nevada DATE March 12 , 19

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Stewart Mason Taylor Construction 3650 Audrie Las Vegas, Nevada

Dear Sir:

It has been called to my attention that the sanitary plumbing installation from the 13th floor through the 18th floor was not properly tested as required by the Uniform Plumbing Code. Instead, a so called running test, where water is run through the system was performed. This in no way can detect split fittings or those with holes in them. The system would leak under operation conditions and then reflect upon members of Local 525 who installed the work. Unless the system is tested properly, the workmanship cannot be guaranteed. At the same time, this is a direct violation of the Plumbing Code. As prime contractor, I call upon you to rectify this malpractice so that nothing can diminish the beauty of such a magnificent structure as the Grand Hotel.

Sincerely,

Richard A. Weller Business Manager

RAW/cc

cc: Wm. J. Weber, Jr.

Of the own 3/12/13

LITED ASSÉLIATION of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada

MARTIN J. WARD General President

1059 WILLIAM T. DODD

There is no substitute for U. A. skilled craftsmen

EUGENE W. BRADSHAW

OWEN P. KELLY

JOSEPH A. WALSH Executive Vice President

735 N. Lamb Blvd.

525 CITY

Las Vegas STATE Nevada DATE_ March

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Allen Walters Clark County Building Department 400 Las Vegas Blvd. South Las Vegas, NV

Dear Sir:

LOCAL UNION__

It has been brought to my attention that the sanitary plumbing at the M.G.M. Hotel from the 13th floor through the 18th floor was not properly tested. I call your attention to Section 318, Inspection and Testing, Sub-section 2, Paragraph C, Water Testing of the Uniform Plumbing Code. I ask you to conduct such tests to relieve the stigma placed upon the workman who installed the system because it is always the plumber who is responsible to public opinion.

I have taken the liberty to inform the prime contractor and Mr. Benedict of the M.G.M. Corporation.

Richard A. Weller Business Manager

RAW/cc

cc: Stuart Mason Al Benedict Wm. Weber, Jr.

725 NORTH LAMB BOULEVARD - LAS VEGAS, NEVADA 89110 452-6760 TELEPHONE AND APP

March 25, 1975

Honorable Assemblyman, Robert Robinson, Chairman Commerce Committee Nevada State Assembly State Capitol Building Carson City, NV 89005

Dear Assemblyman Robinson:

We firmly favor proposed Assembly Bill #255, and definitely oppose proposed Assembly Bill #222.

Assembly Bill #255 will protect the consumer, create uniform standards of Craftsmanship and inspection, and encourage greater Governmental participation, in the enforcement of a uniform Plumbing Code in our State.

Thank you,

Student's Rights Committee L.V. Jt. Apprent. Trust-Pipe Trades Industry

Lewton, Chairman

Mead, V.

Lantz, Member

Member

1061

725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110
TELEPHONE 452-6760

March 25, 1975

Honorable Assemblyman, Robert Robinson, Chairman Commerce Committee Nevada State Assembly State Capitol Building Carson City, NV 89005

Dear Assemblyman Robinson:

We, the undersigned, favor proposed Assembly Bill #255, and definitely oppose proposed Assembly Bill #222.

Assembly Bill #255 will protect the consumer, create uniform standards of Craftsmanship and inspection, and encourage greater Governmental participation, in the enforcement of a uniform Plumbing Code in our State.

Thank you,

1ST YEAR APPRENTICES, LAS VEGAS JOINT APPRENTICESHIP TRUST-PIPE TRADES INDUSTRY

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725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110
TELEPHONE 737-2799

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725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110
TELEPHONE 452-6760

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March 25, 1975

Honorable Assemblyman, Robert Robinson, Chairman Commerce Committee Nevada State Assembly State Capitol Building Carson City, NV 89005

Dear Assemblyman Robinson:

We, the undersigned, favor proposed Assembly Bill #255, and definitely oppose proposed Assembly Bill #222.

Assembly Bill #255 will protect the consumer, create uniform standards of Craftsmanship and inspection, and encourage greater Governmental participation, in the enforcement of a uniform Plumbing Code in our state.

Thank you,

2ND YEAR APPRENTICES, LAS VEGAS JOINT APPRENTICESHIP TRUST-PIPE TRADES INDUSTRY

725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110 TELEPHONE 737-2799

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725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110
TELEPHONE 452-6760

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March 25, 1975

Honorable Assemblyman, Robert Robinson, Chairman Commerce Committee Nevada State Assembly State Capitol Building Carson City, NV 89005

Dear Assemblyman Robinson:

We the undersigned, favor proposed Assembly Bill #255, and definitely oppose proposed Assembly #222.

Assembly Bill #255 will protect the consumer, create uniform standards of Craftsmanship and inspection, and encourage greater Governmental participation, in the enforcement of a uniform Plumbing Code in our State.

Thank you,

3RD YEAR APPRENTICES, LAS VEGAS, JOINT APPRENTICESHIP TRUST-PIPE TRADES INDUSTRY

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725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110 TELEPHONE 737-2799

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Las Vegas Joint Apprenticeship Trust for the Pipe Trades Industry

725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110
TELEPHONE 767-6760

March 25, 1975

Honorable Assemblyman, Robert Robinson, Chairman Commerce Committee Nevada State Assembly State Capitol Building Carson City, NV 89005

Dear Assemblyman Robinson:

We, the undersigned, favor proposed Assembly Bill #255, and definitely oppose proposed Assembly Bill #222.

Assembly Bill #255 will protect the consumer, create uniform standards of Craftsmanship and inspection, and encourage greater Governmental participation, in the enforcement of a uniform Plumbing Code in our State.

Thank you,

4TH YEAR APPRENTICES, LAS VEGAS JOINT APPRENTICESHIP TRUST-PIPE TRADES INDUSTRY

725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110 TELEPHONE 737-2799

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Las Vegas Joint Apprenticeship Trust for the Pipe Trades Industry

725 NORTH LAMB BOULEVARD — LAS VEGAS, NEVADA 89110
TELEPHONE 305.452-6760

March 25, 1975

Honorable Assemblyman, Robert Robinson, Chairman Commerce Committee Nevada State Assembly State Capitol Building Carson City, NV 89005

Dear Assemblyman Robinson:

We, the undersigned, favor proposed Assembly Bill #255, and definitely oppose proposed Assembly Bill #222.

Assembly Bill #255 will protect the consumer, create uniform standards of Craftsmanship and inspection, and encourage greater Governmental participation, in the enforcement of a uniform Plumbing Code in our State.

Thank you,

5TH YEAR APPRENTICES, LAS VEGAS JOINT APPRENTICESHIP TRUST-PIPE TRADES INDUSTRY

,1070 *

725 NORTH LAMB BOULEVARD - LAS VEGAS, NEVADA 89110

TELEPHONE 737-2799

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