

COMMERCE AND LABOR COMMITTEE

March 27, 1975

The meeting was called to order in Room #213 at 1:10 p.m. on Thursday, March 27, 1975, with Senator Richard Blakemore, Vice-Chairman, in the chair.

PRESENT: Senator Richard Blakemore
 Senator William Raggio
 Senator Gary Sheerin
 Senator Richard Bryan
 Senator Margie Foote
 Senator Gene Echols

ABSENT: Senator Warren Monroe

OTHERS PRESENT: See Exhibit "A".

A.B. 69: Technical amendments to correct internal reference and name designation in NRS Chapter 639. Fiscal Note: No. (BDR 54-85).

There was no one present to present testimony on this bill.

A.B. 222: Changes personnel and authority of regional plumbing boards. Fiscal Note: No. (BDR 40-405).

Bill Adams, Assistant City Manager, City of Las Vegas, appeared in favor of the bill. They are happy with the bill as amended. The other entities in Clark County are also in favor of the bill. Mr. Adams said that one stipulation would be that on Page 2, Section 4, where it requires that the counties and cities send a copy of what they intend to enforce. They plan to do this with a preliminary report prior to the ordinance. The time schedule of 60 days would not allow them to send forth the final form or the ordinance because of their adopting procedure on ordinances, but the preliminary would come forward and then the ordinance would follow. Then if there are changes, that would be noted.

Senator Raggio asked Mr. Adams if this enlarged the board. Mr. Adams said no, it keeps the same number. It sets two plumbing contractors representatives and two journeymen. Senator Raggio asked if this would cover a unincorporated urban area. Mr. Adams said it would still cover the same area.

Senator Bryan asked if this required the regional plumbing board to concur. Mr. Adams said no. Normally the idea is that if there is something they have an argument it would be settled by the members of the board.

Bob Warren, League of Cities, stood and said that the league of cities is in favor of the bill.

A.B. 257: Allows state board of pharmacy to require pharmacies to post prices for prescription drugs and give such prices to telephone callers. Fiscal Note: No. (BDR 54-888).

Mike Melner, State Commerce Director, appeared in favor of the bill. A.B. 257 was requested by the Governor in his state of the state address. It arises out of the difficulty in getting price information on prescription drugs. The bill authorizes the pharmacy board to post price information and to require pharmacies to respond to phone requests for price inquiries. At the 1973 session the legislature took out the pro-

against advertising prescription drug prices. At that time it was felt that advertising would make price information more readily available. It didn't happen because of certain FDA regulations which seemed to prohibit price advertising. This was clarified by the head of the FDA in a telegram to the governor. Additionally, there is no requirement for anyone to advertise. Mr. Melner showed the committee the booklet that would be used by the pharmacy board to post prices. The prices can be changed at any time.

Senator Echols asked if this book would be available to each pharmacy. Mr. Melner said yes. Senator Echols asked if the pharmacy board is going to regulate the prices. Mr. Melner said no. You can charge whatever price you want as long as you tell people.

Senator Blakemore asked if by regulation the board would require the pharmacist to keep this out and make it available. Mr. Melner said yes.

Senator Sheerin asked if the book is going to list prices in generic state and also their fancy name. Mr. Melner said yes and gave some examples of this.

Senator Raggio asked if there were some cross reference system. Mr. Melner said that would be something to suggest to the pharmacy board.

Senator Bryan asked if he had assurances from the state pharmacy board that they will promulgate these regulations. Mr. Melner said yes, they recognize that the posting solves a lot of problems with price regulation.

Bob Broadbent, Pharmacist Association, appeared in favor of the bill. He said they are already required by law to quote prices over the telephone. He said he didn't think this bill would accomplish what the administration thinks it will. Senator Sheerin asked what law required them to give prices on the telephone. Mr. Broadbent said a law that was passed two years ago required them to give this information if the person asked for it. Mr. Melner said this was the result of an Attorney General opinion letter.

A.B. 302: Redefines "accident" under Nevada Industrial Insurance Act. Fiscal Note: No. (BDR 53-1007).

Senator Bryan said that Gordon Rice was the originator of the bill. There was a short committee discussion about the bill.

A.B. 386: Changes name of certain vocational rehabilitation fund and provides accounting standards. Fiscal Note: No. (BDR 53-1198).

Randy Webb, Legislative Auditing Staff, appeared in favor of the bill. This bill is the result of the audit they did on the Rehabilitation Division. It is a technical amendment to the existing chapter, merely retitling the fund indicating in the title of the fund exactly what it should be used for, a gift fund. There was some problem in the agency exactly what the fund could be used for. As a result of the audit it was felt that by retitling the fund they could eliminate some of these problems. They are also suggesting that the proper accounting methods to be used in accounting for gift funds should be put into the statutes. This is part of an over all program that they have undertaken.

Senator Sheerin asked if when the Rehabilitation puts together their budget gifts are not a part of their work program. Mr. Webb said that was right and explained. Senator Sheerin asked if this bill spelled out the gift fund uses. Mr. Webb said it did.

A.B. 386: Senator Raggio moved a do pass.
Senator Sheerin seconded the motion.
Motion passed unanimously. Senator Monroe was absent.

March 27, 1975

Senate Commerce and Labor Committee

333

A.B. 302: Senator Raggio moved a do pass.
Senator Sheerin seconded the motion.
Motion passed unanimously. Senator Monroe was absent.

A.B. 257: Senator Bryan moved a do pass.
Senator Sheerin seconded the motion.
Motion passed unanimously. Senator Monroe was absent.

A.B. 222: Senator Raggio moved a do pass.
Senator Sheerin seconded the motion.
Motion passed unanimously. Senator Monroe was absent.

A.B. 69: Senator Raggio moved a do pass.
Senator Echols seconded the motion.
Motion passed unanimously. Senator Monroe was absent.

There being no further business, the meeting adjourned at 1:35 p.m.

Respectfully submitted:


Kristine Zohner, Secretary

APPROVED BY:


Senator Richard Blakemore, Vice-Chairman

SENATE Commerce + Labor COMMITTEE

334

ROOM # 213

DAY @ Thursday DATE March 27, 1975

NAME ORGANIZATION ADDRESS PHONE NUMBER

*NOTE: PLEASE PRINT ALL THE INFORMATION CLEARLY.

G. RANDY WEBB LCB Audit Legis Bldg 5620

W.E. "Bill" Adams City of Las Vegas City Hall Las Vegas, Nev 386-6272

Bob WARREN NEV LEAGUE of CITIES C. C. 882-2121

JOHN MADOLE NEVADA CHAPTER A.G.C. RENO

MIKE MELNER DEPT. OF COMMERCE CC 885-425

Richard W Dunken County of Clark CC 882-2719

Bob Broadbent CLARK Co B.C. 293-1238

A. B. 69**ASSEMBLY BILL NO. 69—COMMITTEE ON COMMERCE**

JANUARY 27, 1975

Referred to Committee on Commerce

SUMMARY—Technical amendments to correct internal reference and name designation in NRS chapter 639. Fiscal Note: No. (BDR 54-85)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to pharmacists and pharmacy; correcting internal reference in NRS 639.180 and correcting name designation in NRS 639.284.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 639.180 is hereby amended to read as follows:
 2 639.180 1. A certificate as a registered pharmacist shall be issued
 3 to each person who is deemed qualified by the board in compliance with
 4 the provisions of NRS 639.120, 639.127, 639.133, 639.134 and NRS
 5 639.217 to 639.2178 [.] , *inclusive*. Such certificate shall entitle the
 6 person to whom it is issued to practice pharmacy in this state until June
 7 30 next succeeding the date of issue.
 8 2. Each person to whom such certificate has been issued may, if he
 9 so desires and if his certificate has not been revoked, renew his certificate
 10 from year to year upon making application therefor as herein provided
 11 and paying the annual renewal fee fixed by the board as provided in NRS
 12 639.170 and NRS 639.217 to 639.2178 [.] , *inclusive*.
 13 3. Application for the renewal of such certificate, together with the
 14 renewal fee, shall be delivered to the board on or before the 1st Monday
 15 in May next preceding the expiration date of any presently existing valid
 16 certificate or renewal receipt.
 17 4. Renewal receipts shall, ordinarily, be dated as of July 1 in each
 18 year, and shall be delivered to the applicant on or before that date.
 19 SEC. 2. NRS 639.284 is hereby amended to read as follows:
 20 639.284 Any person who:
 21 1. Being the licensed proprietor of a pharmacy, fails to place a reg-
 22 istered pharmacist in charge of such pharmacy, or permits the compound-
 23 ing or dispensing of drugs or prescriptions, or the selling of drugs, poisons
 24 or devices, the sale of which is restricted by the provisions of this chapter,
 25 by any person other than a registered pharmacist or [a pharmaceutical
 26 clerk,] *an intern pharmacist*, is guilty of a misdemeanor.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 222

ASSEMBLY BILL NO. 222—ASSEMBLYMAN MANN

FEBRUARY 6, 1975

Referred to Committee on Commerce

SUMMARY—Changes personnel and authority of regional plumbing boards. Fiscal Note: No. (BDR 40-405)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to plumbing; changing the composition of the regional plumbing boards; requiring city and county governing bodies to submit proposed regulations for the enforcement of the Uniform Plumbing Code to the appropriate regional plumbing board before adoption; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 444.350 is hereby amended to read as follows:
 2 444.350 1. [After January 1, 1972, any] *Any* construction, alter-
 3 ation or change in the use of a building or other structure in this state
 4 [is to] *shall* be in compliance with the latest edition of the Uniform
 5 Plumbing Code adopted by the International Association of Plumbing
 6 and Mechanical Officials.
 7 2. Any city [, county or city and county] *or county* may adopt such
 8 modifications as are deemed reasonably necessary because of geographic,
 9 topographic or climatic conditions of such city [, county or city and
 10 county. Any city, county, or city and county] *or county. Any city or*
 11 *county* desiring to make changes to the Uniform Plumbing Code, with
 12 changes, shall submit such amended code to its regional plumbing board
 13 prior to its adoption.
 14 SEC. 2. NRS 444.370 is hereby amended to read as follows:
 15 444.370 1. Each regional plumbing board shall consist of seven
 16 members, who shall be appointed by the governor,
 17 2. The members appointed to each regional plumbing board shall
 18 possess the following qualifications:
 19 (a) [Three] *Two* members shall [be persons with knowledge of the
 20 plumbing industry.] *be journeyman plumbers, and if the region contains*
 21 *any joint boards of plumbing examiners the governor shall consider*
 22 *appointing journeyman plumbers certified by such board.*

A. B. 257

ASSEMBLY BILL NO. 257—ASSEMBLYMEN HARMON, ROBIN-
SON, MANN, VERGIELS, MELLO, DEMERS, SENA, PRICE,
BROOKMAN, BANNER, CRADDOCK, HOWARD, MURPHY,
HAYES, FORD, CHANEY AND BENNETT

FEBRUARY 13, 1975

Referred to Committee on Commerce

SUMMARY—Allows state board of pharmacy to require pharmacies to post prices for prescription drugs and give such prices to telephone callers. Fiscal Note: No. (BDR 54-888)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to pharmacists and pharmacy; allowing the state board of pharmacy to require pharmacies to post prices for prescription drugs and provide such information to telephone callers; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 639.070 is hereby amended to read as follows:
2 639.070 The board shall have power:
3 1. To make such bylaws and regulations, not inconsistent with the
4 laws of this state, as may be necessary for the protection of the public,
5 appertaining to the practice of pharmacy and the lawful performance of
6 its duties.
7 2. *To make regulations requiring that prices charged by retail phar-*
8 *macies for prescription drugs and medicines be posted in the pharmacies*
9 *and be given on the telephone to persons requesting such information.*
10 3. To regulate the practice of pharmacy.
11 **[3.]** 4. To regulate the sales of poisons, drugs, chemicals and
12 medicines.
13 **[4.]** 5. To regulate the means of storage and security of drugs,
14 poisons, medicines, chemicals and devices.
15 **[5.]** 6. To examine and register as pharmacists applicants whom it
16 shall deem qualified to be such.
17 **[6.]** 7. To charge and collect necessary and reasonable fees for its
18 services, other than those specifically set forth in this chapter.
19 **[7.]** 8. To maintain offices in as many localities in the state as it
20 finds necessary to carry out the provisions of this chapter.

A. B. 302**ASSEMBLY BILL NO. 302—ASSEMBLYMEN BARENGO
AND BANNER**

FEBRUARY 19, 1975

Referred to Committee on Labor and Management

SUMMARY—Redefines "accident" under Nevada Industrial Insurance Act.
Fiscal Note: No. (BDR 53-1007)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.AN ACT relating to industrial insurance; redefining "accident" under
the Nevada Industrial Insurance Act.*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

1 SECTION 1. NRS 616.020 is hereby amended to read as follows:
 2 616.020 "Accident" [shall be construed to mean] *means* an unex-
 3 pected or unforeseen event happening suddenly and violently, with or
 4 without human fault, and producing at the time objective symptoms of
 5 an injury.

A. B. 386**ASSEMBLY BILL NO. 386—COMMITTEE ON
LABOR AND MANAGEMENT**

MARCH 11, 1975

Referred to Committee on Labor and Management

SUMMARY—Changes name of certain vocational rehabilitation fund and provides accounting standards. Fiscal Note: No. (BDR 53-1198)EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to vocational rehabilitation; changing name of the special maintenance fund for the vocational rehabilitation of disabled persons to the rehabilitation gift fund; providing accounting standards for fund transactions; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 615.260 is hereby amended to read as follows:
 2 615.260 1. The bureau is authorized and empowered to accept and
 3 use gifts made by will or otherwise for carrying out the purposes of this
 4 chapter. Gifts made under such conditions as in the judgment of the chief
 5 are proper and consistent with the provisions of this chapter may be held,
 6 invested, reinvested and used in accordance with the conditions of the gift.
 7 2. All moneys received as gifts shall be deposited in the state treasury
 8 and shall constitute a permanent fund to be called the [special mainte-
 9 nance fund for the vocational rehabilitation of disabled persons.]
 10 *rehabilitation gift fund*. Such moneys may be invested, reinvested and used
 11 as provided in subsection 1. *Fund transactions shall be accounted for in*
 12 *accordance with generally accepted accounting principles for trust and*
 13 *agency funds and the provisions of the Fiscal and Accounting Procedures*
 14 *Law*.
 15 3. Moneys in the [special maintenance fund for the vocational reha-
 16 bilitation of disabled persons] *rehabilitation gift fund* shall not revert to
 17 the general fund at the end of the fiscal year, but shall continue in such
 18 fund from year to year.