

MINUTES

ASSEMBLY
GOVERNMENT AFFAIRS
March 10, 1977
7:30am

MEMBERS PRESENT: Chairman Murphy
Mr. May
Mr. Craddock
Mr. Jeffrey
Mr. Moody
Mr. Robinson
Mrs. Westall
Mr. Jacobsen

MEMBERS ABSENT: Mr. Mann

Chairman Murphy called the meeting to order at 7:34am and explained that no testimony would be taken today, that the committee was going to have Mr. Bruce Arkell explain the amendments that are a combination of oral and written testimony received regarding A.B.273.

Mr. Arkell, State Planning Coordinator told the committee that the major complaints that had been received were 1) both sides of placing members of the general public on the board 2) two term limitations and 3) changes in the appointment authority of some boards. He then went through the proposed amendments to the bill which reflect most of the testimony received.

The committee, after a lengthy discussion with Mr. Arkell, decided to, upon a motion by Mr. May, seconded by Mr. Jacobsen, Incorporate the proposed amendments by Mr. Arkell, with the following exceptions:
1) don't consolidate the Advisory Council on Children and Youth Services, maintain two separate boards.
2) leave the Children's Home under the Welfare Board.
3) specify one of the general members on the State Board of Health to be a licensed registered nurse.

(continuation of the motion) - and have the bill redrafted for ease in further review by the committee. AMEND AND DO PASS AND REFER TO ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS. Motion passed unanimously. Amendments are attached as Exhibit 1.

There being no further business to come before the committee, the meeting was adjourned at 9:27am.

Respectfully submitted,

Kim Morgan
Kim Morgan, Committee Secretary

Changes from first draft

Section 3 - delete limitation on two terms (subsection 4), substitute a definition of General Public (see bill). In any case, where statute currently limits number of terms to be served, the provision is to be retained.

Sections 7, 8, 10 - Crime Commission - delete except for provision on chairman calling meetings and appointing subcommittees.

Section 9 - POST - no change.

Sections 13, 14 - Economic Advisory Council - delete reference to Mining Advisory Board - create new Mineral Resources Advisory Board - appointments to be October, 1977 (see Attachment 1).

Sections 15, 16, 17, 18, 19 - Youth Services Advisory Board - change name to Advisory Council on Children and Youth Services - Membership - nine, 1/3 between 15 and 21. Mandate Statewide Conference on Children and Youth (other changes, see bill).

Divide

Sections 21, 22 - Equal Rights Commission - no change.

Sections 23, 24, 25 - Nevada Indian Commission - No change.

Sections 26, 27, 28, 29, 30 - Council on the Arts - insert qualification for director, select from a list of three names submitted by the Council (see bill).

Section 31 - Communications Commission - change appointing authority to Governor.

Sections 32, 33 - Employee Management Relations Board - change date on appointment to June, 1977.

Sections 34 through 52 - Housing Commission - no change.

Sections 53 through 55 - Rural Housing Authority - remove from Housing Division and appointment of Executive Director from the Director of Commerce (see bill).

Section 56 - Eldorado Valley Advisory Group - no change.

Sections 57-58 - State Land Use Planning Advisory Council - reduce membership to 17 and remove Multiple Use Advisory Board. Reinstate Multiple Use Advisory Board as shown on Attachment 2 (see bill).

Sections 59 through 82 - Commission of Industry, Agriculture and Industry - no change.

Sections 83-84 - State Public Works Board - leave appointment authority of staff with the board. Term shall be four years rather than three.

Sections 85-87 - Nevada Tax Commission - no change.

Sections 89 through 110 - Nevada State Museum - make board policy in non-administrative areas. Governor to appoint from a list of three names submitted by the board. Add qualifications to position. (see bill).

- Same as state

Sections 111-112 - Lost City Museum - no change.

Sections 113-121 - Nevada Historical Society - make board policy in non-administrative areas, set qualifications for director, and Governor to select from a list of three names submitted by board. (see bill)

Sections 112-123 - Council on Libraries - no change.

Sections 124-125 - Virginia City Historic District Commission - no change.

Section 126 - Nevada Indian Advisory Committee - no change.

Section 127 - 128 - Advisory Committee on Environmental Education - no change.

Sections 129-130 - State Textbook Commission - no change.

Section 131 - Commission on Post-Secondary Institutional Authorization - Add barber and cosmetology schools to jurisdiction (see Attachment 3).

Sections 132-142 - Educational Communications Commission - no change.

Section 143 - State Parks Advisory Commission - no change.

Sections 144-149 - Advance Right-of-Way Acquisition Agency - delete - AB 282 will do the same thing.

Sections 150-153 - Veterans' Advisory Commission - add two general public to board.

Sections 154 - 160 - Welfare Board - language removed on policy authority for Children's Home (see bill).

leave children w/ welfare

Section 161 - Advisory Committee on Older Americans - no change.

Sections 162-163 - Child Care Policy Board - changes to reflect advisory nature of board (see bill).

Sections 164-165 - Mental Hygiene and Mental Retardation Board - no change.

Section 166 - State Board of Health - no change.

merge two 164-165 - 166

Sections 167-170 - Regional Plumbing Boards - no change.

Section 171 - State Environmental Commission - no change.

Sections 172-179 - Cancer Advisory Council - no change.

Sections 180 - Alcohol and Drug Abuse Advisory Council - no change.

Sections 181-182 - Racing Commission - no change.

Section 183 - Athletic Commission - no change.

Section 184 - State Board of Forestry & Fire Control - no change.

Sections 185-189 - Fire Marshal's Advisory Board - no change.

Sections 190-193 - Mobile Home Travel Trailer Commission - no change.

Sections 194-203 - State Board of Fish and Game Commissioners - amend to reflect Governor will select Director from a list of three nominees (see bill).

Section 204 - Oil and Gas Commission - no change.

Sections 205-206 - Energy Resources Advisory Board - leave membership at 15, remove mandate that Public Service Commission Chairman is chairman of this board.

Sections 207-208 - Ground Water Advisory Boards - remove two year limitation.

Sections 209-211 - Colorado Advisory Commission - no change.

Sections 212-232 - Irrigation District Bond Commission - no change.

Sections 233-235 - Conservation Commission - reinstate ex-officio members - Governor may select from a list submitted by the Nevada Association of Conservation Districts. *Fluorine*

Sections 246-239 - Board of Agriculture - Governor to select from a list of three nominees (see bill).

Sections 240-241 - Board of Sheep Commissioners - no change.

Sections 242-248 - Junior Livestock Show Board - retain as is. *working with the committee*

Sections 249-250 - Alfalfa Seed Advisory Committee - amend to require consultation with industry (see bill).

Section 251 - Liquefied Petroleum Gas Board - no change.

Section 252 - State Apprenticeship Council - remove limitation on term.

Sections 253-254 - Nevada Employment Security Council - no change.

Section 255 - Board of Review - no change.

Sections 256-257 - Occupational and Health Safety Board - change date to July 1, 1978.

Section 258 - State Board of Architecture - change composition to five architects, one residential designer and one general public.

Sections 259-260 - State Contractors' Board - change composition to six contractors and one general public - broaden general public definition to include anyone involved in any organization associated with the industry.

Sections 261-262 - State Board of Registered Professional Engineers - no change.

Sections 263-264 - State Board of Accountancy - add one general public to present board - Governor may select from a list submitted by the accountants.

Sections 265-267 - Board of Medical Examiners - change composition to four doctors and one general public.

Sections 268-269 - Board of Dental Examiners - no change.

Sections 270-272 - State Board of Nursing - no change.

Section 273 - State Board of Osteopathy -no change.

Section 274 - State Board of Chiropractic Examiners -no change.

Sections 275 - Board of Oriental Medicine - remove - other legislation (AB 390) conforming to this section has been introduced.

Section 276 - State Board of Podiatry - no change.

Sections 277-278 - State Board of Optometry - add one member of general public to present board.

Section 279 - Board of Dispensing Opticians - Change composition to four ophthalmic dispensing plus one general public.

Sections 280-282 - Hearing Aid Specialists - permit public to participate in exams.

Sections 283-284 - State Board of Veterinary Medical Examiners - no change.

Sections 285-286 - State Board of Pharmacy - delete requirement of NRS 453.031 that a chemist serve on board on matters related to controlled substances.

Section 287 - State Board of Physical Therapy Examiners - no change.

Sections 288-289 - Board of Psychological Examiners - no change.

Sections 290-292 - Board of Marriage and Family Counselors - no change.

Section 293 - Funeral Directors and Embalmers - no change.

Sections 294-320 - State Barbers Health and Sanitation Board - remove state health officer, add one general public, permit increase annual license fees up to \$5.00 more/year. Transfer jurisdiction of Barber Schools to Commission on Post-Secondary Institutional Authorization (see Attachment 3).

Sections 321-355 - Board of Cosmetology - Transfer schools to Commission on Post-Secondary Institutional Authorization (see attachment 3).

Sections 356-357 - Real Estate Advisory Commission -no change.

Section 358 - Private Investigators' Licensing Board - no change.

Section 359 - Medical Laboratory Advisory Committee - no change.

Sections 360-361 - Board of Examiners for Skilled Nursing Facility Administrators - no change.

Sections 363-364 - Certified Shorthand Reporters - no change.

Sections 365-368 - Savings Appeal Board - no change.

Section 369 - Credit Union Advisory Council - change appointment dates to July 1, 1977, etc.

Section 370 - Taxicab Authority - reinstate limitation on terms.

Section 371 - General repealer section to bring statutes of boards and commissions into conformance with this bill. Total repeal of the following boards and commissions is indicated.

Commission on State Public Defender Selection - NRS 180.020

Youth Training Center Advisory Board - NRS 210.020 to 210.050 inclusive

Nevada Girls Training Center Advisory Board - NRS 210.410 to 210.440

Inclusive

Police Officers Standards & Training Committee - NRS 216.135 to 216.175 inclusive

* Multiple Use Advisory Committee on Federal Lands - NRS 232.151 to 232.157 inclusive

Governor's Advisory Council on Children & Youth - NRS 233D.010 to 233D.070 inclusive

Data Processing Advisory Board - NRS 242.110, 242.210, 242.220

State Housing Commission - NRS 315.790

Marlette Lake Water System Advisory Committee - NRS 331.165

Nevada Indian Advisory Committee for Indian Education - NRS 385.530 to 385.580 inclusive

Educational Communications Commission - NRS 398.020, 398.100 to 398.120, 398.240

Nevada Instructional Planning Council - NRS 398.150

Nevada Educational Television Development Council - NRS 398.160

Nevada Legislative Communications Council - NRS 398.170

Advance Right-of-Way Acquisition and Management Agency - NRS 408.272, 409.020, 409.050, 409.120 to 409.150 inclusive, 616.4983

Civil Defense Advisory Council - NRS 414.050

Advisory Committee to Welfare Division - NRS 422.142 to 422.148 inclusive

Regional Plumbing Boards (Northern & Southern) - NRS 444.360 to 444.410 inclusive

Health Facilities Advisory Council - NRS 449.290 to 449.298 inclusive

Cancer Advisory Council - NRS 457.030 to 457.060 inclusive

Renal Disease Advisory Committee - NRS 457A.010 to 457A.050 inclusive

Alcohol and Drug Abuse Advisory Board - NRS 458.201 to 458.240 inclusive

Medical Advisory Board - NRS 467.065 to 467.068 inclusive

Nevada Mobile Home and Travel Trailer Advisory Commission - NRS 489.061, 489.160 to 489.260 inclusive

State Fish and Game Advisory Board - NRS 501.120 to 501.165 inclusive

Mining Safety Advisory Board - NRS 512.165

* Advisory Mining Board - NRS 513.010 to 513.100 inclusive

Irrigation District Bond Commission - NRS 539.637

* Junior Livestock Show Board - NRS 563.010 to 563.070 inclusive

Alfalfa Seed Advisory Board - NRS 587.135, 587.141, 587.145

Rural Manpower Services Advisory Council - NRS 612.315, 612.320

Board of Landscape Architecture - NRS 623A.080 to 623A.370 inclusive

Oriental Medicine Advisory Committee - NRS 634A.100

Liaison Committee - NRS 641.150

Board of Registration for Public Health Sanitarians - NRS 653.010
to 653.210 inclusive

Savings Association Appeal Board - NRS 673.003, 673.0355 to 673.038
inclusive

NOTE: * indicates that previously submitted amendments would reinstate those boards.

Sections 372 and 373 - add provision that on first round of appointments, Governor must reappoint at least 1/3 of the present members.

First round of appointments to be June 30, 1977 or July 1, 1977, whichever is legally correct.

Section 372 - provide for staggered term appointments for Public Employees Retirement Board.

513.010 [There is hereby created an advisory mining board for the state of Nevada consisting of seven members.] The mineral resources advisory board consisting of seven members appointed by the governor is hereby created.

513.020 [Members of the advisory mining board shall be bona fide residents of the state who are trained, experienced and qualified in the operation of the mining industry of the state and completely conversant with its problems.]

The governor shall appoint:

- a) one member who is the director of the Nevada bureau of mines and geology
- b) one member who is the state engineer
- c) three members who shall be bona fide residents of the state who are trained, experienced and qualified in the operation of the mining industry of the state and completely conversant with its problems.
- d) one member trained in oil and gas operations
- e) one general public

513.030 [1. Within 30 days after March 24, 1943, the governor shall appoint the members of the advisory mining board for the terms of 2 years.

2. Thereafter, members shall be appointed by the governor for terms of 2 years.] - repeal - same as sections 3 and 375 of AB 278.

513.040 [Any vacancy shall be filled by appointment by the governor for the unexpired term.] - repeal - same as section 3 of AB 278.

513.050 [The members of the advisory mining board shall qualify by taking the oath of office.] - repeal

513.060 1. The members of the board shall serve without pay.

2. They shall be entitled to receive their traveling and living expenses at the same rate and in accordance with the provisions of NRS 281.160.

513.070 The members of the [advisory mining board] mineral resources advisory board shall meet immediately after their appointment and qualification and organize by selecting a chairman and a secretary from their number.

513.080 The [advisory mining board] mineral resources advisory board shall meet at the time and place designated by the chairman, after consultation with the chairman of the oil and gas commission [, but shall meet at least once in each six months of each calendar year,] subject to limitations of legislative appropriations.

513.090 [From any legislative appropriation made for the use of the board, the advisory mining board may pay for necessary secretarial services and necessary office expenses in connection therewith.] - repeal

513.100 The [advisory mining board] mineral resources advisory board shall, as its objects and purposes:

1. Study ways and means of furthering the mining industry of the state particularly in regards to reactivating idle properties, assistance to small operations and in prospecting.
2. Study ways and means of further exploring and developing the oil and gas industry of the state.
3. [Report the results of such studies to the governor and to the United States Senators and Representative in Congress from this state in all instances where the board deems such action appropriate.] Advise the division of the department of conservation and natural resources that is responsible for the mineral resources of the state of Nevada.
4. Reports its recommendations for legislation deemed necessary through the department of conservation and natural resources to further the mining industry of the state.
5. Call upon the state bureau of mines and geology and the state analytical laboratory for their assistance and to cooperate with them in furthering the objects and purposes of this chapter.
6. The state engineer, director of Nevada bureau of mines and geology and one lay member shall be established as a standing subcommittee of the mineral resources advisory board and shall function as the oil and gas conservation commission.

Add new section to reinstate State Multiple Use Advisory Committee on Federal Lands, as follows:

Purpose: Provide a vehicle to exchange information and viewpoints between the various users of the federal lands of the State of Nevada.

- Duties:
1. Advise federal and state administrating agencies concerning the effect the agencies' administration and use has on the users of the land under jurisdiction of the federal government.
 2. The State Multiple Use Advisory Committee shall cooperate with the State Land Use Planning Advisory Council in identifying issues that affect both private users and local governments.

- Composition:
1. The Governor shall appoint seven members who are representatives of users of land within this state which is under the jurisdiction of the federal government.
 2. The Governor may appoint up to six additional members representing users for one year terms depending upon the issues affecting the federal lands.
 3. The Governor may appoint the representatives of users from other state agency boards and commissions.

Administration: -- The division within the department of conservation and natural resources that is responsible for State land use planning shall provide administrative support to the State Multiple Use Advisory Committee on Federal Lands.

Revise NRS 232.157-1. to read - The Director shall appoint an assistant director [to serve as the secretary of the committee as provided in NRS 232.152. In addition, he] who shall perform such other duties as may be designated by the director.

ASSEMBLY BILL NO. 278--COMMITTEE ON GOVERNMENT AFFAIRS

SUMMARY--Reorganizes boards, commissions and similar bodies in executive department of state government. (BDR 18-200)

AN ACT relating to boards, commissions and similar bodies in the executive department of state government; establishing uniform provisions for the appointment by the governor of members to these bodies; changing the composition of various bodies; transferring certain powers and duties; abolishing certain bodies; providing for the expiration and reestablishment of the terms of members; and providing other matters properly relating thereto.

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

Page 41, add an amendment after line 48.

Add a section 131A to read

SEC. 131A HRS 394.540 is hereby amended to read as follows:

394.540 All fees collected pursuant to the provisions of the Postsecondary Educational Authorization Act shall be deposited in the state treasury to the credit of the general fund, and no fees so collected are subject to refund. The fees to be collected by the Commission shall accompany an application for a license to operate or an agent's permit [, in accordance with the following schedule:

1. The initial application fee for postsecondary educational institutions is \$50.
2. The renewal fee for a postsecondary educational institution is \$50.
3. The initial fee for an agent's permit is \$5.
4. The renewal fee for an agent's permit is \$5.]

The schedule of fees shall be set by the Commission after appropriate hearings and by regulation, not to exceed the following amounts:

1. The initial application fee shall not exceed \$250. for a postsecondary educational institution.
2. The renewal fee for a postsecondary educational institution shall not exceed \$250.
3. The initial fee for an agent's permit shall not exceed \$30.
4. The renewal fee for an agent's permit shall not exceed \$30.

SEC. 295 line 40 amended to read as follows:

registered barber and meeting the qualifications required by the [board]
commission.

SEC. 298 line 12 amended to read as follows:

health division, and the Commission on Postsecondary Institutional
Authorization.

SEC. 300 line 18 amended to read as follows:

health division in a barber school [approved] licensed by the [board]
commission.

SEC. 313 N.R.S. 643.172 amended to read as follows:

643.172 [It is unlawful for any person, firm or corporation to operate a
barber school unless the board has issued to such person, firm or corporation
a license which is current and in good standing.]

Any person, firm or corporation that desires to operate a barber school is
subject to the statutory provisions of the Postsecondary Educational Authorization
Act (NRS Chapter 394) and the regulations of the commission and the applicable
provisions of NRS Chapter 643.

SEC. 316 NRS 643.176 is amended to read as follows:

643.176 The board shall [have authority to adopt and enforce reasonable
rules and] advise in regulations governing:

1. The conduct of barber schools;
2. The course of study of barber schools; and
3. The qualifications required of instructors in barber schools.

Repeal N.R.S. 643.173, 643.174, 643.175, 643.178 and 643.179

SEC. 325 line 15 amended to read as follows:

"health division and the Commission on Postsecondary Institutional Authorization."

SEC. 328 line 18 amended to read as follows:

"under the provisions of this chapter and chapter 394, from engaging, in the
school and as"

SEC. 329 line 35 amended to read as follows:

"of 10 months, in a school of cosmetology [approved] licensed by the [board]
commission."

SEC. 330 line 5 amended to read as follows:

"vision of an approved electrologist in [an approved] a licensed school in
which the"

SEC. 345 N.R.S. 644.380 is amended to read as follows:

644.380 [1. Any person, firm or corporation desiring to conduct a school of cosmetology in which any one or any combination of the occupations of a hairdresser and cosmetician are taught shall apply to the board for a certificate of registration and license, through the owner, manager or person in charge, in writing, upon forms prepared and furnished by the board. Each application shall contain proof of the particular requisites for registration provided for in this chapter, and shall be verified by the oath of the maker. Such forms shall be accompanied by:]

Any person, firm or corporation that desires to operate a school of cosmetology in which any one or any combination of the occupations of a hairdresser and cosmetician are taught is subject to the statutory provisions of the Postsecondary Educational Authorization Act (NRS Chapter 394) and the applicable provisions of NRS Chapter 644. An application for licensure shall contain:

(a) [A detailed floor plan of the proposed school.]

[(b)] The name, address and license number of the manager or person in charge and of each instructor.

[(c). Evidence of financial ability to provide the facilities and equipment required by rules of the board and to maintain the operation of the proposed school for a period of 1 year.]

[(d)] (b) Proof that the proposed school will commence operation with an enrollment of not less than 25 bona fide students.

[(e) The annual registration fee.

2. Upon receipt by the board of the application, the board shall, before issuing a certificate of registration and license, determine whether the proposed school:

(a) Is suitably located.

(b) Contains adequate floor space and equipment.

(c) Meets all requirements established by rules of the board.

3. The annual registration fee for a school of cosmetology is \$300.]

SEC. 349 line 4 and line 7 is amended to read as follows: (Remove brackets)

Repeal N.R.S. 644.383, 644.390 and 644.403

SEC. 351 lines 9 and 10 are amended as follows:

"[every] a person must apply for and receive a license from the [board.]
health division.

SEC. 352 line 13, 24 and 25 is amended as follows:

[board] health division