

SENATE COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES

MARCH 30, 1977

The meeting was called to order at 8:36 a.m. on Wednesday, March 30, 1977, in Room 323, with Senator Jack Schofield in the Chair.

PRESENT: Chairman Jack Schofield  
Vice-Chairman Joe Neal  
Senator William Raggio  
Senator Richard Blakemore  
Senator Wilbur Faiss  
Senator William Hernstadt

GUESTS: Richard Fulstone, People's Packing of Yerington  
Assemblyman Joe Dini, Sponsor A.B. 183  
Assemblyman John Serpa, Proponent A.B. 183  
Tom Ballou, Nv. State Department of Agriculture  
Tom Ringkob, Univ. Of Nevada, Assoc. Prof. of Meat Technology  
Dr. Paul Fugazzotto, Nv. Health Division  
Jim Costa, Department of Education

A.B. 183 (Exhibit "A")

Mr. Richard Fulstone of the People's Packing Plant in Yerington said, that the difference between meat inspection and meat grading: Meat inspection is under the Animal and Poultry Health Inspection and that is for the wholesomeness of the product; and the Meat grading service is under the Marketing Service of the Federal Government which identifies the quality of the carcass. In Western Nevada about 80% of the meat that is consumed has to have a U.S.D.A. grade on it. In order to have meat grading in this area, you either have to have enough plants in a given area or someone has to take a 'commitment' for 40 hours from the Federal Marketing Service which costs approximately \$33,000 per year.

Senator Raggio asked Mr. Fulstone to explain the term 'commitment'. Mr. Fulstone said the meat grader who has to meet Federal standards is contracted from the Marketing Service.

(Senator Neal entered the room.)

Assemblyman Joe Dini said that he was in full support of this program, which he feels is an advantage to the packer and the consumer. Mr. Dini said that the state appropriation is only to get the program started, and in a few years there will be enough volume to be self-sufficient.

Senator Raggio asked why is the salary listed as \$16,000 in the Fiscal Note, and you say the salary for this grader would be \$14,369 per year? Mr. Tom Ballou of the Nevada State Department of Agriculture said that includes retirement and benefits. Senator Raggio asked what does the Department envision will be the income from the fees charged for the meat grader? Mr. Ballou referred to his handout (Exhibit "B")

and said that the Department has a commitment from People's Packing from Yerington and K-Pack from Fallon which should amount to an estimated income in fees of \$11,256.44 per year. Funding from the State is necessary because at this time we cannot guarantee the full-time commitments for the grading service. Mr. Ballou said that the Department has negotiated with the Agriculture Marketing Service, and they have agreed that they will certify an employee.

Mr. John Serpa, Assemblyman District 37, said that the Nevada Cattlemen's Association endorsed a resolution supporting this bill (Exhibit "C"). Mr. Serpa said that in the Fallon area, there are many small feeding operations that could generate local income if the cattle did not have to go out-of-state for slaughter.

Senator Schofield asked how many slaughter houses are there? Mr. Serpa said are four in Fallon, one in Yerington, Reno and Carson Valley.

Senator Hernstadt asked if any other areas in the State will utilize this service? Mr. Serpa said that he is not aware of any in either the eastern or southern areas. Mr. Ballou said that there are small slaughter houses in Logandale and Mesquite.

Mr. Tom Ringkob, Associate Professor of Meat Technology, said it is prohibitively expensive to fly the grader in from California, pay him per diem, and fly him back again. Mr. Ringkob said that approximately 700 head of cattle per week are hauled to California for slaughter.

Senator Neal asked how much does it cost to slaughter a cow? Mr. Fulstone said about \$35.00 to \$40.00 per head is the processing average, but it depends on the size of the plant.

Senator Raggio: Motion for Do Pass on A.B. 183

Senator Faiss: 2nd the Motion.

The Motion passed. (Senator Blakemore absent for the vote)

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Dr. Paul Fugazzotto presented a bill request to the Committee concerning laboratory services, and the possible misuse of services by physicians. Dr. Fugazzotto as Director of the Bureau of Laboratories and Research in the State Health Division, said he would like to see NRS 652.190 amended (Exhibit "D") because he has become aware that physicians have received lab services from the State at no cost, and then has charged the patient for this service.

Senator Raggio in reviewing sections 4 and 5 of the suggested amendment said that he will not take part in a device that fixes fees.

Senator Hernstadt asked how long has this been going on? Dr. Fugazzotto said that this is considered an emergency situation because the Medicare program has questioned some of the Welfare recipient's bills as they are reviewed.

Senator Schofield asked Senator Raggio if this is covered by the current statute? Senator Raggio said that the statute is very thorough, and he felt that fixing fees for the physicians is a real shift in policy. Senator Neal asked Senator Raggio if he was familiar with Senator Frank Moss' study in Utah on laboratories...he felt that if this is not regulated locally, the Federal Government can come in to regulate it for us.

Senator Schofield said that although it is too late to draft new legislation at this time, this could be made into an amendment and tagged to existing legislation. Senator Raggio said that he would not oppose an amendment that said that the State lab will not charge for their service, and the physicians using this service will also not charge a lab fee.

S.B. 92 (Exhibit "E")

Senator Hernstadt said that he felt that the Board of Cosmetology uses their power to restrict input into the field of cosmetology if they feel they have too many people. He sited a case of a woman who had been waiting seven or eight months to be licensed and because of her contact of complaint with a legislator, she had not passed the exam.

Senator Hernstadt: Motion to "Kill" S.B. 92  
Senator Neal: 2nd the Motion.

Senator Raggio said that a bill has been processed that removes the residency requirement for examinations. He asked Senator Hernstadt how did he know that she failed because she contacted a legislator? Senator Hernstadt said that he requested that a copy of the examination be sent to him.

No decisive action was taken on S.B. 92: Senators Schofield and Faiss voted "No", and Senator William Raggio did not vote. Senator Raggio explained that he felt that there was a conflict of interest in that the lobbyist for this legislation is his law partner.

A.B. 147 (Exhibit "F")

Senator Raggio said that the amendment he suggested for this bill is 296-A which guarantees water which is not toxic to plants or fish.

Senator Raggio: Motion to accept Amendment 296-A for A.B. 147

Senator Neal: 2nd the Motion.

The Motion passed. (Senators Blakemore and Hernstadt voted "No")

Senator Neal: Do Pass A.B. 147 as amended  
Senator Raggio: 2nd the Motion.

The Motion passed. (Senators Blakemore and Hernstadt voted "No")

S.B. 104 (Exhibit "G")

Please note this was requested verbatim and is Exhibit "H".

S.B. 90 (Exhibit "I")

Senator Blakemore: Motion to "Kill" S.B. 90  
Senator Hernstadt: 2nd the Motion.

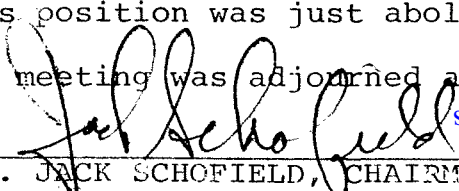
The Motion passed. (Senator Neal voted "No")

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Mr. Jim Costa of the Department of Education answered the Committee's questions regarding a letter from the Nevada Association of Health, Physical Education and Recreation. Mr. Costa said that he spoke to this group in the Fall and answered them point for point. Mr. Costa said that in regards to the Curriculum Guide they suggested for Grades K-12, the Department already has one, although course content is left up to the local principals or boards. Mr. Costa said in regards to revising the statutes on physical education and giving required times for this instruction, that Senator Dodge is sponsoring a resolution to re-codify the school code which is out-dated, and the time spent instructing P.E. should be suggested not mandated.

Senator Raggio said that Mr. Costa did not need to respond to the suggestion of a full-time consultant for P.E. as this position was just abolished.

The meeting was adjourned at 10:14 a.m.

  
SEN. JACK SCHOFIELD, CHAIRMAN

  
SHEBA LYNN WOOLLEY, SECRETARY

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 183

ASSEMBLY BILL NO. 183—ASSEMBLYMEN DINI AND SERPA

JANUARY 27, 1977

Referred to Committee on Agriculture

SUMMARY—Provides for program of grading and certifying meats.  
(BDR 51-704)FISCAL NOTE: Local Government Impact: No.  
State or Industrial Insurance Impact: Yes.EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to meat; requiring the state department of agriculture to establish a program for grading and certifying meats, prepared meats and meat products; making an appropriation; 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. Chapter 583 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *The state department of agriculture shall establish a program for*  
4 *grading and certifying meats, prepared meats and meat products in con-*  
5 *formity with federal practice.*  
6 2. *The department may enter into cooperative agreements with the*  
7 *Agricultural Marketing Service of the United States Department of Agri-*  
8 *culture and the college of agriculture of the University of Nevada and*  
9 *adopt appropriate regulations to carry out the program.*  
10 3. *The department may establish fees, to be collected from slaughter-*  
11 *ing or other processing operations, for the purpose of grading and certi-*  
12 *fying meats, prepared meats and meat products.*  
13 SEC. 2. There is hereby appropriated from the state general fund to  
14 the state department of agriculture for the purpose of establishing a pro-  
15 gram for grading and certifying meats, prepared meats and meat products:  
16 1. The sum of \$2,170 for the fiscal year ending June 30, 1977.  
17 2. The sum of \$10,206 for the fiscal year beginning July 1, 1977,  
18 and ending June 30, 1978.  
19 3. The sum of \$10,957 for the fiscal year beginning July 1, 1978,  
20 and ending June 30, 1979.  
21 SEC. 3. This act shall become effective upon passage and approval.

80

Original bill is on file at  
the Research Library.

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EXHIBIT "B"

EXPLANATION

A.B. 183

FISCAL NOTE

PROPOSAL. The Nevada State Department of Agriculture would enter into an agreement with the United States Department of Agriculture whereby a meat grader already trained and qualified by U.S.D.A. would be hired by the Nevada State Department of Agriculture. The meat grader would be hired at a salary reasonably comparable with U.S.D.A. GS-Grade 9, Step 3 (\$14,369). Salary and fringe benefits would be in accordance with Nevada State Personnel Schedule Grade 30, Step 13 (6.88 per hour). The meat grader would provide meat grading service to Peoples Packing at Yerington, K-Pack at Fallon, University of Nevada at Reno and others in the service area as requested. The user of the service would pay the Nevada Department of Agriculture the standard U.S.D.A. fee for meat grading service (approximately \$17.00 per hour) and mileage fee of 17¢ per mile. The meat grader would be stationed in Fernley, the most central location for the users, or if necessary to station him in Reno, hours and mileage charges to users would be computed as if he were stationed in Fernley. The meat grader would give first priority to providing meat grading services. See the attached work schedule. Since there is not enough demand to utilize the meat grader full time, the balance of his time would be utilized by the Nevada Department of Agriculture in package inspection work, or other activity. The U.S.D.A. would provide supervision of the meat grading work to make sure it meets the standards of the Agricultural Marketing Act of 1946 and Rules and Regulations of the U. S. Department of Agriculture, Agricultural Marketing Service, governing the grading and certification of meats, prepared meats, and meat products (7 CFR Part 53). The U.S.D.A. will be reimbursed for this overhead of training and supervision by the Nevada State Department of Agriculture at

Explanation  
A.B. 183 Fiscal Note

the rate of 14% or less of the user service fee collected. The travel would be performed in an existing used vehicle owned by the Nevada Department of Agriculture and the employee would be reimbursed at state rates for per diem. All accounting and billing for services would be performed by the Nevada State Department of Agriculture. Official U.S.D.A. stamps and forms would be used by the meat grader.

TENTATIVE WORK SCHEDULE  
MEAT GRADING SERVICE

SUN	MON	TUE	WED	THU	FRI	SA
	<p>6:00 A.M. Travel Fernley to Yerington, 46 Mi. 50 Minutes Meat grading at People's Packing 1 Hour Return travel to Silver Springs, 35 Minutes</p> <p>NOON - - - - -</p> <p>Travel Silver Springs to Fallon, 20 Minutes. Meat grading at K-Pack, 1 Hour Travel Fallon to Fernley, 17 Mi., 20 Minutes.</p> <p>5:00 P.M.</p>	<p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p> <p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p>	<p>6:00 A.M. Travel Fernley to Yerington, 46 Mi. 50 Minutes Meat grading at People's Packing 1 hour Return travel to Fernley, 46 Mi. 50 Minutes</p> <p>- - - - -</p> <p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p>	<p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p> <p>- - - - -</p> <p>2:00 P.M. Travel Fernley to Yerington, 46 Mi., 50 Minutes Meat grading at People's Packing 1 Hour Return Travel to Fernley, 46 Mi., 50 Minutes.</p>	<p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p> <p>- - - - -</p> <p>NOON</p> <p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p>	

Meat grading services for others to be scheduled as requested except Monday, Wednesday, A.M., or Monday and Thursday, P.M. As meat grading work picks up, the Weights and Measures work would be decreased accordingly.

People's Packing Weekly Charges = 8 Hrs. at \$17.00 = \$136.00 / 265 Mi. at 17¢ = \$45.05

(TOTAL \$181.05)

K-Pack Weekly Charges = 1 Hr., 45 Min., at \$17.00 = \$29.75 / 34 Mi. at 17¢ = \$5.76

(TOTAL \$35.42)



People's Packing:      \$181.05 x 52 Wks = \$9,414.60  
K-Pack:                      \$35.42 x 52 Wks = \$1,841.84

\$11,256.44

Cost of administration supervision and training to be paid to Meat Inspection Service, U.S.D.A.

Balance placed in Plant Industry Fund to reimburse fund for salary and travel costs while on meat grading duties.

All salary and travel costs to be paid from Plant Industry Fund.

EXPLANATION OF COSTS  
Meat Grading Proposal

For each hour that the grader works on meat grading, the meat processing plant, or slaughter house, using the service would be charged \$17.00. This would be charged for travel time and actual grading time at the plant. In addition, a mileage charge of 17 cents per mile would be charged.

The \$17.00 would be paid to the State Department of Agriculture and the Agricultural Marketing Service of the U.S.D.A. to reimburse them for expenses they have incurred in providing the Service as follows:

<u>Nevada Department of Agriculture</u>	
Salary	\$8.25
Overtime	1.43
Fringe Benefits	1.00
Miscellaneous Travel	.39
Transfers	.05
Personnel Services	<u>.24</u>
TOTAL TO STATE	\$11.36 per hour

Agricultural Marketing Service, U.S.D.A.

The balance of the \$17.00 per hour ( $\$17.00 - 11.36 = \$5.64$ ) or \$5.64 would be paid to A.M.S. to cover supervision, supervisory travel, general overhead, billing, collecting data processing, etc.

F I S C A L   N O T E

BDR 51-704  
 A.B. A.B. 183  
 S.B. \_\_\_\_\_

Date Transmitted February 4, 1977

STATE AGENCY ESTIMATES                      Date Prepared February 4, 1977

Agency Submitting AGRICULTURE

<u>Revenue and/or Expense Items</u>	<u>Fiscal Note 1976-77</u>	<u>Fiscal Note 1977-78</u>	<u>Fiscal Note 1978-79</u>	<u>Continuing</u>
Salaries	2,736.00	16,094.00	17,059.00	17,500.00
Out-State Travel	0	300.00	0	300.00
In-State Travel	784.00	5,546.00	6,101.00	6,200.00
Operating Expense	397.00	2,323.00	2,481.00	2,600.00
Equip.(Ex.Ec. Unit)	591.00	0	0	0
TOTAL	4,508.00	24,263.00	25,641.00	26,600.00
Less Revenue	2,338.00	14,057.00	14,684.00	15,000.00
 Total	 2,170.00	 10,206.00	 10,957.00	 11,600.00

Explanation (Use Continuation Sheets If Required)

FY 77-78

Out-State Travel - Training  
 In-State Travel - Per Diem            \$983.00  
    - Motor PI            4,563.00  
    \$5,546.00

Operating Expense  
 Office Supplies                        \$25.00  
 Communication                        160.00  
 Laundry                                    60.00  
 Field Supplies                         40.00  
 Clothing                                    70.00  
 Federal Fee                              1,968.00  
    \$2,323.00

Local Government Impact    YES     NO   
 (Attach Explanation)

Signature *Thomas Walker*  
 Title Executive Director

• DEPARTMENT OF ADMINISTRATION COMMENTS                      Date \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

• LOCAL GOVERNMENT FISCAL IMPACT                      Date \_\_\_\_\_  
 (Legislative Counsel Bureau Use Only)

NEVADA CATTLEMEN'S ASSOCIATION AND  
NEVADA WOOLGROWERS ASSOCIATION  
JOINT CONVENTION  
NOVEMBER 10, 1976

RESOLUTION NUMBER 5 -- Resolutions Committee

WHEREAS: The U.S.D.A. Meat Grading Services are not readily available or easily accessible to slaughter houses and meat processing plants in Nevada at a reasonable cost; and

WHEREAS: Beef produced in Nevada of a prime or choice quality must be processed in a plant where U.S.D.A. Meat Grading services are available in order to receive the price benefits of the prime or choice grade; and

WHEREAS: Slaughter houses and meat processing plants in Nevada are unable to operate at an optimum level of production without the service; and

WHEREAS: Many jobs would be available to local people in slaughter houses and meat processing plants if they were operating at an optimum level of production; therefore be it

RESOLVED: That the Nevada Cattlemen's Association supports and requests legislative action to authorize and support a meat grading program in Nevada Through the Nevada Department of Agriculture under a cooperative agreement with the College of Agriculture, University of Nevada, and the Agricultural Marketing Service of the United States Department of Agriculture.

DIRECTED TO: Governor O'Callaghan, Nevada State Department of Agriculture, College of Agriculture

NRS 652.190 is hereby amended by adding thereto the following provisions:

Section 1: The original or photocopy of all laboratory reports pertaining to tests on the patient shall, on request of the patient or his agent, be made available by the physician ordering the laboratory analysis.

Section 2: These reports shall be made on forms provided by the laboratory performing the tests and shall consist of the following:

- a) the name and location of the laboratory;
- b) the name or nature of test(s) performed;
- c) whether procedure utilized was automated panel or manual individual;
- d) the results obtained, along with normal values where applicable.

Section 3: The patient or his agent shall, on request, be entitled to a billing statement itemized to indicate actual <sup>(by the laboratory)</sup> charges for test(s) performed as distinguished from handling surcharges or other ancillary charges, if any.

Section 4: The <sup>agency or performing of</sup> physician ordering the laboratory analyses shall make printed fee schedules available which serve as the basis for <sup>uniform</sup> charges to all patients for laboratory services.

Section 5: The State Board of Health may, by regulation, establish fee schedules prescribing maximum charges for the removal of test specimens from the patient.

## S. B. 92

SENATE BILL NO. 92—COMMITTEE ON EDUCATION, HEALTH  
AND WELFARE AND STATE INSTITUTIONS

JANUARY 20, 1977

Referred to Committee on Education, Health and Welfare  
and State InstitutionsSUMMARY—Increases certain fees charged and penalties assessed by state  
board of cosmetology. (BDR 54-270)FISCAL NOTE: Local Government Impact: No.  
State or Industrial Insurance Impact: No.EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to cosmetology; increasing certain fees charged and penalties assessed by the state board of cosmetology; permitting the board to set certain other fees within specified limits; 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 644.220 is hereby amended to read as follows:  
2 644.220 1. The amounts of the examination fees and reexamination  
3 fees required by this chapter are those **[fixed by]** *established by the*  
4 *board within* the following schedule:  
5 (a) The fee for examination as a hairdresser and cosmetician is  
6 **[\$15.]** *at least \$15 but not to exceed \$30.* The fee for each reexamina-  
7 tion **[**(other than a second examination, for which no fee shall be  
8 charged) is \$5.**]** *is at least \$5 but not to exceed \$10.*  
9 (b) The fee for examination as an electrologist is **[\$15.]** *at least \$15*  
10 *but not to exceed \$30.* The fee for each reexamination **[**(other than a sec-  
11 ond examination, for which no fee shall be charged) is \$7.50.**]** *is at least*  
12 *\$7.50 but not to exceed \$10.*  
13 (c) The fee for examination as a manicurist is **[\$10.]** *at least \$10 but*  
14 *not to exceed \$30.* The fee for each reexamination **[**(other than a sec-  
15 ond examination, for which no fee shall be charged) is \$2.50.**]** *is at least*  
16 *\$2.50 but not to exceed \$10.*  
17 2. Each applicant referred to in subsection 1 shall, in addition to  
18 the fees specified therein, pay to the board the reasonable value of all  
19 **[supplies necessary]** *necessary supplies and a reasonable proportion of*  
20 *the rent for the facilities* to be used in the examination or examinations.  
21 SEC. 2. NRS 644.310 is hereby amended to read as follows:

Original bill is 3 pages long.  
Contact the Research Library for  
a copy of the complete bill.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 147

ASSEMBLY BILL NO. 147—COMMITTEE ON  
HEALTH AND WELFARE

JANUARY 25, 1977

Referred to Committee on Health and Welfare

SUMMARY—Provides for drinking water control. (BDR 40-193)

FISCAL NOTE: Local Government Impact: Yes.  
State or Industrial Insurance Impact: Executive Budget.EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to drinking water; requiring the state board of health to adopt drinking water standards; authorizing the board to establish a system for issuing operating permits to suppliers of water; prescribing powers and duties of the board, the state health officer and local health officers; providing penalties; 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. Chapter 445 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 21, inclusive, of this act.  
3 SEC. 2. *It is the policy of this state to provide for safe drinking water*  
4 *and thereby promote the public health and welfare.*  
5 SEC. 3. *As used in sections 2 to 21, inclusive, of this act unless the*  
6 *context otherwise requires, the terms defined in sections 4 to 10, inclu-*  
7 *sive, of this act have the meanings ascribed to them in those sections.*  
8 SEC. 4. *"Contaminant" means any physical, chemical, biological,*  
9 *radiological or other substance which can cause or transmit infectious*  
10 *disease, chemical poisoning, chronic disease or other impairment to man.*  
11 SEC. 5. *"Federal Act" means the Safe Drinking Water Act (42*  
12 *U.S.C. §§ 300f et seq.).*  
13 SEC. 6. *"Health authority" means the officers and agents of the*  
14 *health division or the officers and agents of the local boards of health.*  
15 SEC. 7. *"Health division" means the health division of the department*  
16 *of human resources.*  
17 SEC. 8. *"Person" includes the State of Nevada, any political subdi-*  
18 *vision of this or another state, and any agency of the United States.*  
19 SEC. 9. *"Public water system" means any system which provides the*  
20 *public with piped water for human consumption if the system has 15 or*  
21 *more service connections or regularly serves 25 or more persons for 60*  
22 *or more days a year. A public water system includes:*

Original bill is 4 pages long.  
Contact the Research Library for  
a copy of the complete bill.

S. B. 104

SENATE BILL NO. 104—SENATORS NEAL, BLAKEMORE,  
FAISS, HERNSTADT AND ECHOLS

JANUARY 20, 1977

Referred to Committee on Education, Health and Welfare  
and State Institutions

SUMMARY—Narrows definition of unethical or unprofessional conduct  
in profession of optometry. (BDR 54-666)

FISCAL NOTE: Local Government Impact: No.  
State or Industrial Insurance Impact: No.



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

AN ACT relating to optometry; narrowing the definition  
of unethical or unprofessional conduct.

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

- 1 SECTION 1. NRS 636.300 is hereby amended to read as follows:
- 2 636.300 The following acts, or any of them, on the part of the
- 3 licensee, [shall] constitute unethical or unprofessional conduct:
- 4 1. Association as an optometrist with any person, firm or corporation
- 5 violating this chapter.
- 6 2. [Accepting employment, directly or indirectly, from a person or
- 7 persons not licensed to practice optometry in this state for the purpose of
- 8 assisting him or them in such practice or enabling him or them to engage
- 9 therein.
- 10 3.] Making a house-to-house canvass, either in person or by another
- 11 or other persons, for the purpose of advertising, selling or soliciting the
- 12 sale of eyeglasses, frames, lenses, mountings, or optometric examinations
- 13 or services.
- 14 [4.] 3. Division of fees with another optometrist except for services
- 15 based on division of service or responsibility.
- 16 [5.] 4. Division of fees or any understanding or arrangement with
- 17 any person not an optometrist.
- 18 [6.] 5. Employing any person to solicit house-to-house for the sale
- 19 of eyeglasses, frames, lenses, mountings, or optometric examinations or
- 20 services.
- 21 [7.] 6. Circulating or publishing, directly or indirectly, any false,
- 22 fraudulent or misleading statement as to his method of practice or skill, or
- 23 the method of practice or skill of any other licensee.

Original bill is 2 pages long.  
Contact the Research Library for  
a copy of the complete bill.



S.B. 104

MARCH 30, 1977

Senator Neal: Motion for Do Pass  
Senator Hernstadt: 2nd the Motion

Sen. Schofield: I would like to discuss this a moment. You may have the votes to pass that, but I am going to vote "No" on this, because we gave the Optometrists an opportunity to come over and speak with us and make some suggestions on what they could do to take care of it for the people, and they came up with some very valid suggestions, in my opinion. They haven't had an opportunity yet, to come back to us to tell us how they worked it out with the Human Resources' Department. Until that comes back, so I can make judgement on that, I am going to vote "No" against this. It is not because I am against the people, I am, but I want something to happen on this. Either this or through their own procedures and methods.

Sen. Neal: We always have the option of tabling the bill, once it gets to the Floor.

Sen. Raggio: I am voting "No" for more specific reasons, because the testimony I heard reinforces that the opinion I reached when this matter was considered in previous sessions, that it would be deteriorating the standards of health-care delivery and that the dispensing of this type of health service in a mercantile atmosphere is just not in the interest of the public.

Sen. Hernstadt: I do not know if Senator Raggio read the research study I had our research department do, I handed a copy to every member of the Committee, but it indicated that prices were 10% to 40% cheaper in California because of the corporate opticians. I think all the people should benefit by cheaper eye glasses, not just some that may have food stamps, or the Welfare recipients. I think everyone should. I think the optometrists have created a special privilege in their industry. They introduced testimony that was not square with the facts. Our research department came up with that in the State of California, that there were no more complaints against a corporate optometrist than a regular individual practitioners of optometry, and that this is a blatant privileged industry, and if we are worried about health care how can we vote out A.B. 121, and not vote this bill out? I think this bill has merit, it will save the people money, and I think that anyone that votes against this, is concerned with a privileged industry.

Sen. Schofield: Senator Hernstadt, you can think that all you want and that can be your opinion that anybody who votes against this is for a privileged industry. I am no more for a privileged industry, personally speaking, to try to get it and get better prices out for the people who buy eyeglasses than and I am trying to get television stations to reduce their

PAGE TWO

rates on advertising.

Sen. Raggio: Let me also remind the Senator, that this Committee has not voted out A.B. 121 yet.

Sen. Hernstadt: Mr. Chairman, television stations by Federal law must give political candidates the lowest rate. I would just like to point that out to you.

Sen. Raggio: I move the question.

The Motion passed. (Senators Raggio and Schofield voted "NO")

S. B. 90

SENATE BILL NO. 90—SENATORS YOUNG,  
GOJACK, FAISS AND CLOSE

JANUARY 20, 1977

Referred to Committee on Education, Health and Welfare  
and State Institutions

SUMMARY—Requires refunds to be paid for return of certain beverage con-  
tainers and prohibits sale of certain beverage containers. (BDR 40-497)

FISCAL NOTE: Local Government Impact: No.  
State or Industrial Insurance Impact: No.

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

AN ACT relating to beverage containers; requiring dealers, distributors and  
manufacturers of beverages to pay refunds in certain circumstances for the  
return of empty containers; prohibiting the sale of certain metal beverage  
containers; declaring certain use of containers to be a nuisance; providing a  
penalty; 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. Title 40 of NRS is hereby amended by adding thereto a
- 2 new chapter to consist of the provisions set forth as sections 2 to 20,
- 3 inclusive, of this act.
- 4 SEC. 2. The legislature finds and declares that:
- 5 1. The accumulation of broken bottles and discarded cans poses a
- 6 threat to the health of the citizens of Nevada and to the scenic landscape
- 7 of the state.
- 8 2. This condition is indicative of a shortsighted allocation of natural
- 9 resources.
- 10 3. It is necessary to enact statutory measures which will protect the
- 11 health of the citizens and preserve the beauty of the landscape through
- 12 the intelligent use of resources.
- 13 SEC. 3. As used in this chapter, the words and terms defined in sec-
- 14 tions 4 to 11, inclusive, of this act have the meanings ascribed to them in
- 15 those sections.
- 16 SEC. 4. "Alcoholic beverage" means ale, beer or any similar malt
- 17 beverage.
- 18 SEC. 5. "Board" means the state board of health.
- 19 SEC. 6. "Container" means any can, bottle, jug, tub, vessel, or other
- 20 receptacle used for an alcoholic or nonalcoholic beverage.
- 21 SEC. 7. "Dealer" means every person in this state who engages in the
- 22 sale of alcoholic or nonalcoholic beverages in containers to consumers.

Original bill is 2 pages long.  
Contact the Research Library for  
a copy of the complete bill.