

SENATE FINANCE COMMITTEE
MINUTES OF MEETING
APRIL 16, 1977

The meeting was called to order at 8:30 a.m.

Senator Floyd R. Lamb was in the chair.

PRESENT: Senator Floyd R. Lamb, Chairman
Senator James I. Gibson, Vice Chairman
Senator Eugene V. Echols
Senator Norman D. Glaser
Senator Norman Ty Hilbrecht
Senator Thomas R. C. Wilson
Senator C. Clifton Young

OTHERS: Senator Gary Sheerin
Assemblyman Daniel Demers
Ronald W. Sparks, Chief Deputy, Fiscal Analysis
Cy Ryan, UPI
Orville Wahrenbrock, Chief Assistant Human Resources
Al Edmundson, Food and Drug Commissioner, State of Nevada
John Meder, Administrator State Parks System

S. B. 468: Authorizes state land registrar to purchase unimproved land in Lake Tahoe Basin.

Senator Lamb asked Senator Sheerin to speak on S. B. 468.

Senator Sheerin said this was simply an appropriation of \$1 million to start on a very worth while project within the basin. He said that a person's attitude toward the Tahoe Regional Planning Agency is in direct relation to how the agency touches that person. If you own land within the basin and if you have been down zoned, your attitude toward the agency is pure hatred. On the other hand, if you live in Los Angeles and you want to save the basin for your own particular use, your attitude towards the agency is one of "loveability" and you think that it is a great agency.

The people being talked about in the bill are the people the agency touches and directly affects. TRPA has imposed a general plan, the first provided that approximately 800,000 people would be able to get into the basin. The Director who made the proposal was fired and the next proposal and general plan that exists there now calls for some 300,000 people to eventually be able to live and use the basin. So as a result of this plan there are several parcels of land that have been down zoned and the use is going to be a lot less than before the existence of the TRPA.

He said that he did not take the position that this was, in fact, inverse condemnation. He felt the courts should make that ultimate decision on inverse condemnation and whether or not the state was going to have to pay for the land. But the point is, it is still unfair and he wanted to do something for the unfairness that has been caused by the creation of TRPA. For the people who have been directly affected, who have been down zoned, the attitude of hatred toward the TRPA will eventually change and go away and the agency will be better able to function in the future.

If the state comes in and buys this land, they will be putting private land in the public ownership and that is the whole thing that is trying to be accomplished, so the lake can be saved so that nobody is able to develop it.

It is argued that when you buy land you take your chances just like buying stock and it goes up or down. He didn't feel this argument was correct. The stock market can go up and down but there is no direct governmental interference with the stock market as there has been direct governmental interference with land within the Tahoe basin. That is the difference in the argument. There is direct governmental interference in the basin to down zone the land, for a good purpose

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admittedly, to try to save the basin, but nonetheless, it is direct governmental interference and that's why government should try to do something to correct the unfairness of their initial action. There have been figures quoted for buying the entire basin, but Senator Sheerin said he was only talking about the Nevada side and he had developed some figures concerning Douglas County only. There are approximately 1,887 acres of land, and this is unimproved land, that would be available for this kind of a purchase. There are possibly 108 owners. It is estimated that some \$4.7 million could probably buy up those 1,800 acres of land and the problem would go away.

The bill asks for \$1 million not \$5 million because they are only asking to get started with this solution. If something could be done, step by step, eventually the attitude of hatred towards the TRPA will be gone.

He said that he did not have similar figures for Washoe County, but the numbers there would be reasonably small also, the reason being that Washoe County is relatively developed. Their lands are already subdivided and the lots are going to be sold. The unimproved land that has not been subdivided in Washoe County is very small.

In Carson City there is virtually no land in private ownership that would have to be bought.

Legislation has been introduced in California that will create a user fee and the intention is that money will be used to buy unimproved real estate within the basin. There is one difference in that legislation and the bill before the Committee today, and that is, if you want to charge a user fee for people going into the basin, or do you want the general fund to take care of the problem. There is a lot of private land involved and it is difficult to get into a user fee situation, and that is why he felt the answer was that the general fund should be used.

Lake Tahoe is unquestionably a national monument, there are only three lakes like it in the world and somebody besides the residents of the basin should pay for the national monument. That is why the general fund should be involved. The federal government has a great involvement financially already; they are trying to make purchases of large tracts of land, they have done this in the past, they will do so in the future. The reason for this legislation is to reach the small land owner that the federal government completely ignores, to try to get that land.

The California bill creates a California conservancy district, a new agency, to go out and buy up the land. They have similar problems on their coastal land where they are trying to appropriate money to buy their coastal land.

This bill would not create a new agency but puts the duty on the state land division to go out and negotiate and buy these particular parcels. The bill does not provide a formula, this is left up to the agency.

The important thing is that fair market value need not be considered and the reason is that if an appraiser goes out to appraise at fair market value, he has to consider the fact that the property is down zoned by TRPA regulations and consequently the appraisal could be a lot less than what is really involved. A possible formula to be used would be cost at the date of the purchase of the land, plus a reasonable rate of return of 7%, which is a legal rate of interest, from the date you acquired the land to the present date. That would be one formula that could be created. That might be something more than fair market value and it might be less. The bill tries to avoid having fair market value hanging up and preventing the purchase negotiations as it is preventing the exchange negotiations with the federal government.

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He mentioned the possibilities of priorities creating a problem which could be solved by a formula to spend the money so that it will buy the greatest number of acres possible for the lowest price. There is a safety valve in the bill so that the state land negotiator is not going to be able to go out and make these negotiations himself and buy the land and make everybody happy; there would be potential abuse there, The Board of Examiners, the Governor, the Secretary of State and the Attorney General would review any of the purchases to assure a fair price, a fair purchase which is good for the State of Nevada. This assures adequate control over the purchases.

Senator Sheerin said that he realized that it was late in the Session to present legislation with \$1 million involved, but he said, the Chairman had knowledge of TRPA because of another committee on which he served and he would realize that there is a problem in this area and something that the Legislature should try to do something about.

He said the money appropriation was not as essential as the beginning of this philosophy of trying to have some monies available for the purchase of unimproved lands within the basin. If the start is made now the issue of what is to be done with TRPA will not be an issue in the Legislature in the future. Until something is done, there is going to be constant turmoil and friction with the agency, not only the Legislature but the people within the basin.

Senator Lamb asked if this was a means of bailing people out of their financial predicament.

Senator Sheerin said that was the exact intent and purpose of the legislation.

Senator Glaser said he felt Senator Sheerin had a point. There are probably 150 people up there that the state has done an injustice to. Any time you get into zoning you run into this thing. He said this is a great concern in the East and they have made several approaches to it and one approach is that the political entity will move in and buy the developmental rights of the land. He said he felt this was something the Legislature had to address itself to, whether it was solved at this late stage in this session or not, it will have to be faced up to next time. He agreed that there had been an injustice done.

Senator Lamb cited the expressways built by the Highway Department past people's property and that does not enhance the property value. He asked if the Highway Department should pay a severance or fee because they have done this.

Senator Sheerin said he supposed the answer to the question was "no"; you are possibly changing the desirability, but you are not changing the zoning by direct governmental interference.

Senator Wilson said the key to the bill is the purchase price paid need not correspond with the fair market value of the property. He said he assumed there was no inherent legal problem so far as the state's authority and power to acquire the land. He said what he was asking was if there was a constitutional problem as to the sovereign's ability to pay higher than fair market value. He said he was in sympathy with the bill and he understood the equity and thought the point was a good one. The legal ramifications of this point were discussed.

Senator Glaser said that at the last election there was several million dollars appropriated to buy parks. He wondered if any of this money could be used to purchase the land described in the bill.

Senator Sheerin said that under the present language he believed the answer unfortunately was "no". Maybe it could be if the state were going to make a park use out of it. In the concept in the bill, you don't have to use the land for anything you can just take it and hold it. He asked Mr. Meder to speak on this more fully.

Mr. Meder said the problem would be if they were using federal money to match the state money, they would have to buy the land at a fair market value and there is a fairly complicated procedure that has been set up in the federal manual and he felt they would be defeating part of what they were trying to accomplish.

Mr. Meder said he was speaking as a representative of the Department of Conservation and Natural Resources on the TRPA governing board and those members of the board who have served in the past and who are concerned with some of the language that is used in the bill. He said he was very sympathetic to what Senator Sheerin was trying to accomplish and he agreed with the goal.

In the "Whereas" where they speak of agencies, they felt this could be a direct link between the acquiring of property for public purposes and reducing its value for a better price. It may very well be tying it in with any agency that could have zoning authority. He felt there might be problems that could be carried over into local government.

He explained the reasons for the rezoning and said there was a very detailed scientific study made and it was done for environmental reasons as they felt the resources were not capable of withstanding certain types of development.

Secondly, he was concerned with the ability to negotiate for property values, even though there were checks and balances in the bill. He said that traditionally the state has purchased land at a fair market value. He felt there was an opportunity for problems to arise. He referred to a situation in the past that resulted in the state no longer having a surveyor general.

Senator Wilson said that problem did not address this part of the bill and it did not have a thing to do with the key provision of the bill under consideration which permits a negotiated price.

Mr. Meder said he thought it did.

Senator Wilson asked him what he would suggest and Mr. Meder said he did not have an answer for it.

Discussion followed on how these negotiations could be carried out.

Senators Hilbrecht and Lamb said they did not think the state should subsidize someone because they got a bad deal. Senator Lamb said he didn't think they could find one buyer who had bought land who was going to lose any money.

Senator Sheerin said this was absolutely incorrect. The unimproved land where before a buyer could have put, e.g., 20 houses on the property, now he can only put one. The value is definitely lessened because of that. He said he was not trying to help the land speculator who had tried to get a big price out of his property. He said he was trying to give the buyer some kind of reasonable return since the time he acquired the land.

Senator Sheerin said the language that Mr. Meder objected to could be removed and the language could be concerned with the desirability of buying unimproved land within the basin so that it could be put into public use, public ownership and there won't be any private need for it anymore. Then there can't be the problem that Mr. Meder envisions.

Senator Wilson said there was little time left and the Legislature will drift on this if they do not have something specific, so if they were going to be serious about the bill he suggested that Senator Sheerin and Mr. Meder get together and arrive at some alternative formulas that could be plugged into the bill if that is what the Committee is going to require to process it.

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Mr. Meder said his final point was that the bill might be in conflict with NRS 232.158 which is the land sales moratorium which indicates that the state land registrar cannot buy, sell or trade lands without approval of the legislature and that should be considered. Senator Echols said in direct response to that, this is legislative approval. Mr. Meder said it was just a point of clarification. Senator Echols said if you make the parameters so tight that you can't carry on negotiations, you aren't going to accomplish anything except create another problem.

Senator Sheerin said he was asking the Committee to process the bill with some sum of money in it, to just get started. If the threshold decision is made, he agreed to get together with anybody at any time, at any place, to iron out any problems that anybody has with the mechanics.

Senator Glaser suggested a means which had been effective in California and involved the federal government. He said he realized that his suggestion got away from the suggested legislation but it was a possibility as a means to solve the problem.

Senator Lamb thanked them for appearing.

A. B. 121: Requires public hearing for disqualification of laetrile in cancer treatment.

Senator Lamb asked Mr. Wahrenbrock to speak on this bill.

Mr. Wahrenbrock identified himself and Mr. Al Edmundson, Food and Drug Commissioner for the State of Nevada.

Mr. Wahrenbrock said it was not the Department's purpose or role to pass any judgment on the qualities of laetrile or any other drugs that might be mentioned within the bill. They are concerned with the responsibility in implementing the legislation that is being placed upon their shoulders. He said they were conscious of the responsibility of the Legislature to establish policy and the Department's responsibility is to execute that policy to the best of their ability and this is the Department's intention.

He said he was speaking on the second reprint of the bill. He understood that there have been other amendments offered, but he did not have them. He said they have established a fiscal note to the bill and this is essentially what they regard to be start-up costs. He said they were concerned with this as they have never had any experience with what might be considered as a small FDA for the state, but they have done the best they could in establishing the fiscal note; hopefully, it will be adequate for their purposes.

Referring to the bill he said they were concerned with Section 3 on page 2. The first part of that section concerns them, where the Legislature is opening the gates not only to the two drugs that are mentioned in the legislation, but it may be any other substance which somebody may want to come to the state and ask the state to take a look at and perhaps license and do all the other things that are involved with that particular product.

He said it was their understanding that FDA has some thousand requests a year for licensing various commodities or products to go on the market and they do not license all of those but they are required to study them and to be involved with them.

Secondly, on lines 11 and 12 where the Department is required to prescribe minimum standards of manufacturing compounds. He said they had no capability at this time to know what the interaction of drugs are: if this is prescribed, what is the interaction of this with perhaps another drug that may be prescribed. He said they would have

to be very conscious of that particular area.

On line 17, they do not feel that they are in any way qualified to establish qualifications of physicians who might prescribe or administer. They did not feel that was within the purview of the Department of Human Resources or the Food and Drug Commissioner to establish this.

The last item is on line 28, page 2; it says that the Legislature determines that these substances are suitable and the Department is concerned about the liability that would accrue not only to the Department but to the State of Nevada regarding any liability in case something went wrong in either the prescription of it or in any other way.

He said these were their concerns, they are not based upon any judgment as to the good or bad qualities of the drugs mentioned in the bill, but they felt there were very distinct problems in the administration from their point of view.

Senator Hilbrecht said that the language in subsection 1 of Section 3 was language that he had proposed and the Committee accepted. He said he was interested in that kind of language because he believed there was a wide spread belief that certain substances that have been pretty well recognized to have utility have been taken off the market in an unwarranted fashion in the view of many people because of alleged carcinogenic results in animal testing, some of which testing is not even testing in this country. He felt that the thrust of that was an attempt to provide flexibility to the authorities of the State of Nevada to, under reasonable regulation, see to it that the citizens of this state who are perhaps diabetic and who need saccharin can receive perhaps even beverages with saccharin in it, which the FDA has indicated, irrespective of what they do, they are not going to relent in that area. He felt this was a very important piece of consumer legislation. He said he was disappointed that the Board of Health or the Department of Health was not interested in working with the Legislature. If there is some mandatory language that would make the Department more comfortable with those kinds of procedures he felt that should be considered, but he really felt that this was an important area.

He said he did concur with Mr. Wahrenbrock with respect to the matter on line 17. He said he did not propose, in his original amendment, that kind of language. He said he did not see where qualifications of physicians had anything to do with licensing or controlling medications. He suggested that the language could be converted.

Senator Hilbrecht said that they might prescribe that saccharin might not be utilized in some of the fashions that he understood it was utilized in animal experiments to cause it to be carcinogenic. He felt this would be a reasonable kind of regulation. He said he had two questions regarding Section 5 and Section 7 of the bill which, in his judgment, again have to do with the management of the medical profession and the osteopathic profession, and he felt this should be deleted.

Mr. Wahrenbrock said with respect to Senator Hilbrecht's remarks on Section 3, beginning on line 3, it is not the Department's intention not to be cooperative with consumers, it is just their intention to call to the Legislature's attention that they do not have the capability and have never had the capability of doing any testing. If the FDA says a drug is bad or an element is bad in a drug the Department has followed that by state law. If the Legislature wants them to set up testing they can do it.

Senator Hilbrecht said he was not suggesting that this should not be a self sufficient kind of thing; he asked if they would have any

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reluctance to accept saccharin, based upon 80 to 100 years of experience in utilizing that substance.

Mr. Wahrenbrock said he was asking a personal opinion of him and he stated that he used saccharin every day and plans to continue to do so.

Senator Hilbrecht asked how they were going to open up the coke bottle and put the saccharin in. He said this was the kind of thing he was attempting to address when he asked for the amendment. He said he could understand that Mr. Wahrenbrock might be talking about an exotic kind of drug that they might have difficulty with. He asked if the Legislature could not provide for the prepayment of the anticipated costs for the research necessary, or maybe contract a lot of it out and work on that basis.

Mr. Wahrenbrock said he was sure they could with the authority. He said they were not trying to be obstructionists in that at all, it was just that this is a brand new area that they have never gotten into and have never had the capability; but they certainly can with Legislative authority.

Senator Wilson said he felt if the Department was going to be given regulatory jurisdiction over a licensed substance, with a license by legislative fiat or license by the Board that that regulatory jurisdiction should be plenary and not in the bill.

Senator Wilson asked questions of Mr. Wahrenbrock asking him for the judgment of the Board. Mr. Wahrenbrock said the Board of Health had not looked at the bill. He said his comment was that if the Legislature determines that a drug is to be licensed by the State of Nevada, as a layman, that liability accrues to that if something goes wrong. He said their counsel had not looked at the bill.

Senator Gibson asked how they arrived at the fiscal note, if they had no capabilities.

Mr. Edmundson said that what he had done in arriving at the fiscal note was: presently no state does what this bill is asking the Department to do. He said he had talked to his counterparts in other states, particularly those who are presently considering legalizing laetrile, to arrive at some kind of costs. He said it would take an inspector especially trained in drug manufacture. They would require a quality controlled laboratory in the plant to do the daily quality control but with a regulatory laboratory behind that so that the citizens of the state could be assured that the product is as purported to be. This would take a chemist and some very specialized equipment. He said there was one piece of equipment that they opted not to ask for because for the amount of use it would get it would not be practical and that was a massspectrometer that would cost about \$130,000. It is used in analysis of this type of substance. The ultraviolet and infrared spectrometers would have capability and that is the \$15,000 lab equipment in the fiscal note.

Since the bill does open the door for other drugs other than laetrile or Gerovital he suggested a committee of the kind of people who would have to be there to evaluate the drugs. This is the approach he took in coming up with the fiscal note. He said he could not be sure that it was adequate or it might be too much. He said they would not know until other drugs started to come in. Just for the two in the bill, this would be adequate and possibly too much. But if a lot of other drugs start coming in that have not been approved by Federal Food and Drug, then this is where the door is really open.

Senator Glaser asked if they had just one drug, if they split the bill apart, would they feel that they would still need this amount of money;

or if there were a dozen drugs would this amount of money still apply.

Mr. Edmundson said it would take very close observation on any new plant getting started, and in injectables such as these, they would have to be very, very careful. In a start-up situation, it would take very close observation of the operation. If there were too many drugs, this amount would be inadequate.

Senator Gibson said if this bill became law, the state would be contravening, as far as Nevada is concerned, the jurisdiction of the Federal Food and Drug Administration. He assumed that meant that the substances in the bill could only be trafficked in Nevada. He cited the population of 600,000, and asked how they saw the thing developing as to the need of a facility in the state. He asked if they assumed that they would put in a drug manufacturing facility in the state.

Mr. Wahrenbrock said they would have to put a plant in the State of Nevada. The raw products would be brought into the state.

Senator Gibson asked if there could be enough business generated from the population of Nevada to warrant the building of a manufacturing plant.

Mr. Wahrenbrock said they would have to go to the introducer for an answer to that.

Senator Lamb said he felt they were putting too much pressure on Mr. Wahrenbrock. They had only asked Mr. Wahrenbrock to give them the fiscal impact of this bill.

Senator Gibson said he was trying get some idea of the costs, would this fiscal note be an annual budget, for instance.

Mr. Wahrenbrock said this fiscal note represented what they had determined would be start-up costs. They read the legislation as allowing the Department to charge for all fees.

Senator Gibson said they seemed to be assuming that it would carry itself after it got the start-up money. How do you assume this from the way it is set up; there is a 10% tax.

Mr. Wahrenbrock said the tax, as he understood it, went directly to the Tax Commission and the Department of Human Resources would establish fees to collect from the manufacturer for the purpose of paying the costs of inspectors. Once it gets started he felt they had the authority to tax the manufacturer full bore.

Senator Hilbrecht said that somewhere he had seen statistics that showed that even in a state this size, for saccharin, which was the thing that he was principally concerned with, you could set up a plant feasibly because of the wide spread use presently in all kinds of substances.

Senator Young said that the fees would be collected for inspection; he thought that a major part of the expenditure would be in determining that the drugs are not allergenic or toxic. These fees in the bill, by language, would not be available for that purpose; only inspection and the quality control during manufacture.

Mr. Wahrenbrock said he would assume, with a new drug, that they would charge or have the authority to say, if you want to have drug "XYZ" in the state, give the Department \$10 million and they will test it. He agreed that the bill did not say that and that was the reason that they might be caught in a bind of not having the capability. That was what he was referring to in his remarks of opening the door without any capability.

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Senator Wilson said he assumed the Department would not have to determine the allergenic or toxic effects of the two drugs specified in the bill, because the Legislature would not be mandating their license. But on the new drugs you would need this. The fiscal note does not address the new drugs only the substances that are mandated to be licensed.

Both Mr. Wahrenbrock and Mr. Edmundson agreed that this was their interpretation.

Senator Wilson asked a further question relating to the fiscal note and the interpretation of the bill.

Mr. Demers said that one of the amendments that was on the floor right now, with regard to this bill, addresses itself specifically to the question Senator Wilson was asking. The amendment expands past the word "inspection" and it also says that the Department can get the start-up costs for any new drug out front from the person that wants to manufacture it. The reason was that those who were introducing the bill felt that the general fund should not be stuck with any of this, but the people who come in and want to manufacture and want to have on-going inspections, as the law requires, would be required to pay all the costs.

Senator Wilson said if this was necessary in protecting the public interest to determine whether or not either of these licensed substances have latent problems of danger or ought not to be used with some other substance or not to be taken or administered under certain conditions or whatever varying circumstances that can be imagined, he would then assume that that public responsibility requires hearings by the Board, some kind of investigation and testing and the promulgation of additional regulations. He said this was not a start-up cost, this was a cost after licensure, after manufacture, after dispensation to the public -- how is that cost provided for? That is on-going regulation and review, on-going testing, on-going surveying of results of use.

Mr. Demers said that the amendment he referred to provides that they can assess reasonable fees to do all those things.

Senator Lamb said the responsibility to the Legislature, and he said he felt strongly about this, if the manufacturers have enough money to take care of this thing, if they want to recoup the costs down the road, that is another picture. He said he would not be a party to just saying that someone will give you \$20,000 when he gets the license. The Finance Committee wants to put the money in to control the thing and not throw the door wide open. If they want to recoup it, that's fine but he said he wanted some money in there to administer the program; it's general funds and he believed the Committee owed that to the public.

Discussion followed on amendments that would clarify the bill and adjustments that should be made on the fiscal note.

Senator Wilson said he was concerned with whether the fiscal note had enough money in it and if not, how much more was needed.

Mr. Edmundson said that was very difficult for him to answer. The Committee would be evaluating clinical evidence that may come in as the program moves along. He said his opinion might be completely different in two years.

Senator Lamb asked Mr. Wahrenbrock if there was any way that he could sit down with the Board of Health between the present time and Monday afternoon and see what they think about it and what they think the costs would be. He said he knew that Senator Wilson was concerned as

to why the Board had not gotten into the picture and he wants their thinking on this.

Mr. Wahlenbrock said the Board is spread around the state but a conference call could be arranged the first thing on Monday morning.

Senator Hilbrecht said this was largely his language, the revenue producing language, and his concept at the time, was that it would be just like the gaming thing, that all the costs of inspections, investigation or on-going testing would be borne by the licensee and that there would be, in addition to that, a gross revenue put on it which would be general fund revenue like gaming revenue is now.

Senator Young asked if anyone had any idea of the revenue. He said he assumed that the 30 million visitors would avail themselves of this.

Mr. Demers said it would be difficult to give a figure on laetrile other than the surprising number of Nevadans who have indicated, since the bill has been introduced, that they use it. He said he did not know how much Gerovital was used but when a bill like this is introduced you become aware of a surprising number who are using it.

Senator Lamb said he wanted this bill to be a revenue bearing, supporting situation. He said they should try to determine what it is going to cost, fund it, let the inspection fees or any other fees go into the general fund. He said he did not want the industry to be collecting the fees and using the fees.

Senator Lamb said the Committee would meet again at 8:00 a.m. on Monday.

He asked the Committee what their wishes were on S. B. 468.

S. B. 468: Authorizes state land registrar to purchase unimproved land in Lake Tahoe Basin.

Senator Gibson moved the Committee hold the bill; Senator Hilbrecht seconded and said that he appreciated Senator Sheerin's offer to meet with the Committee. But, he said, that he had bills in his desk that he would like to introduce but he felt it was irresponsible to bring them out for consideration now. He said he did not think they could do the work that needed to be done that would make Senator Sheerin happy with what he is trying to accomplish.

Senator Glaser wondered if they could take the bill and gut it and ask them to come back at the next session with a recommendation.

Senator Gibson said he did not see how they could process it. He changed his motion to be indefinitely postponed. He said he thought the implications of the bill went beyond Tahoe. He said that he could be wrong, but as long as he thought that, he was not going to vote for the bill.


The motion carried with Senators Hilbrecht, Gibson, Lamb and Glaser voting for postponement and Senators Wilson and Echols dissenting and Senator Young abstaining.

The meeting adjourned at 10:00 a.m.

Respectfully submitted,



Muriel Mooney, Secretary



Senator Floyd R. Lamb, Chairman

SENATE BILL NO. 468—SENATOR SHEERIN

APRIL 11, 1977

Referred to Committee on Natural Resources

SUMMARY—Authorizes state land registrar to purchase unimproved land in Lake Tahoe Basin. (BDR 26-1500)

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

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

AN ACT relating to state lands; authorizing the state land registrar to purchase unimproved land in the Lake Tahoe Basin; making an appropriation; and providing other matters properly relating thereto.

1 WHEREAS, Many landowners in the Lake Tahoe Basin are holding
2 unimproved land which they cannot develop as they wish or sell at a
3 reasonable price because of zoning restrictions resulting from the adop-
4 tion of the Tahoe Regional Planning Compact; and

5 WHEREAS, The acquisition of certain property in the Lake Tahoe Basin
6 would be beneficial to the state and would assist landowners by providing
7 a fair market for their property; now, therefore,

8
9 *The People of the State of Nevada, represented in Senate and Assembly,*
10 *do enact as follows:*

11
12 SECTION 1. Chapter 321 of NRS is hereby amended by adding
13 thereto a new section which shall read as follows:

14 1. *Subject to the condition imposed in subsection 3, the state land*
15 *registrar may purchase on behalf of the state, unimproved real property*
16 *located in the Lake Tahoe Basin. Any land purchased shall be held by the*
17 *state land registrar until he is authorized or directed to dispose of it by*
18 *concurrent resolution of the legislature.*

19 2. *The state land registrar may negotiate the purchase price of any*
20 *land he seeks to obtain for the state and the sale price need not correspond*
21 *to the fair market value of the property.*

22 3. *Negotiations made by the state land registrar pursuant to this sec-*
23 *tion are not binding on the state until approved by the state board of*
24 *examiners.*

25 4. *Money necessary to carry out the provisions of this section shall be*
26 *provided by direct legislative appropriation.*

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

Adopted
Lost
Date:
Initial:
Concurred in
Not concurred in
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Date:
Initial:

Amendment to Assembly Senate:

Bill/Joint Resolution No. 121 (BDR 40-300)

Proposed by Committee on Finance

1977 Amendment N^o 983 A

Consistent with Amendment No. 963A.

Amend section 3, page 2, delete line 7 and insert:

"after a hearing that the substance is not allergenic or toxic and does not cause untoward side effects if used in rea-".

Amend section 3, page 2, delete line 13 and insert:

"stance, and for administering the substance.

(b) Fix and collect any charges necessary to investigate, test or evaluate the substance preparatory to its licensing."

AS Form 1a (Amendment Blank)

3044A

Drafted by LH:ml Date 4-19-77.

To Journal
(3) CFI

Amend section 3, page 2, line 14, delete "(b)" and insert "(c)".

Amend section 3, page 2, line 15, delete "(c)" and insert "(d)".

Amend section 3, page 2, delete lines 16 through 18 and insert:
"pose of paying the costs of inspections and testing."

Amend section 3, page 2, delete lines 22 through 25 and insert:
"tion. The department of taxation shall adopt regulations and prescribe forms necessary to administer this section. Each manufac-"

Amend section 5, page 2, delete lines 39 through 47 and insert:

"Sec. 5. (Deleted by amendment)."

Amend section 7, page 3, delete lines 5 through 16 and insert:

"Sec. 7. (Deleted by amendment)."

For HB121

COST ESTIMATES FOR REGULATION OF
AMYGDALIN AND PROCAINE HYDROCHLORIDE AND OTHER SUBSTANCES

FOOD AND DRUG: 1 Inspector, Grade 32

Salary	\$ 16,490.00	
Salary Costs	1,800.00	
Total Salary		\$ 18,290.00
Office Equipment (one time)		866.00
Office Expense		500.00
Travel in State		2,500.00
Travel out of State (Training)		2,200.00
Tuition fees		1,200.00
TOTAL		<u>\$ 25,556.00</u>

LABORATORY: 1 Chemist, Grade 32

Salary	\$ 16,490.00	
Salary Costs	1,800.00	
Total Salary		\$ 18,290.00
Lab Equipment (one time)		15,000.00
Lab expense		3,000.00
Travel out of State (Training)		1,500.00
Tuition fees		800.00
TOTAL		<u>\$ 38,590.00</u>

TOTAL FOR BOTH POSITIONS: \$ 64,146.00

Suggested Evaluation Committee: Physiologist, Oncologist
Pharmacist, Internist (Geriatrician), and Pathologist
(Toxicologist) to meet as necessary (travel and per diem) 3,000.00

Contract Technical Services 20,000.00

TOTAL FOR PROGRAM \$ 87,146.00

(REPRINTED WITH ADOPTED AMENDMENTS)

FOURTH REPRINT

A. B. 121

ASSEMBLY BILL NO. 121—ASSEMBLYMEN DEMERS, SCHOFIELD, VERGIELS, HAYES, GOMES AND HARMON

JANUARY 21, 1977

Referred to Committee on Commerce

SUMMARY—Requires public hearing for disqualification of laetrile in cancer treatment. (BDR 40-362)

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 substances; providing for the licensing and inspection of manufacturers under certain conditions; imposing certain assessments; providing that prescriptions for these substances by trade name may be filled by the generic equivalents; 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 41 of NRS is hereby amended by adding thereto
2 a new section which shall read as follows:
3 *The purchaser of a substance which has not been approved as a drug*
4 *by the Food and Drug Administration of the United States Department*
5 *of Health, Education and Welfare but which has been licensed for manu-*
6 *facture in this state has a cause of action against the seller or manufac-*
7 *turer for any misrepresentation of its therapeutic effect made directly to*
8 *him or by publication.*
9 SEC. 2. NRS 454.201 is hereby amended to read as follows:
10 454.201 "Dangerous drug" means any drug, other than a controlled
11 substance as defined in chapter 453 of NRS, unsafe for self-medication or
12 unsupervised use, and includes the following:
13 1. Any drug which has been approved by the Food and Drug Admin-
14 istration for general distribution and bears the legend: "Caution: Federal
15 law prohibits dispensing without prescription"; [or]
16 2. *Any substance which has been licensed by the state board of health*
17 *for manufacture in this state but has not been approved as a drug by the*
18 *Food and Drug Administration; or*
19 3. Any drug which may be sold only by prescription because of regu-
20 lations adopted by the board because the board has found such drugs to
21 be dangerous to public health or safety.

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

1977