

The meeting was called to order at 1:30 p.m. in Room 213
Senator Thomas R. C. Wilson was in the chair.

PRESENT: Senator Thomas R.C. Wilson, Chairman
Senator Richard E. Blakemore, Vice Chairman
Senator Don Ashworth
Senator Clifford E. McCorkle
Senator Melvin D. Close
Senator C. Clifton Young
Senator William H. Hernstadt

ABSENT: None

OTHERS PRESENT: Fred Daniels, Registration Board for Professional
Engineers
David Hoy, State Board of Engineers
Bonnie McCorkle, Reno, Nevada
Reece Harper, Nevada Association of Land Surveyors
Howard Winn, Nevada Mining Association
Stan Warren, Nevada Bell

SB 232 Revises provision on renewal of certificates of
registration for engineers and land surveyors.

David R. Hoy, Attorney, State Board of Engineers, stated that Senate Bill 232 is a Board bill, and that its purpose is to stagger the registration, in order to more efficiently handle the work load. Mr. Hoy explained to Senator McCorkle that the two-year expiration provision would be the most workable. He added that 5,000 certificates are processed annually.

Chairman Wilson closed the public hearing on SB 232.

SB 233 Provides for certification of land surveyors-in-training.

David R. Hoy, Attorney, State Board of Engineers, stated that Senate Bill 233 is a Board bill, and its purpose is to provide the statutory authority to license a land surveyor-in-training.

Mr. Hoy explained that this legislation would provide that a land surveyor-in-training could take a test and, after passing it, receive a certificate. Then, after passing the second part of the test, he would become a land surveyor. Land surveyor applicants would have to have four years on-the-job training or have completed four years of college and two years on-the-job training. He explained that these types of provisions are the trend in other states. Mr. Hoy clarified that land surveyors are distinctly different from engineers. He continued that four years of college in a subject other than engineering would count as two years experience.

Mr. Hoy agreed with Senator Blakemore that on Page 1, Line 9, the words "of" and "standing" be deleted.

Discussion followed, from which resulted the decision to entitle the test "The Land Surveyor-in-Training Examinations".

Reece Harper, on behalf of the Nevada Association of Land Surveyors, testified that the Association supports SB 233.

Chairman Wilson closed the public hearing on SB 233.

SB 234 Provides requisites for practice of professional engineering by certain organizations.

David R. Hoy, Attorney, State Board of Engineers, stated that Senate Bill 234 would protect the consumer from out-of-state engineers. However, he explained, it would allow out-of-state engineers who are licensed in other states to practice in Nevada. He continued that the Board, this morning, had decided that the language of the bill is too broad.

Discussion followed from which resulted the decision that Mr. Hoy would try to work out satisfactory amendments and report back to the Committee.

Stan Warren, Nevada Bell, asked to be notified of the date of a later hearing on SB 234.

Chairman Wilson closed the public hearing on SB 234.

SB 233 Provides for certification of land surveyors-in-training.

Chairman Wilson stated that on Page 1, Line 9, "of" and "standing" should be deleted.

Chairman Wilson also stated that sub-sections 1 and 2 of Section 3 conform.

Senator Blakemore moved that SB 233 be passed out of Committee with an "Amend and Do Pass" recommendation.

Seconded by Senator Hernstadt.

Motion carried unanimously.

SB 232 Revises provision on renewal of certificates of registration for engineers and land surveyors.

Senator Young moved that SB 232 be passed out of Committee with a "Do Pass" recommendation.

Seconded by Senator Blakemore.

Motion carried unanimously.

SB 28 Removes requirement that state banks close on weekends.

Discussion followed regarding SB 28.

Senator Hernstadt moved that SB 28 be passed out of Committee with a "Do Pass" recommendation.

Seconded by Senator Young.

Senator Ashworth abstained.

Motion failed; with Senators McCorkle, Blakemore and Close dissenting.

SB 4 Prohibits bail bondsmen from making campaign contributions for or against election of candidates for certain public offices.

Chairman Wilson stated that SB 4 would be a new bill, with Amendment Number 134 (see Exhibit A).

Discussion followed regarding the change of "90" days to "45" days provision after notice is mailed. Chairman Wilson stated that he had requested from the bill drafter that the same conditions on setting forfeiture to apply as apply on exoneration. It was decided to draft a new amendment.

Senator Close clarified that the existing statute says that the bond is not forfeited for 90 days after failure to appear, this would be reduced to 45 days.

Senator Hernstadt stated that the language of the bill is confusing.

Senator Close suggested the the language regarding the expiration period should read "the bond shall be forfeited 45 days after the court date unless:"

Chairman Wilson suggested that the amendment be changed to state "when the defendant doesn't appear on the due date, notice of forfeiture is mailed and during the ensuing 45 days is not exonerated unless:"; then there would be no need for two sub-sections. He then clarified that Sections 1 and 2 be incorporated and include four sub-sections. He added that the same conditions for failure to appear and for forfeiture should be the same.

It was decided to submit the amendment to SB 4 to the bill drafter for changes and bring it back to Committee for further consideration.

SB 95 Permits agent of prescriber to transmit prescriptions by oral order.

See Exhibit B for Amendment Number 142.

Chairman Wilson referred to "4." of Page 1 of the amendment and said that "or" should replace "and" after "prescriber to the pharmacist".

Senator Hernstadt suggested that at the beginning of Section 3, "If" replace "a" and after "orders for prescriptions", "by" be replaced with "then".

Discussion continued on Amendment Number 142 of SB 95.

Senator Hernstadt moved that SB 95 be passed out of Committee with an "Amend and Do Pass" recommendation.

Seconded by Senator Blakemore.

Senator Young abstained.

Motion carried.

SB 137 Requires substitution of less expensive drugs under certain circumstances.

Chairman Wilson referred to proposed amendments that George Bennett had submitted (see Exhibit C). Discussion followed regarding the definition of bioequivalent, and as to who would be liable in the case of substitution.

Senator Young raised the question of the physician's writing "medically necessary". It was suggested to use the split form where the physician would check one side if "medically necessary" and the other, if not "medically necessary".

It was decided to change "requires" to "allows" in the notice that would be posted by the pharmacist that would read "the state allows a less expensive generically equivalent drug to be substituted for a drug designated by a trade or brand name unless your physician requests otherwise."

It was decided that the notice to be posted by the pharmacist about substitution should read as follows: "the state allows a less expensive generically equivalent drug, if available, to be substituted for a drug designated by a trade or brand name unless your physician requests otherwise."

Senator Hernstadt moved that SB 137 be passed out of Committee with an "Amend and Do Pass" recommendation.

Seconded by Senator McCorkle.

Senator Young abstained.

Motion carried.

(Senators Close and Blakemore absent).

Chairman Wilson presented proposed amendments to NRS 698 (see Exhibit D).

Senator Young moved for Committee introduction.††

Seconded by Senator Ashworth.

Motion carried.
(Senators Close and Blakemore absent).

BDR 54-1217* Provides for statutory lien on certain property for registered land surveyors after notice.

Senator Young moved for Committee introduction.

Seconded by Senator Ashworth.

Motion carried unanimously.

BDR 57-1096** Relates to casualty insurance changing the minimum amount which may be provided for coverage against uninsured vehicles.

Senator Hernstadt moved for Committee introduction.

Seconded by Senator Young.

Motion carried unanimously.

BDR 53-1202† Reduces the amount of unemployment compensation benefits by certain amounts received from private pension plans.

Senator Young moved for Committee introduction.

Seconded by Senator Ashworth.

Motion carried.
(Senator Close absent.)

There being no further business, meeting adjourned at 4:00 p.m.

Respectfully submitted,

APPROVED:

Betty Kalicki, Secretary

†† SB 313
* SB 269
** SB 271
+ SB 270

Thomas R.C. Wilson, Chairman

(Committee Minutes)

GUEST LIST

DATE: Monday, February 26, 1979

NAME	AGENCY OR ORGANIZATION
Fred DANIELS	Registration Board for Prof. Engrs.
David R. Hoy	State Bd. of Engineers
Bonnie McCabe	wife
REECE HARPER	NEV. ASSOC. OF LAND SURVEYORS
Howard Wynn	Nevada Mining Ass.
Stan Green	Nevada Bell

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION		SENATE ACTION		Senate	AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to	Senate
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>		Joint
Date:		Date:		Bill No. 4	Resolution No.
Initial:		Initial:		BDR 57-190	
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	Proposed by	Committee on Commerce
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>		and Labor
Date:		Date:			
Initial:		Initial:			

Amendment No. 134

Replaces Amendment No. 85

Amend section 1, pages 1 and 2, by deleting lines 1 through 23 on page 1 and lines 1 through 24 on page 2 and inserting:

"Section 1. NRS 178.508 is hereby amended to read as follows:

178.508 If the defendant fails to appear when his presence in court is lawfully required and not excused, the court shall direct the fact of such failure to appear to be entered upon its minutes, and if the undertaking or money deposited instead of bail bond is in excess of \$50, the court shall direct that the sureties first be given notice by certified mail that the defendant has failed to appear and shall execute an affidavit of such mailing to be kept as an official public record of the court. The undertaking or money instead of bail bond shall not be declared forfeited until [90] 45 days after the notice is mailed or shall be disposed of as provided in NRS 178.509. A copy of the notice shall be transmitted to the district attorney at the time notice is given to the sureties."

To E & E
LCB File
Journal
Engrossment
Bill

Date 2-21-79 Drafted by JW:sl

Amendment No. 134 to Senate Bill No. 4 (BDR 57-190) Page 2

Amend the bill as a whole, by inserting new sections, to be designated as sections 2, 3 and 4, following section 1, to read:

"Sec. 2. NRS 178.509 is hereby amended to read as follows:

178.509 1. [Prior to the expiration of 90 days, after notice of intent to forfeit is mailed, the court may exonerate the surety upon such terms as may be just when:] The court shall not exonerate the surety before the expiration of the 45-day period after mailing of the notice of intent to forfeit unless:

(a) The defendant appears before the court and presents a satisfactory excuse or the court is satisfied that the surety did not in any way cause or aid the absence of the defendant [.] ; or

(b) It appears to the satisfaction of the court that the defendant is dead or otherwise unable to appear because of his permanent illness, insanity or detention by civil or military authorities and that the surety did not in any way cause or aid the absence of the defendant [.] ,

Such in which cases the court may exonerate the surety upon such terms as may be just.

2. If, prior to the expiration of [90 days,] 45 days after notice of intent to forfeit is mailed, it appears to the satisfaction of the court that:

(a) The defendant is temporarily prevented from appearing before the court because of his illness, insanity or detention by civil

Amendment No. 134 to Senate Bill No. 4 (BDR 57-190) Page 3

or military authorities and his absence is not in any way caused or aided by the surety; or

(b) A reasonable period is necessary to return the defendant to the court upon termination of such temporary disability, *flush* the court may determine that such period is excluded from the running of the [90-day] 45-day period after mailing of the notice of intent to forfeit.

Sec. 3. NRS 178.512 is hereby amended to read as follows:

178.512 [The] 1. Subject to the provisions of subsection 2, the court may direct that a forfeiture be set aside, upon such conditions as the court may impose, if it appears that justice does not require the enforcement of the forfeiture.

2. No forfeiture may be set aside without opportunity for a hearing and reasonable notice to the prosecuting attorney setting forth the basis for relief and the time scheduled for a hearing on the matter. The prosecuting attorney may waive the hearing.

Sec. 4. NRS 178.516 is hereby amended to read as follows:

178.516 [After] 1. Subject to the provisions of subsection 2, after entry of such judgment, the court may remit it in whole or in part under the conditions applying to the setting aside of forfeiture in NRS 178.512.

Amendment No. 134 to Senate Bill No. 4 (BDR 57-190) Page 4

2. The judgment may not be remitted without opportunity for a hearing and reasonable notice to the prosecuting attorney setting forth the basis for relief and the time scheduled for a hearing on the matter. The prosecuting attorney may waive the hearing."

Amend the title of the bill, by deleting lines 1 and 2 and inserting:

"AN ACT relating to bail; strengthening restrictions on exoneration of sureties; shortening the time between failure to appear and forfeiture; requiring notice and opportunity for a hearing before forfeiture may be set aside or remitted; and provid-".

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION	SENATE ACTION	Senate	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to <u>Senate</u>	
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. <u>95</u>	Joint Resolution No.
Date:	Date:	BDR <u>54-634</u>	
Initial:	Initial:	Proposed by <u>Committee on Commerce</u>	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	and Labor	
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date:	Date:		
Initial:	Initial:		

Amendment N^o 142



Amend section 1, page 1, line 2, by deleting "and 3" and inserting "to 4, inclusive,".

Amend section 2, page 1, line 3, by deleting "A" and inserting: "Except as provided in subsection 4, a".

Amend section 2, page 1, line 6, by deleting "authorized".

Amend section 2, page 1, by inserting between lines 18 and 19:

"4. A prescription for a controlled substance listed in Schedule I or II of the Uniform Controlled Substances Act (NRS 453.161 to 453.176, inclusive) or a poison listed in Schedule A or B of NRS 454.010 must be given directly by the prescriber to the pharmacist and by an order signed by the prescriber."

Amend the bill as a whole by inserting a new section, designated section 3, following section 2, to read as follows:

"Sec. 3. A prescriber may authorize an agent to transmit his oral

E & E
LCB File
Journal ✓
Engrossment
Bill

Date 2-21-79 Drafted by JW:sl

Amend the title of the bill, to read as follows:

"AN ACT relating to pharmacy; permitting an agent of a prescriber to transmit oral orders for certain prescriptions; prohibiting false personation as an agent or prescriber; prohibiting transmission of orders without authorization; providing penalties; and providing other matters properly relating thereto."

Nevada State Board of Pharmacy

Members of the Board

N.E. Broadbent, Pres.
Ely

William Shiffman
Las Vegas

Elida Hernandez
Las Vegas

GEORGE T. BENNETT, SECRETARY
1281 TERMINAL WAY, SUITE 217
RENO, NEVADA 89502
(702) 322-0691

Members of the Board

G.R. (Bob) Tucker
Fallon

Frank Titus
Reno

Enrico Raffanti
Reno

SUGGESTED AMENDMENTS TO SB 137

SECTION 1. CHAPTER 639 OF NRS IS HEREBY AMENDED BY ADDING THERETO THE PROVISIONS SET FORTH AS SECTIONS 2 TO 11, INCLUSIVE, OF THIS ACT.

SECTION 2. "PRACTITIONER" DEFINED. "PRACTITIONER" MEANS: A PHYSICIAN, DENTIST, PODIATRIST OR VETERINARIAN HOLDING A CURRENTLY VALID LICENSE TO PRACTICE HIS PROFESSION IN THIS STATE.

SECTION 3. WHEN A PRACTITIONER PRESCRIBES A BRAND NAME DRUG AND PERMITS SUBSTITUTION, A PHARMACIST MAY FILL THE PRESCRIPTION WITH ANOTHER DRUG THAT IS BIOEQUIVALENT AND HAS THE SAME ACTIVE CHEMICAL INGREDIENT(S) OF THE SAME STRENGTH, QUANTITY AND DOSAGE FORM AND OF THE SAME GENERIC DRUG TYPE AS THE BRAND NAME DRUG.

SECTION 4. BEFORE A SUBSTITUTION IS MADE PURSUANT TO THIS SECTION, THE PHARMACIST SHALL NOTIFY THE PERSON PRESENTING THE PRESCRIPTION, THE AMOUNT OF THE PRICE DIFFERENCE BETWEEN THE BRAND NAME DRUG PRESCRIBED, AND THE GENERIC DRUG PROPOSED FOR SUBSTITUTION. SUBSTITUTION MAY BE MADE ONLY IF THE GENERIC DRUG PRESCRIPTION IS LOWER IN PRICE THAN THE BRAND NAME PRESCRIPTION. THE PERSON PRESENTING THE PRESCRIPTION MAY REFUSE OR ACCEPT THE PROPOSED SUBSTITUTION.

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SUGGESTED AMENDMENTS TO SB 137 Continued

NEVADA STATE BOARD OF PHARMACY

SECTION 5. WHEN A SUBSTITUTION IS MADE PURSUANT TO THIS SECTION, THE PHARMACIST SHALL NOTE ON THE PRESCRIPTION THE NAME OF THE MANUFACTURER, PACKER, OR DISTRIBUTOR OF THE DISPENSED GENERIC DRUG.

SECTION 6. EVERY PRESCRIPTION FORM IN THE STATE OF NEVADA SHALL CONTAIN TWO SIGNATURE LINES FOR THE PRESCRIBER. THE LEFT SIDE OF THE PRESCRIPTION FORM SHALL CONTAIN UNDER THE SIGNATURE LINE THE PHRASE 'SUBSTITUTION PERMISSIBLE'. THE RIGHT SIDE SHALL CONTAIN UNDER THE SIGNATURE LINE THE PHRASE 'DISPENSE AS WRITTEN'. IN THE INSTANCE OF AN ORAL PRESCRIPTION, THE PHARMACIST SHALL NOTE THE PRESCRIBER'S INSTRUCTIONS ON THE FACE OF THE PRESCRIPTION. PRESCRIPTIONS WRITTEN BY OUT-OF-STATE PRACTITIONERS SHALL NOT BE SUBSTITUTED. PRESCRIPTIONS FILLED OUTSIDE OF THE BORDERS OF THE STATE AND MAILED INTO NEVADA SHALL NOT BE SUBSTITUTED.

SECTION 7. AN EMPLOYER OR AGENT OF AN EMPLOYER OF A PHARMACIST SHALL NOT REQUIRE THE PHARMACIST TO DISPENSE ANY SPECIFIC GENERIC DRUG OR SUBSTITUTE ANY SPECIFIC GENERIC DRUG FOR A BRAND NAME DRUG AGAINST THE PROFESSIONAL JUDGMENT OF THE PHARMACIST OR THE ORDER OF THE PRESCRIBER.

SECTION 8. A PHARMACIST MAY NOT MAKE A SUBSTITUTION PURSUANT TO THIS SECTION UNLESS THE MANUFACTURER OF THE GENERIC DRUG IS LICENSED IN NEVADA AND HAS SHOWN THAT:

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SUGGESTED AMENDMENTS TO SB 137 Continued

NEVADA STATE BOARD OF PHARMACY

1. All products have an expiration date on the original package.
2. All tablets or capsules have imprinted upon them a manufacturer's product identification code.
3. The manufacturer maintains recall and return capabilities for unsafe or defective drugs and a statement describing such capabilities is on file with the board of pharmacy.
4. The manufacturer has a liability statement relative to its drug products on file with the board of pharmacy.

SECTION 9. THE BOARD SHALL FURNISH ALL NEVADA PHARMACIES WITH A LIST OF MANUFACTURERS COMPLYING WITH SECTION 8. THIS LIST WILL BE UP-DATED BY AN ADDENDUM AT LEAST QUARTERLY TO REFLECT ADDITIONS OR DELETIONS.

SECTION 10. A PHARMACIST WHO SELECTS A GENERIC DRUG PRODUCT PURSUANT TO THIS ACT ASSUMES NO GREATER LIABILITY FOR SELECTING THE DISPENSED DRUG PRODUCT THAN WOULD BE INCURRED IN FILLING A PRESCRIPTION FOR A DRUG PRODUCT PRESCRIBED BY ITS ^{BRAND} ~~GENERIC~~ NAME.

SECTION 11. THE PHARMACIST [?] ~~MAY~~ USE AS A REFERENCE GUIDE THE "F.D.A. LIST OF THERAPEUTICALLY EQUIVALENT DRUGS."

PROPOSED AMENDMENTS TO NRS CHAPTER 698

(NO-FAULT)

BACKGROUND.

The following amendments are proposed to remedy several situations under no fault, which it is believed the Legislature never intended, or which, if intended, are extremely unfair to the unsuspecting public and therefore should be changed. Two of these situations involve the right of either an injured occupant or pedestrian to recover basic reparation benefits, i.e., "economic detriment", in those instances where such person owns a motor vehicle registered in this state for which he has failed to provide security for payment of basic reparation benefits. The third situation involves the right of a paying passenger to assert tort liability against a person in the business of transporting persons for hire when such person causes injury to his passenger.

PROPOSED AMENDMENTS.

NRS Chapter 698 should be amended by adding a new section to read as follows:

"Except as provided under NRS 698.340, a person shall not be barred from recovering basic reparation benefits because he owns a motor vehicle for which he has failed to provide security for the payment of basic reparation benefits under circumstances where such person's injuries occur from a motor vehicle accident in which:

(a) He is an occupant of a non-owned motor vehicle.

(b) He is a pedestrian."

NRS 698.280 should be amended by adding the following provision to the list of exceptions to the abolishment of tort liability. It is suggested that the added provision be designated sub-paragraph (g), and that the existing sub-paragraphs (g), (h), and (i) be redesignated (h), (i) and (j).

"(g) Liability of a person in the business of transporting persons for hire for harm to his passenger.

JUSTIFICATION.

The problem with respect to denial of basic reparation benefits to either an injured occupant or pedestrian stems from the overly broad interpretation being given to Federal Judge Bruce Thompson's decision in Surman v. Griebel, (U.S.D.C. Nev. No. R-77-0027, Oct. 11, 1977). In Surman, Judge Thompson concluded that the mandatory provision for carrying no-fault, NRS 698.190, necessarily excluded an uninsured operator of a motor vehicle from recovering basic reparation benefits against an insured tort feaser ... notwithstanding the ameliorating provisions of NRS 698.230 and NRS 698.260. In other words, such persons would be excluded from recovering damages for economic detriment (medicals, wage loss, etc.), up to \$10,000.00 each, based upon their failure to provide security for payment of said benefits for themselves.

Judge Thompson reasoned that the exclusion was necessary to provide meaning and enforcement to the requirement for carrying no-fault. The result would appear to make sense as a matter of public policy where the injury is to the owner/operator of an uninsured vehicle. It can at least be argued such persons should properly assume the risk of exclusion of basic reparation benefits when they operate their automobile without providing the security the law requires. However, where the injury occurs to an occupant of a non-owned motor vehicle, or to a pedestrian, both of which also happen to own a motor vehicle for which they have failed to provide security for payment of basic reparation benefits, to exclude such persons from recovery of economic damages, especially as against the negligent tort feaser, is extremely unfair and totally without reason. The fact of ownership of an uninsured motor vehicle has nothing to do with the injury in either case for the obvious reason the person injured is not driving his motor vehicle. There is no public policy being served at all in such cases. Yet the insurance carriers and their defense lawyers have attempted to take advantage of the Surman decision by claiming the exclusion applies across the board without distinction to any uninsured person who is injured as a result of a motor vehicle accident, regardless of his capacity at the time of injury, i.e., operator, occupant or pedestrian. We believe this is not the result intended by the Legislature and that the situation should be statutorily remedied before more innocent citizens are denied their rights to just compensation for their economic damages.

The problem regarding the injured paying passenger is one which simply asks for Legislative recognition and reaffirmation of the higher duty of care long required of those who are in the business of transportation for hire, i.e., common carriers. Doesn't a person who pays for his transportation as a motor vehicle passenger have a right to expect greater care from harm? Alternatively, doesn't such a person have the right to expect if

he is harmed that he can recover fully for such harm -- for both economic and non-economic damages?

Under no-fault, such persons are presently excluded from recovery for their "non-economic detriment" unless they meet the threshold requirements under NRS 698.280(1)(i). The only distinction now recognized under no-fault for injuries occurring while the vehicle is being used in the business of transporting persons or property is one which requires priority payment to the driver or other occupant of a motor vehicle. NRS 698.270(1). The Legislature should expand this distinction reinstating the right of an injured passenger to sue for his non-economic detriment, i.e., general damages. To allow the law to remain as it is, is to allow those in the motor vehicle transportation business a special "exempt" status not afforded others -- to the detriment of the paying passenger.

SENATE BILL NO. 232—COMMITTEE ON
COMMERCE AND LABOR

FEBRUARY 14, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Revises provision on renewal of certificates of registration for professional engineers and land surveyors. (BDR 54-208)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to professional engineers and land surveyors; revising the provisions on renewal of certificates of registration; 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 625.390 is hereby amended to read as follows:
2 625.390 1. [Application] *An application* for registration as a pro-
3 fessional engineer or land surveyor or for certification as an engineer in
4 training [shall:] *must*:
5 (a) Be on a form furnished and prescribed by the board;
6 (b) Contain statements made under oath, showing the applicant's
7 education and a detailed summary of his technical experience; and
8 (c) Contain the names of not less than three:
9 (1) Registered professional engineers if applying for registration
10 as a professional engineer or engineer-in-training; or
11 (2) Registered land surveyors or registered professional engineers
12 qualified in the branch of civil engineering if applying for registration as
13 a land surveyor,
14 who may be residents of this or any other state who have knowledge of
15 the background, character and technical competence of the applicant, but
16 none of whom may be members of the board.
17 2. The application fee for professional engineers and land surveyors
18 shall be established by the board in an amount not more than \$100 and
19 [shall] *must* accompany the application. A fee for a certificate of regis-
20 tration may be fixed by the board in an amount of not more than \$50.
21 3. [Should the board deny] *If the board denies* a certificate to any
22 applicant, or [should an applicant fail] *if an applicant fails* to appear

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 233

SENATE BILL NO. 233—COMMITTEE ON COMMERCE
AND LABOR

FEBRUARY 14, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Provides for certification of land surveyors-in-training.
(BDR 54-207)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to land surveyors; providing for certification of land surveyors-in-training; 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 625 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 4, inclusive, of this act.
3 SEC. 2. *As used in this chapter, "land surveyor-in-training" means a*
4 *candidate for registration as a land surveyor.*
5 SEC. 3. *Except as provided in section 4 of this act, to be eligible for*
6 *certification as a land surveyor-in-training, an applicant must:*
7 1. *Be a graduate of or in his final year of an approved land survey-*
8 *ing or engineering curriculum of 4 years or more, approved by the*
9 *board as satisfactory, and have successfully passed Part I of a written*
10 *examination designated by the board; or*
11 2. *Have had 4 years or more of experience in land surveying work*
12 *satisfactory to the board, and have successfully passed Part I of the*
13 *examination provided for in NRS 625.280.*
14 SEC. 4. *The board may issue a certificate as a land surveyor-in-*
15 *training to an applicant, upon presentation of evidence of his certification*
16 *in good standing from a state or territory maintaining standards of engi-*
17 *neering or land surveying certification equivalent to those in Nevada if*
18 *in the judgment of the board he has the necessary qualifications under*
19 *this chapter. The board may require him to pass a written or oral exam-*
20 *ination.*
21 SEC. 5. NRS 625.170 is hereby amended to read as follows:
22 625.170 The secretary of the board shall prepare once each year, or
23 at intervals as established by the board, a roster showing the names, last-
24 known addresses and branches of engineering of all registered professional
25 engineers and the names and last-known addresses of all land surveyors,
26 [and] engineers-in-training [.] and land surveyors-in-training. Copies of
27 the roster [shall] must be:

SENATE BILL NO. 233—COMMITTEE ON COMMERCE
AND LABOR

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3 SEC. 2. *As used in this chapter, "land surveyor-in-training" means a*
4 *candidate for registration as a land surveyor.*

5 SEC. 3. *Except as provided in section 4 of this act, to be eligible for*
6 *certification as a land surveyor-in-training, an applicant must:*

7 1. *Be a graduate of or in his final year of an approved land survey-*
8 *ing or engineering curriculum of 4 years or more, approved by the*
9 *board as of satisfactory standing, and have successfully passed a written*
10 *examination designated by the board; or*

11 2. *Have had 4 years or more of experience in land surveying work*
12 *satisfactory to the board, and have successfully passed the first day's part*
13 *of the examination provided for in NRS 625.280.*

14 SEC. 4. *The board may issue a certificate as a land surveyor-in-*
15 *training to an applicant, upon presentation of evidence of his certification*
16 *in good standing from a state or territory maintaining standards of engi-*
17 *neering or land surveying certification equivalent to those in Nevada if*
18 *in the judgment of the board he has the necessary qualifications under*
19 *this chapter. The board may require him to pass a written or oral exam-*
20 *ination.*

21 SEC. 5. NRS 625.170 is hereby amended to read as follows:

22 625.170 The secretary of the board shall prepare once each year, or

SENATE BILL NO. 234—COMMITTEE ON COMMERCE
AND LABOR

FEBRUARY 14, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Provides requisites for practice of professional engineering by certain organizations. (BDR 54-206)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to professional engineers; providing requisites for practice of professional engineering by certain organizations; 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 625.240 is hereby amended to read as follows:
2 625.240 1. A firm, a copartnership, a corporation or a joint-stock
3 association may engage in the practice of professional engineering in this
4 state, if the principal member or members of the firm, copartnership,
5 corporation or joint-stock association in responsible charge of engineering
6 work are registered professional engineers under the provisions of this
7 chapter and the other members of the firm, copartnership, corporation or
8 joint-stock association are registered under this chapter or chapter 623 of
9 NRS [.] , or are registered in any other state whose registration require-
10 ments are deemed by the board to be practically equivalent to those
11 provided in this chapter or chapter 623 of NRS.
12 2. Every office or place of business of any firm, copartnership, cor-
13 poration, or joint-stock association engaged in the practice of professional
14 engineering shall have a registered professional engineer in residence and
15 in direct responsible supervision of the engineering work conducted in
16 such office or place of business. The provisions of this subsection do not
17 apply to firms, copartnerships, corporations or joint-stock associations:
18 (a) Practicing professional engineering for their own benefit and not
19 engaging in the practice of professional engineering for others or offering
20 professional engineering services to others.
21 (b) Engaged in the practice of professional engineering at offices
22 established for limited or temporary purposes, such as offices established
23 for the convenience of field survey crews, or offices established for con-
24 struction inspection.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 28

SENATE BILL NO. 28—SENATOR HERNSTADT

JANUARY 17, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Removes requirement that state banks close on weekends. (BDR 55-186)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to banks; removing the requirement that state banks close on Saturdays; 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 662.255 is hereby amended to read as follows:
2 662.255 Subject to the provisions of NRS 104.4303, all banks orga-
3 nized pursuant to the provisions of this Title or doing business in this
4 state shall be closed, and no business shall be transacted with the public,
5 on [Saturdays,] Sundays [or] *and* legal holidays, except for limited
6 services as approved by the superintendent. *A bank which is open on*
7 *Saturday may, but is not required to, perform any service which it is*
8 *otherwise authorized to perform.*

SENATE BILL NO. 28—SENATOR HERNSTADT

JANUARY 17, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Removes requirement that state banks close on weekends. (BDR 55-186)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to banks; removing the requirement that state banks close on weekends; 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 662.255 is hereby amended to read as follows:
2 662.255 Subject to the provisions of NRS 104.4303, all banks orga-
3 nized pursuant to the provisions of this Title or doing business in this
4 state shall be closed, and no business shall be transacted with the public,
5 on [Saturdays, Sundays or] legal holidays, except for limited services as
6 approved by the superintendent.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 4

SENATE BILL NO. 4—SENATOR HERNSTADT

JANUARY 15, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Prohibits bail bondsmen from making campaign contributions for or against election of candidates for certain public offices. (BDR 57-190)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to bail; shortening the time between notice of failure to appear and forfeiture; clarifying and strengthening procedures and grounds for exoneration of sureties; enumerating grounds and requiring a hearing before setting aside or remitting a forfeiture; 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 178.508 is hereby amended to read as follows:
2 178.508 If the defendant fails to appear when his presence in court
3 is lawfully required and not excused, the court shall direct the fact of
4 such failure to appear to be entered upon its minutes, and if the under-
5 taking or money deposited instead of bail bond is in excess of \$50, the
6 court shall direct that the sureties first be given notice by certified mail
7 that the defendant has failed to appear and shall execute an affidavit of
8 such mailing to be kept as an official public record of the court. The
9 undertaking or money instead of bail bond [shall not be declared] *is*
10 forfeited [until 90] *upon the expiration of 45 days* after the notice is
11 mailed, [or shall be disposed of] *except as otherwise provided in NRS*
12 178.509. A copy of the notice shall be transmitted to the district attor-
13 ney at the time notice is given to the sureties.

14 SEC. 2. NRS 178.509 is hereby amended to read as follows:
15 178.509 1. [Prior to the expiration of 90 days, after notice of intent
16 to forfeit is mailed, the court may exonerate the surety upon such terms
17 as may be just when:
18 (a) The defendant appears before the court and presents a satisfactory
19 excuse or the court is satisfied that the surety did not in any way cause
20 or aid the absence of the defendant.
21 (b) It appears to the satisfaction of the court that the defendant is