

The meeting was called to order at 2:00 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: See Guest List on Page 1A.

Chairman Wilson opened the hearing on AB 203.

AB 203 Increases maximum fee which private employment agency may charge for finding employment.

Mr. George Flint, representing Nevada Private Employment Agencies, presented prepared testimony (Exhibit "A"). He also presented a hand-out for AB 203 (Exhibit "B"). He stated he is asking the committee to raise the present rate of 40 percent to fifty-five percent rate which would increase it to \$440. He said the hand-out is the prepared remarks of Assemblyman Bremner as he spoke to this bill on the Assembly floor pointing out the present rate of Nevada is among the nation's lowest.

Senator Hernstadt questioned raising the fees would also drop the clients. Mr. Flint stated he did not feel raising the fee would bring more people in. He said the problem is finding of personnel and the cost of finding that personnel. To Senator Young's question he answered the surrounding states use a similar statistical control as California where they have to post and advertise their rates, but apparently they do not have a limitation. He stated he spoke with the counsel of the National Association of Employment Agencies in Philadelphia who informed him there are 42 states in the United States that have no ceiling rates as Nevada does. In answer to Senator Hernstadt's question he stated that many existing employment agencies that have survived have turned to other areas of endeavor, one is the executive head hunter type, another is that many existing employment agencies, to survive have also gone into temporary employment placement, such as the Kelly Girl thing. He stated most employment agencies try to work within the needs of the individuals placed, there is not an agency in northern Nevada that does not allow the payment to be made in at least three payments. Many times it is an open thing, no specific amount each time. One placement fee, he stated, had been paid back at \$5 per week until the \$75 had been paid. It is how the people can pay, a voluntary type of thing in some cases. Private industry is looking for some

AB 203 continued

help, this is the principal thing. Senator Ashworth asked why there was a control anyway. Mr. Flint responded that industry would like to see no control. Approximately 20 years ago the fee was raised from 15 percent to 25 percent.

The hearing was closed on AB 203.

AB 780 Abolishes requirement of filing or recording certain professional licenses with county clerk or county recorder.

Mr. Russell McDonald, stated this is a division of labor removing certain of these files from the county clerk to the county recorder, which has become law, and this bill suggests a repeal of that. This was suggested, he said, by the Washoe County Recorder on the basis as to why should there be any recording of these professional licenses at all, in view of the fact there is strong licensing disciplinary boards, particularly in those fields, of regulation, the doctor or the dentist, etc. He feels it is a useless act, in the old medical practices act when it first went into effect, your diploma from an alleged medical school was recorded, it was notice to the public that you were in fact a professional licensed to do your thing. Now he states, it is a useless act.

Chairman Wilson closed the hearing on AB 780.

SB 563 Amends various statutes regulating controlled substances.

Mr. Russell McDonald stated he did not know what ground rules were expected in the interest of time. He stated he drafted the bills as a result of board problems. He introduced Mr. George Bennett, secretary of the board; Mr. Michael W. Dyer, former deputy attorney general and prosecutor who represented the board, now in private practice; Mr. Titus and Mr. Tucker who are members of the board from Fallon, Nevada. Chairman Wilson asked if the three bills should be heard separately or all at once - also SB 564, SB 565. Mr. McDonald said they should be heard consecutively, there is a lot of similar language, but it would be too confusing to hear them together.

Mr. McDonald stated Section 1 merely refers to additional definitions at the end of the bill. There was an attempt to make uniform definitions where possible and answer certain problems that the board of administration has developed.

Mr. George Bennett, Secretary of the Board, stated he contacted Mr. Pugh, representing the medical association; Dr. Thomason, administrator of the bureau of health facilities, which bears some relation on this.

Mr. McDonald said Section 1 relates merely to include additional definitions, in the latter part of the bill in sections 42 to 50. Section 2 recasts the definition of administrator by taking

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(Mr. Dakin's suggestion) he took the so-called subsidy provisions of the definition and removed them so they are one of the new sections at the end of the bill, with new language suggested by the Board of Pharmacy. On Line 5 definition of practitioners instead of repeating physicians, dentists, podiatrists and veterinarian, this was a technique used to equate this thing. Starting on line 14 - the advanced emergency medical technician- respiratory therapist, a medical student in the course of his studies and in the course of his internship - that is the new language proposed by the board, with respect of who may administer controlled substances. Generally Mr. Dakin's suggestion follows Mr. McDonald's draft. Chairman Wilson said as long as it makes sense then it is a practical way and there would be nothing wrong with it. Section 3 is the definition of "agent", the language proposed to be added there is "dispenser or prescribing practitioner".

Mr. Bennet stated dispenser is either practitioner, physician, dentist or podiatrist, veterinarian and is also pharmacy, those who dispense on prescription. Prescribing practitioner is a term used because in federal regulations they have two types of practitioner, one being those just mentioned and the others being the institutional practitioner, such as hospital.

Mr. McDonald went on to Page 2, redefine "bureau" because the Bureau of Narcotics and dangerous drugs does not exist, bureau does mean now propose the drug enforcement administration. Section 5, Lines 15 and 16 "who may dispense", and starting on Page 20, Line 21, Section 54, the substance there has been removed and has been put over in new language. Mr. Bennett stated on Line 12 where the present language on Page 2 "dispensing and including prescribing and administering.....compound and necessary." He stated this was in the model bill and it was a federal model bill and was a confusing thing that the federal government has done as far as drugs is concerned because the dispensing as we describe it on Line 14 is what everyone in the profession knows as dispensing, in other words "dispensing" does not mean prescribing and administering.

Mr. McDonald stated that Mr. Dyer pointed out on Page 20, Line 28 there was an addition of intern and the course of his internship, to recognize the medical intern, which is not in the original language, but the board proposed that in their draft. Mr. Bennett stated that dispensing was more than one dose and that is what they are trying to make clear. Mr. McDonald stated on Line 19, through this - falling back to the practice of regulation - which is proper there. Section 7, Line 25 the word "practitioner", what is proposed to be deleted is apparent. Line 36 "prescription", there is a removal of the substitutive language as the contents of the prescription. Page 20 is the balance of what must be on the prescription contained in Section 55, beginning on Line 29 of the bill. Chairman Wilson said the generic drug act will change what the prescription should contain.

Mr. Dyer stated that all the items in Section 55 are required by the code of federal regulations and the federal drug enforcement law to be on a prescription.

SB 563 continued

Senator Ashworth mentioned Line 27 through 30, does this cover on Page 20 - peoples license and dispense? Mr. McDonald said those were the research and problems, Page 2. Mr. Dyer questioned if he meant "scientific investigator", to which Senator Ashworth read the section he was referring to. Senator Ashworth stated that those were all coming out. Mr. Dyer stated that all of those were addressed further on in the bill, scientific investigator is one allowed by another board statute, to do research or to administer these products without the necessity of registration. No one is left out they are all taken care of in another part of the bill.

Mr. McDonald stated on Page 3, Line 20, regulation for rule, starting on Section on Page 3 Mr. Bennett was asked to speak to the suggested deletions and proposed additions. Mr. Bennett stated they have been changed by federal regulation by the drug enforcement administration by changing the items in the federal regulation which they are required to do by regulation within 60 days unless there is a hearing declaring their intent not to. Some have already been changed by state regulation, more recent ones have not. He stated he has copies of all the additions before the committee. He stated the fact for the changes is that it is beneficial so they can be prosecuted by state law otherwise these cases would have to go to federal court, these are already federal regulations. Chairman Wilson stated that Pages 4, 5, 6, 7, 8 all comply with federal regulations to which Mr. Bennett and Mr. McDonald said that was correct.

Mr. McDonald added in Section 15 on Page 8 this proposes to add Prescribing. Subsection 2, Line 23 adds (d) (see bill). Mr. McDonald agreed with Senator Hernstadt that there would have to be some "integration" with SB 145. The inclusion of the word "dispensing" on Line 48 in Section 16, unless there is some objection, he said, he would not make comments on rule and regulation. Mr. Dyer stated the ones added were added as a practical manner because they appear in other statutes they are allowed to administer and they do not give any authorization to possess, without being criminally processed, that is why the emergency technicians, etc. are in there.

On Line 10, Lines 49 and 50 have to do with disciplinary procedures and registration stated Mr. McDonald. Mr. Bennett stated Section 17 that the board proposes to increase the grounds for disciplinary action unless a board has specific authority undertake disciplinary action, they can not take it for any violations that do not follow any specific guidelines. The first change is to require them to keep, registrants-doctors-practitioners-dentists-veterinarians, requiring the registrants to keep complete and accurate records of controlled substances, purchased, administered or dispensed. Keep the list separate and independent from present records which is also required by federal regulations. He can have his registration acted against if he fails to comply with any provision of the chapter on controlled substances, federal law or the rules and regulations. The way the statute reads now is that the board can revoke or suspend a practitioners control substance registration.

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Mr. Bennett stated a maximum fine of \$1,000 can be levied for an accusation, accusation is defined in the pharmacy law as the complaint. He stated that most of the things the pharmacy board takes action that constitute prescription violations are not in fact gross misdemeanors but could qualify as felonies if the district attorney wanted to prosecute them. There have been some prosecutions under felony statutes by the district attorney and have ended up as convictions.

Chairman Wilson stated on Page 11 lines 38 through 49 are to be taken out. Mr. McDonald stated that in Chapter 639 there is administrative proceedings which suggests that all ground work is the same. Mr. Bennett stated it is also beneficial to the person being accused because those procedures are much more formal than the simple - show cause- as are in this chapter. Mr. Dyer stated on Line 7, Page 12 that the board has power, by statute, to suspend without hearing a registration if it finds there is a possibility that public health safety and welfare is going to be greatly jeopardized by having the practitioner continue to have the ability to prescribe prior to hearing an example of when this would arise is, you, might have a practitioner who is actually selling cocaine, under his registration, information comes before the board, the board follows the accusation and they see a need to keep him from prescribing, before they hold a hearing, what this section does is three things: first it deletes the word "simultaneously"; second it requires a board to hold a hearing after the finding, no later than 30 days following action. Upon discussion Mr. Dyer stated that if the board holds a preliminary hearing then they just disqualify all the board members who sat on the preliminary hearing, because under 233 (b) any member of the board who participates in any part of the investigation or hears any of the evidence can be challenged and be disqualified when it comes to a full hearing as having pre-judged the case, this was in answer to Senator McCorkle's question.

Mr. McDonald stated on Page 12, Line 27 the term licensed pharmacy this is the controlled substance of distribution between registrants and a pharmacy. Mr. Bennett stated one of the points "shall be distributed" changed to "may" because many pharmacies do not transfer scheduled drugs between them, to clarify that pharmacies do this rather than registrants, a pharmacy is a registrant but it was clarifying it because pharmacists say it does not say that they can do it. He said that it does now, it spells it out in clarity. Mr. Bennett said to get back to the third thing that subsection 1, Section 18 is to provide that the board may hold these administrative disciplinary hearings regardless of whether there are criminal proceedings pending, that is a practical addition that has been put in there because of the fact that restraining orders, prohibiting the board from holding hearings because of the person being charged with criminal violations, the effect was that the person could have his registration and be prescribing controlled substances for a couple of years.

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Mr. Bennett stated the fifth amendment states it is your decision whether to testify or not to testify. Page 13, Line 7 concerns are regarding people who get a prescription for Schedule II drugs and try to obtain more of the drug before the prescribed time of perhaps 15 days and use it within 7 days this is brought to the attention of the prescriber and if he authorizes it they fill it. Mr. McDonald stated on line 14 as being a substitution regarding injunctive powers. Mr. Bennett stated that all this does it simply provides standard language, stating that the board may bring an injunctive action to enjoin any violation of the law, and it does away with filing fees. Also in Section 27. according to Mr. McDonald puts all the definitions into one. Mr. Bennett stated in Section 28, lines 42 through the word "internship" on line 49 are redundant with respect to Section 53 of Page 20, the board requests deletion of those lines in their entirety, begin the section with "Except" on Line 49, he said everything to be deleted are covered in other sections of the bill. Mr. McDonald said there was specific objection to the word "administering" on Page 15 on line 50 "administering to his spouse or family". Mr. Bennett said you come up with physicians who are not prescribing, but they are administering and dispensing to families, technically not in violation with the law but the intent is the same. He stated that for clarification is that Schedule II drugs can not be refilled and this is being put in for clarity so that no one would think this would allow them to refill Schedule II drugs. He stated that sometimes a cancer patient on Schedule II drugs can not get in contact with their doctor to re-fill their prescription so they would prefer the language be deleted "other than Schedule II drugs" in Section 34 as this was not initially requested by the board, that is Section 34, Line 32.

Mr. McDonald stated that on Page 19, Sections 42 through Section 50 are definitions the board felt to be necessary. In Section 51 he stated he did not believe the penalty provision was in the bill, as he had drafted it, but was in a different form. He further stated Section 52 deals with the convalescent center, the nursing home situation. Oral instructions from the licensed nurse for prescriptions must be followed in 48 hours with the practitioner's authorization for the prescribed drug. Mr. McDonald stated that Section 56 proposes to repeal 453.511, regarding the demise of the prescriber. He stated the other sections 610 to 650 are those definition sections of narcotics, narcotic addict, they are not substitutive.

Chairman Wilson closed the hearing on SB 563.

SB 567 Provides exception to requirements concerning advance fees.

Mr. Ashelman, representing the brokers association, stated he has spoken with Mr. Washams, Mr. Goddard and Mr. Midmore, who are the only ones he knew with interest in this bill. He stated this bill deals with the same subject matter as AB 753, and it is his request that the committee delay SB 567 until that time as AB 753 is being heard so the committee will not have to hear testimony twice.

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Chairman Wilson asked if he would prefer it be postponed to Monday, May 14th. He stated it is to be heard Monday along with AB 753.

Chairman Wilson closed the hearing on SB 567 as there was no one to testify, and will hear the two bills on Monday.

SB 563

Chairman Wilson re-opened the hearing on SB 563.

Ms. Pat Gothberg, Nevada Nurse Association, stated a suggestion was made regarding Page 9, Line 23, that in view of the passage of SB 145 this morning that should also include the nurse practitioner or, more specifically, the same language that was in SB 145. She stated it should also now should include the registered nurse, if authorized by the board. (Exhibit "C"). There is a second point she stated that her people asked her to mention in this area, it is her understanding that in the past nurses are functioning in ambulances, should have added in that registered nurses responsible for patients in their ambulances, ground or air ambulances. On Page 20, line 27 just add the term nurse practitioner.

Mr. Fred Hillerby, Nevada Hospital Association, stated there were problems with the pharmacy law and there was need to revise it. He said his basic concern is the definition on chart order that appears on Page 19, it is very much the practice of the physician on discharge of the patient to write on the patient's chart the order regarding take home drugs, that copy of the order is transmitted to the pharmacy, probably most of the time the patient does not realize the pharmacist could be called or give the prescription to take home. He stated they would propose that this definition of chart order be extended to read that a chart order is a prescription for the administration of drugs, and should state for take-home drugs only. He stated the information that is required in Section 55 is not in the chart order, but is in the hospital. Senator Blakemore stated it should be: the patient be given the prescription to have filled by his own pharmacist, as the hospital may not be available when renewal of the prescription is necessary. Mr. Hillerby stated the chart order is of no value to anyone other than the hospital, and only in its specific instance of its authorization to administer drugs while they are an in-patient and for the amount they take home the day they are discharged, that is all it covers. He suggests, in line with that, Line 37, giving the list of things to be available, there might be another line added that would say "in case of a chart order the above information must be available in the hospital", this way, they are guaranteed, they know that the doctor can prescribe whatever the medication is.

Mr. Dyer stated that in the chart order they are trying to record that there was a record of the prescription and that the patient has the opportunity to get that prescription filled at the pharmacy of his choice. At the present time the only one that can fill the

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the prescription on a chart order is the hospital pharmacy. He said the board viewed it as an attempt to decrease health care cost to the Nevada citizen. The perogative of taking the prescription to their own pharmacy should rest with the patient. He further stated this would be after the initial supply. He stated under the proposal of Mr. Hillerby you can not have any refill, but would have to have the physician write another one, thereby increasing the health cost of the patient.

Mr. Bob Tucker, Board of Pharmacy, Fallon, Nevada, stated he has people who want refills on their prescriptions, he can not contact anyone to get that prescription refilled, then it is a two or three day delay to get their medication. This is a great concern of his because when they are discharged from the hospital they take it in to his pharmacy and there is no way he can refill it for them because the hospital cannot give him a copy of the prescription and they can not get hold of the doctor. He states it really limits the patient to what they can do about their medication.

Mr. Frank Titus, Board of Pharmacy responded to the question that you cannot fill a prescription in another pharmacy by the information on the label. If they give you a 1-2-3-5 refill on the prescription, that would enable refill and transfer of a prescription.

Chairman Wilson closed the hearing on SB 563.

SCR 41 Encourages small businesses to form export associations and urges these businesses to relocate in Nevada

Senator Gene Echols, District No. 2, North Las Vegas, Clark County, introduced Mr. Leo Engel, Nevada citizen, and economist, who has embarked on a significant program to establish a world trade center in Las Vegas. He presented documents regarding the Las Vegas Trade Center (Exhibit "D"); also a statement prepared by Mr. Engel for proposed Foreign Trade Bill Hearing (Exhibit "E"), which Mr. Engel read. He stated this bill would create image in Europe with the legislators not to stop this type of operation because the retailers are going to travel here three or four times each year on tax deductible buying tours because the trade center itself will invoice these tours, and be specifically a training ground for U.S. manufacturers on how to get involved in foreign trade.

Chairman Wilson stated the basic question to respond to would be whether it would be appropriate for a legislature to process a resolution which then can be taken by someone promoting this type of activity and utilize, whether in this country or abroad, to obtain business. Mr. Engel stated he selected Las Vegas after a thorough study of eight areas in the United States as he felt Las Vegas would be the place to instigate this type of thing.



SCR 41 Continued

Senator Hernstadt stated the people in Europe are suspicious as to why should they do business in the middle of the desert, on the other side of the United States, what we are trying to establish is that we want the business here, that we have a good business climate and the lowest tax structure of any of the 50 states, we have an international airport, and this resolution encourages the free trade zone.

Mr. Engel stated he had hoped the committee would appoint someone that would represent the state government to encourage it. Chairman Wilson said the committee did not have the jurisdiction to do what he is asking, as this is the legislature and not the executive branch stating he should be talking to the department of economic development. Senator Echols stated it would help to say by the legislative resolution they are in support of this type of business, not this business, but generally to "business". There would have to be new language, he said. Senator Young expressed concern about the feasibility and no great harm, did not believe the legislature should give operative support to form export associations.

Senator Faiss stated that a few years ago something like this might not have been feasible because our currency was high it was the other way around, but now, our currency, in a lot of ways, has fallen below the European nations and this might be an easier point in time to do something with a concept like this.

Mr. Engel stated he has been with this concept for four and one-half years and the investment of over a million dollars, he selected Las Vegas because he has interviewed over 16,000 retailers where to put this Trade Center. He stated the trade center is a passport for European retailers, fighting for survival against large department stores to have the opportunity to buy American products. He has put in 28 months to identify over four and one-half thousand products which they can buy cheaper in this country than they can buy it on the common market, as much as 60 to 80 percent cheaper. The devaluation of the dollar has reinforced his efforts and he has selected Las Vegas but he is running into difficulties, has nothing in return and would like the state to shoulder some of these responsibilities in order to make it possible for him to implement his plan. He stated this would be a pilot plan for the United States, a training ground for training of small manufacturers to get involved in foreign trade. He stated he needed some show of faith and some support to set up a small office to work with him on issues that have nothing to do with making profit, just to make sure they can stay here and implement this plan. He would like to promote the state of Nevada as a state in commerce with the foreign climate and feels he should have some support or a liaison man who can sit down with him. Senator Echols stated the key of the whole thing would be the proper language to support the bill and that would be acceptable. Chairman Wilson said he could not volunteer members of the committee to meet in helping with this project. He further stated Senator Echols could arrange a meeting with Mr. Buchanan for proper language this would be fine.

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Mr. Engel stated he, himself, selects, from 12,000 manufacturers selecting the goods identified according to his research that the particular goods is not needed, but can be sold to 11 million retailers because it is 60 to 80 percent underpriced and the value is higher. The retailer in Europe is boxed in a small country and needs an opportunity to come here and buy these goods. He stated Nevada will become a model in export in the states. Chairman Wilson said this is not a bill it is a resolution expressing attitude, not jurisdictional, he wonders why Mr. Engel needs this to get it off the ground. Mr. Engel stated it was because he ran out of money to work this project, and he would like to see the government to appoint and funnel funds of say, 100 thousand dollars, to which Chairman Wilson said this is not going to do that.

Senator Echols stated he hoped the committee now understands the purpose of the resolution, if this project gets off the ground and is functioning at some future date the European governments with hundreds of thousands of dollars going out of their country might decide to exercise legislative powers that would tax that type of idea or even forbid it. He stated you need a governmental support base in this country so that those nations would be reluctant to take an action against such a project, so thereby we are talking about a resolution supporting a "concept" of business. Dr. Engel has no idea, he further stated, does not have any intention of taking that resolution to anyone to try to raise money with it with the exception of the fact that the state does, actually support this type of business. He stated Dr. Engel could be a consultant to the Economic Development Department, after the resolution of intent and find the proper language, this is the first step.

Chairman Wilson closed the hearings on SCR 41.

SB 564 Amends various statutes relating to dangerous drugs, poisons, and hypodermic devices

Mr. Russell McDonald stated the same explanations were not necessary because a lot of this bill parallels the previous bill SB 563. On Page 2 "hospital" is the same definition as it was in the previous bill also "pharmacy" on Page 2, section 4. Line 21 on Page 2 inclusion of pharmacies operated by the state.

Mr. George Bennett stated include pharmacies operated by the state they are not now included but excluded, also the mental health institute which uses chart orders. Mr. McDonald said Section 5 "practitioner" the same, Section 6 "practitioner", Section 7 "regulations", Section 8, this is a proposal that after the board has adopted the schedule antidotes and first aid treatments provided shall have the schedule printed and distributed. He stated a reasonable fee could be set by the board, even by regulation or order without violating administrative procedure. Section 9 "administer", the discussion was done on the other bill, Page 8, section 31 is the same pattern that Mr. Daykin established.

SB 564 continued

Senator Blakemore stated this bill is updating of pharmacy laws. Mr. McDonald said that several things were outdated such as on Page 6, the term "practitioner" are material changes of 4 and 5, but when you have page 6, Line 27, subsection 2 might have to look at nurse practitioner but that, again, was an oversight together with the last session's action with the healing art people. On Page 7, the same definitions. Mr. Dyer stated a practitioner in the same category must be contacted, you can not contact such as a veterinarian for human use. Mr. McDonald said Section 27 is the chart order provisions again. Senator Blakemore stated he felt the M.D. should sign prescriptions or orders before they are filled. Mr. Dyer said they have no problem with the hospital as the doctors are there every day, it is when you get to skilled nursing facility which is a distance from the doctors office they have difficulty in getting there once a month as required by medicare and medicaid regulations. The only other way it could be done, he said, is to have the doctor phone the pharmacy directly. Mr. Bennett said the way it is now is that the nurse can call the pharmacy and ask for medication for the particular patient, but the pharmacy does not know what the doctor actually wrote for how many pills, she could tell the pharmacy 40 when the prescription was actually written for 20. This bill would change that situation. He stated it is federal regulation that the doctor sign the prescription within 48 hours. The Bureau of Health Facilities inspect these places and write up violations all the time, he stated. Senator Ashworth stated the prescription means nothing anymore as the prescription pad means nothing when they can be called in or put on chart orders. He said it should be regulated, either they conform or not. Mr. Bennett stated he agreed and suggested to tighten it up locally is to require the physician to phone the pharmacy directly. Senator Close questioned what other states do. Mr. Bennett said he had not researched other states and therefore did not have a good answer.

Senator Ashworth stated there is a real jealousy in the professions that you do not want other groups encroaching upon that profession, the doctors are licensed, because of certain regulations; it seems to him they should not be allowed to direct delegation of their work. Mr. Bennett stated that the board is trying to make the physician be responsible for what they prescribe; and allowing the pharmacist, who is filling that prescription, to have something tangible in writing that enables him to know that is what is prescribed. Senator Ashworth stated there must be controls, if the doctor has sole responsibility to diagnose and can prescribe the drug then they should help in the control of that drug.

Mr. McDonald stated on Page 7, Section 28, gives the board injunctive relief, identical language in the other bill. Section 29 to do with the removal of original prescriptions from the pharmacy files, he asked Mr. Bennett to respond.

Mr. Bennett said the present law does not make any provision for members of the Federal Drug Act or the Board inspectors, or the division of investigation of narcotics be able to take the prescription out of the pharmacies and leave a copy, it is in the controlled

SB 564 continued

substance law but not a dangerous drug law, just simply to enable them to get it to use as evidence in a proceeding. Mr. McDonald went on with Section 30, the contents of the prescription, Line 16 is new, not in the current law. Section 31, the administration and the dangerous drug dispensing is the same as the other bill, but new language has been added. Section 33 is new regarding the internship on Page 9.

The public hearing on SB 564 was closed.

SB 565 Proposes various amendments to laws relating to pharmacists and pharmacies.

Mr. McDonald stated the words "chart order" and "pharmacy" should be the same definition as the previous bills. On Page 2 prescription is defined, previous bills; in Section 5, with respect to the board, the present law says all meetings of the board shall be open to the public except for executive sessions which are held to deliberate on the decision of administrative action in order to prepare or administer examinations, everything has to be open except a, b and c. On Lines 40 and 41, with the expansion of the board to include the lay member Mr. Bennett was asked to elucidate. Mr. Bennett stated they have a public member and a hospital member, a chair-store pharmacy represented and two individual privately owned pharmacies. Mr. Dyer stated this board meets 16 to 20 days a year, which is almost a month of working days per year, most boards may need 4 to 5 days a year only. He further stated the actual and necessary expenses are reasonable for this board as it is different than the private boards who only have 4 to 5 meeting days per year. Mr. Bennett stated the meeting places are usually in big hotels where the daily expenses are tremendous and could perhaps meet, or be housed in, say the 6-Motel, where there are no phones but the expenses are nominal. Mr. McDonald stated on Page 3, Line 3 enlarging the boards powers to make regulations, etc. spelled out later in the temporary licensing section. Mr. Bennett said they do issue biennial registrations to pharmacists.

Mr. Hillberby stated he had a problem with the imposition of the fine was for each point of the accusation on Page 14, Lines 2 and 3, but he was feeling the accusation was being accused and they were talking about a legal document. He further stated it is difficult to get a doctor to take care of a geriatric patient. He felt the phone call prescription by the doctor would be a reasonable approach.

Chairman Wilson closed the hearing on SB 565.

SB 172 Revises laws regulating dispensing opticians

Chairman Wilson stated the Assembly put an amendment to the bill changing, or reducing the age from 21 to 18. Assembly amendment 985 of SB 172.

Motion by Senator Close to concur with SB 172, Amendment No. 985.

Seconded by Senator Hernstadt.

Motion carried (Senator Young absent).

SB 386 Exempts additions to existing public utility plants from certain environmental requirements.

Chairman Wilson stated there is an Assembly amendment No. 845. Mr. Stan Warren stated the amendment is intended to delete the duplication that exists in the preparation of environmental impact reports, the telephone, telegraph and CATV companies must submit when they expand, build or modify their facilities within the city limits of the communities they serve. Presently these utilities must gain approval from the Public Service Commission and then obtain a second approval from the local government authorities involved. (see Exhibit "F").

Motion by Senator McCorkle to adopt Amendment 845 to SB 386.

Seconded by Senator Blakemore.

Motion carried (Senator Young absent).

SB 310 Requires inactive real estate brokers and salesmen to meet certain continuing education requirements as prerequisite to reinstatement to active status.

Chairman Wilson stated in the amendment, the requirement that says "or their equivalent", it deletes that.

Motion by Senator Ashworth to adopt amendment No. 28 to SB 310.

Seconded by Senator McCorkle.

Motion Carried (Senator Young absent).

BDR 2154<sup>\*</sup> To prepare legislation allowing employers -

Chairman Wilson stated this is a three-way resolution

Motion by Senator Close to Introduce BDR 2154 and refer to Finance.

Seconded by Senator Hernstadt.

Motion carried (Senator Young absent).

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SB 10 Narrows definition of unethical conduct in profession of optometry.

AB 580 Authorizes certification of optometrists to use in their practice certain drugs without prescription.

Motion, to Amend AB 580 by incorporating contents of SB 10, by Senator Hernstadt.

Seconded by Senator McCorkle.

Motion carried (Senator Young absent).

BDR 2129 To take action necessary to re-establish selective service.

Chairman Wilson stated this BDR is to be returned to the introducer.

BDR 46-423 -Transfers to director of department of energy duty of approving claims by members of state energy resources advisory board (see Exhibit "G").

Chairman Wilson said to "hold".

BDR 28-424 Authorizes state public works board to adopt standards for conservation of energy for renovated buildings.

Chairman Wilson said to "hold". (Exhibit "H").

BDR 57-2135 Authorizes commissioner of insurance to investigate certain alleged frauds. (Exhibit "I").

Chairman Wilson said to "hold".

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Betty L. Kalicki  
Betty L. Kalicki, Secretary

APPROVED:

Thoma R. C. Wilson, Chairman



SEVERAL MONTHS AGO I WAS APPROACHED BY A ~~SMALL~~ GROUP OF EMPLOYMENT AGENCY OWNERS. THEY <sup>explained</sup> TOLD ME THAT THEY HAD A SERIOUS AND GROWING PROBLEM. LISTENING TO THEIR STORY AND THE DETAILS OF THEIR SITUATION, I WAS SOON PERSONALLY SOLD ON THE LEGITIMACY OF THEIR CLAIM.

I ALSO LEARNED THAT WITHIN THE ENTIRE FABRIC OF OWNERSHIP IN THIS SEGMENT OF PRIVATE ENTERPRISE THERE WAS ANOTHER VERY STRONG FEELING, ASIDE FROM THEIR MORE IMMEDIATE PROBLEMS. THIS FEELING WAS THE GENERAL ATTITUDE THAT THE ENTIRE CHAPTER OF <sup>The</sup> ~~OUR~~ STATUTES DEALING WITH THE CONTROL AND OPERATION OF PRIVATE EMPLOYMENT AGENCIES IS VERY MUCH IN NEED OF REVIEW AND REVAMPING. THERE WERE MANY SWEEPING LEGISLATIVE CHANGES SUGGESTED TO ME. INCLUDED IN THESE WERE DRASTIC RATE CHANGES. THE INDUSTRY ALSO FAVORS THE EVENTUAL CONTROL OF THEIR INDUSTRY BEING SWITCHED FROM THE STATE LABOR COMMISSIONER'S OFFICE TO THE DEPARTMENT OF COMMERCE.

THESE CHANGES AND AMENDMENTS TO ~~OUR~~ EXISTING STATUTES COULD NO WAY BE MADE, I FELT, DURING <sup>the Leg. Session</sup> ~~A 90-120 DAY PERIOD.~~ CHANGES <sup>of this magnitude</sup> STARTED ~~TODAY~~ COULD ONLY BE DONE WITH A VIEW OF 1981 IN MIND. IN THE MEAN-TIME, COULD THIS SMALL INDUSTRY SURVIVE? I BELIEVE IT COULD DO SO ONLY WITH THE HELP OF THE SIMPLE CHANGE THAT ASSEMBLY BILL 203 ADDRESSES ITSELF TO. THAT CHANGE TO ALLOW THE RAISING OF THE AMOUNT OF CHARGEABLE FEE FOR PROCURING AN EMPLOYMENT POSITION FROM THE PRESENT 40 PERCENT OF THE FIRST MONTH'S SALARY TO <sup>55%</sup> ~~65~~ PERCENT OF THE FIRST MONTH'S INCOME.

FRANKLY, AS I BEGAN TO ATTEMPT TO SELL, (TO LOBBY IF I MAY,) THE NEED FOR THIS CHANGE, I FOUND ~~THAT~~ THIS NEED ~~WAS~~ CONTINUALLY QUESTIONED. ~~QUESTIONED EVEN AS I HAD PERSONALLY QUESTIONED IT WHEN FIRST APPROACHED.~~ WHAT MAJOR PROBLEMS EXISTED, IN REALITY, THAT COULD MANDATE THIS <sup>strongly advised</sup> ~~NEED?~~ THE PROBLEMS ARE SIMPLE: THE COST OF



ACTUALLY OPERATING THE BUSINESS ITSELF. I SUPPOSE THE WORD INFLATION HAS A TENDENCY TO BECOME, TO EACH OF US AT TIMES, ONLY A WORD AND NOT A FACT TO LIVE WITH AND TOLERATE!

THE FACT IS THAT OUR RAMPANT INFLATION HAS FORCED ALL THE HARD BOTTOM-LINE COSTS OF OPERATING A PRIVATE EMPLOYMENT AGENCY HIGHER AND HIGHER ~~EACH MONTH.~~ SINCE 1975, AS AN EXAMPLE, THE COST OF CLASSIFIED ADVERTISING IN RENO AND LAS VEGAS NEWSPAPERS (THE INDUSTRY'S CHIEF SOURCE OF SELLING ITS PRODUCT) HAS RISEN 42.2%, ~~ACCORDING TO FIGURES SUPPLIED ME BY THREE DIFFERENT RENO FIRMS.~~ YELLOW PAGES ADVERTISING (ANOTHER IMPORTANT COST AREA FOR PRIVATE EMPLOYMENT AGENCIES) HAS ALSO RISEN IN EXCESS OF 40% DURING THE SAME PERIOD. CURRENTLY SIGNED LEASE RENEWALS FOR OFFICE SPACE HAVE ALSO RISEN AS MUCH AS 45% WITHIN THE LAST FIVE (5) YEARS. AND, EVEN MINIMUM WAGE INCREASES TO EMPLOYMENT AGENCY PERSONNEL ALONG WITH STATUTORY EMPLOYEE BENEFITS SUCH AS MANDATORY EMPLOYMENT SECURITY CONTRIBUTIONS AND NEVADA INDUSTRIAL COMMISSION EMPLOYER RATES HAVE ALSO TAKEN THEIR TOLL ON THE INDUSTRY'S INCOME BASE -- THE PRESENT 40% STATUTE LIMITATION. THIS DOES NOT TAKE INTO CONSIDERATION ALL THE OTHER MYRIAD EXPENSES THAT HAVE DRASTICALLY SKYROCKETED. I REFER TO UTILITY RATES, INSURANCE AND OTHER OPERATIONAL COSTS SUCH AS OPERATION OF MOTOR VEHICLES, THE PRICE OF PAPER GOODS,

*and more  
relatively*  
ETC. 93¢ per gallon gasoline !!

ALL OF YOU ON THIS COMMITTEE ARE EITHER PRIVATE BUSINESSMEN YOURSELVES, ~~OR ARE HOMEOWNERS.~~ YOU ARE WELL AWARE, I KNOW, THAT THE OPERATIONAL COSTS OF YOUR BUSINESS OR HOME <sup>or</sup> ~~OR BOTH~~ ARE DRASTICALLY HIGHER NOW THAN 4 OR 5 YEARS AGO. AND, HOW ABOUT TWO MORE YEARS FROM NOW WHEN WE NEXT HAVE AN OPPORTUNITY TO COME BEFORE YOU, OUR LEGISLATORS.

THERE IS, ALSO, YET ANOTHER, AND POSSIBLY LARGER, PROBLEM

CURRENTLY FACING THIS SMALL INDUSTRY. THIS SECOND MAJOR PROBLEM I NOW ALLUDE TO IS THE "JOB MARKET PROBLEM", OR LACK THEREOF. NEVADA HAS THE SMALLEST UNEMPLOYMENT RATE IN THE NATION TODAY. JOBS ARE GOING BEGGING. ~~HAVE ANY OF YOU PERSONALLY TRIED TO HIRE GOOD, CAPABLE, HELP LATELY?~~ ( I AM SURE YOU HAVE SEEN THE INVITING ADS BEING RUN IN OUR NEWSPAPERS BY OUR STATE'S BIGGEST EMPLOYERS. ENTICING ADVERTISEMENTS BY GIANTS SUCH AS THE MGM, HARRAH'S, VALLEY BANK, ETC. THESE ADS PROMISE BENEFITS NEVER BEFORE OFFERED. BENEFITS SUCH AS PROFIT SHARING; INCENTIVE BONUSES; FREE MEDICAL, DENTAL AND EVEN OPTICAL CARE; FREE PARKING FOR EMPLOYEE VEHICLES; AND EVEN FREE TRANSPORTATION TO THE JOB SITE TO AND FROM THAT FREE PARKING. NORMAL BENEFITS SUCH AS SICK LEAVE, PAID VACATIONS, AND PENSION PROGRAMS HAVE ALMOST BECOME A TAKEN-FOR-GRANTED THING! IN SHORT, THERE ARE NOT AS MANY PEOPLE LOOKING FOR WORK. ONE OF THE AGENCIES I REPRESENT SHOWED A DROP IN APPLICANTS LOOKING FOR WORK FROM 1579 IN 1977 TO 949 IN 1978. THIS WAS A DECREASE IN POTENTIAL JOB PLACEMENTS OF 40%.

WITH MORE AND MORE JOB OPPORTUNITITES, ESPECIALLY IN NORTHERN NEVADA, EMPLOYERS FIND THEMSELVES COMPETING FOR JOB APPLICANTS. LIKewise, THE PRIVATE EMPLOYMENT AGENCY ALSO FINDS ITSELF WITH EVER RISING OPERATIONAL COSTS; AND, AS I HAVE ALREADY POINTED OUT, A VOLUME DROP OFF OF UP TO 40% IN TRAFFIC COMING TO THEM FOR EMPLOYMENT PLACEMENT. IN SHORT, ~~MANY OF THE ESPECIALLY SMALLER~~ AGENCIES ARE BEING FORCED TO CLOSE THEIR DOORS FOREVER. IN CLARK COUNTY FOUR YEARS AGO ONE COULD FIND ~~NEARLY~~ 35 DIFFERENT EMPLOYMENT AGENCIES IN OPERATION. TODAY ONLY 13 HAVE SURVIVED. IN WASHOE COUNTY AND CARSON CITY 17 AGENCIES HAVE LOCKED THEIR DOORS PERMANENTLY. PRESENTLY THERE ARE BUT 9 AGENCIES OPERATION IN NORTHERN NEVADA.

IT IS MY BELIEF THAT AT THIS POINT ONLY THE STRONGEST AND MOST PROFESSIONALLY ORGANIZED HAVE BEEN ABLE TO SURVIVE. I SERIOUSLY DOUBT THAT ALL OF THESE CAN CONTINUE TO SURVIVE THE NEXT TWO YEARS WITHOUT THE HELP OF AB 203. ONE OF THESE SURVIVING AGENCIES WHOSE TOTAL GROSS OPERATING INCOME FOR 1976 WAS \$83,146.00, SHOWED A DROP IN GROSS RECEIPTS FOR 1977 OF NEARLY 50% (DOWN TO \$44,903.00). I HOLD IN MY HAND COPIES OF THEIR FEDERAL INCOME TAX RETURN FOR YOU TO PERSONALLY EXAMINE IF YOU WOULD CARE TO DO SO. (ALTHOUGH THEIR 1978 RETURN IS NOT YET COMPLETE, I ~~AM TOLD~~ THEIR RECEIPTS ARE DOWN ANOTHER 25% FOR THE TAXABLE YEAR 1978. THIS IS A FIRM THAT HAS OPERATED IN WASHOE COUNTY FOR TEN YEARS.

*discuss the need for passage of AB 203*  
I ~~JUST TALKED~~ THE OTHER DAY BY PHONE WITH THE CHIEF COUNSEL OF THE NATIONAL ASSOCIATION OF EMPLOYMENT CONSULTANTS, MR. ROBERT STYLES, IN PHILADELPHIA. HE IS PERSONALLY KNOWLEDGEABLE AND VITAL-  
LY CONCERNED ABOUT THE EMPLOYMENT AGENCY SITUATION HERE IN NEVADA. HE POINTED OUT TO ME THAT THERE ARE NOW 42 STATES WITH NO STATU-  
TORY LIMITS IN THE FEE STRUCTURE SUCH AS WE HAVE HERE IN NEVADA. HE TOLD ME ADDITIONALLY THAT NEVADA HAS BEEN KNOWN NATIONALLY WITH-  
IN HIS INDUSTRY AS A STATE WHERE MANY APPLICANTS HAVE BEEN PLACED, BUT WHERE THE AGENCIES MAKE A RELATIVELY SMALL AMOUNT OF MONEY; THIS DUE TO THE FEE STRUCTURE LIMITATION.

NOW THAT THE JOB MARKET IS IN A REAL STATE OF TURMOIL, AND AGENCIES ARE PLACING SO MANY LESS APPLICANTS, THESE AGENCIES ARE NOT ABLE TO DEPEND ON VOLUME TO COMPENSATE FOR THE SMALLER THAN AVERAGE FEE-PER-PLACEMENT CHARGE.

YET, EXPENSES AND THE CONTINUING INFLATED COST OF OPERATING EACH BUSINESS DAY IS THERE. AND, MOST INTERESTINGLY, NEVADA'S

EMPLOYERS CONTINUE TO SEEK THE HELP OF THESE AGENCIES FOR THEIR AVAILABLE POSITIONS. ONE RENO AGENCY OWNER TOLD ME HE HAD HUNDREDS OF JOB OPPORTUNITY OFFERS FROM EMPLOYERS TO PROCESS AND HANDLE. THESE JOB OFFERS ARE AN ADDITIONAL EXPENSE TO HIM TO HANDLE AND PROCESS. THEY ARE ~~ONLY~~ AN EXPENSE, RATHER THAN A PROFIT ~~TO HIM~~, UNTIL HE FINDS TAKERS FOR THEM. OBVIOUSLY TAKERS ARE HARDER TO FIND IN THIS "JOB SEEKERS MARKET." THE EMPLOYMENT AGENCY OFTEN FINDS ITSELF WITH JOB OFFERS THAT REQUIRE MANY SPECIALIZED SKILLS AND JOBS THAT MANDATE STRANGE OR DIFFICULT HOURS. MORE AND MORE APPLICANTS ARE INTERESTED ONLY IN THE MOST IDEAL WORKING CONDITIONS (9 to 5, MONDAY THROUGH FRIDAY). MY POINT IS THAT THE AGENCY STILL HAS THE COST OF PROCESSING THE EMPLOYER'S REQUESTS WITH A CONSTANTLY DWINDLING AVAILABLE SOURCE OF APPLICANTS TO FILL THE MORE DIFFICULT, AS WELL AS LESS DESIRABLE, POSITIONS.

THE LARGER EMPLOYERS IN OUR STATE, <sup>Refer to, in Reno, 12/1/75 - 12/5/75</sup> CAN OFTEN OPERATE THEIR OWN PERSONNEL DEPARTMENTS. ORGANIZED PROFESSIONS AND TRADES OFTEN HAVE THEIR UNION ORGANIZATIONS TO HANDLE JOB PLACEMENT. THE SMALL INDEPENDENT BUSINESSMAN HAS ONLY TWO PLACES TO TURN TO WHEN LOOKING FOR SOMEONE TO FILL A THURSDAY THROUGH MONDAY SWING SHIFT NIGHT AUDITOR'S JOB OR TRYING TO LOCATE A "PBX" OPERATOR WILLING TO WORK THE GRAVEYARD SHIFT. WHERE DOES SMALL BUSINESS GO WHEN ATTEMPTING TO LOCATE AN OUTDOOR MAINTENANCE MAN-GARDENER WILLING TO COPE WITH OUR LONG AND COLD WINTERS? THE EMPLOYER HAS THE CHOICE OF THE PRIVATE EMPLOYMENT AGENCY OR THE STATE "JOB SERVICES" DIVISION OF THE STATE OF NEVADA.

THOSE OF YOU IN PRIVATE ENTERPRISE KNOW WHICH OF THESE TWO CHOICES USUALLY PROVES MOST PRODUCTIVE. EVEN THE STATE OF NEVADA OFTEN GOES BEYOND THE EMPLOYMENT SECURITY DEPARTMENT'S "JOB SERVICES"

DIVISION AND TO VARIOUS PRIVATE EMPLOYMENT AGENCIES TO FILL JOBS. A RECENT EXAMPLE I MIGHT MENTION WAS THE PLACEMENT OF A COOK IN THE GOVERNOR'S MANSION BY ONE OF THE EMPLOYMENT AGENCIES. "JOB SERVICES" HAD BEEN UNSUCCESSFUL IN FINDING ACCEPTABLE APPLICANTS. THE STATE VOCATIONAL REHABILITATION PEOPLE, WITHIN THE N.I.C. OFTEN REQUIRE THE ASSISTANCE OF PRIVATE EMPLOYMENT AGENCIES FOR PERSONS THAT ARE CONSIDERED WORK READY OR REHABILITATED. < THE STATE OF NEVADA PAYS THE AGENCY SERVICE FEE FOR THESE PERSONS. >

YOU, I AM SURE, ASK, IF THE 40% OF TODAY'S WAGE IS NOT CONSIDERABLY MORE AGENCY REVENUE THAN THE 40% OF THE AVERAGE 1975 WAGE. IN MANY CASES YES IT IS, IN MANY CASES IT IS NOT. THE AVERAGE LEGAL SECRETARY STARTED IN 1975 AT A WAGE OF \$675.00. TODAY THAT SAME SECRETARY STARTS AT \$800.00. THE AGENCY FEE TODAY AMOUNTS TO AN ADDITIONAL \$50.00 MORE THAN THE FEE CHARGED IN 1975. THE WAREHOUSE-MAN AVERAGE WAGE TODAY AMOUNTS TO APPROXIMATELY \$730.00 A MONTH, COMPARED TO \$630.00 in 1975. THIS BRINGS THE AGENCY \$40.00 MORE FOR PLACING HIM THAN WAS RECEIVED IN 1975. THE AVERAGE TYPIST-RECEPTIONIST SALARY HAS INCREASED FROM APPROXIMATELY \$520.00 PER MONTH TO \$610.00. A PLACEMENT FEE CHARGE INCREASE OF APPROXIMATELY \$36.00. THESE THREE EXAMPLES ALL REFLECT A FEE INCREASE OF APPROXIMATELY 13% OVER THE 1975 FIGURES. HARDLY SUFFICIENT TO OFFSET THE PREVIOUSLY MENTIONED INFLATED COSTS OF DOING BUSINESS. *inflation costs paid by state*

MR. CHAIRMAN AND COMMITTEE MEMBERS, YOU HAVE PATIENTLY LISTENED TO MY PRESENTATION. PLEASE ALLOW ME ONLY A LITTLE MORE TIME.

THERE IS AN ADDITIONAL, AND IMPORTANT, FACT REGARDING THIS SMALL BUSINESS. AT THE PRESENT TIME, EMPLOYEES WORKING WITHIN THE EMPLOYMENT SECURITY DEPARTMENT FOR THE STATE OF NEVADA ARE RECEIVING



LOSE ANOTHER THIRD OR HALF OF THE AGENCIES NOW EXISTING? PROBABLY THE ONE OBVIOUS THING IS THAT THE EMPLOYMENT SECURITY DEPARTMENT WOULD BECOME AN EVEN BIGGER GIANT. WITH ALREADY NEARLY 800 EMPLOYEES SUPPORTED BY TAX DOLLARS, THIS HARDLY SEEMS THE LOGICAL CHOICE IN LIGHT OF THE ATTITUDES OF THE ELECTORATE REGARDING QUESTION SIX.

SETTING OUR REQUEST ASIDE, AB 203, WILL DO NO MORE THAN ADD AN ADDITIONAL DEATH-BLOW AGAINST ANOTHER OF AMERICA'S SMALL BUSINESSES. THE MORE THAT CAN BE DONE BY PRIVATE EMPLOYMENT AGENCIES, THE LESS GARGANTUAN THE EMPLOYMENT SECURITY DEPARTMENT HAS TO BE.

IN CONCLUSION, LET ME SAY THANK YOU, AND BRIEFLY OUTLINE THIS FINAL POSITION. ~~WHEN AB 203 ORIGINALLY SURFACED <sup>1964</sup> AS A COMMITTEE, AGREED TO CONSIDER IT, EVEN THOUGH YOU ADMITTEDLY DID NOT ALL HAVE AN APPETITE FOR IT!~~ FOR THIS I SINCERELY THANK YOU. > MANY OF YOU KNOW I DON'T QUICKLY BUY OR ENDORSE EVERY CAUSE THAT COMES ALONG. THE MORE I'M EXPOSED TO THIS GROUP'S PROBLEMS, THE MORE I REALIZE THEIR NEED FOR YOUR HELP. HELP THAT ONLY THE PASSAGE OF AB 203 CAN BRING. IT IS IMPORTANT TO POINT OUT THAT THE PASSAGE OF THIS BILL WILL COST NO ONE BUT THE CONSUMER THAT CHOOSES TO USE THE PRODUCT (THE SERVICE) THE AGENCY OFFERS. I BELIEVE IT IS SAFE TO SAY THAT THE CONSUMER PAYS MORE TODAY FOR EVERYTHING HE USES THAN HE DID FIVE YEARS AGO. AND, THIS IS A SERVICE THAT VERY WELL MAY NOT BE AVAILABLE WITHOUT THIS FEE STRUCTURE CHANGE.

~~YOU HAVE HONORED MY PERSONAL FAITH IN THIS NEED BY YOUR WILLINGNESS TO CONSIDER AB 203. I CHALLENGE YOU TO MEET THE NEED BY VOTING A DO PASS ON THE MEASURE.~~

MR. CHAIRMAN AND COMMITTEE MEMBERS, THANK YOU VERY MUCH!

AB 203 speaks to a need to help the private enterprise sector of the employment placement industry. Nevada's present rate of 40% of the first month's earnings for employment placement is among the nation's lowest rates. As a result, many of the state's private employment agencies have been forced to close their doors forever. In Clark and Washoe counties and Carson City, the number of these businesses closing forever have been nearly 50% of those in business two years ago.

We believe the additional 15% AB 203 will allow will enable the remaining to at least stabilize present problems arising from both the present inflated cost of doing business as well as the lessened job market due to lack of people actively looking for work here in our state.

In comparison to Nevada's present rate, neighboring states all currently charge at least twice what Nevada's employment agencies may be paid for this service. As an example, California and Idaho agencies charge as much as 105% of the first month's earnings. Arizona 100% and Utah 85%. Many states have no rate ceiling at all.

Remember that this is a voluntary service that people are not forced to use. It is a private sector enterprise that only those individuals desiring to make use of may.

The fee, regardless of rate, is seldom paid in its entirety from the first paycheck. Most agencies allow the fee to be paid on a pro-rata basis over three months, and often over as long as six months.

Your Labor & Management committee heard no opposition ~~to this bill~~ in testimony on this bill and we urge your support of this measure.



In Nevada Presently:

At 40% rate an \$800.00 mo. position carries a	\$320.00 fee.
65% proposed \$800.00 mo.	" " \$520.00 fee
55% " " "	" " \$440.00 fee

Comparisons:

Arizona Scottsdale Agency

\$800.00 mo.....	\$890.00 fee
	110% of 1st month

California Sacramento Agency

\$600.00 mo.....	\$605.00 fee-100% 1st mo.
\$840.00 mo.....	\$907.00 fee-107-1/2% 1st
\$1500.00 mo.....	\$1800.00 fee-120% 1st mo

Utah Salt Lake City Agency

\$665.00 mo.....	\$560.00 fee-85% 1st mo.
\$1040.00 mo.....	\$1125.00 fee-110% 1st mo
\$1250.00 mo.....	\$1500.00 fee-120% 1st mo

MAY 9, 1979

TESTIMONY BEFORE SENATE COMMERCE AND LABOR COMMITTEE

RE: SB 563, SB 564, SB 565

SB 563 -

Page 9, line 23 - Add to list: 1. nurse practitioners  
2. registered nurses responsible for patients in air  
ambulances & *ground ambulances.*

Page 19, line 3 - The definition of chart order limits itself  
to inpatients. What happens in out patient departments,  
ambulatory clinics and satellite offices? *ground ambulances*

Page 20, line 24 - Add nurse practitioners

\* \* \* \* \*

SB 564 -

Page 1, line 8 - The definition of chart order limits itself  
to inpatients. What happens in out patient departments,  
ambulatory clinics and satellite offices?

Page 2, line 24 - Is the definition of prescription supposed  
to cover the out patient departments, ambulatory clinics  
and satellite offices?

Page 4, line 6 - Add nurse practitioners

Page 6, line 27 - Add 1. nurse practitioners, 2. registered  
nurses responsible for patients in air ambulances

Page 8, line 36 - Add nurse practitioners

Page 8, line 47 - Add nurse practitioners

\* \* \* \* \*

SB 565 -

Page 1, line 7 - The definition of chart order limits itself  
to inpatients. What happens in out patient departments,  
ambulatory clinics and satellite offices?

Page 5 should include the content of SB 145 which passed  
the Assembly today.



PAT GOTHBERG  
Executive Director

NEVADA NURSES' ASSOCIATION  
3660 Baker Lane  
Reno, Nevada 89509  
(702) 825-3555

THOMAS H. COCHRANE  
ROBERT E. ROSE  
MARK MORENO

## COCHRANE, ROSE &amp; MORENO

*Attorneys at Law*

SUITE 1510 VALLEY BANK PLAZA  
300 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101

AREA CODE 702  
TELEPHONE 382-0300

May 8, 1979

RE: Las Vegas World Trade Center

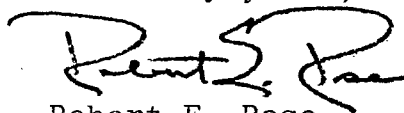
To Whom It May Concern:

I have known Dr. Leo Engel for several years and I am very familiar with his efforts to establish a World Trade Center in Las Vegas, Nevada. It is my sincere opinion that this project, if adequately funded and completed, could be a tremendous attraction for Las Vegas and make an enormous contribution to the economy of all Nevada.

With the international monetary situation as it exists today, foreign retailers are finding products and merchandise manufactured in the United States more attractive than ever before. With the attractions that Las Vegas now offers, the addition of a World Trade Center could be the magnet that draws thousands of foreign business people to Las Vegas each year. The long range potential of this project is difficult to overstate.

Nevadans have been striving for many years to diversify our economy. I can see no better way than to make Las Vegas the site of a World Trade Center that would attract foreign business, assist in the sale of United States products and merchandise, and add a new dynamic dimension to the Nevada economy.

Sincerely yours,



Robert E. Rose

RER:ds

Leo  
engel

3478 PARADISE RD. - SUITE 107 - LAS VEGAS, NEV. 89109 TEL. (702) 732-8757

WORLD TRADE CENTER OF LAS VEGAS  
INTERNATIONAL TRADE BUYING TOURS

PROPOSAL

LAS VEGAS WORLD TRADE CENTER

WHO:

Dr. Leo Engel...noted international marketing Economist...currency and banking expert...creator of a master Plan concept of a new type of WORLD TRADE, which will catapult its backers into the space age of profits. He has been publicized and hailed as the Einstein of modern international tourism.. commerce merchandising. Dr. Engel brings to the WORLD TRADE CENTER OF LAS VEGAS over 30 years of in-depth experience to the world of international trade and tourism. His 'know-how' heritage has carved trade concepts to stimulate merchandising in Europe, the U. S. and South America.

German-born and schooled in the financial world of Europe and the USA, his family, which can be traced to the highest nobility, was a virtual cartel in manufacturing...trade giants of Europe.

All was lost during World War II. With the onset of World War II, the family was plunged into the chaos of the times...and young Leo, still a youth, had to learn first-hand the hard fact of survival...and the importance of strategy and finesse. Thrown into a concentration camp, he was one of the very few survivors. He became a leader in the camp and a model of courage and fortitude to the others. After the war, Leo Engel started his life anew... prepared himself education wise, and...already prepared 'street-wise'.. America and its way of life fascinated Leo and soon he became a U.S. Citizen. That was 1947.

Quick success followed him to New York City where he became a dynamic innovator of fashion and design in the Garment Industry.. Within a few years, he already made his first million-dollar fortune...and was ready to retire. In the early 60's, he went on a world tour to rest and write his memoirs.

With his dynamic and creative mind, he soon found himself involved in single-handedly "Putting Majorica on the US Tourist Map". His marketing abilities created a new direction of mass-tourism movements to Spain and the Mediterranean area. This gave the international-charter airlines a strong foothold on the mass travel industry.

Offers to head up Vice-President of Marketing for the giant Trade Center in Madrid, Spain beckoned. Dr. Engel put his 'how-how' to work, and within a year of the opening, this Spanish Trade Center was changing the flow of the

Spanish Economy to positive....As a consultant, he developed new marketing ideas for commercial tourism not only to Europe, but The South American countries, as well.

Leo Engel is striking out again to bring all his knowledge and energy into action. This time, it spells out over 1 Billion Dollars in Secure Profits". states Engel. ...At the same time, he will help his adopted country, America.. over some of its current aggravations of too many imports and not enough exports. He will put American merchandise 'on the map' as the most wanted, clamored-for and precious in the world. When the Europeans again seek out American merchandise of all descriptions, every American will be busy working. Crime, unemployment, welfare, balance of payments, GNP...all can be physiqued through total employment", says the Doctor of Economics. This new project will create respect for the dollar abroad. Foreign demand for US consum or goods can stop inflation. here.

#### WHAT"

A World Trade Center in Las Vegas. This will be the first and most unique in the US and world. No other Trade Center in any other place has a full bilingual staff to carry out a Foreign Trade Master Plan...so detailed and with so many inroads to a positive new future for the American People...plus SECURE OVER 1 BILLION DOLLARS IN PROFITS WITHIN THE FIRST 2 YEARS...for the INVESTMENT GROUP!

Engel is selecting a special group of 12 thousand American Manufacturers (small and medium-sized)...out of the 700 Thousand who have never had the opportunity to be represented in Eirope or the free world. They will have their merchandise on permanent display in the Las Vegas World Trade Center This new opportunity created by Dr. Engel will be open for 11 Million re-tailers from the free world. They will be brought on tax-deductible char-ter tours to Las Vegas to buy the merchandise of America....the first phase of the operation will draw visitors from 18 Eiropean countries.

Nevada has the abundance of land...the room to set up warehouses and hun-dreds of plants. The tax-climate is outstanding and the entertainment facilities..spectacular. Las Vegas, Nevada is the ideal spot to handle hun-dreds of thousands of merchants that will visit from Europe and the free world. The new International airport in Las Vegas can handle these visitors efficiently and with grace.

The merchant trips will be tax-deductible within each merchant's pros-pective country. Engel created the impetus and image for every European and Free world merchant to want to visit Las Vegas. Movies, TV, and novels have made the area the most-wanted destination in the world. Dr. Engel

master-minded and engineered these natural factors to make this project a winner!

WHEN'

NOW....30 years of experience and years of extensive research have gone into this project. There have been over 20 devaluations of the dollar. Engel shows that today, thousands of US products can be bought at from 60-100% less than in the European common market...by the merchants of the world...in their various currencies. Department stores and exclusive luxury shops on New York's 5th Avenue...have in the past year reported unprecedented sales to Europeans and other world shoppers. Engel's time is here. His efforts are ripe.

WHERE:

Las Vegas, Nevada is the number one choice of Dr. Engel. Las Vegas, Nevada and Miami, Florida were the 2 last choices out of 8 areas researched in USA. Entertainment capitol of the world...resort area...most sought-out destination in the world (after Engle's European promotion of it)...Las Vegas is to become the professional spot of the world for his large groups of international merchants....TOURISTS FOR BUSINESS AND PROFITS.

WHY:

Engel urges "America needs to get back to work...out of the welfare bog. My plan shows how to make the US manufacturer know that once again, he is first in Merchandising...to preserve the old crafts...the garment industry that has gone to the Orient...the Shoe Industry, gone to 'the wind'...pots and pans...Food...Furniture...Rugs...Plastics..Fabric..Tools..you name it. it is imported to the US. Yes every American knows there isn't a product that is imported to the US that can be compared to the American version, which is superior. This I have brought across to the International Merchants. The American small manufacturer has been helpless until now. He didn't speak the language..didn't understand international bank, sales, and merchandising, and was too busy at home trying to fight to keep his own factory alive against the on-slaughter of cheap imports, not realizing that the International consumer-buying masses want to buy his goods."

Enter Dr. Leo Engel. He is a fighter..He admits it. He loves a good fight.. He is ready to lead this one to victory.

HOW:

You can participate. Read carefully the enclosed details.

05-09-79

Dear Dr. Engel:

This is to confirm our conversation of May 9, 1979.

I have spoken to Mr. Jack Kelley, president of American Western Securities, and have arranged a meeting for next week in order to discuss the possibility of an underwriting for the World Trade Center of Las Vegas. I will advise you later this week as to date and time.

Sincerely,

  
Warren B. Fulbright

WBF/tlm

american western securities, inc.



amwest

Specialists in Advanced Technology Underwritings

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1686

*You'll Like*  
**NEVADA**



Department of Economic Development  
1050 East Williams St., Suite 402  
Carson City, Nevada 89710

March 2, 1979

Dr. Leo Engel  
3478 Paradise Rd. #107  
Las Vegas, NV 89109

Dear Dr. Engel:

I have received your proposal for the master plan of an international trade center near Las Vegas. The proposal is interesting; however, the potential impact appears to be significant.

I look forward to a future meeting with you and discussing the trade center concept. If I may be of assistance, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "John Buchanan".

John Buchanan  
Director  
Economic Development

JB/ms

*Rec'd. March 3-79*





# Telegram

LGA286(1959)(4-067821E047)PD 02/16/79 1959

ICS IPMRNCZ CSP

8015834917 TDRN SALT LAKE CITY UT 35 02-16 0759P EST

PMS SENATOR GENE ECHOLS, DLR

1832 RENADA CIRCLE

NORTH LAS VEGAS NV 89030

U.S. DEPARTMENT OF COMMERCE ANXIOUS TO HELP IN FOSTERING YOUR WORLD  
TRADE CONCEPT IN SOUTHERN NEVADA POSSIBLE AVENUES AVAILABLE ARE EDA,  
4-CORNERS-USTS-MATCHING FUNDS GOOD LUCK IN YOUR SUMMITT MEETING

JERRY JEREMY

NNNN

			adsp
		1158	10 mod

RESOURCES FROM MR. JERRY JEREMY  
U.S. DEPARTMENT OF COMMERCE  
for  
INTERNATIONAL FOREIGN TRADE CENTER

1. Dr. Bamettler  
UNR College of Agriculture  
Reno, NV  
784-6611

His Associate - Mr. Fred Hallick

PROJECT: 1,000,000 acres Foreign Trade Zone - Central Nevada.

2. Latan Chamber of Commerce  
Mr. Otto Merida  
829 South 6th  
Las Vegas, NV  
385-7367

PROJECT: Approximately \$150,000 grant for Foreign Trade Zone in Clark County. Studying to bring foreign manufacturers here to manufacture goods to sell to Americans.

3. Mr. Nasser Ghanem, President  
Ghanem Travel  
Las Vegas Hilton Hotel  
732-5111  
732-9802

PROJECT: International Currency Exchange

4. Mr. Carl D. Metz  
EDA  
2960 Valley Bank Center  
Phoenix, AZ 85073  
602-261-3818

PROJECT: Oversees special impact area projects.

5. Mr. Bob Bailey  
NEDCO  
618 Carson Avenue  
Las Vegas, NV  
384-3293



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, D. C. 20410

February 8, 1979

OFFICE OF THE ASSISTANT SECRETARY  
FOR FAIR HOUSING AND EQUAL OPPORTUNITY

IN REPLY REFER TO:

Dr. ~~L~~ Engel  
2458 East Russell Road  
Las Vegas, Nevada 89120


Dear Dr. Engel:

It was a pleasure meeting with you and Dr. Leo Engel to discuss Dr. Engel's proposal to build an international trade center near Las Vegas, Nevada.

I feel that the proposal has merit and provides the potential for increasing the viability of the city and its citizens.

As the proposal moves along, I strongly recommend that some thought be given to possibility of using some of the Department of Housing and Urban Development's programs.

Sincerely,

  
Thomas O. Jenkins  
Assistant for Operations

1680

Rec'd Feb. 13-79

SOUTHERN NEVADA ECONOMIC DEVELOPMENT COUNCIL  
900 W. BONANZA ROAD/SUITE A • LAS VEGAS, NEVADA 89106 • (702) 647-3110

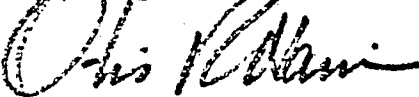
January 29, 1979

Senator Eugene Echols  
Legislative Building  
Carson City, Nevada

Dear Senator Echols:

During my recent visit to Washington D.C., I had a conversation with both Senator Howard Canon, and Senator Paul Laxalt. They seemed supportive of your efforts on the proposed World Trade Center. Both Senators were pleased with the possibility of SNEDC, Inc. working with Dr. Engel on this project, as SNEDC is also heading in this direction. We feel that the development of a World Trade Mart will be most beneficial to the Southern Nevada Region.

Sincerely,



Otis R. Harris  
President

ORH/lp

cc: Leo Engel

HOWARD W. CANNON  
NEVADA

EXHIBIT D

COMMITTEES:  
COMMERCE, SCIENCE, AND TRANSPORTATION,  
CHAIRMAN  
ARMED SERVICES  
RULES AND ADMINISTRATION

United States Senate

WASHINGTON, D.C. 20510

22 January 1979

Mr. Leo Engel  
3478 Paradise Road #107  
Las Vegas, Nevada 89109

Dear Dr. Engel:

I have had the opportunity to review some of the material sent to me for study on behalf of your laudable goal of establishing an international trade center near Las Vegas.

Having reviewed the rather extensive file I note that the Department of Commerce stated last May 8 that they were studying the feasibility of the plan and would contact you again on their findings and recommendations. The file does not indicate whether you have heard from them or whether you request me to contact them at this time urging that they expedite their study. I would, of course, appreciate your elucidation on this matter and would certainly want to be of any assistance I can.

Sincerely,

  
HOWARD W. CANNON

*Jan 26-79*  
HWC:CBS:de

1692

PAUL LAXALT  
NEVADA

COMMITTEE ON JUDICIARY  
COMMITTEE ON FINANCE  
COMMITTEE ON ENERGY AND  
NATURAL RESOURCES

# United States Senate

WASHINGTON, D.C. 20510

January 4, 1979

WASHINGTON OFFICE:  
328 RUSSELL OFFICE BUILDING  
(202) 224-3542

CARSON CITY OFFICE:  
705 NORTH PLAZA STREET  
(702) 883-1930

LAS VEGAS OFFICE:  
300 LAS VEGAS BLVD., SOUTH  
(702) 385-6547

RENO OFFICE:  
300 BOOTH STREET  
(702) 784-3588

Dear Mr. Engel:

Thank you for providing me with the details of your planned World Trade Center to be located in Las Vegas and your association with Senator Echols. I have known State Senator Gene Echols for many years and know him to be a man of good character and judgement.

I have reviewed completely the information you provided regarding the great possibilities of a World Trade Center to be located in Southern Nevada; however, you must understand that my degree of expertise in this area is rather limited. More specifically, I am in favor of greater diversification of Nevada's economic base and any way I can help to expand our states economy on an orderly basis, I will do so.

Due to the increased pace of my schedule with the upcoming new session of Congress, I have asked Ashley Hall, my Regional Assistant in Las Vegas wo work with you on a day to day basis to assist in any way possible. I have also requested Ashley to keep me informed as your proposal takes shape.

Once again, thank you for informing me of your proposal and if I can be of further assistance to you, please feel free to call on me.

With kind regards, I am

Sincerely,

*Paul Laxalt*  
PAUL LAXALT  
U. S. Senator

PL:le

Mr. Leo Engel, Esq.  
3478 Paradise Road  
Las Vegas, Nevada 89109

cc: Gene Echols

*Wicki-Ley*  
*Paul, Jan 6-79*

*from Dave Jan 12*

JIM SANTINI  
NEVADA

WASHINGTON OFFICE:  
1408 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, D. C. 20515  
TELEPHONE: (202) 225-5965

DISTRICT OFFICES:  
SUITE 4-620 FEDERAL BUILDING  
300 LAS VEGAS BOULEVARD SOUTH  
LAS VEGAS, NEVADA 89101  
TELEPHONE: (702) 385-6575  
SUITE 2024 FEDERAL BUILDING  
300 BOOTH STREET  
RENO, NEVADA 89302  
TELEPHONE: (702) 784-5657

## Congress of the United States

### House of Representatives

Washington, D.C. 20515

January 16, 1979

COMMITTEES:  
INTERIOR AND INSULAR AFFAIRS

SUBCOMMITTEES:  
OVERSIGHT  
PUBLIC LANDS  
MINES AND MINING

INTERSTATE AND  
FOREIGN COMMERCE

SUBCOMMITTEES:  
TRANSPORTATION AND COMMERCE  
OVERSIGHT AND INVESTIGATIONS

JUDICIARY

SUBCOMMITTEE:  
COURTS AND CIVIL LIBERTIES

SELECT COMMITTEE ON AGING

SUBCOMMITTEE:  
HOUSING AND CONSUMER INTERESTS

Honorable Gene Echols  
State Senator  
1832 Renada Circle  
North Las Vegas, Nevada 89030

Dear Gene:

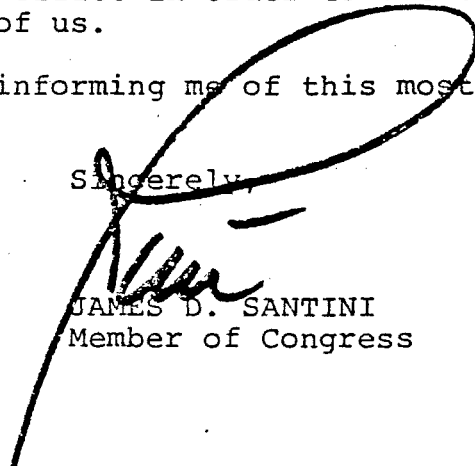
Thank you for your recent letter containing the exciting plans for a world trade center in Las Vegas.

Dr. Engel has certainly prepared some impressive statistics to accompany his proposal. A project of this magnitude would undoubtedly be a tremendous economic stimulant not only to the economy of Nevada, but to the entire U.S. trade situation.

Please inform Dr. Engle that I will be pleased to meet with you in Las Vegas. However, as the time of my next trip to the State is undecided, please contact Bob Henrie of my Las Vegas office in order to establish a time convenient for all of us.

Again, thank you for informing me of this most exciting idea.

Sincerely,

  
JAMES D. SANTINI  
Member of Congress

JDS:bbb

United States Senate

MEMORANDUM

February 23, 1979

The attached is forwarded  
in reply to your recent inquiry.

Sincerely,

PAUL LAXALT

USS





private agencies, institutions, and organizations and with individuals, to plan, conduct, coordinate, and support—

(1) research and investigation into the safety and effectiveness of devices, and into the causes and prevention of injuries or other health impairments associated with exposure to or use of devices;

(2) studies relating to the development and improvement of device performance standards, and device testing methods and procedures; and

(3) education and training with respect to the proper installation, maintenance, operation, and use of devices.

(b) In carrying out the purposes of subsection (a), the Secretary, in addition to or in aid of the foregoing—

(1) shall, to the maximum practicable extent, cooperate with and invite the participation of other Federal or State departments and agencies having related interests, and interested professional or industrial organizations;

(2) shall collect and make available, through publications and by other appropriate means, the results of, and other information concerning, research and other activities undertaken pursuant to subsection (a); and

(3) may procure (by negotiation or otherwise) devices for research and testing purposes, and sell or otherwise dispose of such products.

#### CHAPTER VIII—IMPORTS AND EXPORTS

SEC. 801. (a) The Secretary of the Treasury shall deliver to the Secretary of Health, Education, and Welfare, upon his request, samples of food, drugs, devices, and cosmetics which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may appear before the Secretary of Health, Education, and Welfare and have the right to introduce testimony. The Secretary of Health, Education, and Welfare shall furnish to the Secretary of the Treasury a list of establishments registered pursuant to subsection (1) of section 510 and shall request that if any drugs or devices manufactured, prepared, propagated, compounded, or processed in an establishment not so registered are imported or offered for import into the United States, samples of such drugs or devices be delivered to the Secretary of Health, Education, and Welfare with notice of such delivery to the owner or consignee, who may appear before the Secretary of Health, Education, and Welfare and have the right to introduce testimony. If it appears from the examination of such samples or otherwise that (1) such article has been manufactured, processed, or packed under insanitary conditions, or (2) such article is forbidden or restricted in sale in the country in which it was produced for from which it was exported, or (3) such article is adulterated, misbranded, or in violation of section 505, then such article shall be refused admission, except as provided in subsection (b) of this section. The Secretary of the Treasury shall cause the destruction of any such article refused admission unless such article is exported under regulations prescribed by the Secretary of the Treasury, within ninety days of the date of notice of such refusal or within such additional time as may be permitted pursuant to such regulations. Clause (2) of the third sentence of this paragraph shall not be construed to prohibit the admission of narcotic drugs the importation of which is permitted under the Controlled Substances Import and Export Act.

(b) Pending decision as to the admission of an article being imported or offered for import, the Secretary of the Treasury may authorize delivery of such article to the owner or consignee upon the execution by him of a good and sufficient bond providing for the payment of such liquidated damages in the event of default as may be required

pursuant to regulations of the Secretary of the Treasury. If it appears to the Secretary of Health, Education, and Welfare that an article included within the provisions of clause (3) of subsection (a) of this section can, by relabeling or other action, be brought into compliance with the Act or rendered other than a food, drug, device, or cosmetic, final determination as to admission of such article may be deferred and, upon filing of timely written application by the owner or consignee and the execution by him of a bond as provided in the preceding provisions of this subsection, the Secretary may, in accordance with regulations, authorize the applicant to perform such relabeling or other action specified in such authorization (including destruction or export of rejected articles or portions thereof, as may be specified in the Secretary's authorization). All such relabeling or other action pursuant to such authorization shall in accordance with regulations be under the supervision of an officer or employee of the Department of Health, Education, and Welfare designated by the Secretary, or an officer or employee of the Department of the Treasury designated by the Secretary of the Treasury.

(c) All expenses (including travel, per diem or subsistence, and salaries of officers or employees of the United States) in connection with the destruction provided for in subsection (a) of this section and the supervision of the relabeling or other action authorized under the provisions of subsection (b) of this section, the amount of such expenses to be determined in accordance with regulations, and all expenses in connection with the storage, cartage, or labor with respect to any article refused admission under subsection (a) of this section, shall be paid by the owner or consignee and, in default of such payment, shall constitute a lien against any future importations made by such owner or consignee.

(d) A food, drug, device, or cosmetic intended for export shall not be deemed to be adulterated or misbranded under this Act if it (1) accords to the specifications of the foreign purchaser, (2) is not in conflict with the laws of the country to which it is intended for export, and (3) is labeled on the outside of the shipping package to show that it is intended for export. But if such article is sold or offered for sale in domestic commerce, this subsection shall not exempt it from any of the provisions of this Act. Nothing in this subsection shall authorize the exportation of any new animal drug, or an animal feed bearing or containing a new animal drug, which is unsafe within the meaning of section 512 of this Act, or to authorize the exportation of any device which does not comply with section 513 or 514 of this Act. The Secretary may permit exportation of any article if he determines that such exportation is in the interest of public health and safety, and has the approval of the country to which it is intended for export.

#### CHAPTER IX—MISCELLANEOUS

##### EFFECT ON STATE REQUIREMENTS

SEC. 903. (a) Whenever a performance standard pursuant to section 513 or scientific review pursuant to section 514 under this Act is in effect, no State or political subdivision of a State shall have any authority either to establish or to continue in effect any provision of a standard or regulation which prescribes any requirements as to the performance, composition, contents, design, finish, construction, packaging, or labeling of such product which are designed to deal with the same device unless such requirements are identical to the requirements of the Federal requirements.

(b) Nothing in this section shall be construed to prevent the Federal Government or the government of any State or political subdivision thereof from establishing a safety

requirement applicable to a device for its own use if such requirement imposes a higher standard of performance than that required to comply with the otherwise applicable Federal requirements.

(c) Upon application of a State or political subdivision thereof, the Secretary may by rule, after notice and opportunity for oral presentation of views, exempt from the provisions of subsection (a) (under such conditions as he may impose) a proposed safety requirement described in such application, where the proposed requirement—

(1) imposes a higher level of performance than the Federal standard,

(2) is required by compelling local conditions, and

(3) does not unduly burden interstate commerce.

By Mr. PEARSON (for himself and Mr. INOUYE):

S. 511. A bill to authorize the Secretary of Commerce to engage in certain small business export expansion activities, and for other purposes. Referred to the Committee on Commerce.

#### SMALL BUSINESS EXPORT DEVELOPMENT ACT OF 1975

Mr. PEARSON, Mr. President, I introduce for appropriate reference, on behalf of myself and the distinguished Senator from Hawaii (Mr. INOUYE), a bill to authorize the Secretary of Commerce to engage in certain small business export expansion activities. I ask unanimous consent that the text of this bill, along with a section-by-section summary of its provisions, be printed in the Record immediately following these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PEARSON, Mr. President, the Secretary of Commerce reported on January 28 that the United States last year recorded its second-worst trade deficit in history. Imports exceeded exports by \$3.07 billion during calendar year 1974. The record deficit was 1972, when our trade imbalance was \$6.44 billion. These deficit conditions are recent in origin: the U.S. trade balance was favorable every year in this century until 1970. They do not reflect, moreover, a chronic inability of American business to compete abroad under current conditions. Had it not been for the three-fold increase in the price of imported petroleum products, the U.S. balance of trade during 1974 would have been in surplus some \$14 billion.

Specifically, Mr. President, American manufacturers are competitive abroad. American labor is competitive because of high productivity. The United States consistently exports more manufactured products than it imports, although by a small margin.

In the 93d Congress 1st session, I introduced a bill to stimulate an expansion of export sales by small businesses. This legislation, S. 1007, 93d Congress, 1st session, represented a first-draft effort to establish an agency within the Federal Government mandated to assist, through technical advice and modest financial assistance, those small businesses which have export potential.

Under the leadership of the distinguished Senator from Hawaii (Mr. INOUYE), our Committee on Commerce conducted extensive hearings. The con-

## OVERSEAS NATIONAL AIRWAYS

*Testimonial**Copy*

5 October 1970

Mr. Fred Rosenthal  
 Executive Vice President  
 Interlude Travel  
 850 Boyston  
 Chestnut Hill, Massachusetts

Dear Mr. Rosenthal:

My friend, Leo Engel, visited me in Frankfurt over the weekend and told me of his contact with you. I was happy to hear that Leo had made contact with your group because I have been hearing some good things about Interlude these past few weeks--yes, even over here in Europe.

For whatever use it might be in developing a working relationship with Leo, I would like to offer an unsolicited testimonial of sorts about Leo. I have had considerable association with him during the last nine months and I am convinced that Leo Engel has virtually singlehandedly placed Mallorca on the American tourist map. A great deal of the important success AITS is enjoying in Mallorca now is due to work done by Leo Engel. I have had the opportunity of being with him in Mallorca and having him demonstrate his ideas. I have talked with the hoteliers and have been impressed with their admiration and confidence in Leo. I must admit, I had to be shown because I had my doubts in the beginning.

But Leo's concept is great and he has picked the best of all areas to apply it. I just hope that some of the people in the States with whom Leo has been talking, including yourselves, will recognize the opportunities that exist and will find a mutually beneficial way of getting together with Leo and his people and letting him show you what he can do. He likes to say that there is a sleeping giant down his way and I, for one, happen to believe him.

I have taken the liberty of offering these gratuitous observations, but I hope they might help in laying the groundwork for a prosperous business relationship.

Best of everything to Interlude.

Sincerely,

*Worth L. Thornton*  
 Worth L. Thornton  
 Vice-President, Europe

(5) 1697

NOVEMBER 1973

# SPAIN'S MERCHANDISE MART OFFERS PACKAGE POTENTIAL

## World Trade Centre, Madrid, Expects Major Influx Of Business Clients And Volume Travel Agent Sales

A new World Trade Centre in Spain is said to be providing an incentive for travel although it is not primarily in the travel business!

The Iberia Merchandise Mart is creating, according to its Vice President, Marketing, Leo Engel, 800,000 new commercial accounts in North America and 400,000 in Europe... and it is expected to stimulate travel to Spain by the average North American retailer who employs less than 10 people and who must compete with major chains, and finds it difficult and expensive to do his buying otherwise.

The intention is to offer such retailers the chance to buy direct at the same price and from the same outlet as his competition so that he can realize a profit that should readily cover the cost of the trip, (and be deductible as a business expense).

The Mart - which is said to be regarded as the new commercial centre of Madrid, houses approximately 600 Spanish manufacturers in nearly 300,000 square feet of showroom space. Some 17,500 items reflecting the complete gamut of Spanish production are on display and the prices are claimed to be amongst the lowest in Europe.

All the buying can be done under one roof... and assistance is provided in the matter of locating the proper sources and in documentation including customs paperwork.

To meet the prospective retailers to travel, the Mart has packaged programs with some 35 variations of tours involving 30 domestic and international airlines which are interested in the traffic potential.

There are direct-flight 7/8 day GIT packages, which take in five days of intensive buying at the Mart with the help of commercially experienced guides, plus 2-3 days of rest at the Costa del Sol or 4 other beach destinations in Spain, with lectures and semi-



L. ENGEL

familiarization cocktail party, commercial sight-seeing, hospitality desks attended by multilingual commercially-trained hostesses and special buyers' commercial guides to assist during the entire trip, (supplementary charge for deluxe or single accommodations).

Via all European airlines from European destinations 7-day GIT Package from approximately \$200 all inclusive as above, with daily departures to start January, 1974. The package price can easily be recovered in the profit from just one small transaction, it is pointed out.

Another marketing concept is being worked on by Engel to organize specific market weeks during the year. Several floors of food products from Spain for example, will be exhibited during one such week, and the Mart will be promoting this throughout the food-buying community in the U.S.A., Canada and Europe.

Engel sees this as a great new market for travel agents in North America and Europe and points out that the agent may tie in professionals with business men and women in his community to create even larger groups. This is possible because the merchandise available at the Mart will include

...of course, lead to Madrid, not only on direct flights but via the major capitals of Europe, as well.

For airlines like Sabena or Swissair, among many others, Engel has developed a 7/8 day GIT package consisting of a 2-3 day commercial visit to Brussels, Zurich or 18 other European destinations, plus five days of intensive buying in Madrid's Merchandise Mart. These groups will return via the original route and original airline, depending on the package.

There are, in addition, 14-day packages available. Passengers on direct flights will spend 10 days in Madrid and 4 on the Costa del Sol. Others may elect to spend 7 days in Madrid; 4 on the Costa del Sol and 3 in one of 18 major European cities.

All of the packages will be offered by international travel agents to "storekeepers" around the World, (based on minimum groups of 25), for approximately \$350 from U.S. East coast points of departure. Included are round trip air fare, all transfers, first-rate hotels, (double occupancy), with continental breakfast in Madrid and 2 meals on the Costa del Sol or 4 other beach area destinations, reception commercial

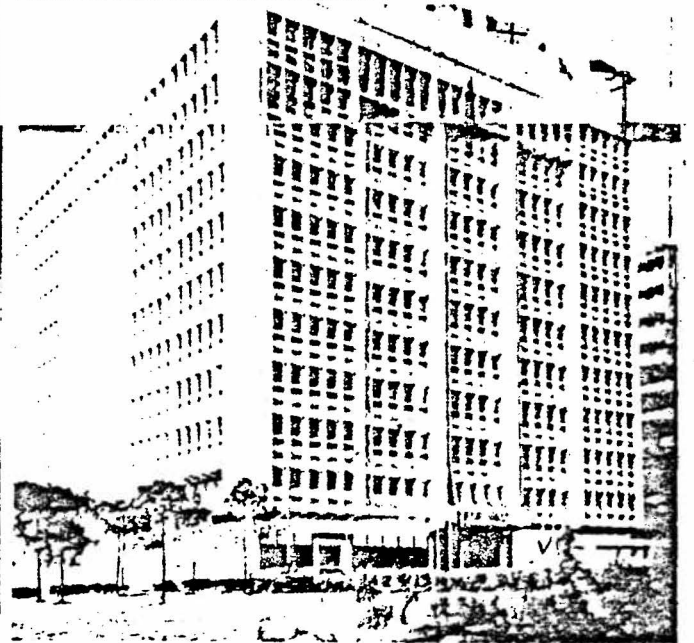
and the professionals in his community would not be averse to achieving savings on such purchases while enjoying a tax deductible trip to Madrid.

Engel anticipates that the new market will be greatly in excess of the 800,000 commercial accounts available from U.S.A. and 768,000 from Europe. Often owners will take along their spouses, accountants, various buyers and other employees. In addition, once the profit picture improves on Spanish made goods, many may make multiple trips per year, each of which would count as an added travel sale (as many as half a million travellers) for the airline and the agent.

Engel is advising the agent to simply acquaint himself with this program so that he can be prepared to service these new clients - the retailing community of the U.S.A., Canada and indeed throughout the world.

Coupons, indicating which packages and airlines agents prefer, will be sent by them to Leo Engel at the Iberia Mart, Pedro Teixeira 8, Madrid-20, Spain. He, in cooperation with the airlines most likely to serve a given agency will then furnish the agent with materials explaining the program in more detail.

The Iberia Merchandise Mart in Madrid



## THE WHITE HOUSE

WASHINGTON

February 28, 1979

Dear Dr. Engel:

Thank you for your letter of February 5, 1979 which Chip Carter forwarded to me for review and comment.

I appreciate very much your concern about rectifying the U. S. balance of trade because it is one of our most serious national problems and one which aggravates our unacceptably high inflation rate. Several months ago, the President announced a plan to encourage export efforts, and we are now seeing the first results of that new effort.

Although we had a total trade deficit of \$28.3 billion last year, it should be noted that that deficit resulted almost entirely from two sources: Japan, with whom we had an \$11.6 billion deficit, and the oil-exporting countries, with whom we had a deficit of \$16.3 billion. Europe has generally not been a problem for us, except in some particular products. Last year we enjoyed a trade surplus of \$3.1 billion with the EC, and, in modern times, only in 1972 was there a small deficit.

In order to enable the United States to compete on an equal footing in the world, it is essential that the world trading system be modernized. To that end, the President's Special Representative for Trade Negotiations, Bob Strauss, has been negotiating a new set of trade agreements in Geneva, with almost 100 countries participating. We believe that those agreements, once approved, will help American products get past the non-tariff barriers that now exist in most countries.

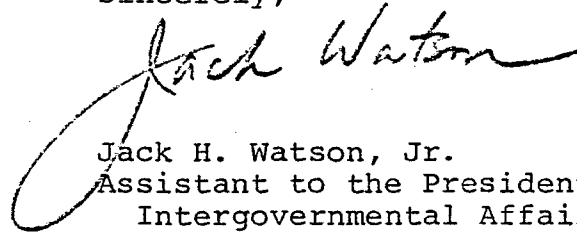
Our trade agreements are just now going before the Congress, along with implementing legislation and other items dealing with trade. They will constitute a carefully balanced and comprehensive package to advance the U. S. economic interest. It might be best for you to wait until Congress concludes its action on these initiatives before proposing any further changes in trade law as mentioned in your proposal.

-2-

I am pleased that you have been in contact with the Bureau of Export Development at the Department of Commerce, since that office has the statutory responsibility for encouraging the kind of efforts you propose. I am sure they will cooperate in every way possible within the limits imposed by budget and legal restraints.

I appreciate your concerns and wish you well.

Sincerely,



Jack H. Watson, Jr.  
Assistant to the President for  
Intergovernmental Affairs and  
Secretary to the Cabinet

Dr. Leo Engel  
3478 Paradise Road  
Suite 107  
Las Vegas, Nevada 89109

cc: Chip Carter  
Democratic National Committee  
Washington, D. C.

Ambassador Robert Strauss  
Special Trade Representative  
Washington, D. C.



EXHIBIT D  
UNITED STATES DEPARTMENT OF COMMERCE  
Industry and Trade Administration  
Washington, D.C. 20230

MAR 27 1979

Dr. Leo Engel  
3478 Paradise Road  
Suite 107  
Las Vegas, Nevada 89109

Dear Dr. Engel:

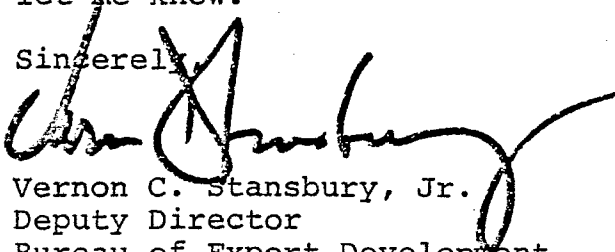
Following our meeting, I had my staff review your proposal to build an international trade center near Las Vegas. Although they found your proposed undertaking to be quite ambitious in its present concept, they agree with me that the general idea has merit. We intend to watch your progress with great interest.

Regarding your request for funding to take a delegation of Nevadans to the upcoming I.T.B. World Tourism Congress in Berlin to promote the idea of a Las Vegas international trade center, I regret that this Bureau does not have the authority necessary to devote appropriated funds to a venture of this nature.

I understand that you have an application pending with EDA for grant funding. EDA is the proper agency to underwrite your endeavor, and I wish you the best of luck with your application.

In closing, I want to thank you for apprising us of your activities. If I can be of further assistance, please let me know.

Sincerely,



Vernon C. Stansbury, Jr.  
Deputy Director  
Bureau of Export Development

*Leo -  
The bureaucrats ain't this  
around. Perhaps I can be  
more helpful in the next  
stages of your project.  
VCS*

*Banque pour le Commerce Continental*

EXHIBIT D

To whom it may concern

N.REF: CLIENTELE/FI/bm/207

GENEVE, LE

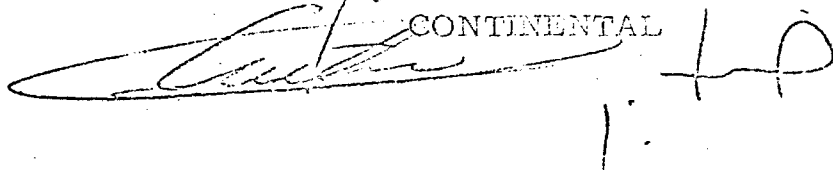
V.REF:

Geneva, 22nd February 1978

This is to confirm that Mr. ENGEL Leo has been our customer for several years.

We know him as a correct and trustworthy person, and we can recommend to enter into business relation with him.

BANQUE POUR LE COMMERCE  
CONTINENTAL

A handwritten signature in cursive script, followed by the initials 'LP' and a vertical line.

1702

leo  
engel

3478 PARADISE RD. - SUITE 107 - LAS VEGAS, NEV. 89109 TEL. (702) 732-8757

WORLD TRADE CENTER OF LAS VEGAS  
INTERNATIONAL TRADE BUYING TOURSMay 9, 1979  
State Capitol  
Carson City, NevadaLAS VEGAS WORLD TRADE CENTER

(Prepared by Mr. Engel for proposed Foreign Trade Bill Hearing on May 9th, 1979, 2:00 P.M. before The Senate Commerce and Labor Committee.)

In the light that numerous <sup>states in the Union, and their</sup> legislative bodies are trying to promote gambling facilities in their states, this might harm the future welfare and income of our states. Therefore, this plan proposes a new and major project that will generate in excess of \$12,000,000 (12 billion dollars) for Nevada, in sales of U.S.-made products to foreign retailers. All sales will be invoiced and funnelled through the Las Vegas Trade Center in the first two years of operation, with 100% increases yearly thereafter.

Nevada is now in 49th position in foreign trade. As the result of our project, Nevada will become one of the major financial and industrial centers in the United States. Rising from its current (0) position to a position of prominence, with the immediate goal of becoming number seven in the nation. No effort would be spared to make it Number One. Nevada would become known throughout the world, not only as an entertainment capital, but a center of worldwide finance and business activities. Nevada would become the focal point of new employment opportunities in the USA.

Current economic conditions have helped to create this extremely advantageous situation for Nevada. But, time is of the essence. The implementation of this project must be activated immediately. An opportunity of this magnitude may never again present itself to our state. Nevada is a sleeping giant about to be awakened.

BACKGROUND

This trade center will be the first of its kind in the USA. It will concentrate exclusively on US-made products. It has been thoroughly researched, developed, and coordinated by Mr. Leo Engel. Mr. Engel's credentials are based on 30 years of successful developing with European trade centers and international tourism organization. He is an international economist and top authority on the development of international trade and commercial tourism. He is credited with putting



Majorca, Spain on the US tourist map.

The breakthrough in this research is predicated on the fact that only about 4-1/2% of all United States manufacturers are presently involved in foreign trade. In comparison, the European manufacturing market has captured 29% to 47% of the US market. The smaller and medium-size US manufacturers are completely removed from export trade. Only 1/10 of 1% have had a chance to do some export business. The Las Vegas Trade Center will be a valuable place to sell American commodities directed to 11 million retailers in the free world. But most important, it will become a training center, and a model operation in the US to reach hundreds of thousands of American small manufacturers, and show them how to get involved in foreign trade and exports; a market that has been untapped by them until now. A section of the trade center will become a model university of training and implementation on how to penetrate, through education, placing all consumer goods and American commodities with homemakers around the world,

Based on this breakthrough in innovative world-wide marketing, Mr. Engel spent over \$500,000 in research to develop his project to a viable point. Through his foresight and extensive research, the concept is now ready to be properly implemented in the Las Vegas area.

Mr. Engel discovered the vast pool of over 11 million foreign retailers from the free world, 6-1/2 million in Europe alone, that remain untapped by the United States at a time when the devalued dollar has increased their buying power for thousands of American products. No one has yet directed the power of creative marketing to these retailers in Europe and the free world, the way Mr. Engel has.

#### THE KEY TO THIS PROJECT

Twenty-eight months of extensive research have resulted in the identification of the type of US made products the European and free world retailers and the masses would like to buy. Thousands of items are being selected by Mr. Engel from specific US manufacturers' sources as samples for display at the World Trade Center in Las Vegas.

Mr. Engel, with confidence, assured the European retailer, that by attending the tax deductible (in his own country) buying tour to Las Vegas, this will result in enormous profits and business volume for them.

If all goes according to plan, Mr. Engel intends to place American-made products in 200 million homes in Europe and the free world, within the timetable of four years. This will generate more than 90 billion dollars in new foreign trade revenues - all to be funnelled through the World Trade Center in Las Vegas and this is just the beginning.

To further support the premise of viability, one of the more creative results that have come out of Mr. Engle's research is the fact, that,

in the free world countries, over 60% of the people are spending a great deal of their prime time viewing American-produced television programs. American film productions are by far the most heavily attended by people in the free world. Thus introducing the American way of life and exposing thousands of American-made products to the European and free world masses for the past thirty years. This exposure exceeds any advertising campaign that could be launched.

The 6-1/2 million European retailers employ approximately 65 million people, and have an average of three people in their immediate family. This totals an additional 19 million people. (Total, 91 million potential visitors to Las Vegas). All of the above will be highly motivated to attend our tax deductible tours to the World Trade Center in Las Vegas, within the next 10 years. The free world retailers, families, and employees will follow, once our facilities have been expanded to accommodate the increased volume of buyers and an additional 40,000 US manufacturers will be brought into the Trade Center of Las Vegas.

#### SPECIFICS OF THE PROPOSAL

The operation is being organized and implemented on both sides of the Atlantic, under Mr. Engel's personal supervision. (Until now, also with his personal finances.)

IN PHASE I, an extensive promotional program will be initiated and directed initially to the 6-1/2 million European retailers. The program will bring between 300,000 and 400,000 foreign retailers to the Trade Center in the first two years of operation - with an ultimate goal of bringing 300,000 international retailers to the Las Vegas World Trade Center, annually.

After two years, Phase II will be implemented to cover the balance of the free world retailers. The Trade Center will initially house products from 12,000 medium-sized selected US manufacturers, with products specifically selected in compliance with the findings from Mr. Engle's extensive research of the past 28 months, with increases pre-planned for each 9-month period.

#### BENEFITS TO LOCAL, STATE, FEDERAL GOVERNMENT AND THEIR CITIZENS

Armed with the results of his impressive research, combined with his practical and successful experience, Mr. Engel has won the considerable support of the United States government. Support in both the House and Senate has been received for new legislation to facilitate the program herein outlined. (Per enclosed documentation) At present, because of this program potential to bring forth new employment, we estimate 800,000 new jobs will be created throughout the United States, 40,000 of these will be created in the Las Vegas area. This will bring over 15,000 new families into Nevada, with ample job opportunities available, thus creating enormous new sources of tax revenue for the State.

To improve the GNP, a new trade bill needs to be prepared. The passage of this bill will further aid in making the Las Vegas World Trade Center the biggest contributor to the US Economy in the past 25 years.

May I request that an action committee be set up on the State and Federal levels to encourage all these efforts, and assist him in all possible ways to secure the success of this worthy project.

MR. ENGLE'S POSITIVE ATTITUDES HAVE BEEN ENCOURAGED BY:

President Gerald Ford, Vice-President Walter Mondale, Hubert Humphrty, Ronald Reagan, Past Assistant to the President, Richard B. Chaney.

Continued List of Leadership Support for Mr. Engel's Trade Bill:

<u>Senators</u>	<u>Congressmen</u>	<u>Governors of</u>
H. Cannon	J. Santini	Pa.
P. Laxalt	Eckhardt	N. Mex.
C. Percy	S. Bafalis	Vt
J. Javits	H. Staggers	Tenn.
R. Stone	E. Beard	Mo.
J. Glenn	M. Murphy	La
J. Pearson	H. Hyde	Del.
E. Kennedy	J. Breckinridge	N.H.
J. Sparkman	J. O'Hara	Ga.
. Taft	H. Ford	Ariz.
H. Baker	P. Crane	N.Y.
R. Griffin	etc.	Mass.
W. Ford		
J. Eastland		
L. Weiker		
V. Hartke, A. Stevenson, D. Inouye, T. Stevens		

It is urgent that a foreign Trade Bill be introduced by our State legislative systems to show to the European legislative system that this state government solidly supports these efforts. This respect is needed to protect the retailers' rights that he can travel on tax-deductible (in his country) buying tours to Las Vegas undisturbed from any of his local political pressures. In Nevada, legislation should appoint a liaison to assist Mr. Engel in all possible ways to secure the success of this worthy project.

FINANCIAL RAMIFICATIONS TO THE LAS VEGAS AREA

After extensive exploration in 8 different areas of the United States and months of coordinated research with a significant cross-section of foreign retailers, Mr. Engel has chosen Las Vegas as the prime location for the implementation of his master plan to increase foreign trade for the USA

Continued on Page V...

These foreign merchants expressed overwhelming eagerness for participation in our project. They applauded Engel's choice of the Las Vegas area. The retailers recognize the heretofore unlimited opportunity to increase their volume and profits.

The European tour operators and commercial and charter airlines are standing by to tap this new passenger market, which was unachievable prior to this project.

1. The Trade Center will inject new financial life and create new commercial horizons and ventures for the area. For example; according to plan, 500 new manufacturers will be motivated to move their plants within close proximity of the Trade Center. Mr. Engel estimates that one thousand acres of undeveloped land will be needed for manufacturing and warehousing. This will create \$800,000 within two years, with continuous increases, having an explosive impact on the area.
2. The local real estate and construction industry will realize international investments through the construction and sales of about 50,000 condominiums, plus a substantial number of villas. These condominiums and villas will serve as their US export buying office, with built-in tax advantages in their countries. This will motivate their purchases. These figures represent approximately 15% of the upper bracket volume stores. This will be accomplished in 3 years.
3. Exploration for undeveloped acreage is in progress. These will be subdivided and sold in half acre parcels to the smaller volume retailers. This will be invoiced as the retailers' warehousing space, thus becomes a legitimate tax deduction in his country.
4. The local banking industries will realize 300 to 400 thousand new accounts within three years. They will have the opportunity to handle all foreign exchange transactions, letters of credit, payment of merchandise and factoring. This will stimulate new growth in the financial community, heretofore unknown. Conservative estimates place profits at 600 million dollars the first three years.
5. The Small Business Administration in Washington has given Mr. Engel indications that credits will be made available at low interest rates, to our participating manufacturers, for new product development and expansion into foreign trade, which is his primary goal.
6. The local tourist industry will realize new dimensions and profits from sightseeing and side trips intra and interstate. We anticipate 90% participation from the international retailers.
7. The Las Vegas area hotel and motel industry will enjoy new occupancy revenues, plus spending by the merchants at cocktail parties, banquets and leisure related attractions, plus the profits realized through the magnetism of gaming activities.
8. The local airline industry will be fed a new flow of passengers for two to three day side trips to all areas of the United States, Hawaii, and Mexico. The international retailers will have an opportunity to visit their US relatives and friends.

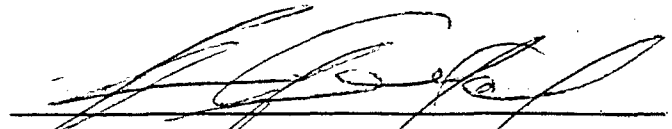
9. Car rental agencies, restaurants, showrooms, furniture, and drapery stores, as well as automobile purchase and maintenance services will be injected with new prosperity.
10. Over 300,000 retailers over the first two years will be exposed to the local retail and department store community. They will make numerous purchases for personal needs. Mr. Engel will help them invoice and ship these personal items as part of their retail inventory, to save taxes in their respective countries.
11. Mr. Engel will set up, with your cooperation, a program to educate US manufacturers to the many tax advantages and favorable economic climate in Nevada. Through his extensive contacts with important European investors he will encourage and assist joint venture enterprises with American manufacturers. These enterprises will be strategically located throughout the State. This philosophy is to benefit all Nevadans. Well-planned non-polluting industry will spring up throughout the state.
12. All of the benefits which will be available to the European retailer, will be equally available to our own American, Canadian, and Latin American retailers. Once our expansion program is completed, all of the above retailers will be accommodated.

#### SUMMARY

Considering the magnitude and far-reaching effects presented to you by Mr. Engel in this outline, a joint confidence, trust and understanding must exist. Mr. Engel is bringing to you, in good faith, his entire program, experience, energies, and devotion, which will help expand the horizons of the citizens of Nevada. Mr. Engel offers you his assistance as your advisor on development of International Trade and Tourism.

In closing, a rare opportunity is presenting itself. May we who have been chosen to lead, join hearts and prayers? May God grant us his blessings, guidance and strength to fulfill the above task - which will bring joy, happiness and prosperity to the people of Nevada and the Nation.

May I request a skeleton committee be appointed with concern to further this life-important project for Nevada, and take advantage of the opportunities and hard work, time, and finances that has gone into it, already, to make this into a reality.



LEO ENGEL  
Authority on Foreign Trade and  
Commercial Tourism.

SB 386 - FLOOR REMARKS FOR AMENDMENT NO. 845

THIS AMENDMENT IS INTENDED TO DELETE THE DUPLICATION THAT EXISTS IN THE PREPARATION OF ENVIRONMENTAL IMPACT REPORTS THAT TELEPHONE, TELEGRAPH AND CATV COMPANIES MUST SUBMIT WHEN THEY EXPAND, BUILD OR MODIFY THEIR FACILITIES WITHIN THE CITY LIMITS OF THE COMMUNITIES THEY SERVE.

PRESENTLY THEY MUST GAIN APPROVAL FROM THE PSCN, THEN OBTAIN A SECOND APPROVAL FROM THE LOCAL GOVERNMENT AUTHORITIES INVOLVED.

THIS IS COSTLY TO BOTH THE UTILITY AND THE PSCN AND IS AN UNNECESSARY DUPLICATION OF COST AND EFFORT.

POWER AND GAS UTILITIES ARE NOT REQUIRED TO FILE UTILITY ENVIRONMENTAL IMPACT REPORTS WITH THE PSCN ON CHANGES MADE IN THEIR PLANT WHEN DONE WITHIN THE COMMUNITIES THEY SERVE - - - BUT THEY MUST MEET ALL LOCAL REQUIREMENTS.

THIS AMENDMENT WOULD GIVE TELEPHONE/TELEGRAPH AND CATV COMPANIES THE SAME EXCLUSIONS AS THE OTHER UTILITIES.

UTILITY CONSTRUCTION OR CHANGES DONE OUTSIDE OF THE CITY LIMITS WILL STILL HAVE TO BE APPROVED BY THE PSCN.

THE PUBLIC SERVICE COMMISSION SUPPORTS THIS AMENDMENT.

I URGE YOUR SUPPORT OF AMENDMENT NO. TO SB 386.

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION	SENATE ACTION	ASSEMBLY	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to SENATE _____	
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. <u>386</u>	<del>Joint</del> <del>Resolution No.</del>
Date: _____	Date: _____	BDR <u>58-1546</u>	
Initial: _____	Initial: _____	Proposed by <u>Committee on Commerce</u>	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>		
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: _____	Date: _____		
Initial: _____	Initial: _____		

Amendment N<sup>o</sup> 845



Amend section 1, page 1, lines 6 and 7 by deleting "subject to undergrounding by local ordinances" and inserting "[subject to undergrounding by local ordinances] required by local ordinance to be placed underground".

Amend section 1, page 1, line 12, by deleting "thereof;" and inserting "thereof [;] , when constructed outside any incorporated city".

SUMMARY--Transfers to director of department of energy duty of approving claims by members of state energy resources advisory board. (BDR 46-423)

Fiscal Note: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

AN ACT relating to energy resources; transferring to the director of the department of energy the duty of approving claims by members of the state energy resources advisory board; and providing other matters properly relating thereto.

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

Section 1. NRS 523.081 is hereby amended to read as follows:

523.081 1. The board shall meet at least once in every 2 months.

2. Eight members of the board constitute a quorum.

3. Members of the board are entitled to receive:

(a) A salary of \$40 for each day's attendance at a meeting of the board; and

(b) The subsistence allowance and travel expenses provided by law.

*flush* [Claims shall be approved by the chairman and] The director shall approve or disapprove claims by the members, and approved claims must be paid from funds provided by legislative appropriation as other claims against the state are paid.



SUMMARY--Authorizes state public works board to adopt standards for conservation of energy for renovated buildings.  
(BDR 28-424)

Fiscal Note: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

AN ACT relating to standards for conservation of energy; authorizing the state public works board to adopt such standards for renovated and substantially altered buildings; and providing other matters properly relating thereto.

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

Section 1. NRS 341.260 is hereby amended to read as follows:

341.260 1. The board shall by regulation establish standards for the conservation of energy [by regulation by January 1, 1978,] for all buildings, public and private, the construction of which is commenced on or after July 1, 1978. Such standards [shall] must apply to:

- (a) Construction of floors, walls, ceilings and roofs;
- (b) Heating, ventilating and air-conditioning equipment and systems;
- (c) Electric systems;
- (d) Water heating equipment and systems; and
- (e) Insulation.

*Flush* Modifications may be made to coincide with applicable federal requirements or for any other purpose in the public interest.

2. The board shall establish exemptions for buildings to which the standards, if applied, would not promote conservation of energy.

3. The standards [shall] must include provisions authorizing design and construction allowances to the extent solar, geothermal, wind or other nondepletable energy sources are used to supply all or a part of the energy requirements of a public or private building.

4. The standards [shall] must include provisions authorizing deviations from specific design criteria where it can be demonstrated that the deviation will not result in an increase in the annual energy consumption of the building to which the standards apply.

5. The board may by regulation establish standards for the conservation of energy for buildings which are renovated or substantially altered.

6. The standards established pursuant to [subsection 1] subsections 1 and 5 establish minimum requirements which [shall] must be included in the building codes of every city and county, except that the requirements may be superseded by more stringent requirements imposed by the building codes of any city or county. The board shall determine the sufficiency of the city and county standards . [shall be determined by the board. The board is responsible for the promulgation and implementation of such standards.

6.] 7. The standards [shall] established pursuant to subsections 1 and 5 must be enforced by the governing body of any county, city or town of this state. For a county, city or town which does not issue building permits the board shall, upon request, provide assistance in enforcing the standards.

## REQUESTED AFTER DEADLINE

SUMMARY--Authorizes commissioner of insurance to investigate certain alleged frauds. (BDR 57-2135)

Fiscal Note: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

AN ACT relating to the commissioner of insurance; authorizing the investigation of certain alleged frauds; establishing an investigative unit and providing for its support; and providing other matters properly relating thereto.

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

Section 1. Chapter 679B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. The commissioner may establish a special unit within the division to enforce the provisions of NRS 686A.290.

Sec. 3. 1. If for any reason the commissioner believes that any person has violated a provision of NRS 686A.290, he may:

(a) Make an investigation of the alleged violation; and

(b) Publish any information concerning a violation of that section.

2. Every law enforcement agency in this state shall cooperate with the commissioner in any investigation conducted under subsection 1.

3. Nothing in this section preempts the authority of any law enforcement agency to investigate and prosecute alleged violations of NRS 686A.290.

Sec. 4. 1. Except as provided by subsection 2, any papers, documents, reports or evidence concerning an investigation conducted under section 3 of this act which are in possession of the division are not subject to:

(a) Public inspection as long as the commissioner deems it necessary to complete the investigation, protect the person being investigated or serve the public interest.

(b) Subpena duces tecum until:

(1) Open for inspection;

(2) The commissioner specifically consents to it; or

(3) After notice to the commissioner and a hearing, the

district court determines that the investigation or the public interest would not be unnecessarily jeopardized by compliance with the subpena duces tecum.

2. If any law enforcement agency requests any papers, documents, reports or evidence in the possession of the division as provided in subsection 1, the commissioner shall provide the agency with copies of the materials.

Sec. 5. 1. Any insurer which determines that a claim may be in violation of NRS 686A.290 shall within 60 days after making that determination notify the commissioner of the possible violation on a form prescribed by the division. The commissioner shall review each report of an alleged violation and may order an investigation to determine the validity of the allegation. The result of any investigation must be reported to the insurer.

2. If the investigation results in a finding that the provisions of NRS 686A.290 have been violated, the commissioner shall notify:

(a) The district attorney of the county in which the alleged violation took place; and

(b) The agency, if any, which licensed the person who allegedly committed the violation.

3. If the district attorney does not begin criminal proceedings within 60 days after receipt of the notification by the commissioner of the alleged violation of NRS 686A.290 he shall inform the commissioner and the insurer of the reasons for not taking action.

4. This section does not require an insurer to submit to the commissioner any information concerning:

(a) An insurer's initial investigation which indicated a

possible violation of NRS 686A.290 which was shown in a subsequent investigation to be no violation; and

(b) An agreement between the insurer and the claimant as to the amount of the claim.

5. Nothing in this section relieves an insurer of its obligations to report suspected violations of the law to the appropriate law enforcement agencies.

Sec. 6. An insurer, its agents and employees are immune from any civil action for making any report or providing any information to the commissioner concerning an alleged violation of NRS 686A.290, if the insurer, agent or employee acted without malicious intent.

Sec. 7. The regulatory fund of the commissioner of insurance is hereby created as a special fund.

Sec. 8. 1. The commissioner shall equally divide and assess the costs of administration and operation of the special unit created in section 2 of this act among all insurers, but the assessment for each insurer may not exceed \$500 per fiscal year.

2. All money collected pursuant to this section must be deposited in the regulatory fund of the commissioner of insurance to be used for the support of the special unit and for no other purpose.

Sec. 9. This act expires by limitation on June 30, 1985.