

Committee in Session at 8:30 am on Tuesday, February 13, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth  
Vice-Chairman Joe Neal  
Senator Clifton Young  
Senator Rick Blakemore  
Senator Wilbur Faiss  
Senator Jim Kosinski

GUESTS: Ms. Mimi Rodden, Administrator, Historic Preservation and Archeology  
Mr. Charles D. Zeier, Historic Preservation and Archeology  
Mr. Fred Hillerby, Nevada Hospital Association  
Mr. Orvis E. Reil, American Association of Retired Persons/National Retired Teachers' Association  
Mr. John McSweeney, Division for Aging Services  
Dr. Otto Ravenholt, Clark County Health District  
Dr. James Megquire, Nevada Dental Association

Chairman Ashworth opened the meeting with discussion on S.B. 22 and S.B. 126. He stated that he had spoken with the veterans' committees and they would like to process S.B. 22 rather than S.B. 126. The only problem they have with S.B. 22 concerns residency requirements as to loans.

S.B. 126 (See Exhibit "A")

Senator Young moved to "Indefinitely Postpone" S.B. 126.

Seconded by Senator Neal.

Motion carried.

Yeas -- 5  
Nays -- None  
Absent -- Senator Blakemore

S.B. 22 (See Exhibit "B")

Senator Neal moved to "Do Pass" and re-refer S.B. 22 to the Senate Finance Committee.

Seconded by Senator Young.

Motion carried.

Yeas -- 5  
Nays -- None  
Absent -- Senator Blakemore

Date: February 13, 1979

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Chairman Ashworth noted, for the record, that John Crossley, Auditor, Legislative Counsel Bureau, needs to be notified of any hearings on S.B. 22. Chairman Ashworth stated he would notify the Senate Finance Committee.

Chairman Ashworth opened the re-hearing on S.B. 136. He noted that further information (see Exhibit "C") has been submitted by Historic Preservation and Archeology.

Ms. Mimi Rodden, Administrator, Historic Preservation and Archeology, explained the information presented and stated they had some problem tracing the establishment and terms of the Advisory Board. She stated, however, that Frank Daykin, Legislative Counsel, Legislative Counsel Bureau, has no problem with the lack of specification in the statutes.

Senator Young questioned the lack of statutory basis for staggered terms of the Advisory Board. Ms. Rodden stated it was Mr. Daykin's opinion that this fell within the Governor's appointive powers. Senator Young stated that it was irregular and asked if Ms. Rodden had any recommendations. Ms. Rodden suggested that Mr. Daykin be consulted as to clarification of the terms.

Chairman Ashworth asked if Ms. Rodden was satisfied with the language as to qualifications of Board members in S.B. 136. She replied affirmatively. Chairman Ashworth requested Ms. Rodden consult Mr. Daykin and submit an amendment as to the terms and staggering the appointments.

Senator Neal stated that this may be one of the agencies to fall under the Sunset Law and if so, it may be a disservice to qualify those terms rather than keeping them as they are. Chairman Ashworth stated that in the practical application, staggered terms are in effect; however, there is no provision within S.B. 136 for the positions being created.

There being no further questions on S.B. 136, Chairman Ashworth closed the hearing and opened the hearing on S.B. 74.

Mr. Fred Hillerby, representing the Nevada Hospital Association, stated the intent of the bill was to remove dentists from the category of allied health professions into the same category as professional physicians.

Senator Faiss asked if dentists as part of hospitals' staff was standard practice throughout the country. Mr. Hillerby answered affirmatively.

Senator Young requested the bill be held pending further testimony. The committee concurred.

Chairman Ashworth opened the hearing on S.B. 147.

Ms. Mimi Rodden, Administrator, Historic Preservation and Archeology, spoke in support of S.B. 147.

Senator Faiss stated there was no provision for funding in the bill. Ms. Rodden stated there was no fiscal impact. Senator Kosinski stated that the bill does have a fiscal note under industrial insurance. Ms. Rodden said there was no need for additional personnel as it would be in conjunction with existing procedure.

Ms. Rodden stated the bill's purpose was simply to recognize a state historical property with criteria similar to that of the National Register of Historic Preservation.

Mr. Charles Zeier, Historic Preservation and Archeology, stated that the original bill was larger in scope and at that time, a request for additional staff was included. Mr. Zeier stated the bill was revised, in-house, and the staff was deleted. He questioned the fiscal note as perhaps a hold-over from the original bill.

Chairman Ashworth asked the format for the state register. Mr. Zeier stated it would be primarily a list taken from an inventory. Senator Kosinski asked if an inventory is available, what the purpose of the bill would be. Ms. Rodden stated this would allow special recognition of historic places in Nevada. Mr. Zeier stated that the inventory is an in-house tool consisting of things in existence as well as things no longer in existence. The state register would consist of things worthy of special note. Chairman Ashworth asked why a bill was needed for this and Mr. Zeier replied that it would be for continuity purposes with other programs in the state.

Chairman Ashworth asked how the division would "establish procedures, qualifications and standards for listing historic places." Ms. Rodden responded that it would be established by criteria similar to that used in the National Register.

Senator Young noted some confusion in the language as subsection 1 refers to "state register of historic places" and subsection 3 refers to "eligible sites, structures, objects and districts." He suggested there be some continuity of language throughout the bill. Ms. Rodden said she would submit an amendment to that effect.

Chairman Ashworth asked what would be the purpose of the list. Ms. Rodden responded that it would be available to the public through chambers of commerce, media and other channels of disseminating information to the public.

Senator Young questioned the need for duplication as items to be listed in the state register are also listed in the federal register. Ms. Rodden replied that the criteria for placement on the state register would be less stringent allowing more areas to be noted on the register. Chairman Ashworth questioned the

need to mandate, as in subsection 5, that areas listed in the national register must be listed in the state register.

Senator Young and Chairman Ashworth expressed concern about passage of legislation with no particular purpose when it could be accomplished within the agency.

Mr. Orvis Reil, speaking as a private individual, spoke in support of S.B. 147. Mr. Reil stated that the national register is not easily available to members of the public and also does not include many things of interest to Nevadans and tourists of Nevada. He stated that he believed a state register would be very worthwhile.

There being no further testimony, Chairman Ashworth closed the hearing on S.B. 147 and opened the hearing on S.B. 148.

Mr. John McSweeney, Division for Aging Services, stated that S.B. 148 is clarifying and technically correcting the existing law. He entered Exhibit "D" into the record. He stated this language was submitted to the Legislative Counsel Bureau; however, the language in subsection 2 is different. He noted that the key phrase changed by the Legislative Counsel Bureau is within Lines 18 and 19 and reads, "if the health authority, after notice of the establishment of the program on those premises, does not object."

Senator Kosinski questioned if the only new language in the bill is under Section 1, subsection 2, which is intended to exempt care-and-share programs from the permit requirements of the health authorities. Mr. McSweeney concurred. Senator Kosinski stated he had talked to Howard Clodfelter, Washoe County Health District, and Mr. Clodfelter clearly indicated that they had no intention of exempting any of the facilities in question. Senator Kosinski stated it was his understanding that Clark County was of the same position. He questioned the necessity of exempting the care-and-share facilities in the rural areas. Mr. McSweeney stated that, at present, the health authorities could not make exceptions in certain instances. Senator Kosinski questioned if exceptions were not made in the interest of the public's health. He further asked the purpose of introducing the legislation. Mr. McSweeney responded that the purpose was for technical clarity.

Senator Faiss asked if the bill gave the health authorities discretion to overlook certain areas as long as it is not detrimental to public health. Mr. McSweeney responded affirmatively, with the permission of the health authority.

Chairman Ashworth questioned the purpose of the bill because if the health authority does not give permission, the facilities can not operate.

Senator Faiss stated he believed the bill was of benefit to programs, such as the elderly nutrition program, which can not move as fast as commercial establishments. He further stated that this legislation could be of great benefit in certain instances.

Dr. Otto Ravenholt, representing the Clark County Health District, stated the bill would not create any problems for the operation of the Clark County Health District. He further stated that more latitude would be given to the health authorities as to equipment and standards regarding certain operations. He stated some standard requirements used in commercial operations may be unnecessarily onerous when applied to certain programs.

Chairman Ashworth asked why commercial establishments would have more stringent controls than places feeding elderly persons as he believed stringent controls are in the benefit of the public's health. Dr. Ravenholt cited instances such as picnics and church activities where stringent controls would not be in effect.

Senator Kosinski questioned the different standards for care-and-share programs as these programs operate on a regular basis and can not be classified as in a category with picnics. Dr. Ravenholt stated an area of concern is with equipment; commercial equipment as opposed to domestic equipment. Commercial equipment is more expensive and therefore may affect the operation.

Senator Neal asked if this would relieve the health authorities from inspecting the care-and-share operations. Dr. Ravenholt stated that it would. He further stated this exemption would occur on a periodic basis. Senator Young questioned if this bill would allow that authority and expressed concern regarding the language.

Mr. Orvis Reil, representing the American Association of Retired Persons/National Retired Teachers' Association, spoke in support of S.B. 148. He cited an instance of a senior citizens' center built and operated by donations which could not afford commercial equipment at the beginning of operation. He stated the exemptions provided for in S.B. 148 were essential in instances such as these.

There being no further testimony, Chairman Asworth closed the hearing on S.B. 148 and resumed taking testimony on S.B. 74.

Dr. James Megquire, representing the Nevada Dental Association, spoke in support of S.B. 74. He stated the bill was a change in definition placing dentists in the category of health professionals, which would allow them to have voting status in county hospitals.

There being no further testimony, Chairman Ashworth closed the hearing on S.B. 74.

S.B. 74 (Exhibit "E")

Senator Neal moved to "Do Pass" S.B. 74.

Seconded by Senator Young.

Motion carried.

Yeas -- 6

Nays -- None

S.B. 148 (Exhibit "F")

Senator Kosinski moved to "Indefinitely Postpone" S.B. 148.

Seconded by Senator Young.


Motion carried.

Yeas -- 4

Nays -- Senators Neal and Faiss

There being no further business, Chairman Ashworth adjourned the meeting at 9:53 am.

Respectfully submitted,

  
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Roni Ronemus  
Committee Secretary

Approved:

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Chairman  
Senator Keith Ashworth

**S. B. 126**


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**SENATE BILL NO. 126—SENATORS KEITH ASHWORTH, FAISS,  
ECHOLS, GLASER, KOSINSKI, BLAKEMORE, NEAL, GIB-  
SON AND DON ASHWORTH**

JANUARY 25, 1979

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Referred to Committee on Human Resources and Facilities

SUMMARY—Provides loan guarantee benefits for veterans. (BDR 37-488)

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

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

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AN ACT relating to veterans' and servicemen's benefits; providing for loan guarantees to veterans for acquisition of homes, mobile homes and farms; providing for administration of the guarantees; establishing the veterans' loan revolving fund; making an appropriation; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Title 37 of NRS is hereby amended by adding thereto a  
2 new chapter to consist of the provisions set forth as sections 2 to 12,  
3 inclusive, of this act.
- 4 SEC. 2. As used in this chapter, unless the context otherwise requires,  
5 the words and terms defined in sections 3 to 8, inclusive, of this act  
6 have the meanings ascribed to them in those sections.
- 7 SEC. 3. "Acquisition" means:  
8 1. Purchase and improvement of a home, mobile home or farm.  
9 2. Payment of the balance of the purchase price and interest on a  
10 purchase contract for a home, mobile home or farm, and the improve-  
11 ment of property thereby purchased.
- 12 SEC. 4. "Commissioner" means the Nevada commissioner for veteran  
13 affairs.
- 14 SEC. 5. "Farm" means a tract of land which is capable of producing  
15 sufficiently to provide a living for the veteran and his dependents.
- 16 SEC. 6. "Home" means a residential structure and the land upon  
17 which it is built, including any surrounding land and outbuildings reason-  
18 ably necessary for its use as a dwelling, which is established, maintained  
19 and used primarily as the principal residence of the veteran.
- 20 SEC. 7. "Mobile home" means a structure which:

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

**S. B. 22****SENATE BILL NO. 22—SENATORS FAISS AND ECHOLS**

JANUARY 17, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides means for veterans to obtain homes and farms.  
(BDR 37-651)FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Contains Appropriation.EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to veterans' and servicemen's benefits; providing for acquisition of homes and farms and for resale to veterans; establishing eligibility requirements for purchasers; providing for administration by the Nevada commissioner for veteran affairs; appropriating money; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Title 37 of NRS is hereby amended by adding thereto  
2 a new chapter to consist of the provisions set forth as sections 2 to 42,  
3 inclusive, of this act.
- 4 SEC. 2. As used in this chapter, unless the context otherwise requires,  
5 the words and terms defined in sections 3 to 10, inclusive, of this act have  
6 the meanings ascribed to them in those sections.
- 7 SEC. 3. "Commissioner" means the Nevada commissioner for veteran  
8 affairs.
- 9 SEC. 4. "Condominium" means an estate in real property consisting of  
10 an undivided interest in common in a portion of a parcel of real estate  
11 together with a separate interest in space in a residential building on the  
12 real property, such as an apartment. A condominium may include a separate  
13 interest in other portions of the real property.
- 14 SEC. 5. "Farm" means a tract of land which is capable of producing  
15 sufficiently to provide a living for the purchaser and his dependents.
- 16 SEC. 6 "Home" means:
- 17 1. A parcel of land upon which there is a dwelling house and such  
18 other buildings as will suit the needs of the purchaser and his dependents  
19 as a residence;
- 20 2. A condominium; or
- 21 3. A mobile home together with the parcel of land, or undivided interest  
22 in common in a portion of the parcel, upon which the mobile home is  
23 situated.





THE NEVADA DIVISION OF HISTORIC PRESERVATION AND ARCHEOLOGY  
201 South Fall Street — Nye Building — Room 113 — Carson City, Nevada 89710  
MIMI RODDEN, Administrator Telephone (702) 885-5138

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

ROLAND D. WESTERGARD, Director

ROBERT LIST  
GOVERNOR

February 12, 1979

M E M O R A N D U M

To: Senator Kosinski  
From: Mimi Rodden, Administrator  
Subject: S.B. 136 (BDR-467)

In our February 8 presentation before the Committee on Human Resources, you requested that the Division provide documentation on the initial appointment of our Advisory Board and the staggering of their terms. I have put together the following information after discussing the matter with Roland Westergard, Director, Department of Conservation and Natural Resources and Frank Daykin, Legislative Council Bureau.

NRS 383.051 allows for the establishment and initial appointment of the Advisory Board on Historic Preservation by the Governor.

NRS 232A and Chapter 540 of the 59th Nevada State Legislature Session laws were reviewed in order to locate the authority to stagger the appointment schedule of the Advisory Board members. The result of this inquiry is that the Division of Historic Preservation and Archeology is not specifically mentioned. No particular authority to stagger the terms of office was located.

This fact was brought to the attention of Roland Westergard and Frank Daykin. Their consensus opinion is that it is within the Governors appointive powers (given NRS 383.051) to stagger the terms of the Advisory Board members, no specific reference to the process being necessary.

I hope this information is adequate to cover any questions you had. If I can be of further assistance on the matter please let me know.



DIVISION OF HISTORIC PRESERVATION & ARCHEOLOGY  
FACT SHEET

The DIVISION OF HISTORIC PRESERVATION and ARCHEOLOGY was created by the 1977 legislature (S.B.359/Chapter 549 of the Session Laws) to administer the state-level historic preservation program and the state historic marker program. The Division Administrator, who also serves as the State Historic Preservation Officer (SHPO), is appointed by the Governor.

The STATE REVIEW BOARD assists the SHPO in an advisory capacity. Under federal regulations C.F.R. Title 36, Parts 61.2 and 61.4, the duties and qualifications of the five member board are as follows:

1. Review and evaluate all nominations prepared for submission to the National Register of Historic Places.
2. Review the state historic preservation plan prior to submission to the Secretary of the Interior.
3. Provide general guidance and advice to the SHPO.

The responsibilities of the Administrator/SHPO under the National Historic Preservation Act of 1966 (P.L. 89-665), as amended include:

1. Conduct a comprehensive statewide survey of historical resources.
2. Process nominations to the National Register of Historic Places.
3. Prepare a comprehensive statewide preservation plan.
4. Assist federal agencies in carrying out their responsibilities to historic resources under the law.
5. Review all federally assisted projects within the State which deal with structures and property.
6. Review applications for certification under the Tax Reform Act of 1976.
7. Administer a grants-in-aid program within Nevada.
8. Disseminate program information for the education of the public.

Often, the threat to the historic property comes via federally assisted project which has no knowledge of the cultural values involved. The principal objective of the federal historic preservation program is to accomplish protection of historic properties through a coordinated planning process involving the people of Nevada, the SHPO and the federal agency.



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MIMI RODDEN, Administrator Telephone (702) 885-5138

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

ROLAND D. WESTERGARD, Director

ROBERT LIST  
GOVERNOR

MEMORANDUM

TO: Pete Morros, Assistant Director  
Department of Conservaytion and Natural Resources

FROM: Mimi Rodden, Administrator  
Division of Historic Preservation and Archeology

DATE: February 12, 1979

SUBJECT: Terms of the Review Board Members

The following list provides the information which you requested regarding the expiration dates of the terms of the Review Board members who advise the Division.

<u>Board Member</u>	<u>Expiration Date of Term</u>
Dr. James T. Anderson	June, 1979
Dr. Sheilagh Brooks	June, 1980
Dr. James Hulse	June, 1981
Edward Parsons, F.A.I.A.	June, 1979
William V. Wright	June, 1981

If you require additional information, please let me know.



December 22, 1978

The Honorable James Kosinski  
State Senator  
P.O. Box 1129  
Reno, Nevada 89504

Dear Senator Kosinski:

With reference to your letter of November 28, 1978, concerning BDR #40-146 under Nevada Revised Statutes 446.020, I have obtained written responses from both Howard Clodfelter, Assistant Administrator of the Washoe County Health District, and Gill Blonsley, Administrative Officer of the Clark County Health Department.

In reference to the above mentioned responses, their points of view are very well taken and rightfully so. However, by both federal regulation and administrative policy, we do mandate that, in general, county health policies shall prevail, and the record indicates this agency's coordination in meeting that end.

In certain cases, we, as an agency, have had the flexibility when starting nutrition programs throughout the state, particularly in the rural areas, of meeting the minimal basic health requirements as they relate to the preparation and distribution of food, as is the intent and purpose of the nutrition program under the Older Americans Act as amended.

In my opinion, NRS 446.020 comes extremely close to exempting the nutrition programs. It is our intent to make it technically clear that they are, as such, exempt.

As an alternative, may I offer the following language added to Section 2, Subsection (g) to the above mentioned proposed legislation:

"(g) Premises, on which nutrition programs for the elderly, funded by the aging services division of the department of human resources, are conducted, provided that coordination of each county and/or city so involved renders technical sanction of such."

The Honorable James Kosinski  
December 22, 1978  
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Basically, this is our present procedure and the above added language would technically give the county involved clear, technical decision-making, whereby now such flexibility could technically be construed as a violation under the Nevada Revised Statutes.

Upon your acknowledgement and comments in regard to this communique, I will hold sending copies of such to Mr. Clodfelter and Mr. Blonsley. Your advice and comments on this matter would be greatly appreciated.

Sincerely,

John B. McSweeney  
Administrator

JBM/jb  
Eocl.

# WASHOE COUNTY

"To Protect and To Serve"



DISTRICT HEALTH DEPARTMENT

WELLS AVE. AT NINTH ST.  
POST OFFICE BOX 11130  
RENO, NEVADA 89520  
PHONE: (702) 785-4290

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January 3, 1978

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Mr. John B. McSweeney  
Administrator, Division for Aging Service  
Department of Human Resources  
Kinkead Building, Room 101  
505 East King Street  
Carson City, Nevada 89710

Dear John:

You substitute language for additions to Section 2, Subsection (g) does meet with our approval. We would prefer the language to read:

"(g) Premises on which nutrition programs for the elderly, funded by the aging services division of the department of human resources, are conducted, provided that coordination of the local health department so involved renders technical sanction of such."

The District Health Department does have the jurisdiction in this area as it has been so delegated.

I would be willing to testify in support of this legislation, if so requested.

Sincerely,

*Howard Clodfelter*  
Howard Clodfelter  
Assistant Administrator

HC:mf



S. B. 74

SENATE BILL NO. 74—COMMITTEE ON COMMERCE AND  
LABOR

JANUARY 23, 1979

Referred to Committee on Human Resources and Facilities

**SUMMARY**—Permits dentists to be members of staffs of physicians of county hospitals. (BDR 40-417)**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to county hospitals; providing that dentists may be members of the staff of physicians of a county hospital; removing dentistry from the list of allied health professions; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 450.005 is hereby amended to read as follows:  
 2 450.005 As used in this chapter, unless the context otherwise  
 3 requires, "allied health profession" means:  
 4 1. [Dentistry as defined in chapter 631 of NRS;  
 5 2.] Psychology as defined in chapter 641 of NRS;  
 6 [3.] 2. Podiatry as defined in chapter 635 of NRS; or  
 7 [4.] 3. Traditional Oriental medicine as defined in chapter 634A of  
 8 NRS.  
 9 SEC. 2. NRS 450.430 is hereby amended to read as follows:  
 10 450.430 1. In the management of the public hospital, no discrimina-  
 11 tion [shall] *may* be made against physicians *or dentists* licensed under the  
 12 laws of Nevada or duly licensed practitioners of the allied health pro-  
 13 fessions, and all such physicians, *dentists* and practitioners [shall] have  
 14 privileges in treating patients in the hospital in accordance with their  
 15 training and ability, except that practitioners of the allied health profes-  
 16 sions [shall] *may* not be members of the staff of physicians described in  
 17 NRS 450.440. Practitioners of the allied health professions [shall be] *are*  
 18 subject to the bylaws [, rules] and regulations established by the board  
 19 of hospital trustees. [pursuant to NRS 450.160.]  
 20 2. The patient [shall have] *has* the right to employ, at his own  
 21 expense, his own physician, if such physician is a member of the hospital  
 22 staff, or nurse, and when acting for any patient in such hospital the phy-  
 23 sician employed by such patient [shall have] *has* charge of the care and



1 treatment of [such] the patient; and nurses therein [shall] are as to  
2 such patient [be] subject to the directions of such physician, subject  
3 always to [such] general rules and regulations as shall be] the general  
4 regulations established by the board of hospital trustees. [under the  
5 provisions of NRS 450.010 to 450.510, inclusive.]

6 SEC. 3. NRS 450.440 is hereby amended to read as follows:

7 450.440 1. The board of hospital trustees shall organize a staff of  
8 physicians composed of every regular practicing physician and dentist  
9 in the county in which the hospital is located who meets the standards  
10 fixed by the [rules and] regulations laid down by the board of hospital  
11 trustees.

12 2. The staff shall organize in a manner prescribed by the board so  
13 that there [shall be] is a rotation of service among the members of the  
14 staff to give proper medical and surgical attention and service to the  
15 indigent sick, injured or maimed who may be admitted to the hospital for  
16 treatment.

17 3. No member of the staff nor any other physician who attends an  
18 indigent patient [shall] may receive any compensation for his services  
19 except as otherwise provided in NRS 450.180 or to the extent that  
20 medical care is paid for by any governmental authority or any private  
21 medical care program.

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S. B. 148

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 SENATE BILL NO. 148—COMMITTEE ON HUMAN  
 RESOURCES AND FACILITIES

JANUARY 30, 1979

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 Referred to Committee on Human Resources and Facilities

 SUMMARY—Exempts certain premises from requirements applicable to food  
 establishments. (BDR 40-146)

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

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

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 AN ACT relating to food and drink establishments; exempting certain premises  
 on which specified nutrition programs are conducted from certain require-  
 ments; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 446 of NRS is hereby amended by adding  
 2 thereto a new section which shall read as follows:  
 3 1. *The provision of this chapter do not apply to:*  
 4 (a) *Private homes.*  
 5 (b) *Fraternal or social clubhouses attendance at which is limited to*  
 6 *club members.*  
 7 (c) *Vehicles operating on common carriers engaged in interstate com-*  
 8 *merce.*  
 9 (d) *Premises on which religious, charitable and other nonprofit organ-*  
 10 *izations sell food for the purpose of raising funds.*  
 11 (e) *Any slaughter establishment which is regulated and inspected by*  
 12 *the state department of agriculture.*  
 13 (f) *Milk and milk products plants, frozen dessert plants and dairy*  
 14 *farms which are regulated by chapter 584 of NRS.*  
 15 2. *A permit issued by the health authority to operate a food estab-*  
 16 *lishment is not required for premises on which nutrition programs for the*  
 17 *elderly, funded by the aging services division of the department of human*  
 18 *resources, are conducted if the health authority, after notice of the estab-*  
 19 *lishment of the program on those premises, does not object.*  
 20 SEC. 2. NRS 446.020 is hereby amended to read as follows:  
 21 446.020 [1.] "Food establishment" means any place, structure,  
 22 premises, vehicle or vessel, or any part thereof, in which any food  
 23 intended for ultimate human consumption is manufactured or prepared

1 by any manner or means whatever, or in which any food is sold, offered  
2 or displayed for sale, or served.

3 [2. This definition shall not be construed to include:

4 (a) Private homes.

5 (b) Fraternal or social clubhouses attendance at which is limited to  
6 club members.

7 (c) Vehicles operating on common carriers engaged in interstate com-  
8 merce.

9 (d) Premises on which religious, charitable and other nonprofit organ-  
10 izations sell food for the purpose of raising funds.

11 (e) Any slaughter establishment which is regulated and inspected by  
12 the state department of agriculture.

13 (f) Milk and milk products plants, frozen dessert plants and dairy  
14 farms which are regulated by chapter 584 of NRS.]

29