

MEMBERS PRESENT: Chairman Robinson
Vice-Chairman Prengaman
Mr. Bennett
Mr. Bremner (Late)
Mr. Chaney
Mr. Dini
Mr. DuBois
Mr. Kovacs
Mr. Rusk

MEMBERS ABSENT: Mr. Brady
Mr. Jeffrey

GUESTS PRESENT: Assemblyman Bergevin
Steve Mahoney, Nevada Dept. of Agriculture
Dr. Kim Bean, Podiatrist

Chairman Robinson called the meeting to order at 3:00 p.m. in Room 200. He announced that the first order of business for the day would be AB 9.

AB 9 Provides for use of real property as security by livestock dealers in lieu of surety bond.

Assemblyman Bergevin, from District 39, sponsor of AB 9, stated that this bill was introduced because a tremendous hardship had been placed on the small livestock dealer with regard to cash bonds that had been required. He said that in many instances, these businessmen have unencumbered real property that is worth more than the bond that has to be put up and they are willing to take a first deed of trust payable to the State of Nevada Department of Agriculture. He informed the Committee that NIC and the Tax Commission already allow liens on property as well as cash bonds, but the Dept. of Agriculture, through oversight, has never done so.

Mr. Bergevin stated that line 13 of AB 9 says, "double the amount of the bond" and that he could see no reason, after discussing the language with legal counsel, why this should be stated, and he recommends that this phrase should be deleted. He also indicated that property outside of the state, which is now excluded from the bill, should be included as property upon which liens could be placed.

Mr. Bergevin added that there has only been one livestock dealer in the past 20 years upon whom a bond had to be collected.

Mr. Rusk asked Mr. Bergevin what amount of time it would take to foreclose on a bond. Saying that he was not sure, Mr. Bergevin referred the question to Mr. Mahoney.

Mr. Chaney then asked if the language used in the sales tax legislation did not require the same amount of security in terms

of doubling the amount of the bond. Mr. Bergevin's response was that he could not answer without looking into the matter further. He did add that with respect to sales tax, if the businessman had a good record for three years, the Tax Commission did away entirely with the requirement for a bond.

Mr. Steve Mahoney, with the Livestock Inspection Division of the Nevada Department of Agriculture, came forward and informed the committee that his Division was charged with the responsibility of enforcing the bonding laws and that the Executive Director of the Department was named as the trustee on the bond. He further stated that these bonds were somewhat difficult to collect on--about as difficult as most insurance claims.

Mr. Mahoney commented that his department wanted to help the small businessman in any way that it could and that he would certainly be in favor of any alternative to the bonds that are becoming more and more difficult to obtain--just as long as the state is in a good position to protect the livestock producer.

Mr. Rusk asked Mr. Mahoney to detail how the land would be encumbered. Mr. Mahoney responded that he was not really sure of the mechanics, but that he assumed there would be a first deed of trust made payable to the Executive Director of the Dept. of Agriculture in the same manner that bonds are.

Mr. Bergevin indicated that he would like to research Mr. Chaney's inquiry relative to language calling for "double the amount of the bond" prior to the Committee's taking action on AB 9.

Mr. Rusk then posed a question to Mr. Bergevin with respect to how many persons who would otherwise be required to get a bond under this type of legislation would actually have unencumbered property to put up in place of a bond. Mr. Bergevin answered that he did not know.

There being no further questions or comments concerning AB 9, Dr. Robinson concluded the hearings on that bill until the sponsors have had a chance to do some additional research on the questions raised.

Chairman Robinson then asked for discussion concerning AB 15.

AB 15 Revises provisions of law concerning podiatrists.

Dr. Kim Bean, a podiatrist practicing in Carson City and a member of the State Board of Podiatry, took the floor to speak in favor of AB 15. He indicated that the board had several items that they wished to change in their existing statutes. These changes were; first, to increase the existing application fee from \$100 to \$200; second, the Board wanted to recommend that a requirement of 25 hours of continuing education be added with the Board determining which credits are to be accepted.

Mr. Dini questioned the deletion of the phrase "for the purposes of continuing professional education."

Dr. Bean responded that the Board did not actually intend for this phrase to be deleted. In addition, he stated that the Board was requesting two more items which did not appear in AB 15. These additional changes were to increase the license renewal fees for podiatrists from \$50 annually to \$75, and that the license renewal fees for podiatry hygienists be set at \$10 annually.

Mr. Jeffrey asked Dr. Bean for clarification on the 25 hours of continuing education credits. Dr. Bean indicated that he thought what the Board intended was 25 clock hours as opposed to credit hours or semester hours.

Mr. Dini asked Dr. Bean if this increase in fees was intended to help maintain the Board. Dr. Bean gave an affirmative response.

Chairman Robinson suggested that the two areas of concern as well as the two added amendments be worked out and that the bill then should be passed.

A motion was made by Mr. Dini to pass AB 15 as amended. The motion was seconded by Mr. Bennett and passed with a unanimous vote of those present.

There being no further business, Chairman Robinson adjourned the meeting at 3:28 p.m.

Respectfully submitted,



Evelyn Edwards
Committee Steno

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE February 5, 1981

SUBJECT A.B. 15: Revises provisions of law concerning podiatrists

MOTION: (Amend and Do Pass)

Do Pass xx Amend xx Indefinitely Postpone Reconsider

Moved By Mr. Dini Seconded By Mr. Bennett

AMENDMENT:

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	x					
BRADY	absent					
BREMNER	absent					
CHANEY	x					
DINI	x					
DUBOIS	x					
JEFFREY	absent					
KOVACS	x					
PRENGAMAN	x					
RUSK	x					
ROBINSON	x					
TALLY:	8	0				

ORIGINAL MOTION: Passed x Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes February 5, 1981

ASSEMBLY MERCER COMMITTEE

GUEST LIST

DATE: 2/5/81

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
Assemblyman BERGEMAN				AB 9
STEVE MAHONEY	NEV. DEPT OF AGRIC	X		
DR. KIM BEAN	PODIATRIST	X		AB 15