

Chairman Robinson called the meeting to order at 2:13 p.m. in Room 200.

MEMBERS PRESENT: Mr. Bennett
Mr. Brady
Mr. Chaney
Mr. Dini
Mr. DuBois
Mr. Kovacs
Mr. Prengaman (late)
Mr. Rusk
Dr. Robinson

MEMBERS ABSENT: Mr. Bremner (excused)
Mr. Jeffrey (excused)

GUESTS PRESENT: See attached Guest List.

Dr. Robinson opened the hearing on AB 556.

AB 556 LIMITS MISLEADING USE OF "ENGINEER" AS TITLE OF POSITION.

Testifying for the bill was Assemblyman Westall. Mrs. Westall indicated that there were many instances where the public was being defrauded by the use of the term "engineer" in a misleading manner. She used the example of a "sanitary engineer," who is actually a janitor, and a "sanitation engineer," who has a very important function in sewage disposal areas to illustrate her point. She said that an exception would have to be added to the bill, and that exception was a railroad "engineer." She added that some of the utility companies might also have problems with some of the language in the law.

Dr. Robinson commented that there might also be problems for unions which use names such as "operating engineers" and "stationary engineers."

Mrs. Westall agreed that the use of these terms in union names also needed to be exempted from the bill.

Also testifying on AB 556 was Assemblyman Erik Beyer from Assembly District 24. Mr. Beyer stated that he was a professional engineer and that he concurred with Mrs. Westall's comments. Mr. Beyer said that there are large numbers of people going into business who call themselves engineers and held themselves out to be such engineers when in fact they were not. He said that some exemptions might have to be worked into the bill to allow utilities, such as the telephone companies who are now using the term "technical engineer," to continue to use such terms. He stressed that he thought the term "professional engineer" should be used only by persons who were, in fact, professional engineers.

In response to a question from Mr. Kovacs, Mr. Beyer indicated that there was now a professional board in operation which registered professional engineers and land surveyors. He added that even though the board limited the use of the term "professional engineer" to those engineers who had passed examinations and were registered with the board, people still used the term illegally. He elaborated by giving the example of a development in Lyon County, which had hired a land surveyor that they thought was a professional engineer but turned out not to be.

Dr. Robinson questioned why, on line 3 of the bill, the word "employer" was used instead of the word "person."

Mrs. Westall responded that in some cases, such as in real estate, that it was the employer instead of the person as an individual who "tacked on" the term "engineer."

Further discussion revealed that persons who were self employed would be exempt from this act. Both Mrs. Westall and Mr. Beyer indicated that they would give that issue further thought.

In response to a question from Mr. DuBois concerning the registration procedures for professional engineers, Mr. Beyer gave a detailed explanation concerning the procedures. Elaborating further was Edward Pine, representing the Board of Professional Engineers, who told the Committee what the educational, practical, and testing requirements were to become a registered professional engineer. Mr. Pine added that there was a problem with governmental agencies using the term of "engineer."

Mr. Dini remarked that people had been calling themselves engineers in different professions for many years and that he could see a lot of potential problems with restricting the use of the term.

Mrs. Westall responded that perhaps a solution to that problem would be to make certain exemptions in the law and then give the Board of Professional Engineers the right to make further exclusions or exceptions.

Mr. Rusk then asked how this law could be enforced. Mr. Beyer responded that it would be up to the profession to do its own policing.

Mr. Pine then stated that the Board had difficulties with portions of the bill because of the many people who use the name "engineer." He remarked that the Board merely wanted NRS Chapter 625.520 to be changed back to the original language by adding the words "engineered" or "engineering" to that section. He added that if the law had to pass as is, the Board would accept it, but that they preferred the addition of just the two words. His chief objection was the fact that the utilities extensively use the word "engineer."

There was further discussion about the educational requirements to become a professional engineer as well as the registration and examination requirements.

Mr. Fred Daniels, another member of the Board of Professional Engineers, indicated that he also had some problems with the bill and passed out EXHIBIT A, which is a major revision to the bill. He said the revision would, "...get to the original intent." He added that under current law, employees of the utilities or the government are exempt while they are performing their normal jobs. He said the revision would return the law to its former state of four years ago, at which time the two words that were being added back had been accidentally dropped.

Next to testify on AB 556 were Stan Warren and Bob George from Nevada Bell. Both men wanted to go on record as supporting the existing statutes. A complete outline of Mr. Warren's remarks are attached as EXHIBIT B. Mr. Warren added that Nevada Bell would be happy to work with the Board regarding the elimination in the Yellow Pages by persons advertising and using the term "engineer" illegally.

Mr. Warren also produced a copy of Chapter 625 of the NRS, which showed the section (625.500) that exempted public utility employees. The copy is attached and marked EXHIBIT C.

Mr. Kovacs asked if the telephone company couldn't use the term "technician" instead of "engineer."

Mr. Warren responded that they could, however, Nevada Bell would then be the only telephone company in the country that would be using that terminology. He added that the bill that was being proposed, AB 556, did not remove this exemption; however, there was concern on the part of the telephone company, and they wanted their testimony to go on record.

Also testifying on behalf of the bill was Alfred Westall, appearing on behalf of the Society of Professional Engineers. He said that the Society believed that the term "engineer" was being degraded by its misuses. He also said that the Society was very concerned with keeping a degree of excellence associated with the term "engineer." Mr. Westall said that some agencies title their employees as engineers just to increase their salary ranges without regard to whether or not they are actually engineers. He said, "I think it's gone to an area that we're starting to call everything an engineer."

The Chairman then concluded the hearing on AB 556 and asked for a Committee introduction for BDR 57-1856.

BDR 57-1856 REMOVES INSURED'S CHOICE OF TYPES OF POLICIES UPON
(AB 592) CONVERSION OF GROUP HEALTH INSURANCE POLICY TO
INDIVIDUAL POLICY.

A MOTION WAS MADE BY MR. JEFFREY TO REQUEST A COMMITTEE INTRODUCTION FOR BDR 57-1856. THE MOTION WAS SECONDED BY MR. JEFFREY AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

The Chairman then opened the public hearing on AB 518.

866

AB 518 ELIMINATES DUPLICATE REFERENCE TO JUDICIAL REVIEW IN LAW RELATING TO SAVINGS AND LOAN ASSOCIATIONS.

Testifying on behalf of the bill was Norm Okada, Acting Savings and Loan Commissioner. Mr. Okada commented that he had reviewed the bill and that he wanted to go on record as being in support of the bill. He said that it was basically a housekeeping measure.

Janet Wilson, from the Legislative Counsel Bureau, later testified that the bill simply combined two sections with similar language into one section.

There was no further testimony on AB 518 so the Chairman opened the hearing on AB 519.

AB 519 REMOVES REFERENCE TO RENEWAL OF LICENSE IN LAW RELATING TO PHYSICIANS.

Dr. Robinson commented that the bill had been delivered to him by Frank Daykin, Legislative Counsel, and all it did was clear up the language by changing "the renewal of their licenses" to "annual registration." Janet Wilson testified later in the meeting that this language simply removed a previous error, an inappropriate reference.

Dr. Robinson then moved the hearing to AB 442.

AB 442 MAKES VARIOUS CHANGES IN LAW CONCERNING DISPENSING OPTICIANS.

Testifying on the bill was Harold Myers, President of the Nevada Board of Dispensing Opticians. He indicated that one of the changes to be made to the law by the passage of this bill was to give the Board the right to assess penalties. He also said that fees for license renewal had been increased. Dr. Myers said that the rationale behind asking for the ability to assess penalties, was based on the fact that, at present, the Board could either revoke a license or do nothing, and that left a lot of grey areas where the Board would rather do nothing than go to the drastic step of revoking a license. He added that the provision was being requested at the advice of the Legislative Counsel Bureau.

Dr. Myers gave an extensive explanation of the licensing examination procedures and stated that the Board was not actually lowering the standards by requiring 70 percent to pass the exam instead of the 75 percent which was in the existing statutes. Instead, he indicated, the new percentile was in keeping with the national testing requirements.

Dr. Myers also indicated that a fee had been added in the bill for a licensee to obtain a certificate to fit contact lenses. He explained that this fee would be in addition to the annual renewal fee, but that the Board did not anticipate charging the maximum \$100 fee for a contact lens certificate. He indicated that it would probably be charging in the area of \$25, but that the fee was put into the bill in its present language to allow for inflation during the next two or four years.

Dr. Myers noted that on line 49, page 2 of the bill, the bill drafter had deleted the word "shall" and inserted "may" in its place. He stated that the Board would like to have that language changed to "must."

Mr. Kovacs stated that most laws that require continuing education specify the number of hours to be required.

Dr. Myers responded that the actual requirements were specified in the Board's rules and regulations.

Mr. DuBois questioned how the 70 percent required to pass the licensing examination compared to what other states were doing.

Dr. Myers answered that most of the other states were not at 70 percent because they were also using the national examination. He added that 50 percent of the examination was practical application and that each half of the test had to be passed with a 70 percent or better grade. He also said that the present pass rate for the exam was about 65 percent.

Chairman Robinson then opened the hearing on AB 475.

AB 475 CHANGES FEES FOR LICENSING AND ADMINISTRATIVE FINES
CHARGEABLE BY NEVADA STATE BOARD OF OPTOMETRY.

Dr. Robinson stated that there could be a conflict of interest, so he turned the hearing over to Vice Chairman Prengaman.

Testifying on AB 475 was Dr. Marvin Sedway, Secretary/Treasurer of the Nevada State Board of Optometry. He indicated that the basic purpose of the bill was to change the fees that the State Board was charging. He said that the Board's fees had last been changed in 1968, and that in eleven years, the number of licensed optometrists in Nevada had increased from 56 to 99. He also remarked that costs relating to legal matters had risen geometrically with an average cost of \$8,000 to \$9,000 per year. Dr. Sedway commented that the addition of public members to the State Board had added approximately 25 percent to the cost of operation.

Dr. Sedway said that the Board held from six to ten meetings annually, and that the meetings ranged in cost from \$500 to \$1,000. He added that no member of the Board received compensation other than for regularly scheduled meetings and that he personally paid a secretary \$4.50 per hour to assist him in his functions as Secretary/Treasurer. He stressed that the Board authorized no expenditures for travel for anything other than attendance at the Board meetings. For any other trips; such as testifying at today's meeting, the Board members pay their own expenses. He concluded his remarks by saying, "We don't want to make money; we're a completely self-sufficient Board. We're not subsidized by the state at all, and we just want to be able to pay our bills in a timely fashion."

In response to a question from Mr. Prengaman, Dr. Sedway gave a detailed explanation of the costs involved in a particular hearing.

He added that according to administrative code, the Board must hold hearings whenever a complaint is received.

Vice Chairman Prengaman closed the hearing on AB 475 and Assemblyman Robinson assumed his position as Chairman. He then opened the work session on AB 375.

AB 375 MAKES CERTAIN ADMINISTRATIVE CHANGES IN LAWS GOVERNING INDUSTRIAL INSURANCE FOR SELF-INSURED EMPLOYERS.

Dr. Robinson referred to Amendment No. 587 and indicated that a number of changes to AB 375 were incorporated into that amendment. A copy of the amendment is attached as EXHIBIT D. He added that he had requested the bill drafter to clarify the language in the bill so that the injured person had the right to request the first examination to be performed by his own doctor rather than one specified by the company. He said that persons covered under NIC had this right and that persons covered under self-insured programs should have the same right.

There was discussion concerning the fact that when the Legislature had passed the law permitting self-insureds, it had been stressed that the programs had to have identical coverage to the NIC program.

Dr. Robinson referred to posters that were found in one of the self-insured hotels in Las Vegas which indicated that an injured person had to go to the company doctor first. A copy of one such poster is attached as EXHIBIT E. It was noted that by law, the individuals covered under a self-insured program did have the same rights as those individuals covered under NIC; however, actual practices did not seem to be working that way.

Dr. Robinson also read an excerpt from a letter from the Gibbens Company, dated April 16, 1981. A copy of the letter is attached as EXHIBIT F.

There was also discussion about the provision in the bill which required an annual reporting of a disabled person's income. Mr. Bremner remarked that he would speak to the bill drafter to make sure that the bill was further amended so that the section pertaining to such reporting would be clarified to say "earnings" instead of "income."

Dr. Robinson said that the Committee would delay further action on AB 375 until Mr. Bremner was able to get the amendment.

The work session was then moved to AB 412.

AB 412 PROVIDES FOR REGULATION OF CONDITION OF MANUFACTURED HOUSING.

Don Rhodes, Chief Deputy Research Director, made a comparison of the provisions of AB 30, AB 31 and AB 412. He read from an analysis that he had prepared for this purpose. The analysis is attached as EXHIBIT G, G-1, and G-2. Don stressed that AB 412 dealt primarily with "mobile homes" and "premises," which he said

did not mean "mobile home parks." He said that AB 30 and AB 31 were mostly concerned with the operation of the parks, while AB 412 concerned itself with the individual lots and homes. He also stressed that AB 412 had no provisions for administering the Mobile Home Landlord/Tenant Act.

Dr. Robinson interrupted Don and asked Wayne Tetrault, Administrator of the Manufactured Housing Division, about an amendment that he was proposing to the first reprint of AB 412, which pertained to the frequency of the PSC inspections.

Mr. Tetrault said that he had spoken with representatives of the tenant group, and that they had agreed to take out the requirement that the PSC inspect once a year. He indicated that the language in the bill now would require the PSC to inspect only if they were so requested by the Manufactured Housing Division of a local building department. He said the new language was found on page 10, line 33 of the bill (AB 412). Mr. Tetrault mentioned that AB 412 had no fiscal note, and presented a memo explaining that. The memo and a copy of the fiscal note form are attached as EXHIBIT H.

There was discussion concerning master metering situations in some of the mobile home parks. Bob Webber, Director of Building and Zoning in Clark County, remarked that a qualified private contractor did the testing on such master meter systems. He added that the utility companies would check only the master meter itself, but that they would not do any checking on any of the secondary meters in the system. It was also noted that master metering systems are not permitted in new parks.

There was further discussion among the Committee members concerning the methods of billing and collection with respect to master metering systems.

Tony Taormina, representing Washoe County, commented that the bill provided for all new parks to be individually metered after July 1st.

Mr. Webber, from Clark County, expressed concern with the possibility of overcrowding in mobile homes. He said that he could foresee a potential for tenant/landlord problems in this area and recommended that the reference to overcrowding be eliminated from the bill.

It was noted that Mr. Tetrault had recommended an amendment to the bill to eliminate the reference to overcrowding found on page 2, line 4.

Wayne Tetrault then explained his proposed amendments to the first reprint of AB 412. The amendments are found on the second page of EXHIBIT H.

Concern was expressed by the Carson City Building Department over the amendment proposed as item number 6, which added a new section to the bill to allow the Manufactured Housing Division to deposit funds into the State Treasury. The Building Department was assured that this section would apply only to the Manufactured Housing Division; that the cities and counties would continue handling their funds in the same way that they have been all along.

The representative from the Washoe County Building Department mentioned that the Building Department wanted to "stay clear of" Sections 27 and 28 of AB 412.

The representative from Carson City indicated that he wanted to reiterate that Carson City supported AB 412 as it is written and that he recommended the Committee pass the bill.

Dr. Robinson remarked that the work session to put AB 412 into its present form had removed all of the objectionable matter, and the bill now had everyone's support -- including the landlords.

Mr. Kovacs then read excerpts from a letter from Steve Zimmerman of the Las Vegas Board of Realtors, which gave a status report on the different projects presently under way in Clark County and Las Vegas to increase the availability of mobile home rental spaces in that area.

Wayne Tetrault then testified that AB 391 was a "clean-up" bill.

AB 391 MAKES VARIOUS AMENDMENTS TO PROVISIONS OF LAW GOVERNING MANUFACTURED HOUSING.

Mr. Tetrault indicated that a provision for full disclosure would be added to the law with this bill. He also explained that the bill would bring "commercial coaches" under the regulation of the Manufactured Housing Division so that the Division would be able to issue license plates to dealers in such coaches. The license plates were necessary, he said, in order to move the coaches from one place to another.

MR. DU BOIS MOVED TO ADOPT AMENDMENT NO. 585 TO AB 391 AND TO DO PASS THE BILL AS AMENDED. THE MOTION WAS SECONDED BY MR. PRENGAMAN AND CARRIED UNANIMOUSLY OF THOSE PRESENT.

Dr. Robinson requested that Mr. DuBois handle the bill on the floor of the Assembly.

Wayne Tetrault commented that he would prepare a short summary for Mr. DuBois.

A MOTION TO AMEND AND DO PASS ON AB 412 WAS MADE BY MR. KOVACS AND SECONDED BY MR. DINI. THE MOTION CARRIED UNANIMOUSLY OF THOSE PRESENT.

Dr. Robinson commented that he would obtain the proper amendments to AB 412 and he asked Mr. Prengaman to handle the bill on the floor.

Chairman Robinson then said that he had checked with the bill drafter on the amendment to AB 375, and that he had been assured that the provision requiring a disabled person receiving insurance benefits under a self-insured program to report his annual earnings had been changed. The new language, he said, required such persons to report their annual "employment." He further added that the same provisions would apply to persons receiving benefits under NIC coverage.

MR. PRENGAMAN MOVED TO ADOPT AMENDMENT NO 587 to AB 375 AND TO DO PASS THE BILL AS AMENDED. THE MOTION WAS SECONDED BY MR. KOVACS AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson assigned the floor work on AB 375 to Mr. Jeffrey. The Chairman commented that he would like to take action on the other bills that had been heard today.

MR. RUSK MOVED TO DO PASS ON AB 518. MR. DINI SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

MR. RUSK MADE THE MOTION TO DO PASS ON AB 519. THE MOTION WAS SECONDED BY MR. DINI AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson stipulated that he would handle the floor work for both AB 518 and AB 519.

MR. DINI MOVED TO DO PASS AB 475. MR. RUSK SECONDED THE MOTION. THE MOTION PASSED WITH 6 YEAS. DR. ROBINSON ABSTAINED DUE TO A CONFLICT OF INTEREST.

Dr. Robinson asked Mr. Prengaman to handle the floor work on AB 475.

MR. KOVACS MOVED TO AMEND AND DO PASS AB 442. THE MOTION WAS SECONDED BY MR. RUSK AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

The Chairman requested that Mr. Kovacs handle the bill on the floor.

MR. RUSK MOVED TO AMEND AB 556 WITH THE RECOMMENDATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS. MR. KOVACS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY OF THOSE PRESENT.

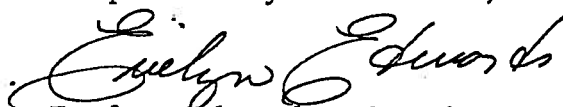
Dr. Robinson requested that Mr. Brady handle the floor work on the bill.

Mrs. Westall then came forward and indicated that she would prefer to have a subcommittee meeting on AB 556 before the Committee voted on it.

MR. PRENGAMAN MOVED TO RESCIND THE COMMITTEE ACTION ON AB 556. MR. DU BOIS SECONDED THE MOTION, AND IT CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson then adjourned the meeting.

Respectfully submitted,



Evelyn Edwards, Committee Secretary

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 29, 1981

SUBJECT A.B. 391: Makes various amendments to provisions of law governing manufactured housing.

MOTION:

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By DuBois Seconded By Prengaman

AMENDMENT: Adopt Amendment No. 585 and DO PASS AS AMENDED.

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns for MOTION, AMEND, and AMEND, and rows for VOTE: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 7, 0.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

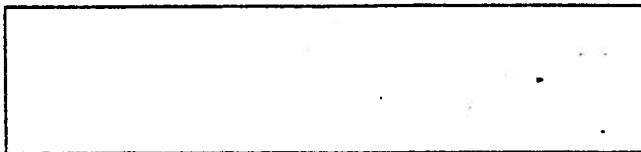
AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 29, 1981

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to <u>Assembly</u>	
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. <u>391</u>	Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Resolution No. <input type="checkbox"/>	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR. <u>43-1183</u>	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by <u>Committee on Commerce</u>	
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment N^o 585



Amend sec. 4, page 2, by deleting lines 7 and 8 and inserting:

"3. A copy of the order to stop work must be posted at or upon a recognized entrance of the mobile home or commercial coach."

Amend sec. 5, page 2, line 11, by deleting "repairs any vehicle" and inserting "repairs or installs any mobile home or commercial coach".

Amend sec. 11, page 4, line 16, after "trailers" by inserting "and commercial coaches".

Amend sec. 16, page 7, line 4, by deleting "certificate of" and inserting "certificate or".

Amend the bill as a whole by renumbering sections 18 through 21 as sections 20 through 23 and by inserting two new sections designated sections 18 and 19, following section 17, to read as follows:

"Sec. 18. NRS 489.621 is hereby amended to read as follows:

489.621 1. Except as provided in NRS 489.611, [the owner of any] any person who moves a mobile home or commercial coach [moved] upon any highway or road in this state shall, before that movement, apply to the county assessor for a mobile home or commercial coach trip permit. The assessor of the county from which the mobile hime is to be moved shall issue a trip permit for each section of the mobile home or commercial coach upon application presented in the form prescribed by the division, payment of a fee of [\$2,] \$3 for each permit, and proof

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Journal
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Bill

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Drafted by DS:ml Date 4-17-81

satisfactory to the assessor of ownership and that all property taxes, and use taxes if applicable, levied against the mobile home or commercial coach and its contents have been paid.

2. The trip permit authorizes movement over the highways and roads for a period of not more than 5 consecutive days following the date of issuance and the application and permit respectively must be used in lieu only of any certificate of registration and vehicle license number plate required by law.

Sec. 19. NRS 489.641 is hereby amended to read as follows:

489.641

1. The division shall determine the size, shape and form of the trip permit which may be part of a single form also containing the application for the permit. Each permit must bear the month and day of expiration in numerals of sufficient size to be plainly readable from a reasonable distance during daylight.

2. The trip permit must be prominently displayed on the rear of each section of the mobile home or commercial coach in the manner prescribed by the division at all times during which the mobile home or commercial coach is moved upon any highway or road. The permit must be made and displayed in a manner that renders the permit unusable when removed from the mobile home or commercial coach."

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 29, 1981

SUBJECT A.B. 412: Provides for regulation of condition of manufactured housing.

MOTION:

Do Pass [X] Amend [X] Indefinitely Postpone _____ Reconsiderer _____

Moved By Mr. Kovacs Seconded By Mr. Dini

AMENDMENT: As per attached EXHIBIT H (attached to minutes)

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	Absent	_____	_____	_____	_____	_____
BRADY	X	_____	_____	_____	_____	_____
BREMNER	Absent	_____	_____	_____	_____	_____
CHANEY	Absent	_____	_____	_____	_____	_____
DINI	X	_____	_____	_____	_____	_____
DUBOIS	X	_____	_____	_____	_____	_____
JEFFREY	Absent	_____	_____	_____	_____	_____
KOVACS	X	_____	_____	_____	_____	_____
PRENGAMAN	X	_____	_____	_____	_____	_____
RUSK	X	_____	_____	_____	_____	_____
ROBINSON	X	_____	_____	_____	_____	_____
TALLY:	7	0	_____	_____	_____	_____

ORIGINAL MOTION: Passed [X] Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes April 29, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 29, 1981

SUBJECT S.B. 375: Makes certain administrative changes in laws governing industrial insurance for self-insured employers.

MOTION:

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Prengaman Seconded By Kovacs

AMENDMENT: Adopt Amendment No. 587 and DO PASS AS AMENDED

(attached to minutes as EXHIBIT D)

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: MOTION (Yes, No), AMEND (Yes, No), AMEND (Yes, No) and rows for VOTE: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 7, 0

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 29, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 29, 1981

SUBJECT A.B. 518: Eliminates duplicate reference to judicial review in law relating to savings and loan associations.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Rusk Seconded By Mr. Dini

AMENDMENT:

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: VOTE, MOTION (Yes/No), AMEND (Yes/No), AMEND (Yes/No). Rows include names like BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON and a TALLY row showing 7 Yes and 0 No.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 29, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 29, 1981

SUBJECT A.B. 519: Removes reference to renewal of license in law relating to physicians.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Rusk Seconded By Mr. Dini

AMENDMENT:

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: VOTE, MOTION (Yes, No), AMEND (Yes, No), AMEND (Yes, No). Rows include BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, and TALLY: 7, 0.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 29, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 29, 1981

SUBJECT A.B. 475: Changes fees for licensing and administrative fines chargeable by Nevada State Board of Optometry

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Dini Seconded By Mr. Rusk

AMENDMENT:

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: MOTION (Yes, No), AMEND (Yes, No), AMEND (Yes, No) and rows for VOTE: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 6, 0

ORIGINAL MOTION: Passed x Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 29, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 29, 1981

SUBJECT A.B. 442: Makes various changes in law concerning dispensing opticians.

MOTION:

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Kovacs Seconded By Mr. Rusk

AMENDMENT: Change line 49, page 2 to read "must" instead of "shall"

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: VOTE, MOTION (Yes/No), AMEND (Yes/No), AMEND (Yes/No). Rows include names like BENNETT, BRADY, BREMNER, etc., and a TALLY row showing 7 Yes and 0 No.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 29, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 29, 1981

SUBJECT A.B. 556: Limits misleading use of "engineer" as title of position.

MOTION:

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Rusk Seconded By Mr. Kovacs

AMENDMENT: Amend by incorporating the Board's suggestions into the bill

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: VOTE, MOTION (Yes/No), AMEND (Yes/No), AMEND (Yes/No). Rows include names like BENNETT, BRADY, BREMNER, etc., and a TALLY row showing 7 Yes and 0 No.

ORIGINAL MOTION: Passed Defeated Withdrawn X

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 29, 1981

GUEST LIST

DATE: 4/29/81

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
CLARENCE E. BOSTIC	OPTICIANS	✓		AB 442
Harold Myers	OPTICIANS	✓		AB 442
Walter T. Myers	OPTICIANS	✓		AB 442
ERIK BEYER, Assembly	SPONSOR OF BILL	✓		AB 552
STAN WARRON	NEVADA POLICE	✓		AB 556
EDWARD L. PIRRO	Self	✓		AB 556
Marvin Sedway	Nev. State Board of Optometry	✓		AB 475
W. J. Daniels	Nev. Podiatric Assoc.	✓		AB 475
R. J. Myers	Nev. State Board of Optometry	✓		AB 475
F. J. Dawick	NV. Bd of Prof Eng'g & Land Surveyors	✓		AB 556

Assembly Bill NO. 556 - Assemblyme
WESTALL AND BEYER

April 23, 1981

Referred to Committee on Commerce

SUMMARY - Limits misleading use of "engineer" [as title of position] and variations thereof as a professional or commercial identification, representation, claim, asset, or means of advantage or benefit. (BDR 54-1500)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

Explanation - Matter underlined is new; matter in brackets[] is material to be omitted.

AN ACT relating to engineers; limiting the misleading use of "engineer" [as the title of a position] and variations thereof as a professional or commercial identification, representation, claim, asset, or means of advantage or benefit.

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

[SECTION 1. Chapter 625 of NRS is hereby amended by adding
thereto a new section which shall read as follows:

It is unlawful for any employer to use the term "engineer" as a title of a position unless:

1. The position really requires work which constitutes the proactice of professional engineering; and
2. The occupant of the position is in fact a registered professional engineer.]

SECTION 1. Chapter 625.520 1.(a)(2) is hereby amended to read as follows:
625.520 1.(a)(2) Employ, use or cause to be used any of the following terms or any combination, variation or abbreviation thereof as a professional or commercial identification, representation, claim, asset or means of advantage or benefit, namely, "engineer," "professional engineer," [or] "licensed engineer," "engineered," or "engineering;" or

MR. CHAIRMAN

COMMITTEE MEMBERS

STAN WARREN - NEVADA BELL

WANT TO SUPPORT WHAT IS ALREADY IN THE STATUTES

"THE PUBLIC UTILITY EMPLOYEES EXEMPTION FROM REGISTRATION REQUIREMENTS"

NRS 625.500

THIS EXEMPTION IN 625.500 FOR YEARS -

COMMON IN OTHER STATES

FRED DANIELS - MEETING APRIL 28, 1981 - STATE PROFESSIONAL ENGINEERS ASSOC

CONFIRMED EXEMPTION - DANIELS AGREES.

NEVADA BELL HAS A FEW REGISTERED PROFESSIONAL ENGINEERS

THE USE OF ENGINEER IN OUR TITLES IS FOR THE PERFORMANCE OF OUR INTERNAL
ENGINEERING OF COMMUNICATIVE EQUIPMENT/SERVICES

TRANSMISSION ENGINEER

PROTECTION ENGINEER

C/O EQUIPMENT ENGINEER

(ALLOWS BETTER COMMUNICATION BETWEEN TELEPHONE COMPANIES)

WE AGREE - "CONTROLLED USE OF THE PROFESSIONAL ENGINEERS TITLE -

BETTER PROTECTS THE PUBLIC FROM UNQUALIFIED ENGINEERS

OUR POSITION IS:

- WE DON'T OFFER ENGINEERING SERVICES TO THE PUBLIC
- TO ELIMINATE THE TITLE OF ENGINEER IN THE TELEPHONE INDUSTRY
WOULD NOT BENEFIT THE PUBLIC
- OUR COMPANY - NOT OUR EMPLOYEE BEARS FULL RESPONSIBILITY FOR ITS SERVICE
- ENGINEERING TITLES HAVE BEEN USED IN OUR BUSINESS FOR YEARS TO
IDENTIFY THE INTERNAL SERVICES/FUNCTIONS EACH PERFORMS -

I.E. TRANSMISSION ENGINEER

THIS HELPS EFFICIENCY - PROVIDES BETTER CUSTOMER SERVICE

I HOPE MY EXPLANATIONS HAVE HELPED YOU UNDERSTAND THE UTILITY
EXEMPTION.

CAN BOB GEORGE OR I ANSWER YOUR QUESTIONS.

885

STAN WARREN
4/29/81
AB556

EXHIBIT C

625.500 PROFESSIONAL ENGINEERS; SURVEYORS

625.500 Public utility employees, architects exempt from registration requirements. The registration requirements of this chapter do not apply to the employees of interstate or intrastate public utility companies while they are engaged in work for such companies or to any architect registered under the provisions of chapter 623 of NRS and who practices architecture as permitted by chapter 623 of NRS.

[Part 2:198:1919; A 1937, 491; 1947, 797; 1949, 639; 1951, 459]—
(NRS A 1965, 1329; 1975, 173; 1977, 320)

PROHIBITIONS AND PENALTIES

625.510 Investigation of complaints by board. It shall be mandatory upon the board:

1. To investigate any complaints or reported violations of any of the provisions of this chapter; and
2. To take the steps necessary to prosecute such violations if the board deems it necessary.

[18:198:1919; added 1955, 391]

625.520 Unlawful practice of engineering: Penalty; injunctive relief.

1. It is unlawful for:

(a) Any person, firm, partnership or corporation not properly licensed or exempted under the provisions of this chapter to:

(1) Practice, continue to practice, offer to practice or attempt to practice engineering or any branch thereof;

(2) Employ, use or cause to be used any of the following terms or any combination, variation or abbreviation thereof as a professional or commercial identification, representation, claim, asset or means of advantage or benefit, namely, "engineer," "professional engineer" or "licensed engineer"; or

(3) Directly or indirectly employ any means which in any manner whatsoever tends or is likely to create the impression on the public or any member thereof that any person is qualified or authorized to practice engineering.

(b) Any registered professional engineer to practice or offer to practice a branch of professional engineering in which the board has not qualified him.

(c) Any person to present or attempt to use, as his own, the certificate of registration or the seal of another.

(d) Any person to give any false or forged evidence of any kind to the board or any member thereof in obtaining a certificate of registration.

(e) Any person to impersonate falsely any other registrant of like or different name.

(f) Any person to attempt to use an expired or revoked certificate of registration.

(g) Any person to violate any of the provisions of this chapter.

EXHIBIT D

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION		SENATE ACTION		Assembly	AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to	Assembly
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>		Joint
Date:		Date:		Bill No.	375
Initial:		Initial:			Resolution No.
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	BDR	53-1094
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>	Proposed by	Committee on Commerce
Date:		Date:			
Initial:		Initial:			

Amendment N^o 587



Amend section 1, page 1, line 15, by deleting "commission." and inserting:

"commission [.] or the commissioner of insurance if the employer is self-insured."

Amend sec. 3, page 2, by deleting line 13 and inserting:

"616.342 1. The commission and the commissioner of insurance, jointly,"

Amend sec. 3, page 2, by deleting lines 32 and 33 and inserting:

"4. The commission and the commissioner of insurance, jointly, may [, from time to time,] order necessary changes in a panel of physicians, and".

Amend sec. 6, page 3, by deleting lines 17 through 27, and inserting:

"2. [Whether knowledge of the same comes to the attention of the employer by the report or otherwise, the employer may at once designate and authorize in writing a physician who shall be permitted by the employee or any person or persons in charge of the employee to make one examination of the injured employee in order to ascertain the character and extent of the injury and to render medical attention as may be required immediately. Thereupon, it shall be the duty of the physician so designated to report forthwith to the employer and to the commission the character and extent of the injury.] When an employer learns of an accident, whether or

To: E & E
LCB File
Journal
Engrossment
Bill

Drafted by DS:smc Date 4-17-81

057

not it is reported, the employer shall direct the employee to submit to an examination by a physician in order to ascertain the character and extent of the injury and render medical attention which is required immediately. The employer may furnish the names, addresses and telephone numbers of one or more physicians, but may not require the employee to select any particular physician."

Amend sec. 6, page 3, line 30, by deleting "commissioner of insurance." and inserting:

"employer, if the employer is self-insured.

4. This section does not prohibit an employer from requiring the employee to submit to an examination by a physician specified by the employer at any convenient time after medical attention which is required immediately has been completed."

Amend sec. 8, page 4, line 4, before "If" by inserting "1.".

Amend sec. 8, page 4, line 13, before "If" by inserting "2.".

Amend sec. 8, page 4, by inserting below line 20:

"3. If the commissioner of insurance orders a change of physicians or of any other accident benefits, the cost of the change must be borne by the self-insured employer"

Amend sec. 12, page 5, line 32, after "ordered by" by inserting: "an appeals officer or".

Amend sec. 14, page 6, line 24, by deleting "earnings" and inserting:

"[earnings] employment".

Amend sec. 14, page 6, line 29, by deleting "earnings" and inserting:

"[earnings] employment".

Amend sec. 14, page 6, line 33, by deleting "earnings" and inserting:

"employment".

Amend sec. 15, page 6, by deleting lines 45 and 46 and inserting: "designated by the commission [f, or board of physicians,] or by the commissioner of insurance, in accordance with the current American Medical".

Amend sec. 15, page 6, lines 47 and 48, by deleting "Impairment." and inserting "[Impairment.]"

"Impairment," as it exists on the date most recently specified by joint regulation of the commission and the commissioner. The commission and the commissioner may supplement this publication by adopting joint regulations for a supplemental guide."

Amend sec. 15, page 7, by deleting lines 44 and 45, and inserting:

"adopted jointly by the commission [.] and the commissioner of insurance. The tables must be reviewed annually by a con-"

Amend sec. 15, page 8, line 15, by deleting "and the commissioner of insurance".

Amend sec. 15, page 8, line 16, after "disabilities" by inserting: "resulting from injuries sustained before July 1, 1973,".

Amend sec. 17, page 8, line 31, after "required by" by inserting: "a hearing officer,".

EXHIBIT E

INSTRUCTIONS TO INJURED WORKERS

1. All employees must notify Security and your Supervisor IMMEDIATELY of any injury or occupational disease suffered arising out of and in the course of employment. Do not neglect to report minor injuries to Security and your Supervisor.

2. If you are injured accidentally or incur an occupational disease arising out of and in the course of your employment prior to July 12, 1980, at 12:01 a.m., your injury or disease is covered under the Nevada Industrial Commission.

For all accidents or occupational diseases occurring after 12:01 a.m., July 12, 1980, you are covered under Hilton Hotels Workers Compensation Self Insurance Programs. Both programs cover all medical and disability compensation subject to the limitations prescribed by the Nevada Industrial Insurance Act.

3. If your injury requires emergency care, the Security Department will transport you to the office of Dr. Elias Ghanem, 3111 Joe W. Brown Drive, Las Vegas, NV 89109, who will provide emergency treatment and initial examination. Thereafter all continued treatment is at the discretion of Hilton Hotels Claims Administration. If you are not satisfied with the treatment you are receiving or with your doctor, you may request a change of doctors in writing to the Hilton Compensation Claims Administrator. This change must be approved in writing before you change doctors. This applies to M.D.s, Osteopaths and Chiropractors, and all other branches of the medical profession as recognized by the Workers Compensation Act of the State of Nevada, and the Nevada Industrial Commission.

4. As soon as possible after the injury or onset of illness, you and the attending physician must complete either an NIC C-4 or a Hilton C-4 Employee's Claim for Compensation/Physician's report of Initial treatment. These report forms are available in your doctor's office or from the Compensation Claims Administrator at Hilton, and must be signed by you and your doctor and sent by your doctor to the Hilton Compensation Claims Office, Flamingo Hilton, Las Vegas, NV 89109 in order that you may be provided with proper medical care and compensated for disability from work if warranted.

5. If you are entitled to compensation for lost time due to legitimate job incurred injury or occupational disease, it will be paid promptly provided all necessary data has been provided to us promptly. The method of payment and the limits on amounts payable have been set by law. Basically the law does not provide disability compensation unless you are disabled for FIVE CONSECUTIVE DAYS. Your attending physician will notify you when, in his opinion you are able to return to work. If you should return to work before that time, you are required to notify your doctor and the Hilton Claims Administrator of the exact date.

6. If our records indicate you have a permanent partial disability after the doctor has terminated treatment, your disability will be evaluated before your case is closed.

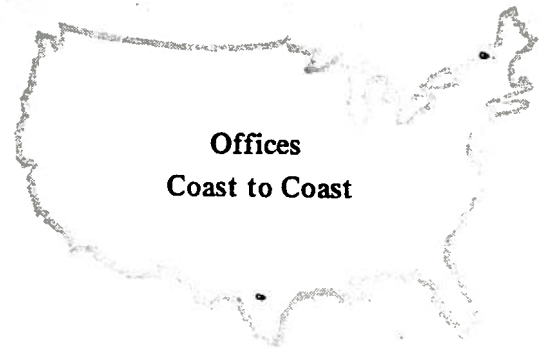
7. You must obtain express permission of the Claims Administrator before leaving Nevada for any extended period of time or before consulting an out-of-state doctor.

890

8. ANY EMPLOYEE WHO WILLFULLY MAKES A FALSE STATEMENT OR MISREPRESENTATION FOR THE PURPOSE OF OBTAINING COMPENSATION OR MEDICAL BENEFITS SHALL BE GUILTY OF A MISDEMEANOR AND SHALL FORFEIT ALL RIGHTS UNDER THE ACT AFTER CONVICTION FOR SUCH OFFENSE.

*The Gibbens Co., Inc.**Unemployment Tax Control*

Executive Offices
 P.O. Box 7378
 Reno, Nevada 89510
 (702) 826-6600



April 16, 1981

Dr. R. E. Robinson,
 Chairman, Assembly Commerce Committee
 Nevada State Legislative Building
 Carson City, Nevada 89714

Dear Dr. Robinson,

During the public hearing on AB375, you took exception to the practice of employers designating a physician or panel of physicians for the initial determination of the character and extent of the injury and to render medical attention as may be required immediately. You stated the employee should not be initially treated or examined by the "company doctor" but the employee should have a free choice of doctors.

The employers have received their authorization from NRS616.360, subsection 2. This statute was originally adopted in 1943 and the latest ammendment was 1947. (Enclosed is a photo-copy of the statute.) In our opinion, this language is needed. After the initial determination, the employee (NRS616.415 sub.4) is required to accept the services of the "company doctor", but may choose his treating physician from the panel (NRS616.342) of physicians which is appointed by the commission (subsection 1). If the employee is dissatisfied with his first choice from the commission's panel (subsection 2), within 45 days of the injury, he can make another choice from the panel. (Usually, this panel is any physician listed in the telephone book yellow pages. Also, there has been an ammendment adopted by the current assembly body extending the 45 days to 90 days.)

Assemblyman Bremner objected to the wording on page 6, line 31 through line 36 which required a permanent total disability recipient to report to the self insured employer his earnings. Please note this wording is almost the exact wording in NRS616.583 which was adopted in 1973 and

April 16, 1981

Re: AB375

Page 2.

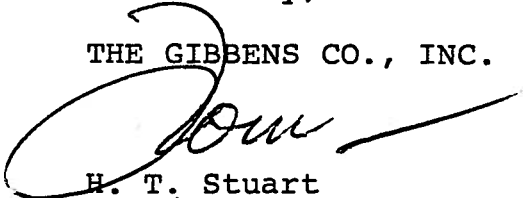
ammended in 1979. The N.I.C. has found it necessary to have this information. If they have had the need previously, the self insured employer will, at some point, also need it.

We hope, for the benefit of employers to help control escalating claim costs, you will not make the changes you were suggesting. The employee is and will always be provided freedom to obtain "competent medical treatment." The employer should be provided, when he becomes aware of the injury, the opportunity to determine the extent of the injury. Many times this information is needed because of employment and/or production schedules.

We (Dave Addison or I) will be happy to discuss the treating physician with you if you would like. Interpretation, between the N.I.C. insured or self insured employers, is the same. You have probably become aware of the activity because the self insured employer more actively pursues his claim costs.

Yours truly,

THE GIBBENS CO., INC.



H. T. Stuart

HTS:kaj

cc: Assemblyman Bremner
Dave Addison

NEVADA
INDUSTRIAL INSURANCE
AND THE
NEVADA OCCIDENTAL

INDUSTRIAL INSURANCE

616.365

616.353 Commission payment to physician attending injured employee conditioned upon receipt of itemized statement and certificate from physician. The commission shall not authorize the payment of any moneys to a physician and surgeon for professional services rendered by him in attending an injured employee until and unless an itemized statement for such professional services has been received by the commission accompanied by a certificate of the physician and surgeon stating that a duplicate of such itemized statement has been mailed or personally delivered to the employer of the injured employee.
(Added to NRS by 1957, 232)

616.355 Physician's testimony before commission; privileged communications. Any physician, having attended an employee within the provisions of this chapter or chapter 617 of NRS in a professional capacity, may be required to testify before an appeals officer or the commission when it so directs. Information gained by the attending physician or surgeon, while in attendance on the injured employee, is not a privileged communication if required by an appeals officer or the commission for a proper understanding of the case and a determination of the rights involved.
[Part 52:168:1947; 1943 NCL § 2680.52]—(NRS A 1975, 763; 1977, 314)

616.360 Employee to report accident, injury to employer; examination of employee.

1. Whenever any accident occurs to any employee, it shall be the duty of the employee forthwith to report the accident and the injury resulting therefrom to the employer.

2. Whether knowledge of the same comes to the attention of the employer by the report or otherwise, the employer may at once designate and authorize in writing a physician who shall be permitted by the employee or any person or persons in charge of the employee to make one examination of the injured employee in order to ascertain the character and extent of the injury and to render medical attention as may be required immediately. Thereupon, it shall be the duty of the physician so designated to report forthwith to the employer and to the commission the character and extent of the injury.

3. Further medical attention, except as otherwise provided in NRS 616.415, shall be subject to authorization of and approval by the commission.

[Part 52:168:1947; 1943 NCL § 2680.52]

616.365 Effect of employee's failure to report injury; refusal to submit to examination. If the happening of the accident or the infliction of the injury to the employee shall not have been reported by the employee or his physician forthwith, as described in this chapter, and immediately after the happening of the accident and injury, or if the injured employee or those in charge of him (the injured employee being a party to the refusal) shall refuse to permit the physician so designated

NEVADA
INDUSTRIAL
INSURANCE ACT
AND THE
NEVADA
OCCUPATIONAL
DISEASES ACT

Compiled and Issued by the
Nevada Industrial
Commission



616.583 Permanent total disability: Recipient of compensation to report annual earnings; payments suspended if report not made. Any employee receiving permanent total disability benefits shall report annually on the anniversary date of the award to the commission all of his earnings for the prior 12-month period. In the event the employee fails to make such a report to the commission within 30 days following the anniversary date, the commission shall notify the employer and the employee that such reports have not been received and the commission may then order any further payments suspended until such report of earnings is filed with the commission.

(Added to NRS by 1973, 598; A 1979, 1057)

616.585 Temporary total disability: Compensation. Every employee in the employ of an employer, within the provisions of this chapter, who shall be injured by accident arising out of and in the course of employment, or his dependents as defined in this chapter, shall be entitled to receive the following compensation for temporary total disability:

1. During the period of temporary total disability, 66 2/3 percent of the average monthly wage.
2. Any increase in compensation and benefits effected by the amendment of subsection 1 shall not be retroactive.
3. For purposes of temporary total disability benefits under this section, the period of temporary total disability shall cease when any competent medical authority determines such employee is capable of any gainful employment.

[Part 59:168:1947; A 1949, 659; 1951, 485; 1953, 292; 1955, 901]—
(NRS A 1957, 72; 1959, 201; 1963, 837; 1965, 226; 1966, 43; 1969, 472; 1971, 322; 1973, 531; 1975, 253)

616.595 Permanent partial disability: Loss or permanent damage to teeth. The following schedule shall apply in rating loss of, or permanent damage to, teeth:

Incisors.....	\$20
Bicuspids.....	30
Molars.....	40

[Part 64:168:1947; A 1951, 485]

616.605 Permanent partial disability: Compensation; lump sum payments.

1. Every employee, in the employ of an employer within the provisions of this chapter, who is injured by an accident arising out of and in the course of employment is entitled to receive the compensation provided in this section for permanent partial disability. As used in this section "disability" and "impairment of the whole man" are equivalent terms.

2. The percentage of disability must be determined by a physician

The Gibbens Co., Inc.

Unemployment Tax Control

Executive Offices
P.O. Box 7378
Reno, Nevada 89510
(702) 826-6600

Offices
Coast to Coast

April 16, 1981

~~Assemblyman Roger Bremner
Nevada State Legislative Building
Carson City, Nevada 89701~~

Re: AB375

Dear Roger,

During the public hearing on the above bill you questioned two items and did not receive a complete response. The enclosed letter to Dr. Robinson answers one of your questions. Your other question was, "why did the N.I.C. or employer need an itemized bill before they pay a medical bill?"

Many times an injured worker, while receiving treatment for the industrial injury, will also be receiving treatment for another medical problem. The physician's services for the non-industrial medical treatment is not compensable by the N.I.C. or self insured employer. An itemized statement of services is usually the method of determining what charges are payable.

The wording in AB375, page 3, lines 9 through 12 is similar to the wording in NRS616.353 which was adopted in 1957.

For your verification of this, talk to our mutual friend, Dick Morris, who originally introduced us.

Please let me know if you have more questions. We hope you will pass this bill without some of the proposed ammendments.

Yours truly,

THE GIBBENS CO., INC.


H. T. Stuart

HTS:kaj

cc: Dr. R. E. Robinson
Dave Addison

EXHIBIT G

MAJOR DIFFERENCES BETWEEN A.B. 30 AND A.B. 31 AND A.B. 412 AND A.B. 432

I. UNIFORM HOUSING CODE PROVISIONS FOR MOBILE HOME PARKS

A. Permits

A.B. 31 provides for permits in section 18 and includes permits for operation of a park.

A.B. 412's permits, which are addressed in section 24 starting on line 41 of page 8 of the bill, appear to relate to construction only.

B. Permit Fees

A.B. 31 provides for fees in sections 21 and 22 for operation of a park.

A.B. 412 has no such provisions.

A.B. 31 provides for fees for enforcing the chapter in section 18.

A.B. 412 permits enforcement agencies to charge and collect reasonable fees, specified by ordinance or regulation, for their services in section 24 beginning at line 47 on page 8.

C. Regulation

A.B. 31 provides for the adoption of regulations by the administrator of the manufactured housing division in section 14.

A.B. 412 covers this provision in section 9 starting on line 44 of page 2.

D. Local Assumption

A.B. 31 provides for local assumption in section 15, page 3.

A.B. 412 provides for local assumption, with less restrictions, in section 22 on page 8.

E. Misdemeanor Penalties

A.B. 31 has misdemeanor penalties in section 27, administrative remedies for violations in section 25 and civil remedies in section 26.

A.B. 412 provides for misdemeanor penalties and civil remedies in section 26. Major civil penalties, costs of moving mobile homes and administrative remedy provisions contained in A.B. 31 appear to be omitted from A.B. 412.

F. Conduct of Investigative Hearing

These provisions are contained in section 16 of A.B. 31 and 21 of A.B. 412.

II. HEALTH INSPECTIONS OF MOBILE HOME PARKS

A.B. 31 requires annual health inspections of mobile home parks on page 12, lines 4 through 18, and contains provisions for inspections of rental mobile homes.

A.B. 412 does not contain similar provisions.

III. ADMINISTRATION OF THE MOBILE HOME PARK LANDLORD LAW

The interim subcommittee's recommendation relating to the administration of the mobile home park landlord tenant law starts on page 7, section 29, of A.B. 31. As can be seen, there are provisions for local enforcement in section 40, inspection of parks in section 38, investigations in section 41, regulations in section 39, and administrative sanctions in section 45.

The administrator of the manufactured housing division is permitted, under section 38, to issue subpoenas, conduct hearings and administer oaths.

A.B. 412 contains no such provisions.

IV. UTILITIES IN MOBILE HOME PARKS

A. A.B. 31 contains three interim committee recommendations relating to mobile home parks. They are that:

1. Master meters be prohibited unless individual meters are provided to tenants;
2. Landlords of master metered mobile home parks provide facilities to tenants for determining the accuracy of individual meters on the master utility meter system; and
3. The public service commission be given authority over gas and electric distribution lines and associated equipment in mobile home parks.

These recommendations are contained in sections 42, 43, 44 and 53 of A.B. 31.

B. A.B. 412 does not contain a master meter phase-out requirement nor the provisions for determining meter accuracy. It does, however, contain the provision relating to the public service commission being given authority over gas and electric distribution lines and associated equipment in mobile home parks. (See section 29 beginning on line 33 of page 10 of the bill.)

V. PUNITIVE DAMAGES FOR VIOLATION OF THE MOBILE HOME LANDLORD TENANT LAW

Page 1, section 3, of A.B. 30 provides for the prevailing party to receive up to \$500 in exemplary damages for each willful violation of the mobile home landlord tenant law.

A similar exemplary damage provision is not contained in A.B. 412.

VI. CRITERIA FOR MOBILE HOME PARK RULES RELATING TO GUESTS AND CHILDREN IN MOBILE HOME PARKS

A.B. 30 contains provisions which specify that the landlord not adopt or enforce rules or regulations (1) prohibiting a tenant from having a guest, except if the presence of the guest constitutes a nuisance; or (2) establishing areas for adults only in parks which allow children, unless the restriction is clearly posted in those areas.

A.B. 412 contains no such provision.

A.B. 432 does, however, contain related provisions in section 5.

VII. CLOSED PARKS

A. A.B. 30 requires, on page 3, section 6, that no mobile home park owner, or his authorized agent, require a prospective tenant to purchase a mobile home from him or any other person in order to obtain a mobile home site.

B. A.B. 412 contains this provision in section 27 starting on line 17 of page 9.

VIII. EXTENDED LENGTH OF NOTICE FOR ADOPTED OR AMENDED RULES IN MOBILE HOME PARKS

A. A.B. 30 would amend the law to double the time from 60 to 120 days in which notice must be given of new or amended mobile home park rules or regulations. This recommendation is contained on line 45 of page 2 of A.B. 30.

B. A.B. 412 does not contain this provision.

C. A.B. 432 contains a 120 day requirement for notice for rent increases and service fees. It also, on page 6, line 17, contains a general 120 day notice requirement for amended rules or regulations.

IX. MEMBERSHIP ON MOBILE HOME PARK LANDLORD TENANT MEDIATION BOARDS

- A. A.B. 30 requires that mobile home landlord tenant mediation boards include members representing respectively organizations of owners and organizations of tenants, if any. (See page 4, lines 15 and 16 of the bill.)
- B. A.B. 412 does not contain a similar provision.
- C. A.B. 432 does, however, require that such boards contain persons who are not directly associated with the manufacturing, selling or leasing of mobile homes. The members of the board must be selected, under the bill, from lists supplied by representative associations of landlords and tenants where possible. The board is required to elect a chairman from among the members who represent the general public. The board is given new powers including recommending any action which it deems necessary for an equitable solution to the dispute to the appropriate enforcement agency. (See section 20 on page 10.)

X. MOBILE HOME SPACE RENT REVIEW

This provision, which is contained in A.B. 30, is not contained in either A.B. 412 or A.B. 432.

XI. OTHER PROVISIONS CONTAINED IN A.B. 432

A.B. 432 contains other provisions relating to:

- A. A landlord requiring a tenant to pay his rent by check (section 2).

- B. Landlords restricting the distribution of notices relating to park meetings (section 2).
- C. The landlords advising tenants and stating their reasons in writing if they find that prospective subtenants do not meet requirements for tenancy in the park (section 3).
- D. Landlords prohibiting tenants from removing landscaping and fencing which the tenant supplied (section 3).
- E. Landlords being permitted to require tenants to landscape and maintain their lots (section 4).
- F. Landlords charging maintenance fees for maintenance of tenants' lots (section 4).
- G. Requiring tenants to move if their mobile homes are unoccupied for 90 days (section 4).
- H. Changing the status of the park to an adult only park and advertising adult only parks (section 5).
- I. Land use changes of the park including conversion to "estate" or "condominium" park (section 6).
- J. A landlord giving a signed copy of the lease to the tenant (section 9).
- K. The provisions in rental contracts or agreements (sections 9 and 10).
- L. Landlords giving copies of NRS sections to mobile home park tenants (section 11).
- M. Rental deposits (section 12).
- N. Landlords' rules concerning capital improvements by tenants (section 13).

- O. Uniform enforcement of park rules (section 13).
- P. Fees for pets (section 14).
- Q. Service fees and fees for late monthly payments (page 7 starting on line 28).
- R. A 12-month termination notice if the termination is because of a change in use of the land by the landlord (section 16).
- S. Conditions which make a mobile home unfit for tenancy (section 19).
- T. Actions for unlawful detainer (section 22).

DAR/11p5.1.BILLS

EXHIBIT G-1

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 412

ASSEMBLY BILL NO. 412—COMMITTEE ON COMMERCE

MARCH 31, 1981

Referred to Committee on Commerce

SUMMARY—Provides for regulation of condition of manufactured housing. (BDR 40-1244)

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

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

AN ACT relating to manufactured housing; providing for the regulation of its condition and for the enforcement of laws governing the condition of manufactured housing; providing a procedure for local assumption of responsibility for that regulation and enforcement; providing penalties; 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 40 is hereby amended by adding thereto a new
2 chapter to consist of the provisions set forth as sections 2 to 26, inclu-
3 sive, of this act.

4 SEC. 2. As used in this chapter, unless the context otherwise
5 requires, the terms defined in sections 3 to 7, inclusive, of this act have
6 the meanings ascribed to them in those sections.

7 SEC. 3. "Administrator" means the chief of the manufactured hous-
8 ing division.

9 SEC. 4. "Agency for enforcement" or "agency" means the division
10 or the city or county which has responsibility for the enforcement of the
11 provisions of this chapter and the regulations adopted under it.

12 SEC. 5. "Division" means the manufactured housing division of the
13 department of commerce.

14 SEC. 6. "Mobile home" means a vehicular structure without inde-
15 pendent motive power, built on a chassis or frame, which is:

- 16 1. Designed to be used with or without a permanent foundation;
17 2. Capable of being drawn by a motor vehicle; and
18 3. Used for year-round occupancy as a residence, when connected
19 to utilities, by one person who maintains a household or by two or more
20 persons who maintain a common household.

21 Except as provided in section 23 of this act, the term does not include a
22 recreational vehicle.

*means similar language to
A B 30 or 31*

1 SEC. 7. "Nuisance" includes:

- 2 1. Any nuisance as defined in NRS 40.140.
3 2. As determined by the agency:
4 (a) Overcrowding a room with occupants;
5 (b) Insufficient ventilation or illumination; or
6 (c) Inadequate or unsanitary sewage or plumbing facilities.
7 3. As determined by the county health officer:
8 (a) Uncleanliness;
9 (b) Any situation which renders air, food or drink unwholesome or
10 detrimental to the health of human beings; or
11 (c) Any situation which is dangerous to human life or is detrimental to
12 the health of human beings.

13 SEC. 8. Except as provided in section 22 of this act, the provisions of
14 this chapter shall be administered by the division, subject to adminis-
15 trative supervision by the director or the department of commerce.

16 SEC. 9. 1. In order to carry out the provisions of this chapter, the
17 administrator may:

- 18 (a) Issue subpoenas for the attendance of witnesses or the production
19 of books, papers and documents; and
20 (b) Conduct hearings.

21 2. The administrator may make inspections of and approve or dis-
22 approve plans and specifications for proposed mobile home parks and
23 alteration of mobile home parks. When it is necessary to make an inspec-
24 tion to enforce any of the provisions of this chapter or when the admin-
25 istrator or his authorized representative has reasonable cause to believe
26 that there exists in any mobile home or upon any premises any condition
27 or violation which makes the mobile home or premises unsafe, dangerous
28 or hazardous, the administrator or his authorized representative may enter
29 the mobile home or premises at any reasonable time to inspect it or to
30 perform any duty imposed upon the administrator. If the mobile home or
31 premises is occupied, he shall first present proper credentials and request
32 entry and if the mobile home or premises is unoccupied, he shall first
33 make a reasonable effort to locate the owner or other persons having
34 charge or control of the mobile home or premises and request entry. If
35 entry is refused, the administrator or his authorized representative has
36 recourse to every remedy provided by law to secure entry.

37 3. A magistrate shall issue a warrant to permit an inspection if the
38 administrator has shown:

- 39 (a) Evidence that a violation of a provision of this chapter or a reg-
40 ulation adopted under it has been committed or is being committed; or
41 (b) That the mobile home or premises have been chosen for an inspec-
42 tion on the basis of a general administrative plan for the enforcement of
43 the provisions of this chapter and the regulations adopted under it.

44 4. The administrator shall adopt regulations to carry out the pur-
45 poses of this chapter and to govern the use and occupancy of mobile
46 homes and premises. The regulations must establish minimum require-
47 ments to protect the health and safety of the occupants and the public
48 and must provide for the abatement of any substandard, unsafe or
49 unsanitary condition of a mobile home or premises or of the electrical,
50 mechanical or plumbing systems therein.

1 5. The administrator shall adopt regulations to govern the construc-
2 tion and alteration of mobile home parks and lots within the parks. The
3 regulations must establish standards to protect the health, safety and
4 general welfare of the residents of the parks, and must contain provisions
5 relating to:
6 (a) The construction and maintenance of roadways, driveways, walk-
7 ways and permanent buildings;
8 (b) Plumbing and the supply of water;
9 (c) Disposal of refuse and sewage;
10 (d) Electrical wiring, fixtures and equipment;
11 (e) Gas equipment and related installations;
12 (f) Prevention of fire and fire protection; and
13 (g) Other matters which relate to the health and safety of residents.
14 6. When construction, rebuilding or other work is being performed
15 or is about to be performed in violation of the provisions of this chapter
16 or a regulation adopted pursuant to this chapter, the administrator may
17 order the work stopped by written notice served on any person perform-
18 ing the work or causing the work to be done, and the person shall
19 immediately stop the work until authorized by the administrator to
20 proceed.
21 SEC. 10. Any mobile home where there exists any of the following
22 listed conditions which endangers the life, health, property, safety or
23 welfare of the public or the occupants of the mobile home is hereby
24 declared to be substandard:
25 1. Inadequate sanitation.
26 2. Structural hazards.
27 3. Nuisance.
28 4. Hazardous wiring.
29 5. Hazardous plumbing.
30 6. Hazardous mechanical equipment.
31 7. Faulty weather protection.
32 8. A condition as to cause a fire or explosion.
33 9. Faulty materials of construction.
34 10. Hazardous or unsanitary premises.
35 SEC. 11. Any mobile home which is determined to be substandard by
36 the agency is hereby declared to be a nuisance and must be abated by
37 repair, demolition or removal.
38 SEC. 12. 1. When the agency has inspected or caused to be inspected
39 any mobile home and has determined that the mobile home is sub-
40 standard, proceedings to cause the mobile home to be repaired, vacated
41 or demolished must be commenced.
42 2. The agency shall issue an order directed to the owner and lien-
43 holder of the mobile home and the owner of the land on which the mobile
44 home is located. The order must contain:
45 (a) The street address and legal description sufficient for identifica-
46 tion of the mobile home and premises upon which the mobile home is
47 located.
48 (b) A statement that the agency has found the mobile home to be
49 substandard with a brief and concise description of the conditions found

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1 to render the mobile home substandard under the provisions of this
2 chapter.

3 (c) A statement as follows of the action required to be taken as deter-
4 mined by the agency:

5 (1) If the agency has determined that the mobile home must be
6 repaired, the order must state that all required permits must be secured
7 and the work physically commenced within 60 days from the date of
8 the order and completed within such time as the agency shall determine
9 is reasonable under all of the circumstances.

10 (2) If the agency has determined that the mobile home must be
11 vacated, the order must state that the mobile home must be vacated
12 within a certain time from the date of the order as determined by the
13 agency to be reasonable.

14 (3) If the agency has determined that the mobile home must be
15 demolished, the order must state that the mobile home must be vacated
16 within such time as the agency shall determine is reasonable, not to
17 exceed 60 days from the date of the order, that all required permits
18 must be secured within 60 days from the date of the order, and that the
19 demolition must be completed within such time as the agency shall
20 determine is reasonable.

21 (d) Statements advising that if any required repair or demolition work,
22 where the mobile home was not required to be vacated, is not com-
23 menced within the time specified, the agency will order the building
24 vacated and posted to prevent further occupancy until the work is com-
25 pleted, and may proceed to cause the work to be done and charge the
26 costs of repair as provided by this chapter.

27 (e) Statements advising that any person having any title or legal
28 interest in the mobile home may appeal from the order or any action of
29 the agency and that the appeal must be made in writing and filed with
30 the agency within 10 days from the date of the service of the order and
31 that failure to appeal constitutes a waiver of all rights to an administrative
32 hearing and determination of the matter.

33 SEC. 13. 1. The following procedure must be followed by the agency
34 in ordering that a substandard mobile home be repaired, vacated or
35 demolished:

36 (a) If any mobile home is declared substandard under this chapter it
37 must either be repaired or it may be demolished at the option of the
38 owner and lienholder.

39 (b) If the mobile home is in such condition as to make it immediately
40 dangerous to the life, property or safety of the public or of the occupants,
41 it must be ordered to be vacated.

42 2. Every notice to vacate must, in addition to being served, be posted
43 at each exit of the mobile home, and must be in substantially the fol-
44 lowing form:

45 DO NOT ENTER
46 UNSAFE TO OCCUPY

47
48 It is a misdemeanor to occupy this structure or to remove or
49 deface this notice.

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1 The notice must also briefly and concisely specify the conditions which
2 necessitate the posting.

3 3. No person may remain in or enter any mobile home to which a
4 notice pursuant to subsection 2 has been posted, except that entry may
5 be made to repair, demolish or remove the mobile home under a permit
6 from the agency. No person may remove or deface any such notice after
7 it is posted until the required repairs, demolition or removal has been
8 completed and a certificate of occupancy has been issued.

9 SEC. 14. If, after any order of the agency has become final, the
10 person to whom the order is directed fails to obey the order, the agency
11 may cause the person to be prosecuted or institute any appropriate
12 action to abate the substandard mobile home.

13 SEC. 15. 1. If the required repair or demolition is not commenced
14 within 30 days after a final order issued under this chapter becomes
15 effective:

16 (a) The agency shall cause the mobile home described in the order
17 to be vacated by posting at each exit of the mobile home a notice
18 reading:

19
20 **SUBSTANDARD STRUCTURE**
21 **DO NOT OCCUPY**

22 It is a misdemeanor to occupy this structure or to remove or
23 deface this notice.

24 (b) A person may not occupy any mobile home to which a notice
25 pursuant to paragraph (a) has been posted. No person may remove or
26 deface any such notice so posted until the repairs, demolition or removal
27 ordered by the agency have been completed and a certificate of occu-
28 pancy has been issued.

29 (c) The agency may, in addition to any other remedy provided in
30 this section:

31 (1) Cause the mobile home to be repaired to the extent necessary to
32 correct the conditions which render the mobile home substandard as
33 set forth in the order; or

34 (2) If the order required demolition, cause the mobile home to be
35 sold and demolished or, to be demolished and the materials, rubble and
36 debris removed and the lot cleaned.

37 Any such repair or demolition work must be accomplished and the cost
38 paid and recovered in the manner provided in this chapter. Any surplus
39 realized from the sale of the mobile home or from its demolition, above
40 the cost of demolition and of cleaning the lot, must be paid to the
41 person lawfully entitled to the money.

42 2. Upon receipt of any application from the person required to
43 conform to the order and an agreement by the person that he will comply
44 with the order if allowed additional time, the agency may grant an
45 extension of time, not to exceed an additional 120 days, within which to
46 complete the repairs or demolition, if the agency determines that an
47 extension of time will not create or perpetuate a situation imminently
48 dangerous to life or property. The agency's authority to extend time is
49 limited to the physical repair or demolition of the mobile home and
50 must not extend the time to appeal the order.

1 3. No person may obstruct, impede or interfere with any officer,
 2 employee, contractor or authorized representative of the agency or with
 3 any person who owns or holds any interest in a mobile home which has
 4 been ordered repaired, vacated or demolished under the provisions of
 5 this chapter, or with any person to whom the mobile home has been
 6 lawfully sold pursuant to the provisions of this chapter, whenever such
 7 authorized person is engaged in the work of repairing, vacating and
 8 repairing, or demolishing the mobile home pursuant to the provisions of
 9 this chapter, or in performing any necessary act preliminary to or inci-
 10 dental to such work or authorized or directed pursuant to this chapter.

11 4. The agency may require the plans for repair to be prepared by
 12 an architect or engineer at the expense of the owner.

13 SEC. 16. 1. Any person against whom an action is taken pursuant to
 14 this chapter is entitled to notice in the form of an order and a hearing
 15 before the agency for enforcement in accordance with regulations of
 16 the agency.

17 2. Upon request for such a hearing, the owner or lienholder of the
 18 mobile home or the owner of the land on which the mobile home is
 19 located must be granted a hearing on the matter before an authorized
 20 representative of the agency or any other board, commission or official
 21 authorized to conduct such hearings. This request must be made to the
 22 agency within 10 days after personal service or acknowledgment of
 23 receipt by mail of the order. If the owner of the land on which the mobile
 24 home is located submits a sworn written statement denying responsibility
 25 for the presence of the mobile home on his land within the prescribed
 26 period of time, this statement shall be deemed a request for a hearing
 27 which does not require the presence of the owner who submitted the
 28 request. If such a request is not received within 10 days from the date
 29 of personal service or acknowledgment of receipt by mail of the order,
 30 the agency may abate the substandard mobile home.

31 3. Upon receipt of a request for a hearing or a sworn written state-
 32 ment by the owner of the land on which the mobile home is located,
 33 denying responsibility for the presence of the mobile home on his land,
 34 the agency shall set a time and place for a hearing and shall give the
 35 petitioner written notice of it. Receipt of the request for a hearing or a
 36 statement by the owner of the land on which the mobile home is located,
 37 operates to delay any action by the agency until after the hearing.

38 4. Upon receipt of a request for a hearing the agency shall give a
 39 second notice directing the owner and lienholder of the mobile home and
 40 the owner of the land on which the mobile home is located to appear at
 41 a stated time and place to show cause why the substandard mobile home
 42 should not be abated.

43 5. At the time and place fixed in the notice given pursuant to sub-
 44 section 4 the authorized representative of the agency or other board,
 45 commission or official authorized to conduct the hearing shall proceed
 46 to hear the testimony of the officers or employees of the agency and the
 47 owner of the mobile home or his representatives respecting the condition
 48 of the mobile home, the estimated cost of its repair or removal and any
 49 other pertinent matters. Upon the conclusion of the hearing, the person
 50 conducting the hearing shall render a decision in the matter which must

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1 be reported to the agency. If the mobile home is found to be a nuisance,
2 the owner, lienholder or owner of the land must be ordered to abate the
3 nuisance within 30 days after the date of personal service or acknowl-
4 edgment of receipt by mail of the order.

5 6. The agency shall post a copy of the order to abate the sub-
6 standard mobile home in a conspicuous place on the mobile home. A
7 copy of the order must also be mailed or delivered by personal service
8 to the owner of the property on which the mobile home is located, and
9 to the last owner and lienholder of record of the mobile home.

10 SEC. 17. Any owner or other interested person who has an objection
11 to the hearing or the agency ordering the abatement of a nuisance must
12 bring an action in a court of competent jurisdiction within 30 days after
13 the date of the posting of the order on the mobile home or receipt of
14 the order pursuant to section 16 of this act or the objection shall be
15 deemed waived.

16 SEC. 18. The owner or the lienholder of the mobile home is liable
17 for the cost of abating the nuisance. If the mobile home is in such con-
18 dition that identification numbers are not available to determine owner-
19 ship or the agency is unable to locate the owner or the lienholder of the
20 mobile home, the owner of the land on which the mobile home is located
21 is liable for the costs.

22 SEC. 19. 1. A mobile home which has been demolished or dis-
23 mantled under the provisions of this chapter may not be reconstructed.
24 2. A notice identifying each mobile home which has been demolished
25 or dismantled must be sent to the division within 15 days after demoli-
26 tion or dismantling. The notice must contain all available evidence of
27 ownership or the certificate of title.

28 SEC. 20. 1. It is unlawful for the person ordered to abate a nuisance
29 under this chapter to fail or refuse to remove or abate the nuisance within
30 60 days after the date of personal service or acknowledgment of receipt
31 by mail of the order. After the expiration of the 60 days, the agency may
32 abate the nuisance.

33 2. It is unlawful for any person to use, cause to be used or permit
34 to be used for occupancy:

35 (a) Any mobile home which does not comply with the safety stand-
36 ards for the installation, support and tiedown of mobile homes required
37 by NRS 489.251.

38 (b) Any mobile home that is not fit for the use for which it was
39 intended or could cause an unreasonable risk or make it immediately
40 dangerous to the life, health, property, safety or welfare of the public
41 or of the occupants.

42 (c) Any mobile home in an unsanitary condition.

43 (d) Any mobile home which is structurally unsound or does not pro-
44 tect its occupants against the elements.

45 (e) Any mobile home which has been declared by the agency to be
46 substandard.

47 SEC. 21. 1. The district court for the county in which any investiga-
48 tion or hearing is being conducted by the agency for enforcement pur-
49 suant to the provisions of this chapter may compel the attendance of

1 witnesses, the giving of testimony and the production of books and
2 papers as required by a subpoena issued by the agency.

3 2. If any witness refuses to attend or testify or produce any papers
4 required by a subpoena, the agency may report to the district court for
5 the county in which the investigation or hearing is pending by petition,
6 setting forth that:

7 (a) Due notice has been given of the time and place of attendance
8 of the witness or the production of the books and papers;

9 (b) The witness has been subpoenaed in the manner prescribed in this
10 chapter; and

11 (c) The witness has failed or refused to attend or produce the papers
12 required by subpoena before the agency in the investigation or hearing
13 named in the subpoena, or has refused to answer questions propounded
14 to him in the course of the investigation or hearing.

15 and asking for an order of the court compelling the witness to attend
16 and testify or produce the books or papers before the agency.

17 3. Upon such petition, the court shall enter an order directing the
18 witness to appear before the court at a time and place to be fixed by the
19 court in its order, the time to be not more than 10 days from the date of
20 the order, and then and there show cause why he has not attended or
21 testified or produced the books or papers before the agency. A certified
22 copy of the order must be served upon the witness.

23 4. If it appears to the court that the subpoena was regularly issued
24 by the agency, the court shall enter an order that the witness appear
25 before the agency at the time and place fixed in the order and testify or
26 produce the required books or papers, and upon failure to obey the
27 order the witness shall be dealt with as for contempt of court.

28 SEC. 22. 1. Each city and county may enforce this chapter and regu-
29 lations adopted pursuant to this chapter. If any city or county fails to
30 enforce this chapter or any regulation adopted pursuant to it, the division
31 shall enforce them in the territory of that city or county.

32 2. The governing body of any city or county may adopt an ordinance
33 which is as stringent as or more stringent than the provisions of this chap-
34 ter and regulations adopted pursuant to it.

35 SEC. 23. The provisions of this chapter apply equally to moveable
36 structures without motive power which are equipped for occupancy for
37 industrial or commercial purposes, recreational vehicles, factory built
38 housing, modular buildings and mobile home accessory buildings and
39 structures when such structures or vehicles are used as a dwelling for a
40 period of 30 days or more at one location.

41 SEC. 24. 1. A person shall not:

42 (a) Construct a mobile home park; or

43 (b) Construct or alter lots, roads or other facilities in a mobile home
44 park,
45 unless he has obtained a construction permit from the agency for enforce-
46 ment.

47 2. Each agency for enforcement may charge and collect reasonable
48 fees, specified by ordinance or regulation, for its services.

49 SEC. 25. Each mobile home park constructed after July 1, 1981,

1 must provide direct electrical and gas service from the utility to each lot
2 if those services are available.

3 SEC. 26. 1. Any person who knowingly or willfully violates any of
4 the provisions of this chapter or any order issued by the agency for
5 enforcement is guilty of a misdemeanor.

6 2. Any person who knowingly or willfully violates any provision of
7 this chapter or any regulation issued pursuant to it is liable for a civil
8 penalty of not more than \$500 for each violation or for each day of a
9 continuing violation. The enforcement agency shall institute an action in
10 the appropriate court to collect any civil penalty arising under this
11 section.

12 3. All money collected as civil penalties pursuant to the provisions
13 of this chapter must be deposited in the state general fund or the general
14 fund of the city or county, as the case may be.

15 SEC. 27. NRS 118.270 is hereby amended to read as follows:

16 118.270 The landlord or his agent or employee shall not:
17 1. Require a person to purchase a mobile home from him or any
18 other person as a condition to renting a mobile home lot to the purchaser.

19 2. Charge or receive:
20 (a) Any entrance or exit fee to a tenant assuming or leaving occu-
21 pancy of a mobile home lot.

22 (b) Any transfer or selling fee or commission as a condition to per-
23 mitting a tenant to sell his mobile home within the mobile home park
24 even if the mobile home is to remain within the park, unless the landlord
25 has acted as the mobile home owner's agent in the sale pursuant to a writ-
26 ten contract.

27 (c) Any security or damage deposit the purpose of which is to avoid
28 compliance with the provisions of subsection [5.] 6.

29 (d) Any fee for the tenant's spouse or children other than as provided
30 in the lease.

31 (e) Any unreasonable fee for pets kept by a tenant in the park. If
32 special facilities or services are provided, the landlord may also charge a
33 fee reasonably related to the cost of maintenance of the facility or service
34 and the number of pets kept in the facility.

35 [2.] 3. Increase rent or service fees unless:

36 (a) The rental rates or the increase in service fees applies in a uniform
37 manner to all tenants similarly situated or, if it is a service fee, to a given
38 circumstance, except that a discount may be selectively given to persons
39 who are handicapped or who are 62 years of age or older; and

40 (b) Written notice advising a tenant of the increase is sent to the ten-
41 ant 60 days in advance of the first payment to be increased and written
42 notice of the increase is given to prospective tenants on or before com-
43 mencement of their tenancy.

44 [3.] 4. Deny any tenant the right to sell his mobile home within the
45 park or require the tenant to remove the mobile home from the park
46 solely on the basis of such sale, except as provided in NRS 118.280.

47 [4.] 5. Prohibit any tenant desiring to sell his mobile home within
48 the park from advertising the location of the mobile home and the name
49 of the mobile home park or prohibit the tenant from displaying at least
50 one sign of reasonable size advertising the sale of the mobile home.

1 [5.] 6. Prohibit any meetings held in the park's community or rec-
2 reation facility by the tenants or occupants of any mobile home in the
3 park to discuss mobile home living and affairs, or any tenant-sponsored
4 political meeting, if such meetings are held at reasonable hours and when
5 the facility is not otherwise in use.

6 [6.] 7. Interrupt, with the intent to terminate occupancy, any utility
7 service furnished the tenant except for nonpayment of utility charges
8 when due. Any landlord who violates this subsection is liable to the ten-
9 ant for actual damages. [and \$100 in exemplary damages for each day
10 that the tenant is deprived of utility service.]

11 [7.] 8. Require that he be an agent of an owner of a mobile home
12 who desires to sell the mobile home.

13 [8.] 9. Unless prohibited by a written lease or a general rule or reg-
14 ulation of the park if there is no written lease, unreasonably prohibit a
15 tenant from subleasing his mobile home lot if the prospective subtenant
16 meets the general requirements for tenancy in the park.

17 SEC. 28. NRS 118.340 is hereby amended to read as follows:

18 118.340 1. Except as otherwise provided in subsection 2, any land-
19 lord who violates any of the provisions of NRS 118.241 to 118.310,
20 inclusive, is guilty of a misdemeanor.

21 2. Any landlord who violates paragraph (a) of [subsection 1] sub-
22 section 2 of NRS 118.270:

23 (a) For the first offense, is guilty of a misdemeanor.

24 (b) For the second offense, is guilty of a gross misdemeanor.

25 (c) For the third or subsequent offense, shall be punished by imprison-
26 ment in the state prison for not less than 1 year nor more than 6 years,
27 or by a fine of not more than \$5,000, or by both fine and imprisonment.

28 SEC. 29. Chapter 704 of NRS is hereby amended by adding thereto
29 a new section which shall read as follows:

30 1. *This section applies to mobile home parks governed by the provi-
31 sions of NRS 118.235 to 118.340, inclusive, and sections 1 to 26, inclu-
32 sive, of this act.*

33 2. *The commission shall examine and test the electric and gas distri-
34 bution lines and equipment within a mobile home park at the request of
35 the manufactured housing division of the department of commerce or an
36 agency for enforcement. The commission may enter upon the premises of
37 a mobile home park at reasonable times to examine and test the lines and
38 equipment whether or not they are owned by a public utility. The com-
39 mission shall conduct the examination and testing to determine whether
40 any line or equipment is unsafe for service under the safety standards set
41 by its regulations or maintenance, use and operation of electric and gas
42 distribution lines and equipment.*

43 3. *Any agency of local government which the commission determines
44 can properly carry out the duties prescribed by subsection 2 shall, at the
45 request of the commission, conduct the examination and tests in mobile
46 home parks within its jurisdiction and report its findings to the commis-
47 sion.*

48 4. *If the owner or operator of a mobile home park refuses to allow
49 the examination and testing to be made as provided in subsection 2, the*

1 commission shall deem the unexamined lines and equipment to be unsafe
2 for service.

3 5. Whenever the commission deems or finds any lines or equipment
4 within a mobile home park to be unsafe for service it shall take appro-
5 prate action to protect the safety of the residents of the park.

6 6. The landlord of any mobile home park which is not equipped with
7 individual meters for each lot who charges the tenants for utilities either
8 separately or by including the charge in their rent, shall prorate the cost
9 of all utilities equally among the occupied lots in the park. In no case may
10 the charges prorated pursuant to this section exceed in the aggregate the
11 cost of the utility to the landlord. If the utility charges are included in the
12 tenant's rent, the landlord shall itemize the gas rate on the rent bill and
13 give the tenant 60 days' written notice of an increase in gas rates.

14 7. In any mobile home park which is equipped with individual meters
15 for each lot and where the landlord receives the utility bill and charges
16 the tenants for utilities, the charge for each tenant may not be at a rate
17 higher than the rate the tenant would be charged if he were receiving
18 service directly from the utility.

19 8. The tenant of a lot in a park described in subsection 1 who
20 believes the landlord has charged him for utilities at a rate higher than the
21 rate the tenant would be charged if he were receiving the service directly
22 from the utility may complain to the division of consumer relations of the
23 public service commission of Nevada. The division shall receive and
24 promptly investigate the complaint. If the division is unable to resolve the
25 complaint, the division shall transmit the complaint and its recommenda-
26 tion to the public service commission of Nevada. The commission shall
27 investigate, give notice and hold hearings upon the complaint, applying to
28 the extent practicable the procedures provided for complaints against
29 public utilities in chapter 703 of NRS.

30 9. If the commission finds that the owner of the mobile home park
31 has violated the provisions of subsection 6 or 7, it shall determine the
32 amount of the overcharge to the tenant and order the landlord to return
33 that amount to the tenant within a specified time. If the landlord fails or
34 refuses to do so, the commission:

35 (a) May compel compliance with its order by any appropriate civil
36 remedy available to it under chapter 704 of NRS.

37 (b) Shall order the landlord to cease and desist from any further viola-
38 tion of subsection 6 or 7, and shall enforce that order as any other order
39 of the commission.

40 (c) The owner of a mobile home park described in subsection 1 shall
41 retain for at least 3 years a copy of all billings for utilities made to his
42 tenants. The owner shall make these records available upon request to
43 the public service commission of Nevada for verification of utility charges
44 made to tenants.

ASSEMBLY BILL NO. 31—COMMITTEE ON COMMERCE

JANUARY 23, 1981

Referred to Committee on Commerce

SUMMARY—Provides for regulation of mobile home parks. (BDR 40-23)

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

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

AN ACT relating to real property; providing for the regulation of mobile home parks and for the enforcement of laws governing the relationship of landlord and tenant in those parks; providing a procedure for local assumption of responsibility for that regulation and enforcement; regulating the landlord's charges for utilities in mobile home parks; providing penalties; 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 40 is hereby amended by adding thereto a new
- 2 chapter to consist of the provisions set forth as sections 2 to 27, inclu-
- 3 sive, of this act.
- 4 SEC. 2. As used in this chapter, unless the context otherwise requires,
- 5 the terms defined in sections 3 to 10, inclusive, of this act have the
- 6 meanings ascribed to them in those sections.
- 7 SEC. 3. "Administrator" means the chief of the manufactured hous-
- 8 ing division.
- 9 SEC. 4. "Agency for enforcement" or "agency" means the division
- 10 or the city or county which has responsibility for the enforcement of
- 11 the provisions of this chapter and the regulations adopted under it.
- 12 SEC. 5. "Division" means the manufactured housing division of the
- 13 department of commerce.
- 14 SEC. 6. "Mobile home" means a vehicular structure which is:
 - 15 1. Built on a permanent chassis;
 - 16 2. Designed to be used with or without a permanent foundation as
 - 17 a dwelling when connected to utilities;
 - 18 3. Transportable in one or more sections; and
 - 19 4. More than 8 feet in body width and more than 32 feet in body
 - 20 length. Neither the width nor the length includes bay windows, porches,
 - 21 drawbars, couplings, hitches, wall or roof extensions or other attach-
 - 22 ments.
 - 23 The term does not include a recreational vehicle.

— means omitted from AB 31

1 SEC. 7. "Mobile home lot" or "lot" means a portion of land within a
2 mobile home park which is rented or held out for rent to accommodate:

3 1. A mobile home; or

4 2. A recreational vehicle for a period of 1 month or more.

5 SEC. 8. "Mobile home park" or "park" means an area or tract of
6 land where two or more mobile homes or mobile home lots are rented
7 or held out for rent.

8 SEC. 9. "Owner" includes the lessor or operator of a mobile home
9 park.

10 SEC. 10. "Recreational vehicle" means a vehicular structure pri-
11 marily designed as temporary living quarters for travel, recreational or
12 camping use, which may be self-propelled or mounted upon, or drawn
13 by, a motor vehicle.

14 SEC. 11. Except as provided in section 15 of this act, the provisions
15 of this chapter shall be administered by the division, subject to adminis-
16 trative supervision by the director of the department of commerce.

17 SEC. 12. No officer or employee of the division may own any interest
18 in a mobile home park.

19 SEC. 13. 1. In order to carry out the provisions of this chapter, the
20 administrator may:

21 (a) Issue subpoenas for the attendance of witnesses or the production
22 of books, papers and documents;

23 (b) Conduct hearings; and

24 (c) Administer oaths.

25 2. The administrator may make inspections, approve or disapprove
26 plans and specifications of proposed construction or alteration, provide
27 technical services, and adopt regulations necessary to carry out his duties
28 under this chapter.

29 3. The administrator or his representative may enter, at reasonable
30 times and without notice, any mobile home park and inspect at reason-
31 able times in a reasonable manner the premises and books, papers,
32 records and documents which are relevant to the construction, alteration,
33 maintenance, use and occupancy of the park. A magistrate shall issue a
34 warrant to permit an inspection if the administrator has shown:

35 (a) Evidence that a violation of a provision of this chapter or a regu-
36 lation adopted under it has been committed or is being committed; or

37 (b) That the park has been chosen for an inspection on the basis of
38 a general administrative plan for the enforcement of the provisions of
39 this chapter and the regulations adopted under it.

40 SEC. 14. 1. The administrator shall adopt regulations to govern the
41 construction, alteration, maintenance, use and occupancy of mobile home
42 parks and lots within those parks.

43 2. The regulations must establish standards and requirements which
44 the administrator determines are necessary to protect the health, safety
45 and general welfare of the residents of the parks.

46 3. The regulations must without limitation pertain to:

47 (a) The construction and maintenance of roadways, driveways, walk-
48 ways and permanent buildings;

49 (b) Plumbing and the supply of water;

50 (c) The disposal of refuse and sewage;

- 1 (d) Public toilets, showers and laundry facilities;
- 2 (e) Electrical wiring, fixtures and equipment;
- 3 (f) Gas equipment and installations;
- 4 (g) The prevention of fire and the protection of life and property
- 5 against fire; and
- 6 (h) The control of animals.

7 within a mobile home park. A regulation pertaining to one of these
8 subjects must be applicable in all mobile home parks except a park
9 which is located within a city or county which is the agency for enforce-
10 ment and has adopted and is enforcing a code on that subject imposing
11 restrictions equal to or more restrictive than the restrictions imposed by
12 the regulations of the administrator.

13 SEC. 15. 1. Any city or county may, upon 30 days' written notice
14 to the division and with its approval, assume responsibility within its
15 jurisdiction for the enforcement of this chapter and the regulations
16 adopted under it.

17 2. The division shall adopt regulations which set forth the conditions
18 for its approval, including any qualifications which local agencies must
19 meet. The conditions set forth and the qualifications required in the
20 regulations must relate solely to the ability of those agencies to enforce
21 properly this chapter and the regulations adopted under it. The regula-
22 tions may not set standards for local agencies different from those which
23 the division maintains for its own program of enforcement.

24 3. When approval is granted, the division shall transfer the responsi-
25 bility for enforcement to the city or county, together with all records of
26 mobile home parks within the jurisdiction of the city or county, and the
27 city or county has the powers granted to the administrator under section
28 13 of this act. The jurisdiction of the county does not include the area
29 within any city which has assumed that responsibility.

30 4. When the division determines that a city or county which has
31 assumed responsibility for enforcement under this section is not discharg-
32 ing its responsibility properly, the division shall send a written notice to
33 the governing body of the city or county specifying in what respects the
34 city or county has failed to discharge its responsibility. If the city or
35 county fails to initiate corrective measures within 30 days after the date
36 of that notice, the division shall assume responsibility for enforcement
37 and the city or county shall forthwith transfer to the division all records
38 of mobile home parks within its jurisdiction which, the division may
39 require. The city or county is entitled to appeal the determination of the
40 division to the director of the department of commerce.

41 5. Any city or county which has assumed responsibility for enforce-
42 ment under this section may relinquish that responsibility upon 30 days'
43 written notice to the division. The division shall assume responsibility for
44 enforcement within 30 days after receipt of the notice and the city or
45 county shall forthwith transfer to the division all pertinent records which
46 the division may require.

47 SEC. 16. 1. The district court for the county in which any investiga-
48 tion or hearing is being conducted by the agency for enforcement pursuant
49 to the provisions of this chapter may compel the attendance of witnesses,

*omitted
from A3482*

1 the giving of testimony and the production of books and papers as
2 required by any subpoena issued by the agency.

3 2. If any witness refuses to attend or testify or produce any papers
4 required by a subpoena the agency may report to the district court for the
5 county in which the investigation or hearing is pending by petition, setting
6 forth:

7 (a) That due notice has been given of the time and place of attendance
8 of the witness or the production of the books and papers;

9 (b) That the witness has been subpoenaed in the manner prescribed in
10 this chapter;

11 (c) That the witness has failed and refused to attend or produce the
12 papers required by subpoena before the agency in the investigation or hear-
13 ing named in the subpoena, or has refused to answer questions propounded
14 to him in the course of the investigation or hearing,
15 and asking an order of the court compelling the witness to attend and
16 testify or produce the books or papers before the agency.

17 3. The court, upon petition of the agency, shall enter an order direct-
18 ing the witness to appear before the court at a time and place to be fixed
19 by the court in its order, not more than 10 days from the date of the
20 order, and show cause why he has not attended or testified or produced
21 the books or papers before the agency. A certified copy of the order must
22 be served upon the witness. If it appears to the court that the subpoena
23 was regularly issued by the agency, the court shall thereupon enter an
24 order that the witness appear before the agency at the time and place fixed
25 in the order and testify or produce the required books or papers, and upon
26 failure to obey the order the witness must be dealt with as if in contempt
27 of court.

28 SEC. 17. All state or local regulations pertaining to the construction,
29 alteration, maintenance, use and occupancy of mobile home parks and
30 lots within those parks remain in effect until such time as they are revised
31 by the administrator pursuant to the provisions of this chapter.

32 SEC. 18. 1. No person may:

- 33 (a) Construct a mobile home park;
 - 34 (b) Construct additional lots, roads, buildings or other facilities or
 - 35 alter lots, roads, buildings or other facilities in a mobile home park; or
 - 36 (c) Operate a mobile home park or any portion of it.
- 37 unless he has obtained a permit from the agency for enforcement.

38 2. The agency for enforcement shall adopt regulations governing the
39 issuance of these permits.

40 3. The agency for enforcement shall charge and collect for its own
41 account reasonable fees for these permits. The agency shall by regulation
42 fix the amount of the fees which may not exceed the cost of enforcing this
43 chapter and the regulations adopted under it.

44 SEC. 19. A permit to operate a mobile home park may not be issued
45 for:

- 46 1. A newly constructed park unless the construction is found to be in
- 47 substantial compliance with all applicable statutes, ordinances and regula-
- 48 tions.
- 49 2. Any park whose previous permit to operate has been revoked until
- 50 the violations which were the basis for the revocation have been corrected.

amended from AB 412

1 SEC. 20. Except as provided in this section, if the construction or
2 alteration for which a permit is obtained under this chapter is not com-
3 pleted within 6 months from the date the permit is issued, the permit auto-
4 matically expires at the end of the 6-month period. The agency for
5 enforcement may extend the expiration date of a permit for construction
6 or alteration for a reasonable time.

7 SEC. 21. Each person who holds a permit to operate a mobile home
8 park must renew it annually in accordance with regulations adopted by
9 the agency for enforcement. These regulations must also provide for a
10 reasonable renewal fee.

11 SEC. 22. 1. The new owner of a mobile home park shall notify the
12 agency for enforcement of any change in the name, ownership or pos-
13 session of the park within 30 days of the change. The notice must be
14 accompanied by any appropriate fees set by the agency by regulation.
15 Upon receipt of the notice and fees, the agency for enforcement shall
16 record the change of name, ownership or possession and shall issue an
17 amended permit to operate if the owner is otherwise entitled to it.

18 2. No additional fee for a permit for construction or alteration may
19 be charged where a change in name, ownership or possession occurs
20 before completion of the construction or alteration and the new owner
21 completes that construction or alteration in accordance with the plans and
22 specifications already approved for the previous owner by the agency for
23 enforcement.

24 SEC. 23. 1. All fees which the division collects under this chapter
25 must be deposited in the state treasury for credit to the fund for regulating
26 mobile home parks which is hereby created as a special revenue fund. All
27 expenses of the enforcement of this chapter and NRS 118.235 to 118.-
28 340, inclusive, and sections 29 to 45, inclusive, of this act, must be paid
29 from the fund. The fund may not be used for any purpose except the pay-
30 ment of those expenses.

31 2. Claims against the fund must be paid as other claims against the
32 state are paid.

33 SEC. 24. Every mobile home park must provide for each individual
34 lot in the park:

- 35 1. Electric and gas service direct from the utility; or
- 36 2. Individual meters for electric and gas services.

37 SEC. 25. 1. Whenever the agency for enforcement finds any unsani-
38 tary or unsafe condition in a mobile home park or any violation of any
39 provision of this chapter or the regulations adopted under it, the agency
40 may:

41 (a) Remove or abate the unsanitary or unsafe condition as a nuisance
42 and take any other necessary measures to protect persons and property
43 from the condition.

44 (b) Issue a notice of violation to the appropriate person, citing the
45 condition or violation and specifying the corrective action to be taken and
46 the time within which that action must be taken.

47 2. Any person against whom an action is taken under subsection
48 1 is entitled to notice and a hearing before the agency for enforcement
49 in accordance with regulations of the agency. The agency may affirm,

omitted from A3412

included in A3412

modified

amended from A.B. 912

1 reverse or modify its action. The agency may extend the time allowed
2 for corrective action if the person provides a written response within
3 10 days after receiving the notice of violation setting forth the nature
4 and time needed for corrective action. The agency may require such
5 periodic reports as may be necessary to demonstrate reasonable progress
6 toward full compliance.

7 3. If a person fails to comply with a notice of violation or any other
8 order of the agency for enforcement after notice and hearing, the agency
9 may:

10 (a) Deny or revoke any permit issued under this chapter.
11 (b) Apply for injunctive and such other relief as a court of competent
12 jurisdiction may grant to compel compliance.

13 (c) Report for criminal prosecution any violation of the provisions of
14 this chapter or any regulations adopted under it to the district attorney
15 of the county in which the mobile home park is located.

16 4. The owner of a mobile home park is liable for:

17 (a) The cost of any action taken under paragraph (a) of subsection
18 1 if he intentionally or negligently created or permitted the unsanitary
19 or unsafe conditions; and

20 (b) The cost of moving a tenant's mobile home to a new location
21 no more than 10 miles distant if the move is necessitated by a revocation
22 of his permit to operate the mobile home park.

23 These costs may be collected by the agency for enforcement or the
24 tenant, respectively, by appropriate action in any court of competent
25 jurisdiction in the county in which the defendant has his principal place
26 of business or in which the mobile home park is located.

27 SEC. 26. 1. Any holder of a permit under this chapter who violates
28 any of the provisions of this chapter or any regulations adopted or order
29 issued under it is liable to the state, county or city, as the case may be,
30 for a civil penalty of not more than \$1,000 for each violation. Each
31 violation of this chapter or any regulation or order issued under it con-
32 stitutes a separate violation with respect to each mobile home lot in
33 the park affected by the violation and with respect to each failure or
34 refusal to allow or perform an act required by this chapter or regulation
35 or order, except that the maximum civil penalty is \$1,000,000 for any
36 related series of violations occurring within 1 year after the first violation.

37 2. Before the adoption of any regulation for whose violation a civil
38 penalty may be imposed, the agency for enforcement shall give at least
39 30 days' written notice to the owner of every mobile home park affected
40 by it and to every other interested party who has requested the notice.

41 3. An action to enforce a civil penalty must be brought in a court
42 of competent jurisdiction in the county in which the defendant has his
43 principal place of business.

44 4. All money collected as civil penalties pursuant to the provisions
45 of this chapter must be deposited in the state general fund or the general
46 fund of the county or city, as the case may be.

47 SEC. 27. Any person who knowingly or willfully violates any of the
48 provisions of this chapter is guilty of a misdemeanor.

49 SEC. 28. Chapter 118 of NRS is hereby amended by adding thereto
50 the provisions set forth as sections 29 to 45, inclusive, of this act.

amended from AB 412

1 SEC. 29. As used in NRS 118.235 to 118.340, inclusive, and sec-
2 tions 29 to 45, inclusive, of this act, unless the context otherwise
3 requires, the terms defined in sections 30 to 36, inclusive, of this act,
4 have the meanings ascribed to them in those sections.

5 SEC. 30. "Administrator" means the chief of the manufactured hous-
6 ing division.

7 SEC. 31. "Agency for enforcement" or "agency" means the division
8 or the city or county which has responsibility for the enforcement of the
9 provisions of NRS 118.235 to 118.340, inclusive, sections 29 to 45,
10 inclusive, of this act, and the regulations adopted under those sections.

11 SEC. 32. "Division" means the manufactured housing division of the
12 department of commerce.

13 SEC. 33. "Landlord" means the owner, lessor or operator of a mobile
14 home park.

15 SEC. 34. "Mobile home" means a vehicular structure without indi-
16 pendent motive power, built on a chassis or frame, which is:
17 1. Designed to be used with or without a permanent foundation;
18 2. Capable of being drawn by a motor vehicle; and
19 3. Used as and suitable for year-round occupancy as a residence,
20 when connected to utilities, by one person who maintains a household
21 or by two or more persons who maintain a common household.

22 SEC. 35. "Mobile home lot" means a portion of land within a mobile
23 home park which is rented or held out for rent to accommodate a mobile
24 home.

25 SEC. 36. "Mobile home park" or "park" means an area or tract of
26 land where two or more mobile homes or mobile home lots are rented
27 or held out for rent. "Mobile home park" does not include an area or
28 tract of land where more than half of the lots are rented overnight or
29 for less than 1 month.

30 SEC. 37. Except as provided in section 40 of this act, the provisions
31 of NRS 118.235 to 118.340, inclusive, and sections 29 to 45, inclusive,
32 of this act, shall be administered by the division, subject to administra-
33 tive supervision by the director of the department of commerce.

34 SEC. 38. 1. In order to carry out his duties under NRS 118.235 to
35 118.340, inclusive, and sections 29 to 45, inclusive, of this act, the
36 administrator may:
37 (a) Issue subpoenas for the attendance of witnesses or the production
38 of books, papers and documents;
39 (b) Conduct hearings; and
40 (c) Administer oaths.

41 2. The administrator or his representative may enter, at reasonable
42 times and without notice, any mobile home park and inspect at reason-
43 able times in a reasonable manner the premises and books, papers,
44 records and documents which are relevant to matters concerning the
45 relationship of landlord and tenant. A magistrate shall issue a warrant
46 to permit an inspection if the administrator has shown:
47 (a) Evidence that a violation of a provision of NRS 118.235 to 118-
48 340, inclusive, sections 29 to 45, inclusive, of this act, or any regulation
49 adopted under those sections, has been committed or is being committed;
50 or

omitted from AB 412

1 (b) That the park has been chosen for an inspection on the basis of a
2 general administrative plan for the enforcement of the provisions of
3 NRS 118.235 to 118.340, inclusive, sections 29 to 45, inclusive, of this
4 act and any regulation adopted under those sections.

5 SEC. 39. The administrator shall adopt regulations necessary to
6 administer the provisions of NRS 118.235 to 118.340, inclusive, and
7 sections 29 to 45, inclusive, of this act.

8 SEC. 40. 1. Any city or county may, upon 30 days' written notice
9 to the division and with its approval, assume responsibility within its
10 jurisdiction for the enforcement of NRS 118.235 to 118.340, inclusive,
11 sections 29 to 45, inclusive, of this act, and the regulations adopted
12 under those sections.

13 2. The division shall adopt regulations which set forth the conditions
14 for its approval, including any qualifications which local agencies must
15 meet. The conditions set forth and the qualifications required in the regu-
16 lations must relate solely to the ability of those agencies to enforce prop-
17 erly NRS 118.235 to 118.340, inclusive, sections 29 to 45, inclusive,
18 of this act and the regulations adopted under those sections. The regula-
19 tions may not set standards for local agencies different from those which
20 the division maintains for its own program of enforcement.

21 3. When approval is granted, the division shall transfer the responsi-
22 bility for enforcement to the city or county, together with all pertinent
23 records and the city or county has the powers granted to the adminis-
24 trator under section 38 of this act. The jurisdiction of the county does
25 not include the area within any city which has assumed that responsi-
26 bility.

27 4. When the division determines that a city or county which has
28 assumed responsibility for enforcement under this section is not discharg-
29 ing its responsibility properly, the division shall send a written notice to
30 the governing body of the city or county specifying in what respects the
31 city or county has failed to discharge its responsibility. If the city or
32 county fails to initiate corrective measures within 30 days after the date
33 of that notice, the division shall assume responsibility for enforcement
34 and the city or county shall forthwith transfer to the division all pertinent
35 records which the division may require. The city or county is entitled to
36 appeal the determination of the division to the director of the department
37 of commerce.

38 5. Any city or county which has assumed responsibility for enforce-
39 ment under this section may relinquish that responsibility upon 30 days'
40 written notice to the division. The division shall assume responsibility for
41 enforcement within 30 days after receipt of the notice and the city or
42 county shall forthwith transfer to the division all pertinent records which
43 the division may require.

44 SEC. 41. 1. The district court for the county in which any investiga-
45 tion or hearing is being conducted by the agency for enforcement pursu-
46 ant to the provisions of NRS 118.235 to 118.340, inclusive, and sections
47 29 to 45, inclusive, of this act, may compel the attendance of witnesses,
48 the giving of testimony and the production of books and papers as
49 required by any subpoena issued by the agency.

omitted from AB 412

1 2. If any witness refuses to attend or testify or produce any papers
2 required by a subpoena the agency may report to the district court for the
3 county in which the investigation or hearing is pending by petition, setting
4 forth:

5 (a) That due notice has been given of the time and place of attendance
6 of the witness or the production of the books and papers;

7 (b) That the witness has been subpoenaed in the manner prescribed in
8 NRS 118.235 to 118.340, inclusive, and sections 29 to 45, inclusive, of
9 this act;

10 (c) That the witness has failed and refused to attend or produce the
11 papers required by subpoena before the agency in the investigation or hear-
12 ing named in the subpoena, or has refused to answer questions propounded
13 to him in the course of the investigation or hearing,
14 and asking an order of the court compelling the witness to attend and
15 testify or produce the books or papers before the agency.

16 3. The court, upon petition of the agency, shall enter an order direct-
17 ing the witness to appear before the court at a time and place to be fixed
18 by the court in its order, not more than 10 days from the date of the
19 order, and show cause why he has not attended or testified or produced
20 the books or papers before the agency. A certified copy of the order must
21 be served upon the witness. If it appears to the court that the subpoena was
22 regularly issued by the agency, the court shall thereupon enter an order
23 that the witness appear before the agency at the time and place fixed in
24 the order and testify or produce the required books or papers, and upon
25 failure to obey the order the witness must be dealt with as if in contempt
26 of court.

27 SEC. 42. 1. The landlord of any mobile home park which is not
28 equipped with individual meters for each lot who charges the tenants for
29 utilities either separately or by including the charge in their rent, shall
30 prorate the cost of all utilities equally among the occupied lots in the park.

31 2. In no case may the charges prorated pursuant to this section
32 exceed in the aggregate the cost of the utility to the landlord.

33 3. If the utility charges are included in the tenant's rent, the landlord
34 shall itemize the gas rate on the rent bill and give the tenant 60 days'
35 written notice of an increase in gas rates.

36 SEC. 43. 1. In any mobile home park which is equipped with individ-
37 ual meters for each lot and where the landlord receives the utility bill and
38 charges the tenants for utilities, the charge for each tenant may not be at
39 a rate higher than the rate the tenant would be charged if he were receiv-
40 ing service directly from the utility.

41 2. The tenant of a lot in a park described in subsection 1 who believes
42 the landlord has charged him for utilities at a rate higher than the rate the
43 tenant would be charged if he were receiving the service directly from the
44 utility may complain to the division of consumer relations of the public
45 service commission of Nevada. The division shall receive and promptly
46 investigate the complaint. If the division is unable to resolve the com-
47 plaint, the division shall transmit the complaint and its recommendation
48 to the public service commission of Nevada. The commission shall inves-
49 tigate, give notice and hold hearings upon the complaint, applying to

1 the extent practicable the procedures provided for complaints against pub-
2 lic utilities in chapter 703 of NRS.

3 3. If the commission finds that the owner of the mobile home park
4 has violated the provisions of subsection 1, it shall determine the amount
5 of the overcharge to the tenant and order the landlord to return that
6 amount to the tenant within a specified time. If the landlord fails or
7 refuses to do so, the commission:

8 (a) May compel compliance with its order by any appropriate civil
9 remedy available to it under chapter 704 of NRS.

10 (b) Shall order the landlord to cease and desist from any further viola-
11 tion of subsection 1 and shall enforce that order as any other order of the
12 commission.

13 4. The owner of a mobile home park described in subsection 1 shall
14 retain for at least 3 years a copy of all billings for utilities made to his
15 tenants. The owner shall make these records available upon request to
16 the public service commission of Nevada for verification of utility charges
17 made to tenants.

18 SEC. 44. 1. The owner of a mobile home park:

19 (a) Which is equipped with individual electric or gas utility meters for
20 each lot; and

21 (b) Where the owner receives the utility bill and charges the tenants for
22 utilities,

23 shall make arrangements to test the accuracy of those meters with per-
24 sons qualified to conduct the tests.

25 2. The tenant of a lot within the park may request the owner to test
26 the meter used to measure the tenant's use of electric or gas service. The
27 owner shall have the meter tested within 2 weeks after the tenant makes
28 the requests and pays to the owner a fee of \$10. The owner shall return
29 the fee to the tenant within 1 week after the test is completed if the meter
30 is found to register fast by more than 1 percent, in the case of an electric
31 meter, or 2 percent, in the case of a gas meter.

32 SEC. 45. The agency for enforcement may, after notice and hearing,
33 revoke the permit to operate a mobile home park issued to the landlord
34 under sections 2 to 27, inclusive, of this act, for any violation of NRS
35 118.235 to 118.340, inclusive, sections 29 to 45, inclusive, of this act,
36 or the regulations adopted under those sections.

37 SEC. 46. NRS 118.235 is hereby amended to read as follows:

38 118.235 The provisions of NRS [118.230] 118.235 to 118.340,
39 inclusive, and sections 29 to 45, inclusive, of this act, do not apply to
40 mobile home parks operated by public housing authorities and established
41 pursuant to the United States Housing Act of 1937, as amended (now
42 42 U.S.C. §§ 1437 et seq.).

43 SEC. 47. NRS 118.245 is hereby amended to read as follows:

44 118.245 The landlord shall provide each tenant with the text of the
45 provisions of NRS [118.230] 118.235 to 118.340, inclusive, and sec-
46 tions 29 to 45, inclusive, of this act, in the rental agreement and in a
47 notice posted in a conspicuous place in the park's community or recrea-
48 tion facility or other common area.

49 SEC. 48. NRS 118.330 is hereby amended to read as follows:

50 118.330 The landlord and the tenant may agree that any controversy

amended from A 3412

omitted from AB 412

1 relating to any matter arising under NRS [118.230] 118.235 to 118.340,
2 inclusive, and sections 29 to 45, inclusive, of this act, or under a rental
3 agreement may be submitted for arbitration.

4 SEC. 49. NRS 118.340 is hereby amended to read as follows:

5 118.340 1. Except as otherwise provided in subsection 2, any land-
6 lord who violates any of the provisions of NRS 118.241 to 118.310,
7 inclusive, sections 42 to 44, inclusive, of this act, or any regulation
8 adopted under those sections, is guilty of a misdemeanor. Each day of
9 violation constitutes a separate offense.

10 2. Any landlord who violates paragraph (a) of subsection 1 of NRS
11 118.270:

12 (a) For the first offense, is guilty of a misdemeanor.

13 (b) For the second offense, is guilty of a gross misdemeanor.

14 (c) For the third or subsequent offense, shall be punished by imprison-
15 ment in the state prison for not less than 1 year nor more than 6 years,
16 or by a fine of not more than \$5,000, or by both fine and imprisonment.

17 SEC. 50. NRS 118A.180 is hereby amended to read as follows:

18 118A.180 1. Except as provided in subsection 2, this chapter applies
19 to, regulates and determines rights, obligations and remedies under a
20 rental agreement, wherever made, for a dwelling unit or premises located
21 within this state.

22 2. This chapter does not apply to:

23 (a) A rental agreement subject to the provisions of NRS [118.230]
24 118.235 to 118.340, inclusive [.] , and sections 29 to 45, inclusive, of
25 this act.

26 (b) Low-rent housing programs operated by public housing authorities
27 and established pursuant to the United States Housing Act of 1937, as
28 amended (42 U.S.C. 1401 et seq.).

29 (c) A person who owns less than seven dwelling units, except with
30 respect to the provisions of NRS 118A.200, 118A.300, 118A.340,
31 118A.450 and 118A.460.

32 (d) Residence in an institution, public or private, incidental to deten-
33 tion or the provisions of medical, geriatric, educational, counseling, reli-
34 gious or similar service.

35 (e) Occupancy under a contract of sale of a dwelling unit or the prop-
36 erty of which it is a part, if the occupant is the purchaser or a person who
37 succeeds to the purchaser's interest.

38 (f) Occupancy by a member of a fraternal or social organization in the
39 portion of a structure operated for the benefit of the organization.

40 (g) Occupancy in a hotel or motel for less than 30 consecutive days
41 unless the occupant clearly manifests an intent to remain for a longer con-
42 tinuous period.

43 (h) Occupancy by an employee of a landlord whose right to occupancy
44 is solely conditional upon employment in or about the premises.

45 (i) Occupancy by an owner of a condominium unit or by a holder of
46 a proprietary lease in a cooperative apartment.

47 (j) Occupancy under a rental agreement covering premises used by the
48 occupant primarily for agricultural purposes.

49 SEC. 51. Chapter 439 of NRS is hereby amended by adding thereto a
50 new section which shall read as follows:

omitted from ab 412

1 1. This section applies to mobile home parks which are governed by
2 the provisions of NRS 118.235 to 118.340, inclusive, and sections 29 to
3 45; inclusive, of this act.

4 2. The health authority shall inspect every mobile home park within
5 its jurisdiction for compliance with all applicable laws pertaining to pub-
6 lic health and sanitation:

7 (a) At least once every year; and

8 (b) At any time at the request of the manufactured housing division of
9 the department of commerce or any agency for enforcement approved by
10 the division under section 15 of this act.

11 3. The health authority may inspect any rented mobile home upon
12 the written request of the tenant.

13 4. When the health authority conducts an inspection of a mobile
14 home park or a rented mobile home, it shall file a report with the agency
15 for enforcement stating the reason for the inspection, whether any viola-
16 tions were found and the nature and disposition of those violations. A
17 copy of the report must also be sent to the manufactured housing division
18 if the division is not the agency for enforcement within the jurisdiction.

19 SEC. 52. Chapter 489 of NRS is hereby amended by adding thereto
20 a new section which shall read as follows:

21 1. The district court for the county in which any investigation or
22 hearing is being conducted by the division pursuant to the provisions of
23 this chapter may compel the attendance of witnesses, the giving of testi-
24 mony and the production of books and papers as required by any sub-
25 pena issued by the division.

26 2. If any witness refuses to attend or testify or produce any papers
27 required by a subpoena the division may report to the district court for the
28 county in which the investigation or hearing is pending by petition, setting
29 forth:

30 (a) That due notice has been given of the time and place of attendance
31 of the witness or the production of the books and papers;

32 (b) That the witness has been subpoenaed in the manner prescribed in
33 this chapter;

34 (c) That the witness has failed and refused to attend or produce the
35 papers required by subpoena before the division in the investigation or
36 hearing named in the subpoena, or has refused to answer questions pro-
37 pounded to him in the course of the investigation or hearing,
38 and asking an order of the court compelling the witness to attend and
39 testify or produce the books or papers before the division.

40 3. The court, upon petition of the division, shall enter an order
41 directing the witness to appear before the court at a time and place to
42 be fixed by the court in its order, not more than 10 days from the date
43 of the order, and show cause why he has not attended or testified or
44 produced the books or papers before the division. A certified copy of
45 the order must be served upon the witness. If it appears to the court
46 that the subpoena was regularly issued by the division, the court shall
47 thereupon enter an order that the witness appear before the division
48 at the time and place fixed in the order and testify or produce the
49 required books or papers, and upon failure to obey the order the wit-
50 ness must be dealt with as if in contempt of court.

1 SEC. 53. Chapter 704 of NRS is hereby amended by adding thereto
2 a new section which shall read as follows:

3 1. *This section applies to mobile home parks governed by the pro-*
4 *visions of NRS 118.235 to 118.340, inclusive, and sections 29 to 45,*
5 *inclusive, of this act.*

6 2. *The commission shall examine and test the electric and gas dis-*
7 *tribution lines and equipment within a mobile home park at least once*
8 *each year and at any time at the request of the manufactured housing*
9 *division of the department of commerce or an agency for enforcement*
10 *approved by the division under section 15 of this act. The commission*
11 *may enter upon the premises of a mobile home park at reasonable times*
12 *to examine and test the lines and equipment whether or not they are*
13 *owned by a public utility. The commission shall conduct the examination*
14 *and testing to determine whether any line or equipment is unsafe for*
15 *service under the safety standards set by its regulations or maintenance,*
16 *use and operation of electric and gas distribution lines and equipment.*

17 3. *Any agency of local government which the commission deter-*
18 *mines can properly carry out the duties prescribed by subsection 2 shall,*
19 *at the request of the commission, conduct the examination and tests in*
20 *mobile home parks within its jurisdiction and report its findings to the*
21 *commission.*

22 4. *If the owner or operator of a mobile home park refuses to allow*
23 *the examination and testing to be made as provided in subsection 2, the*
24 *commission shall deem the unexamined lines and equipment to be unsafe*
25 *for service.*

26 5. *Whenever the commission deems or finds any lines or equip-*
27 *ment within a mobile home park to be unsafe for service it shall take*
28 *appropriate action to protect the safety of the residents of the park.*

29 SEC. 54. NRS 118.230 is hereby repealed.

30 SEC. 55. 1. Upon submission of a proper application and the appro-
31 priate fee, a permit to operate a mobile home park must be issued for a
32 mobile home park which on July 1, 1981, was in operation and in sub-
33 stantial compliance with all applicable state and local law relating to
34 the construction, alteration, maintenance, use and occupancy of mobile
35 home parks in effect on that date.

36 2. Any construction or alteration commenced in any mobile home
37 park in this state on or after July 1, 1981, must conform to applicable
38 regulations adopted under section 14 of this act.

39 3. All mobile home parks in operation on July 1, 1981, must
40 comply with all regulations which pertain to the health and safety of
41 residents of mobile home parks, except to the extent compliance is
42 waived by the agency for enforcement with respect to roadways, build-
43 ings and other facilities in existence on July 1, 1981. A waiver may be
44 granted under this subsection only where the agency determines that
45 the burden imposed upon the owner by compliance substantially out-
46 weighs any benefits to the health and safety of the park's residents.

47 SEC. 56. Section 24 of this act shall become effective on July 1,
48 1985.



NEVADA DEPARTMENT OF COMMERCE
MANUFACTURED HOUSING DIVISION

EXHIBIT H

CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
(702) 885-4298

ROBERT LIST
GOVERNOR

JAMES WADHAMS
DIRECTOR
A. WAYNE TETRAULT
ADMINISTRATOR

M E M O R A N D U M

April 29, 1981

TO: Assemblyman Robert Robinson
FROM: A. Wayne Tetrault, Administrator *Wayne*
SUBJECT: AB 412 - Fiscal Note

AB 412 indicates a fiscal note effect on the state or on industrial insurance.

This is not the case. This bill will not require us to request any additional budget or personnel to administer the provisions of AB 412.

Please amend AB 412 so that it reflects a NO fiscal note.

Thank you.

cc: Assembly Commerce Committee members

927

April 29, 1981

AMENDMENTS TO AB412

1. Amend Section 7, page 2 by deleting line 4.
2. Amend Section 12, page 4, line 23 to read as follows:
 . . . menced within the time specified, the agency will order the [building]mobile home . . .
3. Amend Section 13, page 4, line 43 to read as follows:
 . . . [at each exit of]in a conspicuous place on the mobile home, and must be in substantially the fol- . . .
4. Amend Section 15, page 5, line 17 to read as follows:
 . . . to be vacated by posting [at each exit of]in a conspicuous place on the mobile home a notice . . .
5. Amend Section 19, page 7 by deleting lines 22 and 23.
6. Amend Section 24, page 8 by adding a new subsection 3 to read as follows:
 3. A. All fees which the division collects under this chapter must be deposited in the state treasury for credit to the manufactured housing fund which is created as a special revenue fund under NRS 489. All expenses of the enforcement of this chapter must be paid from the fund.
 - B. Claims against the fund must be paid as other claims against the state are paid.
7. Amend Section 29, page 10 by deleting subsection 3 (lines 43 through 47, inclusive).
8. Amend title of AB 412 as follows:

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

FISCAL NOTE

BDR40-1244
A.B. 412
S.B.

• STATE AGENCY ESTIMATES Date Prepared 4-3-81

Agency Submitting Manufactured Housing Division

<u>Revenue and/or Expense Items</u>	<u>Fiscal Year 1980-81</u>	<u>Fiscal Year 1981-82</u>	<u>Fiscal Year 1982-83</u>	<u>Continuing</u>
	-0-	-0-	-0-	-0-
Total	-0-	-0-	-0-	-0-

Explanation (Use Continuation Sheets If Required)

Additional staff or funds are not needed because this legislation merely gives authority to this division and local building departments to respond to complaints and violations by requiring substandard mobile homes to be brought up to code. It does not require systematic regular inspections of mobile homes.

Local Government Impact YES NO

(Attach Explanation)

Signature [Signature]

Title [Title]

• DEPARTMENT OF ADMINISTRATION COMMENTS

Date _____

Signature _____

Title _____

• LOCAL GOVERNMENT FISCAL IMPACT
(Legislative Counsel Bureau Use Only)

Date _____

Signature _____

Title _____