

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON COMMERCE AND LABOR

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
MARCH 25, 1981

The Senate Committee on Commerce and Labor was called to order by Chairman Thomas R. C. Wilson, at 1:50 p.m., on Wednesday, March 25, 1981, in Room 213 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Thomas R. C. Wilson, Chairman  
Senator Richard Blakemore, Vice Chairman  
Senator Melvin D. Close  
Senator Don Ashworth  
Senator William Hernstadt  
Senator William Raggio

COMMITTEE MEMBER ABSENT:

Senator Clifford McCorkle

STAFF MEMBERS PRESENT:

Samuel F. Hohmann, Sr., Research Analyst, Science and Technology  
Betty Steele, Committee Secretary

Chairman Wilson stated Assemblyman Nicholas Horn was present to give testimony on a series of Assembly Concurrent Resolutions.

Assemblyman Horn said he was under the assumption he would be joined by members of the staff as well as Assemblyman Westall and Senator Getto. He stated all of the Assembly Concurrent Resolutions Nos. 5 through 9, are from the Legislative Commission's Interim Subcommittee on the Public Service Commission. He commented they had decided to proceed, using concurrent resolutions rather than bills, to encourage and urge rather than mandate the commission and utilities to do certain things. He noted the resolutions are an interrelated package and can be covered together. (See memorandum, Exhibit C.)

ASSEMBLY CONCURRENT RESOLUTION NO. 5--Supports adoption by the department of energy of stricter standards of energy conservation in new construction.

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In testimony before the interim subcommittee, the Nevada department of energy stressed the importance of legislative support for more strict energy conservation standards on new buildings. An affirmative legislative policy could make the adoption of standards easier for the energy agencies. The outcome of the adoption of such standards will be buildings which will consume less energy, whether commercial or residential.

ASSEMBLY CONCURRENT RESOLUTION NO. 6--Encourages local governing bodies to adopt building and subdivision regulations which promote the use of alternative sources of energy.

This does overlap somewhat with ACR No. 5. ACR No. 6 promotes the use of solar, geothermal and other alternative energy sources by developers, thus reducing energy demands and the need for additional generating facilities. Some local ordinances, however, restrict the type of equipment which can be included in new construction by specifying only certain conventional heating and cooling systems. Local governments could adopt policies relating to allowing permits and reducing local taxes, which would stimulate investment in alternatives and reduce utility energy consumption.

ASSEMBLY CONCURRENT RESOLUTION NO. 7--Encourages public service commission to provide incentives for conservation of energy and use of renewable energy resources.

This resolution basically encourages reducing charges for the extension of lines to structures which are built for higher energy conservation. This could encourage conservation-minded builders and ultimately reduce energy demands. The public service commission could, however, adopt several policies for conservation of energy which might discourage the use of renewable energy sources. The public service commission might be able to increase the efficiency of use of existing utility facilities by requiring public utilities to adopt new rate structures and demand management policies such as peak-load pricing, time-of-day rates, inverted rates, etc.

ASSEMBLY CONCURRENT RESOLUTION NO. 8--Encourages public utilities to investigate alternative sources of energy and to spread energy demand to reduce need for new plant construction.

Investigating the use of alternative sources of energy when planning new power generating facilities could lead to the development of facilities which rely on alternative sources instead of facilities which require fossil fuel. Assemblyman Horn indicated this resolution leads into the last one.

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ASSEMBLY CONCURRENT RESOLUTION NO. 9--Urges public utilities to  
lend money to customers for insulation.

Public utilities loans to customers for improving insulation in their homes can decrease energy loss from homes in case of inferior existing insulation or construction. This is done in California and Massachusetts. In Nevada, the utilities are being encouraged to provide either low-interest or no-interest loans for such things as wrapping water heaters or various types of insulation processes. Assemblyman Horn commented they had received very positive testimony from the utility companies, with no opposition whatsoever. In fact, they indicated they would like to see the legislature encourage it and would help them to process it. He stated California is basically where the idea came from and Massachusetts adopted it this past week. Assemblyman Horn stated he asked Mr. Hohmann to provide documentation or detail if the committee wishes to cover the situation in any greater depth.

Senator Virgil Getto remarked that Assemblyman Horn was on the committee, since the Senate allowed the Assembly to carry the resolutions, and so was Senator Don Ashworth on that committee. He said the committee received the resolutions and passed them out of committee promptly. Senator Getto said they certainly support the resolutions and hope the committee here will also.

Mr. Randolph Townsend, chairman of the Coalition for Affordable Energy, thanked the committee for the opportunity to appear. He said he had submitted copies of testimony before three different state public service commissions, concerning the "Oregon Plan". He stated ACR No. 9 had its beginnings in the "Oregon Plan". (See Exhibit D.) Mr. Townsend added ACR No. 8 is an alternative that should be investigated; and hopefully, private industry will develop an economical way of doing that, although he was told recently by a representative of Sierra Power Company that right now solar power is not cost effective.

Mr. Kelly Jackson, representing the Nevada department of energy, stated he wished to speak briefly in support of all of the Assembly Concurrent Resolutions being considered. He commented the resolutions present some valuable policy statements which can be made by the legislature through the executive and administrative agencies to provide guidance in terms of where Nevada's energy conservation program should be going. He said ACR No. 5 directly impacts the department of energy. They have been considering for some time strengthening the Nevada Energy Conservation standards for new building construction. He stated they

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have been waiting for some of the federal laws and regulations to go the administrative route and they have since been killed. Mr. Jackson said his department would welcome legislative support for strengthening their standards. He said the department supports ACR No. 6 on the intent; and it was his understanding that Assembly Bill No. 365 has been introduced addressing the same issue and they will testify for it. Mr. Jackson said ACR No. 7 also has department of energy support. With regard to ACR No. 9, he said Nevada Power Company is doing some financing of insulation but it is debatable whether it is low-interest financing as it is at their current level of short-term debt. However, he added, it is one of the situations where the Nevada utility companies are coming up with some programs to get some insulation activities going.

Senator Hernstadt inquired, with respect to the low interest rate provision of ACR No. 9, if Mr. Kelly thought it fair for those rate-payers who have already paid for their own insulation to be subsidizing other rate-payers who have to take one of these loans to do their insulation. He said there was no problem with what Nevada Power is doing if they just do it at cost. Senator Hernstadt questioned Nevada Power borrowing the money at 18 percent and loaning it out at 6 percent.

Mr. Jackson replied this was a debatable issue; but there were two or three studies indicating other rate-payers will benefit by the reduction in need for new capacity and that reduction for peaking energy has the impact of reducing rates generally. He stated the California Energy Commission concluded in recent hearings that was the case in the Pacific Gas and Electric Company's service territory. He said the issue has to be examined in relationship to each utility's specific circumstances. Responding to Senator Hernstadt's question on the actual worth of weatherization, in insulating a water heater for instance, Mr. Jackson replied it would have to be individually researched in terms of the utility involved. He cited some Sierra Pacific Power studies which indicated power consumption of homes built prior to 1978 can be reduced 15 to 20 percent with more insulation, caulking, weatherstripping, ceiling insulation and some portable types of window insulation.

Mr. Heber Hardy, chairman of the public service commission, stated he was present to generally support ACR No. 7, No. 8, and No. 9, which have reference to the public service commission. He indicated these resolutions have a good deal to do with the language included in Assembly Bill No. 58. He said in Section 35, page 10, are three provisions which address those issues to encourage the

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orderly development of the resources of the public utilities in a manner consistent with the state's needs and consistent with the state's renewable sources of energy; but not limited to geothermal, solar or wind. He stated Assembly Bill No. 58 also encourages the development of natural resources in a manner consistent with the national policy on energy as established by the President and Congress; and to encourage wise and efficient use of energy by public utilities and their customers. He stated the only caution brought to his attention was in ACR No. 7, which specifically recommends reduction in charges for line extension to structures meeting high standards of energy conservation. He said it suggests potential problems in enforcement and determination of eligibility and the equity problems referred to by Senator Hernstadt. Mr. Hardy reiterated the public service commission support for Assembly Concurrent Resolutions Nos. 7, 8, and 9.

In response to Senator Blakemore's query if any Nevada utility was working on the minute-hour basis for generation and Mr. Hardy replied in the negative. Senator Blakemore remarked they were looking at the larger units and suggested the smaller units had far more flexibility, cost-wise.

The public hearing on Assembly Concurrent Resolutions No. 5, No. 6, No. 7, No. 8 and No. 9 was closed as there was no further testimony.

Chairman Wilson then returned the meeting to the scheduled agenda items.

ASSEMBLY BILL NO. 15--Revises provisions of law concerning podiatrists.

Dr. H. Kim Bean, Carson City podiatrist and member of the state board of podiatry, stated this bill is presented by the board. He said the bill increases application fees for examinations, sets 25 hours of continuing education as a requirement for relicensure and increases the re-registration fee for podiatrists practicing within the state. He stated the board had come up with some amendments since introduction of the bill; and commented the continuing education requirements were necessary as there were some podiatrists who have not educated themselves since graduating from podiatry school.

Senator Raggio asked for the justification for fee increases from \$100 to \$200 for application fees, and \$50 to \$75 for re-registration. Dr. Bean answered that, budget-wise, it was justified to

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cover the increased costs of administering the examination, as well as postage, etc. for mailing examination results, diplomas, licenses, etc. for registered podiatrists.

Senator Wilson asked Dr. Bean for the suggested amendments to Assembly Bill No. 15.

Dr. Bean stated one amendment involved raising the penalty for unregistered and unlicensed podiatrists, who practice in the state, from \$500 to possibly \$10,000.

Senator Wilson commented it was needful to look at all these professions, and conform the penalties for unlawful practice. He asked the staff to give the committee a list of the different penalties for unlawful practice of the various professions and then consider some kind of a blanket fee. All members of the committee concurred; and Senator Wilson asked that it be noted in the record that such action would be taken.

Dr. Bean then presented a second amendment pertaining to the definition of podiatry in NRS 635.010 (see Exhibit E). He cited a slight contradiction in the definition in that podiatrists are allowed to treat the human leg and foot but not in connection with the practice of another licensed profession. He wanted to know if podiatrists would be forbidden to treat an ingrown toenail because a dermatologist can treat an ingrown toenail.

The committee joined in asking Dr. Bean a variety of questions with regard to his suggested change in the definition. Senator Wilson wanted to know if Dr. Bean spoke of excluding other services and felt the language should be made specific so podiatrists could treat with another practitioner and asked for suggested language to change the wording.

Dr. Bean suggested deletion of the word "not" so the definition would read "all ailments of the human foot and leg in connection with the practice of other licensed professionals,". Senator Wilson inquired whether that would be conclusive enough and suggested the board counsel should take a look at the amendment.

With no further testimony, the public hearing on Assembly Bill No. 15 was closed.

ASSEMBLY BILL NO. 3--Provides for abandonment of fictitious name and makes certain other changes to requirements for conducting business under a fictitious name.

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The public hearing on Assembly Bill No. 3 was closed for lack of any one who wished to testify on the bill.

ASSEMBLY BILL NO. 110--Changes certain provisions of law  
regulating audiology and speech pathology.

Mr. Ernest Newton, secretary, board of examiners for audiology, stated this bill is to amend NRS Chapter 637B and involves several substantive changes. He went through the bill, section by section, without any argument. (See Exhibit J.) Mr. Newton stated he is the lay member and secretary for the board of examiners for audiology and that A.B. No. 110 is supported by the entire membership of the board including Dr. MacFarlane, Gene Curran, Dave Anderson, and Dr. Brophy in Reno, a physician member. Mr. Newton said that although Section 1 provides the board be paid a salary of \$40 a day while engaged in board business, the current members of the board, himself included, have indicated their unwillingness to accept any pay.

Senator Wilson stated he had argued the bill feeling the requirement should be a master's degree and it had reached the floor that way and then there had been a "hassle" because it was a bachelor's degree and Senator Close had objected.

Mr. Newton felt that objection was satisfied with the current amendment. Lines 18 and 23 change the requirements for licensure from bachelor's degree to master's degree which means 300 clock hours of supervised clinical experience in audiology or speech pathology. In reply to Senator Wilson's question whether this would apply retroactively, Mr. Newton said it would not. He indicated some 40 or 50 people who were licensed under the "grandfather clause" which is repealed, will not have to re-qualify for their licenses. As to the number of licensees, Mr. Newton replied there were 90 with probably 60 of them with master's degrees. He said very few used the bachelor's degree because they can not compete in the marketplace with a master's degree. He mentioned the changes in lines 9, 10, 11, and 12 which are also master's degree requirements. There is a qualification for those who have not yet received the master's degree but have obtained a certain number of credits which is comparable to training and experience.

The next change was in fees and change in duration of licensure. The only permissible fee to be doubled is the annual fee for renewal. The board does not anticipate it will need to double the fee, but it is permissive. Mr. Newton stated in Section 5, the application fee is set at \$100 but was set by the board at \$50.

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Senator Raggio stated A.B. No. 110 should not provide for any indiscriminate increase in fees, unless the increase is supported by some time and motion studies.

Mr. Newton explained the request for licensure on an annual basis instead of biannually, to enable the board to keep better control of a licensee's activities and practice. The other change is to grant the license change as renewable on the anniversary of issuance rather than all being issued on July 1 of the year issued. Mr. Newton reported the board's income has exceeded their expenses the last one and a half to two years and, when their resources reach \$10,000, they wish to reduce the renewal fee and possibly the license fee to a point which will maintain their credit balance. He stated the board's expenses of operation are only \$2,500 to \$3,000 per year and their biggest expense is the required yearly audit.

Dr. Stephen McFarlane, president of the board of examiners for speech pathology and audiology spoke in favor of the amendments. Written confirmation of his testimony was submitted (see Exhibit F).

Ms. Jean Curran, vice president of the board of examiners and president of the Nevada Speech and Hearing and Association, also spoke in favor of the bill and its amendments. She stated that changing the requirements to a master's degree level would make Nevada's standards commensurate with all the other states which require licensure. (See Exhibit G.)

Mr. David Anderson, clinical audiologist in private practice and also a member of the board of examiners, spoke in favor of the proposed amendments.

Several letters were received from various people in the field of audiology and speech pathology favoring the bill and its amendments. (See Exhibit H-1,2,3,4,5.)

Chairman Wilson closed the public hearing on Assembly Bill No. 110 as there was no further testimony.

ASSEMBLY BILL 111--Specifies primary and excess liability insurance when two or more policies are in effect for same motor vehicle.

Mr. Daryl Capurro, executive director, Nevada Franchised Auto Dealers Association, spoke for the bill which the association sponsored. He said the bill adds a new section to NRS 690B,



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which is the casualty contract section of the law. He admitted the act is wordy but is similar to provisions currently in effect in Arizona, California and several other states throughout the country. Mr. Capurro said, in regard to Section 1, subsection A, line 6, if a motor vehicle were operated by a person in the business of selling, service, repairing, delivering, testing, road-testing, parking or storing motor vehicles or his agent or employee, the policy issued to that business would be primary and any other policy would provide excess coverage in the event there was an accident.

Senator Wilson said the bill seemed to address the question of which policy is primary and which is secondary and wanted to know why that was only limited to people in the enumerated businesses. He felt the problem might arise in all kinds of businesses. He wanted to know whether a business or personal policy applies to someone driving a car, whether the car or the driver is insured.

Mr. Capurro stated the basic general insurance law of the state of Nevada is the registered owner's insurance is primary. He indicated a bill was drafted last session which would have made the driver's insurance primary at all times but it was strongly opposed by the insurance division as well as the insurance industry. He stated the reason for the narrow wording in the event of loaning a car to a friend or anyone else is that it is a voluntary act. The situation addressed by this bill is basically with respect to auto dealers as there have been a number of cases where people demonstrating cars have been involved in accidents.

Mr. Capurro stated that the Farmers' Insurance Company had appeared in support of the bill on the Assembly side because it clarifies the inconsistency in the law involving what happens when a car is taken to a parking lot and the attendant drives off in it at 50 miles per hour. If involved in an accident, in this situation, the garage owner's insurance would be primary, and the driver's insurance secondary. Another situation covered by line 13, is if the vehicle is driven by someone of the company for something other than business purposes, the driver's insurance would be primary and the garage owner's excess. The individual registered owner's insurance would not come into it. He said there was no opposition to the bill on the Assembly side and he would be glad to answer questions relative to the intent of the bill.

Senator Wilson questioned paragraph 2 of Section 1, lines 17 through 22 and Mr. Capurro replied that would be the situation

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because when an individual lends his car, his insurance is primary. Mr. Capurro, in answer to Senator Wilson's query, said this is a restatement of the current law.

Mr. Virgil Anderson, with the California State Automobile Association (Triple A), said they are neutral on Assembly Bill No. 111 and do not take a position one way or another. He said the particular language is a standard clause in effect for many years in most auto policies in that the private passenger coverage afforded to the insured does not apply to the vehicle being used by a garage, dealer, etc. Mr. Anderson said the reason is statutory, rather than contract; as the primary insurance always covers the owned vehicle and there has always been litigation as to who was primary and excess. By establishing, when an individual's car is being used by a garage's employees, road-testing or whatever, that their policy is primary, avoids that controversy.

Senator Close stated the party responsible for the accident should have to pay for the insurance. Mr. Anderson replied that consideration has been given to that sort of policy. The correct underwriting rule would specify the driver should be rated rather than the owner of the car; but that type of change would completely upset the whole body of law that has been written.

Mr. Richard Garrod, Farmers' Insurance Group, commented that if the owner "willingly and knowingly loaned the car" he accepted part of the responsibility by providing the "wheels under him." Senator Close restated the theory it was the car and not the driver who was insured. Mr. Garrod indicated the basic provision of every policy says the permissive user is secondary in this case. To change that would mean a change in the statutes. Senator Hernstadt explained the question had come up in rental car insurance some years ago.

Senator Wilson questioned the need of paragraph 2 in the bill and Mr. Garrod answered he did not know specifically. He supposed it was because Arizona and California contracts state it that way. He saw no problem leaving it in; but opposed taking it out in this bill. He said there would be heavy opposition, and a danger in employer-employee relationships if the driver's policy is always primary, referring to subsection 2.

Senator Wilson commented legislation was passed last session having to do with insured and uninsured vehicles, and cited an example of coverage with the uninsured motorist who hits an individual and the individual's insurance company policy is to deduct.

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Senator Wilson, Mr. Garrod and Mr. Anderson discussed the various details of insured, uninsured, and underinsured coverage. The amendment was briefly discussed and the terms were defined by Mr. Anderson. Senator Wilson asked Mr. Capurro if there was any reason why paragraph 2 could not be dropped. Mr. Capurro agreed there was no problem as nothing would be changed.

Chairman Wilson called for a recess.

ASSEMBLY BILL NO. 111

After the recess, discussion was resumed on Assembly Bill No. 111. Senator Raggio, Senator Close, and Senator Wilson engaged in a further discussion with the Farmers' Insurance Group representative, Mr. Garrod, joining in on the discussion of paragraph 2.

Senator Don Ashworth moved for approval (See Exhibit I.)  
of Assembly Bill No. 111.

Senator Hernstadt seconded the motion.

There was some more discussion of the controversial paragraph 2.

Senator Don Ashworth amended his motion for approval to include striking paragraph 2.

Senator Hernstadt amended his second to the motion.

The motion carried unanimously.

ASSEMBLY BILL NO. 110

Chairman Wilson called for consideration of Assembly Bill No. 110, summarizing the previous discussion for Senator Close's benefit.

Senator McCorkle moved for approval (See Exhibit J.)  
of Assembly Bill No. 110.

Senator Hernstadt seconded the motion.

The motion carried. (Senator Close voted "No".)

ASSEMBLY BILL NO. 3

Chairman Wilson stated Assembly Bill No. 3 was not discussed as no one was present to testify on it. There was some confusion as

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to the intent and outcome of Assembly Bill No. 3. It was stated the bill would require a computer system with regard to the names. It was suggested Assemblyman Banner initiate a discussion concerning fictitious corporations and fictitious names. He agreed to notify Pat Pine and Dan Fitzpatrick and include the matter for the work agenda of Monday, March 30.

SENATE BILL NO. 366--Provides for separate licensing  
of cosmeticians.

The bill was discussed and it was noted that Senator Don Ashworth wanted to look it over. He suggested that Mr. Will Crockett, acting Senate bill drafter, come to the meeting if there were any questions, but stated it would not change anything. The committee agreed. After further discussion and questions, the following action was taken.

Senator Raggio moved for approval  
of Senate Bill No. 366.

(See Exhibit K.)

Senator Close seconded the motion.

The motion carried unanimously.

ASSEMBLY CONCURRENT RESOLUTIONS NOS. 5,6,7,8 and 9.

Chairman Wilson then asked the committee to consider the Assembly Concurrent Resolutions Nos. 5 through 9, and vote on them all on one motion.

Senator Hernstadt stated his opposition to ACR No. 9 because he said it was not a typical concurrent resolution. Mr. Jack Kenny, of Southern Nevada Homebuilders expressed his dissatisfaction with some of the wording, but agreed to Senator Wilson's suggestion of replacing the word "stricter" with "effective standards of conservation."  
(See Exhibit L-1,2,3,4,5.)

Senator Hernstadt then moved for committee approval  
of Assembly Concurrent Resolutions Nos. 5,6,7, 8 and 9.

Senator Don Ashworth seconded the motion.

The motion passed unanimously.

Mr. Dan Fitzpatrick, Clark County representative, stated Clark County was against the bill as the fee required does not begin to

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cover the work involved with expirations. In addition, Mr. Fitzpatrick said the fictitious names not being used take up much filing space and should be done away with by the county clerk. The discussion was terminated on Assembly Bill No. 3, to be re-scheduled for Monday, March 30; with proper notification to Mr. Fitzpatrick and Mr. Pat Pine and Ms. Judy Bailey.

Chairman Wilson then requested a bill draft request be drawn to clarify underinsured motorist coverage up to the amount of the damage. The committee concurred.

SENATE BILL NO. 231--Changes various provision of law governing physical therapists and their assistants.

Chairman Wilson stated he had received the amendments on the physical therapy bill (See Exhibit M.) and had one question he wanted cleared up; which was the matter of joint mobilization which is not supposed to be chiropractic manipulation or adjustment.

Senator Close read the original language, Section 2:5, "The administering of treatments and the use of therapeutic exercise and massage, joint mobilization, except manipulation or adjustment of spine," and stated that language is a problem as the physical therapists do work on the spine. Senator Close recommended the following: "The administering of treatment through the use of therapy, exercise and massage." leaving out "joint mobilization" and putting in "therapy". He suggested some alternative wordings.

Chairman Wilson asked for action on the previous motion on: Senate Bill No. 231.

Senator Raggio moved to reconsider and rescind the previous action on Senate Bill No. 231.

(See Exhibit N.)

Senator Don Ashworth seconded the motion.

The motion carried unanimously.

Senator Wilson asked to hear the recommended amendment again.

Senator Close recommended: "Joint mobilization without chiropractic adjustment." and on page 6, line 44: "graduate student approved by the Board . . ." "under the direction of teacher or physical therapist." Take out the word "teacher".

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(Action on Senate Bill No. 231, continued)

Senator Don Ashworth moved for approval of (See Exhibit N.)  
the amendments as stated.

Senator Raggio seconded the motion.

The motion carried unanimously.

Chairman Wilson presented the following Bill Draft Requests for  
committee approval.

BDR 55-1462--Authorizes superintendent of banks to establish  
(SB 463) limitations on loans made by bank to its employees,  
officers or directors.

BDR 55-1454--Authorizes superintendent of banks to enter into  
(SB 469) a divided program of examination of banks with  
federal agencies.

BDR 55-1458--Removes limitation on add-on rate of interest  
charged by bank for small loan. (Requested a  
hold on this BDR.)

BDR 55-1465--Increases various fees pertaining to collection  
(SB 462) agencies, banks and related organizations.

BDR 56-635---Makes various changes in provisions relating  
(SB 470) to thrift companies.

BDR 57-1306--Changes certain provisions relating to obligations  
(SB 472) of Nevada insurance guaranty association.

BDR 56-1463--Simplifies annual reports made to superintendent  
(SB 464) of banks by small loan companies.

BDR 55-1460--Simplifies renewal of license for business dealing  
(SB 471) in money orders.

BDR 53-1361--Provides certain increases in compensation under  
(SB 465) industrial insurance for permanent partial disability.

BDR 53-1199--Amends provisions of laws relating to industrial  
(SB 473) insurance.

BDR 53-1365--Amends provisions relating to occupational safety  
(SB 466) and health.

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BDR 53-1355--Amends provisions of industrial insurance law  
(SB 467) and provides unemployment dividends based on  
loss of experience of employers.

The BDR's presented were approved for introduction in the Senate;  
and the last four for introduction in the Assembly.

Chairman Wilson stated Senate Bill No. 280 was deferred to Monday,  
and Senate Bill No. 329 to Wednesday. Senate Bill No. 346 was  
unposted.

SENATE BILL NO. 361--Makes extra charge by practitioner of  
healing art for filling out insurance  
form an unethical practice.

Senator Raggio suggested requiring insurance coverage to cover  
administrative fees for this purpose, not to exceed \$5 for filing  
costs.

Senator Raggio moved for amendment and approval (See Exhibit O.)  
of Senate Bill No. 361.

Senator Blakemore seconded the motion.

The motion carried. (Senator Don Ashworth voted "No.")

SENATE BILL NO. 365--Removes special exemption for agents of  
fraternal benefit societies.

Chairman Wilson asked the committee to consider Senate Bill No. 365.  
It was stated the bill is opposed by fraternal agents as  
the insurance brokers wanted to control insurance sold by the  
fraternal organizations.

Senator Wilson moved that Senate Bill No. 365  
be indefinitely postponed.

Senator Close seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 391--Amends law relating to pharmacists  
and pharmacies.

Chairman Wilson asked for consideration of the pharmacy bill.  
Senate Bill No. 391 was discussed and postponed to be considered  
on March 27. It was decided Mr. Fran Green should get a list of  
states for the committee.

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ASSEMBLY BILL NO. 15--Revises provisions of law concerning podiatrists.

The committee decided to hold Assembly Bill No. 15 for consideration.

ASSEMBLY BILL NO. 117--Change provisions on appeals and hearings officers in law concerning industrial insurance.

It was agreed Assembly Bill No. 117 will be placed on the agenda for Wednesday, April 2.

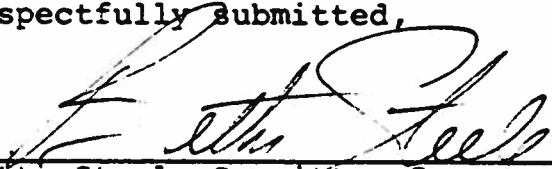
SENATE JOINT RESOLUTION NO. 28--Memorializes Congress to repeal legislation setting wages for workers on federal public works.

It was agreed Senate Joint Resolution No. 28 will be continued for Wednesday, April 2.

There was a question on the minutes but all were signed.

The meeting adjourned at 4:20 p.m.

Respectfully submitted,

  
Betty Steele, Committee Secretary

APPROVED:

  
Senator Thomas R. C. Wilson, Chairman

DATE: \_\_\_\_\_



EXHIBITS - MEETING - MARCH 25, 1981

Exhibit A is the Meeting Agenda.

Exhibit B is the Attendance Roster.

Exhibit C is the memorandum on Assembly Concurrent Resolutions Nos. 5, 6, 7, 8, and 9; to Assemblyman Horn.

Exhibit D is the testimony of Mr. Randolph Townsend.

Exhibit E is the definition of podiatry, from NRS 635.010 from Dr. Bean's testimony.

Exhibit F is F-1 and F-2, letters from Dr. McFarlane, re A.B.110.

Exhibit G is letter from Jean Curran, re Assembly Bill No. 110.

Exhibit H is H-1, 2,3 from UNR faculty; H-4, from registered nurse at V.A. Hospital.

Exhibit I is copy of Assembly Bill No. 111.

Exhibit J is copy of Assembly Bill No. 110.

Exhibit K is copy of Senate Bill No. 366.

Exhibit L is copy of Assembly Concurrent Resolutions Nos. 5,6,7,8,9 . as exhibits L-1, 2, 3, 4, and 5.

Exhibit M is copy of amendment language re Senate Bill No. 231, from Ms. Pat Conn.

Exhibit N is copy of Senate Bill No. 231.

Exhibit O is copy of Senate Bill No. 361.

EXHIBIT A

SENATE AGENDA

COMMITTEE MEETINGS

Committee on Commerce and Labor, Room 213.  
Day Wednesday, Date March 25, Time 1:30 p.m.

A.B. No. 15--Revises provisions of law concerning podiatrists.

A.C.R. No. 5--Supports adoption by department of energy of stricter standards of energy conservation in new construction.

A.C.R. No. 6--Encourages local governing bodies to adopt building and subdivision regulations which promote the use of alternative sources of energy.

A.C.R. No. 7--Encourages Public Service Commission to provide incentives for conservation of energy and use of renewable energy resources.

A.C.R. No. 8--Encourages public utilities to investigate alternative sources of energy and to spread energy demand to reduce need for new plant construction.

A.C.R. No. 9--Urges public utilities to lend money to customers for insulation.

A.B. No. 3--Provides for abandonment of fictitious name and makes certain other changes to requirements for conducting business under a fictitious name.

A.B. No. 110--Changes certain provisions of law regulating audiology and speech pathology.

A.B. No. 111--Specifies primary and excess liability insurance when two or more policies are in effect for same motor vehicle.

SENATE COMMITTEE ON Commerce & Labor

EXHIBIT B

DATE: March 25, 1981

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME

ORGANIZATION & ADDRESS

TELEPHONE

<del>Andrew L. Barbano</del>	<del>Coalition for Affordable Energy 2615 Hiko Reno 89512</del>	<del>786-1955</del>
<del>Stephen C. McFarlane</del>	<del>New Board of Examiners for Auditing &amp; Speech Pathology</del>	<del>784-4887</del>
<del>Daryl E. Capran</del>	<del>Nev. Franchised Auto Dealers Assn.</del>	<del>331-6884</del>
<del>Ernie Newton</del>	<del>Board of Examiners for Audiology &amp; Speech Pathology</del>	
<del>Jean Curran</del>	<del>Nevada Speed &amp; Slewing Assoc</del>	<del>876-8648</del>
<del>David E. Anderson</del>	<del>Nev. Board of Examiners for Audiology &amp; Speech Pathology</del>	<del>646-7147</del>
<del>Kim F. O'Neil, CPA</del>	<del>Nev. State Board of Accountancy</del>	<del>822-1441</del>
<del>Joan Ho</del>	<del>Real Estate Division</del>	<del>885-4280</del>
<del>Barbara</del>	<del>Real Estate Div.</del>	<del>885-4280</del>
<del>Rich Gannon</del>	<del>Farmers Ins Group</del>	<del>916 428-4285</del>
<del>Vinyl Anderson</del>	<del>A.A.</del>	<del>882-1890</del>

STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710



ARTHUR J. PALMER, Director  
(702) 885-5627

LEGISLATIVE COMMISSION (702) 885-5627

KEITH ASHWORTH, Senator, Chairman  
Arthur J. Palmer, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640

DONALD R. MELLO, Assemblyman, Chairman  
Ronald W. Sparks, Senate Fiscal Analyst  
William A. Bible, Assembly Fiscal Analyst

FRANK W. DAYKIN, Legislative Counsel (702) 885-5627  
JOHN R. CROSSLEY, Legislative Auditor (702) 885-5620  
ANDREW P. GROSE, Research Director (702) 885-5637

EXHIBIT C

February 2, 1981

M E M O R A N D U M

TO: Assemblyman Peggy Westall, and  
Assemblyman Nicholas J. Horn ✓

FROM: Samuel F. Hohmann, Senior Research Analyst

SUBJECT: Rationale for ACR's 5, 6, 7, 8, and 9

The basis of all five resolutions approved by the interim subcommittee is related to the recent increases in the cost of energy to customers of public utilities, and such increases have demonstrated the need for conservation of energy and the desirability of resorting to untapped and alternative sources of energy. More specific rationales for each resolution are provided below. Also, please find attached excerpts from the National Conference of State Legislatures legislators' guide to Producing Energy Through Conservation. The discussion in these is relevant to the concerns of the resolutions.

A.C.R. 5

In testimony before the interim subcommittee, the Nevada department of energy stressed the importance of legislative support for stricter energy conservation standards in new buildings. An affirmative legislative policy could make the task of adopting stricter standards easier for the energy agency. The outcome of the adoption of such standards will be buildings which consume less energy whether commercial or residential. Ultimately, this should lead to a decreased demand for energy as well as for additional generating facilities; the decreased demand should slow rate increases. Although construction costs will necessarily increase, the combined cost of construction and energy consumption over the life of the building should be reduced (life cycle costing).

1/11/81 NV 1981  
Bill Analysis  
Mick 5, 6, 7, 8 & 9

Finally, as of mid-1980, at least 28 states had established mandatory thermal efficiency standards for new buildings (Nevada among them). Legislative support and aggressive agency promotion can insure adoption of additional standards which will benefit utility customers over the life of the buildings under consideration. (See attachment A for further discussion.)

A.C.R. 6

The promotion of the use of solar, geothermal, and other alternative energy sources by developers can also reduce energy demand and the need for additional generating facilities. Some local ordinances, however, restrict the type of equipment which can be included in new construction by specifying only certain conventional heating and cooling systems. Local governments could adopt policies related to, for example, allowing permits and reducing local taxes, which would stimulate investment in alternatives and thus reduce utility energy consumption.

A.C.R. 7

Reducing charges for the extension of lines to structures which meet high standards for conservation of energy will promote conservation and ultimately reduce utility energy demand. The public service commission could, however, adopt several policies for conservation of energy which might discourage the use of renewable energy resources. These include severe standby charges for utility customers who are not using utility services 100 percent of the time due to the use of renewable energy systems (solar, geothermal, wind, etc.); discriminatory line extension charges; penalty for selling excess energy back to utility (e.g., wind generated electricity).

Finally, the public service commission might be able to increase the efficiency of use of existing utility facilities by requiring public utilities to adopt new rate structure and demand management policies. Examples include peak load pricing, time of day rates, inverted rates, and so on. (See attachment B for further discussions.)

A.C.R. 8

Investigating the use of alternative sources of energy when planning new power generating facilities could lead to development of facilities which rely on alternative sources instead of facilities which require fossil fuels. (The cost of fossil fuels will increase more rapidly than the cost of operation of renewable systems.) Clearly, nothing is lost, and perhaps an understanding of cost effectiveness is gained, in the mere investigative process.

Public utility examination of the feasibility of spreading the demand for energy from times when that demand has historically been highest to times when it has been lowest can reduce demands for power at times of peak use and serve as an alternative to the construction of new power generating facilities.

A.C.R. 9

Public utility loans to customers for improving insulation in homes can decrease energy loss from homes in cases of inferior existing insulation or construction. The subsequent effect is to reduce monthly consumption and ultimately reduce general demand and perhaps need for new generating facilities. These reductions can slow utility rate increases. (See attachment C for additional discussion.)

I hope this information is helpful. If you have any questions or would like additional information, please do not hesitate to contact me.

*mass. & Calif*

SFH/jld  
Encl.

Excerpts from Producing Energy Through Conservation: A Legislator's Guide, by David Nemptzow, Richard H. Counihan, and Eugene F. Barfield, National Conference of State Legislatures, Denver, Colorado, 1980.

# Coalition for Affordable Energy

P.O. Box 10034 • Reno, NV 89510 • (702) 786-1455, 826-7333

EXHIBIT D

COMMENTS OF  
RANDOLPH J. TOWNSEND  
BEFORE THE  
NEVADA STATE SENATE COMMITTEE ON  
COMMERCE AND LABOR,  
HON. THOMAS R.C. WILSON, CHMN.

3/25/81

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, AND HONORED GUESTS. FOR THE RECORD, I AM RANDOLPH TOWNSEND, CHAIRMAN OF THE COALITION FOR AFFORDABLE ENERGY, AND I THANK YOU FOR THE OPPORTUNITY TO COME BEFORE YOU TODAY.

WE HAVE SUBMITTED TO COMMITTEE STAFF COPIES OF THREE PIECES OF TESTIMONY BEFORE THREE DIFFERENT STATE PUBLIC SERVICE COMMISSIONS. THE MATERIAL CONCERNS WHAT WE HAVE DUBBED "THE OREGON PLAN."//ACR 9, WHICH IS BEFORE YOU TODAY, HAS ITS GENESIS IN THE OREGON PLAN.

PACIFIC POWER AND LIGHT, AN OREGON-BASED UTILITY, PRESENTED A PLAN BEFORE THE PUBLIC UTILITY COMMISSIONER OF OREGON. SIMPLY PUT, THE UTILITY'S OWN STUDY SHOWED, AND I QUOTE, "THERE ARE INVESTMENTS WHICH CAN BE MADE ON THE CUSTOMER'S PREMISES THAT SAVE ENERGY AND CAPACITY AT LESS EXPENSE THAN THE COST TO OUR CUSTOMERS OF NEW ELECTRIC PLANT."\*

THE PLAN WAS A REVOLUTIONARY CONCEPT, AND IT WAS ADOPTED BY THE PUBLIC SERVICE COMMISSIONER OF OREGON.//ON OCTOBER 6, 1978, THE UTILITIES COMMISSION OF THE STATE OF WASHINGTON ADOPTED SIMILAR RULES GOVERNING THREE WASHINGTON UTILITIES. YOU HAVE MATERIAL WHICH WAS BROUGHT BEFORE THE WASHINGTON AND OREGON REGULATORY BODIES BEFORE YOU TODAY. IN ADDITION, YOU HAVE THE TESTIMONY OF DR. DAVID S. SCHWARTZ OF BETHESDA, MARYLAND, BEFORE YOU. AS YOU WILL RECALL, DR. SCHWARTZ TESTIFIED BEFORE THIS COMMITTEE ON FEBRUARY 11 ON THE CONSUMER ADVOCACY LEGISLATION NOW IN THE LEGISLATURE.

DR. SCHWARTZ GAVE HIS TESTIMONY ON THIS SUBJECT BEFORE THE PUBLIC UTILITIES COMMISSION OF CALIFORNIA.//THE OREGON PLAN IS BASED ON THE CONCEPT THAT IT CAN COST LESS TO FUND WEATHERIZATION OF BUILDINGS THAN IT WOULD COST TO BUILD NEW UTILITY PLANTS. IT IS A FASCINATING IDEA. THE UTILITIES INVOLVED HAVE BEEN MANDATED TO FUND ZERO TO 6% LOANS TO HOMEOWNERS AND DEVELOPERS TO PAY FOR THE PROGRAM. EXISTING COMMERCIAL BUILDINGS HAVE BEEN INCLUDED IN SOME CASES. THE FUNDS HAVE BEEN GENERATED BY THE UTILITIES, OFTEN IN CONJUNCTION WITH LOCAL FINANCIAL INSTITUTIONS. IN SOME CASES, AS IN THE STATE OF MARYLAND, PRIVATE CONSUMER GROUPS AND SAVINGS AND LOANS FORMED A COALITION TO PERFORM THIS FUNCTION WITHOUT INVOLVING THE UTILITIES. THE PLAN DESERVES STUDY.

TO BE VERY HONEST, IT IS A CONTROVERSIAL CONCEPT. UTILITY ADVOCATES ARE SPLIT ON THE ISSUE. SOME FEEL THAT UTILITIES HAVE NO PLACE IN SUCH PROGRAMS, AS THEIR PAST PERFORMANCE INDICATES THEY WILL ONLY SEEK TO PROFIT

\*TESTIMONY OF JOHN SHUE, EXHIBIT 3-T, PAGE 2,



DR. SCHWARTZ, IN HIS CALIFORNIA TESTIMONY, ALLUDES TO SOME OF THE PERCEIVED PROBLEMS OF UTILITY INVOLVEMENT.

OREGON IS A STATE IN WHICH THERE IS A SIGNIFICANT AMOUNT OF HYDRO-POWER AVAILABLE. HYDROPOWER IS BY AND LARGE CHEAPER THAN THAT WHICH IS GENERATED BY OIL, SUCH AS AT SIERRA PACIFIC'S PLANTS AT TRACY AND FORT CHURCHILL, OR BY COAL, AS IN THE CASE OF VALMY I.// IT IS FASCINATING TO NOTE THAT WITH THESE BEING THE FACTS OF POWER GENERATION IN NEVADA, AND WITH SEVERAL NEW PLANTS ON THE DRAWING BOARDS, THIS PLAN MAY BE ADAPTABLE TO OUR AREA

BEFORE YOU IS A RECENT NEWSPAPER ARTICLE IN WHICH SIERRA PACIFIC POWER PRESIDENT JOSEPH GREMBAN BEMOANS THE PROSPECT OF NOT BEING ABLE TO FUND VALMY II BECAUSE OF HIS COMPANY'S EMBATTLED RATE OF RETURN. PERHAPS WITH AN ADAPTATION OF THE OREGON PLAN, HE WILL NOT NEED TO CONTINUE WITH PLANS TO BUILD VALMY II, WHICH IS THE SUBJECT OF A MAJOR NEW RATE INCREASE APPLICATION. PERHAPS SIERRA PACIFIC AND PACIFIC GAS AND ELECTRIC COULD ALSO FORGET ABOUT THEIR PROPOSED COAL-FIRED DINOSAUR PLANNED FOR THE WINECUP RANCH IN ELKO. PERHAPS THE SPECTER OF ACID RAIN FOR NORTHERN NEVADA CAN BE AVOIDED BY LOOKING LONG AND HARD AT THIS NEW IDEA.

CERTAINLY, THE PUBLIC SERVICE COMMISSION OF NEVADA HAS THE MANDATE AND THE POWER TO INVESTIGATE AND IMPLEMENT SUCH A PROGRAM. BASED UPON THE PSC'S TRACK RECORD, I THINK THERE IS A STRONG CASE TO BE MADE FOR DOUBTING THAT ANY NEW IDEAS WILL EVER SINK IN, ALTHOUGH WE WISH ITS NEW CHAIRMAN WELL.

PERHAPS STUDY WILL SHOW THIS PLAN IS NOT RIGHT FOR NEVADA'S NEEDS. IT IS BASED UPON PLANT COST AVOIDANCE, AND DESPITE PUBLIC UTILITY PROTESTATION THAT THE ARABS AND THE CANADIANS ARE TO BLAME, THE SINGLE-LARGEST COST OF UTILITY RATE INCREASES INVOLVES THE CONSTANT EXPANSION OF PLANTS, WHETHER NEEDED OR NOT. IT WILL TAKE A STRONG COMMITMENT TO CONSERVATION BY THE UTILITIES AND STRONG OVERSIGHT BY THE COMMISSION TO MAKE SURE THAT UNNECESSARY GENERATING PLANTS ARE REMOVED FROM UTILITY CONSTRUCTION PROGRAMS IN THE FUTURE

THE IDEA IS WORTH PURSUING. YOU MAY DECIDE IT MERITS FORMATION OF AN INTERIM STUDY COMMITTEE TO MAKE RECOMMENDATIONS TO THE 62ND SESSION. I URGE YOU TO CONSIDER THAT.//NEVADA HAS BEEN ACCUSED OF BEING IN THE STONE AGE WHERE UTILITY REGULATION IS CONCERNED. LET'S NOT BE AFRAID OF NEW IDEAS THAT MAY MAKE NEVADA A FORERUNNER OF THINGS TO COME. IT IS AN OPPORTUNITY FOR WHICH FUTURE GENERATIONS WILL THANK YOU.

AND I THANK YOU FOR THE OPPORTUNITY OF BEING ALLOWED TO SPEAK TODAY.

# Coalition for Affordable Energy

P.O. Box 10034 • Reno, NV 89510 • (702) 786-1455, 826-7333

EXHIBIT D

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RANDOLPH J. TOWNSEND  
BEFORE THE  
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\*TESTIMONY OF JOHN SALES, FEBRUARY 7-7, PAGE 2.

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**PODIATRY**

635.010

**635.010 Definitions.** For the purpose of this chapter:

1. "Board" means the state board of podiatry.
2. "Podiatry" (sometimes called chiropody) is the diagnosis and the medical, surgical, mechanical, manipulative and electrical treatment of all ailments of the human foot and leg not in connection with the practice of another licensed profession, excepting amputation of the foot or leg or the administration of an anesthetic other than local. The following is an explanation of the terms defining podiatry:
  - (a) "Diagnosis" means to ascertain a disease or ailment by its general symptoms.
  - (b) "Electrical treatment" means the administration of electricity to the foot or leg by means of electrodes, machinery, rays and the like.
  - (c) "Manipulative treatment" means the use of the hand or machinery in the operation or working upon the foot or leg and its articulations.
  - (d) "Mechanical treatment" means application of any mechanical appliance made of steel, leather, felt or any material to the foot or leg or in the shoe for the purpose of treating any disease, deformity or ailment.
  - (e) "Medical treatment" means the application to or prescription for the foot or leg of medicines, pads, adhesives, felt, plasters or any medicinal agency.
  - (f) "Surgical treatment" means the use of any cutting instrument to treat a disease, ailment or condition.
3. "Podiatry hygienist" means a person engaged in assisting a podiatrist in the treatment of the human foot through the reduction of excrescencies of the foot, including without limitation corns and calluses, and the cutting of the nails of the foot.  
 [Part 1:149:1949; 1943 NCL § 1077.1]—(NRS A 1969, 905; 1971, 1024; 1977, 190)

**635.020 State board of podiatry: Creation; number, appointment, qualifications, compensation and expenses of members; representative of general public not to participate in examination.**

1. The state board of podiatry, consisting of five members appointed by the governor, is hereby created.
2. The governor shall appoint:
  - (a) Four members who are registered and licensed podiatrists in the State of Nevada.
  - (b) One member who is a representative of the general public.
3. The members of the board are entitled to receive:
  - (a) A salary of not more than \$40 per day, as fixed by the board, while engaged in the business of the board.
  - (b) Actual expenses for subsistence and lodging, not to exceed \$25 per day, and actual expenses for transportation, while traveling on the business of the board.

## PODIATRY

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The State of Nevada

Board of Examiners for Audiology and Speech Pathology

EXHIBIT F-1

P.O. Box 2724, Carson City, Nevada 89701

Stephen C. McFertson, Ph.D.
President
Department of Speech Pathology and Audiology
School of Medical Sciences
University of Nevada - Reno
Reno, Nevada 89557

Jean Curran, M.S.
Vice-President
3865 Alice Lane
Las Vegas, Nevada 89103

Ernest L. Newton, J.D.
Secretary-Treasurer
P O. Box 2724
Carson City, Nevada 89701

John W. Brophy, M.D.
1620 Circle Drive
Reno, Nevada, 89501
David Anderson
William F. Strook, M.S.
Speech & Hearing Center
3201 Maryland Pkwy., Suite 424
Las Vegas, Nevada 89109

February 10, 1981

Robert Robinson, Chairman
Commerce Committee
Nevada State Assembly
Carson City, NV 89710

Dear Assemblyman Robinson:

I want to urge you to consider supporting the amendments proposed in Assembly Bill 110 relative to licensure for audiologists and speech pathologists. We have worked with the present law for two years and have successfully implemented the provisions for licensure with a "grandfather clause" during the first year. It is now time to step forward with this revision which will bring state standards into alignment with national professional association standards. The law has not cost the state any funds as it is totally supported by licensure fees. The proposed modification likewise is at no cost to the state.

Most importantly, the standards proposed would bring additional protection to the public seeking speech pathology and audiology services for Nevada children and adults.

It should also be noted that this is a law for private practice and does not affect the standards set for certification to work in the schools of Nevada. This would not require any additional expansion of the University of Nevada system programs in speech pathology and audiology.

I would be most happy to provide further information if requested to do so.

Handwritten note: Dan. Sen Wilson We speak in the Bill following a fight in the Assembly. I would like to ask you for help to support Steve McFertson.

This bill has the support of the University  
Speech Pathology and Audiology Department faculty,  
the Board of Examiners in Audiology and Speech  
Pathology, and all of the licensed professionals in  
the state to whom I have spoken.

I want to add my personal support and urge you to  
consider doing the same.

Sincerely,

  
Stephen C. McFarlane, Ph.D.  
President

SCM/amm



3/25

**ALBERT F. PETERMAN, M. D., F. A. C. P., CHARTERED**  
**Neurology**

850 Mill Street  
Reno, Nevada 89502  
(702) 322-4097

EXHIBIT F-2

March 20, 1981

Spike Wilson  
Legislature Building  
401 South Carson Street  
Carson City, NV 89710

Dear Spike:

The enclosed letter, I think, is self-explanatory and I heartedly endorse the program for all of the reasons mentioned by Dr. McFarlane.

Sincerely,

  
ALBERT F. PETERMAN, M. D.

AFP/kp  
Encl.



UNIVERSITY OF NEVADA . RENO

SPEECH PATHOLOGY AND AUDIOLOGY  
SCHOOL OF MEDICAL SCIENCES  
MACKAY SCIENCE BUILDING  
Reno . 89557  
(702) 784-4887

March 16, 1981

Albert Peterman, M.D.  
350 Mill Street  
Reno, NV 89502

Dear Dr. Peterman:

I want to bring to your attention the recent needs and developments in the area of state funding of the University of Nevada, Reno and the Speech Pathology and Audiology Master's Degree Program in particular. After reviewing a brief history of the program, I would like to ask for your assistance on behalf of the program.

As you may know the Master's Degree Program in Speech Pathology and Audiology is the only training program for professional speech and hearing clinicians in the state. The program was first approved in 1972 and began to accept students in 1973-74. The first two graduates completed their education and training in 1975. One is currently working in the Clark County Schools after working for a number of years in the speech pathology clinic of the State's Special Children's Clinic in Las Vegas. The other is providing speech pathology services in Reno at Washoe Medical Center. Since these first two graduates the program has granted Master's degrees to a total of twenty-two students. Our students have provided services in Reno, Carson City, Winnemucca, Tonopah, Hawthorne, Las Vegas, Sparks, Ely, Elko, Fallon and other areas. By this summer another four will have completed their training and by December 1981 another eight students will complete their Master's degree. This will bring the total number of graduates to thirty-four. All of the Master's degree graduates have taken professional employment in Nevada; and to date only two have left the state following at least two years of employment within Nevada as speech pathologists or audiologists. Each program graduate serves approximately 200 Nevadans per year for diagnostic and treatment services. All program graduates who have taken the National Examination in Speech Pathology and Audiology have passed with fine scores.

A survey of employers of program graduates shows that the graduates are effective speech and hearing professionals in a variety of settings. The total expense of the Master's degree program to date (two faculty, 1/2 secretarial position and associated supplies and equipment costs) have been paid entirely by non-state funds.

These funds have come from federal grants (Vocational Rehabilitation, Department of Health, Education and Welfare), from gifts (private and service clubs) and fees for services. The costs of remodeling the entire clinic and classroom areas and all equipment have been paid for by non-state funds from the above sources. A recent expansion of 1,400 square feet of clinic/teaching space (total of seven rooms) is nearing completion and has been entirely paid for and built by some of the northern Nevada area Sertoma Clubs and a gift from the Reno Host Lyons Club. The labor has been provided mainly by members of the South Reno Sertoma Club.

At present the federal grants are no longer available. The State of Nevada Legislature is being asked to fund the University at a level which will allow the funding of the Master's degree program. This program will cost approximately \$63,594, first year and \$69,366 for the second year (two faculty salaries with fringe costs, 1/2 secretary, supplies and maintenance costs of \$2,500-\$3,000). This is a relatively small cost to sustain a program that has been shown to be effective in training professional speech pathologists and audiologists for Nevada. The initial "start up" costs and remodeling and equipment expenses have already been paid. Also, the program size has stabilized at 20-25 graduate students at any one time and the number of graduates will be fairly even at twelve to fifteen per year.

It should be remembered that in addition to the education and training of program graduates there are several important "by products" of the program which benefit the people of Nevada. Some of these are the following: 1) the clinics used to train graduate students provide speech and hearing services to more than five hundred Nevadans each year, 2) the clinics provide the majority of speech and hearing services to Nevada's adult stutterers, cleft palate children, adult voice cases, laryngectomees and other head cancer patients, preschool deaf children and many hearing impaired children and senior citizens, and 3) the program provides the major source of continuing education for the state's speech and hearing personnel (105 speech pathologists and audiologists out of the total of 130 within Nevada attended one or both of the workshops offered last summer). Nearly every county in Nevada was represented at one of the two four day workshops.

We are asking you to write and/or call your State Senator and Assemblyman and ask his/her support of the University budget request on behalf of the Speech Pathology and Audiology Master's degree program. We

want to thank you for your continued interest in the Speech Pathology and Audiology Program. It is particularly vital to make the importance of the Speech Pathology and Audiology Graduate Program to Nevada known to the members of the Senate's Finance Committee (Senators Lamb, Gibson, Echols, Glaser, Wilson, Jacobsen, and McCorkle) and the Assembly's Ways and Means Committee (Assemblymen Bremner, Hickey, Coulter, Glover, Hayes, Horn, Robinson, Vergiels, Westall, Bergevin, Brady, Marvel and Rhoads) Legislature Building, 401 S. Carson Street, Carson City, Nevada 89710. If you would include your own personal endorsement of the program it would be most helpful. Also, please ask a concerned friend to help. If we can provide further information please contact me. Finally, I would appreciate a blind copy of your letter if possible.

Sincerely,



Stephen C. McFarlane, Ph.D.  
Chairman and Associate Professor  
Speech Pathology and Audiology

SCM/amm

Dear Dr Peterman

I am sorry to have to ask for your time and assistance but we must let the legislature know how important speech & hearing graduate education is to Nevada's citizens. Many of the types of patients you see also require speech & language assistance

Thank you





The State of Nevada

Board of Examiners for Audiology and Speech Pathology

EXHIBIT F-1

P.O. Box 2724, Carson City, Nevada 89701

Stephen C. McFarlane, Ph.D.
President
Department of Speech Pathology
and Audiology
School of Medical Sciences
University of Nevada - Reno
Reno, Nevada 89357

Jean Curren, M.S.
Vice-President
3885 Alice Lane
Las Vegas, Nevada 89103

Ernest L. Newton, J.D.
Secretary-Treasurer
P O. Box 2724
Carson City, Nevada 89701

John W. Brophy, M.D.
1620 Circle Drive
Reno, Nevada, 89501
David Anderson
William F. Stueck, M.S.
Speech & Hearing Center
3201 Maryland Pkwy, Suite 424
Las Vegas, Nevada 89109

February 10, 1981

Robert Robinson, Chairman
Commerce Committee
Nevada State Assembly
Carson City, NV 89710

Dear Assemblyman Robinson:

I want to urge you to consider supporting the amend-
ments proposed in Assembly Bill 110 relative to
licensure for audiologists and speech pathologists.
We have worked with the present law for two years and
have successfully implemented the provisions for licen-
sure with a "grandfather clause" during the first year.
It is now time to step forward with this revision which
will bring state standards into alignment with national
professional association standards. The law has not
cost the state any funds as it is totally supported by
licensure fees. The proposed modification likewise is
at no cost to the state.

Most importantly, the standards proposed would bring
additional protection to the public seeking speech
pathology and audiology services for Nevada children
and adults.

It should also be noted that this is a law for private
practice and does not affect the standards set for
certification to work in the schools of Nevada. This
would not require any additional expansion of the
University of Nevada system programs in speech pathology
and audiology.

I would be most happy to provide further information if
requested to do so.

Dear Sen. Wilson
We appreciate the Bill
relating to licensure for
audiologists and speech pathologists.
I would like to ask you
for help in support
of the McFarlane
Bill.

This bill has the support of the University  
Speech Pathology and Audiology Department faculty,  
the Board of Examiners in Audiology and Speech  
Pathology, and all of the licensed professionals in  
the state to whom I have spoken.

I want to add my personal support and urge you to  
consider doing the same.

Sincerely,



Stephen C. McFarlane, Ph.D.  
President

SCM/amm

3/25

**ALBERT F. PETERMAN, M. D., F. A. C. P., CHARTERED  
Neurology**

850 Mill Street  
Reno, Nevada 89502  
(702) 322-4097

EXHIBIT F-2


March 20, 1981

Spike Wilson  
Legislature Building  
401 South Carson Street  
Carson City, NV 89710

Dear Spike:

The enclosed letter, I think, is self-explanatory and I heartedly endorse the program for all of the reasons mentioned by Dr. McFarlane.

Sincerely,

  
ALBERT F. PETERMAN, M. D.

AFP/kp  
Encl.



UNIVERSITY OF NEVADA . RENO

SPEECH PATHOLOGY AND AUDIOLOGY  
SCHOOL OF MEDICAL SCIENCES  
MACKAY SCIENCE BUILDING  
Reno . 89557  
(702) 784-4887

March 16, 1981

Albert Peterman, M.D.  
350 Mill Street  
Reno, NV 89502

Dear Dr. Peterman:

I want to bring to your attention the recent needs and developments in the area of state funding of the University of Nevada, Reno and the Speech Pathology and Audiology Master's Degree Program in particular. After reviewing a brief history of the program, I would like to ask for your assistance on behalf of the program.

As you may know the Master's Degree Program in Speech Pathology and Audiology is the only training program for professional speech and hearing clinicians in the state. The program was first approved in 1972 and began to accept students in 1973-74. The first two graduates completed their education and training in 1975. One is currently working in the Clark County Schools after working for a number of years in the speech pathology clinic of the State's Special Children's Clinic in Las Vegas. The other is providing speech pathology services in Reno at Washoe Medical Center. Since these first two graduates the program has granted Master's degrees to a total of twenty-two students. Our students have provided services in Reno, Carson City, Winnemucca, Tonopah, Hawthorne, Las Vegas, Sparks, Ely, Elko, Fallon and other areas. By this summer another four will have completed their training and by December 1981 another eight students will complete their Master's degree. This will bring the total number of graduates to thirty-four. All of the Master's degree graduates have taken professional employment in Nevada; and to date only two have left the state following at least two years of employment within Nevada as speech pathologists or audiologists. Each program graduate serves approximately 200 Nevadans per year for diagnostic and treatment services. All program graduates who have taken the National Examination in Speech Pathology and Audiology have passed with fine scores.



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These funds have come from federal grants (Vocational Rehabilitation, Department of Health, Education and Welfare), from gifts (private and service clubs) and fees for services. The costs of remodeling the entire clinic and classroom areas and all equipment have been paid for by non-state funds from the above sources. A recent expansion of 1,400 square feet of clinic/teaching space (total of seven rooms) is nearing completion and has been entirely paid for and built by some of the northern Nevada area Sertoma Clubs and a gift from the Reno Host Lyons Club. The labor has been provided mainly by members of the South Reno Sertoma Club.

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We are asking you to write and/or call your State Senator and Assemblyman and ask his/her support of the University budget request on behalf of the Speech Pathology and Audiology Master's degree program. We

want to thank you for your continued interest in the Speech Pathology and Audiology Program. It is particularly vital to make the importance of the Speech Pathology and Audiology Graduate Program to Nevada known to the members of the Senate's Finance Committee (Senators Lamb, Gibson, Echols, Glaser, Wilson, Jacobsen, and McCorkle) and the Assembly's Ways and Means Committee (Assemblymen Bremner, Hickey, Coulter, Glover, Hayes, Horn, Robinson, Vergiels, Westall, Bergevin, Brady, Marvel and Rhoads) Legislature Building, 401 S. Carson Street, Carson City, Nevada 89710. If you would include your own personal endorsement of the program it would be most helpful. Also, please ask a concerned friend to help. If we can provide further information please contact me. Finally, I would appreciate a blind copy of your letter if possible.

Sincerely,



Stephen C. McFarlane, Ph.D.  
Chairman and Associate Professor  
Speech Pathology and Audiology

SCM/amm

Dear Dr Peterman

I am sorry to have to ask for your time and assistance but we must let the legislature know how important speech & hearing graduate education is to Nevada's citizens. Many of the types of patients you see also require speech & language assistance Thank you

Steve 1230

7/25

EXHIBIT G

3365 Alice Lane  
Las Vegas, Nevada 89103

March 24, 1981

Thomas R.C. Wilson, Chairman  
Commerce and Labor Committee  
Nevada State Senate  
Carson City, Nevada 89710

Dear Senator Wilson:


I am writing to request your support for proposed changes of certain provisions of the law regulating audiology and speech pathology. My main concern is changing the requirement for licensure from a bachelor's degree to a master's degree.

Enactment of this proposal would bring Nevada into conformity with the requirements for certification of clinical competence by the American Speech-Language-Hearing Association (ASHA). More than two-thirds of the states now require attainment of ASHA minimum standards as a condition of state licensing.

This proposal is supported by the Nevada Board of Examiners for Audiology and Speech Pathology, the faculty of the University of Nevada, Reno, Department of Audiology and Speech Pathology, and the Executive Board of the Nevada Speech and Hearing Association.

Thank you for your efforts on our behalf in this matter.

Sincerely,



JEAN CURRAN  
President, Nevada Speech and  
Hearing Association  
Vice-President, Board of Exami-  
ners for Audiology and Speech  
Pathology

7/25  
EXHIBIT G

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Las Vegas, Nevada 89103

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Sincerely,



JEAN CURRAN  
President, Nevada Speech and  
Hearing Association  
Vice-President, Board of Exami-  
ners for Audiology and Speech  
Pathology



UNIVERSITY OF NEVADA . RENO

EXHIBIT H-1

SPEECH PATHOLOGY AND AUDIOLOGY  
SCHOOL OF MEDICAL SCIENCES  
MACKAY SCIENCE BUILDING  
Reno . 89557  
(702) 784-4887

March 20, 1981

Senator Spike Wilson  
Legislative Building  
401 S. Carson  
Carson City, NV 89710

Dear Senator Wilson:

I am writing this letter to urge your support for Assembly Bill #110 which would change certain provisions of the law regulating the licensing of audiologists and speech pathologists.

I feel strongly that communicatively impaired persons in our state are entitled to service by competent, well-trained clinicians. Audiologists and speech pathologists across the country believe that competency cannot be achieved in a four year Bachelor's Degree program.

Our professional organization, the American Speech-Language-Hearing Association, requires a Master's Degree in order to obtain a Certificate of Clinical Competence. I recommend that we adopt the Master's Degree requirement in our state.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Joy Morros".

Joy Morros, M.A.  
Assistant Professor  
Clinical Audiologist

JM/am

1222



UNIVERSITY OF NEVADA . RENO

EXHIBIT H-1

SPEECH PATHOLOGY AND AUDIOLOGY  
SCHOOL OF MEDICAL SCIENCES  
MACKAY SCIENCE BUILDING  
Reno . 89557  
(702) 784-4887

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401 S. Carson  
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Our professional organization, the American Speech-Language-Hearing Association, requires a Master's Degree in order to obtain a Certificate of Clinical Competence. I recommend that we adopt the Master's Degree requirement in our state.

Thank you for your consideration.

Sincerely yours,

Joy Morros, M.A.  
Assistant Professor  
Clinical Audiologist

JM/am

March 20, 1981

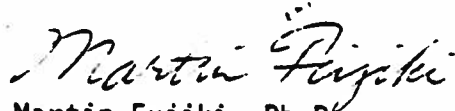
Senator Spike Wilson  
Legislative Building  
401 S. Carson  
Carson City, NV 89701

Dear Senator Wilson:

The purpose of this letter is to urge your support for the passage of A.B. #110 involving modification of certain provisions of the licensure law regulating audiology and speech pathology in Nevada.

I feel these modifications are needed to bring Nevada's law in line with regulations found in other states and supported by the American Speech-Language-Hearing Association. These changes will help to upgrade the quality of speech pathology and audiology services in the state.

Sincerely,



Martin Fujiki, Ph.D.  
Assistant Professor  
Speech Pathology and Audiology

MF/am

March 20, 1981

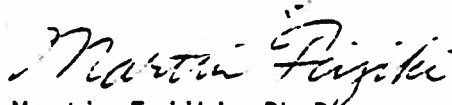
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Legislative Building  
401 S. Carson  
Carson City, NV 89701

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Sincerely,



Martin Fujiki, Ph.D.  
Assistant Professor  
Speech Pathology and Audiology

MF/am





UNIVERSITY OF NEVADA . RENO

EXHIBIT H-3

SPEECH PATHOLOGY AND AUDIOLOGY  
SCHOOL OF MEDICAL SCIENCES  
MACKAY SCIENCE BUILDING  
Reno . 89557  
(702) 784-4887

March 23, 1981

Senator Thomas R.C. Wilson, II  
Commerce and Labor Committee  
Nevada State Senate  
Carson City, NV 89710

Dear Senator Wilson:

I would like to inform you of my support for AB No. 110 and to strongly urge your support for it. The proposed revisions to the bill for licensure for speech pathologists and audiologists would continue to be of no financial burden to the state. Moreover, the upgraded standards with respect to level of training seem critical as a prerequisite for providing the best speech-hearing services possible for the people of Nevada.

Thank you for your consideration of this matter.

Sincerely,

Alfred S. Lavorato, Ph.D.  
Associate Professor of Speech Pathology  
and Audiology

1224



UNIVERSITY OF NEVADA . RENO

EXHIBIT H-3

SPEECH PATHOLOGY AND AUDIOLOGY  
SCHOOL OF MEDICAL SCIENCES  
MACKAY SCIENCE BUILDING  
Reno . 89557  
(702) 784-4887

March 23, 1981

Senator Thomas R.C. Wilson, II  
Commerce and Labor Committee  
Nevada State Senate  
Carson City, NV 89710

Dear Senator Wilson:

I would like to inform you of my support for AB No. 110 and to strongly urge your support for it. The proposed revisions to the bill for licensure for speech pathologists and audiologists would continue to be of no financial burden to the state. Moreover, the upgraded standards with respect to level of training seem critical as a prerequisite for providing the best speech-hearing services possible for the people of Nevada.

Thank you for your consideration of this matter.

Sincerely,

Alfred S. Lavorato, Ph.D.  
Associate Professor of Speech Pathology  
and Audiology

923 University Terrace  
Reno, Nevada 89503  
March 23, 1981

Legislature Building  
401 So. Carson St.  
Carson City, Nevada  
89710

EXHIBIT H-4

Dear Senator Wilson,

I am writing to you for your support of the University budget request on behalf of the Speech Pathology and Audiology Master's degree program. Federal funds are no longer available to subsidize this program and it is essential that the state keep this vital program going.

As the mother of a child with a cleft palate I come in contact with many parents who, like myself, would have nowhere else to turn to seek help for their children with major speech problems if this program were not available. The graduate students in the program, under supervision, are the therapists who make it possible for our special children to make the necessary progress in their early speech development to insure normal adjustment in school later on. I am very grateful for this marvelous program.

Also, as a registered nurse at the V.A. Medical Center, I see the results of the availability of these graduate students in the rehabilitation of our veterans who have suffered strokes or surgical procedures necessitating early speech therapy to insure their readjustment to life.

We need this Master's program which is our major source of professionals in this field. We need the students and we need them as pathologists and audiologists afterwards to meet the needs of our growing state.

I urge you to support the University budget which will allow the funding of the Master's degree program in Speech Pathology and Audiology!

Very Sincerely,

  
Jane Cates

923 University Terrace  
Reno, Nevada 89503  
March 23, 1981

Legislature Building  
401 So. Carson St.  
Carson City, Nevada  
89710

EXHIBIT H-4

Dear Senator Wilson,

I am writing to you for your support of the University budget request on behalf of the Speech Pathology and Audiology Master's degree program. Federal funds are no longer available to subsidize this program and it is essential that the state keep this vital program going.

As the mother of a child with a cleft palate I come in contact with many parents who, like myself, would have nowhere else to turn to seek help for their children with major speech problems if this program were not available. The graduate students in the program, under supervision, are the therapists who make it possible for our special children to make the necessary progress in their early speech development to insure normal adjustment in school later on. I am very grateful for this marvelous program.

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We need this Master's program which is our major source of professionals in this field. We need the students and we need them as pathologists and audiologists, afterwards to meet the needs of our growing state.

I urge you to support the University budget which will allow the funding of the Master's degree program in Speech Pathology and Audiology!

Very Sincerely,

  
Jane Cates

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 111

ASSEMBLY BILL NO. 111—COMMITTEE ON COMMERCE

FEBRUARY 5, 1981

Referred to Committee on Commerce

SUMMARY—Specifies primary and excess liability insurance when two or more policies are in effect for same motor vehicle. (BDR 57-455)

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

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

AN ACT relating to liability insurance for motor vehicles; specifying the primary and excess coverages when two or more policies are in effect for the same motor vehicle in certain circumstances; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 690B of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *If two or more policies of liability insurance covering the same*  
4 *motor vehicle are in effect when the motor vehicle is involved in an inci-*  
5 *dent which results in a claim against the policies:*  
6 (a) *If the motor vehicle was being operated by a person engaged in the*  
7 *business of selling, repairing, servicing, delivering, testing, road testing,*  
8 *parking or storing motor vehicles, or by his agent or employee while in*  
9 *pursuit of that business, the policy issued to that business shall be deemed*  
10 *to be primary and any other policy shall be deemed to provide excess*  
11 *coverage.*  
12 (b) *If the motor vehicle was being operated by a person described in*  
13 *paragraph (a) in any pursuit other than of that business, or by some other*  
14 *person, the policy issued to the operator of the vehicle shall be deemed*  
15 *to be primary and any policy issued to the business shall be deemed to*  
16 *provide excess coverage.*  
17 2. *The provisions in subsection 1 may be modified but only by a*  
18 *written agreement signed by all the insurers who have issued policies*  
19 *applicable to a claim such as is described in subsection 1 and by all the*  
20 *insureds under those policies.*  
21 3. *This section applies only to policies of liability insurance issued*  
22 *or renewed on or after July 1, 1981.*



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

**A. B. 111**

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20 *insureds under those policies.*

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22 *or renewed on or after July 1, 1981.*

**A. B. 110**

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**ASSEMBLY BILL NO. 110—COMMITTEE ON COMMERCE**

**FEBRUARY 5, 1981**

Referred to Committee on Commerce

**SUMMARY—**Changes certain provisions of law regulating audiology and speech pathology. (BDR 54-299)

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

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

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AN ACT relating to audiology and speech pathology; entitling members of the board of examiners for audiology and speech pathology to receive salaries; changing the qualifications for applicants; providing for annual licenses; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 637B.130 is hereby amended to read as follows:  
2 637B.130 [Members] *A member* of the board [are not] is entitled  
3 to receive: [compensation for service as members, but are entitled to  
4 receive the]  
5 1. *A salary of not more than \$40 per day, as fixed by the board,*  
6 *while engaged in the business of the board.*  
7 2. *The subsistence allowance and travel expenses provided by law.*  
8 SEC. 2. NRS 637B.160 is hereby amended to read as follows:  
9 637B.160 1. An applicant for a license to engage in the practice  
10 of audiology or speech pathology [shall] *must* be issued a license by  
11 the board if he:  
12 (a) Is over the age of 21 years;  
13 (b) Is a citizen of the United States, or [who] is lawfully entitled to  
14 remain and work in the United States;  
15 (c) Is of good moral character;  
16 (d) Meets the requirements for education or training and experience  
17 provided by subsection 2;  
18 (e) Has completed at least [150] 300 clock hours of supervised  
19 clinical experience in audiology or speech pathology, or both;  
20 (f) Applies for the license in the manner provided by the board;  
21 (g) Passes any examination required by this chapter; and  
22 (h) Pays the fees provided for in this chapter.  
23 2. An applicant must possess a [bachelor's] *master's* degree in



1 audiology or in speech pathology from an accredited educational institu-  
2 tion or [possesses] *possess* equivalent training and experience. If he  
3 seeks to qualify on the basis of equivalent training and experience, the  
4 applicant must submit to the board satisfactory evidence that he has  
5 obtained at least [38] 60 semester credits, or equivalent quarter credits,  
6 in courses related to the normal development, function and use of  
7 speech and language or hearing, including but not limited to the manage-  
8 ment of disorders of speech or hearing and the legal, professional and  
9 ethical practices of audiology or speech pathology. *At least 24 of the 60*  
10 *credits, excluding any credits obtained for a thesis or dissertation, must*  
11 *have been obtained in courses directly related to audiology or speech*  
12 *pathology.*

13 SEC. 3. NRS 637B.190 is hereby amended to read as follows:

14 637B.190 The board may issue a license without examination to a  
15 person who holds:

16 1. A current license to practice audiology or speech pathology in a  
17 state whose licensing requirements at the time the license was issued  
18 are deemed by the board to be [practically] *substantially* equivalent  
19 to those provided by this chapter; or

20 2. A certificate of clinical competence issued by the American  
21 Speech and Hearing Association in the field of practice for which the  
22 person is applying for a license.

23 SEC. 4. NRS 637B.210 is hereby amended to read as follows:

24 637B.210 1. All licenses, issued pursuant to this chapter, except  
25 a temporary license, expire on [June 30 of the second year after] *the*  
26 *anniversary of their issuance.*

27 2. Each holder of a license to practice audiology or speech path-  
28 ology, except a temporary license, who meets any requirements for con-  
29 tinuing education prescribed by the board may renew his license *before*  
30 *its expiration* upon payment of the [biennial] *fee for annual renewal*  
31 *[license fee before the expiration of his] of a license.*

32 3. If a licensee fails to pay the [biennial renewal license fee before  
33 the expiration of his license, the] *fee for annual renewal of his license*  
34 *before its expiration, his license may be renewed only upon the payment*  
35 *of the reinstatement fee in addition to the [biennial] renewal [license]*  
36 *fee. A license may be renewed under this subsection only if all fees are*  
37 *paid within 3 years after the license has expired.*

38 SEC. 5. NRS 637B.230 is hereby amended to read as follows:

39 637B.230 1. The board shall charge and collect only the following  
40 fees whose amounts must be determined by the board, but may not  
41 exceed:

42	Application fee for license to practice speech pathology.....	\$100
43	Application fee for license to practice audiology.....	100
44	[Biennial license renewal fee] <i>Annual fee for</i>	
45	<i>renewal of license.....</i>	50
46	Reinstatement fee.....	25

47 2. All fees are payable in advance and may not be refunded.

48 SEC. 6. NRS 637B.180 is hereby repealed.

49 SEC. 7. Sections 4 and 5 of this act shall become effective upon  
50 passage and approval.



**A. B. 110**

**ASSEMBLY BILL NO. 110—COMMITTEE ON COMMERCE**

**FEBRUARY 5, 1981**

Referred to Committee on Commerce

**SUMMARY**—Changes certain provisions of law regulating audiology and speech pathology. (BDR 54-299)

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

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

AN ACT relating to audiology and speech pathology; entitling members of the board of examiners for audiology and speech pathology to receive salaries; changing the qualifications for applicants; providing for annual licenses; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 637B.130 is hereby amended to read as follows:  
2 637B.130 **[Members]** *A member* of the board **[are not]** *is* entitled  
3 to receive: **[compensation for service as members, but are entitled to**  
4 **receive the]**  
5 1. *A salary of not more than \$40 per day, as fixed by the board,*  
6 *while engaged in the business of the board.*  
7 2. *The subsistence allowance and travel expenses provided by law.*  
8 SEC. 2. NRS 637B.160 is hereby amended to read as follows:  
9 637B.160 1. An applicant for a license to engage in the practice  
10 of audiology or speech pathology **[shall]** *must* be issued a license by  
11 the board if he:  
12 (a) Is over the age of 21 years;  
13 (b) Is a citizen of the United States, or **[who]** is lawfully entitled to  
14 remain and work in the United States;  
15 (c) Is of good moral character;  
16 (d) Meets the requirements for education or training and experience  
17 provided by subsection 2;  
18 (e) Has completed at least **[150]** *300* clock hours of supervised  
19 clinical experience in audiology or speech pathology, or both;  
20 (f) Applies for the license in the manner provided by the board;  
21 (g) Passes any examination required by this chapter; and  
22 (h) Pays the fees provided for in this chapter.  
23 2. An applicant must possess a **[bachelor's]** *master's* degree in



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 366

SENATE BILL NO. 366—COMMITTEE ON  
COMMERCE AND LABOR

MARCH 5, 1981

Referred to Committee on Commerce and Labor

SUMMARY—Provides for separate licensing of cosmeticians. (BDR 54-459)

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

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

AN ACT relating to cosmetology; providing for the separate licensing of cosmeticians; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 644 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 to 13, inclusive, of this act.
- 3 SEC. 2. "Board" means the state board of cosmetology.
- 4 SEC. 3. "Cosmetician" or "aesthetician" means any person who
- 5 engages in the practices of:
- 6 1. Beautifying, massaging, cleansing or stimulating the face, neck,
- 7 arms, bust or upper part of the human body, except the hair and scalp, by
- 8 the use of cosmetic preparations, antiseptics, tonics, lotions or creams;
- 9 2. Giving facials or skin care or applying makeup or eyelashes to any
- 10 person; and
- 11 3. Removing superfluous hair from the body of any person by the use
- 12 of depilatories, waxing or tweezers,
- 13 but does not include the branches of cosmetology of a hairdresser, elec-
- 14 trologist or manicurist.
- 15 SEC. 4. "Cosmetological establishment" means any premises, build-
- 16 ing or part of a building where cosmetology is practiced, other than a
- 17 licensed barbershop in which one or more licensed manicurists practice.
- 18 SEC. 5. "Cosmetology" includes the occupation of a cosmetologist or
- 19 beauty culturist and includes the branches of a cosmetician, hairdresser,
- 20 electrologist or manicurist.
- 21 SEC. 6. "Demonstrator" means any person who, for the purpose of
- 22 advertising, promoting or selling any drug, lotion, compound, preparation
- 23 or substance, performs or carries on any of the practices enumerated or

1 defined in section 3 or 8 of this act, in order to advertise, promote or sell  
2 the drug, lotion, compound, preparation or substance.

3 SEC. 7. "Electrologist" means any person who engages in the occupa-  
4 tion of removing excess or unwanted hair from the body of any person  
5 by the use of electric devices approved by the board, including those  
6 operated by battery, electronic cells or electric current.

7 SEC. 8. "Hairdresser" means a person who engages in the practices  
8 of:

9 1. Cleansing, stimulating or massaging the scalp or cleansing or beau-  
10 tifying the hair by the use of cosmetic preparations, antiseptics, tonics,  
11 lotions or creams.

12 2. Cutting, trimming or shaping the hair.

13 3. Arranging, dressing, curling, waving, cleansing, singeing, bleach-  
14 ing, tinting, coloring or straightening the hair of any person with the  
15 hands, mechanical or electrical apparatus or appliances, or by other  
16 means, or similar work incident to or necessary for the proper carrying  
17 on of the practice or occupation provided by the terms of this chapter.

18 4. Removing superfluous hair from the body of any person by the  
19 use of electrolysis to remove the hair from the surface of the body where  
20 the growth is a blemish, or by the use of depilatories, waxing or tweezers.

21 5. Manicuring the nails of any person.

22 SEC. 9. "Hairdresser and cosmetician" means any person who  
23 engages in the practice of cosmetology, except the branch of electrolysis,  
24 unless qualified.

25 SEC. 10. "Junior operator" means a person who is engaged in learn-  
26 ing any of the branches of the occupation of cosmetology in a cosmetolog-  
27 ical establishment.

28 SEC. 11. "Manicurist" means any person who, for compensation or  
29 by demonstration, engages in the practices of:

30 1. Care of another's fingernails or toenails.

31 2. Beautification of another's nails.

32 3. Extension of another's nails.

33 SEC. 12. The board shall admit to examination for a certificate of  
34 registration as a cosmetician any person who has made application to the  
35 board in proper form and paid the fee required by this chapter, and who:

36 1. Is at least 18 years of age;

37 2. Is of good moral character and temperate habits;

38 3. Is a resident of Nevada;

39 4. Has successfully completed the 10th grade in school or its equiv-  
40 alent; and

41 5. Has received a minimum of 300 hours of training, which included  
42 theory, modeling and practice, in a licensed school of cosmetology, or  
43 who has practiced the occupation of a cosmetician full time for at least  
44 1 year or its equivalent before July 1, 1981.

45 SEC. 13. 1. The board shall grant, without examination, a certificate  
46 of registration as a cosmetician to any person who:

47 (a) Has practiced the occupation of a cosmetician full time for at  
48 least 1 year or its equivalent before July 1, 1981; and

49 (b) Applies before January 1, 1982, to the board in proper form and  
50 pays the required fee.



1       2. *A certificate of registration issued pursuant to this section author*  
2 *izes the holder to practice the occupation of a cosmetician in a license*  
3 *cosmetological establishment. A certificate issued pursuant to this sectio*  
4 *expires on July 1, 1983, and is not renewable.*

5       3. *The board shall admit to examination for a certificate of registra*  
6 *tion as a cosmetician any person to whom a certificate is issued pursuan*  
7 *to this section and who, before or after the expiration of the certificate*  
8 *makes a proper application to the board for the examination and pays th*  
9 *required fee.*

10       SEC. 14. NRS 644.020 is hereby amended to read as follows:  
11       644.020 As used in this chapter [ ]:

12       1. "Board" means the state board of cosmetology.

13       2. "Cosmetological establishment" means any premises, building o  
14 part of a building where cosmetology is practiced, other than a license  
15 barbershop in which one or more licensed manicurists practice.

16       3. "Cosmetology" includes any branch or any combination o  
17 branches of the occupation of a hairdresser and cosmetician, and an  
18 branch or any combination of branches of the occupation of a cosme  
19 tician, or cosmetologist, or beauty culturist, and is defined as the follow  
20 ing practices:

21       (a) Arranging, dressing, curling, waving, cleansing, singeing, bleach  
22 ing, tinting, coloring or straightening the hair of any person with th  
23 hands, mechanical or electrical apparatus or appliances, or by any means  
24 or similar work incident to or necessary for the proper carrying on o  
25 the practice or occupation provided by the terms of this chapter.

26       (b) Cutting, trimming or shaping the hair.

27       (c) Massaging, cleansing or stimulating the scalp, face, neck, arms  
28 bust or upper part of the human body by the use of cosmetic prepara  
29 tions, antiseptics, tonics, lotions or creams.

30       (d) Cleansing or beautifying the hair by the use of cosmetic prepara  
31 tions, antiseptics, tonics, lotions or creams.

32       (e) Beautifying the face, neck, arms, bust or upper part of the huma  
33 body by the use of cosmetic preparations, antiseptics, tonics, lotions o  
34 creams.

35       (f) Removing superfluous hair from the body of any person by the us  
36 of electrolysis to remove the hair from the surface of the body where th  
37 growth is a blemish, or by the use of depilatories, or by the use of twee  
38 zers.

39       (g) Manicuring the nails of any person.

40       4. "Demonstrator" means any person who, for the purpose of adver  
41 tising, promoting or selling any drug, lotion, compound, preparation o  
42 substance, performs or carries on any of the practices enumerated o  
43 defined in this section, in order to advertise, promote or sell the drug  
44 lotion, compound, preparation or substance.

45       5. "Electrologist" means any person who engages in the occupatio  
46 of removing excess or unwanted hair from the body of any person by th  
47 use of electric devices approved by the board, including those operate  
48 by battery, electronic cells or electric current.

49       6. "Hairdresser and cosmetician" means any person who engages i

1 the practice of cosmetology, except the branches of electrolysis and  
2 manicuring.

3 7. "Junior operator" means any person who is engaged in learning  
4 or acquiring a knowledge of the occupations of a hairdresser and cos-  
5 metician in a hairdressing or cosmetological establishment.

6 8. "Manicurist" means any person who, for compensation or by  
7 demonstration, engages in the practices of:

8 (a) Care of another's fingernails or toenails.

9 (b) Beautification of another's nails.

10 (c) Extension of another's nails.] , unless the context otherwise  
11 requires, the words and terms defined in sections 2 to 11, inclusive, of  
12 this act have the meanings ascribed to them in those sections.

13 SEC. 15. NRS 644.190 is hereby amended to read as follows:

14 644.190 1. [No person, firm or corporation shall] It is unlawful  
15 for any person to conduct or operate a cosmetological establishment,  
16 school of cosmetology, hairdressing shop, beauty parlor or any other  
17 place of business in which any one or any combination of the occupations  
18 of [a hairdresser and cosmetician] cosmetology are taught or practiced  
19 until licensed under the provisions of this chapter

20 2. [No person shall] It is unlawful for any person to engage in, or  
21 attempt to engage in, the practice of cosmetology or any branch or  
22 branches thereof, whether for compensation or otherwise, until licensed  
23 under the provisions of this chapter.

24 3. [Nothing in this] This chapter [shall be construed to] does not  
25 prohibit:

26 (a) Any junior operator from engaging in any one or any combination  
27 of the occupations of [a hairdresser and cosmetician] cosmetology under  
28 the immediate supervision of a licensed hairdresser and cosmetician.

29 (b) Any student in any school of cosmetology, legally established  
30 under the provisions of this chapter, from engaging, in the school and as  
31 a student, in work connected with any branch or any combination of  
32 branches of cosmetology in [such] the school.

33 SEC. 16. NRS 644.220 is hereby amended to read as follows:

34 644.220 1. The [amounts of the] examination fees [and reexam-  
35 ination fees required by this chapter are those fixed by the following  
36 schedule:] are:

37 (a) [The fee for] For examination as a hairdresser and cosmetician  
38 [is \$20. The fee for each reexamination is \$7.50.] , \$20.

39 (b) [The fee for] For examination as an electrologist [is \$20. The  
40 fee for each reexamination is \$7.50.] , \$20.

41 (c) [The fee for] For examination as a manicurist [is \$15. The fee  
42 for each reexamination is \$7.50.] , \$15.

43 (d) For examination as a cosmetician, \$15.  
44 The fee for each reexamination is \$7.50.

45 2. Each applicant referred to in subsection 1 shall, in addition to the  
46 fees specified therein, pay the reasonable value of all supplies necessary  
47 to be used in the examination or examinations.

48 SEC. 17. NRS 644.260 is hereby amended to read as follows:

49 644.260 [Every applicant for registration to engage in the practice  
50 of electrolysis or manicuring, who shall pass a satisfactory examination



1 conducted by the board to determine his fitness in the practice of elec-  
2 trolysis or manicuring, shall receive from the board] 1. The board  
3 shall issue a certificate of registration [and license to engage in the prac-  
4 tice of electrolysis or manicuring, as the case may be, without additional  
5 cost, up to and including June 30 following the date of issue.] as a cos-  
6 metician, electrologist or manicurist to each applicant who passes a  
7 satisfactory examination, conducted by the board to determine his fitness  
8 to practice that occupation of cosmetology.

9 2. The certificate of registration entitles the holder, without addi-  
10 tional cost, to a license to engage in practice as a cosmetician, electrol-  
11 ogist or manicurist up to and including June 30 following the date of  
12 issue.

13 SEC. 18. NRS 644.280 is hereby amended to read as follows:

14 644.280 1. Every certificate of registration and every license issued  
15 by the board [shall] must be signed by the president and attested by the  
16 secretary and [shall] must bear the impress of the board's seal.

17 2. Every certificate [shall be] is prima facie evidence of the right of  
18 the holder thereof to a license as a registered hairdresser and cosmetician,  
19 a cosmetician, an electrologist or a manicurist, as the case may be.

20 SEC. 19. NRS 644.300 is hereby amended to read as follows:

21 644.300 Every registered hairdresser and cosmetician, cosmetician,  
22 electrologist [and] or manicurist shall, within 30 days after changing his  
23 place of business, as designated on the books of the board, notify the sec-  
24 retary of the board of his new place of business. [, and, upon] Upon  
25 receipt of the notification, the secretary shall make the necessary change  
26 in the register.

27 SEC. 20. NRS 644.320 is hereby amended to read as follows:

28 644.320 1. The license of every hairdresser and cosmetician, cos-  
29 metician, electrologist, and manicurist expires on the second July 1 fol-  
30 lowing its issuance or renewal.

31 2. Applications for renewal of licenses may be made to the board at  
32 any time during the month of June of the year in which the license  
33 expires. For each month or fraction thereof after the time for renewal,  
34 there must be assessed and collected, at the time of renewal of the license,  
35 a delinquency penalty of \$3 for each month or fraction thereof.

36 3. The renewal fee for each license is \$25, except that if the license  
37 will be valid for fewer than 21 months, the fee is \$12.50.

38 SEC. 21. NRS 644.330 is hereby amended to read as follows:

39 644.330 1. A registered hairdresser and cosmetician, cosmetician,  
40 electrologist or manicurist whose license has expired may have [the  
41 same] his license renewed only upon payment of the renewal fee pro-  
42 vided for in NRS 644.320.

43 2. Any registered hairdresser and cosmetician, cosmetician, electrol-  
44 ogist or manicurist who retires from practice for more than 1 year may  
45 have his license restored only upon payment of all lapsed renewal fees.

46 3. No hairdresser and cosmetician, cosmetician, electrologist or man-  
47 icurist who has retired from practice for more than 3 years may have his  
48 license restored without examination, unless the board [, in its discre-  
49 tion,] sees fit to dispense with [such] the examination.

1 SEC. 22. NRS 644.340 is hereby amended to read as follows:

2 644.340 1. Any person [, firm or corporation] desiring to operate  
3 a cosmetological establishment in which any one or a combination of  
4 the occupations of [a cosmetologist] *cosmetology* are practiced [shall]  
5 *must* apply to the board for a certificate of registration and license,  
6 through the owner, manager or person in charge, [in writing,] upon  
7 forms prepared and furnished by the board. Each application must  
8 contain proof of the particular requisites for registration provided for in  
9 this chapter, and must be verified by the oath of the maker.

10 2. Upon receipt by the board of the application accompanied by  
11 the annual registration fee, the board shall issue to the applicant the  
12 required certificate of registration and license.

13 3. The annual registration fee for a cosmetological establishment is  
14 \$18.

15 SEC. 23. NRS 644.380 is hereby amended to read as follows:

16 644.380 1. Any person [, firm or corporation] desiring to conduct  
17 a school of cosmetology in which any one or any combination of the occu-  
18 pations of [a hairdresser and cosmetician] *cosmetology* are taught  
19 [shall] *must* apply to the board for a certificate of registration and  
20 license, through the owner, manager or person in charge, [in writing,]  
21 upon forms prepared and furnished by the board. Each application  
22 [shall] *must* contain proof of the particular requisites for registration pro-  
23 vided for in this chapter, and [shall] *must* be verified by the oath of the  
24 maker. [Such] *The* forms [shall] *must* be accompanied by:

25 (a) A detailed floor plan of the proposed school.

26 (b) The name, address and license number of the manager or person  
27 in charge and of each instructor.

28 (c) Evidence of financial ability to provide the facilities and equipment  
29 required by [rules] *regulations* of the board and to maintain the opera-  
30 tion of the proposed school for [a period of] 1 year.

31 (d) Proof that the proposed school will commence operation with an  
32 enrollment of not less than 25 bona fide students.

33 (e) The annual registration fee.

34 2. Upon receipt by the board of the application, the board shall,  
35 before issuing a certificate of registration and license, determine whether  
36 the proposed school:

37 (a) Is suitably located.

38 (b) Contains adequate floor space and equipment.

39 (c) Meets all requirements established by [rules] *regulations* of the  
40 board.

41 3. The annual registration fee for a school of cosmetology is \$300.

42 SEC. 24. NRS 644.425 is hereby amended to read as follows:

43 644.425 1. The board may grant a permit authorizing a person to  
44 conduct demonstrations and exhibitions, temporarily and primarily for  
45 educational purposes, of hair-styling, makeup and hair-dyeing techniques  
46 for the benefit and instruction of hairdressers [,] and cosmeticians, *cos-*  
47 *meticians*, electrologists and manicurists licensed under this chapter, and  
48 junior operators and students enrolled in licensed schools of cosmetology.

49 2. The permit must specify the purpose for which it is granted, the



1 period during which the person is permitted to conduct [such] the dem-  
2 onstrations and exhibitions, which period may not exceed 10 days, and  
3 the time and place of exercising the privilege granted by the permit.

4 3. A person may be granted a permit under this section only if he:

5 (a) Makes application to the board for the permit [.] ; and

6 (b) Demonstrates to the satisfaction of the board that the permit is  
7 sought primarily for educational purposes.

8 4. The provisions of this section do not apply to demonstrators  
9 licensed under this chapter.

10 5. Is is unlawful:

11 (a) For any person to conduct a demonstration or exhibition without  
12 a permit.

13 (b) For any person who is granted a permit to allow persons other  
14 than hairdressers [.] and cosmeticians, *cosmeticians*, electrologists and  
15 manicurists licensed under this chapter, and junior operators and stu-  
16 dents enrolled in licensed schools of cosmetology to attend any demon-  
17 stration or exhibition made or given by him.

18 SEC. 25. NRS 644.430 is hereby amended to read as follows:

19 644.430 The board shall not issue, or having issued shall not renew  
20 or may revoke or suspend at any time, any license as required by the pro-  
21 visions of NRS 644.190 in any one of the following cases:

22 1. Failure of a person, firm or corporation operating a cosmetologi-  
23 cal establishment to comply with the requirements of this chapter.

24 2. Failure to comply with [the rules] any regulation adopted by the  
25 board and approved by the state board of health [for the regulation of]  
26 to govern cosmetological establishments, schools of cosmetology or the  
27 practice of the occupations of [a hairdresser and cosmetician.] *cosme-*  
28 *tology*.

29 3. Obtaining practice in cosmetology or any branch thereof, or  
30 money or any thing of value, by fraudulent misrepresentation.

31 4. Gross malpractice.

32 5. Continued practice by a person knowingly having an infectious o  
33 contagious disease.

34 6. Drunkenness or addiction to the use of a controlled substance a  
35 defined by chapter 453 of NRS.

36 7. Advertisement by means of knowingly false or deceptive state  
37 ments.

38 8. Permitting a certificate or registration or license to be used when  
39 the holder [thereof] is not personally, actively and continuously engaged  
40 in business.

41 9. Failure to display the license as provided in NRS 644.290, 644.  
42 360 and 644.410.

43 10. Entering, by a school of cosmetology, into an unconscionable con-  
44 tract with a student of cosmetology.

45 11. For any other unfair or unjust practice, method or dealing which  
46 in the judgment of the board, may justify such action.

47 SEC. 26. NRS 644.010 is hereby repealed.

48 SEC. 27. This act shall become effective upon passage and approval



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 366

SENATE BILL NO. 366—COMMITTEE ON  
COMMERCE AND LABOR

MARCH 5, 1981

Referred to Committee on Commerce and Labor

SUMMARY—Provides for separate licensing of cosmeticians. (BDR 54-459)

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

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

AN ACT relating to cosmetology; providing for the separate licensing of cosmeticians; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 644 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 13, inclusive, of this act.  
3 SEC. 2. "Board" means the state board of cosmetology.  
4 SEC. 3. "Cosmetician" or "aesthetician" means any person who  
5 engages in the practices of:  
6 1. Beautifying, massaging, cleansing or stimulating the face, neck,  
7 arms, bust or upper part of the human body, except the hair and scalp, by  
8 the use of cosmetic preparations, antiseptics, tonics, lotions or creams;  
9 2. Giving facials or skin care or applying makeup or eyelashes to any  
10 person; and  
11 3. Removing superfluous hair from the body of any person by the use  
12 of depilatories, waxing or tweezers,  
13 but does not include the branches of cosmetology of a hairdresser, elec-  
14 trologist or manicurist.  
15 SEC. 4. "Cosmetological establishment" means any premises, build-  
16 ing or part of a building where cosmetology is practiced, other than a  
17 licensed barbershop in which one or more licensed manicurists practice.  
18 SEC. 5. "Cosmetology" includes the occupation of a cosmetologist or  
19 beauty culturist and includes the branches of a cosmetician, hairdresser,  
20 electrologist or manicurist.  
21 SEC. 6. "Demonstrator" means any person who, for the purpose of  
22 advertising, promoting or selling any drug, lotion, compound, preparation  
23 or substance, performs or carries on any of the practices enumerated or

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

**A. C. R. 5**

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ASSEMBLY CONCURRENT RESOLUTION NO. 5—  
ASSEMBLYMEN WESTALL AND HORN

JANUARY 22, 1981

Referred to Committee on Government Affairs

SUMMARY—Supports adoption by department of energy of stricter standards of energy conservation in new construction. (BDR 176)

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

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ASSEMBLY CONCURRENT RESOLUTION—Supporting the adoption by the department of energy of effective standards of energy conservation in the construction of new buildings.

- 1 WHEREAS, The recent increases in the cost of energy to customers of  
2 public utilities have clearly demonstrated the need for conservation of  
3 energy and the desirability of resorting to untapped and alternative  
4 sources of energy; now, therefore, be it  
5 *Resolved by the Assembly of the State of Nevada, the Senate concur-*  
6 *ring,* That the legislature hereby supports the adoption by the department  
7 of energy of effective standards for the conservation of energy to be  
8 applied in the construction of new buildings.



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5 *Resolved by the Assembly of the State of Nevada, the Senate concur-*  
6 *ring,* That the legislature hereby supports the adoption by the department  
7 of energy of effective standards for the conservation of energy to be  
8 applied in the construction of new buildings.

A. C. R. 6

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ASSEMBLY CONCURRENT RESOLUTION NO. 6—  
ASSEMBLYMEN WESTALL AND HORN

JANUARY 22, 1981

Referred to Committee on Government Affairs

SUMMARY—Encourages local governing bodies to adopt building and subdivision regulations which promote the use of alternative sources of energy. (BDR 177)



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

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ASSEMBLY CONCURRENT RESOLUTION—Encouraging local governing bodies to adopt regulations for the construction of buildings and the subdivision of land which will promote the use of alternative sources of energy.

- 1 WHEREAS, The recent increases in the cost of energy to customers of  
2 public utilities have clearly demonstrated the need for conservation of  
3 energy and the desirability of resorting to untapped and alternative  
4 sources of energy; now, therefore, be it  
5 *Resolved by the Assembly of the State of Nevada, the Senate concur-*  
6 *ring,* That the legislature hereby encourages the local governing bodies of  
7 this state to adopt regulations concerning the construction of buildings  
8 and the subdivision of land which will promote the use of solar and geo-  
9 thermal energy and other forms of alternative sources of energy.

**A. C. R. 6**

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ASSEMBLY CONCURRENT RESOLUTION NO. 6—  
ASSEMBLYMEN WESTALL AND HORN

JANUARY 22, 1981

Referred to Committee on Government Affairs

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- 1    WHEREAS, The recent increases in the cost of energy to customers of
- 2    public utilities have clearly demonstrated the need for conservation of
- 3    energy and the desirability of resorting to untapped and alternative
- 4    sources of energy; now, therefore, be it
- 5    *Resolved by the Assembly of the State of Nevada, the Senate concur-*
- 6    *ring,* That the legislature hereby encourages the local governing bodies of
- 7    this state to adopt regulations concerning the construction of buildings
- 8    and the subdivision of land which will promote the use of solar and geo-
- 9    thermal energy and other forms of alternative sources of energy.



A. C. R. 7

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ASSEMBLY CONCURRENT RESOLUTION NO. 7—  
ASSEMBLYMEN WESTALL AND HORN

JANUARY 22, 1981

Referred to Committee on Government Affairs

SUMMARY—Encourages public service commission to provide incentives for conservation of energy and use of renewable energy resources. (BDR 178)

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

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ASSEMBLY CONCURRENT RESOLUTION—Encouraging the public service commission to provide incentives to customers of public utilities to conserve energy and to use renewable energy resources.

- 1 WHEREAS, The recent increases in the cost of energy to customers of  
2 public utilities have clearly demonstrated the need for conservation of  
3 energy and the desirability of resorting to untapped and alternative  
4 sources of energy; now, therefore, be it  
5 *Resolved by the Assembly of the State of Nevada, the Senate concur-*  
6 *ring,* That the legislature hereby encourages the public service commission  
7 to provide incentives to customers of public utilities to conserve energy  
8 and to use renewable energy resources by reducing charges for the extension  
9 of lines to structures which meet high standards for the conservation  
10 of energy; and be it further  
11 *Resolved,* That the legislature hereby encourages the public service  
12 commission to provide policies for the conservation of energy which do  
13 not discourage the use of renewable energy resources; and be it further  
14 *Resolved,* That the legislature hereby encourages the public service  
15 commission to require public utilities to adopt policies in structuring rates  
16 and in managing demands for energy which will obtain the most beneficial  
17 use of existing facilities.

**A. C. R. 7**

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**ASSEMBLY CONCURRENT RESOLUTION**—Encouraging the public service commission to provide incentives to customers of public utilities to conserve energy and to use renewable energy resources.

- 1     **WHEREAS**, The recent increases in the cost of energy to customers of
- 2     public utilities have clearly demonstrated the need for conservation of
- 3     energy and the desirability of resorting to untapped and alternative
- 4     sources of energy; now, therefore, be it
- 5     *Resolved by the Assembly of the State of Nevada, the Senate concur-*
- 6     *ring*, That the legislature hereby encourages the public service commission
- 7     to provide incentives to customers of public utilities to conserve energy
- 8     and to use renewable energy resources by reducing charges for the exten-
- 9     sion of lines to structures which meet high standards for the conservation
- 10    of energy; and be it further
- 11    *Resolved*, That the legislature hereby encourages the public service
- 12    commission to provide policies for the conservation of energy which do
- 13    not discourage the use of renewable energy resources; and be it further
- 14    *Resolved*, That the legislature hereby encourages the public service
- 15    commission to require public utilities to adopt policies in structuring rates
- 16    and in managing demands for energy which will obtain the most beneficial
- 17    use of existing facilities.



**A. C. R. 8**

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**ASSEMBLY CONCURRENT RESOLUTION NO. 8—  
ASSEMBLYMEN WESTALL AND HORN**

JANUARY 22, 1981

Referred to Committee on Government Affairs

**SUMMARY**—Encourages public utilities to investigate alternative sources of energy and to spread energy demand to reduce need for new plant construction. (BDR 179)

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

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**ASSEMBLY CONCURRENT RESOLUTION**—Encouraging public utilities to investigate alternative sources of energy and to examine the feasibility of spreading energy demand to reduce the need for construction of new power generating plants.

1   WHEREAS, The recent increases in the cost of energy to customers of  
2 public utilities has clearly demonstrated the need for conservation of  
3 energy and the desirability of resorting to untapped and alternative  
4 sources of energy; now, therefore, be it  
5   *Resolved by the Assembly of the State of Nevada, the Senate concur-*  
6 *ring,* That the legislature hereby encourages public utilities to investigate  
7 the use of alternative sources of energy, such as geothermal power, when  
8 planning new power generating facilities; and be it further  
9   *Resolved,* That the legislature hereby encourages public utilities to  
10 examine the feasibility of spreading the demand for energy from times  
11 when that demand has historically been highest to times when it has been  
12 lowest in order to reduce demands for power at times of peak use and  
13 to serve as an alternative to the construction of new power generating  
14 facilities.



**A. C. R. 8**

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**ASSEMBLY CONCURRENT RESOLUTION NO. 8—  
ASSEMBLYMEN WESTALL AND HORN**

JANUARY 22, 1981

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5    *Resolved by the Assembly of the State of Nevada, the Senate concur-*  
6 *ring,* That the legislature hereby encourages public utilities to investigate  
7 the use of alternative sources of energy, such as geothermal power, when  
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12 lowest in order to reduce demands for power at times of peak use and  
13 to serve as an alternative to the construction of new power generating  
14 facilities.

A. C. R. 9

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ASSEMBLY CONCURRENT RESOLUTION NO. 9—  
ASSEMBLYMEN WESTALL AND HORN

JANUARY 22, 1981

Referred to Committee on Government Affairs

SUMMARY—Urges public utilities to lend money to customers  
for insulation. (BDR 262)

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

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ASSEMBLY CONCURRENT RESOLUTION—Urging public utilities in the State  
State of Nevada to lend money to customers for purposes of improving insula-  
tion of homes.

- 1 WHEREAS, The recent increases in the cost of energy to customers of  
2 public utilities has clearly demonstrated the need for conservation of  
3 energy; and  
4 WHEREAS, Energy loss from homes is increased because of inferior  
5 insulation or construction; now, therefore, be it  
6 *Resolved by the Assembly of the State of Nevada, the Senate concur-*  
7 *ring,* That public utilities in the State of Nevada are urged to lend money  
8 to customers for purposes of improving insulation and increasing energy  
9 conservation in homes; and be it further  
10 *Resolved,* That such loans be made without a charge for interest or at  
11 a low rate of interest.

**A. C. R. 9**

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**ASSEMBLY CONCURRENT RESOLUTION NO. 9—  
ASSEMBLYMEN WESTALL AND HORN**

**JANUARY 22, 1981**

Referred to Committee on Government Affairs

**SUMMARY—Urges public utilities to lend money to customers  
for insulation. (BDR 262)**

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tion of homes.**

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9 conservation in homes; and be it further  
10   *Resolved,* That such loans be made without a charge for interest or at  
11 a low rate of interest.





Nevada State Board of  
Physical Therapy Examiners

EXHIBIT M

1001 Mountain St. Suite 1-D  
Carson City, Nevada 89701  
March 19, 1981

Senator Thomas Wilson  
Legislative Building  
Carson City, Nevada 89710

Dear Senator Wilson:

First, I want to thank you for all the time and effort that you have spent on our bill. The purpose of our bill - SB 231 - is simply to better define, control and regulate the practice of Physical Therapy in this state. We are not trying to legislate our right to practice anything that we have not been taught to do and have not been doing for many years.

Chiropractors appear to feel that they are the only profession who should have the right to do joint mobilization. I hope to show by the enclosed advertisement from a Chiropractor in this town, yesterday, that they do adjustments to the spine to try to cure and prevent all diseases. We do joint mobilization to relieve pain and symptoms in the musculo-skeletal system only. It is very difficult to differentiate between the words manipulation and joint mobilization but the outcome sought by the Chiropractors is totally different from that of the Physical Therapists. We have no desire to practice Chiropractic.

We knew that the Chiropractors would be threatened if we used the word manipulation so that is one of the reasons we chose the words joint mobilization which better describes what we do anyway. Manual therapy is another term that is well-known by Physical Therapists which defines what we practice. Could we use Joint Mobilization (or Manual Therapy) without Chiropractic Adjustment?

Thank-you again for all your assistance with this very important matter to the Physical Therapy profession.

Sincerely,

A handwritten signature in cursive script that reads "Pat Conn".

Pat Conn, RPT  
Chairman

# juror indicts Lamb family

...afternoon.  
...ident was or-  
...d to appear March 18  
...enter a plea before  
...Paul Goldman...

The suspect also is a brother to former Clark County Sheriff Ralph Lamb and Nevada State Sen. Floyd Lamb, D-Las Vegas.

**RENO (UPI)** — The State Director of Environmental Protection says expansion of the Reno-Sparks Joint Sewer Treatment Plant may not qualify for federal funding under President Reagan's proposals.

Lew Dodgion said the message appears to be that funding come to improve existing plant facilities, but not for expansion projects.

Jersey, or jerked beef, is a corruption of the Chilean word "charqui," meat cut into strips and dried in the sun.

**LAWRENCE MAYFLOWER**  
MOVING & STORAGE CO.  
I.C.C. NO. MC 7934  
RENO & LAS VEGAS — 329-2561  
Mayflower

Lamb was charged with...  
...ing Lee "Crowbar"  
...Cambridge, 35, on  
...mas Eve. The vic-  
...s body was discovered  
...railer in a Christmas  
...lot on Flamingo

...in Lamb, a former  
...County Commission-  
...told police in a sworn  
...davit the shooting oc-  
...rred when McCam-  
...dge came after his  
...brother with a

## Douglas efforts

...were presented  
...with a plane by Carson  
...B.I. special agents  
...Faye and Bill Jon-

**OF MUZZLE LOADERS**  
...ote Black Powder Supplies  
...GUNS • RIFLES • PISTOLS  
...MUNITION  
CALL 702-883-2323

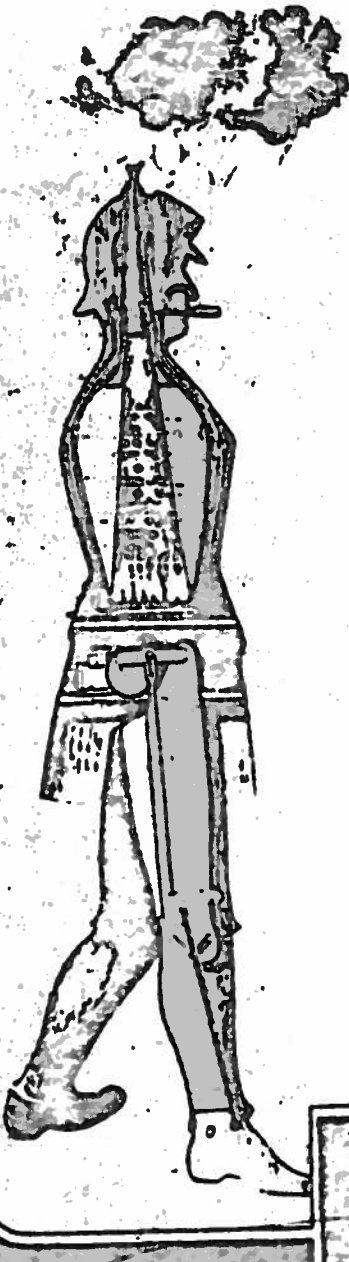
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BOUGHT • SOLD • TUNED  
CONVERT TO PLAYER  
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**GUITAR SALE**  
SAVE 25% to 50%  
ON ALL GUITARS  
IN STOCK

CLASSIC  
REG  
1993

**CARSON MUSIC**  
106 W. 3rd 883-7425

## A cure for the common cause...or...



**The Truth About Disease and Staying Well**  
People blame many things for disease. Weather, for instance. And germs. Or pollen and ragweed.

Misconceptions like these are perhaps the greatest injustice perpetrated on the American public. The fact is—there is only one cause of disease!

The body was created with a system of defense. To work properly it requires a normally functioning nervous system. Under healthy conditions, the body can produce any type of antigens or antibodies needed to resist disease. It is the impairment of the defense system that allows the body to become susceptible.

The relationship between defenses and the nervous system is affected by the spine. Specifically—subluxations of the spine. Subluxations are misalignments of the spinal column which produce nerve irritation—and if left uncorrected interferes with normal function.

A healthy spine is your first line of defense against disease. Have a chiropractic examination now...and stop trouble before it starts.



**Doerries-Brinkley Chiropractic Office**  
1012 N. Curry Carson City (702) 883-1203



*V. Valenti*  
tomorrow's fashions today...

PANTS (as shown)	39.9
JACKET (as shown)	58.9
MATCHING MATCHING	
WRAP SKIRT	35.0
PANTS	38.0
SHIRTS	29.9
SUITS	33.9



Nevada State Board of  
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## Douglas efforts

...istrict, were presented  
...with a plaque by Carson  
...y F.B.I. special agents  
...and Bill Jon-

HOUSE OF MUZZLE LEADERS  
...Black Powder Supplies  
GUNS • LITS • PILVES  
...CALL 892-3233

HARDWARE  
...SOUGHT-TO-BE TUNED  
...CONVERT TO PLAYER  
...CALL 892-3233

GUITAR SALE  
...25% to 50%  
...ON ALL GUITARS  
...IN STOCK  
...CLASSIC  
...REG.  
...1999  
...CARSON MUSIC  
...108 W. 3 d. 833-7425

The suspect also is a  
brother to former Clark  
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Lamb and Nevada State  
Sen. Floyd Lamb, D-Las  
Vegas.

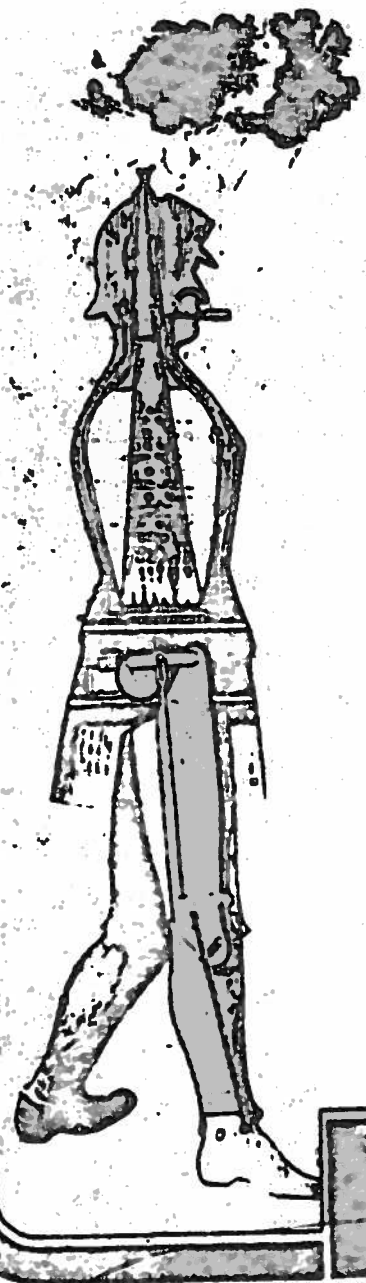
RENO (UPI) — The  
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Mayflower

## A cure for the common cause...or...



The Truth About  
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People blame many things for  
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And germs. Or pollen and  
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The fact is—there is only one  
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The body was created with a  
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any type of antigens or anti-  
bodies needed to resist disease.  
It is the impairment of the defense  
system that allows the body to  
become susceptible.

The relationship between de-  
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ifically—subluxations of the spine.  
Subluxations are misalignments  
of the spinal column which pro-  
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A healthy spine is your first  
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Have a chiropractic examination  
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**Doerries-Brinkley Chiropractic Office**  
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*McLean*  
tomorrow's fashion today

- PANTS (as shown) 39.9
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- MATCHING MATCHING
- WRAP SKIRT 36.0
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- SHIRTS 29.0
- SHIRTS 35.0



(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 231

SENATE BILL NO. 231—COMMITTEE ON  
COMMERCE AND LABOR

FEBRUARY 13, 1981

Referred to Committee on Commerce and Labor

SUMMARY—Changes various provisions of law governing physical therapists and their assistants. (BDR 54-297)

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

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

AN ACT relating to physical therapists; expanding the powers of the state board of physical therapy examiners; providing rules for its proceedings and for subpoenas; providing for the issuance of temporary permits and registration without examination in certain circumstances; adding grounds for disciplinary action by the board; increasing fees; 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. Chapter 640 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 to 9, inclusive, of this act.
- 3 SEC. 2. "Physical therapist's assistant" means a person who assists in
- 4 the practice of physical therapy under the supervision of a registered
- 5 physical therapist and who is licensed under the provisions of this chapter.
- 6 SEC. 2.5. "Practice of physical therapy":
- 7 1. Includes:
- 8 (a) The performing and interpreting of tests and measurements as an
- 9 aid to treatment;
- 10 (b) The planning of initial and subsequent treatment programs on the
- 11 basis of the results of tests; and
- 12 (c) The administering of treatment through the use of therapeutic exer-
- 13 cise and massage, joint mobilization (without chiropractic adjustment),
- 14 mechanical devices, and therapeutic agents which employ the properties
- 15 of air, water, electricity, sound and radiant energy.
- 16 2. Does not include:
- 17 (a) The diagnosis of physical disabilities;
- 18 (b) The use of roentgenic rays or radium;
- 19 (c) The use of electricity for cauterization or surgery; or



1 (d) *The occupation of a masseur who massages only the superficial soft*  
2 *tissues of the body.*

3 **SEC. 3.** 1. *A complaint against any person who has been registered*  
4 *or issued a license or temporary permit pursuant to this chapter may be*  
5 *initiated by the board or may be filed with the board by any member or*  
6 *agent of the board or any aggrieved person.*

7 2. *The complaint must allege one or more of the grounds enumerated*  
8 *in NRS 640.160 and must contain a statement of facts showing that a*  
9 *provision of this chapter or the board's regulations has been violated.*  
10 *The complaint must be sufficiently detailed to enable the respondent to*  
11 *understand the allegations.*

12 3. *The complaint must be in writing and be signed and verified by*  
13 *the person filing it. The original complaint and two copies must be filed*  
14 *with the board.*

15 4. *The board shall review each complaint. If a complaint shows a*  
16 *substantial violation of a provision of this chapter or the board's regula-*  
17 *tions, the board shall proceed with a hearing on the complaint.*

18 **SEC. 4.** 1. *As soon as practicable after the board determines that a*  
19 *complaint merits a hearing, the board shall set a date for the hearing. The*  
20 *hearing must not be set sooner than 30 days after the date on which the*  
21 *respondent received notice of the complaint.*

22 2. *The board's secretary shall:*

23 (a) *Notify the respondent that a complaint against him has been filed;*

24 (b) *Inform him of the date, time and place set for the hearing; and*

25 (c) *Include a copy of the complaint with the notice.*

26 3. *The notice and complaint may be served on the respondent by*  
27 *delivery to him personally or by mailing to him at his last known address*  
28 *by registered or certified mail.*

29 4. *If the respondent so requests, the hearing must be held within the*  
30 *county where he resides.*

31 **SEC. 5.** 1. *The board or any member thereof may issue subpoenas for*  
32 *the attendance of witnesses and the production of books and papers.*

33 2. *The district court, in and for the county in which any hearing is*  
34 *held, may compel the attendance of witnesses, the giving of testimony*  
35 *and the production of books and papers as required by any subpoena*  
36 *issued by the board.*

37 3. *If any witness refuses to attend or testify or produce any books or*  
38 *papers required by a subpoena, the board may file a petition ex parte with*  
39 *the district court, setting forth that:*

40 (a) *Due notice has been given of the time and place for the attendance*  
41 *of the witness or the production of the books or papers;*

42 (b) *The witness has been subpoenaed in the manner prescribed by this*  
43 *chapter;*

44 (c) *The witness has failed or refused to attend or produce the books or*  
45 *papers required by the subpoena before the board in the cause or proceed-*  
46 *ing named in the subpoena, or has refused to answer questions pro-*  
47 *ounded to him in the course of the hearing; and*

48 (d) *The board therefore requests an order of the court compelling the*  
49 *witness to attend and testify or produce the books or papers before the*  
50 *board.*

1 4. The court, upon such a petition, shall enter an order directing the  
2 witness to appear before the court at a time and place fixed by the court  
3 in the order, and then and there to show cause why he has not attended  
4 or testified or produced the books or papers before the board. The time  
5 may not be more than 10 days after the date of the order. A certified  
6 copy of the order must be served upon the witness.

7 5. If the court determines that the subpoena was regularly issued by  
8 the board, the court shall thereupon enter an order that the witness  
9 appear before the board at the time and place fixed in the order, and  
10 testify or produce the required books or papers. Failure to obey the  
11 order is a contempt of the court which issued it.

12 SEC. 6. Each witness who appears by order of the board is entitled  
13 to receive for his attendance the same fees and mileage allowed by law  
14 to a witness in a civil case. The amount must be paid by the party who  
15 requested the subpoena. When any witness, who has not been required to  
16 attend at the request of any party, is subpoenaed by the board, his fees  
17 and mileage must be paid from the funds of the board.

18 SEC. 7. 1. The board may, in any hearing before it, cause the depo-  
19 sitions of witnesses to be taken in the manner prescribed for depositions  
20 in civil actions in this state.

21 2. The district court in and for the county in which any hearing is  
22 held by the board shall, upon the application of the board, issue com-  
23 missions to other states for the taking of evidence therein for use in any  
24 proceeding before the board.

25 SEC. 8. The board shall render a decision on any complaint within  
26 60 days after the final hearing thereon.

27 SEC. 9. It is unlawful for any person to practice physical therapy in  
28 this state unless he holds a certificate of registration, a license or a tem-  
29 porary permit issued pursuant to this chapter or is licensed in this state  
30 to practice physical therapy otherwise than by virtue of this chapter.

31 SEC. 10. NRS 640.011 is hereby amended to read as follows:

32 640.011 As used in this chapter, unless the context otherwise  
33 requires, the terms defined in NRS 640.013 to 640.022, inclusive, and  
34 sections 2 and 2.5 of this act, have the meanings ascribed to them in  
35 [such] those sections.

36 SEC. 11. NRS 640.022 is hereby amended to read as follows:

37 640.022 "Physical therapy" means the [treatment of any bodily or  
38 mental condition of any person by the use of the physical, chemical and  
39 other properties of heat, light, water, electricity, massage and active and  
40 passive exercise. The use of Roentgen rays and radium for diagnostic  
41 and therapeutic purposes, and the use of electricity for surgical purposes,  
42 including cauterization, are not authorized under the term "physical  
43 therapy" as used in this chapter.] specialty in the field of health which is  
44 concerned with prevention of disability and physical rehabilitation of  
45 persons having congenital or acquired disabilities.

46 SEC. 12. NRS 640.030 is hereby amended to read as follows:

47 640.030 1. The state board of physical therapy examiners, consist-  
48 ing of five members appointed by the governor, is hereby created.

49 2. The governor shall appoint:



1 (a) Four members who are registered physical therapists in the State  
2 of Nevada.

3 (b) One member who is a representative of the general public.

4 3. The member who is a representative of the general public shall  
5 not participate in preparing, conducting or grading any examination  
6 required by the board.

7 4. No member of the board may serve more than two consecutive  
8 terms.

9 5. *The governor may remove any member of the board for incom-*  
10 *petency, neglect of duty, gross immorality or malfeasance in office.*

11 6. *A majority of the members of the board constitutes a quorum.*  
12 *Three votes are required to pass any action by the board.*

13 7. *No member of the board may be held liable in a civil action for*  
14 *any act which he has performed in good faith in the execution of his*  
15 *duties under this chapter.*

16 SEC. 13. NRS 640.045 is hereby amended to read as follows:

17 640.045 Each member of the board [shall] is entitled to receive:

18 1. A salary of not more than \$40 per day, as fixed by the board,  
19 while engaged in the business of the board.

20 2. Actual expenses for subsistence and lodging, not to exceed [\$25  
21 per day,] *the amount provided by law for state officers and employees,*  
22 and actual expenses for transportation, while traveling on business of the  
23 board.

24 SEC. 14. NRS 640.050 is hereby amended to read as follows:

25 640.050 1. The board shall examine and register qualified physical  
26 therapists and license qualified physical [therapy] therapists' assistants.

27 2. The board [is authorized to] may adopt reasonable [rules] reg-  
28 ulations to carry this chapter into effect. [and may amend and revoke  
29 such rules at its discretion.]

30 3. The board shall keep a record of its proceedings [under this chap-  
31 ter] and a register of all persons registered or licensed under the provi-  
32 sions of [the] this chapter. The register [shall] must show:

33 (a) The name of every living registrant or licensee.

34 (b) His last-known place of business and last-known place of resi-  
35 dence.

36 (c) The date and number of his registration and certificate [or  
37 license] as a [registered] physical therapist or [a licensed physical  
38 therapy] of his license as a physical therapist's assistant.

39 4. During [May] September of every year in which renewal of reg-  
40 istration or license is required, the board shall compile a list of registered  
41 physical therapists [and licensed physical therapy assistants] authorized  
42 to practice physical therapy [or] and physical therapists' assistants  
43 licensed to assist in the practice of physical therapy in this state. Any  
44 interested person in the state [shall be entitled to] may obtain a copy of  
45 the list upon application to the board and the payment of such amount  
46 as may be fixed by the board, which amount [shall] must not exceed the  
47 cost of the list so furnished.

48 5. The board may:

49 (a) Maintain offices in as many localities in the state as it finds neces-  
50 sary to carry out the provisions of this chapter.

1 (b) Employ attorneys, investigators and other professional consultants  
2 and clerical personnel necessary to the discharge of its duties.

3 6. *Any member or agent of the board may enter an office, clinic or*  
4 *hospital where physical therapy is practiced and inspected to determine if*  
5 *the physical therapists are licensed.*

6 SEC. 15. NRS 640.060 is hereby amended to read as follows:

7 640.060 For the purpose of NRS 640.080, the board shall not  
8 approve any school or educational curriculum unless graduation from  
9 the school or completion of the curriculum [shall entitle] entitles the  
10 applicant, insofar as educational requirements are concerned, to become  
11 a member in the American Physical Therapy Association. [or the Ameri-  
12 can Registry of Physical Therapists.] Each such school shall, in addition,  
13 comply with all of the provisions of this chapter and the [rules] regula-  
14 tions of the board adopted pursuant to this chapter.

15 SEC. 16. NRS 640.080 is hereby amended to read as follows:

16 640.080 To be eligible for registration by the board as a physical  
17 therapist, an applicant must:

18 1. Be of good moral character.

19 2. Have been graduated [by an approved high school.

20 3. Have been graduated either:

21 (a) By a school of physical therapy approved by the board; or

22 (b) By a school of physical education approved by the board, and, in  
23 addition, have completed to the satisfaction of the board an approved  
24 course in physical therapy; or

25 (c) By a school of nursing approved by the board, and, in addition,  
26 have completed to the satisfaction of the board an approved course in  
27 physical therapy.

28 4. (a) ] from a school in which he completed a curriculum of physi-  
29 cal therapy approved by the board; and

30 3. Pass to the satisfaction of the board an examination conducted by  
31 it to determine his [fitness] qualifications for practice as a physical thera-  
32 pist [; or

33 (b) Be] , unless he is entitled to registration without examination as  
34 provided in NRS 640.120 or 640.140.

35 SEC. 17. NRS 640.090 is hereby amended to read as follows:

36 640.090 Unless he is entitled to registration under NRS 640.120 [,  
37 640.130] or 640.140, a person who desires to be registered as a physical  
38 therapist [shall:] must:

39 1. Apply to the board, in writing, on a [blank] form furnished by  
40 the board; [before commencing the practice of physical therapy.]

41 2. [Embody] Include in the application evidence, under oath, satis-  
42 factory to the board, [of his possessing] that he possesses the qualifica-  
43 tions [preliminary to examination] required by NRS 640.080 [.] other  
44 than having passed the examination; and

45 3. Pay to the board at the time of filing his application a fee [of  
46 \$50.] set by a regulation of the board in an amount of not more than  
47 \$100.

48 4. Submit his fingerprints to the board with his application.

49 SEC. 18. NRS 640.100 is hereby amended to read as follows:

50 640.100 1. The board shall examine applicants for registration as



1 physical therapists at least twice a year at such places as it may deter-  
2 mine.

3 2. The examination [shall] *must* embrace such subjects as the  
4 board deems necessary to determine the applicant's [fitness and shall]  
5 qualifications, and the examination *must* include a written [examina-  
6 tion.] portion.

7 3. *The board may charge a fee for examining or reexamining an*  
8 *applicant, based on the board's cost.*

9 4. *Before any applicant may take the examination a third time, he*  
10 *must meet with the board to discuss his possible need for further train-*  
11 *ing or education and must complete any further training or education*  
12 *determined by the board to be prerequisite.*

13 SEC. 19. NRS 640.110 is hereby amended to read as follows:

14 640.110 1. The board shall register as a physical therapist each  
15 applicant who proves to the satisfaction of the board his [fitness] quali-  
16 fications for registration.

17 2. The board shall issue to each person registered as a physical  
18 therapist a certificate of registration, which [shall be] *is* prima facie  
19 evidence of [the] *his* right [of the person to whom it is issued], to  
20 represent himself as a registered physical therapist and to practice phys-  
21 ical therapy in the State of Nevada subject to the conditions and limita-  
22 tions of this chapter.

23 3. *Each physical therapist shall display his current certificate of*  
24 *registration in a location which is accessible to the public.*

25 SEC. 20. NRS 640.120 is hereby amended to read as follows:

26 640.120 1. The board may issue, without examination, a permit to  
27 practice physical therapy for a period not to exceed 6 months to any  
28 person who meets the qualifications set forth in NRS 640.080, except  
29 subsection [4] 3 thereof, upon certification that he has been assigned  
30 to the State of Nevada on a temporary basis to assist in a medical  
31 emergency.

32 2. The board may also permit, without examination, temporary reg-  
33 istration not to exceed [6] 8 months to any person meeting the qualifi-  
34 cations set forth in NRS 640.080, except subsection [4] 3 thereof, upon  
35 payment of a temporary registration fee [of \$10,] *not to exceed \$25,*  
36 *which must be paid before commencing the practice of physical therapy.*  
37 *A temporary registration may not be renewed.*

38 3. *A student of physical therapy is not required to be registered or*  
39 *licensed during his clinical training if his work is done under the direct*  
40 *supervision of a registered physical therapist.*

41 4. *A graduate student of a school approved by the board may be*  
42 *granted a temporary permit to practice physical therapy under the direc-*  
43 *tion of a registered physical therapist during his internship or residency. A*  
44 *temporary permit must not be made effective for more than 1 year. An*  
45 *applicant for a temporary permit must:*

46 (a) *Submit proof that he has graduated from a school in which he*  
47 *completed a curriculum in physical therapy approved by the board; and*

48 (b) *Pay a fee set by regulation of the board in an amount of not more*  
49 *than \$25.*

50 SEC. 21. NRS 640.150 is hereby amended to read as follows:



1 640.150 1. Every registered physical therapist shall, during [Janu-  
2 ary 1957, and during January] *July* of every year, [thereafter,] apply to  
3 the board for an extension of his registration and pay a fee of not more  
4 than [[\$25.] \$50. Registration that is not so extended [, in the first  
5 instance before April 1, 1957, and thereafter before April 1 every year,  
6 shall automatically lapse.] *before September 1 of the year automatically*  
7 *lapses.*

8 2. The board may [, in its discretion,] revive and extend a lapsed  
9 registration on the payment of all past unpaid extension fees not to  
10 exceed [[\$50.] \$100.

11 3. *The board may require registered physical therapists to complete*  
12 *a program of continuing education consisting of not more than 20 hours*  
13 *as a requirement for the extension of registrations. The board may pre-*  
14 *scribe the curriculum and approve the courses of study or training for*  
15 *that program.*

16 Sec. 22. NRS 640.160 is hereby amended to read as follows:

17 640.160 1. The board, after due notice and hearing, [may refuse]  
18 and upon any ground enumerated in subsection 2, may take one or more  
19 of the following actions:

20 (a) Refuse to register [any applicant, and may refuse] or issue a  
21 license or temporary permit to any applicant.

22 (b) Refuse to renew the registration, license or temporary permit of  
23 any [registered] person. [, and may suspend]

24 (c) Suspend or revoke the registration, license or temporary permit of  
25 any [registered] person. [:

26 1. Who is]

27 (d) Place any person who has been registered or issued a license or  
28 temporary permit on probation.

29 (e) Impose an administrative fine which does not exceed \$500 on any  
30 person who has been registered or issued a license or temporary permit.

31 (f) Assess the costs of investigation upon any person who is registered  
32 or has been issued a license or temporary permit.

33 2. The board may take action pursuant to subsection 1 if an appli-  
34 cant or person who has been registered or issued a license or temporary  
35 permit:

36 (a) Is habitually drunk or [who] is addicted to the use of a controlled  
37 substance as defined in chapter 453 of NRS.

38 [2. Who has] (b) Has been convicted of violating any state or federal  
39 law relating to controlled substances as defined in chapter 453 of  
40 NRS.

41 [3. Who is,] (c) Is, in the judgment of the board, guilty of immoral  
42 or unprofessional conduct.

43 [4. Who has] (d) Has been convicted of any crime involving moral  
44 turpitude.

45 [5. Who is] (e) Is guilty, in the judgment of the board, of gross  
46 negligence in his practice as a physical therapist.

47 [6. Who has] (f) Has obtained or attempted to obtain registration  
48 by fraud or material misrepresentation.

49 [7. Who has] (g) Has been declared insane by a court of com-  
50 petent jurisdiction and has not thereafter been lawfully declared sane.

1 [8. Who has treated or undertaken to treat ailments of human  
2 beings otherwise than by physical therapy and as authorized in this  
3 chapter, or who has undertaken to practice independently of the pre-  
4 scription, direction or supervision of a person licensed to practice medi-  
5 cine and surgery without limitation, unless such person is licensed in  
6 the State of Nevada to practice such treatment otherwise than by virtue  
7 of this chapter.]

8 (h) *Has entered into any contract or arrangement which provides for*  
9 *the payment of an unearned fee to any person following his referral of a*  
10 *patient.*

11 (i) *Has employed as a physical therapist any unlicensed physical thera-*  
12 *pist or physical therapist whose license has been suspended.*

13 (j) *Has had his license to practice physical therapy suspended or*  
14 *revoked by another jurisdiction.*

15 (k) *Is determined to be professionally incompetent by the board.*

16 (l) *Has violated any provision of this chapter or the board's regula-*  
17 *tions.*

18 SEC. 23. NRS 640.190 is hereby amended to read as follows:

19 640.190 1. [A person registered under this chapter as a physical  
20 therapist shall not treat human ailments by physical therapy or otherwise  
21 except under the prescription and direction of a physician, unless such  
22 person is licensed in the State of Nevada to practice such treatment other-  
23 wise than by virtue of this chapter.] *Physical therapists may treat only*  
24 *patients who are referred to them by a physician, chiropractor, dentist,*  
25 *podiatrist or psychologist in the regular course of his practice, except*  
26 *that a physical therapist may perform an initial examination before such*  
27 *a referral if the person to be examined has been participating in an ath-*  
28 *letic activity at a school when a physician is not present.*

29 2. Nothing in this chapter authorizes a physical therapist, whether  
30 registered or not, to practice medicine, osteopathic medicine, chiropractic  
31 or any other form or method of healing.

32 3. Any person violating the provisions of this section is guilty of a  
33 misdemeanor.

34 SEC. 24. NRS 640.230 is hereby amended to read as follows:

35 640.230 To be eligible for licensing by the board as a [licensed]  
36 physical [therapy] therapist's assistant, an applicant [shall:] *must:*

37 1. Be at least 18 years old.

38 2. Be of good moral character.

39 3. Have been graduated by an approved high school.

40 4. Have completed [a board-approved educational curriculum for  
41 a licensed physical therapy assistant.] *and educational curriculum*  
42 *approved by the board for a physical therapist's assistant.*

43 5. Pass an examination conducted by the board or be entitled to  
44 licensing without examination as provided in NRS 640.270.

45 SEC. 25. NRS 640.240 is hereby amended to read as follows:

46 640.240 1. For the purposes of NRS 640.230, the board shall not  
47 approve any educational curriculum for a [licensed] physical [therapy]  
48 therapist's assistant unless the curriculum includes elementary or inter-  
49 mediate courses in clinical, anatomical, biological and physical sciences  
50 and is [at] :



1 (a) At least a 2-year program requiring a minimum of 60 academic  
2 semester credits at a college accredited by a recognized accrediting  
3 agency [.] ; or

4 (b) A curriculum which is provided by the Armed Forces of the  
5 United States and has been approved by the American Physical Therapy  
6 Association.

7 2. The board may refuse to approve any educational curriculum for  
8 [a licensed physical therapy assistant that fails to] *physical therapists'*  
9 *assistants if the curriculum does not include such courses in theory and*  
10 *procedures as determined by the board to be necessary for [a licensed*  
11 *physical therapy assistant.] these assistants.*

12 SEC. 26. NRS 640.250 is hereby amended to read as follows:

13 640.250 Unless he is entitled to a license under NRS 640.270, a  
14 person who desires to be licensed as a [licensed physical therapy assist-  
15 ant shall:] *physical therapist's assistant must:*

16 1. Apply to the board, in writing, on a [blank] form furnished by  
17 the board; [before commencing to act as a licensed physical therapy  
18 assistant.]

19 2. [Embody] *Include* in the application evidence, under oath, sat-  
20 isfactory to the board, [of his possessing] *that he possesses* the qualifica-  
21 tions [preliminary to examination] required by NRS 640.230 [.] *other*  
22 *than having passed the examination; and*

23 3. Pay to the board at the time of filing his application a fee [to be  
24 determined by the board, but not to exceed \$50.] *set by a regulation of*  
25 *the board in an amount of not more than \$100.*

26 4. Submit his fingerprints to the board with his application.

27 SEC. 27. NRS 640.260 is hereby amended to read as follows:

28 640.260 1. The board shall license as a [licensed] physical [ther-  
29 apy] *therapist's assistant* each applicant who proves to the satisfaction of  
30 the board his [fitness] *qualifications* for a license.

31 2. The board shall issue to each *such* person [licensed as a licensed  
32 physical therapy assistant] a license, which [shall be] *is* prima facie  
33 evidence of [the rights of the person to whom it is issued] *his right* to  
34 represent himself as a [licensed physical therapy] *physical therapist's*  
35 *assistant* and to practice as [a licensed physical therapy] *that* assistant.

36 3. *Each physical therapist's assistant shall display his current license*  
37 *in a location which is accessible to the public.*

38 SEC. 28. NRS 640.270 is hereby amended to read as follows:

39 640.270 The board may [, in its discretion,] license as a [licensed  
40 physical therapy] *physical therapist's assistant*, without examination, on  
41 the payment of the required fee, an applicant [for licensing] who is [a]  
42 licensed [physical therapy assistant licensed] *as a physical therapist's*  
43 *assistant* under the laws of another state or territory [which laws] *whose*  
44 *requirements* at the date of his licensure were substantially equal to the  
45 requirements in force in this state.

46 SEC. 29. NRS 640.280 is hereby amended to read as follows:

47 640.280 1. Every [licensed physical therapy assistant shall, during  
48 January 1972 and during January of every year thereafter, apply] *phys-*  
49 *ical therapist's assistant must apply during July of each year* to the  
50 board for an extension of his license and pay a fee of not more than

1 **[\$25.] \$50.** A license that is not so extended [in the first instance  
2 before April 1, 1972, and thereafter before April 1 every year, shall  
3 automatically lapse.] *before September 1 of the year automatically*  
4 *lapses.*

5 2. The board may [in its discretion,] revive and extend a lapsed  
6 license on the payment of all past unpaid extension fees not to exceed  
7 **[\$50.] \$100.**

8 **SEC. 30.** NRS 640.290 is hereby amended to read as follows:

9 640.290 [Any] A person licensed [under NRS 640.220 to 640.-  
10 300, inclusive, as a licensed physical therapy] *as a physical therapist's*  
11 *assistant [shall] may assist in the practice of physical therapy only*  
12 *under the [direct] supervision of a registered physical therapist, [in the*  
13 *State of Nevada] subject to the conditions and limitations of NRS [640.-*  
14 *220] 640.230 to 640.300, inclusive.*

15 **SEC. 31.** NRS 640.300 is hereby amended to read as follows:

16 640.300 [A] Any person [who]:

17 1. *Who* is not licensed under NRS [640.220] 640.230 to 640.300,  
18 inclusive, as a [licensed] physical [therapy] *therapist's assistant [or*  
19 *whose];*

20 2. *Whose* license has been suspended or revoked [or whose]; *or*

21 3. *Whose* license has lapsed and has not been revived,  
22 and *who* uses in connection with his name the words or letters  
23 ["L.P.T.A.," "Licensed Physical Therapy Assistant,"] "A.P.T." *or*  
24 *"Physical Therapist's Assistant,"* or any other letters, words or insignia  
25 indicating or implying that he is a [licensed] physical [therapy]  
26 *therapist's assistant, or who in any other way, orally, or in writing, or in*  
27 *print, by sign, directly, or by implication, represents himself as a*  
28 *[licensed physical therapy] physical therapist's assistant, is guilty of a*  
29 *misdemeanor.*

30 **SEC. 32.** NRS 640.010, 640.015, 640.130 and 640.220 are hereby  
31 repealed.

32 **SEC. 33.** The provisions of subsection 2 of section 16 of this act are  
33 not intended to apply to a person who was registered initially by the board  
34 before July 1, 1981, and complied with the educational requirements in  
35 effect at the time of that registration.



(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

**S. B. 231**

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SENATE BILL NO. 231—COMMITTEE ON  
COMMERCE AND LABOR

FEBRUARY 13, 1981

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Referred to Committee on Commerce and Labor

**SUMMARY**—Changes various provisions of law governing physical therapists and their assistants. (BDR 54-297)

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

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

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AN ACT relating to physical therapists; expanding the powers of the state board of physical therapy examiners; providing rules for its proceedings and for subpoenas; providing for the issuance of temporary permits and registration without examination in certain circumstances; adding grounds for disciplinary action by the board; increasing fees; 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. Chapter 640 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 9, inclusive, of this act.  
3 SEC. 2. *“Physical therapist’s assistant” means a person who assists in*  
4 *the practice of physical therapy under the supervision of a registered*  
5 *physical therapist and who is licensed under the provisions of this chapter.*  
6 SEC. 2.5. *“Practice of physical therapy”:*  
7 1. *Includes:*  
8 (a) *The performing and interpreting of tests and measurements as an*  
9 *aid to treatment;*  
10 (b) *The planning of initial and subsequent treatment programs on the*  
11 *basis of the results of tests; and*  
12 (c) *The administering of treatment through the use of therapeutic exer-*  
13 *cise and massage, joint mobilization (without chiropractic adjustment),*  
14 *mechanical devices, and therapeutic agents which employ the properties*  
15 *of air, water, electricity, sound and radiant energy.*  
16 2. *Does not include:*  
17 (a) *The diagnosis of physical disabilities;*  
18 (b) *The use of roentgenic rays or radium;*  
19 (c) *The use of electricity for cauterization or surgery; or*



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 361

SENATE BILL NO. 361—SENATOR HERNSTADT

MARCH 4, 1981

Referred to Committee on Commerce and Labor

SUMMARY—Makes extra charge by practitioner of healing art for filling out insurance form an unethical practice. (BDR 54-1129)

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

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

AN ACT relating to health insurance; requiring that health insurance and health care plans provide coverage for fees charged by providers of health care for completing claim forms; and providing other matters properly relating thereto.

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

1 SECTION 1. Chapter 689A of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 *A health insurance policy which is delivered or issued for delivery in*  
4 *this state must provide coverage for the amount of any fee charged by*  
5 *a provider of health care as defined in NRS 629.031 or a health and*  
6 *care facility as defined in NRS 449.007 for completing a claim form, but*  
7 *the benefits payable for this purpose must not exceed \$5 per claim.*

8 SEC. 2. Chapter 689B of NRS is hereby amended by adding thereto  
9 a new section which shall read as follows:

10 *A group health insurance policy which is delivered or issued for deliv-*  
11 *ery in this state must provide coverage for the amount of any fee charged*  
12 *by a provider of health care as defined in NRS 629.031 or a health and*  
13 *care facility as defined in NRS 449.007 for completing a claim form, but*  
14 *the benefits payable for this purpose must not exceed \$5 per claim.*

15 SEC. 3. Chapter 695B of NRS is hereby amended by adding thereto  
16 a new section which shall read as follows:

17 *An individual or group health insurance policy issued by a corporation*  
18 *pursuant to this chapter must provide coverage for the amount of any*  
19 *fee charged by a provider of health care as defined in NRS 629.031 or a*  
20 *health and care facility as defined in NRS 449.007 for completing a claim*  
21 *form, but the benefits payable for this purpose must not exceed \$5 per*  
22 *claim.*

23 SEC. 4. Chapter 695C of NRS is hereby amended by adding thereto  
24 a new section which shall read as follows:

- 1 An individual or group health care plan of a health maintenance orga-
- 2 nization, must provide coverage for the amount of any fee charged by a
- 3 provider of health care as defined in NRS 629.031 or a health and care
- 4 facility as defined in NRS 449.007 for completing a claim form, but the
- 5 benefits payable for this purpose must not exceed \$5 per claim.



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 361

SENATE BILL NO. 361—SENATOR HERNSTADT

MARCH 4, 1981

Referred to Committee on Commerce and Labor

SUMMARY—Makes extra charge by practitioner of healing art for filling out insurance form an unethical practice. (BDR 54-1129)

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

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

AN ACT relating to health insurance; requiring that health insurance and health care plans provide coverage for fees charged by providers of health care for completing claim forms; and providing other matters properly relating thereto.

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

1 SECTION 1. Chapter 689A of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 *A health insurance policy which is delivered or issued for delivery in*  
4 *this state must provide coverage for the amount of any fee charged by*  
5 *a provider of health care as defined in NRS 629.031 or a health and*  
6 *care facility as defined in NRS 449.007 for completing a claim form, but*  
7 *the benefits payable for this purpose must not exceed \$5 per claim.*

8 SEC. 2. Chapter 689B of NRS is hereby amended by adding thereto  
9 a new section which shall read as follows:

10 *A group health insurance policy which is delivered or issued for deliv-*  
11 *ery in this state must provide coverage for the amount of any fee charged*  
12 *by a provider of health care as defined in NRS 629.031 or a health and*  
13 *care facility as defined in NRS 449.007 for completing a claim form, but*  
14 *the benefits payable for this purpose must not exceed \$5 per claim.*

15 SEC. 3. Chapter 695B of NRS is hereby amended by adding thereto  
16 a new section which shall read as follows:

17 *An individual or group health insurance policy issued by a corporation*  
18 *pursuant to this chapter must provide coverage for the amount of any*  
19 *fee charged by a provider of health care as defined in NRS 629.031 or a*  
20 *health and care facility as defined in NRS 449.007 for completing a claim*  
21 *form, but the benefits payable for this purpose must not exceed \$5 per*  
22 *claim.*

23 SEC. 4. Chapter 695C of NRS is hereby amended by adding thereto  
24 a new section which shall read as follows: