

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

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
APRIL 8, 1981

The Senate Committee on Commerce and Labor was called to order by Chairman Thomas R. C. Wilson, at 1:35 p.m., Wednesday, April 8, 1981, in Room 213 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda.

COMMITTEE MEMBERS PRESENT:

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

STAFF MEMBER PRESENT:

Betty Steele, Committee Secretary

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

Mr. David Bianchi, Nevada Association of Life Underwriters, spoke in favor of Senate Bill No. 365, as he was unable to testify at the earlier work session today. He indicated his association felt insurance agents for fraternal organizations should be required to fulfill the same requirements as regular agents must; and offered to submit back-up material for his position.

In answer to Senator Hernstadt's question as to how many fraternal orders would be affected by the change proposed in this bill, Mr. F. De Armand Sharp, representing the Independent Order of Foresters, indicated that 34 fraternal orders would be affected.

Mr. Robert Fagan, vice president, Internation Order of Foresters, stated the fraternal orders issue their own policies and waived the premium taxes, which Senator Hernstadt asked about.

The hearing on Senate Bill No. 365 was closed.

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SENATE BILL NO. 424--Authorizes public service commission of Nevada to appear before hearings of Federal Energy Regulatory Commission.

Mr. Heber Hardy, chairman, public service commission of Nevada, appeared to speak in favor of this bill.

Senator Wilson asked for further explanations which Mr. Hardy supplied, regarding the need for this legislation.

Chairman Wilson closed the hearing on Senate Bill No. 424.

SENATE CONCURRENT RESOLUTION NO. 36--Calls upon labor commissioner and state gaming control board to investigate possible discriminatory practices of gaming establishments in employment.

Senator Joe Neal spoke in favor of the resolution which he had introduced. He referenced the rights position of the Nevada equal rights commission, including a letter from the Clark County Legal Services.

Mrs. Bertha Woodard Moore, president, National Association for Advancement of Colored People, Reno-Sparks area, spoke in support of Senate Concurrent Resolution No. 36. She discussed employment discrimination in the Reno-Sparks area and cited many cases. Mrs. Moore felt the equal rights commission was not serving the people of Nevada properly and called for its abolishment. She referred to some up-coming cases, one against the Comstock Hotel; and defended the media, as more sensitive to the existing problems than the equal rights commission. She indicated the present director's position is such there should be a new director or else abolish the commission.

Senator Hernstadt and Senator McCorkle questioned Mrs. Moore further about the present chairman of the equal rights commission, the kind and extent of discrimination she was aware of, and whether the governor's office might have suggested the commission not "rock the boat" as far as the gaming industry is concerned.

Mr. Onie Cooper, past president, NAACP, Reno-Sparks area, stated his position was to expose the inefficiency of the present Nevada equal rights position. He used the case of Harold Johnson against Harold's Club, Reno. Mr. Johnson won his case in Federal District Court after the commission did nothing for him. He also cited the case of Mr. Eugene Whitehead, Carson City Sheriff's Department, who had to take his case to Federal District Court also, and win, after no positive action by the commission.

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Mr. Cooper had some specific suggestions for improvement of the Nevada equal rights commission including a directive to do a better job with complaints received, review, perhaps by the legislature, and the Reno office should be given specific power to act on complaints from the Reno-Sparks area, and complainants should be allowed to bring in witnesses of their choice.

Mr. Cooper answered several questions from Senator McCorkle and Senator Hernstadt pertinent to the Johnson case. He also indicated the equal rights commission is not doing its job through incompetency, present policy and the administration.

Mr. Eddie Scott, Reno resident, also spoke in support of Senate Concurrent Resolution No. 36. He explained some of the equal rights commission policy; such as no attorney being appointed for the claimant, "confidentiality" which hampers the commission from performing its duties. He is opposed to the director and members of the commission being appointees of the governor. Mr. Scott favors them fulfilling a set term of office, with no policy or party affiliation to hamper their performance. He replied to Senator Hernstadt's question by stating he believed the commission should be abolished if it cannot remedy its policies.

Senator Joe Neal commented the commission has 180 days to act. Then, if no action has been taken, the case can be taken to the federal level.

Mr. Scott replied to Senator McCorkle's query about another source of complaint and indicated there is a federal commission, over all regional commissions. He stated at one time they had to have a referral from the Nevada commission to reach the federal commission but that is no longer true, because the Nevada commission is no longer a referral agency.

Mr. William H. Mitchell, vice-president of the Reno-Sparks NAACP, and legal redress chairman, referred to a point in the equal rights letter stating they would cut their staff by 40. He believed it should be increased by 40. Mr. Mitchell cited 12 cases he had referred to the commission since December 1980, when he took office. There were two adverse decisions, one postponement, and nine cases are still in their files.

Responding to Senator Hernstadt's question about the percentage of blacks being hired by casinos compared to the percentage of blacks in the work force, Mr. Mitchell stated with 4 percent of the black population in Sparks, less than one percent is hired, possibly as low as one-half percent.

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Senator Wilson stated there is a need to fix the numbers of referrals to the commission and percentage of numbers referenced above.

Dr. Lee Rayford, of the Nevada equal rights commission, stated he was upset with the misinformation brought forth today. He said he had never heard of the complaints mentioned. He intimated the people complaining refused to recognize the equal rights commission is established to serve all people.

Senator Hernstadt referred to the gaming employment charts in which there were 153 cases and only 2 were given probable cause of discrimination, and he asked Dr. Rayford why so few were considered probable cause.

Dr. Rayford went on at great length but did not really answer the question except to indicate the cases are reviewed by the attorney general's office and the equal educational opportunity commission. With regard to SCR No. 36, he saw no need to duplicate services.

Senator Wilson wanted to know why it seems to be standard practice to allow a complainant to bring a lawyer but no one else, without permission of the commission; and why there is an issue of confidentiality if the complainant waives confidentiality.

Dr. Rayford said it is a standard procedure used by EEOC to prevent being bogged down by irrelevant persons and statements. With regard to the confidentiality process, he said that would have to be "run by" the attorney general's office.

Dr. Rayford was questioned by Senator Hernstadt and Senator Wilson with regard to pending cases, consent decree with northern Nevada clubs, proportion of blacks living in northern Nevada compared to southern Nevada.

Dr. Rayford stated he did not have the information because he is not in the northern area. Senator Wilson felt Dr. Rayford should know the ratio as it is the basis for decision in charges of discrimination. Dr. Rayford said they were talking about two different areas. The consent decree and affirmative action program is not his responsibility.

Senator McCorkle pointed out that in 1970 the percentage was about 1 percent and he felt this was an important question, to determine whether discrimination does exist in the northern Nevada clubs.

In reply to Senator Wilson's question about cases pending in the attorney general's office, Dr. Rayford said there is not too great

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a backlog in the attorney general's office. He said they have 21 persons statewide; 7 in the north, the remaining 14 in the southern part of the state. Answering Senator Hernstadt about budget cuts, Dr. Rayford stated the budget calls for 4 persons to be cut from staff but does not indicate north or south; the cuts are recommended on the basis of the contribution made by various employees.

Mr. James Coleman, asked to testify by Senator McCorkle, stated the people of northern Nevada are not getting a fair representation on the job market and there is a very high unemployment rate. He does not feel the equal rights commission is pursuing the problem or its causes and asked for action on the part of the Senate on this matter. In answer to Senator McCorkle's question, Mr. Coleman said he had not been discriminated against personally but felt the unemployment rate was too high in his area.

Senator McCorkle wondered whether the weakness lies in the equal rights commission; if this was the cause of the problem. He said he has serious reservations concerning the resolution; but would like to pursue the matter in other ways than stated by the resolution, by looking for another approach.

Senator Neal suggested action must be on the basis of information. He pointed that discrimination must be dealt with and the resolution is only a directive to the gaming control board and the labor commission to go out and obtain the information.

Senator Wilson asked whether Dr. Rayford had the jurisdiction to obtain information and if he had ever initiated a charge. Dr. Rayford admitted he had the jurisdiction but had not exercised it.

Senator McCorkle emphasized the subtle difference between obtaining results and data to substantiate a claim, and to investigate the manner in which gaming establishments hire, promote, transfer and retain employees. There is not so much problem with the people promoted and retained as with the policy. He wondered if the language might be modified to protect the gaming industry and still obtain their objective.

Senator Neal indicated the resolution should show the level of employment within the gaming industry, in terms of hiring, promotion, and termination policy. He claimed casinos would hire blacks just prior to reporting periods and then terminate them immediately after the report. Senator Neal asked for a true indicator of the "rules of the game", as performed by the casinos.

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Senator Wilson asked Dr. Rayford whether the information is in his office, irrespective of the jurisdictional action by the Justice Department; also whether he has access to it and whether it is available for public inspection and received an affirmative answer from Dr. Rayford on all three questions.

Bishop Divine Ruth Turner, a disabled black teacher, related all the difficulties she encountered as a handicapped black woman and how little help she received, from EEOC and the equal rights commission. She stated it took intervention from the attorney general's office to receive a license to practice as a teacher of cosmetology. She stated the equal rights commission has not held a meeting in the north and their location is not easily available to most people.

Mr. David Luckey, executive director, United Front of Nevada, stated he specializes in getting blacks jobs, and funds from the city under community development. Concerning segregation in the casinos, he said two major casinos are hiring blacks but the rest are not. He claims his organization represents 6,500 or more black persons in northern Nevada but no more than 15 bartenders and 15 dealers. He said the location of the equal rights commission office is part of the problem; in addition, the Reno office administrator is Spanish and cannot deal with black people. In reply to Senator Hernstadt's question, Mr. Luckey said the equal rights commission office in northeast Reno is not located near a bus stop nor within range of public transportation.

Mr. W.N. Campbell, executive director, Nevada Resort Association, appeared in opposition to SCR No. 36. He went on at great length about the various programs and opportunities available to the various minorities. He also suggested the information on hiring practices for minorities is available, filed quarterly, under the consent decree, with federal court and the EEOC. He indicated confidence in the Las Vegas office of the equal rights commission as being professionals who do a thorough investigation of complaints. He felt there had been more than enough investigations but EEOC has continual oversight over their performance. He stated strong opposition to the resolution in view of the facts he gave.

Mr. Jerry Higgins, representing the Gaming Industry Association, Reno, stated he represented 34 gaming casinos in northern Nevada. His only comment was the problem was for the equal rights commission not the gaming control board. He felt many members of the association are working to accomplish the same objectives as the equal rights commission. All members are required to file the ratios with the EEOC once a year.

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Mr. James Earl Harris of Reno spoke in support of Senator Neal's resolution. He said he did not see the resolution as an attack on the equal rights commission but rather as a request for two well-empowered departments of the state to have access to the gaming establishments in a way the equal rights commission does not and cannot. He felt the efforts of the commission were more directed towards conciliation rather than direct action.

SENATE BILL NO. 479--Provides for licensing of certain corporations as real estate broker-salesmen or salesmen.

Mr. C. Robert Cox and Mr. Bill Cozart, representing the Nevada Association of Realtors were present to state their support of Senate Bill No. 479. Mr. Cox referred to the amendments which had been drawn up and distributed. He indicated the intent behind the bill was to allow salesmen and brokers-salesmen the same corporate advantage regarding deferred compensation plans as afforded the brokers licensed as corporations.

Mr. Cox agreed with Senator Don Ashworth's comment that the real problem is in the licensing. Mr. Cox stated one of the initial problems with S.B. No. 479 is the association's desire for something other than the present corporate structure which has to do with the process of computer control of licensees. This would upset their current plans and could prove expensive if they have to license corporations as opposed to licensing individuals.

Senator Don Ashworth asked for a definition of the general function and hierarchy; the advantage of having a broker-salesman. Mr. Cox replied the order will not be confused by having them incorporate. The ultimate responsibility still will be with the broker. Mr. Cox said the amendment deletes the unnecessary lines, allowing these people to incorporate and act on behalf of the corporation. Another deletion is requested to eliminate the report requirement and affidavit on the stockholders and amount of stock issued on or before July 1 of each year.

Senator Don Ashworth commented the amendment was too restrictive and the realtors would want to return in two years and remove it. Mr. Cozart indicated one other response, related to the flexibility of the individuals themselves. The structure has the broker at the top with the broker-salesmen and salesmen as independent contractors. Incomes vary, but the contribution requirement is an equal contribution based on salaries. The final amendment deals with termination of the license at termination of the corporation's employment with the real estate broker.

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With no further testimony, the hearing on Senate Bill No. 479 was closed.

SENATE BILL NO. 483--Requires payment of certain insurance claims by negotiable instruments.

Mr. Bob Schriver, executive director, Nevada Trial Lawyer's Association, expressed the remarks of two other lawyers who had to leave before the bill came up on the agenda. Apparently, after some discussion the other attorneys prefer a check payable upon demand in settling insurance claims as there is too much delay in collecting on a sight draft. They feel a finite time limit should be set on payment.

Mr. Richard Garrod, of Farmers' Insurance Group, stated they also are concerned with the problem and try to expedite claim payments. He said being denied the use of a sight draft affects their control over 100 agents and adjusters in the state of Nevada. He stated it is not possible to give that many people access to an insurance company checking account. He said the time of a sight draft issued from a regional office is usually 10 days or less. Mr. Garrod's company does not feel a time limit is necessary. He feels the problem lies with the banks' courier systems.

Mr. Virgil Anderson of California State Automobile Association stated his company has never had any problems with prompt payment. They are a west coast based company and can eliminate the problem. They also use sight drafts.

Mr. James Wadhams, director, and Ms. Patsy Redmond, acting insurance commissioner, commerce department were present in opposition to Senate Bill No. 483. Mr. Wadhams stated the commerce department is not in the business of commercial law in terms of negotiable instruments. He said they do support the problem as identified by the trial lawyers that payment delays can be unreasonable. They support the solution but are not sure it requires legislative action. He suggested doing it by regulation.

Mr. Wadhams spoke to Senator Blakemore's comments. There was a bill passed one or two sessions ago which said that death benefits begin to earn interest at the time of death, regardless of when the claim is paid; so there is precedent for Senator Blakemore's suggestion. Asked for a recommendation, Mr. Wadhams suggested doing it by regulation for the next two years and coming back to the next session with a report on the effectiveness of the regulation.

Brief mention was made of the earlier testimony on Senate Bill No. 365, which received indefinite postponement by committee action.



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Chairman Wilson closed the hearing on Senate Bill No. 483.

Just prior to the regularly-scheduled meeting, a work session was held from 12:05 p.m. to 1:20 p.m. with no agenda and no roster. A resume of that work session's action follows.

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

Senator Gene Echols was present to give his views on this bill and indicate opposition because of information the chiropractors had given him. Senator Wilson and Senator McCorkle disagreed with Senator Echols' conclusions.

There was general discussion of the various points of disagreement among the senators and Mr. David Hagen, representing the chiropractors' association as well as Mr. Richard Pugh from the Nevada Medical Association. Mr. Pugh presented arguments from Dr. Peterman and Dr. Rosenauer. There were comments from medical representatives in the audience who indicated testing should be left to licensed physicians.

Chairman Wilson stated he was going to conclude the discussion but wanted to clarify the statement "as an aid to treatment" as not meaning an initial examination. Physical therapists can only treat on referral from a physician. He referred to the letter from the Nevada state board of physical therapy.

SENATE BILL NO 285--Removes prohibition against taking security interest in real property on installment loans.

Senator Wilson stated there had been a divided committee on this bill. Three wanted to process the bill as is, some wanted an amendment. The Chairman asked for action on the motion. Senator Raggio asked that the record show he abstained from all discussion on Senate Bill No. 285. Senator Hernstadt stated he would vote to pass the bill as it stands or with "floor of \$3,500".

Senator Don Ashworth moved Amend and Do Pass (See Exhibit B.)  
Senate Bill No. 285.

Senator Don Ashworth seconded the motion.

The motion carried. (Senator Hernstadt voted "No";  
Senator Raggio abstained.)

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

Senator Hernstadt moved Amend and Do Pass (See Exhibit C.)  
Senate Bill No. 361.

Senator Don Ashworth seconded the motion.

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

SENATE BILL NO. 242--Permits employees to include tips in wages for unemployment compensation.

SENATE BILL NO. 243--Allows employees to report tips as wages and increase coverage of industrial insurance.

Senator McCorkle asked to abstain from discussion on the grounds he works with the Culinary Workers.

Senator Hernstadt referred to current practices as being too involved. This legislation would help the workers.

Senator Raggio argued there was no way of actually verifying an employee's income if this bill passed and it puts the burden on the employer in a way he cannot authenticate. He stated he would support the measure if two conditions were met, with the employee certifying the true tip income during the reporting period, and the employer paying the premium for that purpose. Senator Close reasoned that tip income must be considered part of income, even if not paid by the employer. He agreed with Senator Raggio on certification of income. Senator Hernstadt suggested the 1980 IRS filing of tip reports be used as a basis for estimation of benefits.

Senator Wilson asked for a consensus on optional reporting, tip income with a verified certified declaration and monthly reporting.

Mr. Claude Evans, executive secretary treasurer, AFL-CIO, commented from the audience that he felt reporting should be "monthly or more frequently at the option of the employer."

Chairman Wilson called again for a consensus. The last condition discussed was the payment of premiums by the employee. The committee was divided 4-2 (Senator McCorkle abstained) on the question of payment of premiums, with 4 in favor of the employer paying the premiums, and Senator Raggio and Senator Ashworth in favor of the employee paying them.

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The work session was adjourned at 1:20 p.m. The regular meeting convened at 1:35 p.m. and continued through discussion to the voting actions which follow:

SENATE BILL NO. 483

(See Exhibit D.)

Senator Raggio moved to Indefinitely Postpone  
Senate Bill No. 483.

Senator Don Ashworth seconded the motion.

The motion carried unanimously.

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SENATE BILL NO. 479

(See Exhibit E.)

Senator Don Ashworth moved to Amend and Do Pass  
Senate Bill No. 479.

Senator Richard Blakemore seconded the motion.

The motion carried unanimously.

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SENATE CONCURRENT RESOLUTION NO. 36

Chairman Wilson asked for discussion on the resolution. The committee agreed to hold discussion on the resolution.

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SENATE BILL NO. 424

(See Exhibit F.)

Senator Close moved Do Pass Senate Bill No. 424.

Senator Blakemore seconded the motion.

The motion carried unanimously.

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SENATE BILL NO. 366

Senator Raggio suggested the addition of the term cosmetician or aesthetician, depilatories, tweezers, etc.

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(Senate Bill No. 366 - Continued)

(See Exhibit G.)

Senator Don Ashworth moved to Amend and Do Pass  
Senate Bill No. 366.

Senator William Raggio seconded the motion.

The motion carried unanimously.

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SENATE BILL NO. 242 and SENATE BILL NO. 243

Senator Wilson asked for discussion and it was decided the employer should pay the premium and the other conditions discussed should be attached.

Senator Raggio recommended an amendment showing the employee paying the premium.

No action was taken.

SENATE BILL NO. 240

Senator Wilson said this bill was being held for consideration of Senate Bill No. 231, which was discussed at the work session preceding the meeting. This is also a chiropractor's bill and it was determined to hold it for further research.

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SENATE BILL NO. 280

(See Exhibit H.)

Senator McCorkle moved for Indefinite Postponement of Senate Bill No. 280.

Senator Don Ashworth seconded the motion.

The motion carried.

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SENATE BILL NO. 230

Chairman Wilson will be reminded to speak to the Assembly committee on Senate Bill No. 230.

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SENATE BILL NO. 329

Senator Close moved for Indefinite Postponement  
of Senate Bill No. 329.

Senator Don Ashworth seconded the motion.

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

SENATE BILL NO. 462

Chairman Wilson requested that Senate Bill No. 462 be held for  
amendment to be submitted by Mr. Joseph Sevigny, commissioner of  
banking.

SENATE BILL NO. 472

Chairman Wilson requested this bill be held for Senator Raggio  
to bring in further information.

The committee agreed to the introduction of the following BDR's:

- (SB 522) BDR 58-1387--Authorizes certain public utilities to acquire water  
rights by eminent domain under certain specified circumstances.
- (SB 521) BDR 57-1370--Provides for regulation of home protection insurance.
- (SB 523) BDR 54-1890--Expands class of graduates of foreign medical schools  
who may obtain a limited license to practice medicine.

The meeting was adjourned at 5:50 p.m.

Respectfully submitted,

  
Betty Steele, Committee Secretary

APPROVED:

  
Senator Thomas R. C. Wilson, Chairman

DATE: June 12, 1981

REVISED  
SENATE AGENDA      EXHIBIT A  
COMMITTEE MEETINGS

Committee on Commerce and Labor , Room 213 .

Day Wednesday , Date April 8, 1981 , Time 1:30 p.m.

S.B. No. 424--Authorizes Public Service Commission of Nevada to appear before hearings of Federal Energy Regulatory Commission.

S.C.R. No. 36--Calls upon labor commissioner and state gaming control board to investigate possible discriminatory practices of gaming establishments in employment.

S.B. No. 479--Provides for licensing of certain corporations as real estate broker-salesmen or salesmen.

S.B. No. 483--Requires payment of certain insurance claims by negotiable instruments.

EXHIBIT B

SENATE BILL NO. 285

**S. B. 285**

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SENATE BILL NO. 285—COMMITTEE ON  
COMMERCE AND LABOR

FEBRUARY 24, 1981

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Referred to Committee on Commerce and Labor

SUMMARY—Removes prohibition against taking security interest in  
real property on installment loans. (BDR 56-716)

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

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

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AN ACT relating to installment loans; removing the prohibition against taking a  
security interest in real property on installment loans; 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 675.350 is hereby amended to read as follows:  
2 675.350 No licensee may:  
3 1. Take any confession of judgment or any power of attorney running  
4 to himself or to any third person to confess judgment or to appear for the  
5 borrower in a judicial proceeding.  
6 2. Take any note or promise to pay which does not disclose the date  
7 and amount of the loan obligation, a schedule or description of the pay-  
8 ments to be made thereon, and the rate or aggregate amount of agreed  
9 charges.  
10 3. Take any instrument in which blanks are left to be filled in after  
11 the loan is made.  
12 [4. Take a lien upon real property as security for any loan made  
13 under this chapter except on a loan secured by a mobile home or factory-  
14 built housing which constitutes real estate or real property and except  
15 such lien as is created by law through the rendition or recording of a  
16 judgment.]

EXHIBIT C

SENATE BILL NO. 361

**S. B. 361**

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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.

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AN ACT relating to practitioners of the healing arts; making any extra charge to a patient for filling out an insurance form an unethical practice; 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 629 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 *It is an unethical practice for any practitioner of a healing art who is*
- 4 *licensed pursuant to chapter 630, 631, 632, 633, 634, 634A, 635, 636,*
- 5 *637, 640 or 641 of NRS to make an extra charge to a patient for filling*
- 6 *out an insurance form.*

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EXHIBIT D

SENATE BILL NO. 483

**S. B. 483**

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SENATE BILL NO. 483—COMMITTEE ON JUDICIARY

MARCH 31, 1981

Referred to Committee on Commerce and Labor

SUMMARY—Requires payment of certain insurance claims  
by negotiable instruments. (BDR 57-1314)

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



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

AN ACT relating to casualty insurance; requiring the payment of claims by negotiable instruments; 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 687B of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *Any payment by an insurer pursuant to a policy of casualty insurance*  
4 *must be made by means of a negotiable instrument as determined under*  
5 *NRS 104.3104.*



EXHIBIT E

SENATE BILL NO. 479

**S. B. 479**

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**SENATE BILL NO. 479—SENATOR BLAKEMORE**

**MARCH 30, 1981**

**Referred to Committee on Commerce and Labor**

**SUMMARY—**Provides for licensing of certain corporations as real estate broker-salesmen or salesmen. (BDR 54-1178)

**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 real estate brokers, broker-salesmen and salesmen; providing for the licensing of certain corporations as real estate broker-salesmen or salesmen; 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 645 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *Any corporation which:*  
4 (a) *Is organized under the provisions of chapter 89 of NRS; and*  
5 (b) *Except as provided in subsection 2, is owned by only one natural*  
6 *person who meets the qualifications of a real estate broker-salesman or*  
7 *salesman,*  
8 *may be licensed for the purpose of associating with a licensed real estate*  
9 *broker in the capacity of a broker-salesman or salesman. A corporation*  
10 *may be licensed under this section only under the broker which employs*  
11 *it.*  
12 2. *The spouse of the owner of the corporation who has a community*  
13 *interest in any shares of the corporation shall not be deemed a second*  
14 *owner of the corporation for the purposes of paragraph (b) of subsection*  
15 *1, if the spouse does not vote any of those shares.*  
16 3. *A license issued under this section entitles only the sole owner of*  
17 *the corporation to act as a broker-salesman or salesman, and only as*  
18 *an officer of the corporation and not on his own behalf. The owner may*  
19 *not do or deal in any act, acts or transactions included within the defini-*  
20 *tion of a real estate broker in NRS 645.030, except as that activity is*  
21 *permitted under this chapter to licensed broker-salesmen and salesmen.*  
22 4. *The corporation shall, within 30 days after a license is issued to*  
23 *it under this section and on or before July 1 of each year thereafter, file*

1 an affidavit with the division stating the number of issued and outstand-  
2 ing shares of the corporation and the name of all persons to whom the  
3 shares have been issued.

4 5. A license issued under this section automatically expires upon:

5 (a) The death of the shareholder.

6 (b) The issuance of shares in the corporation to more than one person.

7 (c) The termination of the corporation's employment with the real  
8 estate broker under whom it is licensed.

9 6. Nothing in this section alters any of the rights, duties or liabilities  
10 which otherwise arise in the legal relationship between a real estate  
11 broker, broker-salesman or salesman and a person who deals with him.

12 SEC. 2. NRS 645.230 is hereby amended to read as follows:

13 645.230 1. [After June 1, 1947, it shall be] It is unlawful for any  
14 person, copartnership, association or corporation to engage in the busi-  
15 ness of, act in the capacity of, advertise or assume to act as, a real estate  
16 broker, real estate broker-salesman or real estate salesman within the  
17 State of Nevada without first obtaining [a license as a real estate broker  
18 or real estate salesman] the appropriate license from the real estate  
19 division as provided for in this chapter.

20 2. The real estate division may prefer a complaint for violation of  
21 this section before any court of competent jurisdiction; and the real estate  
22 division may assist in presenting the law or facts upon any trial for a  
23 violation of this section.

24 3. The district attorney of each county shall prosecute all violations  
25 of this section in their respective counties in which violations occur,  
26 unless prosecuted by the attorney general. Upon the request of the  
27 administrator the attorney general shall prosecute any violation of this  
28 section in lieu of the district attorney.

29 SEC. 3. NRS 645.350 is hereby amended to read as follows:

30 645.350 1. Application for examination for license as a real estate  
31 broker, broker-salesman or salesman must be made in writing to the  
32 division upon blanks prepared or furnished by the division.

33 2. Every application for examination for a real estate broker's,  
34 broker-salesman's or salesman's license must set forth the following  
35 information:

36 (a) The name, age and address of the applicant. If the applicant is a  
37 copartnership or an association which is doing business as a real estate  
38 broker, the name and address of each member thereof. If the application  
39 is for a corporation which is doing business as a real estate salesman,  
40 real estate broker-salesman or real estate broker, the name and address of  
41 each officer and director thereof.

42 (b) The name, if known, under which the business is to be conducted.  
43 The name is a fictitious name if it does not contain the name of the  
44 applicant or the names of the members of the applicant's firm, copartner-  
45 ship or association. [A license shall] Except as provided in section 1 of  
46 this act, a license must not be issued under a fictitious name which  
47 includes the name of a real estate salesman or broker-salesman. A license  
48 [shall] must not be issued under the same fictitious name to more than  
49 one licensee within the state. All licensees doing business under a

1 fictitious name shall comply with other pertinent statutory regulations  
2 regarding the use of fictitious names.

3 (c) The place or places, including the street number, the city and  
4 county where the business is to be conducted, if known.

5 (d) The business or occupation engaged in by the applicant for a  
6 period of at least 2 years immediately preceding the date of the applica-  
7 tion, and the location thereof; if a copartnership or an association is  
8 doing business as a real estate broker, by each member thereof, or if a  
9 corporation, by each officer thereof.

10 (e) The time and place of the applicant's previous experience in the  
11 real estate business as a broker or salesman.

12 (f) Whether the applicant has ever been convicted of or is under  
13 indictment for a felony or has entered a plea of guilty to a charge of  
14 felony, and if so, the nature of the felony.

15 (g) Whether the applicant has been refused a real estate broker's,  
16 broker-salesman's or salesman's license in any state, or whether his license  
17 as a broker or salesman has been revoked or suspended by any other  
18 state.

19 (h) If the applicant is a member of a copartnership or association, or  
20 an officer of a corporation, the name and office address of the copartner-  
21 ship, association or corporation of which the applicant is a member or  
22 officer.

23 3. An applicant for examination for a license as a broker-salesman  
24 or salesman shall provide a verified statement from the broker with  
25 whom he will be associated. The statement must be provided to the  
26 division and must contain:

27 (a) The information required in an application for a broker's license

28 (b) The name and address of the applicant's last employer.

29 (c) The name and place of business of the person who employs the  
30 applicant or with whom he will be associated.

31 4. If the information required in paragraphs (b) and (c) of sub-  
32 section 2 is not known at the time of the application, it must be furnished  
33 as an addendum to the application as soon as it becomes known to the  
34 applicant.

35 5. If a copartnership or association is doing business as a real estate  
36 broker, the application for a broker's license must be verified by at least  
37 two members thereof. If a corporation is doing business as a real estate  
38 broker, the application must be verified by the president and the secre-  
39 tary thereof.

EXHIBIT F

SENATE BILL NO. 424

**S. B. 424**

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SENATE BILL NO. 424—COMMITTEE ON  
COMMERCE AND LABOR

MARCH 17, 1981

Referred to Committee on Commerce and Labor

**SUMMARY**—Authorizes public service commission of Nevada to appear before hearings of Federal Energy Regulatory Commission. (BDR 58-1404)

**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 public utilities; authorizing the public service commission of Nevada to appear before hearings of the Federal Energy Regulatory Commission; 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 703 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *The legislature finds that the cost of energy in Nevada is affected*  
4 *by the Federal Energy Regulatory Commission in its regulation of the*  
5 *transmission of energy into and out of the State of Nevada, and the con-*  
6 *cerns of the public utilities and their customers in this state should be rep-*  
7 *resented at the hearings of that Commission which affect Nevada.*  
8 2. *The public service commission of Nevada, within the limits of its*  
9 *budget and as it deems necessary, may bring an action, file a petition or*  
10 *intervene before the Federal Energy Regulatory Commission or in any*  
11 *court on behalf of the public utilities and their customers in this state and*  
12 *represent their views in any matter which affects the development, trans-*  
13 *mission, use or cost of energy in Nevada.*

EXHIBIT G

SENATE BILL NO. 366

**S. B. 366**

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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.

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

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AN ACT relating to 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 12, inclusive, of this act.  
3 SEC. 2. "Board" means the state board of cosmetology.  
4 SEC. 3. "Cosmetician" means any person who engages in the occu-  
5 pation of cosmetology, except the branches of hairdressing, electrolysis  
6 and manicuring.  
7 SEC. 4. "Cosmetological establishment" means any premises, build-  
8 ing or part of a building where cosmetology is practiced, other than a  
9 licensed barbershop in which one or more licensed manicurists practice.  
10 SEC. 5. "Cosmetology" includes any branch or any combination of  
11 branches of the occupation of a hairdresser and cosmetician, and any  
12 branch or any combination of branches of the occupation of a cosme-  
13 tician, or cosmetologist, or beauty culturist, and is defined as the follow-  
14 ing practices:  
15 1. Arranging, dressing, curling, waving, cleansing, singeing, bleach-  
16 ing, tinting, coloring or straightening the hair of any person with the  
17 hands, mechanical or electrical apparatus or appliances, or by any means;  
18 or similar work incident to or necessary for the proper carrying on of the  
19 practice or occupation provided by the terms of this chapter.  
20 2. Cutting, trimming or shaping the hair.  
21 3. Massaging, cleansing or stimulating the scalp, face, neck, arms,  
22 bust or upper part of the human body by the use of cosmetic prepara-  
23 tions, antiseptics, tonics, lotions or creams.  
24 4. Cleansing or beautifying the hair by the use of cosmetic prepara-  
25 tions, antiseptics, tonics, lotions or creams.

1 5. *Beautifying the face, neck, arms, bust or upper part of the human*  
2 *body by the use of cosmetic preparations, antiseptics, tonics, lotions or*  
3 *creams.*

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

7 7. *Manicuring the nails of any person.*

8 8. *Giving facials, applying makeup, giving skin care or applying*  
9 *eyelashes to any person.*

10 SEC. 6. *“Demonstrator” means any person who, for the purpose of*  
11 *advertising, promoting or selling any drug, lotion, compound, preparation or*  
12 *substance, performs or carries on any of the practices enumerated or*  
13 *defined in this section, in order to advertise, promote or sell the drug,*  
14 *lotion, compound, preparation or substance.*

15 SEC. 7. *“Electrologist” means any person who engages in the occupa-*  
16 *tion of removing excess or unwanted hair from the body of any person*  
17 *by the use of electric devices approved by the board, including those*  
18 *operated by battery, electronic cells or electric current.*

19 SEC. 8. *“Hairdresser and cosmetician” means any person who*  
20 *engages in the practice of cosmetology, except the branches of electrolysis*  
21 *and manicuring.*

22 SEC. 9. *“Junior operator” means a person who is engaged in learning*  
23 *any of the branches of the occupation of cosmetology in a cosmetological*  
24 *establishment.*

25 SEC. 10. *“Manicurist” means any person who, for compensation or by*  
26 *demonstration, engages in the practices of:*

27 1. *Care of another’s fingernails or toenails.*

28 2. *Beautification of another’s nails.*

29 3. *Extension of another’s nails.*

30 SEC. 11. *The board shall admit to examination for a certificate of*  
31 *registration as a cosmetician any person who has made application to the*  
32 *board in proper form and paid the fee required by this chapter, and who:*

33 1. *Is at least 18 years of age;*

34 2. *Is of good moral character and temperate habits;*

35 3. *Is a resident of Nevada;*

36 4. *Has successfully completed the 10th grade in school or its equiv-*  
37 *alent; and*

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

42 SEC. 12. 1. *The board shall grant, without examination, a certificate*  
43 *of registration as a cosmetician to any person who:*

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

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

48 2. *A certificate of registration issued pursuant to this section author-*  
49 *izes the holder to practice the occupation of a cosmetician in a licensed*

1 *cosmetological establishment. A certificate issued pursuant to this section*  
2 *expires on July 1, 1983, and is not renewable.*

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

8 SEC. 13. NRS 644.020 is hereby amended to read as follows:

9 644.020 As used in this chapter [ ]:

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

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

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

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

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

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

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

30 (e) Beautifying the face, neck, arms, bust or upper part of the human  
31 body by the use of cosmetic preparations, antiseptics, tonics, lotions or  
32 creams.

33 (f) Removing superfluous hair from the body of any person by the use  
34 of electrolysis to remove the hair from the surface of the body where the  
35 growth is a blemish, or by the use of depilatories, or by the use of tweez-  
36 ers.

37 (g) Manicuring the nails of any person.

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

43 5. "Electrologist" means any person who engages in the occupation  
44 of removing excess or unwanted hair from the body of any person by the  
45 use of electric devices approved by the board, including those operated  
46 by battery, electronic cells or electric current.

47 6. "Hairdresser and cosmetician" means any person who engages in  
48 the practice of cosmetology, except the branches of electrolysis and  
49 manicuring.

50 7. "Junior operator" means any person who is engaged in learning



1 or acquiring a knowledge of the occupations of a hairdresser and cos-  
2 metician in a hairdressing or cosmetological establishment.

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

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

6 (b) Beautification of another's nails.

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

10 SEC. 14. NRS 644.190 is hereby amended to read as follows:

11 644.190 1. [No person, firm or corporation shall] *It is unlawful*  
12 *for any person to conduct or operate a cosmetological establishment,*  
13 *school of cosmetology, hairdressing shop, beauty parlor or any other*  
14 *place of business in which any one or any combination of the occupations*  
15 *of [a hairdresser and cosmetician] cosmetology are taught or practiced*  
16 *until licensed under the provisions of this chapter*

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

21 3. [Nothing in this] *This chapter [shall be construed to] does not*  
22 *prohibit:*

23 (a) Any junior operator from engaging in any one or any combination  
24 of the occupations of [a hairdresser and cosmetician] *cosmetology* under  
25 the immediate supervision of a licensed hairdresser and cosmetician.

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

30 SEC. 15. NRS 644.220 is hereby amended to read as follows:

31 644.220 1. The [amounts of the] examination fees [and reexam-  
32 ination fees required by this chapter are those fixed by the following  
33 schedule:] *are:*

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

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

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

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

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

45 SEC. 16. NRS 644.260 is hereby amended to read as follows:

46 644.260 [Every applicant for registration to engage in the practice  
47 of electrolysis or manicuring, who shall pass a satisfactory examination  
48 conducted by the board to determine his fitness in the practice of elec-  
49 trolysis or manicuring, shall receive from the board] 1. *The board*

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

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

11 SEC. 17. NRS 644.280 is hereby amended to read as follows:

12 644.280 1. Every certificate of registration and every license issued  
13 by the board [shall] must be signed by the president and attested by the  
14 secretary and [shall] must bear the impress of the board's seal.

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

18 SEC. 18. NRS 644.300 is hereby amended to read as follows:

19 644.300 Every registered hairdresser and cosmetician, cosmetician,  
20 electrologist [and] or manicurist shall, within 30 days after changing his  
21 place of business, as designated on the books of the board, notify the sec-  
22 retary of the board of his new place of business. [, and, upon] Upon  
23 receipt of the notification, the secretary shall make the necessary change  
24 in the register.

25 SEC. 19. NRS 644.320 is hereby amended to read as follows:

26 644.320 1. The license of every hairdresser and cosmetician, cos-  
27 metician, electrologist, and manicurist expires on the second July 1 fol-  
28 lowing its issuance or renewal.

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

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

36 SEC. 20. NRS 644.330 is hereby amended to read as follows:

37 644.330 1. A registered hairdresser and cosmetician, cosmetician,  
38 electrologist or manicurist whose license has expired may have [the  
39 same] his license renewed only upon payment of the renewal fee pro-  
40 vided for in NRS 644.320.

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

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

48 SEC. 21. NRS 644.340 is hereby amended to read as follows:

49 644.340 1. Any person [, firm or corporation] desiring to operate  
50 a cosmetological establishment in which any one or a combination of

1 the occupations of [a cosmetologist] *cosmetology* are practiced [shall]  
2 *must* apply to the board for a certificate of registration and license,  
3 through the owner, manager or person in charge, [in writing.] upon  
4 forms prepared and furnished by the board. Each application must  
5 contain proof of the particular requisites for registration provided for in  
6 this chapter, and must be verified by the oath of the maker.

7 2. Upon receipt by the board of the application accompanied by  
8 the annual registration fee, the board shall issue to the applicant the  
9 required certificate of registration and license.

10 3. The annual registration fee for a cosmetological establishment is  
11 \$18.

12 SEC. 22. NRS 644.380 is hereby amended to read as follows:  
13 644.380 1. Any person [ , firm or corporation] desiring to conduct

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

- 22 (a) A detailed floor plan of the proposed school.
- 23 (b) The name, address and license number of the manager or person  
24 in charge and of each instructor.
- 25 (c) Evidence of financial ability to provide the facilities and equipment  
26 required by [rules] *regulations* of the board and to maintain the opera-  
27 tion of the proposed school for [a period of] 1 year.
- 28 (d) Proof that the proposed school will commence operation with an  
29 enrollment of not less than 25 bona fide students.
- 30 (e) The annual registration fee.

31 2. Upon receipt by the board of the application, the board shall,  
32 before issuing a certificate of registration and license, determine whether  
33 the proposed school:

- 34 (a) Is suitably located.
- 35 (b) Contains adequate floor space and equipment.
- 36 (c) Meets all requirements established by [rules] *regulations* of the  
37 board.

38 3. The annual registration fee for a school of cosmetology is \$300.  
39 SEC. 23. NRS 644.425 is hereby amended to read as follows:

40 644.425 1. The board may grant a permit authorizing a person to  
41 conduct demonstrations and exhibitions, temporarily and primarily for  
42 educational purposes, of hair-styling, makeup and hair-dyeing techniques  
43 for the benefit and instruction of hairdressers [ , ] and cosmeticians, *cos-*  
44 *meticians*, electrologists and manicurists licensed under this chapter, and  
45 junior operators and students enrolled in licensed schools of cosmetology.

46 2. The permit must specify the purpose for which it is granted, the  
47 period during which the person is permitted to conduct [such] *the* dem-  
48 onstrations and exhibitions, which period may not exceed 10 days, and  
49 the time and place of exercising the privilege granted by the permit.

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

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

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

5 4. The provisions of this section do not apply to demonstrators  
6 licensed under this chapter.

7 5. Is unlawful:

8 (a) For any person to conduct a demonstration or exhibition without  
9 a permit.

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

15 SEC. 24. NRS 644.430 is hereby amended to read as follows:

16 644.430 The board shall not issue, or having issued shall not renew,  
17 or may revoke or suspend at any time, any license as required by the pro-  
18 visions of NRS 644.190 in any one of the following cases:

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

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

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

28 4. Gross malpractice.

29 5. Continued practice by a person knowingly having an infectious or  
30 contagious disease.

31 6. Drunkenness or addiction to the use of a controlled substance as  
32 defined by chapter 453 of NRS.

33 7. Advertisement by means of knowingly false or deceptive state-  
34 ments.

35 8. Permitting a certificate or registration or license to be used where  
36 the holder [thereof] is not personally, actively and continuously engaged  
37 in business.

38 9. Failure to display the license as provided in NRS 644.290, 644.-  
39 360 and 644.410.

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

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

44 SEC. 25. NRS 644.010 is hereby repealed.

EXHIBIT H

SENATE BILL NO. 280

**S. B. 280**

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SENATE BILL NO. 280—SENATOR NEAL

FEBRUARY 24, 1981

Referred to Committee on Commerce and Labor

SUMMARY—Amends provision on eligibility for unemployment compensation after discharge for misconduct. (BDR 53-870)

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



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

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AN ACT relating to unemployment compensation; amending a provision on eligibility for benefits after discharge for misconduct; 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 612.385 is hereby amended to read as follows:  
2 612.385 [A person is ineligible for benefits for the week in which he  
3 has filed a claim for benefits, if he was discharged from his last or next to  
4 last employment for misconduct connected with his work, and remains  
5 ineligible until he earns remuneration in covered employment equal to or  
6 exceeding his weekly benefit amount in each of not more than 15 weeks  
7 thereafter as determined by the executive director in each case according  
8 to the seriousness of the misconduct.]  
9 1. *If the executive director finds that a person has been discharged*  
10 *for misconduct connected with his work from his:*  
11 *(a) Most recent employment; or*  
12 *(b) Next most recent employment if he has not earned at least five*  
13 *times his weekly benefit amount after leaving the employment which*  
14 *immediately preceded his most recent employment,*  
15 *the person is not eligible to receive benefits for the week in which he has*  
16 *filed a claim for benefits, and for not more than 15 consecutive weeks*  
17 *thereafter occurring within the current benefit year or within the current*  
18 *and following benefit year.*  
19 2. *The executive director shall determine the number of weeks for*  
20 *which the person is not eligible according to the seriousness of the mis-*  
21 *conduct.*  
22 3. *The total benefit amount for which a person is eligible during his*  
23 *current benefit year must be reduced by an amount equal to the number*

1 *of weeks during which he was not eligible pursuant to this section, multi-*  
2 *plied by his weekly benefit amount, but no benefit amount may be*  
3 *reduced by more than one-half of the amount to which the person would*  
4 *otherwise have been entitled.*