

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON HUMAN RESOURCES AND FACILITIES

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
April 14, 1981

The Senate Committee on Human Resources and Facilities was called to order by Chairman Joe Neal at 9:05 a.m., Tuesday, April 14, 1981 in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Joe Neal, Chairman
Senator James N. Kosinski, Vice Chairman
Senator Richard E. Blakemore
Senator Wilbur Faiss
Senator Virgil M. Getto
Senator James H. Bilbray

GUEST LEGISLATORS:

Senator Lawrence Jacobsen
Assemblyman James J. Banner

STAFF MEMBERS PRESENT:

Connie S. Richards, Committee Secretary

ASSEMBLY BILL NUMBER 262 (EXHIBIT C)

Assemblyman Banner spoke in favor of Assembly Bill No. 262.

Mr. Ed McGoldrick, Labor Commissioner spoke in support of Assembly Bill No. 262. He said the obligations for veterans have been fulfilled since 1967, but it has not been established by statute that the labor commission should be the agency recognizing the apprenticeship program.

Mr. Glen Taylor, Mediation Officer, Labor Commission spoke in favor of Assembly Bill No. 262. He presented to the committee the Veterans Administration regulations pertaining to the apprenticeship program provided for in the bill. (See Exhibit D.) Under the 38 United States Code, Chapter 36, it is established that the state approval agency for on the job training programs for veterans in the respective

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states, must either by executive order or by some legislative act or law be designated. The state labor commission has acted as the approval agency for these programs since 1967.

Senator Kosinski asked how many on the job and/or apprenticeship programs for veterans are currently in operation.

Mr. Taylor said there are approximately 150 programs, each of them with at least 1 but some with as many as 5 or 10 veterans involved in each program with a total of approximately 250 veterans currently in the program.

Senator Kosinski asked whether the program is established by the employer or the agency.

Mr. Taylor replied that the programs are established by the employer in conjunction with the Veteran's Administration and the labor commission.

Senator Kosinski asked Mr. Taylor whether there are any veterans who would not qualify for the programs.

Mr. Taylor said veterans who have utilized their total benefits or have reached ten years from their separation date would not be qualified.

Senator Kosinski asked whether it might not be possible for a veteran to receive a larger salary during his or her training than after the training period is over.

Mr. Taylor replied that it would not be possible because the veterans' benefits are reduced as the salary increases, in this way the trainee or apprentice can better afford to go through the training process.

Senator Faiss asked whether there are any state funds involved.

Mr. Taylor said there are no state monies involved.

SENATE BILL NUMBER 503 (EXHIBIT E)

Mr. William Smith, Director, Nevada State Dairy Commission spoke in support of Senate Bill No. 503. He said the commission does not have an adequate number of staff to investigate every restaurant in the state. He said the

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health division is already required by law to go to all restaurants and could just as easily check for the sign stating that there are substitute dairy products used as could a separate field investigator from the dairy commission.

Senator Kosinski asked how the fees for the investigation are paid.

Mr. Smith said the fees are paid by the industry. He added that the investigation was originally the responsibility of the health division.

Senator Jacobsen spoke in support of Senate Bill No. 503. He observed the dairy commission is self supporting, to protect the consumer and also to guide and protect the producer and the processor or the manufacturer in some cases. He said he feels that funds that come from a direct source should not be used for the inspection and policing of other kinds of products though they may be similar in nature but produced by a different method. He said he feels that it should be the responsibility of the health department to investigate and police the use of substitute dairy products.

The Chairman wondered why some powers of the commission are being taken away while at the same time the salaries paid to commissioners are being raised from \$40 to \$60 per day.

Senator Getto agreed with Senator Neal; he suggested a bill to cover all commission salaries, making them all the same rather than the piecemeal approach currently being used.

Mr. Smith pointed out that the commissioners are appointed by the governor, and that it is required by law that those commissioners be certified public accountants, agriculture economists, or bankers. He said those people appointed as commissioners should be adequately compensated for taking time away from their regular jobs to serve in the commission positions.

Mr. Smith told the committee that the 1977 session of the Nevada State Legislature put the dairy commission under sunset status in 1981; in 1979 this was extended to 1983. He said the dairy commission is self supporting and is doing those things mandated by law and therefore asked that

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the sunset provision be repealed.

Senator Jacobsen said he is a firm believer in sunset, but in the case of the dairy commission which is funded by the industry itself and which has been audited and made a good showing, should be allowed to continue. He said it is difficult for the commission employees to stay on as staff members not knowing whether they will have a job in 1983 or not.

Mr. Al Edmundson, Bureau Chief, Consumer Health Protection Services, Nevada State Health Department spoke in support of the bill with the exception of two items: 1) page 1, line 7 should read "health authority", not "health division" because most restaurants in the state are within Clark and Washoe Counties and have their own authorities who could determine whether the signs are in place as they should be; and 2) NRS 584.175 would be charged to the health division or authority and should be deleted as it would be unenforceable due to a lack of personnel for price checking and audits to determine what the actual cost of the substitute dairy products.

Mr. Smith said the statute was established by the 1979 session of the Nevada State Legislature because the dairy commission was concerned that some dairy distributors used substitute dairy products (used as giveaways) to gain dairy business. He said if that statute were repealed, the dairy commission would assume that function by regulation (under unfair business practices).

ASSEMBLY BILL NUMBER 40 (EXHIBIT F)

Mr. Wendell Newman, Department of Education spoke in support of Assembly Bill No. 40.

Senator Kosinski asked for the definition of a "seriously emotionally handicapped child".

Ms. Gloria Dopf, Department of Education said the word "seriously" is not necessary because the standards adopted by the board of education outline what emotionally handicapped or seriously emotionally handicapped is and in this case the population to be served would not be affected.

Mr. Chuck Neely, Representative, Clark County School District spoke in support of Assembly Bill No. 40.

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ASSEMBLY BILL NUMBER 262 (EXHIBIT C)

Senator Blakemore moved to "Do Pass" Assembly Bill No. 262.

Senator Kosinski seconded the motion.

The motion carried unanimously.

SENATE BILL NUMBER 503 (EXHIBIT E)

Senator Kosinski agreed with Senator Getto's comments about the salaries of commissioners being decided on a piecemeal basis. He said he could see no justification for maintaining the language in the NRS relating to the substitute dairy products, he said if it is a "truth in menu" provision, it should be provided as such and also apply to other products.

Senator Kosinski moved to "Amend and Do Pass" Senate Bill No. 503 by removed sections 1 through 9 and repealing the provision of NRS relating to the substitute products.

Senator Bilbray seconded the motion.

The motion carried. (Senator Getto abstained from voting; Senator Neal voted "No".)

ASSEMBLY BILL NUMBER 40 (EXHIBIT F)

Senator Bilbray moved to "Do Pass" Assembly Bill No. 40.

Senator Faiss seconded the motion.

The motion carried unanimously.

SENATE BILL NUMBER 24 (EXHIBIT G)

Senator Bilbray moved to "Do Pass as Amended" and re-refer to Finance.

Senator Faiss seconded the motion.

The motion carried unanimously.

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SENATE BILL NUMBER 284 (EXHIBIT H)

Senator Faiss moved to "Do Pass" Senate Bill No. 284.

Senator Getto seconded the motion.

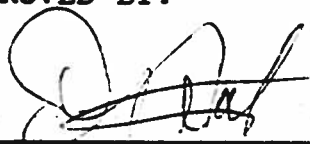
The motion carried. (Senator Bilbray voted "No" because he felt the inspection of emission should not be deferred because there is a need to protect health and environment. Senator Kosinski voted "No" because he felt there was a lack of appropriate testimony given.

There being no further business, the meeting adjourned at 10:12 a.m.

Respectfully submitted:


Connie S. Richards, Committee Secretary

APPROVED BY:


Senator Joe Neal, Chairman

DATE: 4/16/81

SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on Human Resources and Facilities, Room 323

Day Tuesday, Date April 14, Time 9:00 a.m.

S. B. No. 503--Changes various provisions relating to dairy products and substitutes.

A. B. No. 40--Revises classes and terminology applied to handicapped minors.

A. B. No. 262--Authorizes labor commissioner to approve and regulate programs for training for veterans in acutal employment.

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES

DATE: April 14, 1981

EXHIBIT B

| PLEASE PRINT | PLEASE PRINT | PLEASE PRINT |
|------------------|---|--------------|
| NAME | ORGANIZATION & ADDRESS | TELEPHONE |
| Joan Wikersson | Div. of Mental Hygiene & mental Retardation | 885-5743 |
| Charles Alday | Dairy Farmer | 782-2457 |
| Herb Witt | Dairy Farmer Rt 2 Box 925 Minden | 782-2155 |
| JOE MCNAMARA | DAIRY COMM RENO, NV. | 784-6221 |
| William K. Smith | " " " " | 784-6221 |
| James E. ... | Hwy State 420 - ... | 595-4751 |
| Ed ... | Labor Commission | 885 4850 |
| James ... | Labor Commission | 885-4850 |
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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 262

ASSEMBLY BILL NO. 262—ASSEMBLYMAN BANNER

MARCH 4, 1981

Referred to Committee on Labor and Management

SUMMARY—Authorizes labor commissioner to approve and regulate programs for training for veterans in actual employment. (BDR 37-327)

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 veterans; authorizing the labor commissioner to approve and regulate programs of training in actual employment; 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 418 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The labor commissioner may approve programs which provide*
4 *opportunities for training in actual employment for veterans. The pro-*
5 *grams must:*
6 (a) *Extend for at least 6 months and not more than 2 years;*
7 (b) *Involve only occupations which do not offer programs of appren-*
8 *ticeship;*
9 (c) *Have a standardized form of training; and*
10 (d) *Comply with all state and federal laws regarding equal opportunities*
11 *for employment.*
12 2. *The labor commissioner may adopt such regulations as may be*
13 *necessary to administer and oversee these programs.*

STATE APPROVING AGENCIES

14150 (§21.4150). DESIGNATION

EXHIBIT D

(A) The Chief Executive of each State is requested to create or designate a State department or agency as the "State approving agency" for his State, for the purpose of assuming the responsibilities delegated to the State under 38 U.S.C. ch. 36, or if the law of the State provides otherwise, to indicate the agency provided by such law. (38 U.S.C. 1771(a)) (Mar. 3, 1966)

(B) The Chief Executive of each State will notify the VA of any change in the designation of a State approving agency. (Mar. 3, 1966)

(C) If any State does not have and fails or declines to create or designate a State approving agency, the provisions of 38 U.S.C. ch. 36 which refer to the State approving agency will, with respect to such State, be deemed to refer to the Administrator (38 U.S.C. 1771(b)). See VA Regulation 14001(C). (Mar. 3, 1966)

(D) Any function, power or duty otherwise required to be exercised by a State, or by an officer or agency of a State, will, with respect to the Republic of Philippines, be exercised by the station head. (38 U.S.C. 212(a), 1761(b)) (Mar. 3, 1966)

(E) The Administrator shall act as State approving agency for programs of apprenticeship, the standards for which have been approved by the Secretary of Labor pursuant to Section 50a of Title 29, United States Code as a national apprenticeship program for operation in more than one State and the training establishment is a carrier directly engaged in interstate commerce which provides such training in more than one State. (38 U.S.C. 1772(c)) (Mar. 26, 1970)

[(F) Approval of a course of education offered by any agency or instrumentality of the Federal Government shall be under the authority of the Administrator. (38 U.S.C. 1772(b))] (Mar. 28, 1972)

Cross-Reference: VA Regulation 14250, APPROVAL OF COURSES

14151 (§21.4151). COOPERATION

(A) The VA and the State approving agencies will take cognizance of the fact that definite duties, functions and responsibilities are conferred upon each of them. To assure that programs of education are administered effectively and efficiently, the cooperation of the VA and the State approving agencies is essential. (38 U.S.C. 1773(a)) (Mar. 3, 1966)

(B) State approving agencies are responsible for inspecting and supervising schools within the borders of their respective States and for determining those courses which may be approved for the enrollment of veterans and eligible persons. They are also responsible for ascertaining whether a school at all times complies with its established standards relating to the course or courses which have been approved. [Under agreement with the VA

S. B. 503

SENATE BILL NO. 503—SENATOR JACOBSEN

APRIL 3, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Changes various provisions relating to dairy products and substitutes. (BDR 51-256)

**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 dairy products and substitutes; adding a new definition for "fresh dairy byproducts"; transferring responsibility for enforcement to the health division of the department of human resources; increasing commissioners' salaries per day; giving commission discretion to allow discounts for fluid milk and fluid cream by producers, distributors and retailers; requiring producers and distributors to maintain adequate records for a period of 2 years; restoring the permanent status of the state dairy 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 584 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 "*Fresh dairy byproducts*" includes but is not limited to buttermilk,
4 skim milk, chocolate drink, ice cream, ice milk mix, sherbet, sour cream,
5 sour cream dressing and cottage cheese.
6 SEC. 2. NRS 584.1759 is hereby amended to read as follows:
7 584.1759 The [state dairy commission] *health division of the*
8 *department of human resources* shall administer and enforce the provi-
9 sions of NRS 584.176 to 584.179, inclusive.
10 SEC. 3. NRS 584.178 is hereby amended to read as follows:
11 584.178 1. No operator, owner or proprietor of any place of busi-
12 ness which sells prepared food for consumption either on or off the
13 premises may serve any substitute dairy product unless:
14 (a) There is displayed in a prominent place in each room a sign in
15 black letters not less than 4 inches high upon a white background bearing
16 the words, "..... served here instead of"; or
17 (Name of substitute) (Genuine dairy product)
18 (b) There is contained in each menu used in [such] *the* place of busi-
19 ness a statement printed in not less than 8-point type containing the
20 words, "..... served here instead of"
21 (Name of substitute) (Genuine dairy product)

1 2. This section does not apply to:

2 (a) Schools, hospitals, orphanages, licensed rest homes, foster homes,
3 licensed day nurseries or any charitable institution which serves [such]
4 *this* food free of charge.

5 (b) Retail grocery stores [not operating] *which do not operate* lunch
6 counters, cafes or restaurants in connection with [such] *those* grocery
7 stores.

8 (c) Any facility maintained by an employer primarily for the benefit
9 of employees.

10 (d) The operator, owner or proprietor of any place of business which
11 sells prepared food for consumption either on or off the premises who
12 keeps oleomargarine for sale or use only when requested by a patron.
13 Any such place of business shall indicate clearly upon its menu or other
14 list of foods served that oleomargarine is available upon request.

15 3. *The health division of the department of human resources shall*
16 *enforce these provisions.*

17 SEC. 4. NRS 584.345 is hereby amended to read as follows:

18 584.345 1. "Distributor" means any person, whether or not the per-
19 son is a producer or an association of producers, who purchases or
20 handles fluid milk, fluid cream or any other dairy product for sale, includ-
21 ing brokers, agents, copartnerships, cooperative corporations, and incor-
22 porated and unincorporated associations.

23 2. The definition of "distributor" does not include any of the fol-
24 lowing:

25 (a) Any retail store that is not engaged in processing and packaging
26 fluid milk or fluid cream or does not purchase, transport into the state,
27 or otherwise receive for resale, fluid milk, fluid cream or any other
28 dairy product from sources outside this state.

29 (b) Any establishment, where fluid milk, [or] fluid cream [is] *or*
30 *fresh dairy byproducts* are sold only for consumption on the premises,
31 that is not engaged in processing and packaging fluid milk, [or] fluid
32 cream [.] *or fresh dairy byproducts.*

33 (c) Any person owned or controlled by one or more retail stores or
34 owned or controlled by one or more establishments where fluid milk, [or]
35 fluid cream [is] *or fresh dairy byproducts* are sold for consumption on
36 the premises, [which] *if that* person is not actively and directly engaged
37 in the processing and packaging of fluid milk or fluid cream.

38 (d) Any producer who delivers fluid milk or fluid cream only to a
39 distributor.

40 SEC. 5. NRS 584.445 is hereby amended to read as follows:

41 584.445 1. Each member of the commission [shall] *is entitled to*
42 *receive a salary of not more than* [\$40] \$60 per day, as fixed by the
43 commission, while engaged in the business of the commission.

44 2. Each member of the commission [shall] *is entitled to* receive the
45 per diem expense allowance and travel expenses as fixed by law while
46 engaged in the business of the commission.

47 3. The commission may expend in accordance with law all [moneys
48 now or hereafter] *money* made available for its use.

49 SEC. 6. NRS 584.505 is hereby amended to read as follows:

50 584.505 1. The commission may investigate, upon reasonable notice,

1 any [and all] transactions between producers and distributors or among
2 distributors or between distributors and retail stores or between dis-
3 tributors and consumers or between retail stores and consumers; and the
4 commission or its authorized agents may enter at all reasonable hours all
5 places where milk is stored, bottled or manufactured, or where milk or
6 milk products are bought, sold or handled, or where the books, papers,
7 records or documents relating to such transactions are kept, and may
8 inspect and copy any such books, papers, records or documents.

9 2. Each producer and distributor shall maintain adequate records
10 for a period of 2 years concerning his transactions in fluid milk, [and]
11 fluid cream [.] and fresh dairy byproducts.

12 SEC. 7. NRS 584.568 is hereby amended to read as follows:

13 584.568 1. Each stabilization and marketing plan may contain pro-
14 visions fixing the price at which fluid milk and fluid cream is sold by
15 producers, distributors and retailers and [must] may contain provisions
16 regulating all discounts allowed by producers, distributors and retailers.

17 2. If the commission establishes minimum prices to be paid by dis-
18 tributors to producers the commission shall consider, but is not [be]
19 limited to, the following factors:

20 (a) Cost of production.

21 (b) Reasonable return upon capital investment.

22 (c) Producer transportation costs.

23 (d) Cost of compliance with health regulations.

24 (e) Current and prospective supplies of fluid milk and fluid cream in
25 relation to current and prospective demands for [such] fluid milk and
26 fluid cream.

27 3. If the commission establishes minimum prices to be paid by
28 retailers to wholesalers and by consumers to retailers the commission
29 shall consider, but is not [be] limited to, the following factors:

30 (a) The quantities of fluid milk or fluid cream, or both, distributed
31 in the marketing area covered by the stabilization and marketing plan.

32 (b) The quantities of fluid milk or fluid cream, or both, normally
33 required by consumers in [such] the marketing area.

34 (c) The cost of fluid milk and fluid cream to distributors and retail
35 stores, which is the price paid by distributors to producers and the price
36 paid by wholesale customers to distributors, as established pursuant to
37 NRS 584.325 to 584.690, inclusive.

38 (d) The reasonable cost of handling fluid milk and fluid cream incurred
39 by distributors and retail stores, respectively, including all costs of haul-
40 ing, processing, selling and delivering by the several methods used in
41 [such] the marketing area in hauling, processing, selling and delivering,
42 as [such] these costs are determined by impartial audits of the books
43 and records, or surveys, or both, of all or [such] that portion of the dis-
44 tributors and retail stores, respectively, of each type or class in [such] the
45 marketing area as are reasonably determined by the commission to be
46 sufficiently representative to indicate the costs of all distributors and
47 retail stores, respectively, in the marketing area.

48 SEC. 8. NRS 584.583 is hereby amended to read as follows:

49 584.583 1. No distributor or retailer may sell fluid milk, fluid cream,
50 butter or fresh dairy byproducts below cost. ["Fresh dairy byproducts"]

1 includes but is not limited to the following items: buttermilk, skim milk,
2 chocolate drink, ice cream, ice milk mix, sherbet, sour cream, sour
3 cream dressing and cottage cheese; and does not necessarily define the
4 class of fluid milk or fluid cream which is used to make such products.]

5 2. In determining cost in the case of a distributor who processes or
6 manufactures fluid milk, fluid cream, butter or fresh dairy byproducts,
7 the following factors are included, but cost is not necessarily limited to
8 [such] these factors:

9 (a) Cost of raw products based on actual cost or on current and
10 prospective supplies of fluid milk and fluid cream in relation to current
11 and prospective demands for fluid milk and fluid cream.

12 (b) Cost of production.

13 (c) Reasonable return upon capital investment.

14 (d) Producer transportation costs.

15 (e) Cost of compliance with health regulations.

16 (f) Overhead costs as determined according to generally accepted
17 accounting principles.

18 3. In determining cost in the case of a peddler-distributor or retailer,
19 the following factors are included, but cost is not necessarily limited to
20 [such] these factors:

21 (a) Purchase price of product.

22 (b) Overhead cost for handling.

23 (c) Reasonable return upon capital investment.

24 4. Each distributor who processes or manufactures fluid milk, fluid
25 cream, butter or fresh dairy byproducts shall file with the commission a
26 statement of costs, listing separately the items set forth in subsection 2
27 of this section and any other applicable cost factors. The statements
28 [shall] must be kept current by supplement under regulations promul-
29 gated by the commission. All statements must be kept confidential by the
30 commission except when used in judicial proceedings or administrative
31 proceedings under NRS 584.325 to 584.690, inclusive.

32 5. Each distributor who processes or manufactures fluid milk, fluid
33 cream, butter or fresh dairy byproducts and each peddler-distributor shall
34 file with the commission lists of wholesale prices and of minimum retail,
35 distributor and dock prices. No distributor may sell at wholesale prices
36 other than, or at retail, distributor or dock prices less than, those con-
37 tained in the appropriate list, except in the case of bids to departments
38 or agencies of federal, state and local governments; but in no case may
39 the distributor sell below cost as provided in this section. Prices must not
40 become effective until the seventh day after filing, but any other dis-
41 tributor may meet the price so filed if he files with the commission a
42 schedule of prices in the manner required by NRS 584.584.

43 SEC. 9. NRS 584.650 is hereby amended to read as follows:

44 584.650 Every distributor who purchases fluid milk or fluid cream
45 from a producer and every producer cooperative organization which
46 handles milk for its members or other producers shall make and keep for
47 [3] 2 years a correct record showing in detail the following information
48 for each producer with reference to the handling, sale or storage of the
49 fluid milk or fluid cream:

- 1 1. The name and address of the producer.
- 2 2. The date the fluid milk or fluid cream was received.
- 3 3. The amount of fluid milk or fluid cream received.
- 4 4. The official butterfat test of the fluid milk or fluid cream.
- 5 5. The usage of the fluid milk or fluid cream.
- 6 6. Evidence of payment for the fluid milk or fluid cream pur-
- 7 chased or handled.
- 8 SEC. 10. Section 16 of chapter 600, Statutes of Nevada 1977, a
- 9 amended by chapter 39, Statutes of Nevada 1979, at page 57, is hereby
- 10 repealed.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 40

ASSEMBLY BILL NO. 40—ASSEMBLYMAN VERGIELS

JANUARY 26, 1981

Referred to Committee on Education

SUMMARY—Revises classes and terminology applied to handicapped minors. (BDR 34-396)

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 handicapped minors; revising the classification and the terminology applied to them; 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 388.520 is hereby amended to read as follows:
2 388.520 1. The state board of education shall prescribe minimum
3 standards for the special education of handicapped minors.
4 2. Prescribed minimum standards must include standards for pro-
5 grams of instruction or special services maintained for the purpose of
6 serving minors who:
7 (a) Are aurally handicapped.
8 (b) Are visually handicapped.
9 (c) Are physically handicapped.
10 (d) Have speech handicaps.
11 (e) Are mentally handicapped.
12 (f) [Are educationally handicapped, and these standards must also
13 give appropriate consideration to emotional disturbances related to the
14 educational handicaps.
15 (g)] Have multiple handicaps. [, and these standards must give
16 appropriate consideration to each of the handicapping conditions.]
17 (g) Are seriously emotionally handicapped.
18 (h) Are academically talented.
19 (i) Have learning disabilities.
20 3. No apportionment of state funds may be made to any school dis-
21 trict for the instruction of handicapped minors until the program of
22 instruction maintained therein for such handicapped minors is approved
23 by the superintendent of public instruction as meeting the prescribed
24 minimum standards.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 24

SENATE BILL NO. 24—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

JANUARY 20, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Establishes demonstration program of teacher
internships. (BDR S-236)

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

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

AN ACT relating to teachers; establishing a demonstration program of teacher internships; creating a state internship committee; providing for local internship committees; establishing qualifications and procedures for the selection of teacher interns and master teachers; setting forth the duties and conditions of employment of interns and master teachers; making an appropriation; and providing other matters properly relating thereto.

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

- 1 SECTION 1. The legislature hereby declares that it is in the interest of
2 the state to support programs which will improve the competency of
3 teachers in the public schools. One such program, designed to improve
4 the competency of new graduates entering the teaching profession, is the
5 teacher internship program in which a person who holds a bachelor's
6 degree and a teacher's certificate from the department of education may
7 continue training during his first year of teaching by serving as an intern
8 under the guidance of a master teacher.
- 9 SEC. 2. 1. A state internship committee is hereby created to admin-
10 ister the teacher internship program at the state level.
- 11 2. The committee consists of:
- 12 (a) The superintendent of public instruction, who is the chairman;
13 (b) One person selected by the Nevada State Education Association;
14 (c) One person selected by the Nevada Association of School Admin-
15 istrators;
16 (d) One person selected by the Nevada Association of School Boards;
17 (e) One person selected by the college of education of the University
18 of Nevada, Reno; and
19 (f) One person selected by the college of education of the University
20 of Nevada, Las Vegas.

1 3. The committee may adopt such regulations as are necessary to
2 carry out the purposes of this act. The provisions of chapter 233B of
3 NRS apply to the adoption of these regulations.

4 4. Each member of the committee is entitled to the traveling expenses
5 and subsistence allowances provided by law for state officers and employ-
6 ees when attending meetings of the committee. Claims must be submitted
7 to the department of education.

8 SEC. 3. 1. The board of trustees of a school district in which inter-
9 ship positions are allocated may establish a local internship committee to
10 oversee the operation of the program in the district.

11 2. The local internship committee consists of:

12 (a) One person selected by the board of trustees to represent the
13 administrative staff of the school district;

14 (b) One person selected by the local association of classroom teachers;

15 (c) One person selected by the college of education of the University
16 of Nevada, Reno or of the University of Nevada, Las Vegas, whichever is
17 closer; and

18 (d) When internship arrangements are final, all of the teacher interns
19 of the district, together with the master teacher assigned to work with
20 them.

21 SEC. 4. The state internship committee shall adopt standards and
22 procedures for the approval of master teachers and candidates for teacher
23 internships, for the allocation of internship positions among school dis-
24 tricts as provided in section 14 of this act and for the approval of individ-
25 ual internship arrangements.

26 SEC. 5. 1. A person may apply to the state internship committee for
27 approval as a candidate for a teacher internship if:

28 (a) He holds, or expects to hold before the beginning of the intern-
29 ship, a bachelor's degree;

30 (b) He holds, or expects to hold before the beginning of the intern-
31 ship, a certificate from the department of education authorizing him to
32 teach in the elementary or secondary schools;

33 (c) He has been, or is available to be, employed as a teacher in a
34 school district of this state to which an internship position has been allo-
35 cated; and

36 (d) He meets such other requirements as are prescribed by regulation
37 of the state internship committee.

38 2. The state internship committee shall review and evaluate all appli-
39 cations and shall compile a list of approved candidates for teacher inter-
40 ships for the next succeeding school year.

41 SEC. 6. 1. A person may apply to the state internship committee for
42 approval to serve as a master teacher if:

43 (a) He is an experienced teacher;

44 (b) He is employed as a teacher in a school district of this state to
45 which an internship position has been allocated and has been, or expects
46 to be, reemployed in that district for the next succeeding school year;

47 (c) The school district or local internship committee of that school dis-
48 trict has recommended, and the board of trustees of the district has
49 approved, his inclusion on the list of persons approved to serve as master
50 teachers; and

1 (d) He meets such other requirements as are prescribed by regulation
2 of the state internship committee.

3 2. The state internship committee shall review and evaluate all appli-
4 cations and shall compile a list of persons approved to serve as master
5 teachers for the next succeeding school year. The Clark County school
6 district, and the school districts of Washoe County and Carson City
7 jointly, shall select one master teacher from that list to work with the
8 interns in the district or districts.

9 SEC. 7. The board of trustees of a school district may select a
10 teacher intern from the list of approved candidates and establish an
11 internship for him for the next succeeding school year if:

12 1. A master teacher approved by the state internship committee is
13 available in the district to work with the intern;

14 2. The person who is to serve as an intern has been, or will be,
15 employed as a teacher in the district for the year of the internship; and

16 3. The internship arrangements are approved by the state internship
17 committee.

18 SEC. 8. 1. The state internship committee, with the assistance and
19 cooperation of the school districts or local internship committees, shall
20 design a system for assessing the needs of teacher interns in order to
21 assist them in improving their competency as teachers.

22 2. Each school district or local internship committee, with the assist-
23 ance and cooperation of the state internship committee, shall assess the
24 needs of the individual teacher interns in its district and shall prescribe a
25 course of study for each intern as a requirement of his internship, includ-
26 ing graduate courses offered by the college of education of the University
27 of Nevada, Reno or the University of Nevada, Las Vegas and other train-
28 ing and experience as appropriate.

29 3. During the year of the internship, all teacher interns shall partici-
30 pate in a graduate seminar offered by the college of education of the
31 University of Nevada, Reno and the University of Nevada, Las Vegas for
32 persons in the internship program. The tuition for the seminar must be
33 paid initially by the intern. The intern is entitled to reimbursement from
34 the department of education in accordance with procedures established
35 by the department.

36 4. The board of trustees of a school district shall take into account,
37 for purposes of its salary schedule, all graduate credits earned by an
38 intern as part of the internship program.

39 SEC. 9. 1. Each teacher intern must be employed for the year of the
40 internship as a beginning classroom teacher in the school district which
41 selected him.

42 2. The basic provisions of the intern's contract must be the same as
43 those for other beginning classroom teachers in the district. The appropri-
44 ate salary level must be determined according to the salary schedule of
45 the district. Retirement benefits, insurance benefits and payment policies
46 must be the same as for other teachers in the district.

47 3. The provisions of chapter 391 of NRS govern the employment of
48 an intern just as they govern the employment of other beginning class-
49 room teachers. The school district shall not discriminate between interns
50 and non-interns in employment practices.

1 4. The intern shall perform his duties under the direct supervision of
2 the principal of his school, with the advice and guidance of the master
3 teacher and the school districts or local internship committee. The princi-
4 pal is responsible for evaluating the intern's performance. He shall con-
5 sult with the master teacher and the school districts or local internship
6 committee as appropriate in supervising the intern and conducting the
7 evaluation. The year of the internship constitutes the first year of proba-
8 tion for the intern.

9 SEC. 10. 1. The state internship committee shall prescribe the gen-
10 eral duties and functions of a master teacher.

11 2. The local internship committee or committees, or in its or their
12 absence the school district which employs the master teacher, shall pre-
13 scribe the specific duties and functions of the master teacher, consistent
14 with the general duties and functions prescribed by the state committee.

15 3. The contract between a school district or districts and a person
16 selected to serve as a master teacher must set forth the duties to be
17 assigned to the master teacher and the conditions of employment during
18 the year of the internship.

19 SEC. 11. 1. All master teachers shall participate in a graduate train-
20 ing program offered by the college of education of the University of
21 Nevada, Reno and the University of Nevada, Las Vegas, beginning in the
22 summer preceding the year of the internship and designed to assist master
23 teachers in carrying out their duties and functions.

24 2. The board of trustees of a school district shall take into account,
25 for purposes of its salary schedule, the graduate credits earned by a
26 master teacher in the graduate training program.

27 SEC. 12. 1. The teacher internship program is established as a dem-
28 onstration program for a period of 2 years. The state internship commit-
29 tee shall evaluate the program at the end of each year.

30 2. The state internship committee shall allocate to the school districts
31 in Washoe County and Carson City up to 10 internship positions for the
32 school year 1981-1982 and 10 positions for the school year 1982-1983.

33 3. The state internship committee shall allocate to the school distric
34 in Clark County 10 internship positions for the school year 1981-1982
35 and 10 positions for the school year 1982-1983.

36 SEC. 13. There is hereby appropriated from the state general fund to
37 the department of education the sum of \$48,480 for the fiscal year end-
38 ing June 30, 1982 and \$52,680 for the fiscal year ending June 30, 1983
39 to carry out the purposes of this act.

40 SEC. 14. 1. This act shall become effective upon passage and
41 approval.

42 2. This act expires by limitation on June 30, 1983.

S. B. 284

**SENATE BILL NO. 284—SENATORS KEITH ASHWORTH, NEAL,
DON ASHWORTH, BLAKEMORE, GLASER, LAMB, GIB-
SON AND CLOSE**

FEBRUARY 24, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Defers mandatory inspection of emission from
motor vehicles. (BDR 40-653)

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 emissions from motor vehicles; deferring the mandatory
inspection of emissions; 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 445.635 is hereby amended to read as follows:
2 445.635 The authority set forth in NRS 445.630 providing for a
3 compulsory motor vehicle emission inspection program is limited as fol-
4 lows:
5 1. Except as provided in this subsection, in counties having a popu-
6 lation of 100,000 or more [as determined by the last preceding national
7 census of the Bureau of the Census of the United States Department of
8 Commerce:
9 (a) On or after July 1, 1977, and before] :
10 (a) Before July 1, [1981,] 1983, only used motor vehicles being reg-
11 istered to a new owner or being registered for the first time are required
12 to have evidence of compliance;
13 (b) On or after July 1, [1981,] 1983, all used motor vehicles being
14 registered or reregistered are required to have evidence of compliance.
15 The board of county commissioners of those counties may by ordinance
16 require compliance with the provisions of paragraph (b) by a specified
17 date before July 1, [1981,] 1983.
18 2. In other counties where the commission puts a program into
19 effect:
20 (a) [On or after February 1, 1978, all used motor vehicles being reg-
21 istered to a new owner are required to have evidence of compliance.
22 (b) On or after September 1, 1978,] Before July 1, 1983, only used

- 1 motor vehicles being registered to a new owner or being registered f
- 2 the first time in this state are required to have evidence of compliance.
- 3 **[(c)] (b)** On or after July 1, **[1981,]** 1983, all used motor vehicl
- 4 being registered are required to have evidence of compliance.
- 5 3. A board of county commissioners may revise its program aft
- 6 receiving the approval of the commission.