

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

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
May 7, 1981

The Senate Committee on Human Resources and Facilities was called to order by Chairman Joe Neal at 9:04 a.m., Thursday, May 7, 1981, in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda.

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

STAFF MEMBERS PRESENT:

Connie S. Richards, Committee Secretary

ASSEMBLY BILL NUMBER 293 (EXHIBIT B)

Senator Kosinski told the committee the amendment for Assembly Bill No. 293 should include language stating that the regulations adopted by the local board of health must be at least as stringent as those of the state board of health and may be more stringent than those of the state.

Senator Faiss moved to "Amend and Do Pass" Assembly Bill No. 293 with the amendment already drafted and additionally the amendment suggested by Senator Kosinski above.

Senator Bilbray seconded the motion.

The motion carried.

SENATE BILL NUMBER 452 (EXHIBIT C)

Senator Kosinski moved to "Do Pass" Senate Bill No. 452.

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Senator Bilbray seconded the motion.

The motion carried.

SENATE BILL NUMBER 574 (EXHIBIT D)

Senator Kosinski moved to "Amend and Do Pass" Senate Bill No. 574 with the amendments suggested by Mr. Dodgion, Environmental Protection Agency and permitting the fee to be determined by the department (see Exhibit E).

Senator Bilbray seconded the motion.

The motion carried. (Senator Blakemore was not present for the vote.)

SENATE JOINT RESOLUTION NUMBER 12 (EXHIBIT F)

Senator Kosinski moved to "Indefinitely Postpone" Senate Joint Resolution No. 12.

Senator Bilbray seconded the motion.

The motion carried. (Senator Blakemore was not present for the vote.)

SENATE BILL NUMBER 445 (EXHIBIT G)

Senator Bilbray moved to "Do Pass" Senate Bill No. 445.

Senator Faiss seconded the motion.

The motion carried. (Senator Blakemore was not present for the vote.)

ASSEMBLY BILL NUMBER 151 (EXHIBIT H)

Senator Bilbray moved to "Do Pass" Assembly Bill No. 151.

Senator Kosinski seconded the motion.

The motion carried unanimously.

ASSEMBLY JOINT RESOLUTION NUMBER 17 (EXHIBIT I)

Senator Blakemore moved to "Indefinitely Postpone" Assembly Joint Resolution Number 17.

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Senator Kosinski seconded the motion.

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

SENATE BILL NUMBER 313

Senator Kosinski moved to "Indefinitely Postpone"
Senate Bill No. 313.

The motion died for the lack of a second.

SENATE BILL NUMBER 324

Senator Bilbray said Senate Bill No. 324 should be passed because other boards have received increases in salary through this session of the legislature.

Senator Kosinski said there is a general bill being drafted that would increase salaries of all boards uniformly.

Senator Bilbray asked to hold the bill until the general bill is introduced.

SENATE JOINT RESOLUTION NUMBER 11 (EXHIBIT J)

Senator bilbray moved to "Do Pass" Senate Joint Resolution No. 11.

The motion died for the lack of a second.

Senator Kosinski moved to "Indefinitely Postpone" Senate Bill No. 11.

Senator Blakemore seconded the motion.

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

SENATE JOINT RESOLUTION NUMBER 13 (EXHIBIT K)

Senator Kosinski moved to "Indefinitely Postpone" Senate Joint Resolution No. 13.

Senator Blakemore seconded the motion.

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

SENATE BILL NUMBER 317 (EXHIBIT L)

Senator Kosinski moved to "Indefinitely Postpone"
Senate Bill No. 317.

Senator Blakemore seconded the motion.

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

SENATE BILL NUMBER 549

Senator Kosinski presented amendments suggested by Mr. Merv Flander, Chief, Bureau of Services to the Blind to the committee for their consideration (see Exhibit M).

It was agreed that Senate Bill No. 549 will be held for further consideration until all members can review the suggested amendments.

SENATE BILL NUMBER 87

The Chairman reviewed the amendment to Senate Bill No. 87 as proposed by the Assembly.

Senator Blakemore moved to "Not Concur".

Senator Faiss seconded the motion.

The motion carried unanimously.

The Chairman appointed a conference committee of himself, Senator Kosinski, and Senator Blakemore for the review of Senate Bill No. 87.

ASSEMBLY BILL NUMBER 53

Senator Kosinski told the committee Mr. Fred Hillerby, Hospital Association requested his previously suggested amendment, (see Exhibit D, Minutes of the Meeting of the Human Resources and Facilities Committee April 21, 1981) be amended to Assembly Bill No. 53. Senator Kosinski told the committee Mr. Hillerby has, since that hearing, discussed the amendment with Senator Close and the Judiciary Committed and they concur that the amendment would not constitute a problem. He asked the committee to accept the amendment (as a separate amendment from the one already attached to the bill).

Senator Bilbray moved to accept the amendment.

Senator Getto seconded the motion.

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

The Chairman asked the committee for a committee introduction on the following bill draft request:

BILL DRAFT REQUEST NUMBER 54-2082--revises certain provisions on certification of psychologists. (S.B. 649)

The committee agreed to give the bill draft request a committee introduction.

There being no further business, the meeting adjourned at 10:00 a.m.

Respectfully submitted:

Connie S. Richards

APPROVED BY:

[Signature]

Senator Joe Neal, Chairman

DATE: May 8, 1981

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Human Resources and Facilities, Room 323

Day Thursday, Date May 7, Time 9:00 a.m.

WORK SESSION -- Tie up loose ends and consider those bills that are still being held for "further consideration".

A. B. 293

ASSEMBLY BILL NO. 293—COMMITTEE ON
HEALTH AND WELFARE

MARCH 5, 1981

Referred to Committee on Health and Welfare

SUMMARY—Revises grading system for food establishments and makes administrative changes. (BDR 40-881)

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 food establishments; removing provisions on the system of demerits; making certain administrative changes; 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 446.880 is hereby amended to read as follows:
2 446.880 1. Permits issued under the provisions of this chapter may
3 be suspended temporarily by the health authority for failure of the holder
4 to comply with the requirements of this chapter.
5 2. Whenever a permitholder or operator has failed to comply with
6 any notice issued under the provisions of this chapter, the permitholder
7 or operator [shall] *must* be notified in writing that the permit is, upon
8 service of the notice, immediately suspended [, or] *or that* the establish-
9 ment *is* downgraded [, and] if that is the case. The notice must also
10 contain a statement informing the permitholder or operator that an
11 opportunity for a hearing will be provided if a written request for a
12 hearing is filed *by him* with the health authority. [by the permitholder.]
13 3. [Notwithstanding any other provision of this chapter, whenever]
14 *Whenever* the health authority finds *an* insanitary or other [conditions]
15 *condition* in the operation of a food establishment which, in his judgment,
16 [constitute] *constitutes* a substantial hazard to the public health, he may
17 without warning, notice or hearing issue a written [notice] *order* to the
18 permitholder or operator citing [such] *the* condition, specifying the cor-
19 rective action to be taken, and specifying the time [period] within which
20 [such action shall] *the action must* be taken. [Such] *The* order may
21 state that the permit is immediately suspended [,] and all food operations
22 [are to] *must* be immediately discontinued. Any person to whom such
23 an order is issued shall comply *with it* immediately. [therewith.] Upon

1 written petition to the health authority, [such person shall] *the person*
2 *must* be afforded a hearing as soon as possible.

3 4. Any person whose permit has been suspended may, at any time,
4 make application for a reinspection for the purpose of reinstatement of the
5 permit. Within 10 days following receipt of a written request, including a
6 statement signed by the applicant that in his opinion the conditions caus-
7 ing suspension of the permit have been corrected, the health authority
8 shall make a reinspection. If the applicant is complying with the require-
9 ments of this chapter, the permit [shall] *must* be reinstated.

10 5. For serious or repeated violations of any of the requirements of
11 this chapter or for interference with the health authority in the perform-
12 ance of his duties, the permit may be permanently revoked after an
13 opportunity for a hearing has been provided by the health authority.
14 [Prior to such] *Before taking such an action*, the health authority shall
15 notify the permitholder in writing, stating the reasons for which the permit
16 is subject to revocation and advising that the permit [shall] *will* be per-
17 manently revoked at the end of 5 days following service of [such] *the*
18 notice [.] unless a request for a hearing is filed with the health authority
19 by the permitholder within [such 5-day period.] *5 days*. A permit may
20 be suspended for cause pending its revocation or a hearing relative
21 thereto.

22 6. The hearings provided for in this section [shall] *must* be con-
23 ducted by the health authority at a time and place designated by him.
24 Based upon the record of [such] *the* hearing, the health authority shall
25 make a finding and [shall] *may* sustain, modify or rescind any official
26 notice or order considered in the hearing. A written report of the hearing
27 decision [shall] *must* be furnished to the permitholder by the health
28 authority.

29 SEC. 2. NRS 446.890 is hereby amended to read as follows:

30 446.890 1. The health authority, after [proper identification, shall]
31 *he has properly identified himself, must* be permitted to enter, at any
32 reasonable time, any food establishment within the state for the purpose
33 of making any inspection to determine compliance with this chapter. He
34 [shall] *must* be permitted to examine the records of the establishment to
35 obtain pertinent information pertaining to food and supplies purchased,
36 received or used, and persons employed.

37 2. Whenever the health authority makes an inspection of a food
38 establishment, he shall record his findings on an inspection report form
39 provided for this purpose. The health authority shall furnish the original
40 of [such] *the* inspection report form to the permitholder or operator.
41 [Such form shall] *The form must* summarize the requirements of this
42 chapter. [., and shall set forth demerit point values for each such require-
43 ment, in accordance with PHS Form 4006. Upon completion of an
44 inspection, the health authority shall total the demerit point values for
45 all requirements in violation, such total becoming the demerit score for
46 the establishment.]

47 SEC. 3. NRS 446.895 is hereby amended to read as follows:

48 446.895 [Whenever] *Except as otherwise provided in subsection 3*
49 *of NRS 446.880, whenever* the health authority makes an inspection of a
50 food establishment and discovers that any of the requirements of this

1 chapter have been violated, he shall notify the permitholder or operator
2 of [such] the violations by means of an inspection report form or other
3 written notice. [Such notice shall:] *The notice must:*

4 1. Set forth the specific violations found; [, together with the demerit
5 score of the establishment.]

6 2. Establish a specific and reasonable [period of] time for the cor-
7 rection of [the violations found, in accordance with the following provi-
8 sions:

9 (a) If the demerit score of the establishment is 20 or less, all violations
10 of two or four demerit points must be corrected by the time of the next
11 routine inspection.

12 (b) If the demerit score of the establishment is more than 20 but not
13 more than 40, all items of two or four demerit points must be corrected
14 within a period of time not to exceed 30 days.

15 (c) If one or more six-demerit point items are in violation, regardless
16 of demerit score, such items must be corrected within a period of time not
17 to exceed 10 days.

18 (d) If the demerit score of the establishment is more than 40, the per-
19 mit is immediately suspended.

20 (e) *those violations;*

21 3. In the case of temporary food establishments, *state that the viola-*
22 *tions must be corrected within a specified period [of time not to exceed]*
23 *which must not be more than 24 hours. Failure to comply with [such*
24 *notice shall result] the notice results in immediate suspension of the per-*
25 *mit; [.]*

26 [3.] 4. State that failure to comply with the requirements of any
27 notice issued in accordance with the provisions of this chapter may result
28 in immediate suspension of the permit or in downgrading of the establish-
29 ment [.] ; and

30 [4.] 5. State that an opportunity for appeal from any notice or
31 inspection findings will be provided if a written request for a hearing is
32 filed with the health authority within the period [of time] established in
33 the notice for correction.

34 SEC. 4. NRS 446.940 is hereby amended to read as follows:

35 446.940 1. [This chapter shall] *Except as provided in subsection 2,*
36 *this chapter must be enforced by the health authority in accordance with*
37 *[the interpretations thereof contained in the compliance provisions of]*
38 *regulations [,] hereby authorized to be adopted by the state board of*
39 *health [, detailing] to carry out the requirements of this chapter.*

40 2. *A local board of health may adopt such regulations as it may deem*
41 *necessary to carry out the requirements of this chapter. Such regulations:*

42 (a) *Become effective when approved by the state board of health;*

43 (b) *Must be enforced by the health authority; and*

44 (c) *Supersede the regulations adopted by the state board of health pur-*
45 *suant to subsection 1.*

46 3. All sheriffs, constables, policemen, marshals and other peace offi-
47 cers shall render such services and assistance to the health authority in
48 regard to enforcement as he may request.

49 SEC. 5. NRS 446.943 is hereby amended to read as follows:

50 446.943 The district [attorneys of the several counties] *attorney of*

1 *each county shall prosecute [violations] any person who violates any*
2 *provision of this chapter [and] or any provision of the regulations of the*
3 *state board of health [.] or the local board of health adopted pursuant to*
4 *this chapter.*
5 SEC. 6. NRS 446.905, 446.910 and 446.915 are hereby repealed.

S. B. 452

SENATE BILL NO. 452—COMMITTEE ON JUDICIARY

MARCH 25, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides and increases penalties for fraudulently obtaining certain public assistance. (BDR 38-1332)

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 crimes and punishment; providing and increasing penalties for fraudulently obtaining certain public assistance; 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 428 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 *Any person who knowingly and willfully by false or misleading state-*
4 *ments, by false pretense, by impersonation or by any deception obtains*
5 *assistance under NRS 428.150 to 428.360, inclusive, including any*
6 *money, property, medical or remedial care or any other service provided*
7 *pursuant to those sections, or aids or abets any person to obtain such*
8 *assistance, by one act or a series of acts, is a cheat and when the value of*
9 *the assistance is \$100 or more, he shall be punished by imprisonment in*
10 *the state prison for not less than 1 year nor more than 10 years, or by a*
11 *fine of not more than \$10,000, or by both fine and imprisonment, and be*
12 *sentenced to restore the value of the assistance so fraudulently obtained,*
13 *if it can be done.*

14 **SEC. 2.** NRS 428.160 is hereby amended to read as follows:
15 428.160 As used in NRS 428.150 to 428.360, inclusive, *and section*
16 *1 of this act*, unless the context otherwise requires, the words and terms
17 defined in NRS 428.170 to 428.250, inclusive, [shall] have the mean-
18 ings ascribed to them in [such] those sections.

19 **SEC. 3.** NRS 207.340 is hereby amended to read as follows:
20 207.340 1. As used in this section, unless the context otherwise
21 requires:

22 (a) "Authorization to purchase" means a document issued by the
23 United States Department of Agriculture or by a state agency which per-
24 mits the holder to purchase coupons or otherwise receive benefits under
25 the Act.

1 (b) "Act" means the Food Stamp Act of 1964 (7 U.S.C. § 2011, et
2 seq.) and regulations promulgated thereunder.

3 (c) "Coupon" means a food stamp issued by the United States Depart-
4 ment of Agriculture as provided in the Act.

5 2. Any person who knowingly uses, transfers, acquires, alters or
6 possesses coupons or authorizations to purchase and who is not author-
7 ized by the Act to do so, or who knowingly presents or causes to be
8 presented coupons or authorizations to purchase which are received,
9 transferred or used in a manner not authorized by the Act, shall be pun-
10 ished:

11 (a) For a misdemeanor, if the value of the coupons or authorizations
12 to purchase is less than \$100.

13 (b) [For a gross misdemanor, if the value of the coupons or authori-
14 zations to purchase is \$100 or more, but less than \$1,000.

15 (c) By imprisonment in the state prison for not less than 1 year nor
16 more than 6 years, or by a fine of not more than \$5,000, or by both fine
17 and imprisonment, if the value of the coupons or authorizations to pur-
18 chase is \$1,000 or more.

19 3. The state welfare administrator shall advise the attorney general
20 of violations of this section which are brought to his attention and the
21 attorney general may prosecute the violations independently of the power
22 of any district attorney to do so.] *If the value of the coupons or authori-
23 zations to purchase is \$100 or more, by imprisonment in the state prison
24 for not less than 1 year nor more than 10 years, or by a fine of not more
25 than \$10,000, or by both fine and imprisonment, and be sentenced to
26 restore the amount of the value so obtained, if it can be done.*

27 3. Any district attorney or the attorney general may commence pro-
28 ceedings to enforce the provisions of this section in any court of competent
29 jurisdiction.

S. B. 574

**SENATE BILL NO. 574—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES**

APRIL 21, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Extends review of indirect sources of air pollution by certain state agencies. (BDR 40-1528)

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 air pollution; extending the review of indirect sources by certain state agencies; 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 445.493 is hereby amended to read as follows:
2 445.493 1. No regulation adopted pursuant to any provision of
3 NRS 445.401 to 445.601, inclusive, may be enforced as to indirect
4 sources if it is more stringent with respect to the size cutoffs established
5 for designated areas pursuant to the United States Clean Air Act of
6 1963 and the rules and regulations adopted in furtherance thereof.
7 2. Except as provided in [subsection 3,] *subsections 3 and 4*, if the
8 United States Environmental Protection Agency delays the effective date
9 for enforcement of its indirect source regulations beyond January 17,
10 1977, the authority of a state agency or district board of health to
11 review new indirect sources [shall expire.] *expires*. Those projects
12 approved [prior to] *before* that date [shall] *must* continue under the
13 guidelines established in their permit.
14 3. If the federal indirect source regulations become effective after
15 January 17, 1977 [, then:] :
16 (a) The authority of a state agency to review new indirect sources
17 may be exercised only:
18 (1) In the enforcement of the federal indirect source regulations;
19 and
20 (2) To the extent enforcement by the state agency is required by
21 the federal act.
22 (b) The governing body of each county and each [incorporated] city
23 may enforce within its jurisdiction the federal indirect source regulations
24 or any indirect source regulations it adopts which are no more strict than

- 1 the federal indirect source regulations, to the extent [such] that local
- 2 enforcement is not inconsistent with the requirements of the federal act.
- 3 4. The department and the commission may review any property
- 4 which becomes an indirect source after June 30, 1981, unless:
- 5 (a) The provisions of subsection 2 are approved by the United States
- 6 Environmental Protection Agency as a modification of the state's plan
- 7 for enforcement; or
- 8 (b) The provisions of the state's plan for review of indirect sources
- 9 may otherwise be repealed without the approval of the United States
- 10 Environmental Protection Agency.

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES EXHIBIT E
MAY 1, 1981

SENATE BILL NUMBER 574

Senator Kosinski acknowledged the letter received by committee members from Mr. Al Stone, Director, Department of Transportation relative to Senate Bill No. 574 (see Exhibit H).

Mr. Bill Huss, Attorney, representing Harrahs Hotel and Casino at Stateline Nevada spoke in support of Senate Bill No. 574.

Mr. Lewis Dodgion, Administrator, Environmental Protection Agency told the committee it would be agreeable with the agency as well as Harrahs and Sahara hotels to require a \$5,000 fee to be paid by each applicant in payment for the indirect source review. All applications must be filed with the division on or before November 1, 1981.

The amendment suggested by Mr. Dodgion is as follows:

delete the words "and the commission" from line 3, page 2, subsection 4 of the bill.

delete the words "any property which becomes an indirect source after June 30, 1981, unless:" and insert the words: "indirect sources proposed to be constructed after June 30, 1981, providing applications for a registration certificate is received by the department on or before November 1, 1981, until:"

add: "(c) An application for a registration certificate under this section shall submit with the application to the department a fee of \$5,000 to process the application. The department shall return to the applicant any portion of said fee which is not expended in processing the application."

Senator Kosinski said he felt the department should be able to set the fee for the application to be sure to cover all costs incurred.

Mr. Dodgion replied the words "such fee as the department shall determine" would also suffice.

There being no further business, the meeting adjourned at 9:58 a.m.

APPROVED BY:



Senator Joe Neal, Chairman

Respectfully submitted:



Connie S. Richards, Committee Secretary

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S. J. R. 12

**SENATE JOINT RESOLUTION NO. 12—SENATORS
JACOBSEN, GETTO AND NEAL**

JANUARY 27, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Requests United States government to make training and equipment available for accidents involving hazardous materials. (BDR 172)

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.

SENATE JOINT RESOLUTION—Requesting all appropriate agencies of the United States government to furnish training and equipment for handling accidents involving hazardous materials in this state.

- 1 **WHEREAS**, Construction and operation of the proposed MX missile sys-
2 tem will significantly increase the risk of an accident involving transporta-
3 tion or storage of hazardous materials; and
4 **WHEREAS**, Volunteer firemen must generally be the first to respond to
5 these accidents in rural areas of the State of Nevada; and
6 **WHEREAS**, The division of environmental protection of the state depart-
7 ment of conservation and natural resources has completed plans for
8 responses to accidents involving transportation or storage of hazardous
9 materials but lacks the ability to train people properly in techniques for
10 responding to accidents; now, therefore, be it
11 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
12 That the Nevada legislature hereby requests all appropriate agencies of
13 the United States government to furnish training and equipment within
14 the State of Nevada to improve the capability of those who must respond
15 to accidents involving transportation or storage of hazardous materials;
16 and be it further
17 *Resolved*, That a copy of this resolution be immediately transmitted by
18 the legislative counsel to the President of the United States, to the Depart-
19 ment of Defense, to the Secretary of the Air Force, to the Department of
20 Transportation, to the Environmental Protection Agency, to the Depart-
21 ment of Energy, to the Department of the Interior and to all members of
22 the Nevada congressional delegation; and be it further
23 *Resolved*, That this resolution shall become effective upon passage and
24 approval.

S. B. 445

SENATE BILL NO. 445—SENATOR BLAKEMORE

MARCH 25, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Exempts certain school buses from state safety standards if federal safety standards are met. (BDR 34-1320)

**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 school buses; exempting from safety standards of the state board of education buses used primarily for long trips if the buses meet certain federal standards; 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 392.400 is hereby amended to read follows:
2 392.400 1. All vehicles used in the transportation of pupils [shall]
3 must be:
4 (a) In good condition and state of repair.
5 (b) Well equipped, and [shall] must contain sufficient room and seats
6 so that the driver and each pupil being transported [shall] have a seat
7 inside the vehicle. Each pupil shall remain seated when the vehicle is in
8 motion.
9 (c) Inspected semiannually by the department of motor vehicles to
10 [insure that such] ensure that the vehicles are mechanically safe and meet
11 the minimum specifications established by the state board of education.
12 The department of motor vehicles shall make written recommendations to
13 the superintendent of schools of the school district wherein any such
14 vehicle is operating for the correction of any defects discovered thereby.
15 2. If the superintendent of schools fails or refuses to take appropriate
16 action to have such defects corrected within 10 days after receiving
17 notice [thereof] of them from the department of motor vehicles, he
18 [shall be] is guilty of a misdemeanor, and upon conviction thereof may
19 be removed from office.
20 3. [All] Except as otherwise provided in subsection 4, all vehicles
21 used for transporting pupils [shall] must meet the [specifications deter-
22 mined by] safety standards established by regulation of the state board
23 of education.
24 4. Any bus which is purchased and used by a school district for the

1 *primary purpose of transporting pupils to school activities more than 60*
2 *miles away from the pupils' school is exempt from the safety standards*
3 *adopted by the state board of education if the bus meets the federal*
4 *safety standards for motor vehicles which were applicable at the time the*
5 *bus was manufactured and delivered for introduction in interstate com-*
6 *merce.*

7 5. Any person violating any of the requirements of this section is
8 guilty of a misdemeanor.

9 SEC. 2. NRS 392.410 is hereby amended to read as follows:

10 392.410 1. When operated for the transportation of pupils to or
11 from school, every school bus [shall] *must* be equipped with a flashing
12 red-light system of a type approved by the department of motor vehicles,
13 and installed at the expense of the school district or operator. The driver
14 shall operate this signal:

15 (a) When pupils are unloading from the bus.

16 (b) When the bus is stopped for the purpose of loading pupils.

17 (c) In times of emergency or accident.

18 2. In addition to the equipment required by subsection 1 [,] *and*
19 *except as provided in subsection 4 of NRS 392.410*, each school bus
20 [shall] *must* be equipped and identified as required by the regulations
21 of the state board of education.

22 3. The agents and employees of the department of motor vehicles
23 shall inspect school buses to determine [if] *whether* the provisions of
24 this section concerning equipment and identification of such school buses
25 have been complied with, and shall report any violations discovered
26 thereby to the superintendent of schools of the school district wherein
27 [such] *the* vehicles are operating.

28 4. If the superintendent of schools fails or refuses to take appropriate
29 action to correct any such violation within 10 days after receiving notice
30 of [such violation] *it* from the department of motor vehicles, he [shall
31 be] *is* guilty of a misdemeanor, and upon conviction thereof shall be
32 removed from office.

33 5. Any person who violates any of the provisions [or requirements]
34 of this section [shall be] *is* guilty of a misdemeanor.

35 SEC. 3. This act shall become effective upon passage and approval.

A. B. 151

ASSEMBLY BILL NO. 151—COMMITTEE ON COMMERCE

FEBRUARY 12, 1981

Referred to Committee on Government Affairs

SUMMARY—Removes provision that authorizes general obligation bonds to be issued for county hospitals without election. (BDR 40-665)

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 county hospitals; removing the provision that authorizes general obligation bonds to be issued without being authorized by an election; 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 450.290 is hereby amended to read as follows:
2 450.290 1. Subject to the provisions of NRS 450.010 to 450.510,
3 inclusive, for any hospital project stated in a bond question approved as
4 provided in NRS 350.070, the board of county commissioners, at any
5 time, in the name and on the behalf of the county, may issue:
6 (a) General obligation bonds, payable from taxes; and
7 (b) General obligation bonds, payable from taxes, which payment is
8 additionally secured by a pledge of gross or net revenues derived from
9 the operation of the hospital facilities, and, if so determined by the board
10 of county commissioners, further secured by a pledge of gross or net
11 revenues derived from any other income-producing project of the county
12 or from any license or other excise taxes levied by the county for revenue,
13 as may be legally made available for their payment.
14 2. The board of county commissioners of any county having a population
15 of 250,000 or more, in the name and on behalf of the county, may
16 issue, for any hospital project, without the securities being authorized at
17 any election [:
18 (a) Special] , special obligation municipal securities payable solely
19 from net revenues or gross revenues derived from the operation of hospital
20 facilities.
21 [(b) General obligation bonds, payable from taxes, which payment is
22 additionally secured by a pledge of gross or net revenues derived from
23 the operation of hospital facilities. The board of county commissioners
24 may use for the payment of principal or interest of the bonds, or both,

- 1 any other revenue available to the county. Bonds may be issued under
- 2 the authority of this paragraph only if their principal amount, plus the
- 3 principal amount of any previously so issued, does not exceed 1 percent
- 4 of the assessed valuation of all taxable property in the county.]

RESOLUTION NO. 100 COMMITTEE ON COMMERCE



FEBRUARY 12 1961

Report of Committee on Commerce Affairs

RESOLUTION NO. 100 COMMITTEE ON COMMERCE
The committee on Commerce Affairs has the honor to report to the Board of Supervisors the following resolution:



RESOLUTION NO. 100 COMMITTEE ON COMMERCE

The committee on Commerce Affairs has the honor to report to the Board of Supervisors the following resolution:

The Board of Supervisors is hereby authorized to issue bonds in the amount of \$100,000 for the purpose of financing the construction of a new building for the County Office.

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A. J. R. 17

**ASSEMBLY JOINT RESOLUTION NO. 17—ASSEMBLYMEN
BENNETT, CHANEY AND SCHOFIELD**

FEBRUARY 10, 1981

Referred to Committee on Health and Welfare

SUMMARY—Requests Congress to return administration of welfare to states and to provide federal support for welfare programs through system of block grants. (BDR 113)

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.

ASSEMBLY JOINT RESOLUTION—Requesting the Congress of the United States to return the administration of welfare programs to the states and to provide federal support for welfare programs through a system of block grants.

- 1 WHEREAS, The justification offered for federal support of welfare pro-
2 grams in the several states is that it marshals the resources of the entire
3 nation for the support of the needy without regard to their location; and
4 WHEREAS, The prescription by the Federal Government of the meth-
5 ods of administering these programs and the allocation of amounts to be
6 used for each category of recipients has led to the application in some
7 states of standards appropriate only to others, and has added to the cost
8 of administration without increasing the benefit to the recipient; and
9 WHEREAS, It is clearly the individual states which are better able to
10 know the needs of their residents, to separate the deserving from the
11 malingering and to provide appropriate incentives and requirements for
12 the training and employment of recipients; and
13 WHEREAS, Each state could effectively use this knowledge to formu-
14 late a method of administering its own welfare program to meet the needs
15 of its recipients to the fullest extent at the least cost, and could to the
16 extent appropriate in each state afford even greater flexibility by delegat-
17 ing authority to local governments close and responsive to the people; and
18 WHEREAS, These considerations can be effectively reconciled by retain-
19 ing the nationwide base of support while taking fullest advantage of local
20 knowledge in the distribution of aid; now, therefore, be it
21 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
22 That this legislature requests the Congress of the United States to enact
23 legislation which would return the administration of welfare programs to
24 the states and would provide federal support for welfare programs
25 through a system of block grants whereby the states would be given the

1 flexibility they need but would retain a nationwide base of support; and
2 be it further

3 *Resolved*, That a copy of this resolution be immediately transmitted by
4 the legislative counsel to the President of the United States, the Vice
5 President as presiding officer of the Senate, the Speaker of the House of
6 Representatives, the members of the Nevada congressional delegation
7 and the Secretary of Health and Human Services; and be it further

8 *Resolved*, That this resolution shall become effective upon passage and
9 approval.

S. J. R. 11

**SENATE JOINT RESOLUTION NO. 11—SENATORS
JACOBSEN, GETTO AND NEAL**

JANUARY 27, 1981

Referred to Committee on Human Resources and Facilities

**SUMMARY—Requests President and Congress to regulate strictly the
transport of radioactive waste. (BDR 4)**

**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.

**SENATE JOINT RESOLUTION—Requesting the President of the United States
to enforce strictly those federal regulations governing the transport of low-
level radioactive waste, establish responsibility between shippers and carriers
for violations of those regulations and employ more inspectors to monitor
shipments of low-level radioactive waste in Nevada, and the Congress to pro-
vide necessary money.**

- 1 WHEREAS, The shipment of low-level radioactive waste over the high-
2 ways of the United States to disposal sites is constantly increasing, which
3 increases the risk of accidents, injuries and radioactive pollution; and
4 WHEREAS, A number of accidents have occurred recently in the course
5 of shipping low-level radioactive waste, and United States Department of
6 Transportation regulations concerning the transport of low-level radio-
7 active waste should be more strictly enforced; and
8 WHEREAS, Existing regulations of the Department of Transportation
9 are adequate to police shipments of low-level radioactive waste, except
10 for the question of responsibility among the shippers, brokers who ship
11 and carriers of the waste for the packaging, labeling and leaks or spills
12 of the waste; and
13 WHEREAS, There are insufficient federal inspectors to monitor ship-
14 ments of low-level radioactive waste; and
15 WHEREAS, The State of Nevada contains one of only three disposal
16 sites for low-level radioactive waste in the United States, so that Nevada
17 has become a focal point for shipments of low-level radioactive waste,
18 thereby disproportionately increasing the risk of accidents, injuries and
19 radioactive pollution on Nevada's highways; now, therefore, be it
20 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
21 That this legislature requests the President of the United States to order
22 the United States Department of Transportation to: enforce strictly its
23 regulations regarding the transport of low-level radioactive waste; estab-
24 lish by regulation responsibility among shippers, brokers and carriers

1 of low-level radioactive waste for the packaging, labeling and leaks or
2 spills of that waste; employ or assign more inspectors to monitor ship-
3 ments of low-level radioactive waste, especially in the State of Nevada;
4 and provide training for the employees of state and local governmental
5 agencies in those states in which sites for the disposal of low-level radio-
6 active waste are located, so that they may respond to and deal with
7 emergencies involving the leakage or spill of radioactive waste; and
8 requests the Congress to provide additional money for these inspectors
9 and this training if needed; and be it further

10 *Resolved*, That a copy of this resolution be immediately transmitted
11 by the legislative counsel to the President of the United States, the Sec-
12 retary of the United States Department of Transportation, the Vice-
13 President of the United States as President of the Senate, the Speaker of
14 the House of Representatives, and to each member of the Nevada con-
15 gressional delegation; and be it further

16 *Resolved*, That this resolution shall become effective upon passage
17 and approval.

S. J. R. 13

**SENATE JOINT RESOLUTION NO. 13—SENATORS
JACOBSEN, GETTO AND NEAL**

JANUARY 27, 1981

Referred to Committee on Human Resources and Facilities

**SUMMARY—Requests Congress to establish regional sites for disposal
of low-level radioactive waste. (BDR 5)**

**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.

**SENATE JOINT RESOLUTION—Requesting the Congress of the United States
to establish regional sites within the United States for the disposal of low-
level radioactive waste.**

- 1 **WHEREAS, There are currently only three sites for the disposal of low-**
2 **level radioactive waste in the United States, one of which is located in**
3 **the State of Nevada; and**
4 **WHEREAS, The other two sites in the United States for the disposal of**
5 **low-level radioactive waste are located in the states of South Carolina**
6 **and Washington; and**
7 **WHEREAS, In most regions of the United States there are no sites for**
8 **the disposal of low-level radioactive waste; and**
9 **WHEREAS, The volume of low-level radioactive waste being generated**
10 **in the United States is steadily increasing, year by year; and**
11 **WHEREAS, The lack of regional sites in the United States for the dis-**
12 **posal of low-level radioactive waste results in transporting radioactive**
13 **material for thousands of miles over the highways of the United States,**
14 **thereby greatly increasing the risk of accidents, of injuries to persons and**
15 **property, and especially of spills of radioactive material to pollute the**
16 **environment; and**
17 **WHEREAS, Because of the lack of sites for the disposal of the radio-**
18 **active waste in other regions of the United States, the states of Nevada,**
19 **South Carolina and Washington have become focal points in the trans-**
20 **portation of ever increasing amounts of radioactive waste, thereby dis-**
21 **proportionately increasing the risk in those states of accidents, injuries**
22 **and radioactive pollution; now, therefore, be it**
23 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
24 **That this legislature requests the Congress of the United States to estab-**
25 **lish additional regional sites, geographically distributed within the**

1 United States, for the disposal of low-level radioactive waste, and pro-
2 vide programs of training in the states in which such regional sites are
3 established so that those states and their local governments will be pre-
4 pared to respond to emergencies involving the accidental leakage or spill
5 of radioactive waste, and requests the Congress to provide money for
6 this training if needed; and be it further

7 *Resolved*, That a copy of this resolution be immediately transmitted by
8 the legislative counsel to the President of the Senate and the Speaker of
9 the House of Representatives of the United States, to each member of
10 the Nevada congressional delegation and to each member of the con-
11 gressional delegations of the states of South Carolina and Washington;
12 and be it further

13 *Resolved*, That this resolution shall become effective upon passage and
14 approval.

S. B. 317

SENATE BILL NO. 317—SENATOR BILBRAY

FEBRUARY 26, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides more autonomy for local school districts. (BDR 34-1025)

**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 public schools; transferring certain functions from state control to local control; repealing procedural requirements for adoption of policies and regulations in large school districts; repealing certain curriculum requirements; providing that a school district is not bound by state regulations and local ordinances which require expenditures by the district unless the entity adopting the regulation or ordinance provides the money; 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 386 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:

3 *The board of trustees of a school district may direct its superintendent*
4 *of schools to cause to be prepared lists of books for use in the school*
5 *libraries of the district. Any lists so prepared are subject to review and*
6 *approval or disapproval by the board of trustees.*

7 SEC. 2. NRS 388.130 is hereby amended to read as follows:

8 388.130 1. The last Friday in April of each year is established as
9 Arbor Day in the State of Nevada.

10 2. The governor shall proclaim the [same] day at least 1 month
11 [prior thereto,] in advance, setting forth in his proclamation a recom-
12 mendation that Arbor Day be observed by the people of this state in the
13 planting of trees, shrubs and vines, in the promotion of forest growth
14 and culture, in the adornment of public and private grounds, places and
15 ways, and in such other efforts and undertakings as shall be in harmony
16 with the character of Arbor Day.

17 [3. Arbor Day shall be observed with appropriate exercises by the
18 public schools of this state.]

19 SEC. 3. Chapter 233B of NRS is hereby amended by adding thereto
20 a new section which shall read as follows:

21 *No regulation which would require the expenditure of money by a*

1 *school district is binding on the school district unless the amount of*
2 *money required is provided to the school district from state sources.*

3 **SEC. 4.** Chapter 354 of NRS is hereby amended by adding thereto a
4 new section which shall read as follows:

5 *No ordinance adopted by the governing body of a local government*
6 *which would require the expenditure of money by a school district is*
7 *binding on the school district unless the local government adopting the*
8 *ordinance provides money to make the required expenditure.*

9 **SEC. 5.** NRS 354.470 is hereby amended to read as follows:

10 354.470 NRS 354.470 to 354.626, inclusive, and section 4 of this
11 act may be cited as the Local Government Budget Act.

12 **SEC. 6.** NRS 385.240, 386.365, 389.080, 389.110, 389.120 and
13 389.130 are hereby repealed.



STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES

A. R. Martelle, Director

ROBERT LIST, GOVERNOR



DEL FROST, ADMINISTRATOR

REHABILITATION DIVISION
ADMINISTRATIVE OFFICE
KINKEAD BUILDING, FIFTH FLOOR
505 EAST KING STREET
STATE CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

EXHIBIT M

April 27, 1981

TO: Honorable Joe Neal, Chairman
Senate Human Resources and Facilities Committee

FROM: Merv Flander, Chief, Bureau of Services to the Blind
by Maynard Yasmer, Chief of Staff Services

SB 549 REVISIONS, PER REQUEST

Per your request, I am transmitting, herewith, a revision of SB 549 that better meets the needs of the people and that reflects the wishes of the Committee.

If I can be of further help in this matter, please do not hesitate to contact me.

Thank you.

MF:MY:ns

cc: Senators Kosinski, Hilbray, Blakemore, Faiss, Getto

1397

Summary: Authorizes use of guide dogs by deaf persons and makes various statutory amendments to protect visually and aurally handicapped persons.

AN ACT relating to visually and aurally handicapped persons; authorizing the use of guide dogs by aurally handicapped persons; prohibiting persons from interfering with guide dogs; providing penalties; and providing other matters properly relating thereto.

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

Section 1. NRS 118.105 is hereby amended to read as follows:

118.105 1. A landlord may not refuse to rent a dwelling subject to the provision of chapter 118A of NRS solely because a guide dog will be residing with the prospective tenant in the dwelling.

2. A landlord may require proof that a dog is a guide dog. This requirement may be satisfied, by way of example and not of limitation, by exhibition of the identification card normally presented to a visually or aurally handicapped person upon [his] graduation from a guide dog school.

3. As used in this section:

(a) "Guide dog" means [a dog which has been specially trained by a guide dog school to serve as an aid to mobility to a particular visually handicapped person.]

1. *A guide dog for the blind which has been specially trained by a recognized professional guide dog school to work in harness as an aid to the mobility of a blind person on the streets, highways, roadways and other public places or in places of public accommodation; or*

2. *A guide dog for the deaf which has been specially trained by a recognized professional guide dog school to alert its master to sounds which are important to survival in the home, office, places of public accommodation and other public places but which has not been trained for the purpose of street work or as a mobility guide.*

EXHIBIT M

(b) "Guide dog school" means a school which trains guide dogs[.] for the blind or guide dogs for the deaf and which has been registered by the Rehabilitation Division.

Sec. 2. Chapter 426 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. It is unlawful for any person to beat, harass, intimidate or interfere with a guide dog excepting appropriate discipline administered by the visually or mentally handicapped user of the guide dog.

2. Any person who violates subsection 1 shall be punished by imprisonment in the county jail for not more than 6 months, or by a fine of not less than \$100 nor more than \$500, or by both fine and imprisonment.

Sec. 3. NRS 426.510 is hereby amended to read as follows:

426.510 1. No person, except a blind person, [those wholly or partially blind, shall] may use a guide dog for the blind while in harness and leash or carry or use on any street, highway, or in any other public place a cane or walking stick which is white or metallic in color, or white tipped with red.

2. No person except a person who is deaf shall use a guide dog for the deaf wearing a blaze orange collar and leash nor otherwise use a blaze orange collar and leash.

3. [2.] Any pedestrian who is not wholly or partially blind[, or any driver of a vehicle,] who approaches or comes in contact with a person wholly or partially blind using a guide dog or carrying a cane or walking stick white or metallic in color, or white tipped with red, shall immediately come to a full stop and take such precautions before proceeding as may be necessary to avoid accident or injury to the person wholly or partially blind.

4. [3.] Any person other than a person wholly or partially blind:

(a) Who [shall use] uses a guide dog or [carry] carries a cane or walking stick such as is described in this section, contrary to the provisions of this section; [or]

(b) Who [shall fail] fails to heed the approach of a person using a guide dog or carrying such a cane as is described by this section; [or]

(c) Who [shall fail] fails to come to a stop upon approaching or coming in contact with a person so using a guide dog or so carrying such a cane or walking stick; or

(d) Who [shall fail] fails to take precaution against accident or injury to such a person after coming to a stop, as provided for in this section, is guilty of a misdemeanor.

5. [4.] This section does not apply to any [sighted] person who uses a guide dog or [white] cane for the purpose of training [such] the dog or of instructing a [blind] visually or curally handicapped person.

6. For purposes relating to the use of guide dogs:

(a) "Blind person" means a blind person as defined in NRS 426.630;

(b) "Deaf person" means a person who, by reason of loss or impairment of hearing, possesses an cural handicap which limits, contributes to limiting or which, if not corrected, will probably result in limiting the person's activities or functions;

(c) "Guide dog for the blind" means a guide dog which has been specially trained by a recognized professional guide dog school to work in harness as an aid to the mobility of a blind person on the streets, highways, roadways and other public places or in places of public accommodation;

(d) "Guide dog for the deaf" means a guide dog which has been specially trained by a recognized professional guide dog school to alert its master to sounds which are important to survival in the home, office, places of public accommodation and other public places but which has not been trained for the purpose of street work or as a mobility guide;

(e) "Guide dog school" means a school which trains guide dogs for the blind or guide dogs for the deaf and which has been registered by the Division upon receipt of the following certified documents:

1. Articles of incorporation as a non-profit corporation;
2. A statement that guide dogs are furnished either to a blind person or to a deaf person without charge excepting voluntary contributions;
3. A statement that its dogs are trained by, or under the supervision of, a professional dog trainer with at least two years experience in training dogs and teaching dog training in a class setting;
4. A statement that the school has been in operation for at least one year or is operating by contractual arrangement under the guidance and direction of a school which has been operating for more than one year.

Sec. 4. Chapter 484 of NRS is hereby amended by adding thereto a new section which shall read as follows:

EXHIBIT M

1. A blind person using a guide dog or carrying a cane or walking stick, white in color or white tipped with red, has the right-of-way when entering upon or when on a street, highway, or roadway of this state. Any driver of a vehicle who approaches or encounters a blind person using a guide dog or carrying a cane or walking stick white in color or white tipped with red, who is entering upon or is on a street, highway, or roadway shall yield the right-of-way to the blind person, come to a full stop, and take such precautions before proceeding as may be necessary to avoid accident or injury to the blind person.

2. Any person who violates subsection 1 shall be punished by imprisonment in the county jail for not more than 6 months, or by a fine of not less than \$100 nor more than \$500, or by both fine and imprisonment.

Sec. 5. NRS 484.325 is hereby amended to read as follows:

484.325 1. Except as provided in NRS 484.327[,] and section 4 of this act, when official traffic-control devices are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be so to yield, to a pedestrian crossing the highway within a crosswalk when the pedestrian is upon the half of the highway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the highway as to be in danger.

2. [No] A pedestrian shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

3. Whenever a vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection, the driver of any other vehicle approaching from the rear shall not overtake and pass [such] the stopped vehicle until [such] the driver has determined that the vehicle being overtaken was not stopped for the purpose of permitting a pedestrian to cross the highway.

4. Whenever signals exhibiting the words "Walk" or "Don't Walk" are in place, such signals [shall] indicate as follows:

(a) While the "Walk" indication is illuminated, pedestrians facing the signal may proceed across the highway in the direction of the signal and [shall] must be given the right of way by the drivers of all vehicles.

(b) While the "Don't Walk" indication is illuminated, either steady or flashing, a pedestrian shall not start to cross the highway in the direction

EXHIBIT M

of the signal, but any pedestrian who has partially completed his crossing during the "Walk" indication shall proceed to a sidewalk, or to a safety zone if one is provided.

(c) Whenever the word "Wait" still appears in a signal, [such] ~~the~~ indication has the same meaning as assigned in this section to the "Don't Walk" indication.

(d) Whenever a signal system provides a signal phase for the stopping of all vehicular traffic and the exclusive movement of pedestrians, and "Walk" and "Don't Walk" indications control [such] pedestrian movement, pedestrians may cross in any direction between corners of the intersection offering the shortest route within the boundaries of the intersection when the "Walk" indication is exhibited, and when signals and other official traffic-control devices direct pedestrian movement in [such] ~~the~~ manner [as] provided in this section and in NRS 484.283.

Sec. 6. NRS 484.327 is hereby amended to read as follows:

484.327 *Except as provided in section 4 of this act:*

1. Every pedestrian crossing a highway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the highway.

2. Any pedestrian crossing a highway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the highway.

3. Between adjacent intersections at which official traffic-control devices are in operation pedestrians shall not cross at any place except in a marked crosswalk.

4. A pedestrian shall not cross an intersection diagonally unless authorized by official traffic-control devices.

5. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

Sec. 7. NRS 613.330 is hereby amended to read as follows:

613.330 1. It is an unlawful employment practice for an employer:

(a) To fail or refuse to hire or to discharge any [individual,] *person*, or otherwise to discriminate against any [individual] *person* with respect to his compensation, terms, conditions or privileges of employment, because of

EXHIBIT M

[such individual's] the person's race, color, religion, sex, age, physical, mental or visual handicap or national origin; or

(b) To limit, segregate or classify his employees in any way which would deprive or tend to deprive any [individual] person of employment opportunities or otherwise adversely affect his status as an employee, because of [such individual's] the person's race, color, religion, sex, age, physical, mental or visual handicap or national origin.

2. It is an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any [individual] person because of his race, color, religion, sex, age, physical, mental or visual handicap or national origin, or to classify or refer for employment any [individual] person on the basis of his race, color, religion, sex, age, physical, mental or visual handicap or national origin.

3. It is an unlawful employment practice for a labor organization:

(a) To exclude or to expel from its membership, or otherwise to discriminate against, any [individual] person because of his race, color, religion, sex, age, physical, mental or visual handicap or national origin;

(b) To limit, segregate or [classify its membership, or] to classify its membership, or to classify or fail to refer for employment any [individual,] person, in any way which would deprive or tend to deprive any [individual] person of employment opportunities, or would limit [such] his employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of [such individual's] the person's race, color, religion, sex, age, physical, mental or visual handicap or national origin; or

(c) To cause or attempt to cause an employer to discriminate against [an individual] a person in violation of this section.

4. It is an unlawful employment practice for any employer, labor organization or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any [individual] person because of his race, color, religion, sex, age, physical, mental or visual handicap or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.

5. It is unlawful employment practice for any employer, employment agency, labor organization or joint labor-management committee to discriminate

EXHIBIT M

against the physically, ~~aurally~~ or visually handicapped by interfering, directly or indirectly, with the use of an aid or appliance, including guide dogs, by [such] a physically, ~~aurally~~ or visually handicapped [individual.] person.

6. It is an unlawful employment practice for an employer, directly or indirectly, to refuse to permit a visually or ~~aurally~~ handicapped employee to keep his guide dog with him at all times in his place of employment if [such] the dog is specially trained by a guide dog school approved by the division.

Sec. 8. NRS 651.075 is hereby amended to read as follows:

651.075 1. It is unlawful for a place of public accommodation to:

(a) Refuse service to a visually or ~~aurally~~ handicapped person because he is accompanied by a guide dog; or

(b) Charge an additional fee for [such] the guide dog.

2. A place of accommodation may require proof that a dog is a guide dog. Such requirement may be satisfied, by way of example and not of limitation, by exhibition of the identification card normally presented to a visually or ~~aurally~~ handicapped person upon [his] graduation from a guide dog school.

3. A guide dog [shall] ~~may~~ not be presumed dangerous by reason of the fact it is not muzzled.

4. This section does not relieve a visually or ~~aurally~~ handicapped person from liability for damage which may be caused by his guide dog.

5. Visually or ~~aurally~~ handicapped persons accompanied by guide dogs [shall be] ~~are~~ subject to the same conditions and limitations that apply to persons who are not so handicapped and accompanied.

6. As used in this section[:] ~~the terms "guide dog" and "guide dog school" have the meanings as defined in section 3 of this act.~~

Sec. 9. NRS 704.145 is hereby amended to read as follows:

704.145 1. It is unlawful for a common carrier or other means of public conveyance or transportation operating in this state to:

(a) Refuse service to a visually or ~~aurally~~ handicapped person because he is accompanied by a guide dog; or

(b) Charge an additional fee for [such] the guide dog.

2. This section does not relieve a visually or ~~aurally~~ handicapped person from liability for damage which may be caused by his guide dog.

3. Visually or ~~aurally~~ handicapped persons accompanied by guide dogs [shall be] ~~are~~ subject to the same conditions and limitations that apply to persons who are not so handicapped and accompanied.

4. As used in this section[:] the terms "guide dog" ^{EXHIBIT M} ~~and "guide dog~~
school" have the meanings as defined in section 3 of this act.

Sec. 10. NRS 706.366 is hereby amended to read as follows:

706.366 1. It is unlawful for a common motor carrier of passengers or other means of public conveyance or transportation operating in this state to:

(a) Refuse service to a visually or ~~aurally~~ handicapped person because he is accompanied by a guide dog; or

(b) Charge an additional fee for [such] the guide dog.

2. This section does not relieve a visually or ~~aurally~~ handicapped person from liability for damage which may be caused by his guide dog.

3. Visually or ~~aurally~~ handicapped persons accompanied by guide dogs [shall be] ~~are~~ subject to the same conditions and limitations that apply to persons who are not so handicapped and accompanied.

4. As used in this section[:] the terms "guide dog" and "guide dog school" have the meanings as defined in section 3 of this act.