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MY NAME IS BONNIE MCDANIEL, AND I AM ONE OF THE OWNERS OF A QUICK TRIP TRAVEL, IN LAS VEGAS. I WANT TO THANK YOU FOR ALLOWING ALL OF US TO COME BEFORE YOU TODAY TO SPEAK ABOUT THE BILL OF ASSEMBLYMAN CARPENTER'S THAT IS SO IMPORTANT TO US, AND TO THE STATE OF NEVADA. IT IS UP TO YOU TO DECIDE IF WE WILL BE ABLE TO REMAIN IN BUSINESS IN THIS STATE, AND SERVE THE PEOPLE OF NEVADA OR CLOSE OUR OFFICES BECAUSE OF UNFAIR LABOR AND TRADE PRACTICES, AND UNFAIR PRIVACY ACTS BROUGHT ABOUT BY THE COMMISSIONER OF CONSUMER AFFAIRS.

ASSEMBLYMAN CARPENTER HAS BEEN MOST HELPFUL IN GETTING THIS BILL INTRODUCED, AND WE ARE ALL IN SUPPORT OF HIS BILL, WITH A FEW MINOR CHANGES THAT WERE INADVERTANTLY LEFT OUT BY THE DRAFTING COMMITTEE, THAT I AM SURE MR. CARPENTER WILL GO OVER WITH YOU, AND IF NOT, ONE OF OUR SPEAKERS HERE TODAY WILL ADVISE YOU OF THE CHANGES AND/OR ADDITIONS.

TWO YEARS AGO, COMMISSIONER MANNING PUSHED HER BILL THROUGH, STATING TO ALL OF YOU THAT IT WAS A LAW ALREADY ON THE BOOKS, AND SHE WAS JUST "TWEAKING IT A LITTLE". IN REALITY, THERE WAS NOT A LAW GOVERNING TRAVEL AGENCIES, NEITHER MAKING ANY OF THE AGENTS REGISTER, NOR PRODUCING BONDS THAT ARE IMPOSSIBLE TO OBTAIN. THERE IS NO SUCH BOND TO GUARD AGAINST BANKRUPTCY OF A COMPANY OR ON ONE PERSONALLY. IT CANNOT BE PURCHASED, IN

ASSEMBLY COMMERCE & LABOR
DATE: 4/2/83 ROOM: 4100 EXHIBIT N
SUBMITTED BY: BONNIE MCDANIEL

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OR OUT OF NEVADA.

ACCORDING TO THE LAS VEGAS CONVENTION AND VISITORS BUREAU, AFTER 9/11, TOURISM DROPPED 68%. IN 2002, IT DROPPED ANOTHER 15%. WE ALL KNOW THAT TOURISM IS NEVADA'S NUMBER 1 MEANS OF INCOME TO THE STATE.

AT THE LAST LEGISLATIVE SESSION THE BILL WAS PUSHED THROUGH THE LEGISLATURE WITHOUT ANY OF US KNOWING ABOUT IT, UNTIL IT WAS TOO LATE. SOME OF US CAME UP HERE FOR THE SPECIAL SESSION, TALKED TO THE LEGISLATORS, AND THE GOVERNOR, ONLY TO BE TOLD THAT THERE WAS NOTHING THAT COULD BE DONE, UNTIL NOW.

WELL, HERE WE ARE AGAIN. ONLY THIS TIME, WE ARE ASKING THE LEGISLATURE TO TAKE A GOOD LOOK AT OUR BILL THAT ASSEMBLYMAN CARPENTER HAS INTRODUCED, AND SEE THAT IT IS MORE THAN FAIR, TO BOTH THE TRAVEL AGENCIES AND THE STATE. WE DIDN'T WAIT UNTIL THE LAST DAY OF THE SESSION TO PUT A BILL THROUGH AS WAS DONE TO US TWO YEARS AGO. THERE WAS PLENTY OF TIME TO ADVISE US, BUT SOMEONE CHOSE NOT TO LET US BE INVOLVED, IN FACT, NOT TO LET US EVEN KNOW. BY DOING THIS, 60% OF THE TRAVEL AGENCIES IN NEVADA WERE PUT OUT OF BUSINESS IN NEVADA ON OCTOBER 1, 2000. THESE WERE THE AGENCIES THAT WERE NOT ARC APPROVED AS THEY DID NOT

SELL AIRLINE TICKETS, BUT WERE CRUISE ONLY. THIS PUT MANY AGENTS OUT OF BUSINESS AND OUT OF WORK. AND THEY WERE UNABLE TO COLLECT UNEMPLOYMENT, AS THEY WERE INDEPENDENT CONTRACTORS, OR AGENCY OWNERS, AND DID NOT PAY INTO THE FUND. I KNOW OF SEVERAL THAT WENT ON THE WELFARE AND FOOD STAMP PROGRAM, AND ARE NOW ON MEDICAID. THIS ONLY ENDED UP COSTING THE STATE MORE MONEY, RATHER THAN RECEIVING MONEY FROM THE BUSINESS LICENCE FEES AND TAXES THAT THESE AGENCIES WOULD HAVE PAID TO THE STATE.

THIS YEAR, AN EVEN WORSE SCENARIO IS PLANNED FOR US. BILL AB496 WILL PUT THE REST OF THE LAW ABIDING AGENCIES OUT OF BUSINESS AND KEEP THOSE THAT ARE DEALING ILLEGALLY IN BUSINESS, WITHOUT PAYING ANY FEES, TAXES, LICENSE FEES, ETC. OUR CONSUMER AFFAIRS COMMISSIONER HAS REFUSED ON MANY OCCASIONS TO GO AFTER THOSE THAT ARE SELLING TRAVEL FROM THEIR "GROCERY STORES" OR THEIR "RESTAURANTS". EVEN WHEN MANY OF US TELL HER WHO THEY ARE AND WHERE THEY CAN BE FOUND. SHE HAS NO EXCUSE FOR NOT GOING AFTER THEM THAT WE CAN THINK OF.

OUR BEST HOPE WOULD BE THAT THE LEGISLATURE WOULD COMPLETELY RESCEND AND ABOLISH THE ENTIRE BILL THAT WAS PASSED LAST SESSION, BUT WE KNOW THAT THIS WOULD BE A MIRACLE, SO WE ARE ASKING YOU TO CAREFULLY CONSIDER MR. CARPENTER'S

BILL, AND FIND THAT WE ARE BEING FAIR AND EQUITABLE, AND KEEP THOSE OF US IN BUSINESS. WE ARE ALL SMALL BUSINESSES, AND OUR INCOME IS NOT NOW OR EVER HAS BEEN IN THE MILLIONS OF DOLLARS. ESPECIALLY SINCE THE AIRLINES HAVE STOPPED PAYING COMMISSIONS ON TICKETS BOOKED AND SOLD THROUGH OUR OFFICES. WE NOW HAVE NO CHOICE BUT TO CHARGE SERVICE FEES FOR SERVICES PROVIDED BY OUR AGENTS.

WE HAVE BEEN EXTREMELY HURT BY THE INTERNET, BUT THE COMMISSIONER STATES THAT THERE IS NO WAY FOR HER TO GO AFTER THE INTERNET COMPANIES SELLING TRAVEL – IN OR OUT OF NEVADA. COMPANIES LIKE VEGAS.COM, TRAVELOCITY, EXPEDIA. MANY OF YOU I AM SURE HAVE USED THESE COMPANIES YOURSELF. THEY ARE LICENSED AND HAVE OFFICES IN NEVADA, BUT DON'T HAVE TO FOLLOW ANY OF THE SELLER OF TRAVEL LAWS. MAY I ASK WHY? BECAUSE THEY ARE EXEMPT FROM THE LAW? BECAUSE THEY ARE "KICKING BACK" TO THE STATE? YOU TELL ME. THE COMMISSIONER CLAIMS THAT SHE DOESN'T HAVE THE PERSONNEL IN HER OFFICE TO GO AFTER THOSE BREAKING THE LAW,

HOWEVER, AFTER SITTING IN HER OFFICE ONE DAY FOR MORE THAN 4 HOURS, I SAW AT LEAST 12 PERSONS THAT WALKED AROUND DOING ABSOLUTELY NOTHING EXCEPT POP POPCORN AND CHAT ON THE PHONE,

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TO THEIR FAMILY MEMBERS OR SIGNIFICANT OTHERS, AS THEY CALLED THEM HONEY OR SWEETHEART.

OUR COMMISSIONER WILL GIVE NO REASON WHY SHE ASKED FOR THESE RESTRICTIONS ON TRAVEL AGENCIES. THE STORY EVERY TIME SHE IS ASKED. NOW SHE WANTS TO INCREASE THE FEES WE PAY TO HER OFFICE BY FOUR TIMES. THAT'S 400% INCREASE IN THE AMOUNT WE HAVE TO PAY. IN ADDITION, SHE WANTS EACH AND EVERY TRAVEL AGENT TO BRING IN THEIR OWN PERSONAL INCOME TAX RETURN FOR HER AND HER ALONE TO DECIDE HOW MUCH EACH OF US WILL HAVE TO CARRY ON A BOND, MADE OUT TO HER OFFICE. NOT ONLY IS THIS INVASION OF PRIVACY ON THE PART OF EACH OF US INDIVIDUALLY AS WELL AS OUR SPOUSES AND FAMILIES, BUT UNFAIR TRADE PRACTICES ON HER PART. SHE IS THE ACCUSER, ATTORNEY, JUDGE, JURY, AND EXECUTIONER, AND TAX COLLECTOR FOR TRAVEL AGENTS AND AGENCIES. THERE IS NO APPEAL IN HER OFFICE. SHE IS THE SUPREME BEING FOR LAW IN NEVADA, IN HER EYES.

WHO GAVE THE COMMISSIONER THE RIGHT TO BE JUDGE AND JURY? WHO GAVE HER ALL THIS AUHORITY? DOES THIS COME WITH HER POSITION? I WOULD THINK NOT. SHE IS PUTTING SMALL BUSINESSES OUT OF BUSINESS, PEOPLE OUT OF WORK, DISABLED AND MINORITIES OUT OF WORK. AND ONLY FOR HER OWN PLEASURE AND EGO.

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WITH HER NEW LAW, WE, AS AGENCY OWNERS, CANNOT AFFORD THE INCREASES THAT SHE IS IMPOSING. ANY MORE NEW FEES WILL PUT MY OFFICE OUT OF BUSINESS, AND IN DOING SO, WILL PUT DISABLED AND MINORITY PERSONNEL OUT OF WORK AS WELL. IF HER LAW IS IMPLEMENTED AND WE STAY IN BUSINESS, OUR OFFICE ALONE WILL HAVE TO PAY AN ADDITIONAL \$2,500.00 PLUS FOR A BOND FOR EACH OF THE AGENTS, AND PAY \$100.00 FOR EACH OF OUR AGENTS REGISTRATION. OUR OFFICE CANNOT AFFORD TO DO THIS. WE WILL CLOSE OUR DOORS. WE HAVE BEEN INCORPORATED IN THE STATE OF NEVADA SINCE AUGUST, 1988, AND HAVE LIVED IN LAS VEGAS FOR FORTY-TWO YEARS. I PERSONALLY HAVE BEEN IN THE TRAVEL AND TOURISM INDUSTRY SINCE 1969, WORKING FOR DELTA AND SAS AIRLINES, THE OLD FRONTIER AND WESTERN AIRLINES, AS WELL AS BEING A REGISTERED NURSE IN THE STATES OF NEVADA AND CALIFORNIA. OUR OFFICE HOLDS MEMBERSHIPS WITH ARC, CLIA, IATAN, WE HOLD A DBE APPOINTMENT IN THE STATE OF NEVADA, AND IS REGISTERED WITH THE DEPARTMENT OF BUSINESS AND INDUSTRY. OUR OFFICE COMPLIES WITH ALL THE RULES AND REGULATIONS OF THE INDUSTRY, WHETHER IT IS STATE IMPOSED OR INDUSTRY IMPOSED. WE HAVE ALL TRAVELED EXTENSIVELY, AND KNOW WHAT WE ARE TALKING ABOUT WHEN WE SELL A PACKAGE. WE ARE NOT CRIMINALS, EVEN THOUGH THE COMMISSIONER WANTS TO PORTRAY US IN THAT LIGHT.

MS. MANNING IS GOING AFTER THE LEGITIMATE BUSINESSES IN NEVADA, NOT THE ILLEGITIMATE. MAYBE IT'S TIME WE HAVE A NEW COMMISSIONER OF CONSUMER AFFAIRS. MAYBE SHE HAS OUTLIVED HER USEFULNESS TO NEVADA. MAYBE AN AUDIT OF HER OFFICE SHOULD BE CONDUCTED TO SEE WHERE OUR FUNDS ARE GOING AND WHAT THEY ARE BEING USED FOR. THEY CERTAINLY ARE NOT BEING USED FOR CONSUMER PROTECTION. ASK HER, SHE WILL TELL YOU THEY ARE USED FOR HER OFFICE AND HER OFFICE ONLY. IS THAT FAIR? I THINK NOT. THERE IS NO CONSUMER PROTECTION IN HER LAW.

MANY OF THE AGENCY OWNERS HAVE GOTTEN TOGETHER TO DRAW UP BYLAWS FOR A NEW ASSOCIATION – THE NEVADA ASSOCIATION OF INDEPENDENT TRAVEL AGENTS, LLC. WE HAVE PUT COMSUMER PROTECTION CLAUSES IN THAT DOCUMENT, AND ARE READY TO POLICE OUR OWN PEOPLE. MANY OF US FEEL WE CAN DO A BETTER JOB OF THIS THAN MS. MANNING HAS DONE IN THE TWO YEARS HER LAW HAS BEEN IN EFFECT. WE HAVE PUT HOURS OF LABOR INTO THIS DOCUMENT, AS WELL AS THE CONSTITUTION, RULES AND REGULATIONS, AND A POLICY MANUAL. WE ONLY NEED TO GET OUR FEDERAL TAX IDENTIFICATION NUMBER AND ELECT OUR OFFICERS AND DIRECTORS FOR THIS ASSOCIATION TO GO INTO EFFECT. THIS WOULD BE A GROUP SIMILAR TO THE BOARD OF REALTORS. THEY POLICE THEIR OWN KIND, AND DO A GREAT JOB OF IT. WE COULD DO LIKEWISE, WHILE AT THE SAME TIME

PROTECTING THE CONSUMER AGAINST THOSE THAT ARE WORKING OUTSIDE THE CONFINES OF THEIR OWN DESIGNATED BUSINESSES. THIS WOULD GET RID OF THOSE THAT ARE SELLING FROM THEIR GROCERY STORES AND RESTAURANTS. THOSE EXACT PEOPLE THAT THE COMMISSIONER REFUSES TO GO AFTER. I HAVE ENCLOSED A COPY OF THE DRAFT OF THE BYLAWS FOR THIS ORGANIZATION IN THE PACKET I PROVIDED FOR YOU THIS AFTERNOON. IT HAS NOT BEEN FINALIZED, BUT IS A GOOD ROUGH DRAFT TO START. LOOK IT OVER, YOU MIGHT BE SURPRISED WHAT WE CAN COME UP WITH, WHEN WE HAVE TO.

OF THE MILLIONS OF PEOPLE THAT TRAVEL, AND PURCHASE THEIR TICKETS AND HOTEL PACKAGE, OR CRUISES THROUGH TRAVEL AGENCIES, LESS THAN 1% HAVE FILED COMPLAINTS IN ANY STATE. THIS IS NOT A WIDE SPREAD PROBLEM.

OUR ORGANIZATION WOULD BE BONDED, WITH A CONSUMER PROTECTION FUND WITHIN ITSELF, AND WOULD HANDLE ALL COMPLAINTS IN THE STATE OF NEVADA AND HANDLE THE REFUNDS OR TICKETING FOR SUCH COMPLAINTS. IN A STATE WHERE THE MAJOR SOURCE OF INCOME IS TOURISM, WHY WOULD YOU OR ANYONE WANT TO PUT THAT BUSINESS OUT OF BUSINESS. MANY OF US BRING TOURISTS INTO NEVADA, AS WELL AS SENDING THE CITIZENS OF NEVADA OUT TO OTHER PARTS OF THE WORLD, OR EVEN OTHER CITIES IN NEVADA. MS.

MANNING'S CONTINUED HARASSMENT OF THE TRAVEL AGENTS AND AGENCIES WILL JUST ERODE THIS TYPE OF BUSINESS, AND TOURISTS WILL NOT WANT TO VISIT A STATE THAT DOES NOT SUPPORT SMALL BUSINESS. WE ARE ASKING YOU TO THEREFORE THINK ABOUT WHAT YOU ARE ABOUT TO DO TO THE SMALL BUSINESS OWNER OF THIS STATE. RESCEND THE LAST BILL THAT WAS PUT IN FORCE ON OCTOBER, 2000, AND LET US PUT OUR ORGANIZATION IN EFFECT. IF IT DOESN'T DO ALL WE SAY IT WILL BY THE NEXT LEGISLATIVE SESSION, THAN YOU CAN PUT OTHER SANCTIONS ON US. IF YOU CAN'T RESCEND THE LAW NOW ON THE BOOKS, THAN PASS MR. CARPENTER'S BILL THAT WILL KEEP THE SMALL BUSINESS OWNER IN THE TRAVEL INDUSTRY WORKING AND PAYING YOUR WAGES AND TAXES TO THE STATE. LET US HAVE THE CHANCE TO PROVE THAT WE ARE ABLE TO TAKE THIS AND MAKE IT WORK. WHAT HAVE YOU GOT TO LOSE. IT WOULD BRING MORE MONEY INTO THE STATE COFFERS IN ONE YEAR THROUGH THE ORGANIZATION, THAN MS. MANNINGS BILL WILL BRING IN, AS THERE WON'T BE ANY TRAVEL AGENCIES TO PAY HER FEES OR THE STATE TAXES.

FOR YOUR INFORMATION, I HAVE ENCLOSED A COPY OF OUR DBE APPOINTMENT FROM THE STATE OF NEVADA, A LIST OF THE DBE TRAVEL AGENCIES IN NEVADA, OF WHICH WE ARE THE ONLY ONE, OUR ARC, IATAN, CLIA APPOINTMENT CERTIFICATES, THE NEVADA STATE BUSINESS LICENSE AND CITY OF LAS VEGAS BUSINESS LICENSE, AND A COPY OF THE STATE ISSUED REGISTRATION CERTIFICATE.