

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

**Seventy-third Session  
April 13, 2005**

The Senate Committee on Commerce and Labor was called to order by Chair Randolph J. Townsend at 8:08 a.m. on Wednesday, April 13, 2005, in Room 2135 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Randolph J. Townsend, Chair  
Senator Warren B. Hardy II, Vice Chair  
Senator Sandra J. Tiffany  
Senator Joe Heck  
Senator Michael Schneider  
Senator Maggie Carlton  
Senator John Lee

**STAFF MEMBERS PRESENT:**

Kevin Powers, Committee Counsel  
Jane Tetherton, Committee Secretary  
Scott Young, Committee Policy Analyst  
Lynn Hendricks, Committee Secretary

**OTHERS PRESENT:**

William Buzz Harris, State Board of Cosmetology  
Richard Burdette, Energy Advisor, Office of the Governor

CHAIR TOWNSEND:

We will open the hearing on Senate Bill (S.B.) 37.

**SENATE BILL 37:** Revises provisions governing wholesalers of prescription drugs. (BDR 54-13)

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SENATOR CARLTON:

The subcommittee has an amendment ([Exhibit C](#)). The State Board of Pharmacy proposed deleting the provisions already addressed in regulations not in effect when the bill was originally proposed. The amendments in [Exhibit C](#) deal with the provisions on fingerprinting, bonding and criminal penalties for violation. In addition, the subcommittee changed section 3 to require a monthly update of wholesalers' employees rather than every 15 days.

CHAIR TOWNSEND:

I will close the hearing on [S.B. 37](#) and open the hearing on [S.B. 135](#).

**[SENATE BILL 135](#)**: Revises provisions governing certification of registered interior designers. (BDR 54-744)

SENATOR CARLTON:

When the subcommittee discussed this bill, there were concerns that it would keep people who had gotten their education before there was a bachelors' degree program accredited by the Foundation for Interior Design Education Research (FIDER) from working.

SENATOR HECK:

The amendment proposed to address this issue was to change section 1, subsection 1, paragraph (e), subparagraph (1), to: "A program of interior design accredited by the Foundation for Interior Design Education Research or any successor in interest to that organization." In addition, section 1, subsection 1, paragraph (e), subparagraph (2) would be changed to: "A substantially equivalent program of interior design approved by the Board."

SENATOR HARDY:

What is the net effect of the change? Are we removing the requirement for a bachelor's degree?

SENATOR HECK:

Currently, there are FIDER programs that do not award a bachelor's degree. By 2010, all FIDER programs will award a bachelor's degree.

CHAIR TOWNSEND:

I will close the hearing on [S.B. 135](#) and open the hearing on [S.B. 153](#).

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**SENATE BILL 153**: Prohibits community manager who imposes fine against certain persons from soliciting or accepting any percentage of fine or any fee for collecting fine. (BDR 10-830)

CHAIR TOWNSEND:

The subcommittee has submitted an amendment to this bill ([Exhibit D](#)). They recommend we amend and do pass this bill separate from S.B. 325.

**SENATE BILL 325**: Makes various changes concerning common-interest communities. (BDR 10-20)

CHAIR TOWNSEND:

I will close the hearing on S.B. 153 and open the hearing on S.B. 163.

**SENATE BILL 163**: Makes changes relating to certain regulatory bodies which administer occupational licensing. (BDR 54-22)

SENATOR CARLTON:

The subcommittee recommended removing section 4 from the bill. I disagree with this recommendation, but I will accede to it in the interest of moving the bill forward.

CHAIR TOWNSEND:

I will close the hearing on S.B. 163 and open the hearing on S.B. 332.

**SENATE BILL 332**: Revises provisions relating to real estate. (BDR 54-230)

CHAIR TOWNSEND:

I need to disclose that my wife is a licensee of the Real Estate Division. She is also a property manager and owns a property management company.

The subcommittee has submitted an amendment ([Exhibit E](#), original is on file at the Research Library) and is recommending we amend and do pass this bill.

I will close the hearing on S.B. 332 and open the hearing on S.B. 333.

**SENATE BILL 333**: Revises provisions governing practice of cosmetology and related professions. (BDR 54-764)

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SENATOR CARLTON:

I need to disclose that some of the lobbyists on this bill are long-term friends of mine.

The subcommittee has an amendment ([Exhibit F](#)) and recommends the Committee amend and do pass this bill. The amendment deletes sections 1 through 5 and 7 of the bill and retains sections 6, 8 and 10. Section 6 is amended to clarify that the space in a cosmetology establishment can be leased to professionals in other disciplines, but those professionals remain under the jurisdiction of their own regulatory bodies. Section 9 has been amended to retain the requirement that a cosmetology school instructor have at least one year practical experience before becoming an instructor. This section also allows cosmetology schools to offer massage therapy courses, if the courses meet all other applicable state and local requirements. The provision in section 11 to repeal *Nevada Revised Statute* (NRS) 644.473 is deleted, meaning the statute will not be repealed. Thus, the prohibition against a cosmetology establishment engaging primarily in the business of cutting men's hair or representing itself to the public as primarily engaged in the business of cutting men's hair stands.

SENATOR HARDY:

I need to disclose that my wife is a cosmetologist and a salon owner.

SENATOR SCHNEIDER:

Senate Bill No. 372 of the 72nd Legislative Session allows other professionals to share space in a cosmetology establishment without being regulated by the State Board of Cosmetology. Will [S.B. 333](#) change that?

SENATOR CARLTON:

No. The language here expands and strengthens that provision.

CHAIR TOWNSEND:

I will close the hearing on [S.B. 333](#) and open the hearing on [S.B. 335](#).

**[SENATE BILL 335](#)**: Revises provisions governing practice of barbering, cosmetology and related professions. (BDR 54-1356)

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SENATOR CARLTON:

The subcommittee has an amendment ([Exhibit G](#), original is on file at the [Research Library](#)) and is recommending the Committee amend and do pass [S.B. 335](#). Sections 1 through 6 of this bill deal with allowing the State Board of Cosmetology to regulate, cite and discipline the members of the Board. The changes to sections 21 and 24 shown in [Exhibit G](#) conform with changes from [S.B. 333](#). The amendment deletes section 25 of the bill. The newly added section 29.5 repeals NRS 644.477.

SENATOR LEE:

The term limits imposed in section 8 of the bill seem unnecessarily rigorous.

CHAIR TOWNSEND:

I believe this was put in place to encourage licensees to apply to serve on the Board.

WILLIAM BUZZ HARRIS (State Board of Cosmetology):

Yes, that is correct.

CHAIR TOWNSEND:

I will close the hearing on [S.B. 335](#) and open the hearing on [S.B. 381](#).

[SENATE BILL 381](#): Enacts provisions relating to commercial coaches.  
(BDR 43-1325)

CHAIR TOWNSEND:

There were no amendments on this bill.

SENATOR HARDY:

My questions about this bill have been answered.

CHAIR TOWNSEND:

I will close the hearing on [S.B. 381](#) and open the hearing on [S.B. 123](#).

[SENATE BILL 123](#): Revises provisions governing energy assistance.  
(BDR 58-238)

CHAIR TOWNSEND:

It appears portions of this bill are part of the Executive Budget. Is that correct?

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RICHARD BURDETTE (Energy Advisor, Office of the Governor):

Yes. The administrative percentages are built into the Governor's budget. The Governor is not eager to take over these functions, but he would like to be satisfied outreach will not include advertising. We would also like to see the Executive Branch given some discretion in the 25-75 split mentioned in sections 2 and 3. I have a handout ([Exhibit H](#)) listing some other options for this bill.

CHAIR TOWNSEND:

I will ask the subcommittee chaired by Senator Hardy to meet with you to review these options.

I will close the hearing on S.B. 123.

SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B. 37.

SENATOR TIFFANY SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SCHNEIDER WAS ABSENT FOR THE VOTE.)

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SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B. 135.

SENATOR TIFFANY SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SCHNEIDER WAS ABSENT FOR THE VOTE.)

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SENATOR HARDY MOVED TO AMEND AND DO PASS S.B. 153.

SENATOR CARLTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SCHNEIDER WAS ABSENT FOR THE VOTE.)

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SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B. 163.

SENATOR TIFFANY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B. 332.

SENATOR SCHNEIDER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B. 333.

SENATOR SCHNEIDER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B. 335.

SENATOR SCHNEIDER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR SCHNEIDER MOVED TO DO PASS S.B. 381.

SENATOR HARDY SECONDED THE VOTE.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR TOWNSEND:

If there is no further comment, I will adjourn this meeting of the Senate Committee on Commerce and Labor at 8:45 a.m.

RESPECTFULLY SUBMITTED:

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Lynn Hendricks,  
Committee Secretary

APPROVED BY:

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Senator Randolph J. Townsend, Chair

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