

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Seventy-Seventh Session
April 10, 2013**

The Committee on Commerce and Labor was called to order by Chairman David P. Bobzien at 3:09 p.m. on Wednesday, April 10, 2013, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at nelis.leg.state.nv.us/77th2013. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman David P. Bobzien, Chairman
Assemblywoman Marilyn K. Kirkpatrick, Vice Chairwoman
Assemblywoman Irene Bustamante Adams
Assemblywoman Maggie Carlton
Assemblyman Skip Daly
Assemblywoman Olivia Diaz
Assemblyman John Ellison
Assemblyman Jason Frierson
Assemblyman Tom Grady
Assemblyman Ira Hansen
Assemblyman Crescent Hardy
Assemblyman James W. Healey
Assemblyman William C. Horne
Assemblyman Pete Livermore
Assemblyman James Ohrenschall

COMMITTEE MEMBERS ABSENT:

None



GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Kelly Richard, Committee Policy Analyst
Matt Mundy, Committee Counsel
Leslie Danihel, Committee Manager
Julie Kellen, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Neena Laxalt, representing National Home Service Contract Association

Chairman Bobzien:

[Roll was called and a quorum was present.] We are not going to be taking these bills in order on the work session. To make the audience aware, we will not be hearing Assembly Bill 433. We are going right to our work session. With that, I would like to start with Assembly Bill 185.

Assembly Bill 185: Revises provisions to increase the cooperation between the Labor Commissioner and the United States Department of Labor to promote compliance with labor laws of common concern. (BDR 53-795)

I will ask Ms. Richard to walk us through this measure.

Kelly Richard, Committee Policy Analyst:

Assembly Bill 185 was sponsored by the Assembly Committee on Commerce and Labor and was heard in Committee on March 20, 2013. The bill requires the Labor Commissioner, if possible, to enter into a memorandum of understanding with the Wage and Hour Division of the United States Department of Labor. [Read from work session document ([Exhibit C](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 185.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DIAZ WAS ABSENT FOR THE VOTE.)

The next bill is Assembly Bill 199.

Assembly Bill 199: Revises provisions governing the sale of electricity and provision of transmission service and distribution service by the Colorado River Commission of Nevada. (BDR 58-206)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 199 was sponsored by the Committee on behalf of the Legislative Committee on Public Lands and was heard in Committee on March 11, 2013. Assembly Bill 199 authorizes the Colorado River Commission (CRC) to contract with new customers based on an allocation of capacity and associated firm energy from a resource pool created pursuant to federal law, without subjecting the CRC to regulation by the Public Utilities Commission of Nevada. [Read from work session document ([Exhibit D](#)).]

Chairman Bobzien:

This is one that received a lot of attention and a lot of effort on behalf of the parties involved. I am grateful an agreement was reached. What is the pleasure of the Committee?

ASSEMBLYMAN HORNE MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 199.

ASSEMBLYWOMAN KIRKPATRICK SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DIAZ WAS ABSENT FOR THE VOTE.)

Let us move to Assembly Bill 213.

Assembly Bill 213: Revises provisions governing the issuance of a certificate of registration to a provider of a service contract. (BDR 57-759)

Kelly Richard, Committee Policy Analyst:

I would like the members of the audience to know that we had a revised work session document for this bill, which adds a new amendment. Assemblyman Bobzien sponsored Assembly Bill 213. It was heard in Committee on March 18, 2013. It allows a service contract provider to qualify for the issuance of a certificate of registration by maintaining a reserve account that

meets minimum requirements and by depositing a security with the Commissioner of Insurance. [Read from work session document ([Exhibit E](#)).]

There is also an alternate mechanism for a percentage of the gross consideration received by the provider as a minimum.

Chairman Bobzien:

Here is another bill where people worked issues out. I am grateful for that. I would like Ms. Laxalt to come to the table to give us an update.

Neena Laxalt, representing National Home Service Contract Association:

We did work out a compromise with the Commissioner of Insurance. We were not quite sure if one other thing we agreed to should be put in an amendment or put on record for the intent. The Division of Insurance agreed they would study this, and we would work with them in the interim to continue to work out a solution that is fully satisfactory to both parties.

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 213.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DIAZ WAS ABSENT
FOR THE VOTE.)

Let us move to Assembly Bill 306.

Assembly Bill 306: Revises provisions relating to private investigators and related professions. (BDR 54-677)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 306 was sponsored by Assemblyman Horne. It was heard in Committee on April 5, 2013. The bill includes activities relating to the review, analysis, and investigation of computerized data not available to the public within the definition of "private investigator." [Read from work session document ([Exhibit F](#)).]

Chairman Bobzien:

We are going to take a moment to look at this. What is the pleasure of the Committee?

ASSEMBLYMAN LIVERMORE MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 306.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DIAZ WAS ABSENT
FOR THE VOTE.)

Our next bill is Assembly Bill 322.

Assembly Bill 322: Revises provisions concerning casualty insurance.
(BDR 57-1038)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 322 is sponsored by Assemblyman Paul Anderson. It was heard in Committee on March 27, 2013. The bill removes the term "private" from the phrase "passenger car" for purposes of providing certain materials concerning personal injury claims under a policy of motor vehicle insurance. [Read from work session document ([Exhibit G](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYWOMAN KIRKPATRICK MOVED TO DO PASS
ASSEMBLY BILL 322.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Carlton:

I still have the concerns I had in Committee in conjunction with the bill we heard in the Assembly Committee on Transportation. By eliminating the word "private" in front of "passenger," this will now include taxicabs and will bring common carriers into this regime. I am opposed to that. I am not sure what the unintended consequences may be, so I am not comfortable in supporting the bill until I get some more distinct answers on what eliminating one little word actually does to this.

Chairman Bobzien:

Is there any further discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN CARLTON VOTED NO. ASSEMBLYWOMAN DIAZ WAS ABSENT FOR THE VOTE.)

I would like to go now to Assembly Bill 331.

Assembly Bill 331: Revises provisions governing the billing practices of certain providers of health care. (BDR 54-731)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 331 was sponsored by Assemblywoman Spiegel. It was heard in Committee on April 3, 2013. The bill prohibits a provider of health care from requesting payment from a patient for any charges incurred if the provider of health care fails to timely submit any claim to the patient's health care plan. [Read from work session document ([Exhibit H](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 331.

ASSEMBLYMAN ELLISON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DIAZ WAS ABSENT FOR THE VOTE.)

Next, we will do Assembly Bill 239.

Assembly Bill 239: Makes various changes relating to energy. (BDR 58-224)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 239 was sponsored by Assemblywoman Kirkpatrick and was heard in Committee on April 1, 2013. Assembly Bill 239 makes changes to energy-related tax incentives. It authorizes the Director of the Office of Energy to charge and collect a fee from each applicant for a tax abatement. [Read from work session document ([Exhibit I](#)).]

Chairman Bobzien:

Assemblywoman Kirkpatrick, do you want to give us an update on this one?

Assemblywoman Kirkpatrick:

Yesterday we had a working group with approximately 17 people there. We went through the bill section by section. The big sections are 9 and 27.

Many of you had some concern with the Public Utilities Commission of Nevada (PUCN) doing land use. We have the Nevada Association of Counties, Boulder City, and Washoe County working together on some language that would allow there to be a more streamlined process. Also, we talked about created corridors, which is what we have been trying to do for a long time, but I think this time we are moving further. We also talked about the energy rate for manufacturing.

This bill is exempt, and it would give us more time to finish by sending it to the Assembly Committee on Ways and Means. The PUCN was involved yesterday, and we had all sorts of different people participating and committed to working on it. I did tell them that I am not sending it to Ways and Means to sit there until May 30, so if it is not out by May 1, I will give the Chairman the ability to kill my bill.

Chairman Bobzien:

The Chair will entertain a "without recommendation and rerefer motion" with the understanding that it will be referred to Ways and Means once it gets back to the floor.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO REREFER WITHOUT RECOMMENDATION ASSEMBLY BILL 239 TO THE ASSEMBLY COMMITTEE ON WAYS AND MEANS.

ASSEMBLYMAN ELLISON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DIAZ WAS ABSENT FOR THE VOTE.)

We will stay on the topic of energy and move to Assembly Bill 428.

Assembly Bill 428: Revises provisions relating to energy. (BDR 58-797)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 428 revises provisions relating to energy also. It was sponsored by the Assembly Committee on Commerce and Labor and heard in Committee on April 1, 2013. The bill makes changes to renewable energy incentive programs. It places statewide limits on the incentives paid for the solar, wind, and water programs. [Read from work session document ([Exhibit J](#)).]

Chairman Bobzien:

On this one, it is the same kind of deal. We are still working with people and talking things through. It is an important issue. I would entertain a "without

recommendation and rerefer motion" with the understanding it will be referred to Ways and Means.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO REREFER WITHOUT RECOMMENDATION ASSEMBLY BILL 428 TO THE ASSEMBLY COMMITTEE ON WAYS AND MEANS.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Hansen:

I support referring it, but overall, I do not like the \$333 million worth of subsidies. I will vote no on this. I do not want this going forward with that level of subsidy. It disturbs me.

Assemblyman Ellison:

Along the same lines, I will vote to get it out and send it to Ways and Means.

Chairman Bobzien:

It is with no recommendation.

Assemblyman Ellison:

If it comes back to the floor, I might not.

Chairman Bobzien:

You will never have another chance to do a no recommendation vote. There is no need to reserve your right.

[Assemblyman Hansen indicated he would vote yes to rerefer to Ways and Means.]

THE MOTION PASSED UNANIMOUSLY.

Let us move to Assembly Bill 284.

Assembly Bill 284: Provides for the early termination of certain rental agreements by victims of domestic violence. (BDR 10-525)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 284 was sponsored by Assemblywoman Flores. It was heard in Committee on March 22, 2013. Assembly Bill 284 allows for the early termination of a rental agreement if a tenant, cotenant, or household member

is a victim of domestic violence. The bill establishes notice requirements and provisions concerning liability of unpaid amounts. [Read from work session document ([Exhibit K](#)).]

Chairman Bobzien:

I will entertain a motion to amend and do pass.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 284.

ASSEMBLYMAN OHRENSCHALL SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Grady:

I will vote to amend and do pass with the understanding that the sponsor agrees that it needs some work and she is amenable to some suggestions. I will reserve my right to change my vote on the floor if we cannot come to a compromise.

Assemblyman Frierson:

I am going to support the bill. I do have some concerns after being contacted by some people. I agree with what it is trying to accomplish overall. I am concerned about some technical aspects of how it might work, and I was hoping there was a way we could have the judge who issued the temporary protective order make a decision on whether or not there was a basis. Recognizing not every victim necessarily goes to court, I cannot deny that is a reality as well.

I do have some concerns, and I am interested in anything that might be worked out. This has been done in other states. At least one other state has this exact bill, so we are not reinventing anything. That being said, I will express some technical terms with Ms. Flores that certainly do not compromise this bill moving forward. I do not think there has been a disaster in Oregon where the bill exists.

Assemblyman Hansen:

I will be voting no. Obviously, nobody supports domestic violence, but there are so many holes in this. There are so many burdens placed on the landlords. They are caught in the middle. There are a lot of bugs that need to be worked out. There were some things taken out that I thought should have been left in.

Assemblyman Ellison:

I was in opposition to the bill, but I met with Assemblywoman Kirkpatrick this afternoon, and I think some of the concerns I had can be addressed. However, I would still like to reserve my right to change my vote on the floor. I am pretty sure we can resolve the issues prior to the vote on the floor.

Chairman Bobzien:

Do we have additional discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN HANSEN VOTED NO.
ASSEMBLYMAN HORNE WAS ABSENT FOR THE VOTE.)

We are going to move to Assembly Bill 86.

Assembly Bill 86: Creates a system for verifying that licensed contractors are in compliance with certain provisions of law. (BDR 54-276)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 86 was sponsored by Assemblyman Daly. It was heard in Committee on February 25, 2013. Assembly Bill 86 requires the State Contractors' Board to create a system for use in verifying that contractors contribute to the Unemployment Compensation Fund or pay the required reimbursement, and maintain workers' compensation insurance. [Read from work session document ([Exhibit L](#)).]

Chairman Bobzien:

I would like to ask Mr. Daly to give us an update on this. I know you have done a lot of work on this bill.

Assemblyman Daly:

I have worked with the Contractors' Board. It is not 100 percent that they agree with everything because they do not like to be told what the remedy should be. We want to make sure there is a mechanism for the Nevada Department of Employment, Training and Rehabilitation to notify the Contractors' Board whether there is coverage for workers' compensation and the Commissioner of Insurance for the self-insured individuals to notify the Board if somebody is out of compliance with those provisions, which we said you have to be in compliance with in order to be in business.

We added a 30-day "notice to cure," so if the Contractors' Board sends the notice, and the contractor takes care of it in 30 days, nothing happens and there is nothing on his or her record. If it is not taken care of in 30 days, he or she can continue the work that is under contract. The job may not even

have started. I know there was concern about disruption. That was something the Contractors' Board wanted, but if a person lies, or does not get the cure, there is a progression of penalties. A contractor has to go a long way to get to the end where his or her license is revoked. There have to be at least two times of not responding to the letter and various things. That is it in a nutshell. We want to make sure people are paying their workers' compensation, they are paying unemployment insurance, and there is a mechanism for the Board to respond when they get that letter.

Chairman Bobzien:

I will entertain a motion to amend and do pass.

ASSEMBLYWOMAN DIAZ MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 86.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE
MOTION.

Is there any discussion on the motion?

Assemblyman Ellison:

We made a few calls to some of the agencies. They said they are doing the reporting now. Maybe the bill sponsor addressed this. This is a concern we seem to run into, and some of the agencies thought we would be double-duplicating some of these issues. Perhaps the bill sponsor can answer that.

Assemblyman Daly:

I met with Mr. Jayne, of the Division of Industrial Relations, and he said he thinks there is a process where they are already reporting this. I am not trying to duplicate anything. If it is not somewhere in the law already, then this allows that.

On the unemployment side of it, I do not know if there is a mechanism. They do theirs differently. They do a quarterly report, and then they report there is a delinquency not that they are out of compliance. What they do on their enforcement is separate. We might have this for other licensed professionals in the state, but right now I am just looking at contractors. I did not want the Contractors' Board to have to do all of that research and various tasks. That is why we scrapped the whole bill and went back this direction, so the agencies already have the requirement to make sure people are in compliance. We want them to report to the Board, and when the Board gets it, we want them to do something. Does that make sense?

Chairman Bobzien:

Mr. Mundy, do you want to weigh in on this one?

Matt Mundy, Committee Counsel:

I talked to Mr. Daly, and we agreed that we were going to check carefully, because we were aware of that concern, and make sure nothing duplicative was going into the amendment.

Assemblywoman Carlton:

I remember in the hearing one of the portions of this was already in statute and the Contractors' Board could do it. The other issue that came up regarded this allowance to cure; will the contractor still be able to have people on the job who may not have workers' compensation?

Assemblyman Daly:

The answer is yes, but there is a mechanism. Right now, we have the situation where, when it gets reported, sometimes action is taken, and sometimes action is not taken. Even though that situation is not one I am comfortable with, the fact of the matter is this will improve the process so that there is less of that. I think it improves the process, so that while there is a 30-day window, many of those contractors are not in compliance anyway. At least now there is a letter that is coming out, and the license will be suspended if it is not corrected as soon as possible.

Assemblywoman Carlton:

I still have concerns about that. If someone gets hurt, he ends up in the Unemployment Compensation Fund. It is the law that they should have workers' compensation. I do not believe we should give people a 30-day grace period on the law when it comes to insurance issues. I do not know why that workers' compensation policy number cannot be included in the bid forms and other things. I understand where Assemblyman Daly is trying to go to solve the problem. Unemployment insurance is one thing, and workers' compensation is another. It is when someone gets hurt. We put the worker in a world of a mess with the regime we have set up. I will support it today, but I am not sure about how this will go in the future if we cannot protect these workers.

Chairman Bobzien:

Is there additional discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN HARDY VOTED NO.
ASSEMBLYMAN HORNE WAS ABSENT FOR THE VOTE.)

We will move to Assembly Bill 341.

**Assembly Bill 341: Revises provisions relating to homeopathic medicine.
(BDR 54-1032)**

Kelly Richard, Committee Policy Analyst:

Assembly Bill 341 was sponsored by Assemblywoman Carlton, and it was heard in Committee on April 8, 2013. The bill makes changes to the requirements for licensure by the Board of Homeopathic Medical Examiners. The bill requires the submission of fingerprints by applicants. [Read from work session document ([Exhibit M](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

Assemblywoman Carlton:

With the concerns the Committee had about that "alphabet soup" we had in the original bill, we found out that they all basically say the same thing. Everyone has a different way of doing it depending upon the school, province, and regulatory agencies in the United Kingdom. That is what the second amendment addresses. We do not need all of those acronyms but what the degree actually is in plain English.

Chairman Bobzien:

I will entertain a motion to amend and do pass.

ASSEMBLYWOMAN DIAZ MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 341.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HORNE AND
KIRKPATRICK WERE ABSENT FOR THE VOTE.)

We will move to Assembly Bill 432.

**Assembly Bill 432: Revises provisions governing intoxicating liquor.
(BDR 32-980)**

Kelly Richard, Committee Policy Analyst:

Assembly Bill 432 was sponsored by the Assembly Committee on Commerce and Labor and heard in Committee on March 29, 2013. Assembly Bill 432 provides that a supplier's subsidiary or affiliate is included in the definition of "supplier" for purposes of the purchase of liquor by a wholesaler who is not

the importer designated by the supplier. [Read from work session document ([Exhibit N](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYMAN LIVERMORE MOVED TO DO PASS
ASSEMBLY BILL 432.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HORNE, KIRKPATRICK,
AND OHRENSCHALL WERE ABSENT FOR THE VOTE.)

Let us move to Assembly Bill 434.

Assembly Bill 434: Revises certain requirements for an application for
a certificate of registration to practice as a registered interior designer.
(BDR 54-1172)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 434 was sponsored by the Assembly Committee on Commerce and Labor and heard in Committee on April 5, 2013. Assembly Bill 434 allows certain educational and experience requirements for registration as an interior designer to be satisfied by the receipt of a degree from an accredited architectural program. [Read from work session document ([Exhibit O](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 434.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Ellison:

Did the sponsor of the bill agree with the amendment?

Chairman Bobzien:

Yes, they did. They worked it out. Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN HORNE AND KIRKPATRICK WERE ABSENT FOR THE VOTE.)

The next bill is Assembly Bill 436.

Assembly Bill 436: Revises provisions governing the regulation of public utilities which furnish, for compensation, any water for municipal, industrial or domestic purposes. (BDR 58-1196)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 436 was sponsored by the Assembly Committee on Commerce and Labor and heard in Committee on April 3, 2013. The bill requires the Public Utilities Commission of Nevada to consider information related to the recovery of costs as a result of implementing a water conservation plan when reviewing certain filings. [Read from work session document ([Exhibit P](#)).]

There were two amendments submitted to the Committee at the hearing of the bill. What I have done is combine those two amendments into the attached mock-up. They were very similar. [Continued to read from work session document ([Exhibit P](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 436.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE
MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HORNE AND KIRKPATRICK WERE ABSENT FOR THE VOTE.)

Next up is Assembly Bill 437.

Assembly Bill 437: Revises provisions governing title insurers. (BDR 57-1173)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 437 was sponsored by the Assembly Committee on Commerce and Labor and was heard in Committee on April 5, 2013. Assembly Bill 437 authorizes a title insurer to provide a closing protection letter to any party in a real estate transaction, not only the party purchasing title insurance. [Read from work session document ([Exhibit Q](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYMAN GRADY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 437.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HORNE AND
KIRKPATRICK WERE ABSENT FOR THE VOTE.)

Let us go to Assembly Bill 324.

Assembly Bill 324: Revises provisions relating to dental assistants.
(BDR 54-938)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 324 was sponsored by Assemblywoman Carlton and was heard in Committee on April 3, 2013. Assembly Bill 324 provides for the regulation of dental assistants and registered dental assistants by the Board of Dental Examiners of Nevada. [Read from work session document ([Exhibit R](#)).]

Chairman Bobzien:

Mrs. Carlton, would you like to update the Committee on this one?

Assemblywoman Carlton:

I would like to thank the Committee for listening to this bill. It was a long evening. Unfortunately, during the hearing, I had to leave to attend another meeting, so I was not able to give it my full attention. The changes you see in here were the discussion points we had with the Board in making sure that the correct public safety components were built into the bill. The course in cardiopulmonary resuscitation (CPR) was an issue, so that has been addressed. There is a fee schedule now in the bill. My apologies to the Committee, but in our haste to get this amendment to the Committee by the deadline for the Nevada Electronic Legislative Information System (NELIS), we put in some numbers and found out afterward that those numbers were not correct. As far as the fees are concerned, it would be a fee of up to \$100 for dental assistant and a fee of up to \$200 for the certified dental assistant. Those numbers would apply upon the renewal also, so that is actually a little lower than we thought it might be considering that is a two-year licensure. I would ask the Committee to consider those fee changes in the motion for this bill today.

You have my commitment that if we get other information, I will bring a personal amendment either to the floor or to the Senate as this bill progresses and make sure all of the issues are addressed.

The Dental Board does have a bit of a reserve, so I do not believe there will be a cash flow problem, but we do want to make sure it is revenue neutral for them and everyone who is licensed pays the appropriate fees. We are having a hard time putting our finger on it at the moment.

Also, as those of us know who have sat on the Legislative Commission's Subcommittee to Review Regulations, keep in mind that everything that goes into the regulatory process on these two professions will come back before the Legislature again. This is not the last bite of the apple by any means.

Chairman Bobzien:

It is good to hear about all your hard work on this one. I will entertain an amend and do pass motion with those noted fee changes.

ASSEMBLYWOMAN DIAZ MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 324.

ASSEMBLYMAN DALY SECONDED THE MOTION.

Is there discussion on the motion?

Assemblyman Livermore:

I am not going to support this bill because I see it as undue regulation. We are already regulated to the hilt. This is another example of regulating an individual private business, which is a dentist trying to staff his office and trying to give affordable care to his patients. I do not see the need for this, so I am going to vote against it. I appreciate the sponsor's willingness to continue working on it. If that is the case, I want to reserve my right to change my vote on the floor.

Assemblyman Ellison:

I did talk with several of the different dentists who had a problem with this. In some of the areas, they are having difficulties making it. This is another undue burden on the dentists. They have a hard time with this bill. I am going to vote no, but I want to reserve my right to change my vote on the floor. I would like to get with the sponsor of the bill and discuss some of the concerns I heard today, and I apologize for not getting to her earlier.

Assemblywoman Carlton:

Thank you, gentlemen, for sharing your concerns. To make it abundantly clear, this does not impact dentists or change anything having to do with them. This protects the public when it comes to knowing who the dental assistants and the certified, registered dental assistants will be. I will not go into the dental history I have with the Nevada Dental Association; needless to say, it has been rocky, but this does not impact dentists in any way.

Assemblyman Ohrenschall:

I have a couple of concerns and discussed them with Assemblywoman Carlton. I admire her and her work on this bill. I will be voting yes, but I want to reserve my right to change my vote on the floor.

Chairman Bobzien:

Fair enough. Thank you for getting that on the record. Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN ELLISON AND
LIVERMORE VOTED NO. ASSEMBLYMEN HORNE AND
KIRKPATRICK WERE ABSENT FOR THE VOTE.)

We will move to Assembly Bill 120.

Assembly Bill 120: Revises provisions governing information provided to insurance policyholders. (BDR 57-802)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 120 was sponsored by Assemblyman Aizley and was heard in Committee on March 18, 2013. Assembly Bill 120 requires an insurer who uses an insurance score to determine premium to provide notice that the score was used, the minimum and maximum possible insurance scores, and the insurance score of the policyholder. [Read from work session document ([Exhibit S](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYMAN DALY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 120.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HORNE AND
KIRKPATRICK WERE ABSENT.)

Thank you, Committee. We are closing the work session now.

The meeting is adjourned [at 4:09 p.m.].

RESPECTFULLY SUBMITTED:

Julie Kellen
Committee Secretary

APPROVED BY:

Assemblyman David P. Bobzien, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Commerce and Labor

Date: April 10, 2013

Time of Meeting: 3:09 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 185	C	Kelly Richard	Work Session Document
A.B. 199	D	Kelly Richard	Work Session Document
A.B. 213	E	Kelly Richard	Work Session Document
A.B. 306	F	Kelly Richard	Work Session Document
A.B. 322	G	Kelly Richard	Work Session Document
A.B. 331	H	Kelly Richard	Work Session Document
A.B. 239	I	Kelly Richard	Work Session Document
A.B. 428	J	Kelly Richard	Work Session Document
A.B. 284	K	Kelly Richard	Work Session Document
A.B. 86	L	Kelly Richard	Work Session Document
A.B. 341	M	Kelly Richard	Work Session Document
A.B. 432	N	Kelly Richard	Work Session Document
A.B. 434	O	Kelly Richard	Work Session Document
A.B. 436	P	Kelly Richard	Work Session Document
A.B. 437	Q	Kelly Richard	Work Session Document
A.B. 324	R	Kelly Richard	Work Session Document
A.B. 120	S	Kelly Richard	Work Session Document