

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3246/2dn
MDK:wlj:jf

October 9, 2001

Senator Huelsman:

Please review this version carefully to make sure that it achieves your intent. In particular, please note the following:

1. This version is based on instructions received from Alan Weld, Betsy Krizenesky, and Vlad Thomas.
2. The definition of "manual action" includes "applying a passive range of motion to the human body." I understand that this language refers to assisting a person in stretching or similar activities.
3. Under current law, DORL is allowed, but not required, to require an applicant to pass an examination on state laws and rules governing massage therapy or bodywork. This version takes the same approach and *allows* the examining board to promulgate rules that require the same thing. Therefore, someone who receives a temporary license under the grandfather provisions will have to pass the examination on state laws and rules only if the examining board promulgates rules that impose such a requirement. I'm pointing this out because your description in the document titled "Common Questions" says something a bit different, i.e., that such an examination *will*, rather than *may*, be required. Therefore, I'm wondering whether I need to correct this version of the bill or not.
4. The effective date is the first day of the seventh month, not sixth month, beginning after publication. The reason is that if the bill is published near the end of the month, the first day of the seventh month will result in a six-month delayed effective date.

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