

MINUTES - COMMERCE COMMITTEE - 56TH ASSEMBLY - March 18, 1971

Members present: McKissick, Capurro, Ashworth, Branch, Lingenfelter, Dini, Hilbrecht, Hafen, Poggione

Others present: NIC group - Henry Berrum, T.L. Hutchings, Robert Haley, John Morman, Wm. Crowell, legal counsel
Howard Gray, Nev. Mining Ass'n.
Louis Paley, AFL-CIO
Claud Evans, Steel Workers Union
James Guinan, State Bar Assoc. ; Les Groth, Fire Ass'n.

Chairman McKissick convened the meeting at 11 a.m. He reported that last Sunday the sub-committee for AB-362 worked on the amendments for drawing a new land law bill. The bill drafter is drawing up a new bill which will be gone over by the Commerce Committee members before it is introduced.

AB-759 - Provides for issuance of certificates of public convenience and necessity for certain tow cars. This bill was amended to exempt certain automobile groups. MOTION BY LINGENFELTER FOR AN AMEND AND DO PASS ON AB-759, SECONDED BY HILBRECHT AND CARRIED.

AB-555 - Reduces interest rate for retail charge agreements. MOTION BY HILBRECHT, SECONDED BY BRANCH TO RECONSIDER AB-555, CARRIED WITH ASHWORTH DISSENTING.

MOTION BY HILBRECHT, SECONDED BY CAPURRO TO SET A HEARING ON AB-555 FOR MARCH 29, CARRIED WITH MCKISSICK DISSENTING.

SB-126 - Limits jurisdiction of medical board in industrial insurance. Mr. Guinan appeared and asked support of this bill as he stated this would define medical board as answering medical questions and not legal ones. Mr. Hilbrecht brought out that traumatic types of hernia possibly would not be covered but agreed that medical questions should be referred to doctors and legal to the Commission, but he asked if that wasn't what they were doing now. NIC representatives didn't think it adds to or does anything. Mr. Gray said he had no opposition to this bill.

Branch asked if the Commission paid as noted to the board in SB-126 - Mr. Hutchings replied they are paid \$25 for examination, \$25 for report, and \$25 for a hearing and it can't exceed \$75 in a case.

AB-690 - Makes technical amendments to the Nevada Industrial Insurance Act. Hilbrecht went over this bill which will clarify persons injured who are not now covered when it is a willful act. He stated this would clarify the act and give coverage under a perpetrated act. Mr. Gray spoke in opposition for he stated it would be throwing open the question of whether negligence can be basis for action by NIC. McKissick brought out the third party action can subrogate against what NIC is paying and referred to a case of Witt vs. Jackson. Bill Crowell stated that this case is the law referral in California but not in Nevada. Mr. Gray and Mr. Guinn wanted to go on record as in opposition to AB-690.

AB-585 - Permits those whose cases are pending to receive increases in benefits under Nevada industrial insurance. Much discussion was held on whether this makes settlements retroactive. Mr. Capurro stated it puts an insurance liberalization clause into NIC as other insurance has. Gray stated that pensions of disabled persons is fixed and assigned in a trust fund for a year. Hilbrecht stated that Social Security and private insurance carriers adjust their premiums and could not understand why NIC couldn't. McKissick brought up AB-584 which removed maximum limit for compensation under NIC for total permanent injury. It was explained that the insurance for permanent disability was not retroactive but should be increased when benefits are increased. NIC representatives are opposed to AB-585. Discussion was held on the amount of money NIC would need if this legislature passed. If SB-479 passes, it would take approximately \$1,739,000 but if AB-585 passed, it would be an approximate amount of \$4,532,000 or a 40% increase. Mr. Paley stated he would like to see disabilities pay people more money but this would only take care of permanently disabled. Mr. Paley stated that the figure of \$500 upon which compensation would be based on in SB-479 was agreed upon by Labor and Management.

AB-674 - Repeals statute declaring firefighters' heart diseases as occupational diseases and compensable as such.

SB-50 - Provides that heart diseases of certain peace officers are occupational diseases. Les Groth, Fire Association, appeared and stated that if SB-50 were passed, he would like to see AB-674 killed. NIC representatives stated they had no position on this type of legislation.

MOTION BY HILBRECHT FOR AN INDEFINITELY POSTPONE ON AB-674, SECONDED BY DINI AND CARRIED WITH ASHWORTH, LINGENFELTER AND HAFEN DISSENTING. Some discussion was held on a possible hearing on AB-674.

Meeting adjourned 12:15 P.M.