

MINUTES - COMMERCE COMMITTEE - 56TH ASSEMBLY - March 23, 1971

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

Member absent: Lingenfelter

Others present: Keith J. Henrikson, Nevada Joint Legislative Committee
Peace Officers - Fire Fighters
Capt. Fred Richards, Fire Prevention Bureau
Fire Chief Les Groth, Carson City Fire Dept.
State Fire Marshal Richard H. Bast
Proctor Hug, Attorney
Howard Gray, Nevada Mining Assoc.
Mr. Levitt, Clark County Commissioner
Wm. J. Crowell, Attorney
T.L. Hutchings, Chairman - NIC
Lew Paley, Nevada Assoc.
Mr. Oakes, NIC
Robert F. Guinn
Dr. Tom White, Dept. of Commerce

Chairman McKissick convened the meeting at 11:30 a.m.

A.B. 682 - Provides for reports and payment of license fees to Nevada Athletic Association. There were no proponents or opponents to appear on this bill so it was deferred.

AB-635 - Enacts unfair trade practices and consumer protection law. Dr. Tom White appeared and stated that AB-148 covers this so this would not be needed if AB-148 passes.

AB-639 - Provides fire prevention standards in motion picture theaters having seating capacity of 10 or more persons. Mr. Henrikson appeared and stated that the presently drafted bill was a bad bill. They requested this bill so they could inspect bookstores who are showing movies to various numbers of people in back rooms of their establishments. He said the bill as presently written would need some amendments so they could establish these places as Class C assembly.

Chairman McKissick said that Assemblyman Hawkins requested that this bill be amended in Sec. I, Para. 2 so that the aisles be 10 feet wide. Mr. Henrikson stated that it would be better if there were 2-6 feet aisles. They inspect as per rules covered under the National Fire, Life and Safety Code at present. This code does not allow them to inspect places where the seating capacity is less than 100. Hilbrecht suggested the seating capacity be raised to 25 and also stated that bookstores would only have one exit. Henrikson stated that if Class C Assembly could be obtained, they would have to have two exits as well as the projector booth enclosed. Ashworth asked if this problem couldn't be handled by local or county rules. Dick Bast agreed it could and stated that if 10 foot aisles were required, then they'd have to close down every movie theater in the state.

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AB-783 - Declares certain acts to be unfair practices in soliciting land sales. Clark County Commissioner Levitt appeared and stated this would provide enabling legislation for the Clark County ordinance to be enforced. He stated they hoped that section 6 of this bill would be included in the land sales bill. They are in favor of AB-783 with amendments. Hafen brought out that this bill might be interpreted to cover the land companies. Levitt also stated he thought (e) is redundant to (d).

AB-782 - Land Laws - Dr. White submitted amendments for this bill which the committee will study before discussing the bill.

Proctor Hug stated that the bill as worded would make no sale of land finalized unless the purchaser goes back to the broker.

NIC:

AB-733 - Creates position of Nevada Industrial Commission Ombudsman. Mr. Howard Gray, Nevada Mining Assoc., opposed this bill. He stated that members of the house and senate can be reached if there is a need for assistance. Hilbrecht asked what about the time the legislature is not in session, and at this time, nothing could be done if legislators are reached. Mr. Gray stated it would be just another governmental job.

AB-749 - Creates position of Nevada Industrial Insurance Hearing Officer and provides for appeals. Gray appeared in opposition to this bill. He stated that each of the NIC commissioners is a hearing officer. McKissick stated that the commissioners could be set up as hearing officers. Gray stated this could be done by the Administrative Act. Wm. J. Crowell stated they are now under this Administrative Procedures Act and there is now nothing from preventing a claimant getting his case heard in court.

SB-126 - Limits jurisdiction of medical board in industrial insurance proceedings. Gray appeared in opposition to this bill, after the first amendment. He stated it was not legal.

MOTION BY BRANCH FOR A DO PASS ON SB-126, SECONDED BY HILBRECHT AND CARRIED.

AB-584 - Removes maximum limit for compensation under Nevada industrial insurance for permanent total disability.

SB-479 - Increases certain disability benefits payable under industrial insurance law; provides supplemental compensation for certain persons suffering with silicosis and their dependents. Mr. Hutchings appeared on these two bills. He stated that under the terms of compensation proposed in SB-479, temporary total disability would be up 30%; permanent partial disability up 40%; total disability up 30%. Total cost would be \$1,739,000 and he stated that labor and management committee agree on this figure. AB-584 changes the \$320 basis to a ceiling of \$800 for total disability. Hilbrecht asked what portion of the total cost would be the change in the basis for total disability. It was figured at \$331,000.00. If SB-479 is passed, it would cost \$1,739,000 and the increase if AB-584 is passed, would make it approximately \$2,201,000.

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Hafen asked how this would increase the rates. Hutchings replied that based on SB-479, it would go up from 14 to 16% in premium which is paid by the employer. He also stated that the silicosis coverage would go from \$270 compensation to \$337 which would cost \$67,000. McKissick asked if it would be feasible to have the employee pay one-half of the premium and this is against the NIC code. Poggione stated that this increase in premium would make it harder on the employer. Gray brought out that if you upgrade compensation for one group, you are opening the way for other groups to want the same.

Oakes stated that they've worked hard on the bills and want to be sure that members on the floor are informed as to the costs involved. He hoped action would be taken.

Paley stated they spent a good deal of time working out the money package and he thought it was a good package. He stated the 30-40% raise good as in past years, they only got 10%. He stated that holding up the bill could result in getting nothing.

Robert Guinn stated that he thought bringing the base up to \$800 for total disability was upgrading only one group.

MOTION BY HAFEN FOR A DO PASS ON SB-479, AN INDEFINITELY POSTPONE ON AB-584, SECONDED BY CAPURRO AND CARRIED.

Meeting adjourned 12:30 P.M.

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