

JOINT
POLICY MEETING
OF THE
ASSEMBLY AND SENATE
STANDING COMMITTEES
ON
COMMERCE

AB 416

Date: March 26, 1971

Assemblymen and Senators
Present:

- Mr. McKissick
- Mr. Lingenfelter
- Mr. Hilbrecht
- Mr. Capurro
- Mr. Poggione
- Mr. Ashworth
- Mr. Dini
- Mr. Close
- Mr. Drakulich
- Mr. Hecht

Assemblymen and Senators
Absent:

- Mr. Lamb
- Mr. Swobe
- Mr. Branch
- Mr. Hafen

Chairman McKissick called the meeting to order at 3:00 P.M.

Chapter 1

Item 1. §10, Page 3, Lines 8-12.

The committees moved to accept this amendment

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 2. §17, Line 33, add "unless otherwise provided".

The committees moved to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

§17, Lines 44-46, add "Section 92".

The committees moved to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Other changes that were discussed are not listed on the attached Exhibit and are not preceded by Item #'s.

Chapter 2

§23, Page 5, Line 46, add the qualifications of the insurance commissioner, SB 230, to this section.

The committees voted to add SB 230 to this section.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 3. §30(3), Lines 31-34.

The committees moved to delete these lines.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 4. §34.3, Page 9, Lines 14-33.

The committees moved to accept the amendment proposed by Mr. Rottman.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

§34.7, Page 9, Line 49, delete "licensees or classes thereof" and insert "insurers".

The committees moved to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 3

Item 5.

§70, Page 26, Line 35, either insert "Nevada" in place of "U.S.A", delete the section entirely, or leave it as is.

The committees moved to leave the section as it now stands.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 6, §79, Page 31, Line 31, whether to leave the section as is or insert the suggested amendment.

The committees moved to leave the section as it now stands.

Vote: Assembly Yeas, except for Dini & McKissick
 Senate Close, Drakulich, Hecht opposed

Item 7. §83.1, Page 33, adding a new section.

The committees moved to leave the section as it now stands.

Vote: Assembly Yeas, none opposed
 Senate " " "

Item 8. §84.5, Page 33, Line 45, amend to read, "Every insurer except life insurers shall if requested by the commissioner submit..."

The committees moved to accept this amendment.

Vote: Assembly Yeas, none opposed
 Senate " " "

Item 9. §85 and 86, whether to delete the sections or leave them as is.

The committees moved to retain the sections as is.

Vote: Assembly Yeas, none opposed
 Senate " " "

Item 10. §86, page 35, Line 5, add a new subsection 6.

The committees moved to retain the present section as voted upon in Item 9.

Chapter 4

Item 11. §90, Page 37, Line 43, whether or not to change the non-resident agent's license fee from \$15 to \$50.

The committees made a motion to disregard the proposed amendment.

Vote: Assembly Yeas, none opposed
 Senate " " "

Item 12. §90, Page 37, Lines 43-45, whether to change the fees on these three lines to \$25 each.

The committees made a motion to adopt this amendment.

Vote: Assembly Yeas, none opposed
 Senate " " "

Item 13. §92.5, Page 40, Lines 35-37, after the word "insurance" add "shall consist of the total amount received by the company." Delete the remainder of the sentence.

The committees made a motion to adopt this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 5

Item 14. §110, Page 50, Line 30, eliminate the words "or personal property".

The committees made a motion to leave this section as written.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 15. §111, Page 50, Line 37, adds the definition of multiple line insurance.

The committees made a motion to leave this section as written.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, None opposed |
| | Senate | " " " |

There were no proposed amendments to Chapters 6, 7 or 8.

Chapter 9

Item 16. §197, Page 83, Lines 32-40, amending the definition of "service representative".

The committees made a motion to leave this section as written.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 17, §218, Page 84, Line 48, and Page 95, Line 2. Adding the following words after "shall" "upon written request of the commissioner" and after "shall" on Page 95, insert "for his exclusive use and shall".

The committees made a motion to amend these two pages as above.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 18. §218, Page 95, Line 2, changine the word "absolutely" to "qualifiedly".

The committees made a motion to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

There were no proposed amendments to Chapter 10.

Chapter 11

Item 18. §255, Page 110, Line 18, insert at the end of the line, "except as a bail bondsman".

The committees made a motion to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 11.5

There were no proposed amendments to this chapter.

Chapter 12

Item 20. §278, Page 121, Line 10, after the word "so" insert a period (.) and delete the balance of the sentence.

The committees made a motion to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 13

Item 21, §300, Page 129, deleting lines 30 through 40.

The committees made a motion to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 14

Item 22. §332, reinstate from '69 session SB 39.

The committees made a motion to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 23. §334, Page 144, reinstate old Section 334 from '69 Code.

The committees made a motion to amend the old Section 334 with more suitable language.

| | | |
|-------|----------|------------------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | Yeas, Senator Close opposed. |

Item 24. §333, Page 144, Line 9, after "person" insert "or bail bondsman" and on Line 10 after "insurance" insert "or bail".

The committees made a motion to leave the section as is.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 15

Item 25. §343, Page 147, Line 9, change to read, "Life insurance and credit life insurance;" and on Line 11 change to read, "Group and blanket health insurance and credit health insurance."

The committees made a motion to adopt the amendments suggested by Commissioner Rottman.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 26. Same section and lines. The amendments suggested by Mr. Callaway were not accepted.

Chapter 15.5

Following discussion, the committees made a motion to adopt the new NAIC Model Act on Solvency.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 16

Item 28. §403.1, Page 173, Line 7.

The committees moved to accept the proposed amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 29. §403.4, Page 173, Lines 42 and 43.

The committees moved to accept the proposed amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 30. §403.6, Page 174, Line 15.

The committees moved to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 17

Item 31. §415, Page 177, Lines 38 and 39.

The committees moved to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 32. §415, Page 178, Line 7.

The committees moved to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 33. §443, Page 191, Line 12.

The committees moved to accept this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Chapter 18

208

There were no proposed amendments to this chapter.

Chapter 19

Item 34. §490.1, Page 207, delete entire section or word "not" on Line 24.

The committees moved to leave this section as is.

| | | |
|-------|-----------|--------------------|
| Vote: | Assembly: | Yeas, none opposed |
| | Senate | " " " |

Chapter 20.

Item 35. §514.1, Page 216, Line 43.

The committees moved to leave this section as is.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Item 36. §512, Page 216, Line 1.

The committees moved to amend this section.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

Mr. Rottman announced other amendments which had not previously been discussed.

Chapter 32

§737, Page 315, Line 20, after "representative" insert "of and selected from among".

The committees moved to amend this section as above.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

§743.5, Page 317, Line 50, after "hospitals or physicians" add "dentists". The sentence would read, "make with hospitals, physicians or dentists of this state;"

The committees moved to adopt this amendment.

| | | |
|-------|----------|--------------------|
| Vote: | Assembly | Yeas, none opposed |
| | Senate | " " " |

§744, Page 318, insert the following between Lines 31 and 32. 209
"provided, however, that this reserve fund shall not be re-
quired of a corporation acting only as a fiscal administrator
of programs funded by public agencies, authorized insurers
and other authorized health service plans."

The committees moved to leave this section as is.

Vote: Assembly Yeas, none opposed
 Senate Yeas, Swobe opposed.

Items 38 & 39. §885, Lines 48 and 49.

The committees moved to delete "or an affidavit or real property".

Vote: Assembly Yeas, none opposed
 Senate " " "

Item 40. §874.4, Page 358, Line 1.

The committees moved to delete the words "or other property".

Vote: Assembly Yeas, none opposed
 Senate " " "

§874.4, Page 357, Line 50, change to read, "...postal money orders
or cashiers"...."

The committees moved to adopt this amendment.

Vote: Assembly Yeas, none opposed
 Senate " " "

Item 37. Chapter 35, amending various sections to remove the
words "bail solicitors" in every instance it appears in the
Chapter.

The committees moved to leave the Chapter as it now stands.

Vote: Assembly Yeas, none opposed
 Senate " " "

Chapter 4

§93, Page 42, amend this section to say "aggregate amount" and
change the number of employees to "25" and operating in "three
states".

The committees moved to adopt this amendment.

| | | | |
|-------|--------------------|-----------------------------|-----|
| Vote: | Assembly Senate | Yeas, none opposed " " " | 210 |
|-------|--------------------|-----------------------------|-----|

Chapter 14

Page 144, §334, whether or not to reinstate the old section.

The committees moved to accept the recommendations of the Commissioner.

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| Vote: | Assembly Senate | Yeas, none opposed " " " |
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Chairman McKissick adjourned the meeting at 1:00 P.M., March 30.

Proposed Amendments to A.B. 416Chapter 1.

1. p. 3, lines 8-12, § 10 (delete section).
2. p. 4, line 33, § 17 (add at beginning "Unless otherwise provided").
lines 44-46 - add "section 92".

Chapter 2.

3. p. 7, lines 31-34, § 30(3) (delete subsection).
4. p. 9, lines 14-33, § 34.3 (delete section) and replace per draft.
line 49, § 34.7 delete "licensee" and insert "insurer".

Chapter 3.

5. p. 26, line 35, § 70, delete U.S.A. and insert Nevada.

Note: Consensus seemed to be against this.

Commissioner: Delete § 70.

6. P. 31, line 31, § 79 insert after "state" - "except for section 83.1 (84.1) (publication).
7. Add new § 83.1 to page 33.
8. p. 33, line 45 § 84.5 after "insurer" insert -- "except life insurers".
9. Delete §§ 85 and 86.
10. Hanna p. 35, line 5, § 86 add new subsection 6 per draft.

Chapter 4.

11. Commissioner p. 37, line 43, § 90 [\$15] and insert "\$50".
12. Carrica (Ins. Agent) p. 37, lines 43,44,45
§ 90 - [\$15] and insert \$25
[\$10] and insert \$25
[\$10] and insert \$25
13. Title insurance representative - p. 40, lines 35 to 37, § 92.5.
delete from [includes to end of line 37] and insert "shall consist of the total amount received by the company".
14. Wandesford (L.V. Title) p. 50, § 110, line 30, delete [or personal property] some suggestion to rewrite section.
15. Wilson (AIA) p. 50, § 111, line 37, add definition of multiple line insurance (see draft). Consensus seems to be

Ch. 6 - ok.
Ch. 7 - ok.
Ch. 8 - ok.

Original document is of poor quality

16. Hanna - p. 83, lines 32-40 see draft.
17. Wilson - p. 94, line 48, § 218 after "shall" insert "upon²¹² written request of commissioner".
p. 95, line 2, after "be" insert "for his exclusive use and shall be".
18. p. 95, line 2, § 218 delete "absolutely" and insert "qualifiedly".

Chapter 10 OK.

Chapter 11.

19. Erickson - § 255, p. 110, line 18, insert at end of line "except as a bail bondsman".

Chapter 11.5. OK.

Chapter 12.

20. § 278, p. 121, line 10, insert . after "so" and delete balance of sentence.

Chapter 13.

21. p. 129, § 300 see draft.

Chapter 14.

22. p. 143 (absence of § 332 which was contained in S.B. 39 (1969)) reinsert § 332 from S.B. 39.
23. Cutler - Deletion of § 334, p. 144. Put back in § 334 re: Mass Marketing.
24. p. 144, line 9, § 333 after "person" insert "or bail bondsmen".
line 10 after "insurance" insert "or bail".

Chapter 15.

25. p. 147, line 9, § 343 correction on commissioner's draft [other than] and insert "and".
line 11 [accident and sickness] and insert "health" also [other than] and insert "and".
line 12 [accident and sickness] and insert "health".
26. Calloway - p. 147, lines 11 and 12, § 343 delete lines 11 and 12 and insert health insurance.
p. 154 and 155, line 14, on page 154 to line 41 on page 155, delete §§ 358, 359 and 360. Commissioner and Dean recommend limiting § 358 to property insurance and leaving §§ 359 to 360 in.

Chapter 15.5.

- (a) Proposed to delete entire chapter without replacement.
- (b) Adopt NAIC Model Act on Solvency.

- 28. p. 173, line 7, § 403.1 [disability] and insert "health".
- 29. p. 173, lines 42 and 43, § 403.4, delete [or for 1 year if the agreed term is for 1 year or less,] redundancy.
- 30. p. 174, line 15, § 403.6 change "5" to 10.

Chapter 17.

- 31. p. 177, line 38, delete [specified] and insert "fixed rate", and delete "shall" and insert "may".
line 39 delete [specified] and insert "approved".
- 32. p. 178, line 7, delete [3] and insert 6.
- 33. p. 191, line 12, delete the first [of] and insert "if".

Chapter 18 - OK.

Chapter 19

- 34. Young - p. 207 § 490.1 - delete entire section or on line 24 delete [not].

Chapter 20.

- 35. Young - p. 216, line 43, § 514.1 [not].
- 36. Commissioner - p. 216, line 1, insert "dental" after "medical".

Chapters 21 to 34 and chapters 36 and 37 - okay.

Chapter 35.

- 37. Erickson - eliminate "bail solicitor". See draft - numerous sections to be amended.
- 38. p. 367, line 48, § 885 delete "or" after affidavit and insert "of".
- 39. p. 367, lines 48 and 49, delete "or real property."
- 40. p. 358, line 1, delete "other property".

ASSEMBLY

AGENDA FOR COMMITTEE ON COMMERCE

225

March 25, 26, & 27 (if necessary)

Date _____ Time 10 a.m. Room 131

Bills or Resolutions
to be considered

Subject

Counsel
requested*

JOINT HEARING WITH SENATE

A.B. 416

Insurance Code

*Please do not ask for counsel unless necessary.

HEARINGS PENDING

March 25, 26, 27
Date _____ Time 10 a.m. Room 131
Subject Insurance Code

Date _____ Time _____ Room _____
Subject _____