

Assembly

LABOR AND MANAGEMENT COMMITTEE MEETING

158

MARCH 8, 1973

MEMBERS PRESENT: Chairman Banner
Mrs. Brookman
Mr. Barengo
Mr. McNeel
Mr. Ullom
Mr. Capurro

MEMBERS ABSENT: Mr. Bickerstaff (excused)

Chairman Banner called the meeting to order on March 8, 1973 at 4:10 for the purpose of hearing testimony on AB 375, which requires employer's payroll bond.

Mr. McNeel moved the minutes of the previous meeting be approved and Mr. Ullom seconded the motion. There were no objections.

The only person available to express any opinions on AB 375 was Wallie Warren representing Nevada Bankers Association who stated that they had no particular objections to the bill but that a bank attorney had said that although this bill has some merit it might tend to discourage some industry from coming into the State.

Chairman Banner stated that he had been in contact with Bob Weld of the Southern Nevada Homebuilders and that they had no objections to the bill.

Mr. Capurro felt that the problem with this bill would be that it might eliminate the small businessman from going into business. He said that some the biggest businessmen now would not have been able to post this bond when they first got started. This type of bond usually requires cash collateral only. He also felt that the amount of the bond should be small enough to be legitimate and large enough to stop the fly-by-night from going into business.

Mr. Ullom stated that he felt the bill would be good in that there are more and more incidents of people going into business and then hiring workers and the workers may never get paid because the employer goes broke and disappears before paying anybody.

Mr. McNeel said that he felt that it would not cut into people who are responsible and that if a person could not meet two weeks payroll then perhaps they shouldn't even go into business.

Assembly

LABOR AND MANAGEMENT COMMITTEE MINUTES
March 8, 1973

Page 2

Chairman Banner stated that this bill would also help in cases where a person has a home office in another state and sets up an office in this state. If he should go broke here he just picks up and leaves and he has no tangible assets or bank account here in this state so there is no recourse for getting his employees paid.

Mr. Ullom moved that the committee give this bill a "Do Pass" recommendation and Mr. McNeel seconded the motion. There were no dissenting votes.

Chairman Banner then asked the committee what they would like to do with AB 349, which gives the labor commissioner full authority to conduct hearings under labor laws.

Mr. Barengo presented the following amendments for the committee to consider and said that he felt that these would help clean up the language of the bill.

Section 3, delete line 22 and insert:

"recorded and a copy shall be provided at cost to any"

Section 5, line 11, delete "any" and insert:

"the appropriate"

Section 5, page 2, delete line 15 and insert:

"3. The court may consider only the findings of fact, conclusion of law, decision and record of the"

Mr. Barengo then moved the committee "Do Pass as Amended" and Mr. Capurro seconded the motion. There were no objections.

Chairman Banner adjourned the meeting at 4:45.

Respectfully submitted,

Sandee Gagnier,
Assembly Attache

*Note: next page number is p. 179

ASSEMBLY
H E A R I N G

COMMITTEE ON LABOR AND MANAGEMENT

Date March 8, 1973 Time 4:00 Room 222

Bill or Resolution
to be considered

Subject

AB 375

Requires employer's payroll bond

LABOR AND MANAGEMENT COMMITTEE - 57TH SESSIONDATE: 3-8-73 BILL NO.: AB 375 SPONSOR: BannerSUBJECT: Requires employer's payroll bond.

Committee Action

DATE: 3-8-73 AMENDED: YES NO

AMENDMENT MADE BY: _____

SECONDED BY: _____

COMMITTEE VOTE

BANNER	<u>YES</u>	NO	BICKERSTAFF <i>referred</i>	<u>YES</u>	NO
BROOKMAN	<u>YES</u>	NO	CAPURRO	<u>YES</u>	NO
BARENGO	<u>YES</u>	NO	McNEEL	<u>YES</u>	NO
ULLOM	<u>YES</u>	NO			

Disposition

DATE: _____ DO PASS: XXXX DO PASS AS AMENDED: _____

INDEFINITELY POSTPONED: _____

LABOR AND MANAGEMENT COMMITTEE - 57TH SESSION

DATE: 3-1-73 BILL NO.: AB 349 SPONSOR: Banner

SUBJECT: Gives labor commissioner full authority to conduct hearings under labor laws.

Committee Action

DATE: 3-8-73 AMENDED: YES NO

AMENDMENT MADE BY: Mr. Barengo

SECONDED BY: Mr. Capurro

COMMITTEE VOTE

BANNER	<u>YES</u>	NO	BICKERSTAFF <i>excused</i>	<u>YES</u>	NO
BROOKMAN	<u>YES</u>	NO	CAPURRO	<u>YES</u>	NO
BARENGO	<u>YES</u>	NO	MCNEEL	<u>YES</u>	NO
ULLOM	<u>YES</u>	NO			

Disposition

DATE: _____ DO PASS: _____ DO PASS AS AMENDED: XXXXX

INDEFINITELY POSTPONED: _____

Amendment:

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