

SENATE COMMERCE AND LABOR COMMITTEE

MINUTES OF MEETING

TUESDAY, FEBRUARY 13, 1973

The meeting was called to order at 9:00 a.m.

Senator Drakulich in the Chair.

PRESENT: Senator Herr
Senator Blakemore
Senator Hecht

Other interested citizens which list is attached hereto as Exhibit A.

S.B. 166 - Abolishes workmen's compensation for University of Nevada Athletes.

Senator Drakulich stated that he had spoken with Dick Trachock of the University of Nevada, Reno and also to Chub Drakulich, coach at the University of Nevada, Las Vegas, and both were concerned about the deletion of this entire bill. If bill 166 is passed it will creat real problems for the athletic team. They both feel that the medical coverage portion of the bill should be left as it now stands.

John Reiser stated that he had also spoken with Mr. Trachock. There had been \$80,000 in losses with the two Universities and with the Junior Colleges coming into the picture, the expenses would be even higher, and even though he favored medical expense coverage by the NIC he could see many problems in the future.

Mr. Reiser felt if there were a deductible on the coverage the Universities would have some incentive to curtail costs, thus anyone with a sore toe, etc., would not be running to the doctor.

Upon motion of Senator Blakemore, seconded by Senator Hecht, this bill was tabled for two weeks, at such time Mr. Reiser was to bring further information regarding what type of coverage could be arranged for the athletes.

S.B. 184 - Allows Nevada industrial commission to invest in buildings anywhere in the state whether occupied by commission or not.

John Reiser informed the Senators that the NIC was considering a bill for rehabilitation services. Along this line

they were considering buying a building but under the present law could only invest in property in Carson City and Las Vegas. The building in which they were interested was in Reno, which was a much better facility and at a much better cost. The building is under lease at the present time.

Mr. Hecht inquired as to why the word "only" was taken out of line 17 and in lines 18 and 19, the words "or any person, firm, association, partnership or corporation" were added to the bill.

Mr. Reiser stated that under the lease-purchase agreement, there were private firms in the building whose leases were not up and could not be broken.

Senator Hecht reminded the committee that once a building became state property, it would be taken off the tax rolls.

Senator Herr felt that this would put the NIC in the real estate business and that state entities should not compete against private industry.

Mr. Reiser stated that they were only interested in renting the offices to private individuals until such time as their lease was up and then the offices would be taken over by other state agencies.

The question was asked as to whether or not the Attorney General could terminate a lease. It was the general consensus of opinion that he could not. This matter was to be researched.

Senator Drakulich felt that the wording was too broad and that a bill should be written with language to cover the exact situation as it stands.

Claude Evans of the NIC spoke and informed the committee that the only thing NIC was trying to do was to keep the present offices in the building until their lease had expired and then rent the offices to other state agencies. He stated that the NIC does this at the present time.

Senator Blakemore asked how much space was being discussed and the gentlemen from NIC did not know.

Upon motion of Senator Blakemore, seconded by Senator Hecht the matter was unanimously tabled.

S. B. 185 - Defines total disability under the Nevada Industrial Act and Nevada Occupational Diseases Act.

Mr. Reiser stated that the NIC was having rehabilitation problems. He gave as an example workers who have 10,20 or 30% impairment and can't go back to their usual occupations, could probably be retrained to go into lighter occupation. These people should be placed under permanent partial disability. This bill would allow the NIC people to define total disability.

John Coffin stated that in theory the bill was probably a good one, but in practice it would depend upon what else is passed, whether or not it is a good bill. He stated that he has several clients who have been out of work who may not even be able to get rehabilitation, either from age, or schooling or just plain mentality.

It was suggested that S. B. 7 would deal with rehabilitation and that perhaps all these bills should be considered together.

The NIC people feel that, especially someone with a back injury should be put on a rehabilitation program right away, so that the back injury would not be favored.

Mr. Coffin asked if there was a provision for continued compensation. He felt that under these laws if a man didn't like the findings of the NIC he would have no recourse. The answer was no and Mr. Coffin felt that this should be incorporated in the bill.

Pete Polinelli representing himself as an interested citizen spoke. He had had back surgery and was going to Reno Business College under the rehabilitation program. Mr. Polinelli's concern was for the injured workman who went through training and was rehabilitated, but makes less money under this program than when he was injured. It was his feeling that someone should pick up the "tab" for the difference. He further wanted to know who is to determine what is reasonable as far as training and experience. This, he said, was not spelled out in the bill. He further stated that people who reach the age 45 have a hard time finding a job even with experience and training. He further wanted to know if this would be sponsored by the Nevada Industrial Commission and would it be a duplication of what is already in practice. He stated that the present program is sponsored 90% by the United States Government.

Roland Oaks representing the Associated General Contractors felt that the rehabilitation program should be set up under NIC because it would be more practical and workable. It was his contention that a man who was merely injured could not be sat along side a child who was mentally retarded

or with some other physical defect and try to train him in the same atmosphere. The employers which he represents feel that it is their responsibility to get this man, who is injured back to work. They feel that an advisory committee should be designated and give that committee a little bit of authority to get in and put the program to work. They want to know that the money is spent for the benefit of the working man and not for administration. He said his group feels that the NIC should provide its own rehabilitation services.

Claude Evans stated that the biggest criticism of the present program is the placing of all rehabilitation recipients in the same category.

John W. Johnson, Sr., stated that he had a bad back and had gone through the rehabilitation program without any assistance from NIC, he found the program by himself and had no complaint about the program at all. He said he had never been in the same class with a retarded child. He said he was completely rehabilitated and had a lot of help from the rehabilitation people. He feels that if the NIC takes the program over it would be an unnecessary expense to the taxpayer.

Mr. Reiser stated that now the NIC has a counsel in each office and he attends each hearing. He stated they have a cooperative agreement now which allows them to cooperate with other agencies concerning rehabilitation.

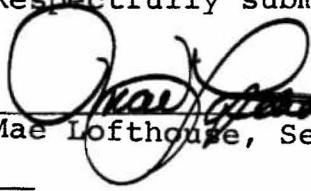
Mr. Polinelli stated that the NIC does not always continue with injured workmen. That they might get halfway through with rehabilitation and would be dropped from the payrolls of the NIC. Mr. Reiser stated that as the law reads now they are not allowed to render rehabilitation benefits. When a doctor releases a patient, the NIC can no longer render benefits.

Lou Paley representing AFL and CIO stated that there were some 27 bills being introduced and that a long time had spent working up these bills. He suggested that the committee wait until they are all introduced and then have a meeting to cover all bills together, rather than trying to settle them one by one.

It was agreed by the committee that a joint hearing would be set up with the Assembly committee on Commerce and Labor and all interested parties would be notified.

The meeting was adjourned at 10:35 a.m.

Respectfully submitted


Mae Lofthouse, Secretary

APPROVED: _____

Stanley Drakulich, Chairman