

SENATE COMMERCE AND LABOR COMMITTEE

MINUTES OF MEETING

TUESDAY, MARCH 27, 1973

The meeting was called to order at 3:00 p.m.

Senator Drakulich in the chair.

PRESENT: Senator Herr
Senator Blakemore
Senator Pozzi
Senator Hecht

S. B. 457 - Permits prescription drug discounts for elderly and allows drug store to operate without pharmacist if prescription section is closed.

Motion Senator Herr, that this bill be indefinitely postponed, seconded Senator Hecht, carried.

S. B. 125 - Makes certain changes in licensing and regulation of subdivisions under land sales law

Upon request of the introducer and upon motion by Senator Hecht, Seconded by Senator Blakemore, this bill was indefinitely postponed because it is essentially the same as S. B. 121.

✓ S. B. 264 - Provides for increase in employer's contribution rate to insure solvency of the unemployment compensation fund.

Bill Gibbens, of the Gibbens Company, which represents around 200 employers throughout the state in unemployment matters spoke in favor of the bill. He said the unemployment fund could become insolvent if present methods were to continue. The fund is now at \$28,000,000. He stated the fund need \$48,000,000 to gain experience rating. At the present time according to law if the fund were to reach eight and one-half million dollars, the rates could go up.

Daryl Capurro, representing the Nevada Franchised Auto Dealers and Nevada Motor Transport Association spoke in opposition to the bill. He said it would be too expensive to operate for the employers.

Rowland Oakes, representing the Associated General Contractors, spoke in opposition to the bill. He stated that the only people this bill would help is Bill Gibbens and the Gibbens Company.

Robbins Cahill, managing director of the Nevada Resort Association spoke in favor of the bill. He said it not only would help the employees, but a lot of employers in the business. He said that employers had to get back on the experience rating in order to bring it up to its proper level.

Robert Long, Unemployment Security Director from the Employment Security Department stated that it is highly unlikely that the fund will ever reach the amount of 8,500,000 million dollars. It hasn't since 1943. The fund is flexible and is increasing each year. He feels that the law could not become operable.

Jim Hanna, of Mr. Long's office, endorsed the remarks made by Mr. Long. He said in 1972 they paid out \$26,000,000 in benefits and the potential of the fund is \$30,000,000 and increasing each year.

S. B. 268 - Prohibits collection of unemployment benefits by employee discharged for misconduct.

Senator Pozzi spoke in favor of the bill. He feels that if an employee is discharged for misconduct, he should not be allowed to wait out the waiting period and then collect full benefits.

Robbins Cahill spoke in favor of the bill and stated that in his opinion when an employee is discharged for misconduct he should not receive benefits, period, until he reinstates himself.

Lou Paley, representing the Nevada AFL-CIO, opposed the bill on several grounds. He stated that labor and management had met on several occasions trying to plug some of the loop holes. Misconduct, as far as labor is concerned is a pretty broad concept. We find that many employers are terminating their employees for misconduct and the reason for this is they can take the money out of the trust fund. It is not charged back to their experience rating. Many of the people who are terminated for misconduct really don't deserve it.

Mr. Paley read from the Employment Security Department report of June 30, 1972, page 27, which excerpt is attached hereto as Exhibit B.

Sooner or later, somebody is going to have to pay for the people who are getting a free ride. Mr. Paley asked for the names of the business people who are getting the free ride by discharging employees for misconduct so that the money paid to those people in benefits could not be charged against their experience rating. The only thing to do is put all people back on the experience rating.

Bill Gibbens of the Gibbens company spoke in favor of the bill. What the bill proposes to do is eliminate benefits for those people who are responsible for their own unemployment.

Tom Jones, representing Local 233 Steel Worker's Union in McGill spoke in opposition to the bill.

Robert Long Spoke in favor of the concept of the bill, but feels that it will not do what it is intended to do as it is written.

Jack Hiatt, Chief of Benefits Division of Employment Security Department stated that the solvency of the fund is where it is because of the rate of unemployment which Nevada has experienced

over an 18 month period.

Rowland Oakes spoke in opposition to the bills.

Howard Gray, representing the mining industry, endorsed the remarks made by Mr. Paley and opposed the bill on that basis.

✓ S. B. 269 - Prohibits unemployment compensation if employee retires.

Robert Long, Jim Hanna and Jack Hiatt each spoke in favor of this bill, but felt it was much too all encompassing and should be made simpler.

Lou Paley, representing AFL-CIO spoke in opposition to the bill.

✓ S. B. 272 - Requires 1-week waiting period before collecting unemployment compensation benefits.

Senator Pozzi spoke in favor of the bill.

Robert Long and Jim Hanna each spoke in favor of the bill, and indicated that Nevada is the only state west of the Mississippi which does not have a waiting period.

Lou Paley, representing AFL-CIO spoke in opposition to the bill. He informed the committee that the bill was passed and sent to the Governor's office when Grant Sawyer was Governor. Governor Sawyer vetoed the bill.

Tom Jones from Ely spoke in opposition to the bill.

S. B. 276 - Requires employer of 300 or more persons to furnish child care facilities

Senator Neal spoke in favor of the bill.

Bob McAdam, representing Nevada Bell spoke in opposition to the bill. He indicated that there is only one place where the funds to pay for a child care facility could come from and that is from the customer of the service. He further indicated that it would take \$156,000 a year to take care of 100 children.

Rowland Oakes, representing Associated General Contractors indicated that it would be impossible for seasonal employers to provide this type of facility.

Robbins Cahill spoke in opposition to the bill. He indicated that this is a social problem.

Gino Del Carlo, representing Wallie Warren, spoke in opposition to the bill. He said he did not feel that the big businesses should go into competition with the nurseries.

John Gianotti, representing Harrah's endorsed the remarks made by Mr. Cahill.

Senator Neal stated that he was certain there was Federal funding which could assist in the establishment of this facility.

S. B. 480 - Classifies heart disease of certain prison employees as occupational disease.

Keith Hendrikson spoke in opposition to the bill.

Rowland Oakes and Lou Paley joined in opposing the bill.

It was decided to hold SB 480 until amendments could be obtained for SB 309 which is a similar bill.

Don Chesnut, a heavy equipment operator, asked to go on record as feeling that his occupation was just as subject to heart attack as those in the law enforcement work.

S. B. 496 - Enlarges definition of silicosis under Nevada Occupational Diseases Act.

Senator Blakemore, representing Senator Raggio, spoke in favor of the bill. He said in the present law, the definition of silicosis, must show nodules. He said it is possible to have silicosis and not show nodules.

Howard Gray, representing the mining industry, spoke in opposition to the bill, stating that if there are not nodules in the x-ray, silicosis is not present. There is no way to prove silicosis without a thorough examination.

Mr. Paley requested that the language in the statute as it now stands, remain the same.

S. B. 495 - Permits Nevada industrial commission to pay cost of first aid transportation and charge employer therefor.

Rowland Oakes stated that this was discussed by labor and management and was not agreed upon.

Claude Evans stated the problem comes in the law where it states that the employer should provide transportation to the first aid station, but at times they have had complaints wherein the employer has refused to do this.

S. B. 264 - Motion Senator Hecht, Do Kill, seconded by Senator Blakemore, carried.

✓ S. B. 268 and S. B. 269, Senator Pozzi is to come in with amendments.

✓ S. B. 272 - Motion Senator Herr, Do Kill, seconded Senator Hecht, carried. Senator Pozzi voting no.

S. B. 276 - Motion Senator Herr, Do Kill, seconded Senator Hecht, carried.

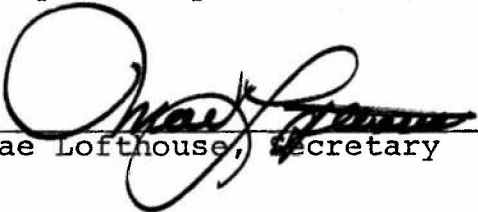
S. B. 480 - Motion Senator Herr, co Kill, seconded Senator Hecht, carried.

S. B. 495, Motion Senator Pozzi, Do Kill, seconded Senator Hecht, carried.

S. B. 496 - Motion Senator Pozzi, Do Kill, seconded Senator Hecht, carried.

The meeting was adjourned at 4:45 p.m.

Respectfully submitted,


Mae Lofthouse, Secretary

APPROVED:

Senator Drakulich, Chairman

Name

Who Representing

Bill Gibbons
 ROBINS HILL
 VIRAK ANDERSON
 Chinn Bolton
 Daryl E. Caputo
 STAN WARREN
 BOB McADAM
 Kewland Oakes
 W. Howard Gray
~~John Kagan~~
 Ken Cady
 Peggy Westall
 Robert Butts
 Jack D. Hiatt
 Archie Blake
 JOHN REISER
 Sue Milligan
~~John Kagan~~
 John Ernst
 Ann Ehrenburg
 John Kagan
 Tom Kagan
 Ron Clewett
 BOB KERNS
 Wm Keeton
 Harold Woodworth
 Jim Hamer
 Ken Lowe
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The Gibbons Co, Inc
 NEVADA RESORT ASSOC
 AAA
 Nev. Independent Insur. Assn
 Nevada Franchised Auto Dealers Assn
 Nevada Motor Transport Assn
 NEVADA BELL
 NEVADA BELL
 ASSOC GENL CONTR.
 Nev. Music Association
 SPP, SFB, SWA, NBA
 New State of S.L. Cal. v
 E.S.D.
 E.S.D.
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 NIC
 Nevada Association of Realtors
 Nevada State Prison
 Harrah's
 Record Journal
 U.P. 124
 U.P. 124
 President Local 124 USAFA Path.
 PEACE OFFICERS & FIRE FIGHTERS
 Clark County Sheriff Dept
 Peace Officers & Fire Fighters
 Employment Security Department
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