

Assembly

MINUTES

COMMERCE COMMITTEE - NEVADA STATE LEGISLATURE - 58TH SESSION

0174

March 7, 1975

The meeting was called to order by Chairman Robinson at 2:30 P.M.

MEMBERS PRESENT: Mr. Benkovich
Mr. Demers
Mr. Getto
Mr. Hickey
Mr. Harmon
Mr. Moody
Mr. Schofield
Mr. Wittenberg
Mr. Chairman

MEMBERS ABSENT: None

OTHERS PRESENT: Bob Tripp
Richard Tuttle

The purpose of this meeting was to hear testimony on AB 280 and to take committee action on AB 26, AB 91, AB 95, AB 96, AB 133, AB 222 and AB 276.

Mr. Bob Tripp spoke on behalf of AB 280 which:

Abolishes the shorthand reporters' fund and permits certified shorthand reporters board of Nevada to deposit funds with banks or savings and loan institutions.

He said the bill was a result of an audit by the Legislative Counsel Bureau. He said they were attempting to amend NRS to allow this Board to keep their money in banks and savings and loans institutions like other agencies. He said he was very much in favor of the passage of this bill.

Mr. Richard Tuttle who is a member of the shorthand reporters board also said they were in favor of this bill.

This concluded the hearing on this bill and Mr. Schofield moved a "do pass" on AB 280 which was seconded by Mr. Harmon and carried the committee unanimously.

The committee then went on to AB 26. Mr. Demers said he talked to Insurance Commissioner Rottman about this bill who recommended passing it as is. It would be covered in the insurance policy unless specifically excluded such as dental or visual coverage. Mr. Demers said the purpose of this bill was to bring insurance companies into conformance.

Mr. Hickey moved "do pass" of AB 26. This was seconded by Mr. Getto and unanimously carried the committee with the exception of Mr. Wittenberg who was not voting.

AB 91 was then taken up. Mr. Demers said Mr. Rottman recommended against passage of this bill because it would be discriminatory and moved for "Indefinite Postponement" of AB 91. This was seconded by Mr. Wittenberg and unanimously carried the committee.

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COMMERCE COMMITTEE
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AB 95 was then taken up and the following was presented as an amendment to Section 2, Page 1, Lines 23 and 24.

Delete Lines 23 and 24, insert: 4. Pay any fees required by the Board for an investigation of the applicant, for the services of a translator if such translator is required to enable the applicant to take the examination.

Mr. Wittenberg moved for the adoption of the amendment. This was seconded by Mr. Schofield and unanimously carried the committee.

✓ Mr. Wittenberg then moved "do pass as amended" of AB 95 which was seconded by Mr. Getto and unanimously carried the committee.

Mr. Hickey then spoke to AB 96 saying he had an amendment for the bill which he had not received yet so it was decided to defer action on this bill until the amendment was received.

Discussion then turned to AB 133. Dr. Robinson had amendments to this bill. In Section 11, Subsection 1, Page 4, Line 18, county clerk shall be deleted and county recorder inserted as licenses are filed with the recorder rather than the clerk. Also, in Section 11, Subsection 3, Page 4, Line 25, delete the words "secretary-treasurer of the" so the line will read:...fee of \$20 to the board on or... This same change will occur in Section 11, Subsection 5, Page 4, Line 34. In this way, all fees will be made payable to the board rather than to various persons as well as the board as it now exists.

Mr. Getto moved for the adoption of these amendments. Seconded by Mr. Hickey. Unanimously carried the committee.

✓ Mr. Getto then moved "do pass as amended" of AB 133. This was seconded by Mr. Demers and carried the committee unanimously with the exception of Mr. Wittenberg who was not voting.

With regard to AB 222, Mr. Schofield presented the following amendment to Section 2, Page 1, by deleting lines 19 through 21 and inserting:

(a) Two members shall be journeyman plumbers, and if the region contains any joint boards of plumbing examiners the governor shall consider appointing journeymen plumbers certified by such board.

(b) Two members shall be plumbing contractors actively engaged in business and licensed by the state contractors' board.

Mr. Schofield moved for the adoption of the above amendment to AB 222. This was seconded by Mr. Demers and carried the committee unanimously.

✓ Mr. Schofield moved a "do pass as amended" of AB 222. This was seconded by Mr. Harmon and carried the committee unanimously.

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COMMERCE COMMITTEE

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AB 276 was then discussed. Mr. Hickey said he asked the Legislative Counsel Bureau to investigate the family income in Nevada for 1975. The Employment Security Department disclosed that the mean income was \$15,500 per year. Mr. Wittenberg moved AB 276 be amended in Section 1, Subsection 2, Page 1, Line 9 to read \$10,000 rather than \$8,000. Mr. Getto seconded this motion and it was carried by the committee unanimously. Mr. Hickey will have the amendment drawn.

Mr. Getto moved "do pass as amended" on AB 276. This was seconded by Mr. Schofield and carried the committee unanimously.

Mr. Demers moved for the adoption of the minutes of March 3, 1975. This was seconded by Mr. Getto and carried the committee unanimously.

Chairman Robinson proceeded to assign Floor responsibility of the bills discussed today as follows:

Mr. Demers - AB 26 and AB 95

Mr. Schofield - AB 222

Mr. Hickey - AB 276

Dr. Robinson - AB 133

Mr. Harmon - AB 280

Mr. Schofield moved for adjournment. Mr. Harmon seconded this motion, it carried unanimously and the meeting was adjourned by Chairman Robinson at 2:55 P.M.

Respectfully submitted

Joan Anderson, Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON COMMERCE

0173

Upon P.M.
Date MARCH 7, 1975 Time Adjournment Room 316

Bills or Resolutions
to be considered

Subject

Counsel
requested*

AB 280

DO PASS

Abolishes the Shorthand Reporters' Fund and permits Certified Shorthand Reporters Board of Nevada to deposit funds with banks or savings and loan institutions.

*Please do not ask for counsel unless necessary.

58TH NEVADA LEGISLATURE

COMMERCE COMMITTEE
LEGISLATION ACTION

017

DATE March 7, 1975

0177

SUBJECT AB 280 - Abolishes the shorthand reporters' fund and permits certified shorthand reporters board of Nevada to deposit funds with banks or savings and loan institutions.

MOTION:

Do Pass x Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Schofield Seconded By Mr. Harmon

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Robinson	<u>x</u>	_____	_____	_____	_____	_____
Harmon	<u>x</u>	_____	_____	_____	_____	_____
Demers	<u>x</u>	_____	_____	_____	_____	_____
Hickey	<u>x</u>	_____	_____	_____	_____	_____
Moody	<u>x</u>	_____	_____	_____	_____	_____
Schofield	<u>x</u>	_____	_____	_____	_____	_____
Wittenberg	<u>x</u>	_____	_____	_____	_____	_____
Benkovich	<u>x</u>	_____	_____	_____	_____	_____
Getto	<u>x</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed x Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes March 7, 1975

58TH NEVADA LEGISLATURE

COMMERCE COMMITTEE
LEGISLATION ACTION

0178

0178

DATE March 7, 1975

SUBJECT AB 26 - Requires health insurance policies to include coverage
for services by practitioners of traditional Chinese medicine.

MOTION:

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Hickey Seconded By Mr. Getto

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Robinson	X	_____	_____	_____	_____	_____
Harmon	X	_____	_____	_____	_____	_____
Demers	X	_____	_____	_____	_____	_____
Hickey	X	_____	_____	_____	_____	_____
Moody	X	_____	_____	_____	_____	_____
Schofield	X	_____	_____	_____	_____	_____
Wittenberg	not voting		_____	_____	_____	_____
Benkovich	X	_____	_____	_____	_____	_____
Getto	X	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes March 7, 1975

58TH NEVADA LEGISLATURE

COMMERCE COMMITTEE
LEGISLATION ACTION

0179

DATE March 7, 1975

SUBJECT AB 91 - Requires practitioners of traditional Chinese medicine
to obtain malpractice insurance under certain circumstances.

MOTION:

Do Pass _____ Amend _____ Indefinitely Postpone X Reconsider _____

Moved By Mr. Demers Seconded By Mr. Wittenberg

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Robinson	X	_____	_____	_____	_____	_____
Harmon	X	_____	_____	_____	_____	_____
Demers	X	_____	_____	_____	_____	_____
Hickey	X	_____	_____	_____	_____	_____
Moody	X	_____	_____	_____	_____	_____
Schofield	X	_____	_____	_____	_____	_____
Wittenberg	X	_____	_____	_____	_____	_____
Benkovich	X	_____	_____	_____	_____	_____
Getto	X	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes March 7, 1975

COMMERCE COMMITTEE
LEGISLATION ACTION

DATE March 7, 1975

SUBJECT AB 95 - Clarifies jurisdiction of state board of Chinese medicine.

MOTION: 1. Adopt the amendment X 2. Do Pass as Amended X

Do Pass _____ Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By 1. Wittenberg 2. Wittenberg Seconded By 1. Schofield 2. Getto

AMENDMENT: Delete Lines 23 and 24, insert: 4. Pay any fees required by the Board for an investigation of the applicant, for the services of a translator if such translator is required to enable the applicant to take the examination.

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved BY _____ Seconded By _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Robinson	<u>X</u>	_____	_____	_____	_____	_____
Harmon	<u>X</u>	_____	_____	_____	_____	_____
Demers	<u>X</u>	_____	_____	_____	_____	_____
Hickey	<u>X</u>	_____	_____	_____	_____	_____
Moody	<u>X</u>	_____	_____	_____	_____	_____
Schofield	<u>X</u>	_____	_____	_____	_____	_____
Wittenberg	<u>X</u>	_____	_____	_____	_____	_____
Benkovich	<u>X</u>	_____	_____	_____	_____	_____
Getto	<u>X</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes March 7, 1975

COMMERCE COMMITTEE
LEGISLATION ACTION

0181

DATE March 7, 1975

SUBJECT AB 133 - Changes denomination of traditional Chinese medicine
to traditional Oriental medicine.

MOTION: 1. Adopt the amendments X 2. Do Pass as Amended X

Do Pass _____ Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By 1. Getto 2. Getto Seconded By 1. Hickey 2. Demers

AMENDMENT: In Section 11, Subsection 1, Page 4, Line 18, county clerk shall be deleted and county recorder inserted. In Section 11, Subsection 3, Page 4, Line 25, delete the words "secretary-treasurer of the". This same change in Section 11, Subsection 5, Page 4, Line 34.

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Robinson	<u>X</u>	_____	_____	_____	_____	_____
Harmon	<u>X</u>	_____	_____	_____	_____	_____
Demers	<u>X</u>	_____	_____	_____	_____	_____
Hickey	<u>X</u>	_____	_____	_____	_____	_____
Moody	<u>X</u>	_____	_____	_____	_____	_____
Schofield	<u>X</u>	_____	_____	_____	_____	_____
Wittenberg	<u>not voting</u>	_____	_____	_____	_____	_____
Benkovich	<u>X</u>	_____	_____	_____	_____	_____
Getto	<u>X</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes March 7, 1975

58TH NEVADA LEGISLATURE

COMMERCE COMMITTEE
LEGISLATION ACTION

0182

DATE March 7, 1975

SUBJECT AB 222 - Changes personnel and authority of regional plumbing boards.

MOTION: 1. Adoption of amendment X 2. Do Pass as Amended X

Do Pass _____ Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By 1. Schofield 2. Schofield Seconded By 1. Demers 2. Harmon

AMENDMENT: In Section 2, Page 1, delete lines 19 through 21 and insert:
(a) Two members shall be journeyman plumbers, and if the region contains any joint boards of plumbing examiners the governor shall consider appointing journeymen plumbers certified by such board.
(b) Two members shall be plumbing contractors actively engaged in business and licensed by the state contractors' board.

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Robinson	<u>X</u>	_____	_____	_____	_____	_____
Harmon	<u>X</u>	_____	_____	_____	_____	_____
Demers	<u>X</u>	_____	_____	_____	_____	_____
Hickey	<u>X</u>	_____	_____	_____	_____	_____
Moody	<u>X</u>	_____	_____	_____	_____	_____
Schofield	<u>X</u>	_____	_____	_____	_____	_____
Wittenberg	<u>X</u>	_____	_____	_____	_____	_____
Benkovich	<u>X</u>	_____	_____	_____	_____	_____
Getto	<u>X</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes March 7, 1975

58TH NEVADA LEGISLATURE

COMMERCE COMMITTEE
LEGISLATION ACTION

0183

DATE March 7, 1975

SUBJECT AB 276 - Provides for early termination of dwelling lease
executed by married senior citizens upon death of either.

MOTION: 1. Adoption of amendment X 2. Do Pass as Amended X

Do Pass _____ Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By 1. Wittenberg 2. Getto Seconded By 1. Getto 2. Schofield

AMENDMENT: In Section 1, Subsection 2, Page 1, Line 9, delete \$8,000 and
insert \$10,000

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Robinson	<u>X</u>	_____	_____	_____	_____	_____
Harmon	<u>X</u>	_____	_____	_____	_____	_____
Demers	<u>X</u>	_____	_____	_____	_____	_____
Hickey	<u>X</u>	_____	_____	_____	_____	_____
Moody	<u>X</u>	_____	_____	_____	_____	_____
Schofield	<u>X</u>	_____	_____	_____	_____	_____
Wittenberg	<u>X</u>	_____	_____	_____	_____	_____
Benkovich	<u>X</u>	_____	_____	_____	_____	_____
Getto	<u>X</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes March 7, 1975

MIKE O'CALLAGHAN
Governor



0184
DICK L. ROTTMAN, Ph.D., CPCU, CLU
Commissioner of Insurance

STATE OF NEVADA
INSURANCE DIVISION
CARSON CITY, NEVADA 89701

March 4, 1975

M E M O

TO: THE HONORABLE DANIEL J. DEMERS, ASSEMBLYMAN
FROM: Dick L. Rottman, Commissioner of Insurance

In accordance with your request this morning concerning AB26, I have reviewed it and will make the following comments.

The bill as it is written provides that any policy of health insurance covering medical or surgical services pay for the treatment of Chinese medicine. In other words, there will be mandatory coverage for acupuncturists' treatment under the usual medical expenses policies.

In my judgment, this is not necessarily bad. It probably would not increase the cost of health insurance appreciably because if an insured does not go to an acupuncturist, he would probably go to a chiropractor, osteopath, physician or the like. These latter areas, of course, would all be reimbursable under the usual health insurance policy.

You would have to change another section of the Nevada Revised Statutes if it were your intention to provide for mandatory availability through all health insurance contracts if the purchaser chose to purchase coverage for Chinese medicine.

In my judgment, it would be best to pass the bill as it is currently written.

MIKE O'CALLAGHAN
Governor



0185

DICK L. ROTTMAN, Ph.D., CPCU, CLU
Commissioner of Insurance

STATE OF NEVADA
INSURANCE DIVISION
CARSON CITY, NEVADA 89701

March 4, 1975

MEMO

TO: THE HONORABLE DANIEL J. DEMERS, ASSEMBLYMAN

FROM: Dick L. Rottman, Commissioner of Insurance

In accordance with our conversation this morning with regard to AB91, it would appear that this bill is reasonable and fair and it has a provision for determining the availability and reasonableness of rates before malpractice insurance is mandatory for those practicing Chinese medicine. As a practical matter, I doubt that malpractice coverage will be available from a licensed insurance carrier within the near future, but sometimes market conditions change rapidly.

One can certainly raise the question as to why malpractice insurance would be required for those practicing Chinese medicine and not required for those practicing other types of medicine. In my judgment, it might be difficult to make a good case for distinguishing between those who practice Chinese medicine and all other licensed practitioners of the healing arts. An injured party would have to prove negligence in either case and it is doubtful that an acupuncturist would generally be more negligent or cause greater harm than some other licensed practitioner.

Please let me know if you have any further questions.

MSB Form 2

LEGISLATIVE COUNSEL BUREAU

ROUTE SLIP, INTEROFFICE MEMO OR PURCHASE REQUISITION

To Assemblyman Thomas J. Hickey

Date March 6, 1975

RE Family Income in Nevada, 1975

From Mary Lou Love *MLL*

- Approval
- Comment
- Note and return
- Investigate
- Signature
- See me
- As requested
- For your information
- Necessary action
- Please reply
- Copy of above reply to me
- Draft reply for my signature
- Per conversation
- For your files
- Purchase requisition

REMARKS

Employment security computed a mean 1975 family income in Nevada to be \$15,500. The low estimate of mean family income was \$15,000 and the high estimate was \$16,000.

MLL/lw