

Assembly

MINUTES

0572

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COMMERCE COMMITTEE - NEVADA STATE LEGISLATURE - 58TH SESSION

APRIL 7, 1975

The meeting was called to order by Chairman Robinson at 3:50 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

SPEAKING GUESTS: Jeneane Harter, Chiropratic Association of Nevada
Larry McCracken, Employment Security Department
Stanley Miller, Employment Security Board of Review
John P. Byrne, Nevada State Association of Electrical
Workers
Wm. R. Gibbens, Gibbens Co., Inc.
John O. Morman, Building Trades Council of
Northern Nevada
Mike Pisanello, Culinary Workers Union Local 226
Edward Clark,
Frank Caine, Iron Workers No. 416
William F. Wilson, Iron Workers Local 118
Betty Litster, I.B.E.W. Local 2247

The purpose of the meeting was to hear testimony on the following bills of the Unemployment Security Package:

<u>AB 473</u>	<u>AB 478</u>
<u>AB 474</u>	<u>AB 479</u>
<u>AB 475</u>	<u>AB 537</u>
<u>AB 476</u>	<u>AB 549</u>
<u>AB 477</u>	<u>AB 555</u>

The following bills were also discussed:

<u>SJR 12</u>	<u>AB 495</u>
<u>AB 308</u>	<u>AB 133</u>
<u>AB 345</u>	

Chairman Robinson brought SJR 12 before the committee. Mr. Schofield moved a "do pass" of SJR 12. This was seconded by Mr. Harmon. Motion carried. (See attached Legislative Action Form for detail of vote).

Mr. Benkovich moved that the committee reconsider AB 308. This was seconded by Mr. Demers. Motion carried with no dissenting votes. Those voting in favor were Mr. Harmon, Mr. Demers, Mr. Schofield, Mr. Hickey, Mr. Benkovich and Mr. Chairman.

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AB 345 then came up before the committee. Mr. Schofield moved a "do pass" of AB 345. This was seconded by Mr. Demers. Mr. Benkovich asked what the committee's feelings were with regard to the provision in the bill that continuing educational requirements not be required of those 60 years of age or older. There was no objection to that provision among the members of the committee. The motion carried unanimously. (See attached Legislative Action Form for detail of vote).

Mr. Getto moved a "do pass" of AB 495. This was seconded by Mr. Schofield and carried the committee unanimously. (See attached Legislative Action Form for detail of vote).

In accordance with Mr. Wittenberg's request at the previous meeting, an additional five minutes of testimony was heard with regard to AB 133. This testimony was submitted by Jeneane Harter. Her testimony is attached hereto.

Mr. Demers did make some comments with regard to her testimony stating that he felt the her argument was moot because a bill that was introduced in the Assembly specifically stating that Oriental medicine could utilize digital pressure was killed in the Health and Welfare Committee. He said there is no way the Board of Acupuncture can control the insertion of needles into the body if any other medical board provides that their field can also do it. Acupuncture cannot control any other field of medicine.

Testimony then began on the Unemployment Security bills.

AB 474 - Creates presumption relative to leaving employment without good cause.

The Chairman called for proponents of AB 474. There were none present to speak on this bill. Mr. Larry McCracken spoke in opposition to it. He said his major opposition was that AB 474 was in conflict with AB 473 and would be obviated with the passage of AB 473. He said that this bill would increase their non-charging 50%. It would up their total non-charging to 1/3 of all charges against the fund. Mr. McCracken said AB 474 conflicted with AB 473 beginning on Line 7 of Page-5 relating to the deletion of Subsection B. of Section 6. He said there were other areas that overlap in that particular subject matter.

Mr. Hickey moved that action be deferred on AB 474. This was seconded by Mr. Moody. Motion carried. (See attached Legislative Action Form for detail of vote).

AB 475 - Changes farm labor advisory council name to rural manpower services advisory council.

Larry McCracken spoke on this bill and submitted proposed changes to it which he felt would update the purpose of this council. He also requested that NRS 612.320 be amended to correspond with NRS 612.315 as provided for under AB 475. His testimony and proposed changes are attached hereto.

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There was a question on this bill from a gentleman in the audience. He wondered if there was a need to mandate quarterly meetings of this Council when the Board has the power to call meetings. Mr. McCracken said that it was impossible for this Council to properly administrate by only meeting once a year. He added that this provision would not need to be in the statutes; they only wanted to formalize it. Dr. Robinson commented that if these meetings were mandated that the per diem would have to be increased and the bill would therefore require a fiscal note. Mr. Hickey was concerned about the provision providing for the use of consultants. Mr. McCracken said this provision was inserted into the bill at the direct request of the Council who asked to be given the latitude to use consultants in case it did become necessary.

There were no opponents to this bill. However, a gentleman in the audience requested that the committee consider annual meetings vs. quarterly meetings and the advisability of providing consultants.

AB 476 - Authorizes employment security department to participate in the Comprehensive Employment and Training Act of 1973.

Mr. McCracken spoke in favor of this bill. His complete testimony is attached hereto.

AB 477 - Temporarily relaxes standards for determining extended benefits under Unemployment Compensation Law.

Larry McCracken spoke in favor of this bill saying it was a request from the Employment Security Department and has been initiated by action on the Federal Government level. He submitted some proposed amendments to this bill. These amendments and his complete testimony are attached hereto. He went on to say that Nevada has a trigger formula today. If Nevada triggered off of extended benefits which we are on now whereby the State pays 50% and the Federal Government pays 50% and the Federal trigger is on which is at 4% now, Nevada will have to pay extended benefits but Nevada will have to pay the 50% if Nevada changes its trigger as proposed in this bill to be in compliance with the new Federal trigger, then extended benefits paid by the State will be 100% reimbursed by the Federal Government. If Nevada doesn't change and Nevada's statutes within the next two years triggers off and the Federal trigger is on, Nevada employers will actually be subsidizing those states that changed their laws. All states are in the process of changing their laws exactly as proposed here. He said Nevada is now paying at the rate of \$500,000 per month. That is the State's share of extended benefits and that will be picked up by the Federal Government should the conditions mentioned by Mr. McCracken take place.

Dr. Robinson asked Mr. McCracken if it was true that this bill as it is presently does not to what Mr. McCracken anticipated it would do with this trigger mechanism. Mr. McCracken agreed and stated that they just wanted to clarify the language which had been recommended to them. He said the law was being left as it now exists on the books and only making a technical addition so that it would apply to the two-year period described through December 31, 1976.

Dr. Robinson asked Mr. McCracken what amounts he was talking about with regard to these extended benefits. He said presently Nevada is paying \$1,000,000 in extended benefits. \$500,000 of that is Nevada's share. Mr. Wittenberg then asked if it would then be worth \$6,000,000 over next year if this bill was passed. Mr. McCracken said it would be only if the conditions he mentioned did take place. He said it will probably be will into 1976 before the State, if it does, triggers off of the existing statute requirements. If Nevada triggers off this formula and the Country is still on it, which he believes it will be, then Nevada will be required to pay extended benefits. Therefore, if Nevada triggers off and changes the law, the Federal Government at that time will pick up the total tab on extended benefits. If Nevada does not, then it will continue as it is now by paying 50%. He added that this would have no affect on benefits paid.

AB 478 - Expedites unemployment compensation board's review procedure and increases board members' salary.

Dr. Robinson commented that there was a fiscal note on this bill providing an increase from \$25 to \$50 per day for board members. However, there is an amendment to resolve a conflict with another bill changing this \$50 amount to \$40.

Mr. Stanley Miller spoke in favor of this bill. His complete testimony is attached hereto. He is a referee for the Employment Security Department and has been asked to speak on behalf of the Employment Security Board of Review.

Mr. Benkovich was concerned with the destruction of these records in the event something did come up and he wondered if there have been any problems in this regard in the past. Mr. Miller said extentions for good cause can be granted and they have been for up to ten to twenty days but never six months later.

Mr. Byrne, of the Electrical Workers Association, asked Mr. Miller what happens in the case of a labor dispute which extends over a considerable period of time. Mr. Miller said in this type of case it has been the practice of the State to retain all records and batch them until everything has been received at which time it is handled just like a regular case, i.e. if no appeal has been made within six months, the records would be thrown away.

Mr. Bill Gibbens then spoke saying he wanted to clarify that under this bill there has been some misunderstanding that certain people would not have the right to appeal. He said this was not his understanding but rather that they would still have the right to appeal to the board. The board would simply have the power to issue a decision without taking further testimony after they had reviewed the records. So they would still have the right to appeal and if they were dissatisfied with the decision of the board, which might be rendered without hearing, they could still go on to court. They would not lose those rights. This would help the board to cope with its immense workload that has developed.

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Mr. John Morman then spoke in opposition to this bill. He said he interpreted Section 3, Subsection 1 to mean that the claimant who has been turned down by the referee would no longer have the right of appeal to the board of review if said board decides they do not want to review it. He also said that a person does have the right to go to the courts in these cases but it is under the Administrative Procedures Act and it is a review of his case and not a trial de novo.

Mr. Benkovich felt there should be a provision in the bill giving the Judge the discretion of a trial de novo.

Mr. Miller said the authority of the Courts is to review the evidence submitted to the Board and not to substitute its discretion for the Board's discretion. He said Courts have on rare occasions turned a case back to the Board which in turn hands in back to the referee for further testimony.

Mr. Miller said he would be opposed to a provision for a trial de novo at the judge's discretion because of the Board's day to day continuity and expertise in such matters. He felt there was the danger of more cases clogging the courts if there was such an option. Mr. Benkovich said he agreed this could be a problem but he said what he was proposing was such an option for the Judge--not the individual.

Mr. Byrne said he would like to go on record as opposing AB 478 because of the vast amount of unemployment there is presently. He said there are seven or eight bills to reduce benefits of the unemployed and with these reductions, people will need to appeal these rights as never before.

AB 479 - Clarifies administration of moneys from federal unemployment trust fund and authorizes expenditure therefrom.

Larry McCracken spoke in favor of this bill. His entire testimony is attached hereto.

Mr. Demers asked with regard to the building in Las Vegas on which \$150,000 is being proposed to spend on remodeling, who owns it and how much longer does the lease run. Mr. McCracken said this was a lease/purchase agreement which will become State property in 1978. The remodeling will be structural changes and not additions to that building. Mr. McCracken said by appropriation of this money, the State will own this building and not the Federal Government. He said these funds may be reimbursed to the State. Mr. Demers asked if there were any plans to build another building in the Las Vegas Area at some time in the future. Mr. McCracken said there are no plans for construction of another building like the one on 8th and Carson Streets. What they are trying to do is to make better use of that particular building. He added that a Casual Labor office will be constructed but it will only be 2,000 square feet.

Discussion then turned to AB 473. Discussion on this bill will be continued at the meeting on Wednesday, April 9.

Mr. Mike Pisanello spoke in opposition to this bill saying ~~he~~ was very unhappy with sections of AB 473 because unemployment is so high and looks like it will go higher and this bill would present more of a problem to individuals, particularly the lower income earners. He said he directed his remarks to those provisions dealing with loss of benefits, disqualification periods and amount of earnings that must be earned to re-qualify (Section 1, Subsection 4). He said 55% of the culinary workers in the Las Vegas area could be affected by this bill (that is 55% of 22,000 workers).

Mr. Edward Clark of the California-Nevada Conference of Operating Engineers voiced his opposition to the bill on the same basis of Mr. Pisanello's remarks. He said the President of the U.S. is thinking of increasing benefits and here we are talking about making it more difficult for the unemployed to acquire benefits and increase the penalties creating an additional burden on the unemployed. He said he wanted to go on record as opposing this piece of legislation.

Mr. John Byrne said he was in opposition to this bill because with rising unemployment more and more people will be attempting to make a partial living by day labor. Section 3, Page 2, Line 36 would mean if he worked for a two or three day period which is often the case in the electrical industry, he could be disqualified because he would not earn five times his weekly benefits. Part time employment is better than no employment. If this bill is passed, you will be doing a disservice to the construction industry. With unemployment as it is, he felt methods to keep people employed should be found rather than making it more difficult for people to get the benefits they deserve. He said there is in excess of 40% of the people in the construction industry out of work. He said of 528, only 226 electricians were working as of March 31, 1975. Less than 70% of those 226 are working full time.

Mr. Frank Caine said he would like to go on record in opposition of AB 473 saying he would be opposed to anything that would make it difficult for the iron workers to feed their families.

Mr. William Wilson said he was opposed to the bill for the same reasons. He said there are many iron workers who work only one or two days each week and this bill would really hurt them.

Betty Litster said she opposed this bill for the same reasons previously stated.

There were no proponents present to speak on behalf of AB 473.

Mr. Benkovich asked who requested AB 473 be drafted. Mr. McCracken said this bill was requested by the Employment Security Advisory Council. He said this council is made up of labor management and the public. He felt areas of opposition could be clarified further so it would not be so distasteful as indicated through today's testimony.

Dr. Robinson said further testimony would be heard on this bill at the next meeting on April 9.

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COMMERCE COMMITTEE

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The committee then discussed AB 474. There was a question on the provision for consultants as well as the per diem pay for the Board. Dr. Robinson asked Mr. Hickey to work on amendments to this bill and report back to the committee.

With regard to AB 477, Mr. Demers moved that the proposed amendments submitted by Mr. McCracken be adopted. This was seconded by Mr. Wittenberg and carried the committee unanimously.

Mr. Demers then moved a "do pass as amended" of AB 477. This was seconded by Mr. Hickey and carried the committee unanimously.

Mr. Wittenberg moved a "do pass" of AB 476. This was seconded by Mr. Moody and carried the committee unanimously.

Mr. Hickey moved a "do pass" of AB 479. This was seconded by Mr. Schofield and carried the committee unanimously.

AB 478 was discussed in the committee. Dr. Robinson concurred with Mr. Benkovich's suggested amendment to give the Judge the option of requiring a trial de novo. Dr. Robinson asked Mr. Benkovich if he would work out such an amendment and report back to the committee. Mr. Benkovich did think the six month time period would be satisfactory with such an amendment.

The meeting was adjourned at 5:45 P.M.

Respectfully submitted,

Joan Anderson, Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON COMMERCE

~~0571~~

Date Monday, Apr 7 Time 3:00 p.m. Room 316

0571

Bills or Resolutions
to be considered

Subject

Counsel
requested*

A.B. 473

Provides comprehensive changes in
Unemployment Compensation Law

A.B. 474

Creates presumption relative to leaving
employment without good cause

A.B. 475

Changes farm labor advisory council name
to rural manpower services advisory council

A.B. 476

Authorizes employment security department
to participate in the Comprehensive Employment
and Training Act of 1973

A.B. 477

Temporarily relaxes standards for determining
extended benefits under Unemployment
Compensation Law

A.B. 478

Expedites unemployment compensation board's
review procedure and increases board members'
salary

A.B. 479

Clarifies administration of moneys from federal
unemployment trust fund and authorizes
expenditure therefrom

DO
PASS

THOSE BILLS UNFINISHED ON APRIL 7 WILL BE CARRIED OVER TO APRIL 9,
AT 3:00 P.M.

*Please do not ask for counsel unless necessary.

COMMERCE COMMITTEE
LEGISLATION ACTION

0579

~~0703~~

DATE April 7, 1975

SUBJECT SJR 12 - Memorializes the Congress of the United States to
provide a program of long-term, low interest loans to smallbusiness.

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:	<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>Not yet present</u>	_____	_____	_____	_____	_____
Schofield	<u>X</u>	_____	_____	_____	_____	_____
Wittenberg	<u>Not yet present</u>	_____	_____	_____	_____	_____
Benkovich	<u>X</u>	_____	_____	_____	_____	_____
Getto	<u>Not yet present</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes April 7, 1975

COMMERCE COMMITTEE
LEGISLATION ACTION

~~0584~~ 0580

DATE April 7, 1975

SUBJECT AB 345 - Revises chapter regulating dispensing opticians.

MOTION:

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Schofield Seconded By Mr. Demers

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>Not yet present</u>		_____	_____	_____	_____
Schofield	<u>X</u>	_____	_____	_____	_____	_____
Wittenberg	<u>Not yet present</u>		_____	_____	_____	_____
Benkovich	<u>X</u>	_____	_____	_____	_____	_____
Getto	<u>Not yet present</u>		_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes April 7, 1975

COMMERCE COMMITTEE
LEGISLATION ACTION

~~01745~~ 0581

DATE April 7, 1975

SUBJECT AB 495 - Enacts provisions regulating organization and
operation of credit unions.

MOTION:

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Getto Seconded By Mr. Schofield

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>Not yet present</u>		_____	_____	_____	_____
Schofield	<u>X</u>	_____	_____	_____	_____	_____
Wittenberg	<u>Not yet present</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 April 7, 1975

COMMERCE COMMITTEE
LEGISLATION ACTION

~~0706~~ 0582

DATE April 7, 1975

SUBJECT AB 474 - Creates presumption relative to leaving employment
without good cause.

MOTION:

Defer Action X

Do Pass _____ Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Hickey Seconded By Mr. Moody

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 April 7, 1975

COMMERCE COMMITTEE
LEGISLATION ACTION

0583

DATE April 7, 1975

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SUBJECT 477 - Temporarily relaxes standards for determining
extended benefits under Unemployment Compensation Law.

MOTION: Do Pass as Amended X
Do Pass _____ Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Demers Seconded By Mr. Hickey

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>Not in room during voting.</u>					

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes April 7, 1975

COMMERCE COMMITTEE
LEGISLATION ACTION

0584

0584

DATE April 7, 1975

SUBJECT AB 476 - Authorizes employment security department to participate in the Comprehensive Employment and Training Act of 1973.

MOTION:

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Wittenberg Seconded By Mr. Moody

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>Not in room during voting.</u>					

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes April 7, 1975

COMMERCE COMMITTEE
LEGISLATION ACTION

DATE April 7, 1975

SUBJECT AB 479 - Clarifies administration of moneys from federal unemployment trust fund and authorizes expenditure therefrom.

MOTION:

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Hickey Seconded By Mr. Schofield

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	Not in room during vote.					

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes April 7, 1975

GUEST REGISTER

~~0776~~
5586

COMMERCE COMMITTEE

DATE: 4/7

PLEASE
CHECK IF YOU
WISH TO SPEAK

ADDRESS & NAME	REPRESENTING	PLEASE CHECK IF YOU WISH TO SPEAK
G. H. Fletcher	Public	
John M. Duffin	Public	
Betty L. Leter	I.B.E.W. Local 2247	
Paul B. Wise	Oper. Engr. #3	
Murray Stevens	oper Engineers Local ③	
Dale Beach	oper Eng Local ③	
William F. Wilson	Iron workers Local 118	
Gonda Drew	I.B.E.W. Local 2247 NEVADA MOTOR TRANSPORT	
Robert F. Gunn	New Franchised Auto Dealer	
JOHN STEINMANN	EMP SECURITY DEPT.	
Robert Butler	" " "	
Daryl E. Capuno	NEV. MOTOR TRANSPORT ASSN. NEV. FRANCHISED AUTO DLRS. ASSN.	
Jim Hamm	Emp Sec.	
A. R. S. jr	ESD	
Frank Faine	IRON WORKER #416	
Robert Long	Emp. Sec. Dept.	/
E. L. Newton	INTA	/
JIM OLIVER FRANK GOVICK	ESD	

GUEST REGISTER

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COMMERCE COMMITTEE

DATE: _____

PLEASE
CHECK IF YOU
WISH TO SPEAK

ADDRESS & NAME	REPRESENTING	PLEASE CHECK IF YOU WISH TO SPEAK
Jack D. Witt	Emp. Sec. Dept. Nevada State Association	
John P. Byrne	of Electrical Workers Edible Food AFL C. I. O	✓
John Stalla	Local Union 1245 ZBEW	✓
John D. NORMAN	Building Trades Council Northern Nevada	—
JAMES M. ARNOLD	BTC So. Nev.	
MERLE L. SNIDER	RENO MUSICIANS UNION	✓
Michael P. Parnell	Culinary Workers Team Local 226	✓
Charles Conroy	Carpenter Local 1780	
Lynn J. Bertoldi	Carpenter L. C. 971 Reno	
E. Pierce	Painter # 567 Reno	
WALTER DREW	EMP. SEC. DEPT	
Stanley Miller	Emply. Sec. Board of Review	✓
Wm R. Gibbens	The Gibbens Co. Inc	✓
Timothy D. Good	The Gibbens Co. Inc	
Paul Kelly	Nevada State P. L. C. I. O	
G. Holbrook Jones	NEVADA AFL-CIO	

LAURENCE O. MCCracken - ESO

Carl Bishop
Edward P. Park
Bob Altura

operating Engineers # 3
Calif.-Nevada Conf. Operating Engineers
Kennecott Copper Corp.

X

My name is Jeneane Harter and I represent the Chiropractic Association of Nevada. I would like to apologize for not appearing before you when this bill was originally heard, but do to my lack of experience I was unable to gather the necessary facts in time.

It is the feeling of the Chiropractic Association that the amendments proposed by the senate will only compound those problems which were created by the original bill. If we consider the total effect of the proposed amendment on page 6 lines 29 through 33 sec. 17, we must first examine the scope of the two words with which we are dealing. If we consider the word Chinese, it has a rather limiting scope. Not even the most imaginative man could construe it to mean anything more than someone or something which originates from China. But if we consider the word Oriental, particularly Oriental medicine, this can be construed to include any branch of medicine practiced in any of the numerous countries which comprise the Orient. To illustrate my point let me quote from Legislative Bulletin #116.

"The subcommittee learned that even though acupuncture was developed in China, it has been used in other Oriental countries for thousands of years. Further, the techniques of acupuncture have been expanded to include the use of nonpiercing pressure. For these reasons the subcommittee with the encouragement of the board, is recommending that the various meridian therapies be changed to 'traditional Oriental medicine' instead of the current use of 'traditional Chinese medicine.'"

By broadening the scope of the definition of Chinese medicine, without changing the definition itself, other acupuncture related healing arts are now included in the definition. Particularly the Japanese version of acupuncture called Shiatsu. This technique employs nonpiercing (digital) pressure to achieve some of the same benefits gained with piercing needles. It is the feeling of the Chiropractic Association that a serious challenge to the use of digital pressure by Chiropractors, Osteopaths and Doctors of Medicine could be raised. If this bill is allowed to proceed with it's current amendments we feel it could produce serious problems. We therefore respectfully recommend that the intent of the bill be clarified by the following suggested amendment.

Sec. 13. NRS 634A.200

1.

2. This chapter does not prohibit:

(a)

(b)

(c)

(d) The traditional and accepted practices of other licensed practitioners of the healing arts in their respective areas of licensure.

We are not opposed to the bill as such, or to it's amendments, but we do believe that not only Chiropractors, but all Osteopaths, and Doctors of Medicine should be protected in their right to use digital pressure.

Although it is not the concern of the Association, we also feel that the bill with it's current amendments does not clarify whether those licensed as Doctors of Chinese medicine will be given licenses as Doctors of Oriental medicine without further examination and licensure. We sincerely believe that the amendments which were proposed by the senate and the bill itself deserve closer scrutiny with regard to intent, licensure and total scope.

The subcommittee also recommended that a joint resolution be sent memorializing Congress to adopt legislation requiring federal medical insurance programs to reimburse recipients of benefits under these programs for treatment by licensed acupuncturists. (Appendix M.)

(g) Other problems

After receiving testimony from several eastern and western experts in traditional Chinese medicine, the subcommittee decided that the definition of acupuncture should be expanded. (Appendix N.) The subcommittee was particularly impressed with the testimony of Dr. Richard Yennie, a chiropractor from Kansas City, Missouri, and a lecturer on acupuncture. Dr. Yennie has been trained in the Japanese approach to acupuncture called Shiatsu. This technique employs digital pressure to achieve some of the same benefits gained with piercing needles. The subcommittee was also told that electrical or ultrasonic stimulation at the acupuncture points also achieves beneficial results.

The subcommittee learned that even though acupuncture was developed in China, it has been used in other Oriental countries for thousands of years. Further, the techniques of acupuncture have been expanded to include the use of nonpiercing pressure. For these reasons the subcommittee, with the encouragement of the board, is recommending that the denomination of the various meridian therapies be changed to "traditional Oriental medicine" instead of the current use of "traditional Chinese medicine." (Appendix O.)

AB-133^a

The board has adopted a regulation providing that a practitioner may not employ or supervise more than one acupuncture assistant. Dr. Edwards, in representing the views of the board before the subcommittee, indicated that a practitioner could not adequately care for his patients if he had numerous acupuncture assistants delivering services. There is also considerable concern that too many assistants working for any one practitioner could turn that practitioner's clinic

TESTIMONY FOR AB 475

APRIL 7. 1975

AN ACT RELATING TO THE UNEMPLOYMENT COMPENSATION LAW; CHANGING COUNCIL NAME TO RURAL MANPOWER SERVICES ADVISORY COUNCIL; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

I AM LAWRENCE O. McCracken, EXECUTIVE DIRECTOR OF THE NEVADA EMPLOYMENT SECURITY DEPARTMENT.

THE CHANGES PROPOSED FOR YOUR CONSIDERATION AND SUBMITTED BY MY AGENCY ARE INTENDED TO UPDATE THE PURPOSE OF THE EXISTING FARM LABOR ADVISORY COUNCIL. I BELIEVE THAT THE CHANGES MORE ACCURATELY REFLECT THE CURRENT INTERESTS OF RURAL NEVADA AND WILL PROVIDE THIS COUNCIL WITH THE OPPORTUNITY TO MORE REALISTICALLY ADDRESS AND SUPPORT THE MANPOWER SERVICES NEEDS OF RURAL NEVADANS.

I WOULD ALSO LIKE TO SECURE YOUR CONCURRENCE WITH MY REQUEST FOR AMENDMENT TO NRS 612.320 WHICH MUST ALSO BE AMENDED TO FULLY PERMIT THE CHANGES PROPOSED FOR NRS 612.15 (AB 475).

NRS 612.320 IS HEREBY AMENDED TO READ AS FOLLOWS:

612.320 THE (^{DELETE} STATE FARM LABOR) ^{INSERT} RURAL MANPOWER SERVICES ADVISORY COUNCIL SHALL ACT IN AN ADVISORY CAPACITY TO THE EXECUTIVE DIRECTOR IN FORMULATING POLICIES AND DISCUSSING PROBLEMS RELATING TO (^{DELETE} FARM PLACEMENT AND RECRUITMENT IN THE STATE, TO ASSURE AN ADEQUATE SUPPLY OF FARM WORKERS DURING HARVESTING PERIODS AND TO EFFECT FAVORABLE AGRICULTURAL PRODUCTION.) ^{INSERT} JOB PLACEMENT AND OTHER MANPOWER SERVICES TO AGRICULTURAL WORKERS, OTHER RURAL RESIDENTS AND EMPLOYERS AND MEETING COMMUNITY NEEDS FOR MANPOWER SERVICES.

AN ACT relating to the Unemployment Compensation Law; changing council name to rural manpower services advisory council; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 612.315 is hereby amended to read as follows:

612.315 1. (To) To advise and to assist the employment security department in accomplishing the objective of providing an effective (farm) job placement service and other manpower services to agricultural workers, other rural residents and employers and (the continuing needs of industry,) meet the community needs for manpower services the employment security department is committed to maintaining a (state farm labor advisory council.) rural manpower services advisory council.

2. The (state farm labor) rural manpower services advisory council shall consist of five members (who shall include representatives of substantial) , four of whom shall represent different commodity interests (so that the problems peculiar to each commodity group will be considered in state planning and administration.) and different geographical areas, at least one of whom shall represent the ranch and farm workers. The members shall be appointed by the governor for terms of 4 years each.

3. (The members of the state farm labor advisory council shall be paid at the rate of \$25 per day of actual service, and shall receive traveling expenses and subsistence allowances in the amounts specified in NRS 281.160.) The rural manpower services advisory council may request the services of consultants to appear at meetings or conduct research, provided the funds to

pay such consultants are made available by the employment security department on approval of the director. Members of the rural manpower services council shall be paid at the rate of \$25 per day of actual service and shall receive traveling expenses and subsistence allowances in the amounts specified in NRS 281.160.

4. (An annual meeting of the state farm labor advisory council shall be held and special meetings may be held at the call of the chairman.) Quarterly meetings of the rural manpower services advisory council shall be held and special meetings may be held at the call of the chairman.

5. The executive director shall be an ex officio member of the (state farm labor) rural manpower services advisory council and shall be secretary thereof.

Sec. 2. NRS 612.320 is hereby amended to read as follows:

612.320 The (state farm labor) rural manpower services advisory council shall act in an advisory capacity to the executive director in formulating policies and discussing problems relating to (farm placement and recruitment in the state, to assure an adequate supply of farm workers during harvesting periods and to effect favorable agricultural production.) job placement and other manpower services to agricultural workers, other rural residents and employers and meeting community needs for manpower services.

Sec. 3. This act shall become effective upon passage and approval.

AB 476

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TESTIMONY FOR AB 476

APRIL 7, 1975

AN ACT RELATING TO THE UNEMPLOYMENT COMPENSATION LAW; AUTHORIZING THE EMPLOYMENT SECURITY DEPARTMENT TO PARTICIPATE IN THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973.

I AM LAWRENCE O. McCracken, EXECUTIVE DIRECTOR OF THE NEVADA EMPLOYMENT SECURITY DEPARTMENT.

THE PURPOSE OF THIS ENABLING LEGISLATION IS TO AUTHORIZE THE NEVADA EMPLOYMENT SECURITY DEPARTMENT TO CONDUCT AND ACT AS AN AGENT FOR THE PROPER DELIVERY OF SERVICES REQUIRED UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973, COMMONLY CALLED CETA.

THE PROPOSED LEGISLATION IS SIMILAR TO NRS 612.753 WHEREIN THE EMPLOYMENT SECURITY DEPARTMENT IS AUTHORIZED TO PARTICIPATE IN THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962. THIS ACT WAS REPLACED BY THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973. A REQUEST TO ABOLISH NRS 612.753 WILL BE SUBMITTED AT THE 1977 CONVENING OF THIS BODY. FINAL BUSINESS MATTERS HAVE YET TO BE CONSUMMATED UNDER THIS ACT AND IT IS BECAUSE OF THIS FACT THAT WE RECOMMEND CONTINUANCE.

AN ACT relating to the Unemployment Compensation Law; authorizing
the employment security department to participate in the
Comprehensive Employment and Training Act of 1973.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 612 of NRS is hereby amended by adding
thereto a new section which shall read as follows:

In order to continue to participate in programs under the
Comprehensive Employment and Training Act of 1973 (P.L. 93-203,
27 Stat. 839), the employment security department is authorized:

1. To administer training programs and to pay training allow-
ances as provided by the Comprehensive Employment and Training
Act of 1973;
2. To execute on behalf of this state agreements or contracts
with the appropriate federal agencies, other prime sponsors and
subcontractors, as described in the Act, containing such pro-
visions as may be necessary or desirable to enable this state to
participate in such programs;
3. To expend all funds made available for the purpose of such
programs by this state or local subdivisions or by the Federal
Government;
4. To supervise the expenditure of such funds and the conduct
of such programs by other public and private agencies in this
state, and to make reports and certifications as are called for;
and
5. Otherwise to cooperate with the Federal Government, its
departments and agencies and other prime sponsors in the administra-
tion of such programs.

MEMORANDUM

STATE OF NEVADA
EMPLOYMENT SECURITY DEPARTMENTAB477
~~6720~~
0536

Chairman, Committee on Commerce
Nevada State Assembly

DATE April 4, 1975

FROM Lawrence O. McCracken, Executive Director

SUBJECT AB 477

The following technical amendments are requested with respect to Assembly Bill 477:

Delete subsection 13 beginning on line 32, page 3, and substitute the following therefor:

- 13 (a) Effective with respect to compensation for weeks of unemployment beginning before December 31, 1976 and beginning after December 31, 1974, the determination of whether there has been a State "on" or "off" indicator beginning or ending an extended benefit period shall be made under this section as if subsection 4 did not contain paragraph (a) thereof and subsection 5 did not contain paragraph (a) thereof.
- (b) Effective with respect to compensation for weeks of unemployment beginning before December 31, 1976 and beginning after December 31, 1974, the determination of whether there has been a national "on" or "off" indicator beginning or ending an extended benefit period shall be made under this section as if the phrase "4.5 percent" contained in subsections 2 and 3 read "4.0 percent".

The changes proposed in AB 477 and amended above are the result of the Emergency Unemployment Compensation Act of 1974 (HR 17597) approved by the Congress last December. This Act provides for a temporary reduction in the national rate of unemployment, seasonally adjusted, required to "trigger" the payment of extended benefits under NRS 612.377. This temporary reduction is from 4.5 percent to 4.0 percent during the period 12/31/74 through 12/31/76.

This same Act also provides that if a state exercises the option to reduce the national trigger in its state law, and that if, as a result of such action, extended benefits are paid that would not otherwise be payable, then the amount of benefits so paid would be reimbursable in full from federal funds. Until now, all extended benefits paid, whether as a result of an "on" indicator under state or federal trigger formulas, have been 50 percent payable from federal funds.

bam

TESTIMONY ON AB 478, ASSEMBLY COMMERCE COMMITTEE, APRIL 7, 1975, FROM
STANLEY MILLER, ON BEHALF OF EMPLOYMENT SECURITY DEPARTMENT BOARD OF
REVIEW:

HAVING ACTED FOR THE BOARD OF REVIEW IN ADMINISTRATIVE MATTERS FOR OVER
TEN YEARS, I FEEL QUALIFIED TO OFFER THE FOLLOWING TESTIMONY IN SUPPORT
OF ASSEMBLY BILL 478:

SECTION 1 OF THE BILL WOULD INCREASE THE COMPENSATION OF THE BOARD MEMBERS
FROM \$25 PER DAY OF ACTIVE SERVICE TO \$50. THE JUSTIFICATION FOR THIS
INCREASE IS THAT THE AMOUNT HAS REMAINED UNCHANGED SINCE 1971 AND THAT IT
IS WELL RECOGNIZED THAT THE COST OF GOODS AND SERVICES HAS SUBSTANTIALLY
INCREASED SINCE THAT DATE. SINCE THIS INCREASE WAS PROPOSED, IT BECAME
KNOWN THAT SB 165 HAD BEEN INTRODUCED, TO INCREASE THE PAY FOR THE ESD
BOARD OF REVIEW AND OTHER BOARDS TO \$40. I AM ADVISED BY MEMBERS OF THE
BOARD OF REVIEW THAT THEY ARE OF THE OPINION THAT THE PROVISION IN SB 165,
SETTING THE COMPENSATION AT \$40, IS EQUITABLE, AND THAT THE
PRINCIPLE OF EQUITY OF PAY FOR THE VARIOUS BOARDS IS MUCH TO BE DESIRED.

SECTION 2 OF AB 478 WOULD PERMIT TAPES ON WHICH TESTIMONY IS RECORDED TO
BE REUSED OR DESTROYED SIX MONTHS AFTER THE DECISION WAS MAILED, UNLESS
APPEAL HAD BEEN INITIATED IN THE MEANTIME. PARTIES HAVE A STATUTORY TEN
DAYS IN WHICH TO APPEAL TO THE BOARD OF REVIEW, AND THIS PERIOD MAY BE
EXTENDED ONLY ON THE SHOWING OF GOOD CAUSE. THE TAPES ARE NOT TRANSCRIBED
UNLESS THERE IS AN APPEAL TO THE BOARD OF REVIEW. THERE IS CURRENTLY
UNCERTAINTY WHETHER THE PRESENT REQUIREMENT IS TO RETAIN THE TAPES FOR FOUR
YEARS AS PROVIDED BY SECTION 612.260.3, OR FOR SIX YEARS, AS REQUIRED BY
GENERAL STATUTE. SUCH RETENTION PERIODS APPEAR UNUSUALLY LONG AS COMPARED
WITH THOSE OF VARIOUS OTHER STATES. REFEREES ARE CURRENTLY DISPOSING OF

ABOUT 4,000 CASES PER YEAR, WITH THE TREND ALWAYS STEADILY UPWARD. THIS PRESENTS A CONSIDERABLE WAREHOUSING PROBLEM. WHEN IT IS NOTED THAT THE TAPES COST \$1.00 EACH, IT WILL BE SEEN THAT THERE IS ALSO A CONSIDERABLE EXPENSE. I AM THE SECOND CHIEF APPEALS REFEREE IN THE HISTORY OF THE DEPARTMENT, AND I HAD AN ASSOCIATION OF SEVERAL YEARS WITH MY PREDECESSOR. ON THE BASIS OF THIS EXPERIENCE, I CAN TESTIFY WITH CONFIDENCE THAT NEVER IN THE HISTORY OF THE DEPARTMENT, WITH OVER 40,000 APPEALS BEHIND US, HAVE THE UNTRANSCRIBED RECORDINGS BEEN REQUIRED BEYOND SIX MONTHS. THE POSSIBILITY THAT ONE MIGHT SOMEDAY BE NEEDED, AND THAT THE WITNESSES COULD NOT BE REASSEMBLED, IS TOO REMOTE TO JUSTIFY THE SPACE AND MONEY INVOLVED IN RETAINING THE TAPES FOR A LONGER PERIOD THAN THAT SPECIFIED IN AB 478.

SECTION 3 OF AB 478 WOULD PERMIT THE BOARD OF REVIEW TO DECLINE JURISDICTION IN CASES IN WHICH THE FIRST APPEAL STAGE HAD AFFIRMED THE DETERMINATION OF THE DEPARTMENT. THIS AMENDMENT WOULD MERELY RESTORE TO THE LAW LANGUAGE WHICH WAS DELETED TWO SESSIONS OR SO AGO, FOR REASONS UNKNOWN TO THE BOARD OF REVIEW AT THAT TIME OR NOW. THE EXPECTED USE OF THIS PROVISION WOULD BE TO APPLY IT TO CASES WHERE THE FACTS WERE NOT IN DISPUTE AND THE POINT OF LAW WAS WELL SETTLED. THE BASIS OF THE APPEAL MIGHT, FOR EXAMPLE, BE NOT THAT THE FACT FINDINGS WAS INCORRECT OR THE APPLICATION OF LAW WAS ERRONEOUS, BUT THAT THE LAW WAS UNFAIR. THERE WOULD BE NOTHING THAT THE BOARD OF REVIEW COULD DO EXCEPT TO AFFIRM THE REFEREE'S DECISION IN SUCH A CASE. THE SPIRALING WORKLOAD OF THE BOARD MAKES ENACTMENT OF THIS PROVISION IMPERATIVE. THE ANNUAL WORKLOAD FOR THIS PART TIME BOARD HAS DOUBLED EACH DECADE, TO A CURRENT WORKLOAD OF OVER 500 CASES. THERE IS A PUBLIC NEED AND A FEDERAL MANDATE TO DISPOSE OF THE WORKLOAD PROMPTLY. THIS PROVISION WOULD PERMIT THE BOARD TO HANDLE ITS WORKLOAD IN A MORE EXPEDITIOUS BUT NEVERTHELESS FAIR MANNER.

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IT WOULD PERMIT MORE TIME FOR DELIBERATION AND RESEARCH ON CASES WHERE
THE PRECEDENT IS NOT SO CLEARLY ESTABLISHED OR IS IN NEED OF REVIEW. AT
THE SAME TIME, THE PARTIES WOULD HAVE THE SAME RECOURSE TO COURT THAT THEY
HAVE ALWAYS ENJOYED, WHEN THEY DISAGREE WITH THE DECISIONS OF THE BOARD.

TESTIMONY FOR ASSEMBLY BILL 479
FEDERAL UNEMPLOYMENT TRUST FUND (REED ACT) NRS 612.617
APRIL 7, 1975

~~0734~~ 0600

I AM LAWRENCE O. McCracken, EXECUTIVE DIRECTOR OF THE EMPLOYMENT SECURITY DEPARTMENT, HERE TO TESTIFY ON ASSEMBLY BILL 479.

THIS BILL REFERS TO FEDERAL LAW SECTION 903 OF THE SOCIAL SECURITY ACT AS AMENDED WHICH RELATES TO FUNDS DISTRIBUTED TO STATES FROM THE FEDERAL GOVERNMENT. THESE FUNDS ARE FROM THE FEDERAL UNEMPLOYMENT TAX FUND, THAT EXCEEDED STATUTORY LIMITS IN 1956, 1957, AND 1958, PAID INTO BY EMPLOYERS FROM EVERY STATE TO COVER ADMINISTRATION COSTS OF THE EMPLOYMENT SERVICE AND UNEMPLOYMENT INSURANCE OPERATIONS. BECAUSE SOME STATES HAVE MUCH BROADER ECONOMIC BASES, HIGHER POPULATION FIGURES, AND SMALLER AREAS, THE COST OF ADMINISTRATION PER INDIVIDUAL SERVED IS LESS THAN IN A STATE SUCH AS NEVADA. THE ADMINISTRATIVE COST OF OPERATIONS IN NEVADA HAS EXCEEDED THAT WHICH NEVADA EMPLOYERS HAVE PAID TO THE FEDERAL UNEMPLOYMENT TAX FUND. ANY EXCESSES DISTRIBUTED BY THE FEDERAL GOVERNMENT FROM THE UNEMPLOYMENT TAX FUND IS FURTHER EVIDENCE THAT NEVADA HAS RECEIVED MORE THAN IT HAS PAID INTO THE FUND. DURING THE 1973 LEGISLATIVE SESSION, THESE FUNDS WERE APPROPRIATED AND A FEDERAL MANDATED CHANGE TO NRS 612.617 WAS APPROVED. AFTER THE STATE LAW WAS CHANGED IN 1973 THE FEDERAL GOVERNMENT TOOK EXCEPTION TO THE WORDING OF THE LAW AND THE EMPLOYMENT SECURITY DEPARTMENT HAD TO SATISFY THE FEDERAL REPRESENTATIVES BY PROMISING NOT TO USE THE FUNDS UNTIL THE LAW COULD BE AMENDED IN THIS SESSION OF THE LEGISLATURE. THE NEW WORDING IN ASSEMBLY BILL 479 HAS BEEN APPROVED BY THE FEDERAL REPRESENTATIVES.

SECTION 2 OF THE BILL ASKS FOR APPROVAL TO EXPEND MONIES THAT WERE NOT SPENT UNDER THE 1973 APPROPRIATION. THE REQUEST IS FOR \$54,000 THAT WILL BE PUT WITH OTHER MONIES (FEDERAL DOLLARS, \$61,000, AND EMPLOYMENT SECURITY FUND DOLLARS, \$35,000)

TESTIMONY FOR ASSEMBLY BILL 479
FEDERAL UNEMPLOYMENT TRUST FUND (REED ACT) NRS 612.617
PAGE TWO
APRIL 7, 1975

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TO REMODEL THE EMPLOYMENT SERVICE LAS VEGAS 8TH STREET OFFICE. THE FEDERAL GOVERNMENT NATIONAL OFFICE OF THE MANPOWER ADMINISTRATION HAS CONTRACTED FOR ARCHITECTURAL SERVICES TO HELP THE STATES IMPROVE OFFICE FACILITIES SO THAT THE EXPANDING POPULATIONS AND RESULTANT INCREASES IN NUMBERS OF PEOPLE SEEKING SERVICES CAN BE SERVED MORE EFFICIENTLY IN THE SPACE PROVIDED.

THESE SAME FUNDS HAVE BEEN USED IN THE PAST FOR PROPERTY ACQUISITION IN LAS VEGAS AND CARSON AND THE FUNDS WERE SUBSEQUENTLY REIMBURSED BY THE FEDERAL GOVERNMENT - APPROXIMATELY \$90,000. THE FUNDS HAVE BEEN USED IN MANY STATES, PARTIALLY AS A REVOLVING FUND, PERMITTING PROPERTY/FACILITY ACQUISITION, WITH THE FUNDS BEING REIMBURSED BY FEDERAL DOLLARS AS THE PROPERTY IS AMORTIZED OR EARLIER.

THE AMOUNT OF \$228,606.78 IS REQUESTED FOR THE IMPROVEMENT OF PROPERTY IN CARSON CITY. MY AGENCY IS NOW RENTING 16,226 SQUARE FEET OF OFFICE SPACE IN THIS CITY AT A COST OF APPROXIMATELY \$97,356 PER YEAR. I HAVE RECEIVED TWO PROPOSALS FROM LOCAL FIRMS TO PROVIDE FACILITIES IN CARSON CITY. EACH TIME ESD HAS CONSIDERED BUILDING A NEW FACILITY PARKING SPACE HAS BEEN A MAJOR FACTOR IN PREVENTING PROGRESS. ONE OF THE PURPOSES OF ASKING FOR THE \$228,606.78 IS TO BUY PROPERTY FOR PARKING. THERE IS NOW A RECENT PLAN TO EXCHANGE A SCHOOL YARD TO THE EAST OF ESD FOR A LANDSCAPED BLOCK AT 5TH AND STEWART WHICH WILL COST ESD LESS THAN IF THE AGENCY WENT TO THE PRIVATE SECTOR TO BUY PROPERTY. THESE FUNDS WILL ALSO BE USED TO LOWER THE TOTAL AMOUNT DUE ON THE BUILDING IF THE MONTHLY PAYMENTS NEED TO BE LOWER. FINAL OUTCOME WILL DEPEND ON PROPERTY EXPENDITURES, INTEREST RATES, CONTRACT PRICE, AND REPAYMENT NEGOTIATIONS WITH FINANCE FIRMS AND FEDERAL GOVERNMENT.

IN ANY EVENT A CONTRACT WITH THE FEDERAL GOVERNMENT FOR REPAYMENT OF AMORTIZED COSTS PAID OUT OF THIS FUND WILL BE ATTEMPTED IN AN EFFORT TO HAVE THESE FUNDS REPLENISHED AS IN THE PAST.