



Nevada Legislature

ASSEMBLY

LABOR & MANAGEMENT COMMITTEE MINUTES
FEBRUARY 11, 1975

Present: Assemblymen Banner, Benkovich, Moody, Schofield, Hayes,
and Barengo

Absent: Assemblyman Getto

The meeting was called to order by Chairman Banner. He announced that A.B. 50 would be under consideration today. He gave a brief explanation of the bill and asked if there were any speakers.

Mr. John Reiser, NIC, testified on the bill. He said there was a definite need for this type bill, but he felt the bill does need some limitation. He explained his reasons for the amendments and presented a proposal for changes on A.B. 50.
(See Attachment I)

Mr. Banner asked for further speakers, and there were none. He said he did have a communication from Mr. Raymond Bohart, Managing Director of the Federated Employers of Nevada in Las Vegas, supporting A.B. 50.

After brief discussion by the Committee, Mr. Barengo made a motion to adjourn and Mr. Benkovich seconded the motion. The meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "La Donna Moore".

La Donna Moore
Secretary

/lm

AGENDA FOR COMMITTEE ON Labor & Management

Date Feb. 11, 1975 Time 9:30 a.m. Room 336

Bills or Resolutions
to be considered

Subject

Counsel
requested*

A.B. 50

Permits sole proprietor or partner to
elect workman's compensation coverage.

SUMMARY--Eliminates numerical exemptions for industrial insurance and occupational disease coverage and extends coverage to include optional coverage for sole proprietors.

AN ACT extending compulsory industrial insurance and occupational disease coverage to include employees whose employer has one or more employees and to include coverage for sole proprietors.

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

Section 1. NRS 616.285 is hereby amended to read as follows:

616.285 Applicability to employers of (two) one or more employees.

Where an employer has in his service (two) one or more employees under a contract of hire, except as otherwise expressly provided in this chapter, the terms, conditions and provisions of this chapter for the payment of premiums to the state insurance fund for the payment of compensation and the amount thereof for such injury sustained by an employee of such employer, shall be conclusive, compulsory, and obligatory upon both employer and employee.

Section 2. NRS 617.110 is hereby amended to read as follows:

617.110 "Employer" defined. The following shall constitute employers subject to the provisions of this chapter:

(1) The state and each county, city, school district, and all public and quasi-public corporations therein, without regard to the number of persons in the service of any such employer.

(2) Every person, firm, voluntary association, and private corporation, including any public service corporation, which has in service (two) one or more employees under a contract of hire.

Section 3. NRS 616.290 is hereby repealed.

Section 4. NRS 616.295 is hereby repealed.

Section 5. NRS 616.300 is hereby repealed.

Section 6. NRS 617.230 is hereby repealed.

Section 7. NRS 617.260 is hereby repealed.

Section 8. Chapter 616 of the NRS is hereby amended by adding thereto the provisions set forth as Sections 9, 10, 11, and 12.

Section 9. "Sole proprietor" shall be construed to mean a self-employed owner of an unincorporated business, who has been domiciled in the State of Nevada for at least six months, and shall include working partners and members of working associations.

Section 10.

(1) Sole proprietors may elect to accept the terms of this chapter and be governed by its provisions for the purpose of personally securing compensation for any and all personal injuries by accident sustained by them out of and in the course of employment according to the terms, conditions, and provisions of this chapter regarding compensation for any and all personal injuries by accident sustained by an employee arising out of and in the course of employment.

(2) A sole proprietor's election to come within the terms, conditions and provisions of this chapter for the purposes of self-coverage shall not become effective until a written election to that effect is filed with the commission.

(3) Each sole proprietor who elects to accept the terms of this chapter shall submit to an initial physical examination within one month prior to commencement of coverage and on an annual basis thereafter. The commission shall prescribe the scope of the physical examination and shall consider it for rating purposes. The cost of the physical examination shall be paid by the sole proprietor.

Section 11.

(1) Every sole proprietor electing to be governed by the provisions of this chapter, before becoming entitled to the benefits of this chapter, in accordance with Section 10 of this act, shall, on or before July 1, 1975, and thereafter during the period of his election be governed by the provisions of this chapter, pay to the commission all premiums in the manner prescribed by the Rules and Regulations of the commission. During the period of his election to be governed by the provisions of this chapter, he shall comply with all conditions and provisions thereof.

(2) Failure on the part of the sole proprietor to pay all the premiums as required by the Rules and Regulations of the commission shall operate as a rejection of this chapter.

Section 12. A sole proprietor having come under this chapter and as herein provided, who thereafter elects to reject the terms, conditions, and of this chapter, shall not be relieved from the payment of premiums to the

commission prior to the time his notice of rejection becomes effective.

Premiums may be recovered in an action at law as provided in this chapter.

Section 13. Sole proprietors shall be deemed for the purpose of this chapter to receive a wage of \$300 (three hundred dollars) per month.