

ASSEMBLY LABOR & MANAGEMENT COMMITTEE MEETING

April 3, 1975 (9:30 A.M.)

MEMBERS PRESENT: Chairman Banner
Assemblyman Benkovich
Assemblyman Getto
Assemblyman Barengo
Assemblyman Hayes
Assemblyman Schofield

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MEMBERS ABSENT: Vice Chairman Moody (Excused) (No vote recorded)

The meeting was called to order at 9:57 A.M. by Chairman Banner. for the purpose of acting on bills that had already been heard and discussed. He stated that A.B. 312-314 & 503 were on the agenda for Thursday A.M. meeting (April 8, 1975). Assemblyman Benkovich, who had introduced A.B. 270 asked that it be withdrawn from consideration, as the subject matter in that bill was covered in A.B. 287. AMENDMENTS TO A.B. 2-4 & 5 ATTACHED.

Chairman Banner went over A.B. 2, as he had introduced the bill.

Assemblyman Barengo moved to accept Amendment 7968 to A.B. 2. Assemblyman Benkovich seconded the motion. Motion carried. General Discussion was held.

Assemblyman Barengo moved that A.B. 2 be given a "do pass as amended" recommendation. Assemblyman Benkovich seconded the motion. All present voted "aye" except Assemblyman Getto who voted "no". Motion carried.

Chairman Banner went over A.B. 3, as he had introduced it. Assemblyman Schofield moved that A.B. 3 be given a "do pass" recommendation. Assemblyman Benkovich seconded the motion. Assemblymen Banner, Schofield, and Benkovich voted "aye". Assemblymen Hayes, Barengo, and Getto did not vote. Motion failed. Considerable general discussion was held.

Chairman Banner went over A.B. 4, as he had introduced it.

Assemblyman Benkovich moved that A.B. 4 be given a "do pass as amended" (Amendment 7970) recommendation. Assemblyman Getto seconded the motion. The "aye" vote was unanimous. Motion carried.

Chairman Banner went over A.B. 5, as he had introduced it. General discussion was held. Assemblyman Benkovich moved that A.B. 5 be given a "do pass as amended" (Amendment 5940). Assemblyman Schofield seconded the motion. All present voted "aye" except Assemblyman Getto, who voted "no".

Chairman Banner went over A.B. 50, as he had been one of the sponsors. General discussion was held. Assemblyman Schofield moved that A.B. 50 be given a "do pass" recommendation. Motion was seconded by Assemblyman Getto. The "aye" vote was unanimous. Motion carried.

Motion to adjourn was made by Assemblyman Benkovich. Seconded by Assemblyman Getto. Meeting adjourned at 10:35 A.M.

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SENATE ACTION

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Amendments to Assembly / Senate
 Bill / Joint Resolution No. 2 (8853-445)
 Proposed by Assemblyman Banner

Amendment N^o 7968



Amend section 1, page 1, line 25, by placing open and closed brackets around "determination" and inserting thereafter "termination".

Amend section 1, page 2, line 22, by placing open and closed brackets around "permanent".



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ASSEMBLY ACTION

SENATE ACTION

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Amendments to Assembly / Senate

Bill / Joint Resolution No. 4 (BDR 53-443 ²⁸⁶)

Proposed by Assemblyman Banner

Amendment N^o 7970



Amend section 1, page 2, by deleting lines 2 and 3 and inserting:

"services shall be paid by the employer who has elected to provide benefits, pursuant to the provisions of this section, for his injured employees."

Amend the bill as a whole by adding a new section designated as section 2, following section 1, which shall read as follows:

"Sec. 2. NRS 616.420 is hereby amended to read as follows:

616.420 If it be shown or the commission finds that the employer is



furnishing the requirements of accident benefits in such a manner that there are reasonable grounds for believing that the health, life or recovery of the employee is being endangered or impaired thereby, or that an employer has failed to provide benefits pursuant to NRS 616.415 for which he has made arrangements, the commission may, upon application of the employee, or upon its own motion, order a change of physicians or of any other accident benefit requirements, and if the employer fails to comply promptly with such order, the injured employee may elect to have accident benefits provided by or through the commission, in which event the cause of action of the injured employee against the employer or hospital association shall be assigned to the commission for the benefit of the state insurance fund, and the commission shall furnish to the injured employee the accident benefits provided for in this chapter."

Amend the title of the bill by deleting the title and inserting:

"AN ACT relating to industrial insurance; enlarging the right of employees to be treated by a physician of their choice; and providing other matters properly relating thereto."

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Amendment N^o 5940



Amend section 1, page 1, by deleting line 2 and inserting:

"616.625 [The] Except as provided in NRS 616.626 and 616.628, the amount".

Amend section 1, page 1, by deleting lines 7 through 13 and inserting:

"Sec. 2. NRS 616.626 is hereby amended to read as follows:

616.626 Any claimant or his dependents, residing in this state, who receive total compensation for permanent/disability on account of an industrial injury or disablement due to occupational disease occurring prior to [April 9, 1971, is

Amendment No. 5940 to Assembly Bill No. 5 (BDR 53-444) Page 2

entitled to a 10 percent increase in such compensation,] July 1, 1973, is entitled to an increase in such compensation which will raise such compensation to an amount which is 50 percent greater than the amount of compensation initially received by the claimant or his dependents, without regard to any wage limitation imposed by this chapter on the amount of such compensation. The increase shall be paid from the [general fund in the state treasury.] state insurance fund.

Sec. 3. NRS 616.628 is hereby amended to read as follows:

616.628 Any widow, widower, surviving children or surviving dependent=parent or parents, residing in this state, who receive death benefits on account of an industrial injury or disablement due to occupational disease occurring prior to July 1, 1973, is entitled to [a 10 percent increase in such benefits] an increase in such benefits which will raise such benefits to an amount 50 percent greater than the amount of benefits initially received by such persons, without regard to any wage limitation imposed by this chapter on the amount of such benefits. The increase shall be paid from the [general fund in the state treasury.] state insurance fund."

Amend the title by deleting line 2 and inserting:

"and compensation previously awarded persons permanently and totally disabled and their survivors; and providing".