

MINUTES

ASSEMBLY COMMERCE COMMITTEE

March 28, 1977

Members Present:

Chairman Harmon  
Vice Chairman Mello  
Mr. Barengo  
Mr. Demers  
Mrs. Hayes  
Mr. Moody  
Mr. Price  
Mr. Sena  
Mr. Weise

Guests Present:

Julius Conigliaro, Federated Firefighters  
Nick Horn, Assemblyman District 15  
Peter Echiverria  
Joe Midmore, Southern Nevada Mobile Home Owners' Assn.  
Glen Kirstead  
J. W. Potter  
E. Rea Seeley, NSEA, Washoe County Teachers  
Pamela Barder  
LaVonne Salbach  
Helen Close

Chairman Harmon called the meeting to order at 3:15 p.m. and announced that the first bill to be heard would be A.B. 454.

Julius Conigliaro, representing the Federated Firefighters of Nevada, presented the committee with suggested amendments to A.B. 454. A copy of these amendments is attached as Exhibit 1. Mr. Conigliaro said these amendments had been coordinated with Dick Rottman, Insurance Commissioner, and the insurance lobby, and they both concur.

Mr. Conigliaro explained the suggested amendments and why they were desirable. He further stated that the purpose of A.B. 454 was to allow public employee organizations to buy prepaid services in order to obtain a lower fee, i.e. legal, dental, drug supplies, etc.

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Mr. E. Rea Seeley, NSEA, Washoe County Teachers Association, also appeared in support of A.B. 454. This bill pertains to professions, occupations and businesses. It provides that any organization may contract with any professional person to provide, on a pre-paid basis, any type of personal service for the members of the organization.

Mr. Seeley further stated that if passed, this bill would permit an organization such as NSEA to provide additional services to its members such as legal services, a dental program, an eye care program and others. This feature should provide considerable savings to its members. At present, service such as this is not spelled out in law. They urge a "Do Pass" recommendation.

COMMITTEE ACTION

Assembly Bill 454:

Mr. Demers moved to adopt the amendments to A.B. 454, seconded by Mr. Price. Motion carried.

Mr. Demers moved Do Pass A.B. 454 as amended. Seconded by Mr. Sena and carried. Mr. Barengo abstaining.

Chairman Harmon announced that A.B. 201 would not be heard and the next matter on the agenda was A.B. 396.

Assemblyman Nick Horn, one of the sponsors of A.B. 396, stated this bill was introduced because of his constituent's needs. There are 7 mobile home parks in his district and owners, managers and tenants all expressed a desire for this legislation. The bill is patterned very closely on a Pennsylvania statute. There are 17 sections in the bill and Assemblyman gave a brief summary of each of the sections, and pointed out the differences between this and A.B. 201.

Mr. Barengo questioned Section 3 at the top of page 4 and asked if there had actually been a problem wherein a landlord has said that a tenant cannot remodel the inside of his own mobile home. Mr. Horn said in some instances a tenant wished to add on a room which would take some of the landlord's property. There should be something explicit in writing to cover all situations.

Mr. Barengo also questioned page 5, Section 13, line 35, and asked if the intention there was to enact a new statute of limitations in the filing of actions by bringing it down to 60 days when in other matters it is 3 years. Mr. Horn answered that this just follows the Pennsylvania law and the provision could be changed if the committee wished.

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Mr. Barengo further questioned why the attorney general would want to know about any complaints as provided at the top of page 6, since he would not do anything about such complaints. They would have no right to intervene in any suit that was filed.

Mr. Peter Echiverria, owner of a mobile home park in Reno, stated that he was not opposed to the bill per se, but he did have some criticisms. However, Mr. Echiverria stated that he was opposed to A.B. 201. On A.B. 396, Mr. Echiverria had the following comments:

He approves this bill recognizing oral agreements, since that is important. A.B. 201 does not recognize them.

On page 3, line 45, he feels this should be clarified to be sure this does not cover guests who stay longer than 15 days, or some specified time. Page 4, line 2, should also be clarified. An essential requirement is that the landlord give approval of a prospective buyer.

On page 5, line 21, Mr. Echiverria would agree if this covered only one supplier. However, the landlord should have the right to refuse to allow a particular supplier to come into the park if he knows his work is inferior. The landlord should have the right to submit a list of approved suppliers. Mr. Echiverria particularly disagrees with lines 35 and 36, page 5, since he doesn't think legislation should be passed changing the statute of limitations for particular cases. He also objected to lines 46 and 47 covering treble damages for the landlord only and thought it should apply to both landlord and tenant. He further sees no need for the attorney general or district attorney to be involved in these cases.

Mr. Echiverria requested that he be notified of the hearing on A.B. 201.

Mr. Joe Midmore, representing the Southern Nevada Mobile Home Park Association, introduced Mr. Glen Kirstead, a member of that organization. They did not really come in opposition to A.B. 396, but they are in violent opposition to A.B. 201. They would concur with Mr. Echiverria's suggestions on A.B. 396.

Mrs. Helen Close, owner of a mobile home park in Reno, stated that she believes A.B. 308 has been a good law. She objects to Section 3, page 3, line 5 and Section 6, line 27. Mrs. Close also asked to be notified with A.B. 201 is to be heard.

Mrs. LaVonne Salbach expressed her opposition to certain portions of A.B. 396.

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Chairman Harmon adjourned the meeting at 4:10 p.m.

Respectfully submitted,

Jane Dunne  
Assembly Attache

59TH NEVADA LEGISLATURE

COMMERCE COMMITTEE  
LEGISLATIVE ACTION

DATE March 28, 1977

SUBJECT A.B. 454

MOTION: Amend and Do Pass as Amended

Do Pass  Amend  Indefinitely Postpone  Reconsider

Moved by Mr. Demers Seconded by Mr. Price

AMENDMENT See Exhibit 1, Minutes of March 28, 1977

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>
Harmon	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Mello	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Barengo	<u>Not</u>	<u>voting</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Demers	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Hayes	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Moody	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Price	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Sena	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Weise	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>

TALLY: 8

Original Motion: Passed x Defeated      Withdrawn     

Amended & Passed      Amended & Defeated     

Amended & Passed      Amended & Defeated     

Attach to Minutes March 28, 1977  
Date

ASSEMBLY ACTION	SENATE ACTION	ASSEMBLY / SENATE AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	Amendments to Assembly / Senate
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill / Joint Resolution No. <u>454</u> (BDR <u>54-917</u> )
Date:	Date:	Proposed by <u>Committee on Commerce</u>
Initial:	Initial:	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>	
Date:	Date:	
Initial:	Initial:	

1977 Amendment **Nº 518 A**

Amend section 1, page 1, delete line 2 and insert:

"the provisions set forth as sections 2 to 5, inclusive, of this act."

Amend section 2, page 1, delete lines 3 through 14 and insert:

"Sec. 2. As used in this chapter, unless the context otherwise requires:

1. "Employee organization" means an organization of any kind which has as one of its purposes the improvement of the terms and conditions of

employment of ~~=====~~ government employees.

2. "Person" means a natural person or a partnership, corporation or association.

3. "Professional service" means any type of personal service which may legally be performed only pursuant to a license, certificate of registration or other legal authorization issued by this state, except services provided by any person licensed under chapter 630 or 633 of NRS.

Sec. 3. 1. An employee organization may enter into a contract or other type of agreement with any person authorized in this state to provide professional services for the purpose of making the services available to members of the organization.

2. The contract or agreement shall provide that the organization will make periodic payments to the person rendering the professional services and such payments will be made only after the services have been performed.

Sec. 4. 1. The employee organization shall:

(a) Establish procedures for collecting assessments from its members for the professional services; and

(b) Report to its members the amount of money collected and the types of professional services which are available.

Sec. 5. 1. The employee organization is trustee of any money collected from its members.

2. Any claim by a member on account of money paid in shall be made against the employee organization."

Amend the title of the bill on the second line after "tracts" insert:  
"by government employee organizations".