

MINUTES

ASSEMBLY COMMERCE COMMITTEE

April 11, 1977

MEMBERS PRESENT

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

GUESTS PRESENT

See Guest List Attached

Chairman Harmon called the meeting to order at 3:30 p.m. and submitted amendments to A.B. 341 which had been prepared by the subcommittee.

COMMITTEE ACTION

Mr. Weise moved to adopt the amendments submitted, seconded by Mr. Demers. Motion carried.

Mr. Demers moved Do Pass A.B. 341 as amended, seconded by Mr. Weise. Motion carried.

Assembly Bill 640

William E. Isaeff, Deputy Attorney General, appeared in support of the bill. He stated that A.B. 640 is designed to make clear to all concerned persons the extent of the emergency powers which the Governor would possess in the event of a declared water or energy emergency. Mr. Isaeff then explained the various highlights and sections of the bill.

Chairman Harmon asked if the Governor did not have the power to do all the things set forth in the bill at the present time, and Mr. Isaeff said he did not have this type of authority.

Assembly Commerce Committee Minutes
April 11, 1977

Mr. Isaefff questioned the clarity of Subsection 2, Page 4, lines 3 through 7. He proposed that on line 7 after the word "application" the following language be added: "comma and render a decision thereon period". This would make it clear that the agency designed by the Governor to hold the hearing on the application for variance would be the agency to render the decision, not the Governor himself.

Mr. Weise questioned what impending disasters would require this legislation and what this legislation contained that could not be accomplished by executive order. Mr. Isaefff stated that while there may not be an immediate emergency situation, such a situation could arise and this is forward-looking legislation. Mr. Weise expressed his opinion that the Governor could do all these things by executive order.

Mr. Demers asked if it would be constitutional to give the Governor such broad powers. Mr. Isaefff thought that it would in the light of a similar recent California law. Mr. Demers also questioned the fact that similar authority might be given to the Public Service Commission under two bills now pending. Mr. Isaefff said that is why A.B. 640 says, "the Governor or his designee", and if either A.B. 28 or S.B. 153 passes there would be no conflict.

Clark Guild, an attorney representing Southwest Gas, said that he had been requested by Chairman Harmon to review A.B. 640 with Mr. Isaefff and members of the Public Service Commission, and this was done. The points that have been raised by the Committee were also considered in that discussion. Mr. Guild felt that in view of the critical times, this was probably the best legislation to insure the Governor's powers so he would have some statutory provisions to exercise these emergency powers.

COMMITTEE ACTION

A.B. 640: Mr. Demers moved to amend by adding the following after the word "application" on Line 7, Page 4: ",and render a decision thereon." Seconded by Mrs. Hayes. Motion carried.

Mr. Demers moved Do Pass A.B. 640 as Amended, seconded by Mrs. Hayes. Motion carried, with Mr. Weise, Mr. Barengo and Mr. Mello voting "no".

Assembly Bill 637

George Flint, Wedding Chapel Association, stated this bill simply allows a civil marriage ceremony to take place with only one witness, rather than the existing two. The Clark County

Assembly Commerce Committee Minutes
April 11, 1977

Marriage License Bureau was in favor of this bill since one person on the night shift could be eliminated from the payroll and save Clark County approximately \$10,000 a year. Mr. Flint further stated that inasmuch as the solemnizing officer is certified by the State, there would still be two individuals witnessing the ceremony.

Assembly Bill 607

Assemblyman Bob Price explained that this bill is a technical change that cleans up some language enacted in two different bills on similar subject matter last session. It has been uncertain who would inspect and what standards would be used when trailers are moved into existing trailer parks. This bill is designed to correct the problem of who will do the inspections. Mr. Price further stated that Mr. Stan Warren has requested an amendment to A.B. 607, and Mr. Price did not object. A copy of such amendment is attached as Exhibit 1.

Steve Stucker, Deputy City Attorney for North Las Vegas, also appeared in support of A.B. 607. The two standards, one covering the construction of mobile homes and one covering mobile home parks, make it unclear as to who inspects electrical and gas hookups. This bill is designed to designate who makes the inspections.

Steve Coulter, President of the Nevada Manufacturers Housing Association and President of Coulter Mobile Homes in Las Vegas, appeared in opposition to A.B. 607. Mr. Coulter said that the problems in North Las Vegas are going to be taken care of by the new HUD regulations which cover all aspects of mobile home construction. Mr. Coulter also stated that Senator Bryan is introducing a bill which will take a total view of the mobile home picture and take it from the Fire Marshal's office and put it in the Department of Commerce. If A.B. 607 is passed, Mr. Coulter felt it would cause different levels of administration between municipalities and state.

Mr. Price asked Mr. Coulter if he had any objection to the city or county inspecting the electrical installation that goes from a pad to a trailer. Mr. Coulter said that he did, since there should be one set of rules under one department. There was discussion between Mr. Coulter and Mr. Price over various aspects of the problem.

Mike Melner, State Commerce Director, and Pam Willmore, Deputy Commerce Director, appeared in opposition to the bill. Mr. Melner stated that the mobile home function was transferred from the Fire Marshal's office to the Commerce Director's office. Mobile homes are a national industry and a national product and must be regulated at the state level. Mr. Melner said that to have different standards apply to a nationally made product will cause problems.

Assembly Commerce Committee Minutes
April 11, 1977

Pam Willmore said she did not think the Committee had been told about what is happening in the mobile home industry. The construction standards of mobile homes had been totally preempted by the Federal Government through HUD. The Commerce Department does operate an installation program and do inspect mobile homes as they are installed in Nevada. Ms. Willmore further stated that in Clark County the inspections are being done by a third party inspector. The local governments should not have their own rules and regulations because they would be different in every area. The Commerce Department wants to formulate the installation standards and they hope that Senator Bryan's bill will work out how these standards are to be enforced.

Mr. Weise said he failed to understand the objection to a city or county requirement covering mobile homes, particularly for regional conditions, such as weather. Ms. Willmore said they felt they were able to understand the various regional conditions at the state level and that they have to have rules consistent with the HUD regulations. The Commerce Department is very familiar with the HUD program and they want to maintain control of how a mobile home is installed. Mr. Weise felt if someone had a local problem he was not too sure they could go to the State of Nevada and get an answer. Ms. Willmore answered that they dealt with all consumer complaints and the consumer does find their department.

Mr. Price asked what was meant by third party inspectors. Ms. Willmore said that in those areas where the cities or counties have been unwilling to enforce the regulations which the Commerce Department has promulgated, they have hired independent third party contractors to do the inspections.

Lynn Krupp, Chief Building Inspector for Washoe County, appeared in opposition to A.B. 607, and said this bill would eliminate standard regulations and would put them back to the problems prior to 1972.

After considerable discussion, Chairman Harmon appointed Mr. Price and Mr. Weise to study A.B. 607 and make recommendations to the Committee.

Assembly Bill 635

Assemblyman Lawrence Jacobsen appeared in support of the bill. Mr. Jacobsen stated that a number of years ago all proprietors and employees were covered under industrial insurance. About 2 years ago, the Attorney General ruled that was illegal and all proprietors were taken from under the act. Last session of the legislature the proprietors were included again, but the premiums were so high that it was cheaper to obtain private coverage. Mr. Jacobsen feels that if an employer is doing the

Assembly Commerce Committee Minutes
April 11, 1977

same type of work as his employee, he should be entitled to the same type of coverage at a rate he can afford. A.B. 635 would allow medical coverage and no compensation to the proprietor. This should enable the rate to be reduced and also enable NIC to continue to operate.

Warren Goedert, an attorney from Reno, appeared in opposition to A.B. 635. Mr. Goedert stated that a sole proprietor has the right to elect coverage under NIC and if this bill were passed he could still elect coverage but all he would receive would be accident benefits. Mr. Goedert felt that a proprietor could do the same thing by purchasing a health policy at rates less than NIC. Mr. Harmon questioned that health insurance would cover a proprietor on the job. Mr. Goedert thought that it would unless you had other insurance.

Mr. John R. Reiser, Chairman, Nevada Industrial Commission, said that Mr. Fred Davis of the Greater Reno Chamber of Commerce had polled certain sole proprietors and had asked Mr. Reiser to state that the Chamber supports the bill. Mr. Goedert said that he was a member of the Greater Reno Chamber of Commerce and he had never been polled or asked what his thoughts were on any of the bills concerning NIC. Mr. Barengo agreed with that statement.

COMMITTEE ACTION

Assembly Bill 637: Mrs. Hayes moved Do Pass, seconded by Mr. Mello. Motion carried.

The meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Jane Dunne
Assembly Attache

Proposed Amendment to Assembly Bill 607

On page one, (line 3) - Strike "Electrical" insert "Commercial"

On page one (line 8) - After Section.

Insert:

" Nothing herein shall apply to the conductors and equipment that are owned, operated, and maintained. by a Communcations Public Utility used in the exercise of it's functions as a utility. "

Exhibit 1

59TH NEVADA LEGISLATURE

COMMERCE COMMITTEE
LEGISLATIVE ACTION

DATE April 11, 1977

SUBJECT A.B. 640

MOTION: AMEND & DO PASS AS AMENDED

Do Pass Amend Indefinitely Postpone Reconsider

Moved by Mr. Demers Seconded by Mrs. Hayes

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>
Harmon	<u>x</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Mello	<u> </u>	<u>x</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Barengo	<u> </u>	<u>x</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> </u>	<u>x</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

TALLY: 6 3

Original Motion: Passed xx Defeated Withdrawn

Amended & Passed Amended & Defeated

Amended & Passed Amended & Defeated

Attach to Minutes April 13, 1977
Date

59TH NEVADA LEGISLATURE

COMMERCE COMMITTEE
LEGISLATIVE ACTION

DATE April 11, 1977

SUBJECT A.B. 341

MOTION: AMEND AND DO PASS

Do Pass Amend Indefinitely Postpone Reconsider

Moved by Mr. Weise Seconded by Mr. Demers

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

TALLY: 6

Original Motion: Passed Defeated Withdrawn

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes April 11, 1977
Date

59TH NEVADA LEGISLATURE

COMMERCE COMMITTEE
LEGISLATIVE ACTION

DATE ~~RxBxx637x~~ April 11, 1977

SUBJECT A.B. 637

MOTION:

Do Pass xx Amend Indefinitely Postpone Reconsider
Moved by Mrs. Hayes Seconded by Mr. Mello

AMENDMENT

Moved by Seconded by

AMENDMENT

Moved by Seconded by

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Harmon	x	---	---	---	---	---
Mello	x	---	---	---	---	---
Barengo	x	---	---	---	---	---
Demers	Not present		---	---	---	---
Hayes	x	---	---	---	---	---
Moody	x	---	---	---	---	---
Price	Not present		---	---	---	---
Sena	x	---	---	---	---	---
Weise	x	---	---	---	---	---

TALLY:

Original Motion: Passed x Defeated Withdrawn

Amended & Passed Amended & Defeated

Amended & Passed Amended & Defeated

Attach to Minutes April 11, 1977
Date