

Chairman Robinson called the meeting to order at 2:10 p.m. in Room 200.

MEMBERS PRESENT: Mr. Bennett
 Mr. Bremner
 Mr. Chaney (late-excused)
 Mr. Dini
 Mr. DuBois
 Mr. Kovacs
 Mr. Prengaman
 Mr. Rusk
 Dr. Robinson

MEMBERS ABSENT: Mr. Brady
 Mr. Jeffrey

GUESTS PRESENT: See Attached Guest List

The chairman opened the hearing on A.B. 331.

A.B. 331: INCREASES REQUIREMENTS FOR RESERVE FUNDS AND SPECIFIES NUMBERS OF PROFESSIONAL PARTICIPANTS REQUIRED TO QUALIFY PLANS OF NEW MEDICAL SERVICE CORPORATIONS.

Presenting the bill to the Committee was Assemblyman Dave Nicholas, District 23. Mr. Nicholas introduced three people; Irma Edwards, from the Insurance Division, Jeannie Sharpnack, from Blue Shield, and Paul Cohen, from the Health Division.

First to testify on the bill was Irma Edwards, representing the Nevada Insurance Division. She said that basically, the bill would increase the reserve requirements for nonprofit medical service corporations from a minimum of \$10,000 and a maximum of \$20,000 to a minimum of \$100,000 and a maximum of \$150,000 for each type of service provided. She also said that under the act a company could provide dental, hospital or medical services; but if all three are provided, then a reserve must be put up for each of the services.

Ms. Edwards indicated that the original reserve requirements were put into law in 1963, and have not been increased since then. She added that the bill also put a minimum percentage participation requirement on the provider. She said, "Under this bill, you have to have 25 percent of the licensed dentists and 25 percent of the licensed doctors in the state in order to provide the services."

In response to a question from Dr. Robinson, Ms. Edwards replied that the reserve funds were used to pay claims against the providers. She also explained to Dr. Robinson how Blue Shield was established in Nevada.

Ms. Edwards testified that Nevada had Blue Shield, Delta Dental, an optometric plan and a vision service plan now in effect that had all been "grandfathered" under the present law. She said that she did not know what their present reserves were, but added that they were sufficient. Ms. Edwards also said that the bill would have no effect on union plans because they were entirely self-insured.

Dr. Robinson closed the hearing on A.B. 331 and opened the hearing on S.B. 239.

S.B. 239:

MAKES VARIOUS CHANGES TO LAW GOVERNING
PRACTICE OF TRADITIONAL ORIENTAL MEDI-
CINE.

Testifying on behalf of S.B. 239 was Dr. William Edwards, representing the State Health Division. Dr. Edwards also mentioned he was the Secretary of the Nevada State Board of Acupuncture. He said that the bill originated from the Board of Oriental Medicine. Dr. Edwards testified that the "meat" of the bill was on page 2, lines 38 and 39. This portion of the bill would reduce from 10 to 6 years the time of experience required for all masters. He added that the Board felt 10 years was excessive and said, "We will be giving our fifteenth examination next month. We have examined about 100 people; we've licensed, perhaps, 40. We currently carry 40 paid-up licensees--7 are in Las Vegas and 2 in Reno."

Dr. Edwards said that the Board was making no request for a change in fees. He added that the remainder of the bill represented changes proposed by Deputy Attorney General, Bill Isaeff.

Mr. Rusk asked if page 2 of the bill was a new requirement. Mr. Edwards responded that it was actually correcting language and not a new requirement.

Georgia Massey, representing the Nevada Insurance Division, testified that the Division was neither for nor against the bill; however, she wanted the Committee to be aware that the first page of the bill actually broadened the scope of practice for those engaged in acupuncture. She added that insurance policies will only pay for services performed "within the scope of practice," and by broadening the scope, the insurance companies would become liable for more charges. Ms. Massey questioned if people in this classification were actually qualified to perform the functions that this new, broadened scope allowed them to.

In response to a question from Mr. DuBois, Ms. Massey replied that the new definition did not exclude "much of anything."

Mr. Edwards remarked that he would not be opposed to inserting the word "attempt" on line 8, page 1, in front of the phrase, "to control . . ."

Ms. Massey said, "We have worked under the original language up until this time. I would like to know why somebody has decided that it has to be broadened."

There was further discussion between Ms. Massey and the Committee members as to what the new definition could possible entail.

Dr. Robinson commented that he would like to have Mr. Isaefff come to the Committee to testify on the bill.

Ms. Massey concluded her remarks by saying that the bill would allow an acupuncturist to do more than any other practitioner.

There was no further testimony on S.B. 239, so the Chairman closed the hearing on the bill.

Dr. Robinson then requested a Committee introduction for BDR 53-1586.

BDR 53-1586: INCLUDES TRADE ASSOCIATIONS AS EMPLOYERS FOR PURPOSES OF INDUSTRIAL INSURANCE.
(AB 562)

MR. KOVACS MADE THE MOTION TO HAVE A COMMITTEE INTRODUCTION OF THE BILL DRAFT. THE MOTION WAS SECONDED BY MR. PRENGAMAN AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson then commented that a subcommittee had made extensive amendments to A.B. 412.

A.B. 412: PROVIDES FOR REGULATION OF CONDITION OF MANUFACTURED HOUSING.

MR. BREMNER MOVED TO AMEND A.B. 412 AND HAVE IT REFERRED BACK TO COMMITTEE. THE MOTION WAS SECONDED BY MR. RUSK AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson indicated that he would like to have the bill scheduled for a Committee discussion on April 29th.

The Chairman then indicated that he had an amendment for S.B. 202.

S.B. 202: INCREASES FINE FOR VIOLATION OF CERTAIN LAWS BY CONTRACTORS.

There was a brief discussion of Amendment No. 396.

A MOTION WAS MADE BY MR. BREMNER TO ADOPT AMENDMENT NO. 396 TO S.B. 202. THE MOTION WAS SECONDED BY MR. PRENGAMAN AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

MR. PRENGAMAN THEN MOVED TO DO PASS S.B. 202 AS AMENDED. THE MOTION WAS SECONDED BY MR. BENNETT AND CARRIED UNANIMOUSLY OF

THE MEMBERS PRESENT.

Mr. DuBois was requested to handle the bill on the floor.

Chairman Robinson then indicated that he would entertain a motion on S.B. 213.

S.B. 213: LIMITS REGULATION TO CERTAIN TRUST COMPANIES.

MR. BREMNER MOVED TO DO PASS S.B. 213. MR. BENNETT SECONDED THE MOTION AND IT PASSED WITH A 7 TO 1 VOTE.

Chairman Robinson then moved discussion to A.B. 411.

A.B. 411: ENLARGES AUTHORITY OF SAVINGS AND LOAN ASSOCIATIONS TO MANAGE REAL PROPERTY.

There was some discussion pertaining to the words "and/or"

MR. BREMNER MOVED TO ADOPT AMENDMENT NO. 633 TO A.B. 411. THE MOTION WAS SECONDED BY MR. DUBOIS AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

MR. BREMNER THEN MOVED TO DO PASS A.B. 411 AS AMENDED. THE MOTION WAS SECONDED BY MR. BENNETT AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Discussion moved to A.B. 413.

A.B. 413: ALLOWS DEPOSITS OF PUBLIC MONEY TO BE SECURED WITH MORTGAGES AND DEEDS OF TRUST.

Dr. Robinson read a memo from Stan Colton, State Treasurer, entitled "A Discussion of the Salient Points of the Bill A.B. 413," (EXHIBIT A).

A MOTION WAS MADE BY MR. BENNETT TO ADOPT AMENDMENT NO. 575 TO A.B. 413. THE MOTION WAS SECONDED BY MR. KOVACS AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

A MOTION WAS THEN MADE BY MR. BREMNER TO DO PASS A.B. 413 AS AMENDED. THE MOTION WAS SECONDED BY MR. PRENGAMAN AND PASSED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson requested Mr. Kovacs to handle the bill on the floor.

Joe Midmore came forward to answer some questions from the Committee members regarding fines charged to contractors who make bids over their legal limits. There was brief discussion between the members of the Committee and Mr. Midmore regarding the procedures for increasing a contractor's scope of bidding.

Dr. Robinson indicated that he would like for the Committee to take action on A.B. 281.

A.B. 281: REQUIRES DEALERS IN COINS AND USED JEWELRY TO KEEP CERTAIN RECORDS.

MR. KOVACS MOVED TO INDEFINITELY POSTPONE A.B. 281. THE MOTION WAS SECONDED BY MR. BENNETT AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Discussion then moved to A.B. 363.

A.B. 363: REMOVES REQUIREMENT THAT SECONDHAND DEALER MAINTAIN RECORD OF SALES.

MR. DUBOIS MOVED TO DO PASS ON A.B. 363. THE MOTION WAS SECONDED BY MR. BENNETT AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson asked Mr. Bennett to handle the floor work on the bill.

The Chairman then indicated that he would like to take action on A.B. 331 while there was a quorum present.

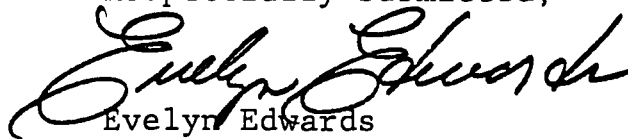
A.B. 331: INCREASES REQUIREMENTS FOR RESERVE FUNDS AND SPECIFIES NUMBERS OF PROFESSIONAL PARTICIPANTS REQUIRED TO QUALIFY PLANS OF NEW MEDICAL SERVICE CORPORATIONS.

MR. BENNETT MOVED TO DO PASS ON A.B. 331. THE MOTION WAS SECONDED BY MR. DUBOIS AND PASSED WITH A 6 TO 0 VOTE WITH MR. BREMENR ABSTAINING BECAUSE OF A POSSIBLE CONFLICT OF INTEREST.

Mr. Prengaman indicated that he would handle the floor work on the bill.

There being no further business, the Chairman adjourned the meeting.

Respectfully submitted,


Evelyn Edwards
Committee Secretary

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 23, 1981

SUBJECT A.B. 412: PROVIDES FOR REGULATION OF CONDITION OF MANUFACTURED HOUSING.

MOTION:

Do Pass Amend X Indefinitely Postpone Reconsider

Moved By MR. BREMNER Seconded By MR. RUSK

AMENDMENT: AMEND (SEE ATTACHED) AND REFER BACK TO COMMITTEE

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: MOTION (Yes, No), AMEND (Yes, No), AMEND (Yes, No). Rows include VOTE: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 9, 0.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 23, 1981

4/23/81

Amendment to AB 412

Amend. Sec. 9 page 2 to read as follows:

SEC. 9. 1. In order to carry out the provisions of this chapter, the administrator may:

- (a) Issue subpoenas for the attendance of witnesses or the production of books, papers and documents; and
- (b) Conduct hearings.

2. The administrator may make inspections, approve or disapprove plans and specifications of proposed construction or alteration, of mobile home parks.

[2.] When necessary to make an inspection to enforce any of the provisions of this chapter or when the administrator or his authorized representative has reasonable cause to believe that there exists in any mobile home or upon any premises any condition or violation which makes the mobile home or premises unsafe, dangerous or hazardous, the administrator or his authorized representative may enter the mobile home or premises at any reasonable time to inspect it or to perform any duty imposed upon the administrator. If the mobile home or premises is occupied, he shall first present proper credentials and request entry and if the mobile home or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the mobile home or premises and request entry. If entry is refused, the administrator or his authorized representative has recourse to every remedy provided by law to secure entry.

3. A magistrate shall issue a warrant to permit an inspection if the administrator has shown:

- (a) Evidence that a violation of a provision of this chapter or a regulation adopted under it has been committed or is being committed; or
- (b) That the mobile home or premises have been chosen for an inspection on the basis of a general administrative plan for the enforcement of the provisions of this chapter and the regulations adopted under it.

4. The administrator shall adopt regulations to carry out the purposes of this chapter and to govern the use and occupancy of mobile homes and premises. The regulations must establish minimum requirements to protect the health and safety of the occupants and the public and must provide for the abatement of any substandard, unsafe or unsanitary condition of a mobile home or premises or of the electrical, mechanical or plumbing systems therein.

5. The administrator shall adopt regulations to govern the construction or alteration of mobile home parks and lots within those parks.

The regulations must establish standards and requirements which the administrator determines are necessary to protect the health, safety and general welfare of the residents of the parks:

The regulations must without limitation pertain to:

(a) The construction and maintenance of roadways, driveways, walkways and permanent buildings;

(b) Plumbing and the supply of water;

(c) The disposal of refuse and sewage;

(d) Electrical wiring, fixtures and equipment;

(e) Gas equipment and installations;

(f) The prevention of fire and the protection of life and property against fire.

6. Whenever any construction, rebuilding or other work is performed in violation of this chapter or any regulation adopted pursuant to this chapter,

When any work being performed on a mobile home or premises is in violation of the provisions of this chapter, the administrator may

order the work stopped by written notice served on any person performing the work or causing the work to be done, and the person shall immediately stop the work until authorized by the administrator to proceed.

Amend Sec. 20, page 7 to read as follows:

SEC. 20. 1. It is unlawful for the person ordered to abate a nuisance under this chapter to fail or refuse to remove or abate the nuisance within ~~30~~ 60 days after the date of personal service or acknowledgment of receipt by mail of the order. After the expiration of the ~~30~~ 60 days, the agency may abate the nuisance.

2. It is unlawful for any person to use, cause to be used or permit to be used for occupancy:

(a) Any mobile home which does not comply with the safety standards for the installation, support and tie-down of mobile homes required by NRS 489.251.

(b) Any mobile home that is not fit for the use for which it was intended or could cause an unreasonable risk or make it immediately dangerous to the life, health, property, safety or welfare of the public or of the occupants.

(c) Any mobile home in an unsanitary condition.

(d) Any mobile home which is structurally unsound or does not protect its occupants against the elements.

(e) Any mobile home which has been declared by the agency to be substandard.

Amend Sec 22, page 8 to read as follows:

SEC. 22. 1. Any city or county may, upon 30 days' written notice to the division and with its approval, assume responsibility within its jurisdiction for the enforcement of this chapter and the regulations adopted under it.

2. The division shall adopt regulations which set forth the conditions for its approval, including any qualifications which local agencies must meet. The conditions set forth and the qualifications required in the regulations must relate solely to the ability of those agencies to enforce properly this chapter and the regulations adopted under it. The regulations may not set standards for local agencies different from those which the division maintains for its own program of enforcement.

3. When approval is granted, the division shall transfer the responsibility for enforcement to the city or county together with all records relevant to the jurisdiction of the city or county, and the city or county shall have the powers granted to the administrator under section 9 of this act. The jurisdiction of the county does not include the area within any city which has assumed that responsibility.

4. When the division determines that a city or county which has assumed responsibility for enforcement under this section is not discharging its responsibility properly, the division shall send a written notice to the governing body of the city or county specifying in what respect the city or county has failed to discharge its responsibility. If the city or county fails to initiate corrective measures within 30 days after the date of that notice, the division shall assume responsibility for enforcement and the city or county shall forthwith transfer to the division all relevant records which the division may require. The city or county is entitled to appeal the determination of the division to the director of the department of commerce.

5. Any city or county which has assumed responsibility for enforcement under this section may relinquish that responsibility upon 30 days' written notice to the division. The division shall assume responsibility for enforcement within 30 days after receipt of the notice and the city or county shall forthwith transfer to the division all pertinent records which the division may require.

6. The division may at any time investigate, conduct hearings and take appropriate action to enforce the provisions of this chapter if it determines that a violation has occurred and the local enforcement agency has failed to take corrective action.

1. Every city or county may enforce all regulations adopted pursuant to this chapter and the provisions of this chapter. If any city or county does not enforce this chapter or any regulations adopted pursuant thereto, the division shall enforce this chapter and such regulations in that jurisdiction.

2. Local governing bodies may adopt ordinances at least as stringent as the applicable state statutes or regulations.

3. No person may:

(a) Construct a mobile home park; or

(b) Construct additional lots, roads, or other facilities or alter lots, roads, or other facilities in a mobile home park, unless he has obtained a construction permit from the agency for enforcement.

4. The agency for enforcement shall charge and collect for its own account reasonable fees for its services.

Amend Sec 24, page 9 by deleting section

SEC. 24. All state or local regulations pertaining to the maintenance, use and occupancy of mobile homes remain in effect until such time as they are revised by the administrator pursuant to the provisions of this chapter.

Amend AB412 by adding the following new sections.

1. Every mobile home park constructed after July 1, 1981 must provide for each individual lot in the park, electric and gas service direct from the utility; except those parks where public utilities are not available.

2. Chapter 704 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. This section applies to mobile home parks governed by the provisions of NRS 118.235 to 118.340, inclusive, and sections 29 to 45, inclusive, of this act.

2. The commission shall examine and test the electric and gas distribution lines and equipment within a mobile home park ~~at least once each year or at any time~~ at the request of the manufactured housing division of the department of commerce or an agency for enforcement approved ~~by the division under section 15 of this act~~. The commission may enter upon the premises of a mobile home park at reasonable times to examine and test the lines and equipment whether or not they are owned by a public utility. The commission shall conduct the examination and testing to determine whether any line or equipment is unsafe for service under the safety standards set by its regulations or maintenance, use and operation of electric and gas distribution lines and equipment.

3. Any agency of local government which the commission determines can properly carry out the duties prescribed by subsection 2 shall, at the request of the commission, conduct the examination and tests in mobile home parks within its jurisdiction and report its findings to the commission.

4. If the owner or operator of a mobile home park refuses to allow the examination and testing to be made as provided in subsection 2, the commission shall deem the unexamined lines and equipment to be unsafe for service.

5. Whenever the commission deems or finds any lines or equipment within a mobile home park to be unsafe for service it shall take appropriate action to protect the safety of the residents of the park.

↓ 4

6. The landlord of any mobile home park which is not equipped with individual meters for each lot who charges the tenants for utilities either separately or by including the charge in their rent, shall prorate the cost of all utilities equally among the occupied lots in the park.

7. In no case may the charges prorated pursuant to this section exceed in the aggregate the cost of the utility to the landlord.

8. If the utility charges are included in the tenant's rent, the landlord shall itemize the gas rate on the rent bill and give the tenant 60 days written notice of an increase in gas rates.

9. In any mobile home park which is equipped with individual meters for each lot and where the landlord receives the utility bill and charges the tenants for utilities, the charge for each tenant may not be at a rate higher than the rate the tenant would be charged if he were receiving service directly from the utility.

10. The tenant of a lot in a park described in subsection 1 who believes the landlord has charged him for utilities at a rate higher than the rate the tenant would be charged if he were receiving the service directly from the utility may complain to the division of consumer relations of the public service commission of Nevada. The division shall receive and promptly investigate the complaint. If the division is unable to resolve the complaint, the division shall transmit the complaint and its recommendation to the public service commission of Nevada. The commission shall investigate, give notice and hold hearings upon the complaint, applying to

the extent practicable the procedures provided for complaints against public utilities in chapter 703 of NRS.

11. If the commission finds that the owner of the mobile home park has violated the provisions of subsection 1, it shall determine the amount of the overcharge to the tenant and order the landlord to return that amount to the tenant within a specified time. If the landlord fails or refuses to do so, the commission:

12. May compel compliance with its order by any appropriate civil remedy available to it under chapter 704 of NRS.

13. Shall order the landlord to cease and desist from any further violation of subsection 1 and shall enforce that order as any other order of the commission.

14. The owner of a mobile home park described in subsection 1 shall retain for at least 3 years a copy of all billings for utilities made to his tenants. The owner shall make these records available upon request to the public service commission of Nevada for verification of utility charges made to tenants.

3. NRS 118.270 is hereby amended to read as follows:

118.270 The landlord or his agent or employee shall not:

1. Require a person to purchase a mobile home from him or any other person as a condition to renting a mobile home lot to the purchaser.

2. Charge or receive:

(a) Any entrance or exit fee to a tenant assuming or leaving occupancy of a mobile home lot.

(b) Any transfer or selling fee or commission as a condition to permitting a tenant to sell his mobile home within the mobile home park even if the mobile home is to remain within the park, unless the landlord has acted as the mobile home owner's agent in the sale pursuant to a written contract.

(c) Any security or damage deposit the purpose of which is to avoid compliance with the provisions of subsection [5.] 6.

(d) Any fee for the tenant's spouse or children other than as provided in the lease.

(e) Any unreasonable fee for pets kept by a tenant in the park. If special facilities or services are provided, the landlord may also charge a fee reasonably related to the cost of maintenance of the facility or service and the number of pets kept in the facility.

[2.] 3. Increase rent or service fees unless:

(a) The rental rates or the increase in service fees applies in a uniform manner to all tenants similarly situated or, if it is a service fee, to a given circumstance, except that a discount may be selectively given to persons who are handicapped or who are 62 years of age or older; and

(b) Written notice advising a tenant of the increase is sent to the tenant 60 days in advance of the first payment to be increased and written notice of the increase is given to prospective tenants on or before commencement of their tenancy.

[3.] 4. Deny any tenant the right to sell his mobile home within the park or require the tenant to remove the mobile home from the park solely on the basis of such sale, except as provided in NRS 118.280.

[4.] 5. Prohibit any tenant desiring to sell his mobile home within the park from advertising the location of the mobile home and the name of the mobile home park or prohibit the tenant from displaying at least one sign of reasonable size advertising the sale of the mobile home.

[5.] 6. Prohibit any meetings held in the park's community or recreation facility by the tenants or occupants of any mobile home in the park to discuss mobile home living and affairs, or any tenant-sponsored political meeting, if such meetings are held at reasonable hours and when the facility is not otherwise in use.

[6.] 7. Interrupt, with the intent to terminate occupancy, any utility service furnished the tenant except for nonpayment of utility charges

when due. Any landlord who violates this subsection is liable to the tenant for actual damages, [and \$100 in exemplary damages for each day that the tenant is deprived of utility service.]

[7.] 8. Require that he be an agent of an owner of a mobile home who desires to sell the mobile home.

[8.] 9. Unless prohibited by a written lease or a general rule or regulation of the park if there is no written lease, unreasonably prohibit a tenant from subleasing his mobile home lot if the prospective subtenant meets the general requirements for tenancy in the park.

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 23, 1981

SUBJECT S.B. 202: INCREASES FINE FOR VIOLATION OF CERTAIN LAWS BY CONTRACTORS.

MOTION:

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Prengaman Seconded By Mr. Bennett

AMENDMENT: MOTION TO ADOPT AMENDMENT NO. 396

MOVED BY: MR. BREMNER SECONDED BY: MR. PRENGAMAN

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: VOTE, MOTION (Yes/No), AMEND (Yes/No), AMEND (Yes/No). Rows include names like BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON and a TALLY row showing 9 Yes and 0 No for both motions.

ORIGINAL MOTION: Passed X Defeated Withdrawn
AMENDED & PASSED AMENDED & DEFEATED
AMENDED & PASSED AMENDED & DEFEATED

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to	Senate
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. 202	Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	BDR 54-490	Resolution No.
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	Proposed by	Committee on Commerce
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>		
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment N^o 396



Amend the bill as a whole by renumbering section 1 as section 3 and by adding two new sections designated sections 1 and 2, preceding section 1, to read as follows:

"Section 1. NRS 624.290 is hereby amended to read as follows:

624.290 The board [in its discretion is authorized to fix] may adopt regulations fixing application, examination and annual license fees to be paid by applicants and licensees , [under the terms of this chapter,] but the application and examination fee [shall] must not exceed [\$100] \$200 and the annual license fee [shall] must not exceed [\$100] \$200 per year.

Sec. 2. NRS 624.3015 is hereby amended to read as follows:

624.3015 The following acts, among others, constitute cause for disciplinary action under NRS 624.300:

1. Acting in the capacity of a contractor beyond the scope of the license , [, by bidding]

2. Bidding to contract or contracting for a sum for one construction contract or project in excess of the limit placed on the license by the board.

[2.] 3. Knowingly entering into a contract with a contractor while [such] that contractor is not licensed, or bidding to contract or entering into a contract with a contractor for work in excess of his limit or beyond the scope of his license."

Amend the title of the bill on the first line before

"increasing" by inserting "increasing the limits on fees for licenses; clarifying a provision relating to causes for disciplinary action;"

To: E & E
LCB File
Journal
Engrossment
Bill

Drafted by DS:ml Date 4-1-81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 23, 1981

SUBJECT S.B. 213: LIMITS REGULATION TO CERTAIN TRUST COMPANIES.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Bremner Seconded By Mr. Bennett

AMENDMENT:

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: MOTION (Yes, No), AMEND (Yes, No), AMEND (Yes, No). Rows include VOTE: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 7, 1.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 23, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 23, 1981

SUBJECT A.B. 411: ENLARGES AUTHORITY OF SAVINGS AND LOAN ASSOCIATIONS TO MANAGE REAL PROPERTY.

MOTION:

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Bremner Seconded By Mr. Bennett

AMENDMENT: MOTION TO ADOPT AMENDMENT NO. 633 TO A.B. 411 BY MR. BREMNER, SECONDED BY MR. DUBOIS.

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: VOTE, MOTION (Yes/No), AMEND (Yes/No), AMEND (Yes/No). Rows include names like BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON and a TALLY row.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 23, 1981

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION Assembly.....	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to.....	Assembly.....
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>		Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Bill No. 411	Resolution No.....
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR.....	56-997.....
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by.....	Committee on Commerce
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment N^o 633



Amend section 1, page 1, by inserting between lines 5 and 6:

flush "Unless the association has received a written waiver from the commissioner, the total of money which it has advanced or committed for property which it has developed or built may not exceed twice the sum of its capital, surplus, undivided profits, loan reserve, federal insurance reserve and any other reserves specified by the commissioner."

To: E & E
LCB File
Journal
Engrossment
Bill ✓

Drafted by..... DS: smc..... Date..... 4-22-81.....

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 23, 1981

SUBJECT A.B. 413: ALLOWS DEPOSITS OF PUBLIC MONEY TO BE SECURED WITH MORTGAGES AND DEEDS OF TRUST.

MOTION:

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Bremner Seconded By Mr. Prengaman

AMENDMENT: MOTION TO ADOPT AMENDMENT NO. 575 TO A.B. 413 BY MR. BENNETT. SECONDED BY MR. KOVACS.

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns for MOTION and AMEND (Yes/No) and rows for VOTE: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 8, 0.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 23, 1981

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to	Assembly
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>		Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Bill No. 413	Resolution No.
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR 31-1146	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by	Committee on Commerce
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment No 575



Amend section 1, page 1, line 2, after "treasurer" by inserting "which is not within the limits of insurance provided by an instrumentality of the United States".

Amend section 1, page 1, line 7, by deleting "or".

Amend section 1, page 1, line 9, by deleting "act." and inserting "act; or".

Amend section 1, page 1, by inserting below line 9:

"(e) Instruments in which the state is permitted by NRS 355.140 to invest."

Amend section 1, page 1, line 13, after "any" by inserting "federal home loan bank, any".

Amend sec. 3, page 3, by inserting below line 4:

"5. The financial institution shall assign the pledged mortgages and deeds of trust to the depositor and deliver them with their promissory notes to the trust company. The assignment must be recorded when the financial institution fails to pay any part of the deposit for which the security is pledged."

Amend the bill as a whole by adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. This act shall become effective upon passage and approval."

Amend the title of the bill on the first line by correcting the spelling of:

"deposits" and on the second line before "and providing" by inserting:

To: E & E "exempting deposits covered by certain insurance;".
 LCB File
 Journal
 Engrossment ✓
 Bill

Drafted by CS:ml Date 4-17-81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 23, 1981

SUBJECT A.B. 281 : REQUIRES DEALERS IN COINS AND USED JEWELRY TO KEEP CERTAIN RECORDS.

MOTION:

Do Pass Amend Indefinitely Postpone X Reconsider

Moved By Mr. Kovacs Seconded By Mr. Bennett

AMENDMENT:

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: VOTE, MOTION (Yes/No), AMEND (Yes/No), AMEND (Yes/No). Rows include names like BENNETT, BRADY, BREMNER, etc., and a TALLY row showing 7 Yes and 0 No.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 23, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 23, 1981

SUBJECT A.B. 363: REMOVES REQUIREMENT THAT SECONDHAND DEALER MAINTAIN RECORD OF SALES.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. DuBois Seconded By Mr. Bennett

AMENDMENT:

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: MOTION (Yes/No), AMEND (Yes/No), AMEND (Yes/No) and rows for VOTE: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 7/0

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 23, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE April 23, 1981

SUBJECT A.B. 331: INCREASES REQUIREMENTS FOR RESERVE FUNDS AND SPECIFIES NUMBERS OF PROFESSIONAL PARTICIPANTS REQUIRED TO QUALIFY PLANS OF NEW MEDICAL SERVICE CORPORATIONS.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Bennett Seconded By Mr. DuBois

AMENDMENT:

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

Table with columns: MOTION (Yes, No), AMEND (Yes, No), AMEND (Yes, No). Rows include names like BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON and a TALLY row showing 7 Yes and 0 No.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes April 23, 1981

ASSEMBLY MERCER COMMITTEE

GUEST LIST

DATE: 4/23/81

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
PAUL COHEN	HENRY J. WILSON	✓		AB 331
Erma Edwards	New. Ins. Division	✓		AB 331
Jessie Thompson	Blue Shield of Cal.	✓		AB 331
W. W. M. EDWARDS	Bd of Oriental Medicine	✓		SB 239
Doris Debra Pa...	AD 23	✓		AB 331

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EXHIBIT A

A DISCUSSION OF THE SALIENT POINTS OF THE BILL AB-413

The bill provides for increasing the scope of securities permissible for the collateralization of public fund deposits. The amendments, as provided, permits collateralization by any investment instrument that the state is permitted to purchase and own outright. The main portion of the bill provides for the use of first mortgages and first deeds of trust as an additional type of collateral to secure deposits of public funds. This type of collateral must be pledged in twice the amount of the public fund deposit, whereas other collateral need only be on a one to one basis. First mortgages and first deeds of trust are by their nature illiquid, whereas current forms of collateral required are of a more liquid nature. The use of illiquid collateral would do two things: first, it would allow banks and savings and loans to pay higher rates of interest on deposits so collateralized and; secondly, it keeps free for the financial institutions the more liquid collateral providing flexibility for these institutions to convert that collateral enabling them to meet loan demand when such demand is once again present.

The purpose for any collateralization of a public fund deposit is to insure that deposit against any failure of the financial institution holding public funds. Federal insurance FDIC and FSLIC is only for the first \$100,000 of a deposit and is not considered under the laws of the State of Nevada as part of the collateral requirement.

Several states currently use first mortgages and first deeds of trusts as collateral including the states of California and Colorado. The states of Utah, Idaho and New Mexico require no collateralization of public fund deposits and the state of Washington requires only partial collateralization (25%) of public fund deposits. There has been no indication in recent history of any financial institutions failure that resulted in the loss of any funds deposited by a state or any of its sub-divisions.

NOTE: An additional amendment to this bill that might be considered would be that collateral as set forth in the bill and its amendments would only be necessary to the extent that it was not federally insured either by the insurance provided by banks, savings and loans and credit unions. Presently, that would mean that the first \$100,000 of a public fund deposit would be insured. Should there be a change in the federal law increasing the insurance coverage on public fund deposits to 100%, this would negate any need for additional collateral to protect the state's or any other public fund deposits.