

MEMBERS PRESENT: Mr. Bennett
Mr. Brady
Mr. Chaney
Mr. Dini
Mr. DuBois
Mr. Jeffrey
Mr. Kovacs
Mr. Prengaman
Mr. Rusk
Dr. Robinson

MEMBERS ABSENT: Mr. Bremner (excused)

GUESTS PRESENT: Please see attached Guest List

Chairman Robinson called the meeting to order at 2:05 p.m. in Room 200, and announced that AB 590 would be deferred until Monday evening, 5/18/81, awaiting incoming amendments.

AB 593 PROHIBITS LOCAL GOVERNMENT FROM REQUIRING OWNER OR LESSEE TO HIRE CONTRACTOR TO DO WORK ON PROPERTY.

Assemblyman Coulter from District 27, presented a proposed amendment to AB 593, which is attached as EXHIBIT A. He said a number of small businessmen in the Reno area have complained about a practice of the Reno Building Department, which turned out to be state law, in that you can build your own house from the ground up, but if you are a small businessman and you want to build some shelves, you have to go out and get a licensed contractor to do the job. He said you cannot do a simple job at night while the business is closed. If you hire a contractor, it is more costly and usually must be done during working/business hours.

Tom Cooke, Counsel for the State Contractor's Board, said his Board is opposed to any change in the present law. He said under the present law, you can do whatever you want to your own home; but are restricted if it is commercial property. He said an "E" license is necessary, and that it is an easy license to obtain. Once you have the license, you must also hire a qualified employee to do the work, such as an electrician.

Mr. Cooke said Mr. Coulter's amendment is an improvement to this proposed law, however, the Board still wants to be on record as opposing any change in the law.

Dr. Robinson asked how much the license costs and Mr. Cooke replied \$90-\$100.

Mr. Cooke said under the current law, a licensed contractor cannot contract out to a non-licensed contractor. AB 593 would allow an owner or lessee to use a non-licensed contractor and this is not equitable, he said.

Mr. Bennett asked about a man who owns a shoe store and who wants to build shelves. Mr. Cooke responded that unless it is "fabricated into the structure," a license is not necessary.

There was much committee discussion on how public safety was at stake if you painted your own small store, why you would need to obtain a \$100 license for a \$50 job, whether volunteer work such as for a church building project is exempt, and the fact that the license must be renewed yearly.

Mr. Cooke also was concerned with the word "lessee," in that someone could be a lessee for a week or a month, make changes and leave, without an owner knowing about it.

Phil Herrington, Director of Building and Safety for the City of Reno, said he wanted to point out that wallpapering and painting is exempt from the building code, whether commercial or residential. He said that whether you have a shoe shine stand or own the MGM Grand, if you wish to make any changes, state law says you must do so with a contractor.

He said he feels that the current law is over-restrictive and generally repairs under \$500 are overlooked. He said this is actually against the law but his department does that and he believes Clay Hymer in Las Vegas does the same.

He said he was more in favor of the bill with the proposed amendment, but he would like to see the \$5,000 lowered. He said with glass work, a licensed glass installer is important. He said they have had problems with people being injured by non-complying glass, non-tempered glass. Mr. Herrington suggested reducing the amount in the amendment to \$1,000.

Tony Taormina, Chief Building Inspector for Washoe County, said he likes the bill better now with the proposed amendment. He is concerned about the \$5,000, though, as people have trouble determining what the work is really worth. If you have a material cost but free labor or vice versa, the value of the work must include the value of both.

G.P. Etcheverry, Nevada League of Cities, said he objects strongly to AB 593 even with the amendment. He said his concern was that local governments send letters of warning to owners or occupants of eyesores or safety hazards to ask them to correct the situation. A second letter goes out if it is not corrected, and then the local government entity takes action themselves and charges the owner. He said another example is after a fire, sometimes it takes corrective action to get the "gutted" building cleaned up.

After discussion, it was determined that the bill read, "shall not require any person...to employ," and in Mr. Etcheverry's example, the city would be employing a contractor.

Mr. Bennett brought up the point that many contractors would not take small jobs now days because it was not worth their time.

John Byrne, Business Manager of the Electrical Workers Union in Reno, Nevada, and currently a member of the Reno City Board of Electrical Examiners and Appeals said:

"I am happy that there has been an amendment with the bill exempting the electrical interests. However, I do wish to speak in opposition to the bill from the standpoint of safety. The growth of our state today is one of the fastest in the nation, and the expansion of commercial development mandates continued surveillance by regulatory agencies to insure the safety standards of commercial and residential buildings not only for the owner and the occupants but for the public as well. We believe that the contractor's laws, when administered fairly and equitably as they have, have not imposed a hardship and have done the utmost to serve the interest of the public. We think that to interfere with a law that has been working well over a long period of time may be regressive legislation, and we urge that you consider the ramifications on all the state and regulatory agencies prior to adopting that bill. The fiscal note states that it has no affect on local government and that it has no affect on the state or on industrial insurance. That may be true so long as there is never an accident on the job. However, if a man is painting his own building and the scaffold collapses and several workmen are injured, those people that are injured today in the act of working for a private employer, if they recover, become the employees of a contractor tomorrow who shares the burden of the continued medical treatment under NIC coverage. In the long run it can have quite an effect. Being familiar with industrial accident cases, we know that many times there are people injured in private employment or when donating services to a charitable cause that later on become subject to NIC compensation cases. It's interesting that you ask how the matters are handled in cases of churches and what not. I would point out that in the building of the St. Thomas Aquinas Church in Reno, the people in organized labor did not object to members of the parish donating their labor but we had to point out to them that if they went up there, they should secure some type insurance that the workmen would be protected in donating their services so that they would not become injured and unable to continue in their own trade."

Chairman Robinson closed the hearing on AB 593 and opened it for AB 592.

AB 592 REMOVES INSURED'S CHOICE OF TYPES OF POLICIES UPON CONVERSION OF GROUP HEALTH INSURANCE POLICY TO INDIVIDUAL POLICY.

Georgia Massey, with the Nevada Insurance Division, distributed a memo from Patsy Redmond, Commissioner of the Division, attached as EXHIBIT B. Ms. Massey read and discussed the memo.

Milos Terzich, American Council of Life Insurance, said that he concurs with the amendments presented by the Insurance Division. He specifically agreed that 689B.150 1 be left as it now reads.

The Chairman closed the hearing on AB 592 and opened the hearing on AB 600.

AB 600 REVISES MEASURES FOR COMPLIANCE WITH PROVISIONS OF LAW
REQUIRING MOTOR VEHICLE INSURANCE.

Hale Bennett, Chief of Registration, Department of Motor Vehicles, testified for AB 600. Mr. Bennett presented suggested amendments to AB 600 (EXHIBIT C) and read from two reports: one from the Motor Vehicles Division of the Oregon Department of Transportation dated May, 1981 (EXHIBIT D), and one entitled "A Profile of Uninsured Motorists in California," dated February, 1981, (EXHIBIT E.)

Mr. Bennett read from and discussed all three exhibits. There was much discussion on what happened if someone would not turn in their license plates. Mr. Bennett said the bill was more effective from the threat of prosecution than from actual prosecution happening.

Mr. Bennett said the fiscal note for the bill was \$92,000 the first year and \$166,000 the second year, primarily for mailings.

Mr. Bennett said that if all else fails, the person could not renew his car license or his driver's license if he does not comply with the law.

He said that as the program progresses, less people are affected. He said Oregon has gone from 10% uninsured motorists to 5% and currently 3 1/2%. He said in order to maintain the 3 1/2%, less than 1% are being sample surveyed.

Patsy Redmond, Insurance Commissioner for the State of Nevada, said she concurs 100% with the intent and the amendments.

Larry Kees, Nevada Independent Insurance Agents, said they support the bill. He offered a further amendment to page 2, line 8, to insert: "an insurer, its agents, the department and its employees."

Mr. DuBois asked Mr. Kees if he felt this law would be a burden on the insurance companies, to which he replied he did not think it would be.

Virgil Anderson, AAA, said he supports the bill and felt this program has worked very well in Oregon.

Bob Schriver, Executive Director for Nevada Trial Lawyers, said they also endorse the concept of AB 600 and that anything that can be done to lessen the number of uninsured motorists on our highways is a definite benefit to the general public. He said they find the Oregon plan very appealing.

Richard Garrod, Farmers Insurance Group, said they support the legislation.

John Borda, Nevada Transport Association, said they also support the bill.

Mr. DuBois made the motion to AMEND PER MR. BENNETT'S AMENDMENTS AND MR. KEES' AMENDMENT AND DO PASS, seconded by Mr. Brady.

It was decided to redirect the bill to Ways and Means. The motion carried unanimously of those present.

The hearing on AB 600 was closed and it was opened for AB 601.

AB 601 PROVIDES FOR EXHCANGE OF INFORMATION BETWEEN INSURERS AND CERTAIN AGENCIES CONCERNING FIRES.

George Vargas, Lobbyist, explained that this is one of three bills currently addressing the problem of arson. He said what is contained in AB 601 is already being added to other bills and is, therefore, not needed. The other bills mentioned were AB 71, SB 542 and SB 467.

Motion by Mr. Jeffrey, seconded by Mr. Brady to INDEFINITELY POSTPONE AB 601. Motion carried unanmously of those present.

Chairman Robinson closed the hearing on AB 601 and opened the hearing on AB 599.

AB 599 STRENGTHENS PROFESSIONAL MONOPOLY OF PROFESSIONAL ENGINEERS.

David Hoy, Attorney for the State Board of Registered Professional Engineers, suggested that the title is not appropriate and that the bill as drafted is not as requested. He asked that the title be amended to reflect the true nature of the bill to state that it is an act relating to professional engineers requiring professional competence at all stages.

He said they have had a problem with engineers in the past acting more or less as brokers. He said there are basically four branches of engineering: civil, structural, mechanical and electrical. The present law, he said, requires that there be an engineer in charge, in residence in the office where engineering work is being done. However, the law does not require that all of the work be done by the engineer because some of the work is done by draftsmen and other technical people.

Mr. Hoy said there is a problem with engineers only coming by their office at night and giving the plans a cursory look and signing them off. He said engineers are working out of their branch of engineering. He said the bill is not designed to strengthen the monopoly of the engineers in any way, but is designed to protect the public.

Mr. Hoy said that if he as a lawyer or if a doctor makes a mistake, someone loses money, is hurt or possibly dies. If an engineer makes a mistake you can have a fire, a structural failure or a catastrophe of the greatest magnitude.

He said Section 2 relates to exemptions of architects. He said a change here was not requested and they do not want the change. He suggests deleting all of section 2. He said section 3 attempts to restore the law to the way it was in 1977 in that someone is prohibited against the use of the word "engineering" or "engineer"

except by those people who are properly licensed to do so.

Dr. Robinson asked if this bill will accomplish the same as Peggy Westall's bill.

Mr. Hoy responded that he was not sure he had seen the bill. After conferring with someone in the audience, Mr. Hoy said he thought section 3 would do the same as Mrs. Westall's bill. He added that section 1 is really the most important part of the bill to him and that if there is a conflict between the bills, either one could be processed, but section 1 is the primary thrust at this point.

Dr. Robinson closed the hearing on AB 599 and opened the hearing on SB 555.

SB 555 RAISES CEILING FOR ADMINISTRATIVE FEES ASSESSED BY LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION.

Erma Edwards from the Nevada Insurance Division said the assessment for Class A assessments currently has a ceiling of \$25 a year; they would like it raised to \$50 a year for each insurer in the state. She said they would now (1) have to send out fewer mailings to get money and (2) they had a survey made and the majority of life guaranty funds in other states are charging \$50. These monies are collected for general and administrative expenses.

Dr. Robinson asked what the fund was used for and Mrs. Edwards responded that if an insurance company goes insolvent, a life company, in Nevada, then all the other insurers that are licensed in Nevada will pick up a pro-rata portion of the claims that have to be paid and it is administered by a separate board of directors.

Mr. Rusk made the motion to DO PASS SB 555, seconded by Mr. Brady. The motion carried unanimously with those present. Dr. Robinson will do the floor work for the bill.

The public hearings were closed and a work session was begun.

AB 580 REQUIRES PUBLIC UTILITIES TO OFFER SEASONAL RATES FOR INTERRUPTIBLE ELECTRICITY FOR IRRIGATION PUMPS.

After discussion, Mr. DuBois made the motion to AMEND PER AMENDMENT #900 AND DO PASS, seconded by Mr. Kovacs. The motion carried unanimously of those present. Mr. Rhoads will do the floor work.

AB 268 PROVIDES FOR LICENSING AND REGULATION OF RADIOLOGICAL TECHNICIANS.

Because of a fiscal note of \$35,355, Mr. DuBois made the motion to PASS WITHOUT RECOMMENDATION TO WAYS AND MEANS, seconded by Mr. Prengaman. The motion carried unanimously with those present.

AB 381 ENTITLES INSUREDS UNDER INDIVIDUAL AND GROUP HEALTH INSURANCE POLICIES TO SAME REIMBURSEMENT FOR TREATMENTS BY CHIROPRACTORS.

Moved by Mr. Kovacs, seconded by Mr. Prengaman, to AMEND PER AMENDMENT #401. Motion carried unanimously of those present.

Mr. Prengaman then moved DO PASS AS AMENDED, seconded by Mr. Bennett. Motion carried with Mr. Brady and Mr. DuBois voting no.

AB 464 REQUIRES NEVADA STATE BOARD OF CHIROPRACTIC EXAMINERS TO HEAR ALL CHARGES FILED AGAINST CHIROPRACTORS.

After discussion, moved by Mr. Kovacs to INDEFINTELY POSTPONE seconded by Mr. Bennett. Motion unanimously carried of those present.

AB 465 BROADENS PROHIBITION AGAINST PRACTICING CHIROPRACTIC WITHOUT LICENSE.

A motion made by Mr. Kovacs and seconded by Mr. Jeffrey to DO PASS carried unanimously with those present.

AB 493 LIMITS NUMBER OF SUCCESSIVE TERMS MEMBERS OF NEVADA STATE BOARD OF CHIROPRACTIC EXAMINERS MAY SERVE.

Moved by Mr. Jeffrey, seconded by Mr. Kovacs, to INDEFINITELY POSTPONE. Motion carried unanimously with those present.

AB 538 REQUIRES STATE BOARD OF ARCHITECTURE TO ACCEPT NATIONAL CERTIFICATION AS EVIDENCE OF REGISTRATION AND CERTIFICATION.

After discussion with Harvey Wittemore, agreeing on the amendment to be drawn up, it was moved by Mr. Kovacs and seconded by Mr. DuBois to DO PASS AS AMENDED. Motion carried unanimously of those present. Mr. Prengaman to do the floor work.

AB 556 LIMITS MISLEADING USE OF "ENGINEER" AS TITLE OF POSITION.

The motion was made by Mr. Bennett, seconded by Mr. DuBois, to INDEFINITELY POSTPONE AB 556. Motion carried unanimously of those present.

AB 98 REQUIRES PUBLIC UTILITIES TO OFFER ELECTRICITY AND GAS AT REDUCED RATES FOR USE AT TIMES OF LOW DEMAND AND FOR RIGHT TO INTERRUPT SERVICE AT OTHER TIMES.

A motion was made by Mr. Dini to INDEFINITELY POSTPONE, seconded by Mr. Prengaman. Motion carried with Mr. Chaney voting no.

AB 288 IMPOSES CERTAIN FINANCIAL REQUIREMENTS FOR PROTECTION OF SUBCONTRACTORS AND EMPLOYEES ON CONSTRUCTION PROJECTS.

After discussion, Mr. Prengaman moved AMEND PER AMENDMENT #595 AND DO PASS, seconded by Mr. Dini. Motion carried with Dr. Robinson voting no. Mr. Rusk to do the floor work.

AB 570 PROHIBITS CERTAIN PRACTICES IN INSURANCE.

Stating this being an in-house clean-up bill, Mr. Dini moved DO PASS, seconded by Mr. Kovacs. Motion carried unanimously of those present. Mr. Bennett to do the floor work.

AB 554 Postponed until amendments arrive.

SB 141 PROVIDES THAT PHYSICIAN OR OSTEOPATHIC PHYSICIAN MAY SUPERVISE EACH OTHER'S ASSISTANT.

After reading from previous minutes, Mr. Dini moved DO PASS, seconded by Mr. Bennett. Motion carried unanimously with those present. Mr. Brady to do the floor work.

SB 193 REESTABLISHES REAL ESTATE DIVISION OF DEPARTMENT OF COMMERCE, CHANGES FEES AND DUTIES OF DIVISION AND BROKERS.

Motion to ADOPT AMENDMENT #558 by Mr. Dini, seconded by Mr. Kovacs carried with Mr. Prengaman voting no.

Motion to ADOPT AMENDMENT #981 by Mr. Dini, seconded by Mr. Jeffrey carried unanimously.

Motion to DO PASS AS AMENDED by Mr. Dini, seconded by Mr. Jeffrey. Motion carried unanimously of those present. Mr. Dini to do the floor work. (Amendment #395 was withdrawn.)

SB 443 Held for further consideration and an amendment from Mr. Dini.

SB 239 Tabled.

The meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Dorothy Mobley,
Acting Committee Secretary

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 601 PROVIDES FOR EXCHANGE OF INFORMATION BETWEEN INSURERS AND CERTAIN AGENCIES CONCERNING FIRES.

MOTION:

Do Pass ___ Amend ___ Indefinitely Postpone XX Reconsider ___

Moved By Mr. Jeffrey Seconded By Mr. Brady

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, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON and a TALLY row showing 7 Yes and 0 No for the motion.

ORIGINAL MOTION: Passed xx Defeated ___ Withdrawn ___
AMENDED & PASSED ___ AMENDED & DEFEATED ___
AMENDED & PASSED ___ AMENDED & DEFEATED ___

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 600 REVISES MEASURES FOR COMPLIANCE WITH PROVISIONS OF LAW REQUIRING MOTOR VEHICLE INSURANCE.

MOTION:

Do Pass XX Amend XX Indefinitely Postpone Reconsider

Moved By Mr. DuBois Seconded By Mr. Brady

AMENDMENT: Per amendments presented by Hale Bennett (EXHIBIT C) and Mr. Kees' amendment to add to page 2, line 8 "its agents" between "an insurer" and "the department."

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, and TALLY: 7/0.

ORIGINAL MOTION: Passed xx Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT SB 555 RAISES CEILING FOR ADMINISTRATIVE FEES ASSESSED BY LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION.

MOTION:

Do Pass xx Amend Indefinitely Postpone Reconsider

Moved By Mr. Rusk Seconded By Mr. Brady

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, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON and a TALLY row showing 7 Yes and 0 No.

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

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 580 REQUIRES PUBLIC UTILITIES TO OFFER SEASONAL RATES
FOR INTERRUPTIBLE ELECTRICITY FOR IRRIGATION PUMPS.

MOTION:

Do Pass xx Amend xx Indefinitely Postpone _____ Reconsider _____

Moved By Mr. DuBois Seconded By Mr. Kovacs

AMENDMENT: Per Amendment #900, attached

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	<u>xx</u>	_____	_____	_____	_____	_____
BRADY	<u>xx</u>	_____	_____	_____	_____	_____
BREMNER	<u>absent</u>	_____	_____	_____	_____	_____
CHANEY	<u>absent</u>	_____	_____	_____	_____	_____
DINI	<u>absent</u>	_____	_____	_____	_____	_____
DUBOIS	<u>xx</u>	_____	_____	_____	_____	_____
JEFFREY	<u>absent</u>	_____	_____	_____	_____	_____
KOVACS	<u>xx</u>	_____	_____	_____	_____	_____
PRENGAMAN	<u>xx</u>	_____	_____	_____	_____	_____
RUSK	<u>xx</u>	_____	_____	_____	_____	_____
ROBINSON	<u>xx</u>	_____	_____	_____	_____	_____
TALLY:	<u>7</u>	<u>0</u>	_____	_____	_____	_____

ORIGINAL MOTION: Passed xx Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes 5/14/81

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:		Date:		Bill No.....	580.....
Initial:		Initial:			Resolution No.....
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	BDR.....	58-2044.....
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>	Proposed by.....	Committee on Commerce.....
Date:		Date:			
Initial:		Initial:			

Amendment N^o 900



Amend section 1, page 1, line 11, by deleting "single rate" and inserting:

"rate for interruptible service".

Amend section 1, page 1, line 14, by deleting "customers." and inserting:

"customers in Nevada."

To: E & E
LCB File
Journal
Engrossment
Bill ✓

Drafted by..... DGS: smc Date..... 5-7-81.....

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 268 PROVIDES FOR LICENSING AND REGULATION OF RADIOLOGICAL TECHNICIANS.

MOTION: XX PASS WITHOUT RECOMMENDATION TO WAYS AND MEANS Do Pass Amend Indefinitely Postpone Reconsider

Moved By Mr. DuBois Seconded By Mr. Prengaman

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, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON and a TALLY row.

ORIGINAL MOTION: Passed xx Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 381 ENTITLES INSUREDS UNDER INDIVIDUAL AND GROUP HEALTH INSURANCE POLICIES TO SAME REIMBURSEMENT FOR TREATMENTS BY CHIROPRACTORS.

MOTION:

Do Pass xx Amend xx Indefinitely Postpone Reconsider

Moved By Mr. Prengaman Seconded By Mr. Bennett

AMENDMENT: Per amendment #401, attached

Moved By Mr. Kovacs Seconded By Mr. Prengaman

AMENDMENT:

Moved By Seconded By

Table with columns: VOTE, MOTION (Yes/No), AMEND (Yes/No), AMEND (Yes/No). Rows include BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, and TALLY: 8, 2, 9, 0.

ORIGINAL MOTION: Passed xx Defeated Withdrawn

AMENDED & PASSED xx AMENDED & DEFEATED

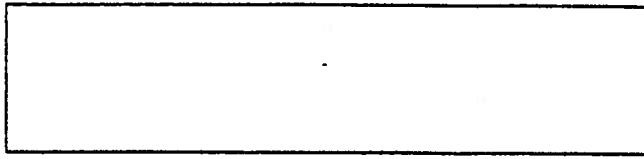
AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTIONAssembly.....AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to <u>Assembly</u>
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. <u>381</u> Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Resolution No.
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR <u>57-1522</u>
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by <u>Mr. Polish</u>
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 401



Amend the bill as a whole by adding two new sections designated sections 3 and 4, following section 2, to read as follows:

"Sec. 3. Chapter 695B of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If any contract for hospital or medical service provides coverage for treatment of an illness which is within the authorized scope of practice of a qualified chiropractor, the insured is entitled to reimbursement for treatments by a chiropractor who is licensed pursuant to chapter 634 of NRS.

2. The terms of the policy must not limit coverage for treatments by a chiropractor to a number less than for treatments by other physicians.

Sec. 4. Chapter 695C of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If any evidence of coverage provides coverage for treatment of an illness which is within the authorized scope of practice of a qualified chiropractor, the insured is entitled to reimbursement for treatments by a chiropractor who is licensed pursuant to chapter 634 of NRS.

2. The terms of the policy must not limit coverage for treatments by a chiropractor to a number less than for treatments by other physicians."

To: E & E
LCB File
Journal ✓
Engrossment
Bill

Drafted by DS:m1 Date 4-1-81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 464 REQUIRES NEVADA STATE BOARD OF CHIROPRACTIC EXAMINERS TO HEAR ALL CHARGES FILED AGAINST CHIROPRACTORS.

MOTION:

Do Pass Amend Indefinitely Postpone XXX 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, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON and a TALLY row showing 8 Yes and 0 No.

ORIGINAL MOTION: Passed xx Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 465 BROADENS PROHIBITION AGAINST PRACTICING CHIROPRACTIC WITHOUT LICENSE.

MOTION:

Do Pass xx Amend Indefinitely Postpone Reconsider

Moved By Mr. Kovacs Seconded By Mr. Jeffrey

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: 8, 0

ORIGINAL MOTION: Passed xx Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 493 LIMITS NUMBER OF SUCCESSIVE TERMS MEMBERS OF NEVADA STATE BOARD OF CHIROPRACTIC EXAMINERS MAY SERVE.

MOTION:

Do Pass Amend Indefinitely Postpone XX Reconsider

Moved By Mr. Jeffrey Seconded By Mr. Kovacs

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 members: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 8, 0

ORIGINAL MOTION: Passed XX Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 538 REQUIRES STATE BOARD OF ARCHITECTURE TO ACCEPT NATIONAL CERTIFICATION AS EVIDENCE OF REGISTRATION AND CERTIFICATION.

MOTION:

Do Pass xx Amend xx Indefinitely Postpone Reconsider

Moved By Mr. Kovacs Seconded By Mr. DuBois

AMENDMENT: Per attached 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 9 Yes and 0 No.

ORIGINAL MOTION: Passed xx Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION

SENATE ACTION

..... Assembly..... AMENDMENT BLANK

Adopted
 Lost
 Date:
 Initial:
 Concurred in
 Not concurred in
 Date:
 Initial:

Adopted
 Lost
 Date:
 Initial:
 Concurred in
 Not concurred in
 Date:
 Initial:

AMENDMENTS to..... Assembly.....
~~Joint~~
 Bill No..... 538 ~~Resolution No.~~.....
 BDR..... 54-1506.....
 Proposed by..... Committee on Commerce.....

Amendment N^o 1045



Amend section 1, page 1, lines 5 and 6, by deleting "[may require,] shall accept," and inserting:

"may require,".

Amend the title of the bill on the first line by deleting "requiring" and inserting "permitting" and on the second line by deleting "national certification as".

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 556 LIMITS MISLEADING USE OF "ENGINEER" AS TITLE OF POSITION.

MOTION:

Do Pass Amend Indefinitely Postpone xx 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) and rows for voters: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, TALLY: 10, 0

ORIGINAL MOTION: Passed xx Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 98 REQUIRES PUBLIC UTILITIES TO OFFER ELECTRICITY AND GAS AT REDUCED RATES FOR USE AT TIMES OF LOW DEMAND AND FOR RIGHT TO INTERRUPT SERVICE AT OTHER TIMES.

MOTION:

Do Pass Amend Indefinitely Postpone XX Reconsider

Moved By Mr. Dini Seconded By Mr. Prengaman

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: 9, 1.

ORIGINAL MOTION: Passed XX Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 288 IMPOSES CERTAIN FINANCIAL REQUIREMENTS FOR PROTECTION OF SUBCONTRACTORS AND EMPLOYEES ON CONSTRUCTION PROJECTS.

MOTION:

Do Pass xx Amend xx Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Prengaman Seconded By Mr. Dini

AMENDMENT: Per Amendment #595, attached

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	<u>xx</u>	_____	_____	_____	_____	_____
BRADY	<u>xx</u>	_____	_____	_____	_____	_____
BREMNER	<u>absent</u>	_____	_____	_____	_____	_____
CHANEY	<u>xx</u>	_____	_____	_____	_____	_____
DINI	<u>xx</u>	_____	_____	_____	_____	_____
DUBOIS	<u>xx</u>	_____	_____	_____	_____	_____
JEFFREY	<u>xx</u>	_____	_____	_____	_____	_____
KOVACS	<u>xx</u>	_____	_____	_____	_____	_____
PRENGAMAN	<u>xx</u>	_____	_____	_____	_____	_____
RUSK	<u>xx</u>	_____	_____	_____	_____	_____
ROBINSON	_____	<u>xx</u>	_____	_____	_____	_____
TALLY:	<u>9</u>	<u>1</u>	_____	_____	_____	_____

ORIGINAL MOTION: Passed xx Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes 5/14/81

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:	Date:	Bill No. 288	Resolution No.
Initial:	Initial:	BDR 54-1131	
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:	Date:		
Initial:	Initial:		

Amendment N^o 595



Amend the bill as a whole by deleting sections 1 through 6 and by inserting a new section designated section 1, to read as follows:

"Section 1. Chapter 624 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Each contractor who completes the performance of a contract for which he employs a subcontractor shall, on the day on which the performance is completed, mail to each subcontractor notice that the performance was completed. The notice must be sent by registered or certified United States mail, return receipt requested.
2. The contractor shall retain the returned receipt in his records for at least 2 years after the performance is completed.
3. Willful or repeated failure to comply with the requirements of this section is cause for disciplinary action."

Amend the title of the bill to read as follows:

"AN ACT relating to contractors; requiring notice to subcontractors of completion of contracts; and providing other matters properly relating thereto."

To: E & E
 LCB File
 Journal
 Engrossment
 Bill

Drafted by DS:smc Date 4-20-81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT AB 570 PROHIBITS CERTAIN PRACTICES IN INSURANCE.

MOTION:

Do Pass xxx Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Dini Seconded By Mr. Kovacs

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	xx	_____	_____	_____	_____	_____
BRADY	xx	_____	_____	_____	_____	_____
BREMNER	absent	_____	_____	_____	_____	_____
CHANEY	xx	_____	_____	_____	_____	_____
DINI	xx	_____	_____	_____	_____	_____
DUBOIS	xx	_____	_____	_____	_____	_____
JEFFREY	xx	_____	_____	_____	_____	_____
KOVACS	xx	_____	_____	_____	_____	_____
PRENGAMAN	xx	_____	_____	_____	_____	_____
RUSK	xx	_____	_____	_____	_____	_____
ROBINSON	xx	_____	_____	_____	_____	_____
TALLY:	10	0	_____	_____	_____	_____

ORIGINAL MOTION: Passed xx Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT SB 141 PROVIDES THAT PHYSICIAN OR OSTEOPATHIC PHYSICIAN MAY SUPERVISE EACH OTHER'S ASSISTANT.

MOTION:

Do Pass xx Amend Indefinitely Postpone Reconsider

Moved By Mr. Dini 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 various members (BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON) and a TALLY row.

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

Attached to Minutes 5/14/81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/14/81

SUBJECT SB 193 REESTABLISHES REAL ESTATE DIVISION OF DEPARTMENT OF COMMERCE, CHANGES FEES AND DUTIES OF DIVISION AND BROKERS.

MOTION:

Do Pass xxx Amend xxx Indefinitely Postpone Reconsider

Moved By Mr. Dini Seconded By Mr. Jeffrey

AMENDMENT: Per Amendment #558, attached.

Moved By Mr. Dini Seconded By Mr. Kovacs

AMENDMENT: Per Amendment #981, attached.

** NOTE: Amendment #395 withdrawn.

Moved By Mr. Dini Seconded By Mr. Jeffrey

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, and TALLY: 10, 0, 9, 1, 10, 0.

ORIGINAL MOTION: Passed xx Defeated Withdrawn

AMENDED & PASSED xx AMENDED & DEFEATED

AMENDED & PASSED xx AMENDED & DEFEATED

Attached to Minutes 5/14/81

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. 193	Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Resolution No.	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR. 54-116	
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 558

Conflicts with Amendment No. 395.

Amend sec. 3, page 2, line 5, by deleting "[five] six" and inserting:

"five".

Amend sec. 4, page 2, by deleting line 19, and inserting:

"645.090 Each member of the commission [shall:] must:".

Amend sec. 4, page 2, line 25, by deleting the bracket.

Amend sec. 4, page 2, by deleting lines 26 through 36.

Amend sec. 14, page 7, line 35, by deleting "desires," and inserting:

"desires . . I,".

Amend sec. 14, page 7, line 36, after "situated." by inserting a closed bracket.

Amend the bill as a whole by adding a new section, designated section 16.5, following section 16, to read as follows:

"Sec. 16.5. NRS 645.630 is hereby amended to read as follows:

645.630 ← The commission may suspend, revoke or reissue subject to conditions any license issued under the provisions of this chapter at any time where the licensee has, by false or fraudulent representation, obtained a license, or where the licensee, whether or not acting as a licensee, is found guilty of:

1. Making any material misrepresentation.
2. Making any false promises of a character likely to influence, persuade or induce.
3. Acting for more than one party in a transaction without the knowledge of all parties for whom he acts.
4. Accepting a commission or valuable consideration as a real estate broker-salesman or salesman for the performance of any of the acts specified in this chapter from any person except the licensed real estate broker with whom he is associated or the owner-developer by whom he is employed.
5. Representing or attempting to represent a real estate broker other than the broker with whom he is associated, without the express knowledge and consent of the broker with whom he is associated.

E & E
LCB File
Journal ✓
Engrossment
Bill

Drafted by DS:smc Date 4-15-81

6. Failing, within a reasonable time, to account for or to remit any money which comes into his possession and which belongs to others.

7. Commingling the money or other property of his principals with his own or converting the money of others to his own use.

8. Failure by a broker-salesman or salesman to place in the custody of his licensed broker or owner-developer, as soon as possible, any deposit money or other money or consideration entrusted to him by any person dealing with him as the representative of his licensed broker.

9. Accepting other than cash as earnest money unless that fact is communicated to the owner before his acceptance of the offer to purchase, and such fact is shown in the earnest money receipt.

10. Upon acceptance of agreement, failure on the part of a broker to deposit any check or cash received as an earnest money deposit before the end of the next banking day unless otherwise provided in the purchase agreement.

11. Inducing any party to a contract, sale or lease to break it in order to substitute a new contract, agreement of sale or lease with the same or another party if the inducement to make the substitution is offered in order to secure personal gain to the licensee."

Amend sec. 17, page 9, line 1, after "broker" by inserting:
"and may assess a civil penalty of not more than \$500 against him".

Amend sec. 21, page 11, lines 15 and 16, by deleting "[after approval] with the advice of the commission," and inserting:
"after approval of the commission,".

Amend sec. 21, page 11, by deleting lines 17 and 18, and inserting:
"and research."

Amend sec. 26, page 13, line 6, by deleting "(b) [The" and inserting:

"(b) [The] That the".

Amend sec. 26, page 13, line 8, by deleting the bracket.

Amend sec. 26, page 13, line 9, by deleting "[(d)] (c)" and inserting:

"(d)".

Amend sec. 26, page 13, line 12, by deleting "[(e)] (d)" and inserting:

"(e)".

Amend sec. 26, page 13, line 15, by deleting "[(f)] (e)" and inserting:

"(f)".

Amend sec. 26, page 13, line 17, by deleting "[g] (f)" and inserting:

"(g)".

Amend sec. 26, page 13, line 20, by deleting "[h] (g)" and inserting:

"(h)".

Amend sec. 26, page 13, line 23, by deleting "[i] (h)" and inserting:

"(i)".

Amend the title of the bill on the second and third lines by deleting "and enlarging the size".

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. 193	Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		Resolution No.
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR 54-116	
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 981

Consistent with Amendments Nos. 395 & 558.

Amend sec. 20, page 10, line 3, by deleting "\$40" and inserting:
"\$[40] \$55".

cc: E & E
LCB File
Journal
Engrossment
Bill ✓

Drafted by DGS:smc Date 5-12-81

GUEST LIST

DATE: 5/14/81

1211

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
Miles Telzick	Amer. Council of Life Ins			590+ 592
Wayne Carlson	Washoe County	✓		AB590
Dick Jarnal	Farmers Ins Group	✓		AB 5 600, 601
GP Etcheverry	New League of Cities		✓	AB 593
MARY FINNELL	RISK MGMT DIV, Reno	✓		AB 590
Steve Coulter	DIST. 27	✓		AB 593
David Hoy	St Bd of Eng	✓		AB-599
Tom Cooke	ST CONTRACTORS BOARD		✓	FB 593
Phil Herrington	CITY OF RENO			AB 593
TONY TAORMINA	WASHOE CO			AB 594 714
John Byrne	IBEW LOCAL 401		✓	AB 593
Georgia Mawley	Manada Insurance		✓	AB 592
Nate Bennett	Dmv			
Tatay Redmond	Insurance Division	✓		AB 600
Sally Kees	NEV. IND. INS. AGTS	✓		AB 600
Bob Shiever	NEV. Trial Lawyers	✓		AB 600
Emma Edwards	NV Ins Div			

Proposed amendment to AB 593.

A local government shall not require any person, whether an owner or a lessee, to employ a contractor for any repair, alteration, construction or renovation of any commercial or residential property which the owner or lessee occupies, other than structural, plumbing and electrical repairs and the monetary value is less than \$5,000.

TO Assemblyman Robinson
Chairman-Committee on Commerce

Exhibit B
Memo

FROM Patsy Redmond, Commissioner
Nevada Insurance Division

DATE 5-14-81

SUBJECT AB ~~590~~
592

The mandate for conversions was put into law in 1979 for three reasons:

1. Was to assure that employees terminating employment would have available a conversion right.
2. That the insurer be required to offer better quality of conversion policies and that the employee be given same kind of choice.
3. That there be adequate disclosure of the conversion right.

AB 592 would do away with all three reasons for the law enacted in 1979.

The Nevada Insurance Division recommends that 689B.150 not be amended as requested, but be amended as follows:

Line 7 and 8 be changed to read:

The converted policy may one choice must include major medical or catastrophic benefits if they were provided under the group policy.

689B.200 should not be amended as requested.

PR:GM:jr

May 14, 1981

SUGGESTED AMENDMENTS TO AB 600

Page 1, line 1, should read 482 instead of 485.

Add the following new language:

Chapter 690B of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If security is provided by a contract of insurance, the insurer shall provide to the insured, evidence of that insurance on a form approved by the Commissioner of Insurance, which identifies the name and address of the policyholder, identifies the insured vehicle or vehicles, the term of the insurance, and indicates that the coverage meets the requirements of NRS 485.185.

Page 2, line 45, delete: bracket

Page 3, lines 2 and 3, delete: The owner may file a single certificate of insurance covering that fleet.

Page 3, lines 8 and 9, delete: The owner may file a single certificate of insurance covering that fleet.

Page 3, lines 10 and 11, delete: (c) A person who has qualified as a self-insurer pursuant to NRS 485.380 may file a copy of his certificate of self-insurance.



MOTOR VEHICLES DIVISION

OREGON DEPARTMENT OF TRANSPORTATION
RECEIVED
SALEM, 97314

MAY 1 1981

FOR ADDITIONAL INFORMATION CALL:
SALEM 378-6998

Office of the Director
Department of Motor Vehicles
Carson City

Oregon's mandatory automobile liability insurance law turns three in July, and Motor Vehicles Division Administrator David P. Moomaw says the program is achieving its major goal-- reducing the number of uninsured motorists on the highways while causing the motoring public a minimal amount of annoyance.

The law was passed by the 1977 Legislature and took effect in July, 1978. It requires drivers to have basic auto liability insurance. Coverage is certified when a vehicle registration is renewed.

Jim Hunter, manager of DMV's Driver Services Branch, says statistics show that the law has had an effect on the number of traffic accidents involving uninsured drivers, even though DMV still gets complaints from people who say they have been hit by someone with no insurance.

"The percentage of uninsured drivers involved in accidents has dropped from about 14 percent to less than five percent," says Hunter. "That's a pretty good indication that the law is having an impact."

"The problem now is getting to the remaining uninsured drivers," he says. "To get at that four or five percent, we would have to hassle a lot of people, and it would cost a great deal of money. We have to strike a balance somewhere."

Drivers renewing vehicle registrations sign a statement on the back of the renewal card stating that an insurance policy is in force. It lists the insurance company and policy number. This information is not used to enforce the law, and is one reason DMV has asked the 1981 Legislature to drop the requirement as a budget-saving step.

(more)

1215

Mandatory Insurance - 2

The division has two ways to enforce the law by verifying insurance coverage. First, a random sample process currently requires owners of one percent of registered motor vehicles to supply the name of their current insurance company and the policy number. The information is then verified with the insurance company. Second, when a driver is involved in an accident and files an accident report, insurance coverage is checked with the company listed on the report.

A third verification method, in which insurance companies were required by law to notify DMV if a policy was lapsed or was cancelled within 120 days of its effective date, was eliminated by the 1979 Legislature after DMV discovered itself about to be buried in paper.

"It became one big bureaucratic mess," says Hunter of the notification process. "A lot of times the policy lapsed simply because people were shopping around looking for a better deal, or they had sold the car, or changed cars, or several other reasons."

The 1979 Legislature also increased the random sample allowed in the law to a maximum of ten percent if needed to enforce the law. Jay Rupp, manager of DMV's Support Services Section, the unit responsible for administration of the mandatory insurance program, says that while the division has the authority to increase the sample, it is still around one percent. To increase the sample would require added funding.

"So far," Rupp says, "we do not believe we need to increase the sample size. We're watching the numbers of uninsured drivers involved in accidents -- that's a pretty good indication of how many uninsureds we have driving. As long as that number stays level (at about four percent), there's no need to increase the sample. If the figures start going up, however, that'll be our signal to increase the sample size."

Mandatory Insurance - 3

Administrator Moomaw says he believes the law, with a few minor exceptions, has struck a fair balance between assuring the law is working but causing a minimum of public inconvenience.

The biggest problem facing the division, Hunter says, is that to date DMV has certified to county district attorneys 85 cases of individuals who falsely certified insurance coverage, but has yet to receive a single notice of conviction from a court.

Despite this fault, the Oregon program is attracting attention from several other states.

"We've had representatives from Washington, California, Nevada, Arizona, New Mexico, Illinois and Maine either visit us or ask for information on how our system is run," says Moomaw. "The word is out that Oregon's program is working — not perfectly, but better than expected and at reasonable cost."

"The whole thing boils down to one question," says Hunter. "Are we reducing the number of uninsured accidents? Based on our statistics, the answer is yes."

#

A PROFILE OF UNINSURED MOTORISTS IN CALIFORNIA

by
Jensen Kuan and Raymond C. Peck



February, 1981

Research and Development Section
Ronald S. Coppin, Chief

State of California
Business, Transportation and Housing
Agency
Department of Motor Vehicles
Doris V. Alexis, Director

1218

PREFACE

This project was initiated to provide statistical information on the characteristics of California's uninsured accident-involved population. The study was conducted by the Department's Research and Development Section under the general administrative direction of Ronald S. Coppin, Chief of Research. The majority of the report typing was done by Mrs. Linda Moeckly. It is hoped that this information will prove useful in future policy decisions concerning financial responsibility legislation.

ABSTRACT

The purpose of the study was to provide data on the characteristics of drivers suspended pursuant to California's financial responsibility law (VC 16070). Two distinct data sets comprised the primary study material: (1) a sample of 125,341 drivers suspended in 1978 for not supplying evidence of insurance following a reportable accident and (2) a sample of zip codes selected to provide a wide range of uninsured motorist rates. Compared to the average California driver, the financially irresponsible driver was found (1) to have a much worse prior accident record; (2) to have a much worse prior traffic conviction record, including major violations; (3) to more often be young; and (4) to more often be male. The zip code analysis indicated that zip codes with high rates of uninsurance had significantly lower median incomes, more poverty level persons, and lower education levels than zip codes with a low rate of uninsurance. In general, the findings closely paralleled those of a 1967 study on the same topic.

INTRODUCTION

The uninsured motorist problem has long been a national and growing concern. In California, the number of uninsured motorists is believed to be large, and the overall issue of auto insurance has received a great deal of legislative interest. The number and geographical distribution of uninsured motorists in California are unknown and estimates vary considerably. The only available statistical data relate to the proportion of reported accident-involved drivers who are unable to show proof of insurance in compliance with the state's financial responsibility (FR) law.¹ Historically, this figure has averaged around 15%, but it varies considerably from county to county (see Reference # 6, p. 189). Using a statistical approximation, the preceding study produced a similar estimate (15.4%) of the total proportion of California vehicles that were uninsured in 1977 (6, p. 187).

In 1967, the California Department of Motor Vehicles (DMV) published a profile of the uninsured accident-involved driver (5). The purpose of the present study is to update the previous DMV study and, hopefully, to throw some new light on this rather old problem.

METHOD

Sources of original data

- (1) DMV computer tapes of suspended and revoked drivers data, January through December, 1978 (S&R Action tapes). This data set contained 1,400,000 license control actions under some section of the California Vehicle Code (this set provided the subset of drivers suspended under FR provisions).

¹The California vehicle code currently requires that any accident involving a fatality, injury or property damage in excess of \$500 to any party be reported to the department, and that evidence of insurance (or acceptable financial responsibility) be supplied. Drivers unable to supply such evidence have their license suspended until evidence of insurance is supplied and maintained on file.

- (2) A one-time extraction of the entire driver license master file in July, 1978. This data set of 14,254,387 subjects was originally prepared for a study on the actuarial validity of territorial rating and other rating factors pursuant to Assembly Concurrent Resolution No. 100 (6). These data were extracted and summarized by driver zip code rather than individual drivers.
- (3) Selected socio-economic status data from the 1970 U.S. Census survey.

Data Reduction

Since the primary objective of the present study was to establish a profile of uninsured motorists, only drivers with some type of FR action on file were selected from the S&R Action tapes. This reduced the sample to 237,821 subjects. This number was reduced to 235,134 by deleting subjects without identifiable drivers licenses. Finally, eliminating drivers whose license action was not triggered by an "uninsured" accident (16070 VC) reduced the sample to 125,341 subjects. (This attrition was due to the presence of large numbers of FR actions for reasons other than an uninsured accident, such as nonreporting of an accident and delays in providing proof.)

The ACR-100 data contained a total of 1,886 applicable California zip codes. Certain zip code areas contained only a small number of FR-suspended or accident-involved drivers. Therefore, for statistical stability reasons, only zip codes having a total of 1,000 or more accident involvements (in approximately 4 1/2 years of temporal exposure) were selected. This reduced the number of applicable zip codes to 755. As explained later, the analysis was further limited to a sampling of selected zip codes. This reduction was necessitated by time and budgetary limitations.

Three measures of socio-economic status were extracted from the 1970 U.S. census data.

- a. Median family income.
- b. Percent less than poverty level.
- c. Median school years completed.

Although the data were fairly outdated, primary focus was on the relative size of the values.

Data Analysis

Data set No. 1 was used to develop a driving record profile of the FR suspended driver. The variables were prior three year accident involvements, total convictions, and major convictions. The mean values for each of the variables were computed along with the age and sex distribution of the sample. Prior three year mean values of the corresponding variables from the general population were also computed to provide a comparison baseline.

The analysis of the second data set involved defining and computing the following uninsured motorist composite index (UMCI).

$$\text{UMCI} = \frac{a/b}{A/B}$$

where a is the number of drivers under FR suspension in each zip code area, b is the number of accident involvements, A is the number of drivers under FR suspension statewide, and B is the number of accident involvements statewide. The numerator is a measure of the proportion of drivers under FR-suspension in each zip code area, whereas the denominator is a measure of the proportion of accident involvements in the corresponding zip code area. The overall ratio or composite index is therefore a measure of proportion of the FR-suspended drivers among all accident-involved drivers, in each zip code area relative to the statewide totals. An index value of 1 for a given zip code would mean that its rate equals the statewide average, a value under 1 would indicate a lower proportion of uninsured accident motorists and a value greater than 1 would be indicative of a disproportionately large rate of uninsured accident drivers.

Using this concept, the uninsured motorist composite index of each zip code area was computed and the median value of all UMCI's was calculated. Although the weighted mean value of all zip codes would be 1, the median value was lower than 1 (0.84) due to the skewness of the distribution. Using the median as the center-most value, the ten zip codes nearest the median were identified and comprised the "most medium" or "most typical" group. The ten highest and ten lowest zip code index numbers were also identified, comprising the lowest and highest valued groups. In other words, the lowest group represents the ten state zip codes having the lowest rate of uninsured accident drivers and the highest group represents the ten zip codes with the highest rate of uninsured accident drivers. The mean UMCI, and various socio-economic indices were computed for these three groups to determine if UMCI (and hence, being uninsured) was associated with SES status.

The socio-economic indices--namely the Median Family Income Index (MFII), Percent Less Than Poverty Level Index (PLTPLI), and Median School Years Completion Index (MSYCI)--were defined and computed as follows:

$$\begin{aligned} \text{MFII} &= d/D \\ \text{PLTPLI} &= e/E \\ \text{MSYCI} &= f/F \end{aligned}$$

where d, e, and f represent the median family income, percent less than poverty level, and median school years completed, respectively, in each zip code area, and D, E, and F represent the corresponding quantities at the statewide level.

The value of the above relative measures were computed for each of the zip codes in the three selected groups and means for the three (low, medium, high) groups were computed from the above individual median index numbers.

It must be pointed out that socio-economic data were unavailable for a few of the zip codes. In these cases, the nearest comparable zip code with socio-economic status data was used as an estimate.

The preceding data were used to develop a socio-economic profile of the three groups. If being uninsured is unrelated to socio-economic factors, the SES indices for each of the groups should be similar and close to the statewide average index of 1.0.

RESULTS

Table 1 presents the major results of the study with respect to age, sex, and driver record. These data reveal that uninsured motorists tend to be young and male compared to the population of all drivers. Several factors could account for this trend. First, males and young drivers are more likely to be involved in traffic accidents than their counterparts. Since a reported accident must occur to trigger an FR suspension, this fact alone might explain some of the overrepresentation. In addition, young persons are more likely to be uninsured because, as a group, they have less money and tend to take more risks. Finally, given the high cost of liability insurance for many young and poor persons and their limited assets, remaining uninsured may be to their economic advantage.

Table 1 also compares the groups on prior three year accident involvements, total convictions, and major convictions. The uninsured motorist is substantially overinvolved on all driver record factors.

Table 1

Personal and Driving Record Profile of an Average
Uninsured Motorist in California

Variable	FR-suspended driver (prior 3 year record) (N = 125,341)	General driving population (prior 3 year record) (N = 113,525)
Mean Age.....	31	39
Percent over 40.....	25	43
Percent under 25.....	38	22
Percent male.....	70	53
Mean three year total accident*.....	0.31	.18
Mean three year total convictions*..	1.98	.63
Mean three year major conviction*...	.16	.02

*Standardized rates adjusted for age and sex difference produce the following: mean three year total accidents = 0.306; mean three year total convictions = 1.60; mean three year major conviction = 0.15. No adjustment has been made for differences in insurance status and driver record as a function of area of residence. However, based on the correlation between zip code accident rate and three year driver accident frequency ($r = .08$), differences in territory would account for a relatively small part of the driver record differences obtained here.

In terms of mean number of prior accidents, the uninsured motorists had 72% more accident involvements than the average of their counterparts in the general population. An age group breakdown of the accident means (not presented here because of space limitations) shows that for every age-sex grouping, the uninsured motorists had substantially more accidents than their corresponding counterparts in the general population.

The comparison of the other two driver record factors shows even greater differences and again the differences were evident across all age and sex groupings. The uninsured group had (approximately) three times as many traffic convictions, and eight times as many major convictions (i.e., drunk or impaired driving, reckless driving, and hit and run).

Because of the huge sample sizes and large magnitude of the differences, all of the preceding differences are clearly significant statistically. Formal tests were therefore not applied.

Age and sex adjusted rates (standardized rates) are shown in the footnote for Table 1.² These rates indicate that very little of the uninsured group deviant record can be attributed to age and sex differences. This finding is notable since it indicates that, unlike the general driving population, the driver record of uninsured FR drivers is virtually uncorrelated with age and sex.

Presented in Table 2 are demographic profiles of the three selected zip code groups. Since the groups were selected based on the incidence of uninsured accident-involved drivers, they should differ substantially on UMCI, and Table 2 clearly shows that they do. The "worst" ten zip codes have an index (2.67) that is eight times higher than the "best" ten zip codes (.35). The "worst" ten and "best" ten also differ substantially on the median family income and poverty level indices. The differences are in the expected direction, with the "worst" ten zip codes having much lower family incomes and higher percentages of persons below the poverty level. The educational level index shows less variation, although the "best" ten zip codes have a somewhat higher educational level than the other two groups and the statewide average. In general, the results substantiate the premise that poorer people are less likely to obtain or maintain car insurance.

²A direct standardization technique was used in computing the adjusted rates (see 9, p. 162).

Table 2

Financially Irresponsible and Socio-Economic Profile of an Average
Uninsured Motorist in California

Zip code areas ¹	Uninsured motorist composite index	Socio-economic indices		
		Median family income index	% less than poverty level index	Median school years completion index
"Worst" ten zip codes....	2.67	.98	1.14	1.00
"Most medium" ten zip codes.....	.84	1.02	.93	1.00
"Best" ten zip codes.....	.35	1.42	.58	1.11
Statewide.....	1.00	1.00	1.00	1.00

¹See Appendix for the zip codes and their locations.

DISCUSSION

Based on the preceding analysis, it is safe to conclude that the average uninsured accident-involved motorist in California is characterized by the following traits:

1. More likely to be male.
2. More likely to be young.
3. More likely to be of lower socio-economic status.
4. More likely to have prior accidents on record.
5. More likely to have prior moving and major traffic convictions.

The above results are strikingly similar in all respects to those obtained in a 1967 DMV study (5). In general, they support the conclusion that being uninsured is a joint function of poverty and social responsibility or social conformity.

The fact that, as a group, uninsured accident motorists are a high risk group provides additional support for the current FR law. First, by restricting the driving privilege of uninsured accident-involved motorists, the department is taking action against a high risk group and thereby potentially achieving a traffic safety benefit. Second, the group being identified and required to show proof of insurance is the very group most likely to expose the public to an uninsured accident. It therefore makes sense to impose sanctions to increase this group's likelihood of being insured and to decrease its probability of having an accident. At the same time, it should not necessarily be concluded that California's current FR law is the optimum method of encouraging all drivers to become insured. As pointed out in a prior DMV study (16), requiring evidence of insurance only after involvement in a reportable accident is probably not an optimal strategy for minimizing the total number of uninsured drivers.

Bibliography

1. Bohlinger, Alfred J. Which road for the uninsured motorists? Insurance Legal Journal, 1951, 433-439.
2. California Uninsured Motorist Practice. California Practice Book #61, by Eddy S. Feldman, et al. California Continuing Education of the Bar. Berkeley, CA 1971.
3. Chadwick, Robert S., and Poche, Marcel B. California's uninsured motorists statute: Scope and problem, 13, Hastings L. J., 194-205, 1961.
4. Court, John M. Virginia's experience with the "Uninsured Motorist Act." William and Mary Legal Review, 1962, 3, 237-281.
5. DMV Research & Statistics. A Profile Study of the Financially Irresponsible Drivers in California. Sacramento, CA, 1967.
6. Department of Insurance. Study of California Driving Performance, Phase II. Los Angeles, CA 1979.
7. Eisler, Paul A. California uninsured motorist law handbook. San Francisco: California Law Book, 1969.
8. Eisler, Paul A. California uninsured motorist law handbook, supplement. San Francisco: California Law Book, 1972.
9. Fleiss, J. L. Statistical methods for rates and proportions. New York: John Wiley. 1973.
10. Insurance Code §11580.2-22580.5. Uninsured motorist coverage.
11. Kline, George H. and Pearson, Carl O. The problems of the uninsured motorists. New York Insurance Department, 1951.
12. McDonald, James T. California uninsured motorist practice, supplement. California Continuing Education of the Bar, April 1978.

13. Miller, Orrin. The new "uninsured motorist" endorsement to family automobile policies--the 1960 look. Insurance Counsel Journal, 1957, 24, 134-138.
14. Moser, Henry S. Practical aspects of the uninsured motorist problem. Insurance Counsel Journal, 1954, 21, 291-295.
15. Murphy, Joseph P. and Netherton, Ross D. Public responsibility and the uninsured motorist. Georgia Legal Journal, 1959, 47, 700-745. Also reprinted in Insurance Legal Journal, 491-506.
16. New York Department of Motor Vehicles, Division of Research & Development. A study to dimension the uninsured motorist problem in New York State. 1979
17. Office of Program Development and Evaluation, Department of Motor Vehicles. Compulsory financial responsibility programs, A summary analysis of program effectiveness and efficiency. December, 1976.
18. Ranch, Raymond C. The problems of the uninsured motorists in Oregon. Eugene, Oregon: Bureau of Business Research, University of Oregon, 1959.
19. Texas Legislative Council. Uninsured motorists, 1960.
20. Versace, Stephen V. The nature and extent of the uninsured motorist problem in Maryland. Maryland Department of Transportation, Motor Vehicle Administration, 1977.
21. Ward, Peter. The uninsured motorist: National and international protection presently available and comparative problems in substantial similarity. Buffalo Legal Review, 1960, 9, 283-320.

APPENDIX

Table of Selected Zip Codes and Locations

The "worst" ten zip codes			The "most medium" ten zip codes			The "best" ten zip codes		
Zip code	City	County	Zip code	City	County	Zip code	City	County
90017....	Los Angeles	Los Angeles	92243....	El Centro	Imperial	94507....	Alamo	Contra Costa
90037....	Los Angeles	Los Angeles	92407....	San Bernardino	San Bernardino	94563....	Orinda	Contra Costa
90044....	Los Angeles	Los Angeles	95401....	Santa Rosa	Sonoma	95650....	Loomis	Sacramento
94607....	Oakland	Alameda	94930....	Fairfax	Marin	95630....	Folsom	Sacramento
90011....	Los Angeles	Los Angeles	92346....	Highland	San Bernardino	91108....	Pasadena	Los Angeles
95116....	San Jose	Santa Clara	94558....	Napa	Napa	94517....	Clayton	Contra Costa
90007....	Los Angeles	Los Angeles	94538....	Fremont	Alameda	93010....	Camarillo	Ventura
90015....	Los Angeles	Los Angeles	95823....	Sacramento	Sacramento	94022....	Los Altos	Santa Clara
90003....	Los Angeles	Los Angeles	90504....	Torrance	Los Angeles	92653....	Laguna Beach	Orange
90813....	Long Beach	Los Angeles	92804....	Anaheim	Orange	90272....	Pacific Palisades	Los Angeles