

Chairman Robinson called the Meeting to order at 6:12 p.m. in Room 200.

MEMBERS PRESENT:

MR. BENNETT (Late)
MR. BRADY
MR. BREMNER
MR. CHANEY
MR. DINI
MR. DUBOIS
MR. JEFFREY
MR. KOVACS
MR. PRENGAMAN
MR. RUSK
DR. ROBINSON

MEMBERS ABSENT:

NONE

GUESTS PRESENT:

SEE ATTACHED GUEST LIST

Chairman Robinson opened the hearing on A.B. 590.

A.B. 590: ALLOWS INSURANCE BROKER TO COLLECT FEE FROM INSURED FOR CERTAIN KINDS OF INSURANCE.

Presenting the bill to the Committee was Wayne Carlson, Senior Risk Analyst from Washoe County. Mr. Carlson stated that A.B. 590 was similar to a bill draft that had been requested by Washoe County. Mr. Carlson said, "The County feels that it can better control the cost of its insurance if we can negotiate a fee in lieu of commission." By negotiating the fee, he said the county would be able to get specific charges for specific services.

Mr. Carlson indicated that there was a slight problem with the bill and suggested changing line 1, page 2 by inserting a comma after "risks", adding the phrase, "subject to regulations promulgated by the Insurance Division," and deleting the remainder of the new language now appearing in the bill in that particular section.

Also testifying on the bill was Mary Finnell, Risk Manager for the State of Nevada. Ms. Finnell had no comments other than to concur with Mr. Carlson's testimony.

In response to a question from Dr. Robinson, Ms. Finnell said that no studies had been done to determine how much passage of the bill would save state and local governments.

Patsy Redmond, Insurance Commissioner, indicated that the Insurance Division had some problems with the bill. She outlined several areas of concern as follows:

1. The bill gives blanket approval for an automatic increase in the cost of insurance.

2. It does not specify or define fees.
3. Is the 20 percent figure just and equitable
4. No consideration is given in situations where a broker is also an appointed agent of an insurer.
5. No recognition has been made for the fiscal impact of the bill.
6. No provision has been made to provide the insured with a full written disclosure explaining the purpose of the fee and the service to be performed.
7. An exclusion needs to be written to exclude life, health and annuity brokers from charging such fees.
8. A provision would have to be included in the bill that no commission could be paid to the broker in addition to fees.
9. Another provision would have to be made for the return of a portion of the fee upon cancellation of the policy.
10. No distinction is made in the bill between fees charged purely for consultation and fees charged in lieu of commission.

Ms. Redmond suggested that if the Committee wanted to consider the bill, that it be passed in the form of regulations. Ms. Redmond produced the amendment that would permit the Insurance Division to establish regulations for this area (EXHIBIT A).

It was ascertained that the author of the bill was Randy Capurro, the owner of an insurance agency.

There was no further testimony on A.B. 590, so the Chairman opened the hearing on A.B. 656.

A.B. 656: REQUIRES CERTAIN EMPLOYERS AND OTHER ORGANIZATIONS TO OFFER OPTIONAL DENTAL SERVICE PLAN WHICH DOES NOT RESTRICT CHOICE OF PROVIDER OF DENTAL SERVICES.

Testifying on behalf of the bill were Dr. Duane Christian and Dr. Dwight Meierhenry, president and president elect of the Nevada Dental Association respectively. Dr. Christian listed the names of other individuals in the audience who were interested in the passage of A.B. 656.

Dr. Meierhenry stated that the bill would permit individuals to choose the health care that they desire rather than being limited to "closed panels" of practitioners. He added that the bill would keep the standards of health care high because of the concept of competition. Dr. Meierhenry said, "We're not requiring anyone to do anything except that to make this plan available, and we think it's good for competition from both sides also."

Chairman Robinson commented that the bill differentiated between open and closed panels and would be implemented under plans paid for by the employees or the employers.

Rick Pugh, representing the Medical Association, stated that the Association was in support of AB 656.

There was no testimony in opposition to the bill, so Dr. Robinson closed the hearing on it and opened the hearing on AB 668.

AB 668 PROVIDES FOR REGULATION OF HEALTH PLANS OF LABOR ORGANIZATIONS BY COMMISSIONER OF INSURANCE.

Testifying on AB 668 were Dr. Duane E. Christian and Dr. Dwight Meierhenry. Dr. Meierhenry stated that the bill was a form of guidance for unregulated health plans with the number one priority of the bill being to insure that the sums of money in the plans are spent for the benefit of the individuals (employees) who earn those funds.

Dr. Meierhenry stated that the administrative fees charged by the plans, which could amount to more than 10 million dollars combined, should be spent in Nevada. He also indicated that the claims service and adjudication process should be handled within the state to cut down on the amount of time it takes to pay claims. Dr. Meierhenry said that he wanted to have assurance for the employees that the money that is paid into a plan on their behalf is, indeed, used for their health and welfare and that there is some type of system established for overseeing the situation. Dr. Meierhenry stated that the bill covered all types of health plans and that it was not limited to dentistry.

Mr. Jeffrey indicated that there were some problems with the bill, specifically page 2, line 9, would present a problem for the local construction unions because they have people who are not residents of the state but are covered under the plan.

Dr. Meierhenry responded that such persons would be considered "temporary" residents, and would not be excluded.

There ensued discussion between Dr. Meierhenry, Mr. Jeffrey and other members of the committee regarding the workings of union health and welfare plans.

Mr. Dini then asked where the 30, 25 and 20 percent figures on page 2 had been derived from. Dr. Meierhenry responded that they were "just very liberal" and had been put into the bill because it was believed that they were not too restrictive. He went on to enumerate percentages in some existing plans as being between 18 and 13 percent.

Mr. Dini expressed concern that the language in the bill would prohibit some workers from being covered because they were not residents of the state or affiliated with any of the local unions.

Dr. Meierhenry responded that the workers described by Mr. Dini would probably be covered under the plans of their home state unions and their contributions would not be put into Nevada trust funds.

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A representative of the Clark County Dental Society, John Leech, conceded that there were some rather restrictive clauses in the bill and added that the intent of the bill was to prevent someone from starting a group and then going bankrupt. Mr. Leech added that there was no control on these groups in Nevada.

Mr. Jeffrey stated that there were a number of unions that had members in Nevada but did not have offices in Nevada and that the bill would require all of them to set up offices in the State each time that they did a job here.

Claude Evans, Secretary-Treasurer of the Nevada AFL-CIO, stated that his organization was unanimously opposed to the legislation. He added that most of the union plans were regulated under the Taft/Hartley Act. Mr. Evans also said that persons covered by a health and welfare plan in Nevada who chose to retire in another state would be unable to receive any benefits if AB 668 were to pass.

Mr. Evans remarked that the fees mentioned on page 2 of the bill were excessive. He also stated that the bill could not "be cleaned up at all to make it a good bill," and that it would "absolutely devastate probably 50 percent of all the health and welfare plans in organized labor in the State of Nevada."

Mr. Bremner stated that he thought the bill originated because there was a union that moved the control of its fund from Nevada to another location and "left a lot of providers hanging out for a long time."

Nathan M. Jenkins, an attorney representing the Northern Nevada Health and Welfare Joint Administrative Group, stated that the area addressed by AB 668 was totally regulated by the Federal Government under the Employer Retirement Income Security Act (ERISA), which regulates health and welfare plans, pension plans, vacation savings plans and apprenticeship training plans. He added that Title 29 of the United States Code, Section 1144, provides that there shall be no state laws attempting to regulate any employee benefit plan regulated by ERISA, and AB 668 would be completely preempted by federal law.

Mr. Rusk suggested that Mr. Daykin be contacted to confirm Mr. Jenkins' testimony.

There being no further testimony on AB 668, Chairman Robinson opened the hearing on SB 543.

SB 543 REGULATES FRANCHISES GRANTED BY MANUFACTURERS OR DISTRIBUTORS TO DEALERS IN MOTOR VEHICLES.

Testifying for the bill was Daryl Capurro, Executive Director of the Nevada Franchised Auto Dealers Association, who stated that there were a few dealers present in the audience in support of the bill and that the Association was the prime sponsor of the bill.

Mr. Capurro indicated that there were presently 41 other states with licensing laws that regulate the relationship between automobile manufacturers and their dealers. He stated that certain portions of the Nevada law regulating these relationships were declared unconstitutional by the Nevada Supreme Court because they did not contain a level of administrative protest and appeal. He stated that SB 543 was designed to put the protest and appeal provisions into the law.

Mr. Capurro said, "These types of laws do nothing more than keep the parties honest and on their toes. They do not prevent necessary or responsible terminations, nor do they prevent the establishment of new franchises." Mr. Capurro described the protest and appeals process, which was modeled after the laws in Arizona.

Dr. Robinson asked if this law could be a "spin-off" to other types of franchising industries in Nevada.

Mr. Capurro indicated that other types of franchises already had legislation. He also stated that the original bill had a fiscal note, but the amended version did not have one.

Mr. Hale Bennett, Chief of Registration for the Department of Motor Vehicles, said that the Department had reviewed the legislation very carefully and agreed with the solution addressed in the bill. He added that he did disagree with the statement that the DMV would cover the fiscal note saying that he would not cover it.

Chairman Robinson opened the hearing on AB 666.

AB 666 CHANGES REGISTRATION FROM ANNUAL TO BIENNIAL AND MAKES VARIOUS OTHER ADMINISTRATIVE CHANGES IN LAW GOVERNING ARCHITECTS.

Testifying on the bill was John McCamant, representing the State Board of Architecture. Mr. McCamant stated that the fees were being increased to cover the increased costs for the operation of the Board. He added that a new section was being added to clarify the law so that anyone offering services as an architect in the State of Nevada would understand that they would be required to be registered in Nevada.

There being no further testimony on the bill, Chairman Robinson opened the hearing on AB 667.

AB 667 REVISES DEFINITION OF "ADULTERATION" IN RELATION TO CONFECTIONERIES.

Testifying on behalf of the bill were Mike Sloan and Dr. Allen Thomas, representing Ethel M Candies of Las Vegas. Mr. Sloan stated that the purpose of the bill was to allow the manufacture of "adult type candy" with a limited amount of alcohol. Mr. Sloan showed the Committee members labels from candies manufactured in other states which contain alcohol and passed out samples of Ethel M Candy.

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Dr. Robinson expressed concern over the possibility that children would become intoxicated by eating large amounts of the candy.

Mr. Sloan explained that a box of Ethel M Candy would contain .06 ounces of alcohol while a glass of 12% wine would contain about .96 ounces of alcohol. He added that a child would get sick eating the chocolate before he could become affected by the alcohol. He also said that the box would be marked to indicate that it did contain alcohol.

Dr. Robinson questioned if there would be any objection to the Committee adding language to the bill which would limit the allowable amount of alcohol in the candy to 4 percent by weight. Dr. Allen responded that he would have no objection. Mr. Sloan also mentioned that all of the alcohol in the candy would evaporate within three weeks after it was manufactured.

Chairman Robinson then opened the hearing on SB 423.

SB 423 AMENDS LAWS RELATING TO DRUGS AND POISONS.

Testifying on behalf of the bill was Joe Midmore, appearing for the State Board of Pharmacy. Mr. Midmore stated that the majority of the bill was housekeeping. He took the Committee through the bill explaining the changes as follows:

1. Page 1, line 3, removes the reference to the statutes and replaces them with "schedules I to V" which are the schedules of controlled substances.
2. Persons "possessing" and "administering" controlled substance in the state are added to the regulations.
3. Persons "distributing" controlled substances are also added to the list of who needs to register with the board; however, certain exclusions are made beginning on page 3, line 17.
4. Pages 6, 7, 8 and 9 relate to the penalties for persons violating the law.
5. Page 10, line 34 defines "medical intern," and begins to list who may possess and administer controlled substances.
6. Page 11, line 49 adds new language to the law that would prohibit physicians from prescribing large quantities of controlled substances to individuals who are not regular patients.
7. Page 12, line 14 prohibits physicians from prescribing, administering or dispensing controlled substances to himself or his family.
8. Page 12, line 18 makes it mandatory for each prescription to be written on a separate prescription blank.

9. Page 14, line 48 begins language that describes what information a prescription blank must contain.
10. Page 16, line 30 refers to substances such as laetril and gerovital.

Next to testify on the bill was Fred Hillerby, representing the Nevada Hospital Association. Mr. Hillerby indicated that his testimony would be neutral and presented two amendments to the Committee. The amendments are attached as EXHIBIT B and pertain to "chart orders."

Also testifying on the bill was Richard C. Mehornay, Government Affairs Area Manager for Merrell-Dow Pharmaceuticals and also representing the Pharmaceuticals' Manufacturers Association. Mr. Mehornay indicated that he was strongly opposed to one section of the bill page 3, lines 9 and 10. He stated that the original bill, and the present law, exempts an agent of a manufacturer or distributor from registration. He urged the Committee to keep this exemption in the law, adding that AB 53, third reprint, allowed the exemption. He gave the following reasons for opposing the removal of the exemption:

1. It is unnecessary and overreaching.
2. It would pose administrative problems.
3. It would result in increased drug prices.

Rick Pugh, representing the State Medical Association, stated that the Association was in support of Mr. Mehornay's suggested amendment.

Chairman Robinson then opened the discussion on SB 470.

SB 470 MAKES VARIOUS CHANGES IN PROVISIONS RELATING TO THRIFT COMPANIES.

Testifying on behalf of the bill was Renny Ashleman, representing the Nevada Thrift Association. Mr. Ashleman indicated that the only substantive change appeared on page 2, line 14 which increases from \$350,000 to \$1,000,000 the capital required of a thrift company.

Mr. Ashleman said that the principal reasons for the increase were to provide more protection to the consuming public and that the reserve funds generally exceed \$350,000 anyway. He requested that the committee adopt amendment #1046, which he said "...is a way that we can receive income on our interim reserves and interim investments while we're waiting to put money into the borrowing public hands." The earnings would come to the thrift companies "tax free" because there is no tax on intercorporate dividends.

The amendment would also allow thrift companies to make interim or "bridge" loans for real estate subdivision financing. The third substantive change made by the amendment would allow thrift

companies to loan up to 90 percent of the value of the thrift certificates to the officers, directors, and shareholders of the institution.

Dr. Robinson remarked that the amendment added a whole new dimension to what thrift companies are now allowed to do with respect to investments in real estate.

Mr. Ashleman responded, "The only new dimension it's adding is, except for the event where you make a written application to the Director, is up to one percent, which even in the case of the larger ones, would not be very much overall in relation to their assets. You might be talking \$500,000 in an extreme case." He also explained that subparagraph two on page 2 of the amendment was to prevent self-dealing and that the amendments had not been presented to the Senate.

In response to a question from Mr. DuBois, Mr. Ashleman indicated that he anticipated no objections to the amendments from the Senate.

Also testifying on the bill was Jim Wadhams, Director of the Department of Commerce. Mr. Wadhams read a letter from Norman Okada which indicated that he concurred with the bill in its amended form (EXHIBIT C). Mr. Wadhams remarked that the amendments proposed by Mr. Ashleman would allow the thrift companies to expand into a somewhat new area, but the limitation of 1 percent placed a strong control on the institutions and he was not concerned that problems would arise.

Mr. Wadhams also indicated that he could see no reason why an officer or employee ought not to be able to borrow against his own deposits in the institution. He added that such borrowing did not carry the same potential problems that could occur with signature or unsecured loans.

There being no further testimony on the bill, Chairman Robinson opened the hearing on SB 553.

SB 553 BROADENS PROVISION FOR WAIVING EXAMINATION FOR CERTIFICATION AS LANDSCAPE ARCHITECT.

There was no one to testify on behalf of the bill.

Dr. Robinson explained that there was an amendment to the bill, #994, and he could see no reason to not pass the bill.

MR. DINI MOVED TO DO PASS SB 553, SECONDED BY MR. RUSK AND CARRIED UNANIMOUSLY.

Dr. Robinson then opened the hearing on SB 624.

SB 624 REVISES REQUIREMENTS FOR COUNTERSIGNATURES ON POLICIES OF INSURANCE.

Testifying for the bill was Patsy Redmond, Commissioner of Insurance. Ms. Redmond's remarks in favor of the passage of the bill are attached as EXHIBIT D.

SB 625 LIMITS CERTAIN EXEMPTION FROM EXAMINATION FOR LICENSING OF INSURANCE AGENTS, BROKERS AND SOLICITORS.

Testifying for the bill was Patsy Redmond, Commissioner of Insurance. Ms. Redmond stated that the bill would extend the exemption to a resident agent only. She explained that a resident agent who has let his license lapse could be reinstated within one year without having to take the examination again. Ms. Redmond said that the way the statute was written, it could be construed to mean that a non-resident agent would also be exempt from examination in the event that he let his license expire. She added that this bill would clarify that problem.

Dr. Robinson then opened the hearing on SB 626, SB 627 and SB 636.

SB 626 MAKES UNIFORM THE MINIMUM AGE OF ELIGIBILITY FOR LICENSING AS INSURANCE AGENT, BROKER OR SOLICITOR.SB 627 REMOVES REQUIREMENT THAT COMMISSIONER OF INSURANCE GIVE NOTICE TO OTHER PRINCIPALS WHEN LIFE OR HEALTH AGENT ADDS A PRINCIPAL.SB 636 REQUIRES FILING OF FORMS TO WHICH RATES FOR INSURANCE APPLY.

Patsy Redmond, Commissioner of Insurance, testified that all three of the bills were simple "housekeeping" bills. Her brief explanations of the bills are attached as EXHIBITS E AND F.

There were no questions from the Committee on the above three bills, nor was there additional testimony from other witnesses.

MR. RUSK MOVED TO DO PASS FOR SB 624, SB 625, SB 626, SB 627 and SB 636. THE MOTION WAS SECONDED BY MR. DINI.

In discussion of the motion, Mr. Bremner indicated that he did not feel he could vote a DO PASS on SB 625 because he did not concur with the one year grace period allowed to agents who had let their licenses expire.

Mr. Wadhams responded that the bill was trying to resolve an inequity for the resident agents. Ms. Redmond added that the bill simply added the word "resident" and in no other way changed the statutes.

Mr. Bremner said that he would like to see the grace period reduced for both in-state and out-of-state agents.

MR. RUSK THEN MOVED TO AMEND SB 625 TO REDUCE THE GRACE PERIOD TO 6 MONTHS. THE MOTION WAS SECONDED BY MR. DU BOIS AND CARRIED UNANIMOUSLY.

Dr. Robinson requested Ms. Redmond to prepare an amendment for the committee.

THE COMMITTEE THEN VOTED UNANIMOUSLY ON MR. RUSK'S ORIGINAL MOTION TO DO PASS SB 624, SB 626, SB 627 and SB 636.

MR. DINI THEN MOVED FOR INDEFINITE POSTPONEMENT OF AB 590. THE MOTION WAS SECONDED BY MR. BRADY.

The Committee then decided to amend AB 590 to allow the Insurance Division to establish regulations to permit brokers to collect fees for certain kinds of insurance.

MR. DINI WITHDREW HIS MOTION AND MR. JEFFREY MOVED TO AMEND AB 590 AS DESCRIBED ABOVE. THE MOTION WAS SECONDED BY MR. KOVACS AND CARRIED UNANIMOUSLY.

Dr. Robinson stated that he would schedule the bill for a vote on Wednesday.

MR. DINI THEN MOVED TO DO PASS AB 656. THE MOTION WAS SECONDED BY MR. JEFFREY AND CARRIED UNANIMOUSLY.

Dr. Robinson assigned Mr. Jeffrey to handle the floor work on the bill.

A MOTION WAS THEN MADE BY MR. DINI AND SECONDED BY MR. PRENGAMAN TO INDEFINITELY POSTPONE AB 668. THE MOTION CARRIED.

MR. BENNETT MOVED TO DO PASS SB 543. THE MOTION WAS SECONDED BY MR. DU BOIS AND PASSED WITH A 10 TO 0 VOTE WITH MR. KOVACS ABSTAINING.

Mr. DuBois indicated that he would handle the bill on the floor.

MR. DINI MOVED TO AMEND SB 423 TO INCORPORATE MR. HILLERBY'S AMENDMENTS AND MR. MEHORNAY'S AMENDMENTS AND TO DO PASS AS AMENDED. MR. JEFFREY SECONDED THE MOTION AND IT CARRIED.

Chairman Robinson assigned the bill to Mr. Chaney for handling on the floor and said that he would get the amendments for Mr. Chaney.

MR. RUSK MOVED TO AMEND SB 470 AND TO DO PASS AS AMENDED WITH AMENDMENT #1064. MR. DINI SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

MR. DINI MOVED TO AMEND AB 667 TO LIMIT THE AMOUNT OF ALLOWABLE ALCOHOL IN CANDY TO 4 PERCENT BY WEIGHT. MR. BRADY SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Evelyn Edwards,
Committee Secretary

(Committee Minutes)

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61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT S.B. 543: REGULATES FRANCHISES GRANTED BY MANUFACTURERS OR DISTRIBUTORS TO DEALERS IN MOTOR VEHICLES.

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: 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 10 for MOTION and 0 for AMEND.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes May 18, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT S.B. 553: BROADENS PROVISIONS FOR WAIVING EXAMINATION FOR CERTIFICATION AS LANDSCAPE ARCHITECT.

MOTION: AMEND AND DO PASS AS AMENDED.

Do Pass X Amend X Indefinitely Postpone _____ Reconsider _____

Moved By MR. DINI Seconded By MR. RUSK

AMENDMENT: ADOPT AMENDMENT NO. 994

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	<u>x</u>	_____	_____	_____	_____	_____
BRADY	<u>x</u>	_____	_____	_____	_____	_____
BREMNER	<u>x</u>	_____	_____	_____	_____	_____
CHANEY	<u>x</u>	_____	_____	_____	_____	_____
DINI	<u>x</u>	_____	_____	_____	_____	_____
DUBOIS	<u>x</u>	_____	_____	_____	_____	_____
JEFFREY	<u>x</u>	_____	_____	_____	_____	_____
KOVACS	<u>x</u>	_____	_____	_____	_____	_____
PRENGAMAN	<u>x</u>	_____	_____	_____	_____	_____
RUSK	<u>x</u>	_____	_____	_____	_____	_____
ROBINSON	<u>x</u>	_____	_____	_____	_____	_____
TALLY:	<u>11</u>	<u>0</u>	_____	_____	_____	_____

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

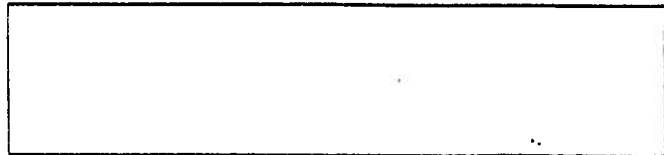
AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes May 18, 1981

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to <u>Senate</u>	
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Joint	
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Bill No. <u>553</u> Resolution No.	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR <u>54-1578</u>	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by <u>Committee on Commerce</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 994



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

"Sec. 2. The board of landscape architecture shall certify as a landscape architect any person who was employed by a local government in a position related to landscaping and applied for such a certification before July 1, 1976."

Amend the title of the bill, 3rd line, by inserting:

"requiring the board to certify a person under certain circumstances;" after "architect;".

To: E & E
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Journal
Engrossment
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Drafted by KM:ml Date 5-13-81

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT S.B. 624, S.B. 626, S.B. 627, S.B. 636

MOTION:

Do Pass [X] Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Rusk Seconded By Mr. Dini

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	X					
BRADY	X					
BREMNER	X					
CHANEY	X					
DINI	X					
DUBOIS	X					
JEFFREY	X					
KOVACS	X					
PRENGAMAN	X					
RUSK	X					
ROBINSON	X					
TALLY:	11	0				

ORIGINAL MOTION: Passed [X] Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes May 18, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT A.B. 590: 'ALLOWS INSURANCE BROKER TO COLLECT FEE FROM INSURED FOR CERTAIN KINDS OF INSURANCES.

MOTION:

Do Pass Amend X Indefinitely Postpone Reconsider

Moved By Jeffrey Seconded By Kovacs

AMENDMENT: TO GIVE THE INSURANCE DIVISION THE AUTHORITY TO ESTABLISH REGULATIONS TO PERFORM THIS TYPE OF FUNCTION

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: 11, 0.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes May 18, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT A.B. 656: REQUIRES CERTAIN EMPLOYERS AND OTHER ORGANIZATIONS TO OFFER OPTIONAL DENTAL SERVICE PLAN WHICH DOES NOT RESTRICT CHOICE OF PROVIDER OF DENTAL SERVICES.

MOTION:

Do Pass [x] Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Dini Seconded By Mr. Jeffrey

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved By _____ Seconded By _____

MOTION

AMEND

AMEND

Table with columns for VOTE, MOTION (Yes/No), AMEND (Yes/No), and AMEND (Yes/No). Rows include BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, and TALLY (11/0).

ORIGINAL MOTION: Passed [x] Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes May 18, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT A.B. 666: CHANGES REGISTRATION FROM ANNUAL TO BIENNIAL AND MAKES VARIOUS OTHER ADMINISTRATIVE CHANGES IN LAW GOVERNING ARCHITECTS.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Jeffrey Seconded By Mr. Rusk

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 BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, and TALLY: 11-0.

ORIGINAL MOTION: Passed 0 Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes May 18, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT S.B. 423: AMENDS LAWS RELATING TO DRUGS AND POISONS.

MOTION: AMEND AND DO PASS AS AMENDED.

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Dini Seconded By Mr. Jeffrey

AMENDMENT: To incorporate amendments suggested by Mr. Hillerby and Mr. Mehorney.

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	X				1	
BRADY	X					
BREMNER	X					
CHANEY	X					
DINI	X					
DUBOIS	X					
JEFFREY	X					
KOVACS	X					
PRENGAMAN	X					
RUSK	X					
ROBINSON	X					
TALLY:	11	0				

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes May 18, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT S.B. 470: MAKES VARIOUS CHANGES IN PROVISIONS RELATING TO THRIFT COMPANIES.

MOTION: AMEND AND DO PASS AS AMENDED

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Rusk Seconded By Mr. Dini

AMENDMENT: ADOPT AMENDMENT NO. 1064

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 X Defeated Withdrawn

ENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes May 18, 1981

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to <u>Senate</u>	
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Joint	
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Bill No. <u>470</u>	Resolution No.
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR <u>56-635</u>	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by <u>Committee on Commerce</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 1064



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

"Section 1. NRS 677.610 is hereby amended to read as follows:

677.610 A licensee shall not invest any of its funds, except : (as)

1. As authorized in this chapter ; (, or in such investments as are)

2. In legal investments for savings associations [.] ; or

3. To the extent of 5 percent or less of its total assets, in preferred stock of corporations which have been given a rating of "A" or better by a national rating service and which are not in default in the payment of dividends."

Amend the bill as a whole by adding new sections designated sections 3 and 4, following section 1, to read as follows:

"Sec. 3. NRS 677.630 is hereby amended to read as follows:

677.630 1. A licensee may purchase, hold and convey real property for the following purposes only:

[1.] (a) Real property conveyed to it in satisfaction of debts contracted in the course of its business.

[2.] (b) Real property purchased at sale under judgments, decrees or mortgage foreclosures or foreclosures of or trustees' sales under deeds of trust under securities held by it. A licensee shall not bid at any such sale a larger amount than is necessary to satisfy its debt and costs.

To: E & E
 LCB File
 Journal ✓
 Engrossment
 Bill

Drafted by DS:ab Date 5-11-81

[3.] (c) Real property necessary as premises for the transaction of its business. A licensee shall not invest directly or indirectly an amount exceeding one-third of its paid-up capital and surplus in the lot and building in which the business of the company is carried on, furniture and fixtures, and vaults, necessary and proper to carry on its business.

(d) Real property purchased for the purpose of subdividing or developing for residential uses. An investment for this purpose must not exceed the market value of the property as evidenced by an appraisal prepared within 120 days before the investment by a member of the American Institute of Real Estate Appraisers, the Society of Real Estate Appraisers or the Independent Fee Appraisers Society, or by an appraiser approved by the director. Before the investment is made:

(1) The licensee shall provide the director a certified copy of one or more appraisal reports and a report from a title insurer which shows the ^{chain} of title and the amount of consideration for which the title was transferred, if that information is available, for at least 3 years.

(2) The director may require a statement from the licensee disclosing whether or not any director, officer or employee of the licensee has, or has had within the last 3 years, any direct or indirect interest in the property. For the purposes of this paragraph, "interest" includes ownership of stock in a corporation which has an interest in the property.

flush If the total amount to be invested in undeveloped real property is more than 1 percent of the total savings accounts of the licensee, the investment may not be made without the written approval of the director. Any person who fails to make a disclosure required by this section is guilty of a misdemeanor.

2. No real estate acquired pursuant to [subsections 1 and 2] paragraph (a) or (b) of subsection 1 may be held for a longer period than 5 years.

Sec. 4. NRS 677.650 is hereby amended to read as follows:

677.650 [A] 1. Except as provided in subsection 2, a licensee shall not directly or indirectly make any loan to, or purchase a contract or chose in action from:

[1.] (a) A person who is an officer, director or holder of record or beneficiary of 10 percent or more of the shares of the licensee.

[2.] (b) A person in which an officer, director or holder of record or beneficiary of 10 percent or more of the shares of the licensee directly or indirectly is financially interested.

[3.] (c) A person who acquired [such] the contract directly or indirectly or through intervening assignments from a person described in [subsections 1 and 2.] paragraphs (a) or (b).

2. Loans may be made to officers, directors and shareholders of the licensee, upon collateral of thrift certificates of the licensee, of not more than 90 percent of the amount of the thrift certificates, at the same rates of interest and under the same terms as loans secured by thrift certificates are offered to members of the general public.

3. Any officer, director or shareholder of a licensee who directly or indirectly makes or procures or participates in making or procuring a loan or contract in violation of this section or knowingly approves such a loan or contract is personally liable for any loss resulting to the licensee from [such] the loan or contract, in addition to any other penalties provided by law.

Amend the title of the bill on the second line before "and providing" by inserting "authorizing additional investments and loans;".

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 18, 1981

SUBJECT A.B. 667: REVISES DEFINITION OF "ADULTERATION" IN RELATION TO CONFECTIONERIES

MOTION: AMEND AND DO PASS AS AMENDED

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Dini Seconded By Mr. Brady

AMENDMENT: AMEND TO LIMIT TO 4% THE ALLOWABLE AMOUNT OF ALCOHOL IN CANDY

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

MOTION

AMEND

AMEND

Table with columns for VOTE, MOTION (Yes/No), AMEND (Yes/No), and AMEND (Yes/No). Rows include BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON, and TALLY (11-0).

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

Attached to Minutes May 18, 1981

ASSEMBLY COMMERCE COMMITTEE

GUEST LIST

DATE: _____

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
Milos Terzich	American Council of Life Ins.			AB 590
MARY FINNELL	RISK MGMT DIV	-		AB 590
Stan Jones	N. Nevada Central Labor Council		X	A.B. 668
John McCAMANT	STATE BOO of ARCHITECTURE	X		A.B. 660
J. A. ...	N T A	✓		SB 470
NATHAN M. SENKINS	Northern Nevada Health Fireline Joint Administrative Group		X	AB 668
Gene B. Bennett	DMV	X		AB 543
Patsy Richmond	Bus. Newsweek			
Wayne Carlson	Washoe Co.	✓		AB 590
Bill Parish	Tul Bus Agency			AB 590
Kay LOCKHART	NIIA			AB 590
John Raymond	NECA		X	AB 668
J. B. LIBKE	NEV. DENTAL ASSOC.	✓		656 668
Dwaine E. Chusler	" " "	✓		656 668
Dwight Maccherry	" " "	✓		
John ...	IBEW LOCAL 401		X	668
Walter ...	Local 169		X	668
Butch Lynn	Washoe Motor Car Dealers Assn.	X	X	AB 543
B. ...	NECA AFL-CIO			AB 668

1359

TO: Alice Graham
FROM: Richard Staub
RE: AB 590

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1. Amend Section 1, page 1, by deleting lines 23 and 24.
2. Amend Section 1, page 1, by deleting lines 1 through 4.
3. Amend Section 1, page 1, by inserting a new subsection (3), which should read: 3. The commissioner may adopt regulations to allow:
 - a. an insurance broker's fee in lieu of any other charge or commission for the solicitation, negotiation and procurement of an insurance policy which covers commercial or business risks; and
 - b. an insurance broker's fee for insurance consultation or any other related advice on commercial or business risks which does not result in the procurement of an insurance policy.
4. Amend Section 1, page 1, by inserting a new subsection (4), which should read: 4. The fees provided for in subsection 3 of this act, must not be charged or collected on life, health or annuity insurance.

PROPOSED AMENDMENT TO S.B. 423

Amend S.B. 423 by making the following changes:

Amend Sec. 18, page 12, line 19, by adding the following new language after the words: "separate prescription blank (.) except in the case of a chart order."

Amend Sec. 28, page 14, line 49 by adding the following new language after the words: "separate prescription blank (.) except in the case of a chart order."



STATE OF NEVADA
DEPARTMENT OF COMMERCE
SAVINGS AND LOAN DIVISION
CAPITOL COMPLEX
406 EAST 2ND STREET
CARSON CITY, NEVADA 89710
(702) 885-4259

ROBERT LIST
GOVERNOR
JAMES L. WADHAMS
DIRECTOR

May 18, 1981

COMMISSIONER

Assemblyman Robert Robinson
Nevada State Assembly
Carson City, Nevada 89710

Re: SB 470

Dear Assemblyman Robinson:

Your agenda this evening includes a hearing on SB 470 which is a bill that "makes various changes in provisions relating to Thrift Companies" as licensed under NRS 678.

I have reviewed the bill as amended and concur. The substance of the bill, as amended, increases the ceiling placed on the "Thrift Insurance Guaranty Fund" from \$350,000 to \$1,000,000.

This change allows for increased protection for the public through a greater potential reserve should conditions adversely affect a particular licensee.

I support the bill as amended.

Very truly yours,

A handwritten signature in black ink, appearing to read "Norman T. Okada".

Norman T. Okada
Acting Commissioner

NTO/1h



ROBERT LIST
GOVERNOR

JAMES L. WADHAMS
DIRECTOR

STATE OF NEVADA
DEPARTMENT OF COMMERCE
INSURANCE DIVISION
201 SOUTH FALL STREET
CARSON CITY, NEVADA 89710

(702) 885-4270

DONALD W. HEATH, CLU
COMMISSIONER OF INSURANCE

May 19, 1981

TO: COMMITTEE ON COMMERCE AND LABOR

FROM: PATSY REDMOND,
COMMISSIONER OF INSURANCE

RE: SENATE BILL 624

Senate Bill 624 provides revisions to NRS 680A.300 which were recommended by the Insurance Division. These revisions are proposed to alleviate difficulties experienced by resident agents in the countersigning process.

The first is in subsection 1 with the inclusion of renewal policies. This will clarify the necessity of countersigning renewal policies or endorsements. There have been instances in the past where countersignature fees or commissions have not been paid to countersigning resident agents when renewals were negotiated by non-resident agents.

The second, in subsection 5, increases the threshold for the waiver of a fee or commission from a \$25 to a \$250 premium. The Southern Nevada Agents Association requested that the Insurance Division propose the increase to relieve resident agents from the burden of collecting fees which amount to less than the cost of collection. The waiver is at the discretion of the countersigning agent.

PR:RE:cf

1264

TO Assemblyman Robinson
Committee on Commerce

EXHIBIT E

Memo

FROM Patsy Redmond, Commissioner
Nevada Insurance Division

DATE 5-19-81

SUBJECT

SB 626 changes the eligibility age for a property and casualty licensee to age 18, the same age as the life and health licensee.

SB 627 eliminates the requirement for the Commissioner to notify all companies of any new appointments of a life and health agent. This task should not fall to the Commissioner and administratively it will be costly for the state.

SB 625 as amended it will isolate any waiver of a required examination to resident licensees only and will allow a six month period for restatement without examination for any applicant for relicensing.

TO: ASSEMBLYMAN ROBERT ROBINSON

FROM: PATSY REDMOND,
COMMISSIONER OF INSURANCE.

RE: SENATE BILL 636

1. This bill requires the filing of forms to which rates apply.
2. Housekeeping bill.
3. We currently require filing of forms. Authority is given under definition of supplementary rate information in the wording "other information prescribed by rule of the Commissioner".
4. Change more clearly defines what information must be filed.

PR:BE:cf