

Chairman Robinson called the meeting to order at 1:11 p.m. in Room 200.

MEMBERS PRESENT: Mr. Bennett
Mr. Brady
Mr. Chaney
Mr. Dini (Late)
Mr. Jeffrey (Late)
Mr. Kovacs
Mr. Prengaman
Mr. Rusk
Dr. Robinson

MEMBERS ABSENT: Mr. Bremner
Mr. DuBois

GUESTS PRESENT: See Attached Guest List

Chairman Robinson opened the public hearing on S.B. 704.

S.B. 704: MAKES VARIOUS CHANGES IN PROVISIONS RE-
GARDING CREDIT UNIONS.

No one appeared to testify either for or against the bill. Dr. Robinson looked over it and asked the other Committee members to do the same. It was ascertained that there was no reason not to pass the bill.

MR. BENNETT MOVED A DO PASS WHICH WAS SECONDED BY MR. KOVACS. THE MOTION CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Chairman Robinson assigned the floor work on S.B. 704 to Mr. Kovacs.

Chairman Robinson then asked Assemblyman Bob Barengo to come forward and explain Amendments No. 1367, 1368 and 1369 to S.B. 101 to the Committee. Copies of these amendments are attached as EXHIBIT A, A-1 and A-2.

Assemblyman Barengo opened his remarks by saying that he has always believed that there should be some type of ceiling on interest rates. He added that the removal of all interest ceilings would encourage "shylocking" in the State of Nevada. Mr. Barengo indicated that Amendment No. 1367 deleted the provision whereby banks would be permitted to charge an annual membership fee for credit cards. He admitted that there might be some legal problems with the amendment because it would prohibit any bank or association from charging a Nevada resident a card membership fee. He cited American Express as being a particular problem with trying to implement such a prohibition.

With reference to Amendment No. 1368, which would require that merchants give cash discounts to customers who present credit cards but decide to purchase with cash, Mr. Barengo indicated there

might also be a problem with this amendment because there was federal legislation pending with respect to such cash discounts.

Mr. Barengo then said that he strongly supported Amendment No. 1367, but that he did not think Amendments No. 1368 and 1369 had a very good chance of passing.

The Committee then discussed the inherent problems with implementing Amendment No. 1368.

John Andrew, Counsel for the J.C. Penney Company, explained to the Committee what types of problems his client would incur if Amendment No. 1368 were to be adopted to S.B. 101. He said that the biggest problem with the amendment was that it mandated that discounts would have to be equal to that which the merchant is charged by the bank which issued the customer's credit card. He said that the way the amendment was drafted, "it is not dealing with the real situation." Mr. Andrew added that there would be discrimination against anyone who did not have a MasterCard or Visa. He explained that the charge by the bank for processing credit card slips was a service charge for an actual service while the cash discount would not be a service charge but, rather, a direct expense to the merchant. He added that such expenses would ultimately result in an increase in prices and that the increases would be subsidized by people who either did not have a MasterCard or Visa or the people who did have such cards and used them.

Mr. Andrew testified that the removal of interest ceilings would have no immediate, practical effect on the J.C. Penney Company because it was not charging the maximum allowable interest rates now. He also said that the credit card operation of J.C. Penney was not making any money for the company.

Also testifying on the impact of the proposed amendments was George Aker, President of Nevada National Bank, who was also representing the Nevada Bankers Association. Mr. Aker testified that the way paragraph 1 of Amendment No. 1368 is written, "it is not workable." He said that the way the amendment was written, it would require a merchant to know the rate charged by every credit card issuer across the nation in order to be in compliance with the law. Mr. Aker explained that the rates charged by the issuing bank for credit cards had to cover the costs of a very elaborate payment system. He estimated that it cost NNB between 70 to 90 cents to process each credit slip.

Mr. Aker commented that there were from 30 to 40 percent of the population who would never qualify for either a MasterCard or a Visa, and that these people would be denied cash discounts. He cited the new bankruptcy laws as being a major factor in such a high number of people being unqualified for a credit card. He also said that wide spread cash discounts would have a material impact on sales tax receipts for the state of Nevada. Mr. Aker also said that it was his opinion that cash discounts would be

offered in the future, after the federal legislation was resolved, and that, therefore, such discounts need not be mandated by state law.

Mr. Aker then commented that the reasons banks were asking for a removal of the prohibition against charging an annual membership fee for credit cards was to allow those credit customers, who continually paid their bills in such a way as not to be charged a monthly finance charge, to help support the elaborate payment system that was available to them. He also said that the rise in bankruptcies was rendering credit card payment systems unprofitable for many banks, and that the ability to charge annual membership fees would increase the chances of the systems being profitable. He explained that a number of the nation's largest banks were moving their operations to states that had no limitations on interest or credit card charges and that there were many other banks who were looking into selling their credit card operations to these institutions.

Mr. Aker indicated that adoption of Amendment No. 1367 would result in Nevada Banks no longer issuing credit cards. He also said that he doubted the law would be enforceable against banks such as Citibank, which based its operations in a state which had no restrictions on its credit card activities.

Mr. Aker then stated that he strongly urged the Committee not to adopt Amendment No. 1368, which would reinstitute an interest ceiling of 3½ points over prime.

Mr. George Vargas then commented that he was in agreement with Mr. Aker's statements.

Chairman Robinson then recessed the meeting until later in the day.

The meeting was reconvened at 7:08 p.m.

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

MEMBERS ABSENT: Mr. Bennett
 Mr. Bremner
 Mr. Chaney
 Mr. Jeffrey

The Chairman said that he would entertain a motion on S.B. 699

S.B. 699: REVISES FEES AND LICENSING PROVISIONS FOR
 PERSONS ENGAGED IN BUSINESS OF INSURANCE.

Date: May 29, 1981

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MR. KOVACS MOVED TO AMEND S.B. 699 WITH AMENDMENT NO. 1318 AND TO DO PASS AS AMENDED. THE MOTION WAS SECONDED BY MR. DINI AND PASSED UNANIMOUSLY OF THE MEMBERS PRESENT.

Discussion then moved to S.B. 132.

S.B. 132: PROVIDES CIVIL PENALTIES FOR VIOLATION OF PROVISIONS OF CHAPTERS 703 and 712 OF NRS.

MR. DINI MOVED TO AMEND S.B. 132 WITH AMENDMENT NO. 1247 AND TO DO PASS AS AMENDED. THE MOTION WAS SECONDED BY MR. KOVACS AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Mr. Dini indicated that he would handle S.B. 132 on the floor.

S.B. 101: REMOVES LIMITATIONS ON INTEREST RATES FOR LOANS.

MR. DINI MOVED TO NOT LEND THE COMMITTEE'S SUPPORT TO AMENDMENTS NO. 1368 and 1369. MR. RUSK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY OF THE SEVEN MEMBERS PRESENT.

MR. DINI THEN MOVED TO DO PASS S.B. 101 AS PREVIOUSLY AMENDED BUT TO DO SO WITHOUT RECOMMENDATION ON AMENDMENT NO. 1367. MR. RUSK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

S.B. 239: MAKES VARIOUS CHANGES TO LAW GOVERNING PRACTICE OF TRADITIONAL ORIENTAL MEDICINE.

Chairman Robinson referred to a letter from the Attorney General's office in support of the passage of S.B. 239. The letter is attached as EXHIBIT B. There was also a letter from Dr. William Edwards, Secretary of the State Board of Oriental Medicine which urged the passage of the bill. This letter is attached as EXHIBIT C.

MR. KOVACS MOVED TO AMEND S.B. 239 WITH AMENDMENT NO. 1197 AND TO DO PASS THE BILL AS AMENDED. THE MOTION WAS SECONDED BY MR. DINI AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Mr. Kovacs responded that he would handle the floor work on the bill.

S.B. 443: EXTENDS EXEMPTION FROM PREMIUM TAX TO ANNUITIES FOR DEFERRED COMPENSATION OF PUBLIC EMPLOYEES.

MR. KOVACS MOVED TO DO PASS S.B. 443. MR. PRENGAMAN SECONDED THE MOTION, HOWEVER, IT WAS DEFEATED THROUGH LACK OF SUPPORT.

S.B. 472: CHANGES CERTAIN PROVISIONS RELATING TO OBLIGATIONS OF NEVADA INSURANCE GUARANTY ASSOCIATION.

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MR. DINI MOVED TO INDEFINITELY POSTPONE S.B. 472. MR. KOVACS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

S.B. 492: EXTENDS REGULATION OVER BANK HOLDING COMPANIES AND CERTAIN MERGERS, CONVERSIONS OR CONSOLIDATIONS OF STATE BANK.

MR. DINI MOVED TO DO PASS S.B. 492. THE MOTION WAS SECONDED BY MR. RUSK AND CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

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

S.B. 495: PERMITS COLLECTION AGENCY AND DEBT ADJUSTING COMPANY TO PLEDGE CERTAIN ASSETS IN LIEU OF PURCHASING A BOND.

MR. PRENGAMAN MOVED TO AMEND S.B. 495 BY ADDING "THRIFT COMPANIES" WHERE APPLICABLE AND TO DO PASS THE BILL AS AMENDED. MR. DINI SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

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

S.B. 505: BROADENS PENALTY PROVIDED FOR THEFT OF SERVICES OF PUBLIC UTILITIES.

MR. DUBOIS MOVED TO DO PASS S.B. 505. MR. RUSK SECONDED THE MOTION. THE MOTION WAS DEFEATED FOR LACK OF SUPPORT.

MR. DINI THEN MOVED FOR AN INDEFINITE POSTPONEMENT OF S.B. 505. THAT MOTION WAS SECONDED BY MR. PRENGAMAN; HOWEVER, IT WAS ALSO DEFEATED FOR LACK OF SUPPORT.

S.B. 661: AMENDS VARIOUS PROVISIONS RELATING TO PUBLIC ACCOUNTING.

MR. PRENGAMAN MOVED TO DO PASS S.B. 661. MR. DINI SECONDED THE MOTION, AND IT CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

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

S.B. 686: RAISES LIMITS ON LOANS BY SAVINGS AND LOAN ASSOCIATIONS AND REVISES PROCEDURE FOR APPEAL FROM DECISIONS OF COMMISSIONER OF SAVINGS ASSOCIATIONS.

MR. PRENGAMAN MOVED TO ADOPT AMENDMENT NO. 1261 TO S.B. 686 AND TO DO PASS AS AMENDED. MR. DUBOIS SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson stated that he would handle the bill on the floor.

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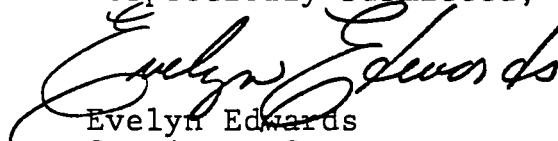
S.B. 691: REQUIRES POLICIES OF MOTOR VEHICLE INSURANCE
TO COVER ALL LOSSES WHEN OTHER PARTY IS UNIN-
SURED OR UNDERINSURED.

MR. DINI MOVED TO INDEFINITELY POSTPONE S.B. 691. MR. RUSK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY OF THE MEMBERS PRESENT.

Dr. Robinson commented that he had been informed that A.B. 70 was being amended by the Senate to include the provisions of S.B. 691.

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

Respectfully submitted,


Evelyn Edwards
Committee Secretary

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 704: Make's various changes in provisions regarding credit Unions.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Bennett 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). Rows include names of legislators like BENNETT, BRADY, BREMNER, etc., and a TALLY row showing 7 Yes and 0 No.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 699: Revises Fees and Licensing Provisions For Persons Engaged in Business of Insurance.

MOTION: Amend & Do Pass as Amended
Do Pass X Amend X Indefinitely Postpone Reconsider
Moved By Mr. Kovacs Seconded By Mr. Dini

AMENDMENT: Adopt Amendment No. 1318
Moved By Seconded By

AMENDMENT:
Moved By Seconded By

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

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

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION

SENATE ACTION

..... Assembly AMENDMENT BLANK

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

AMENDMENTS to..... Senate
~~Joint~~
 Bill No..... 699~~Resolution No.~~
 BDR..... 57-2094
 Proposed by..... Committee on Commerce

Amendment N^o 1318

Resolves conflict in section 24 with
 S.B. 627.

Amend the bill as a whole by adding a new section designated
 section 25, following section 24, to read as follows:

"Sec. 25. Section 24 of this act shall become effective at
 12:01 a.m. on July 1, 1981."

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 132: Provides civil penalties for violation of provisions of Chapters 703 and 712 of NRS.

MOTION: Amend & Do Pass as Amended

Do Pass X Amend x Indefinitely Postpone Reconsider

Moved By Mr. Dini Seconded By Mr. Kovacs

AMENDMENT: Adopt Amendment No. 1247

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	Absent					
BRADY	X					
BREMNER	Absent					
CHANEY	Absent					
DINI	X					
DUBOIS	X					
JEFFREY	Absent					
KOVACS	X					
PRENGAMAN	X					
RUSK	X					
ROBINSON	X					
TALLY:	7	0				

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to	Senate
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>		Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Bill No. 132	Resolution No. _____
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR. 58-274	
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 1247

Resolves conflict with § 62 of A.B. 142.

Amend sec. 2, page 2, by deleting lines 5 through 7.

Amend sec. 2, page 2, line 8, by deleting "2." and inserting:

"703.350".

Amend the bill as a whole by inserting a new section, designated section 7, following section 6, to read as follows:

"Sec. 7. Section 2 of this act shall become effective at 12:01 a.m. on July 1, 1981."

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 101: Removes Limitations on Interest Rates for Loans.

MOTION: DO PASS, NOT SUPPORTING AMENDMENTS NO. 1368 and 1369 AND WITHOUT RECOMMENDATION ON AMENDMENT NO. 1367
Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Dini Seconded By Mr. Rusk

AMENDMENT: (blank lines)

Moved By Seconded By

AMENDMENT: (blank lines)

Moved By Seconded By

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

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED 1467

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 239: Makes various changes to law governing practice of traditional oriental medicine.

MOTION: AMEND & DO PASS AS AMENDED

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Kovacs Seconded By Mr. Dini

AMENDMENT: Adopt Amendment No. 1197

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 X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

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 Senate
~~Joint~~
 Bill No. 239 Resolution No. _____
 BDR 54-168
 Proposed by Committee on Commerce

Amendment N^o 1197

Resolves conflict with § 8 of A.B. 183.

Amend the bill as a whole by deleting section 7 and by renumbering section 8 as section 7.

Amend the title of the bill on the second and third lines by deleting "making repeated malpractice a ground for disciplinary actions;"

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 443: Extends exemption from premium tax to annuities for deferred compensation of public employees.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Kovacs 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 Defeated X Withdrawn
AMENDED & PASSED AMENDED & DEFEATED
AMENDED & PASSED AMENDED & DEFEATED

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 472: Changes certain provisions relating to obligations of Nevada Insurance Guaranty Association.

MOTION: Do Pass ___ Amend ___ Indefinitely Postpone X Reconsider ___ Moved By Mr. Dini 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 various legislators including Bennett, Brady, Bremner, Chaney, Dini, Dubois, Jeffrey, Kovacs, Prengaman, Rusk, Robinson, and a Tally row showing 7 Yes and 0 No.

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

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 492: Extends regulation over bank holding companies and certain mergers, conversions or consolidations of state bank.

MOTION:

Do Pass x Amend Indefinitely Postpone Reconsider

Moved By Mr. Dini Seconded By Mr. Rusk

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 legislators: BENNETT, BRADY, BREMNER, CHANEY, DINI, DUBOIS, JEFFREY, KOVACS, PRENGAMAN, RUSK, ROBINSON. Includes a TALLY row showing 7 Yes and 0 No for the motion.

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 495: Permits collection agency and debt adjusting company to pledge certain assets in lieu of purchasing a bond.

MOTION: AMEND & DO PASS AS AMENDED

Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mr. Prengaman Seconded By Mr. Dini

AMENDMENT: Add Thrift Companies where applicable

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 X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 29, 1981

SUBJECT S.B. 505: Broadens penalty provided for theft of services of public utilities.

MOTION:

Do Pass x Amend Indefinitely Postpone Reconsider

Moved By Mr. DuBois Seconded By Mr. Rusk

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: 5, 2

ORIGINAL MOTION: Passed Defeated X Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 505: Broadens penalty provided for theft of services of public utilities.

MOTION:

Do Pass ___ Amend ___ Indefinitely Postpone X Reconsider ___

Moved By Mr. Prentaman Seconded By Mr. Dini

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 ___ Defeated X Withdrawn ___
AMENDED & PASSED ___ AMENDED & DEFEATED ___
AMENDED & PASSED ___ AMENDED & DEFEATED ___

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 661: Amends various provisions relating to public accounting.

MOTION:

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Prengaman 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	Absent					
BRADY	X					
BREMNER	Absent					
CHANEY	Absent					
DINI	X					
DUBOIS	X					
JEFFREY	Absent					
KOVACS	X					
PRENGAMAN	X					
RUSK	X					
ROBINSON	X					
TALLY:	7	0				

ORIGINAL MOTION: Passed X Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED 1476

AMENDED & PASSED AMENDED & DEFEATED

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE 5/29/81

SUBJECT S.B. 686: Raises Limits on loans by savings and loan associations and revises procedure for appeal from decisions of commissioner of savings associations.

MOTION: Amend & Do Pass As Amended Do Pass X Amend X Indefinitely Postpone Reconsider

Moved By Mrs. Prengaman Seconded By Mr. DuBois

AMENDMENT: Adopt Amendment # 1261

Moved By Seconded By

AMENDMENT:

Moved By Seconded By

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

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

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"/>		Joint
Date:	Date:	Bill No. 686	Resolution No.
Initial:	Initial:	BDR 56-1789	
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 1261

Resolves conflict with A.B. 518.

Amend sec. 2, page 2, by deleting lines 13 through 16, and inserting:
 "673.050 [Nothing in this chapter prevents an association or] A
 person affected by any order, ruling, proceeding, act or action of
 the commissioner or any person acting on his behalf or at his instance,
 or the director or any person acting on his behalf and at his instance,
 [from testing] may test the validity of the action in any".

61st SESSION NEVADA LEGISLATURE

ASSEMBLY COMMERCE COMMITTEE

LEGISLATION ACTION

DATE May 29, 1981

SUBJECT S.B. 691: Requires policies of motor vehicle insurance to cover all losses when other party is uninsured or underinsured.

MOTION:

Do Pass ___ Amend ___ Indefinitely Postpone X Reconsider ___

Moved By Mr. Dini Seconded By Mr. Rusk

AMENDMENT:

Moved By ___ Seconded By ___

AMENDMENT:

Moved By ___ Seconded By ___

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BENNETT	Absent	___	___	___	___	___
BRADY	X	___	___	___	___	___
BREMNER	Absent	___	___	___	___	___
CHANEY	Absent	___	___	___	___	___
DINI	X	___	___	___	___	___
DUBOIS	X	___	___	___	___	___
JEFFREY	Absent	___	___	___	___	___
KOVACS	X	___	___	___	___	___
PRENGAMAN	X	___	___	___	___	___
RUSK	X	___	___	___	___	___
ROBINSON	X	___	___	___	___	___
TALLY:	7	0	___	___	___	___

ORIGINAL MOTION: Passed X Defeated ___ Withdrawn ___

AMENDED & PASSED ___ AMENDED & DEFEATED ___

AMENDED & PASSED ___ AMENDED & DEFEATED ___

ASSEMBLY COMMERCE COMMITTEE

GUEST LIST

DATE: 5/29/81

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK-		
		FOR	AGAINST	BILL NO.
Howard L. Cunningham	Self			101
MELVIN BRUMF	NEVADA STATE BOARD of ACCOUNTANTS			SB 661
✓ ✓	PUBLIC EMPLOYEES RETIREMENT SYSTEM			SB 101

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"/>		Joint
Date:		Date:		Bill No.	101
Initial:		Initial:			Resolution No.
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	BDR	8-415
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>	Proposed by	Assemblyman Barengo
Date:		Date:			
Initial:		Initial:			

Amendment N^o 1367

Consistent with Amendment Nos. 1260, 1368, and 1369.

Amend section 1, page 1, by deleting lines 5 and 6 and inserting:
 "period of time. [It] The term includes annual membership fees
for credit cards, but does not include the amount, if any, charged
for insurance premiums, delinquency".

Amend the bill as a whole by adding new sections designated
 sections 6.3 and 6.5, following section 6, to read as follows:

"Sec. 6.3. Chapter 668 of NRS is hereby amended by adding thereto
 a new section which shall read as follows:

1. No bank which issues a credit card to a resident of Nevada may
charge any membership fee for the possession or use of the card.

2. No action may be brought against a resident of Nevada to
recover a delinquent balance in an account evidenced by a credit
card if a membership fee has been charged on or after July 1, 1981.

3. As used in this section, "resident of Nevada" means a person
to whom bills for charges and advances are sent at an address in
Nevada.

Sec. 6.5. Chapter 673 of NRS is hereby amended by adding thereto
 a new section which shall read as follows:

1. No association which issues a credit card to a resident of
Nevada may charge any membership fee for the possession or use of
the card.

2. No action may be brought against a resident of Nevada to recover
a delinquent balance in an account evidenced by a credit card if a
membership fee has been charged on or after July 1, 1981.

To: E & E
 LCB File
 Journal
 Engrossment
 Bill

Drafted by.....DGS:ss.....Date.....5-27-81

3. As used in this section, "resident of Nevada" means a person to whom bills for charges and advances are sent at an address in Nevada."

Amend the title of the bill on the third line after "loans;" by inserting:

"prohibiting membership fees for certain credit cards;"

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"/>	Joint.....
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Bill No..... 101.....	Resolution No.....
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR... 8-415.....	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by.....	Assemblyman Barenco.....
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. 1368

Consistent with Amendment Nos. 1260, 1367 and 1369.

Amend the bill as a whole by adding a new section designated section 4.5, following section 4, to read as follows:

"Sec. 4.5. Chapter 598 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Any retail merchant who holds himself out as willing to accept a credit card shall grant a discount equal to the amount which he is currently charged by the bank or other institution which issued the credit card if:

(a) The customer presents the credit card at the time payment for the purchase is expected; and

(b) After presenting the credit card, the customer offers to pay cash for the purchase and tenders sufficient United States money to do so.

2. Any person who refuses a discount required by subsection 1 to a customer who has properly requested it is guilty of a misdemeanor.

It is not a defense against prosecution for a violation of this section that the person charged:

(a) Is an employee and was prohibited by his employer to extend the discount; or

(b) Is the employer of the person who refused the discount or an officer, partner or agent of the employer."

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Amend the title of the bill on the third line before "and providing" and inserting:

"requiring discounts for payment of cash by holders of credit cards; providing penalties;"

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"/>	Joint	
Date:		Date:		Bill No. 101	Resolution No.
Initial:		Initial:		BDR 8-415	
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	Proposed by Assemblyman Barango	
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>		
Date:		Date:			
Initial:		Initial:			

Amendment N^o 1369

Consistent with Amendments Nos. 1260, 1367 and 1368.

Amnd sec. 4, page 2, by deleting lines 35 through 37 and inserting:
 "99.050 [Parties] 1. Except as provided in subsection 2, parties may agree for the payment of any rate of interest on money due or to become due on any contract (which does not exceed the rate of 18 percent per annum.)

2. If the amount of money due or to become due on the contract is less than \$100,000, the interest may not exceed by more than 3.5 percent the lowest daily prime rate of the three largest United States banking institutions.

3. In computing the rate of interest."

Amend sec. 4, page 2, line 43, by deleting the bracket.

Amend sec. 11, page 6, by deleting line 28 and inserting:

"Sec. 11. (Deleted by amendment.)".

To: E & E
 LCB File
 Journal
 Engrossment
 Bill

Drafted by.....DGS:ss.....Date.....5-27-81



STATE OF NEVADA
 OFFICE OF THE ATTORNEY GENERAL
 CAPITOL COMPLEX
 CARSON CITY 89710
 (702) 885-4170

RICHARD H. BRYAN
 ATTORNEY GENERAL

LARRY D. STRUVE
 CHIEF DEPUTY ATTORNEY GENERAL

May 20, 1981

The Honorable Robert Robinson
 Chairman, Assembly Commerce Committee
 Legislative Building
 Carson City, NV 89710

Re: SB 239, an act relating to traditional
 oriental medicine

Dear Mr. Robinson:

Dr. William Edwards, secretary-treasurer of the Nevada State Board of Oriental Medicine, has advised this office that SB 239 was recently considered in public hearings before the Assembly Commerce Committee. He further advised that a representative of the insurance division raised some concern about Section 1 of SB 239, indicating that this perhaps expanded the definition of acupuncture so as to allow licensed acupuncturists to do more than they can do under current law. Dr. Edwards has requested that we write to the Committee to explain the origin of the language which appears as the amendment in Section 1 of SB 239 to the current NRS 634A.020.

If SB 239 is approved by your Committee and eventually approved by the full Legislature, the definition of the term "acupuncture" would be changed slightly from the current definition which was adopted by the 1973 Legislature. This change, however, in our opinion does not in any way add to the scope of practice now allowed by Nevada law for licensed acupuncturists. The language appearing on lines 9, 10 and 11 on page 1 of the bill which apparently caused some concern to the representative from the insurance division was copied by me in the bill draft directly from the current and existing definition for the terms "herbal medicine" and "practice of herbal medicine". The existing law may be found on page 2 of SB 239 at lines 3, 4 and 5. All that is proposed by the amendment to the definition of the term "acupuncture" is to make the two definitions read alike.

The Honorable Robert Robinson
May 20, 1981
page two

This is a technical change only and not intended to create any new substantive rights in persons licensed as acupuncturists by the Nevada State Board of Oriental Medicine. Both this office and the Board felt that the acupuncture and herbal medicine definitions should be equivalent in their language, reflecting only the different treatment modality being employed. If persons licensed by the Nevada State Board of Oriental Medicine to engage in the practice of herbal medicine may use herbs for the cure, relief or palliation of any ailment or disease of the mind or body or for the cure or relief of any wound, bodily injury or deformity, we see no reason why persons who are licensed to practice acupuncture, which consists of inserting needles into the human body by piercing the skin of the body to control and regulate the flow and balance of energy in the body, may not do so also for the purpose of curing, relieving or palliating any ailment or disease of the mind or body or any wound, bodily injury or deformity. In part, that is what they are doing presently under the present definition.


Therefore, we hope that with this explanation of the intent behind this technical amendment the Commerce Committee will now be able to act favorably on SB 239 and send it to the Assembly floor with a "do pass" recommendation.

If this office can be of any further assistance on this or other matters of mutual concern, please advise.

Sincerely,

RICHARD H. BRYAN
Attorney General

By


William E. Isaef
Assistant Chief Deputy
Civil Division

WEI/sb

cc: Dr. William M. Edwards



STATE BOARD OF ORIENTAL MEDICINE

CAPITOL COMPLEX
505 EAST KING STREET
CARSON CITY, NEVADA 89710
(702) 885-4800

May 27, 1981

Robert E. Robinson, Chairman
Assembly Commerce Committee
Nevada State Legislature

Re: S.B. 239
Oriental Medicine
(Attached)

Gentlemen:

At the meeting of the Nevada State Board of Oriental Medicine yesterday, I was instructed by the Board to make the following comments:

The Board urges passage of its above captioned Bill. It is a good Bill and vitally needed by the Board. Its primary purpose is to lower candidates' "time in practice" requirement from 10 years to 6 years. The Board feels that "10 years in practice of Oriental Medicine" is excessively severe. The requirement is no longer needed to assure licensure of quality acupuncturists. (Page 2, line 39).

At the Commerce Committee's hearing, your Committee members were concerned about wording on Page 1, lines 9, 10, 11. The Board has asked me to convey to the Committee their unanimous feeling that these lines are not of vital concern to the Board and may be omitted if the Commerce Committee so desires.

For Board Members unanimously,

Wm. M. Edwards
Wm. M. Edwards M.D., Secretary to the Board

President: Dr. DeWitt C. Baldwin ¹⁴⁸⁸
UNR Medical School

Members: Mrs. Hank (Barbara) Greenspun
Dr. Jas. Mikawa, UNR, Psych.
Dr. Chester Chin, Las Vegas