

MEMBERS PRESENT:

Chairman Banner  
Vice Chairman Thompson  
Mr. Bennett  
Mrs. Cafferata  
Ms. Foley  
Mr. Hickey  
Mr. Jeffrey  
Mr. Rackley  
Mr. Rhoads

MEMBERS ABSENT:

None

GUESTS PRESENT:

See attached guest list.

WITNESSES TESTIFYING:

Larry McCracken, Director, Employment Security Department

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Chairman Banner called the meeting to order at 5:15 p.m. The following bills were called to the committee's attention:

AB 295: Makes various administrative changes to the law governing unemployment compensation.

Mrs. Cafferata moved DO PASS, seconded by Mr. Rhoads and carried unanimously by the committee. Mr. Hickey absent at the time. (8-0)

AB 313: Restricts payment of certain benefits as unemployment compensation.

Mrs. Cafferata moved DO PASS, seconded by Ms. Foley.

Inasmuch as Mr. McCracken felt there should be an amendment to change the effective date to June 1, 1981, Mr. Banner so moved. It was unanimously agreed upon. Mr. Hickey absent at the time. (8-0)

AB 314: Limits amount of fee for representing claimant of unemployment compensation benefits.

Mr. Jeffrey moved to INDEFINITELY POSTPONE, seconded by Mr. Thompson and carried by a vote of 7 to 1 with Mrs. Cafferata voting no and Mr. Hickey absent at the time.

AB 315: Requires 1-week waiting period before claimant is eligible for unemployment compensation benefits.

It was moved by Mr. Thompson and seconded by Mr. Bennett that AB 315 be INDEFINITELY POSTPONED. The motion carried with a vote of 6 to 3 with Mr. Rackley, Mr. Rhoads, and Mrs. Cafferata voting no.

AB 208: Removes denial of unemployment compensation for certain school employees under specified circumstances.

There was a brief discussion on this bill followed by a memorandum read by Larry McCracken attached to these minutes as EXHIBIT A. Mr. Thompson was assigned to investigate further into this bill.

AB 207: Provides exceptions for charging benefits paid as unemployment compensation against employers.

AB 292: Amends provisions relating to waiting periods, interest and classes of premiums for unemployment compensation.

Pete Kelley, Nevada Retail Association, and Larry McCracken, Employment Security Department, will work on AB 207 using a portion of AB 292 as part of the amendment.

AB 296: Revises certain conditions of eligibility for unemployment compensation.

Mr. Jeffrey was assigned as committee of one to get amendments together.

AB 262: Authorizes labor commissioner to approve and regulate programs for training for veterans in actual employment.

Mr. Thompson read part of a letter from Frank Daykin stating that because the NRS must be written in formal english, the phrase "on-the-job-training" may not be used. No action taken.

AB 264: Limits exclusive remedy of coverage of industrial insurance to employer who pays premiums.

Mr. Banner requested that discussion on this bill be held at a later date.

AB 263: Revises provisions concerning compensation of employees for permanent partial disability under law on industrial insurance.

There was a brief discussion on the bill and Ms. Foley read from the fiscal notes. No action taken.

AB 312: Amends provisions of laws relating to claims under industrial insurance and occupational safety and health.

A motion was made by Mr. Hickey and seconded by Ms. Foley to AMEND and DO PASS, with amendment #345. Vote was 8 to 1 with Mrs. Cafferata voting no.

Mrs. Cafferata moved the meeting adjourn; Mr. Thompson seconded the motion and the meeting adjourned at 6:30 p.m.

Respectfully submitted,

*Lora Day*  
*Christine Shaw*

Lora Day  
Christine Shaw, Secretaries



61st NEVADA LEGISLATURE  
ASSEMBLY COMMITTEE ON LABOR  
LEGISLATION ACTION

DATE March 31, 1981

SUBJECT AB 295: Makes various administrative changes  
to the law governing unemployment compensation.

MOTION: DO PASS

Do Pass X Amend \_\_\_\_\_ Indefinitely Postpone \_\_\_\_\_ Reconsider \_\_\_\_\_

Moved By: Mrs. Cafferata Seconded By: Mr. Rhoads

AMENDMENT:

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

AMENDMENT:

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
VOTE:	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
FOLEY	<u>X</u>	_____	_____	_____	_____	_____
RHOADS	<u>X</u>	_____	_____	_____	_____	_____
HICKEY	<u>absent</u>	_____	_____	_____	_____	_____
THOMPSON	<u>X</u>	_____	_____	_____	_____	_____
BANNER	<u>X</u>	_____	_____	_____	_____	_____
BENNETT	<u>X</u>	_____	_____	_____	_____	_____
JEFFREY	<u>X</u>	_____	_____	_____	_____	_____
CAFFERATA	<u>X</u>	_____	_____	_____	_____	_____
RACKLEY	<u>X</u>	_____	_____	_____	_____	_____

TALLY:                    8                    0

ORIGINAL MOTION:    Passed XX    Defeated \_\_\_\_\_    Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_    AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_    AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes \_\_\_\_\_

61st NEVADA LEGISLATURE  
ASSEMBLY COMMITTEE ON LABOR  
LEGISLATION ACTION

DATE March 31 1981

SUBJECT AB 313: Restricts payment of certain benefits  
as unemployment compensation.

MOTION: DO PASS

Do Pass X Amend \_\_\_\_\_ Indefinitely Postpone \_\_\_\_\_ Reconsider \_\_\_\_\_

Moved By: Mrs. Cafferata Seconded By: Miss Foley

AMENDMENT:

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

AMENDMENT:

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

MOTION

AMEND

AMEND

VOTE:

	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
FOLEY	<u>x</u>	_____	_____	_____	_____	_____
RHOADS	<u>x</u>	_____	_____	_____	_____	_____
HICKEY	<u>absent</u>	_____	_____	_____	_____	_____
THOMPSON	<u>x</u>	_____	_____	_____	_____	_____
BANNER	<u>x</u>	_____	_____	_____	_____	_____
BENNETT	<u>x</u>	_____	_____	_____	_____	_____
JEFFREY	<u>x</u>	_____	_____	_____	_____	_____
CAFFERATA	<u>x</u>	_____	_____	_____	_____	_____
RACKLEY	<u>x</u>	_____	_____	_____	_____	_____

TALLY:            8            0

ORIGINAL MOTION:    Passed xx            Defeated \_\_\_\_\_            Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_            AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_            AMENDED & DEFEATED \_\_\_\_\_

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Attached to Minutes \_\_\_\_\_

61st NEVADA LEGISLATURE  
ASSEMBLY COMMITTEE ON LABOR  
LEGISLATION ACTION

DATE March 31, 1981

SUBJECT AB 314: Limits amount of fee for representing  
claimant of unemployment compensation benefits.

MOTION: INDEFINITELY POSTPONE

Do Pass \_\_\_\_\_ Amend \_\_\_\_\_ Indefinitely Postpone x Reconsider \_\_\_\_\_

Moved By: Mr. Jeffrey Seconded By: Mr. Thompson

AMENDMENT:

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

AMENDMENT:

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

MOTION

AMEND

AMEND

VOTE:

	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
FOLEY	<u>x</u>	_____	_____	_____	_____	_____
RHOADS	<u>x</u>	_____	_____	_____	_____	_____
HICKEY	<u>absent</u>	_____	_____	_____	_____	_____
THOMPSON	<u>x</u>	_____	_____	_____	_____	_____
BANNER	<u>x</u>	_____	_____	_____	_____	_____
BENNETT	<u>x</u>	_____	_____	_____	_____	_____
JEFFREY	<u>x</u>	_____	_____	_____	_____	_____
CAFFERATA	_____	<u>x</u>	_____	_____	_____	_____
RACKLEY	<u>x</u>	_____	_____	_____	_____	_____

TALLY:                    7                    1

ORIGINAL MOTION: Passed XX Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes \_\_\_\_\_

61st NEVADA LEGISLATURE  
ASSEMBLY COMMITTEE ON LABOR  
LEGISLATION ACTION

DATE March 31, 1981

SUBJECT AB 315: Requires 1-week waiting period before claimant  
is eligible for unemployment compensation benefit:

MOTION: INDEFINITELY POSTPONE

Do Pass \_\_\_\_\_ Amend \_\_\_\_\_ Indefinitely Postpone x Reconsider \_\_\_\_\_

Moved By: Mr. Thompson Seconded By: Mr. Bennett

AMENDMENT: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

AMENDMENT: \_\_\_\_\_  
 \_\_\_\_\_

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

MOTION

AMEND

AMEND

VOTE:

	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
FOLEY	<u>x</u>	_____	_____	_____	_____	_____
RHOADS	_____	<u>x</u>	_____	_____	_____	_____
HICKEY	<u>x</u>	_____	_____	_____	_____	_____
THOMPSON	<u>x</u>	_____	_____	_____	_____	_____
BANNER	<u>x</u>	_____	_____	_____	_____	_____
BENNETT	<u>x</u>	_____	_____	_____	_____	_____
JEFFREY	<u>x</u>	_____	_____	_____	_____	_____
CAFFERATA	_____	<u>x</u>	_____	_____	_____	_____
RACKLEY	_____	<u>x</u>	_____	_____	_____	_____

TALLY:                    6                    3

ORIGINAL MOTION:    Passed xx    Defeated \_\_\_\_\_    Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_    AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_    AMENDED & DEFEATED 279

Attached to Minutes \_\_\_\_\_





STATE OF NEVADA  
EMPLOYMENT SECURITY DEPARTMENT

Assemblyman James J. Banner, Chairman and  
TO Members, Committee on Labor and Management DATE March 23, 1981

FROM Larry McCracken, Executive Director SUBJECT AB 208

The purpose of this memorandum is to provide you with two additional items of information on subject Bill:

First, staff in the Regional Office, U. S. Department of Labor - San Francisco, are conferring with their counterparts in the National Office to determine the seriousness of any conformity issue that may be raised with federal law if the Legislature approves AB 208 as presently drafted.

Secondly, after further conferring with USDOL Regional Office staff regarding possible alternatives you may want to consider, it is suggested that to accomplish approximately the same purpose, the following new language could be substituted for that found on page 1, lines 19 through 23, of the original draft:

"These benefits will become payable at any time the assurance of reemployment is shown not to be bona fide, provided the claimant has continued to file for benefits and to comply timely with all other requirements of the law."

bam