

**MINUTES OF THE  
SENATE COMMITTEE ON COMMERCE AND LABOR**

**Seventy-third Session  
May 16, 2005**

The Senate Committee on Commerce and Labor was called to order by Chair Randolph J. Townsend at 9:00 a.m. on Monday, May 16, 2005, in Room 2135 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Randolph J. Townsend, Chair  
Senator Warren B. Hardy II, Vice Chair  
Senator Sandra J. Tiffany  
Senator Joe Heck  
Senator Michael Schneider  
Senator Maggie Carlton  
Senator John Lee

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Barbara E. Buckley, Assembly District No. 8

**STAFF MEMBERS PRESENT:**

Kevin Powers, Committee Counsel  
Jane Tetherton, Committee Secretary  
Scott Young, Committee Policy Analyst  
Lynn Hendricks, Committee Secretary

**OTHERS PRESENT:**

Robert A. Ostrovsky, Employers Insurance Company of Nevada, A Mutual Company

CHAIR TOWNSEND:

I will open the hearing on Assembly Bill (A.B.) 340.

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**ASSEMBLY BILL 340 (1st Reprint)**: Revises provisions relating to certain short-term, high interest loans. (BDR 52-126)

CHAIR TOWNSEND:

I have a revised mock-up of the bill ([Exhibit C](#)). Please review it for discussion at our meeting on Wednesday.

I will close the hearing on A.B. 340 and open the hearing on A.B. 384.

**ASSEMBLY BILL 384 (1st Reprint)**: Makes various changes relating to certain short-term, high-interest loans. (BDR 52-806)

ASSEMBLYWOMAN BARBARA E. BUCKLEY (Assembly District No. 8):

I have a revised mock-up of the bill ([Exhibit D](#)). In addition, I have a document with technical amendments ([Exhibit E](#)) to reflect the understanding that has been reached. This document was e-mailed to all those involved in the discussion.

CHAIR TOWNSEND:

The Committee has also received written testimony on this bill from Carl Hull ([Exhibit F](#)), Sandra Perry ([Exhibit G](#)) and Mark Mowatt ([Exhibit H](#)).

I will close the hearing on A.B. 384 and open the hearing on A.B. 19.

**ASSEMBLY BILL 19 (1st Reprint)**: Prohibits, under certain circumstances, issuance of gift certificate that contains expiration date and prohibits, under certain circumstances, issuer of gift certificate from charging certain fees to buyer or holder of gift certificate. (BDR 52-558)

SENATOR LEE:

Some of the changes we wanted to make have been incorporated into this bill. Other changes will be held over for the next Legislative Session. I will bring it back to the Committee on Wednesday.

CHAIR TOWNSEND:

I will close the hearing on A.B. 19 and open the hearing on A.B. 44.

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**ASSEMBLY BILL 44 (1st Reprint)**: Revises provisions governing payment of overtime to certain employees. (BDR 53-761)

CHAIR TOWNSEND:

The crux of the debate on this bill is whether overtime will accumulate after 8 hours of work in a day or after 40 hours of work in a week. The federal standard is 40 hours. Please concentrate on this issue for our discussion on Wednesday.

I will close the hearing on A.B. 44 and open the hearing on A.B. 186.

**ASSEMBLY BILL 186 (2nd Reprint)**: Authorizes payment of additional compensation for permanent total disability to certain injured employees and their dependents. (BDR S-251)

ROBERT A. OSTROVSKY (Employers Insurance Company of Nevada, A Mutual Company):

We have a proposed amendment to this bill (Exhibit I). Representatives from the Office of the Governor indicated that the language calling for an assessment would result in a potential veto. Exhibit I removes this language. It is my proposal that we use the interest only for the period. Under current interest-rate environments, it will not reach the \$500,000 mentioned in the bill. There was another proposal that we use the interest and a portion of the fund itself to reach \$500,000. Either of those alternatives seems to be acceptable to the Office of the Governor.

CHAIR TOWNSEND:

I will close the hearing on A.B. 186.

Wednesday's discussion will also include a number of bills we have discussed at previous Committee meetings. These include A.B. 63, A.B. 71, A.B. 137, A.B. 183, A.B. 250, A.B. 260, A.B. 338, A.B. 496 and A.B. 540.

**ASSEMBLY BILL 63 (1st Reprint)**: Prohibits certain practices by health insurers with regard to injuries sustained while under influence of alcohol or controlled substance. (BDR 57-207)

[ASSEMBLY BILL 71](#): Requires association of common-interest community to provide copy of declaration of covenants, conditions and restrictions to unit's owner upon request. (BDR 10-441)

[ASSEMBLY BILL 137](#): Revises provisions governing insurance payments in settlement of certain third-party liability claims. (BDR 57-503)

[ASSEMBLY BILL 183 \(2nd Reprint\)](#): Prohibits employers and certain other persons from retaliating or discriminating unfairly against certain nurses and nursing assistants for refusing to provide nursing services under certain circumstances. (BDR 54-927)

[ASSEMBLY BILL 250 \(1st Reprint\)](#): Provides for licensing and regulation of massage therapists. (BDR 54-733)

[ASSEMBLY BILL 260 \(2nd Reprint\)](#): Revises provisions relating to environmental health specialists. (BDR 54-855)

[ASSEMBLY BILL 338 \(1st Reprint\)](#): Makes various changes relating to insurance. (BDR 57-232)

[ASSEMBLY BILL 496 \(1st Reprint\)](#): Revises certain provisions governing licensing and regulation of cosmetology. (BDR 54-1182)

[ASSEMBLY BILL 540 \(1st Reprint\)](#): Revises provisions governing certification of crane operators. (BDR 53-1341)

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CHAIR TOWNSEND:

Is there any further comment? Hearing none, I will adjourn this meeting at 9:25 a.m.

RESPECTFULLY SUBMITTED:

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Lynn Hendricks,  
Committee Secretary

APPROVED BY:

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Senator Randolph J. Townsend, Chair

DATE: \_\_\_\_\_