

Assembly

MINUTES OF MEETING - COMMITTEE ON COMMERCE - 55TH NEVADA ASSEMBLY SESSION - FEBRUARY 11, 1969

Present: Wood, K. Hafen, Torvinen, Capurro, Mello, Bowler
and Espinoza

Absent: None

Also Present: Mr. Richard Hannah, Attorney at Law, representing
Life Insurance Company of America. (Mr. Don McNelley,
Director of Real Estate Division, Department of
Commerce, arrived later as indicated here.)

Chairman Wood convened the meeting at 11:00 a.m. and S.B. 92 was
presented to the Committee.

Mr. Hannah was introduced and he stated that the purpose of S.B. 92
was to direct those companies required to file annual reports on
or before March 1st of each year, and in some instances, to make
corrections as much as three years back. Section 92 of S.B. 39,
Insurance Code, gives the necessary procedures, however, until
that bill goes into affect, there is no current instruction. At
the present time the Attorney General has directed one thing and
the companies are following another procedure. Therefore, S.B.
92 has been proposed as a means of instruction until passage of
S.B. 39. Mr. Hannah was thanked for his presentation and excused
from the meeting.

Mr. Bowler moved that S.B. 92 be given a Do Pass;
Seconded by Capurro;
Unanimously passed.

S.B. 120, changing mailing procedure when resident agent of foreign
corporation resigns. Mr. Torvinen noted that this bill simply
allowed notices to be addressed to other persons in the corporation
than the resident agent of a foreign corporation in the event of
his resignation.

Bowler moved that S.B. 120 be given a Do Pass;
Seconded by Espinoza;
Unanimously passed.

Mr. Wood noted that several bills had been proposed with recommendatio:
of the Gaming Commission. BDR 41-90, clarifying prohibition of
cheating devices in gaming was introduced.

Mr. Bowler moved that BDR 41-90* be introduced to the Assembly as a
Committee Measure and referred to Commerce;
Seconded by Torvinen;
Unanimously passed.

*A.B. 253

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BDR 41-1238^{*}, relating to gaming licenses and control; making certain technical changes and providing other matters properly relating thereto, was introduced and discussed. Mr. Wood noted that this BDR did not conflict with proposed A.B. 148.

Bowler moved that BDR 41-1238 be introduced as a Committee Measure; Seconded by Torvinen; Unanimously passed.

Mr. Wood announced there would be another meeting following the joint commerce meeting in the morning and the following bills would be discussed: A.B. 103, 104, 110, 111, 112 and 113.

At that time, Mr. McNelley arrived for the purpose of discussing A.B. 105, modifying real estate license exemption provisions. He noted that a prior bill regarding this subject had been so restricting that a person could not sell his own property. He noted that A.B. 105 was not the same and was designed to correct existing bill which includes sale of property by people who are regular employees of a person. That employee is allowed under present statutes to sell real property if it belongs to the individual or company. He stated that there had been many problems in this area. He noted that in a conference held with Mr. Lingenfelter and Mr. Mello, it was proposed that wordage be added with respect to subparagraphs (e) and (f), lines 11 through 14 of A.B. 105.

Mr. Mello stated that the wordage was as follows: "The manager of a hotel, motel, auto or trailer park, or his immediate employees, performing duties of renting and leasing said units." and the same wordage would apply to subparagraphs (e) and (f).

He noted that it had been the intention to make the term "immediate" to mean only one member of the staff.

Mr. Torvinen noted that in a large apartment house, one could not expect the manager and one employee to be available at all times for the renting of the units. He then noted that the definition of a real estate broker includes collecting monies. A.B. 105 and amendments proposed did not provide for this although most managers and employees do perform this service. Since the main reason for A.B. 105 is to provide for the exemptions of these persons, should they not be allowed to handle this phase?

Mr. Torvinen continued by noting that condominiums are a good example. Would they fall under the definition of an apartment complex? Could an employee sell one of these units legally without a license?

Mr. McNelley stated that several condominiums were being built in Nevada and several were in Las Vegas now. There did not seem to be too much difficulty regarding them because usually the owner of the condominium hires a manager, who receives a salary. Even though he may sell one of the units, the provision is that the manager will not receive any additional compensation for the sale.

It was determined that the following wordage would be added:

"The manager of a motel, hotel, auto or trailer park, or his employees, performing duties of renting and leasing and collection of rents."

Mr. Wood stated that they would hold further discussion on A.B. 105 until he had checked with Mr. McDonald on the wordage.

Meeting adjourned.