

SENATE JUDICIARY COMMITTEE

MINUTES

February 4, 1971

Chairman Monroe called the meeting to order at 9:35 a.m.

Committee Members Present: Chairman Monroe  
Senator Close  
Senator Foley  
Senator Dodge  
Senator Wilson  
Senator Young

Guests: Jim Thompson - Chief Deputy  
District Attorney  
Senator Fransway  
Carrol Nevin - Nevada Crime  
Commission  
Sheriff Humphrey - Carson City  
Barbara Greenwalt - Legislative  
Intern for Senator Foley  
League of Women Voters  
Press

S.B. #7 - Prohibits possession or withholding of  
stolen goods.  
Senator Monroe

The committee discussed the question of whether the wording "knowing such goods" would hold up constitutionally. Mr. Thompson suggested we amend Line 3 to read "buy, receive or possess", and delete Lines 11 through 20. Senator Dodge made a motion to amend and "do pass." Senator Wilson second the motion. Motion carried.

S.B. #58 - Prohibits involuntary school busing.  
Senator Fransway

Senator Fransway explained the purpose of the bill and asked that the committee hold it until Clark County decides what to do on their bus problem. There was a discussion as to whether this bill was worth passing out for further consideration. Senator Close stated that he didn't see any reason to pass it out of committee because it would cause many problems since a child could still be assigned to a school where he would need transportation.

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Senator Foley made a motion to "do not pass." Senator Wilson second the motion. Motion carried.

S.B. #81 - Establishes permit requirement to carry mace.

Senator Monroe

Chairman Monroe introduced Carrol Nevin of the Nevada Crime Commission. Mr. Nevin informed the committee that mace was a patented, registered trademark produce, and if the bill went through as written, it would only restrict the use of chemical mace made by one company.

If the bill passes, Mr. Nevin would like to see the National Guard added to Section 3. However, he had some reservations about the bill. He wondered if it would place the responsibility on the sheriff who issues the permit if a person used the chemical agent in an irresponsible or unsafe manner. He suggested the committee consider the definite dangers in the use of a chemical agent, particularly when shot in the eyes or mouth. A person getting a blast of mace should be examined or taken to a hospital within 30 minutes after shot in case of injury to the eyes.

He felt that issuing a permit for mace would be almost as dangerous as issuing a gun permit. He stated that a report made at Berkeley pointed out that the chemical agent does not immobilize a person. The value of it is mostly psychological, and in fact, that it has very little effect on an insane person.

Sheriff Humphrey was also present to talk on the bill. He informed the committee that it is a gross misdemeanor to possess any type of tear gas weapon. He stated that there have been robberies perpetrated with the use of mace type agent. He would rather see legislators present a bill that would make it a stronger penalty wise for a person to use mace in an act of crime rather than open the door for further possession. But if this bill does pass, it will be up to the sheriff to issue the permit, and most won't do it anyway.

Senator Wilson suggested the committee broaden the armed robbery section. Senator Monroe made a motion to "do not pass." Senator Young second the motion. Motion carried.

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Grant Davis will make an amendment to the robbery section  
regarding mace.

Meeting adjourned at 10:45 a.m.

Respectfully yours,



Eileen Wynkoop, Secretary

Approved: \_\_\_\_\_