

A.B. No. 29 SUMMARY-Prohibits fraudulently obtaining or procuring controlled substances. Fiscal Note: No. (BDR 40-8)

Mr. Glover moved to recommend DO PASS, Mr. Lowman seconded.
THE ONLY NO VOTE WAS CAST BY MR. FRY.
MOTION CARRIED.

A.B. No. 33 SUMMARY-Permits district attorneys to obtain commitment of certain drug addicts. Fiscal Note: No. (BDR 39-9)

Mr. Hickey related a limited grand jury experience and felt that the number of drug related crimes was horrendous. It was his hope that some of the problems related to treatment of alcoholism could be avoided with those addicted to drugs. Mr. Lowman requested a delay in consideration of this bill until the Committee could hear from parties directly involved with the effect of this bill. Mr. Hayes set hearing of AB, 33 for TUESDAY, FEBRUARY 13. He also ordered copies of this bill sent to the District Attorneys of Clark and Washoe Counties, the Carson City District Attorney, Superintendent of the Nevada State Hospital, Judge William Compton of Las Vegas, and the current calendar judge in Reno. He further requested that Mr. Barengo inquire of fellow attorneys in the Reno District Attorneys office as to the general feeling concerning the merits of this bill.

A.B. No. 109 SUMMARY-Exempts the investigation and narcotics division from the requirements of the Administrative Procedure Act. Fiscal Note: No. (BDR 18-27)

Mr. Vern Calhoun, Special Educator from the Division of Investigations and Narcotics, was present to testify in behalf of his department. The reason they requested this exemption was that this act provides for publication of the division manuel. Mr. Calhoun emphasized that the manuel for his department outlines procedures having to do with apprehension and arrest, and having the general public aware of these procedures would be detrimental in arresting and attempting to prosecute suspects.

Mr. Lowman moved to recommend DO PASS, Mr. Huff seconded.
MOTION CARRIED.

A.B. No. 34 SUMMARY-Increases the penalty for battery upon a peace officer. Fiscal Note: No. (BDR 16-2)

Mr. Keith J. Henrikson, Chairman of the Nevada Joint Legislative Committee for Peace Officers and Fire Fighters was present to testify. Mr. Henrikson stated that the general feeling was that there was not sufficient definition of whether or not the battery was intentional, and no provision for off-duty, accidental injury, or real intent. He cited as an example the officer who was hit on the head by his wife with a rolling pin; under the wording of this bill she would be guilty of a felony.

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The members of the Committee agreed that the bill was not specific in intent. Mr. Barengo moved to amend the bill to read in Section 2, sub-section (c) If the battery is committed upon a peace officer while acting in the line of duty, and the peace officer suffers serious physical injury.

Mr. Lowman moved to recommend DO PASS AS AMENDED, MR. Hickey seconded.
MOTION CARRIED.

A.B. No. 58 SUMMARY-Permits police officers to use court orders to obtain certain evidence from suspects. Fiscal Note: No. (BDR 14-596)

In general committee discussion, Mr. Barengo said that he felt that this bill would be duplicating the effort of a search warrant. Mr. Hayes asked that Mr. Barengo take a copy of the bill and confer with fellow attorneys in the DA's office in Reno to establish whether it does in fact give broadened powers to police officers. If it does it is worthy of reconsideration, if not further discussion dispensed.

A.B. No. 57 SUMMARY-Fortifies right of lawful resistance to crime. Fiscal Note: No. (BDR 16-595)

Mr. Fry remarked that he felt this was a vigilante bill to which Mr. Torvinen added that it was probably also unconstitutional

Mr. Fry moved DO KILL, MR. Torvinen seconded.
VOTING AGAINST THIS MOTION WERE MESSRS: HUFF, HICKEY, LOWMAN AND Ms. FOOTE
THE CHAIR VOTED "NAE". MR. GLOVER WAS ABSENT. NO ACTION.

Ms. Foote moved the meeting adjourn, Mr. Hickey seconded.
Meeting Adjourned 4:00 PM.