

SENATE JUDICIARY COMMITTEE

MINUTES OF MEETING HELD

451

17th DAY OF APRIL, 1973

The meeting was called to order at 8:20 a.m. Senator Close in the Chair.

PRESENT: Senator Foley  
Senator Bryan  
Senator Dodge  
Senator Hecht  
Senator Swobe  
Senator Wilson

John Borda, Highway Safety Coordinator  
Merv Flander, Services to the Blind  
Jack Sheehan, Nevada Tax Commission  
F.R. Breen, Nevada State Bankers' Association

A.B. 824 - Establishes a registry in Department of Health, Welfare and Rehabilitation and requires report to department of motor vehicles of persons who are blind, partially blind, or night-blind.

Mr. Merv Flander testified that the definition for blind persons contained in this bill appears throughout NRS. The definition was specifically included because Section 3, which determines who will report to the DMV, refers to agencies who give special tax considerations for blindness or provide aid to the blind as defined in NRS 426.050. The definition of "blind persons" in 426.050 is the same as in the bill.

Mr. Flander stated that the Committee's objection to the definition of "blind person" referring only to poor people, should be taken in light of the definition of "severely visually impaired persons" in the same section.

The Committee asked Mr. Flander if there couldn't be the same type of definition for visual impairment included for "blind persons". Mr. Flander stated that by eliminating the reference to "any person who is unable to provide himself with the necessities of life and has not sufficient income of his own to maintain himself", the wording left in the definition would refer to visual acuity not exceeding 20/200 and a field of vision not greater than 20°.

Mr. Flander explained that 20/200 vision means what a person with normal vision sees at 200 feet, a person with restricted vision would see at 20 feet.

Senator Dodge asked Mr. Flander if Services to the Blind would have sufficient information so that the bill would not have to mandate hospitals, clinics, etc., from reporting. Mr. Flander replied the sources in the bill would provide them with sources they are unable to secure this information from at the present time. As a practical

matter hospitals and clinics would only be reporting those people who would be having surgery performed, which would be a minimal amount of people per hospital. During the last Session a similar bill was introduced and none of the hospitals or clinics objected to this reporting.

S.B. 580 - Increasing burdens of importing, retailing  
or wholesaling intoxicating liquor.

Mr. Jack Sheehan reassured the Committee that this bill was not an attempt to "back-door" the earlier efforts of the Committee to solve the liquor franchise dealers problems since it was introduced much earlier in the Session by Senator Raggio. Mr. Sheehan is involved in the bill since wholesalers and retailers have different tax structures since the act of importation is taxable. He felt that removing the words "for any financial interest" in lines 3 and 4 of the amendatory language of the bill would better state the intent, which would be that wholesalers shall not also sell to the consumer or general public on a retail basis.

The bill would also require that the general public be informed of what product is being served when using a dispensing gun.

Mr. Sheehan informed the Committee that the amendment contained in lines 24-26 on Page 2 has been withdrawn.

S.B. 467 - Limits liability of certain lenders  
financing property development.

Chairman Close advised the Committee that this bill was taken from the file and put on the Secretary's desk on a motion by Senator Dodge. Mr. Breen appealed to the Committee to pass the bill either in the form of the first reprint, which he preferred because it is more specific, or in the form of the second reprint. He stated that if the Committee decides to leave the law the way it is now one of three things will happen: The banks will not make many loans which deserve being made; they will charge more for loans to protect themselves; they will eliminate the builders control and inspection, which even though it might be defective in some cases, it is a benefit to the borrower and better than nothing.

He asked the Committee to also consider the money market from the standpoint that lenders would be more prone to operate in a state such as California, where they do have this type of law to protect them.

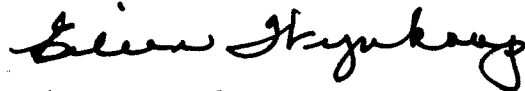
A.B. 416 - Eliminates interlocutory appeals in  
criminal cases.

Senator Close read the amendments agreed to by the Committee which would return the provisions of interlocutory appeals to the state it was before the 1971 Session of the Legislature.

Senator Wilson objected to the amendment and the basic reasons for introducing the bill. The effect of the bill is that granting a motion to suppress erroneously concludes the case as far as the district attorney is concerned. The law passed 2 years ago was based on rules being promulgated by the court to justify these appeals. The absence of those rules is not justification for eliminating the enactment of this statute in the 1971 Session.

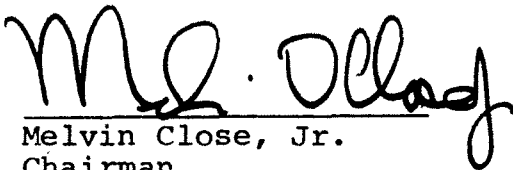
The meeting was adjourned at 10:20 a.m.

Respectfully submitted,



Eileen Wynkoop  
Secretary

APPROVED:

  
Melvin Close, Jr.  
Chairman