

SENATE JUDICIARY COMMITTEE

350

MINUTES OF MEETING HELD

5th DAY OF APRIL, 1973

The meeting was called to order at 8:15 a.m. Senator Close in the Chair.

PRESENT:

Senator Foley
Senator Bryan
Senator Dodge
Senator Hecht
Senator Swobe
Senator Wilson

Warden Carl Hocker, Nevada State Prison
Assemblyman Zel Lowman
Leonard LeMay, Vice President and Cashier of
the First National Bank
William Swackhamer, Secretary of State
Russ Button, Deputy Secretary of State, Securities
Division
Sam Belford, representing the Nevada Bond Club
Jan MacEachern, resident of Boulder City
Pat Murphy
Dale O'Brien
John Borda, Highway Safety Coordinator, Highway
Department
Phil Hannafin, Chairman, Gaming Control Board
John Gionatti, Harrah's Club
Robbins Cahill, Nevada Resort Association
Les Kofoed, Nevada Gaming Industry
Jean Dini
Janet Smith
Bill Willard, District Attorneys Young Citizen
Council of Clark County
Tom DeFalco, Chairman, D.A. Young Citizens Council
of Clark County
Kim Jones, Secretary, D.A. Young Citizens Council
of Clark County
Debbie Stokes, D.A. Young Citizens Council of
Clark County
Charles Seals, D.A. Young Citizens Council of
Clark County
Pat Danly

A.B. 32 - Authorizes work release program
for state prisoners.

Warden Hocker appeared before the committee to request that this bill be amended by deleting the word "eligible" in Section 3 and inserting: "the warden shall determine which of the prisoners

are suitable for the work release program." He stated that a man might be eligible, but not suitable for the program.

Warden Hocker also asked the committee to amend Section 4 to provide that "subject to the approval of the State Board of Parole Commissioners the chief parole and probation officer, the board of prison commissioners and the warden" may adopt rules to administer the program. This amendment is necessary since the warden must report to the board of prison commissioners and all rules formulated by the warden must be approved by that commission.

Mr. Lowman agreed to those amendments.

Senator Dodge moved to amend and "DO PASS." Motion seconded by Senator Foley. Motion carried.

SCR 21 - Suggests an amendment to an illustrative form in the Nevada Rules of Civil Procedure.

Senator Bryan testified that this is a badly needed procedure since many times out of state council give advice by telephone or process papers which are served but never filed with the court.

Senator Bryan moved "DO PASS." Motion seconded by Senator Foley. Motion carried.

S.B. 602 - Reclassifies and adds specified substances in Uniform Controlled Substances Act.

This bill was originated by the Board of Pharmacy at the request of the committee. It would include those drugs which the Pharmacy Board testified were being abused and should be included in the Schedules under the Controlled Substances Act.

Senator Dodge moved "DO PASS." Motion seconded by Senator Wilson. Motion carried.

S.B. 583 - Provides for escheat of certain funds held by banks and savings and loan associations.

Mr. Leonard LeMay testified in opposition to this bill. He stated that cases of large accounts being abandoned are very rare. The smaller accounts are usually washed out by service charges since inactive accounts require special handling.

Senator Hecht moved to indefinitely postpone action on this bill. Motion seconded by Senator Dodge. Motion carried.

S.B. 572 - Strengthens state regulation of securities and corporations.

Mr. Swackhamer introduced Mr. Russ Button. Mr. Button testified that this bill would strengthen the position of the Secretary of State's Office and rectify present abuses to Chapter 90. The present law does not have sufficient control over the intra-state commodity option investment areas where control is needed. The inter-state offerings are covered by the SEC. The bill would bring commodity options under the definition of a security in a more explicit manner and provide safeguards to assure that each option has a contract behind it. The Secretary of State's Office received an Attorney General's opinion stating that commodity options are securities, however, some court cases from other states are not in agreement with that opinion and some are. If this bill were passed stating that commodity options are a security, this state could adopt the rules of the Chicago Board of Trade.

Mr. Button testified that this bill would also regulate registrars and investment advisors. Historically intra-state offerings or foreign corporations with offices in Nevada have transfer agents to handle the transfer of securities from one party to another. There are no rules or regulations to determine qualifications or operational procedures.

There were several amendments to this bill which were recommended by the Secretary of State's Office to clarify and improve the language of the original draft. Those amendments are attached to these minutes as Attachment A.

The bill and requested amendments attached were studied and approved by the Nevada Bond Club, the president of the West Coast Commodity Exchange, Pacific Coast Exchange, the Attorney General's Office and the Secretary of State's Office.

A.B. 66 - Reduces age of majority for males from 21 to 18 years of age.

Jan MacEachern of Boulder City testified in favor of this bill. It is her feeling that since the Legislature passed a law 2 years ago allowing 18 year olds to vote, the 18 year old should be responsible to and live up to the laws of this state.

Mr. Pat Murphy testified in favor of this bill. He has worked with young people throughout the state on numerous youth programs and student government programs. The young people are extremely capable of handling the rights of adults at the age of 18. He had no doubt as to their maturity or ability to handle adult problems.

Mr. Murphy stated that he realized the position of the state involving drinking and gaming, but felt they are not the most important issues. The most important aspect of this bill is the equal rights of citizens in Nevada. Although the right of 18 to 20 year olds

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to be held responsible for taxes, credit and signing of contracts should be equalized by rights to drink and gamble, if the committee feels that this bill would die in the Senate without amending the drinking and gaming out, he urged the committee to amend it. If it is not possible to give 18 year olds all the rights of adults, give them what rights you can.

Dale O'Brien testified in favor of this bill. He stated that the Assembly eliminated the right of an 18 year old to run for a seat in the legislature but would allow them to run for public office in the counties; such as county commissioner, district judge, county clerk, school trustee -- any office but district attorney. Mr. O'Brien stated that he ran in the last election for Washoe County School Trustee and if he had won he would have been deciding expenditures for multi-million dollar budgets. However, he would not have been able to decide if his own budget could afford a new car.

Mr. O'Brien was not as concerned about the drinking and gaming being included in the bill and stated that he could see the law enforcement agency's viewpoint.

Mr. John Borda testified in opposition to the bill. He stated that he is not against the rights of young people, but is vitally concerned about Section 7 which would allow these young people to purchase alcoholic beverages. This would invite many people to meet death on the highways; especially California youths.

Mr. Borda cited statistics of other states. Those statistics are contained in Attachment B of these minutes.

Mr. Phil Hannafin testified in opposition to the bill. He stated that for the record, the State Gaming Commission and the Board are opposed to those portions of the legislation which would reduce the age for drinking and gambling. Nevada is not isolated unto itself and if this bill were adopted in its current form, it would create a bad reputation for this state.

There is this problem with the neighboring states because youngsters from those states could come to Nevada and do things they could not do in their own states: namely, drink and gamble. The ill-will and bad public relations created could be translated in terms of loss of dollars and cents. We would lose more economically than we would possibly gain by taking nickels and dimes from these youngsters.

Another problem would be the enforcement problems. It is difficult now to distinguish between 18 to 20 year olds and 21 year olds. If the age were lowered, it would make it difficult to distinguish between 18 year olds and 16 year olds.

There is a great deal of discussion about the evil of drugs. Yet the most damaging and most widely abused drug -- alcohol -- would be legal for 18 year olds and made more available to 16 year olds.

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Mr. Les Kofoed testified as to the position of the Gaming Industry Association. They are not opposed to the bill, except the provisions for drinking and gambling. He hoped that youngsters under 21 are never permitted to gamble.

The day for young people to legally drink at the age of 18 is not here yet. However, that day will come in one of two ways. Either Congress will decide the issue, or enough of the other states will lower the age so that Nevada does not get a black eye for being the first state to lower the age of majority.

Mr. Kofoed drew the committee's attention to the fact that the Governor of New Mexico vetoed a bill which would lower the age for drinking to 19 stating that drinking at age 21 was a serious enough problem, and the state could not afford to compound that problem further by lowering the drinking age.

Senator Hecht requested that an article clipped from a local newspaper regarding the veto by Governor King of New Mexico be entered in the record. That clipping is attached to these minutes as Attachment C.

Mr. John Gionatti representing Harrah's Club testified in opposition to this bill. He stated that the economic impact of this bill should not be considered lightly. The cost of administration, litigation and policing efforts would be damaging to individual operators. Harrah's has taken readings of the people who frequent their clubs and those people stated that they did not wish to be associated with younger people in clubs and would take a second look at Nevada and gaming if these younger people were allowed in casinos.

Mr. Robbins Cahill testified that originally the Nevada Resort Association did not take a stand on this issue because it was a social problem which would be better not to get into. However, it has created so much attention that the Association felt their position should be known. He stated that the Association is in agreement with the previous remarks made by Mr. Kofoed.

Jean Dini spoke in opposition to this bill. She stated that she had accompanied a class of youngsters on a tour of the legislature and they had indicated to her that a poll was taken of students in the Yerington area schools. Of the group polled, 89% would be against the drinking and gambling age being lowered. Those students were more interested in being able to contract to buy cars.

Janet Smith testified against this bill. She stated that the industry is in jeopardy as it is since it is threatened with 11 potential states legalizing gambling. Those states have tentative legislation that they hope to pass. Hawaii now has social gaming, however people visit Hawaii whether they have gaming or not. Nevada does not have that much more to offer -- tourists come to Nevada to

gamble. She doubted that Nevada's skyline would increase with 18 year old business.

Mr. Bill Willard introduced members of the District Attorney's Young Citizens Council of Clark County who made the following remarks.

Tom DeFalco, Chairman of DAYCC, stated that the District Attorneys' Office in Clark and Washoe Counties are in support of this bill and request a "Do Pass" recommendation. He commented that since the law enforcement agencies were upholding this bill, what do the law makers have to fear. His prepared speech is attached to these minutes as Attachment D.

Kim Jones, Secretary of DAYCC asked the committee to consider for a moment the present situation an 18, 19 or 20 year old person faces in Nevada today. They are out of high school so no longer participate in school activities, yet are still a minor and cannot enjoy adult recognition. They feel like adults but cannot live like an adult.

She stated that the District Attorney's Office in Clark County conducted a survey of the people visiting resort hotels to determine how they felt about 18, 19 and 20 year olds in those establishments. The general feeling was that they did not care one way or another if these younger people patronize the bars or tables. At the present time many youths are patronizing the hotel casinos and bars and it is virtually impossible to police these areas and check identification.

Debbie Stokes stated that the majority of 18 year olds are holding down jobs and making an income of their own. They should be able to spend their earnings on the things they want. They want to be held responsible for any debts they incur and handle the responsibility which accompanies contracts. Parents and guardians should not be liable for actions of 18 year olds in contracts.

Mr. Charles Seals pointed out the fact that the black people were previously considered a problem in casinos because the industry feared that tourists would not frequent casinos where black people were allowed to play or deal. Now the 18 year old is being considered a "nigger" in that same respect.

Speaking as a black person, he felt that the age should be reduced for drinking and gambling.

Pat Danly testified that he is a member of the Nevada Young Democrats but was not representing them in his testimony. He stated that there could be different arguments made for the idea of granting 18 year olds legal rights. Last session the question of 18 year olds being permitted to vote was given to the people of the State to decide, probably in an attempt to kill it. There were many people surprised by the outcome of that vote.

This is a similar situation. The people of Nevada have indicated that they feel the 18, 19 and 20 year olds are mature and responsible enough that the time has come to grant them legal rights. The most common response received from people canvassed prior to the vote on the Constitutional Amendment allowing the 18 year olds to vote was, "if they are old enough to fight, they are old enough to vote."

Mr. Danly remarked that if anyone thinks that an 18, 19 or 20 year old could not purchase alcoholic beverages without this law, they are mistaken. However, when they do get these alcoholic beverages they usually end up drinking while driving around in their cars because they are not accepted in drinking establishments.

He admitted that there is some validity to the argument that it would be easier for 16 year olds to acquire alcohol if this bill were passed, but commented that this is mainly true because many establishments do not care enough about requiring and inspecting identifications.

Chairman Close excused the witnesses and thanked them for their testimony.

S.B. 458 - Requires good-faith performance of franchises between liquor suppliers and wholesalers and provides sanctions for any breach.

Senator Swobe informed the committee of the amendment made to Section 8 which states: "notwithstanding the terms and conditions of the franchise agreement, no supplier shall unilaterally terminate or cause a distributor to resign from a franchise unless the supplier first establishes good cause." The amendment would remove the definitions of good cause and good faith and actually strengthens the bill.

Senator Swobe moved to amend and "DO PASS." Motion seconded by Senator Bryan.

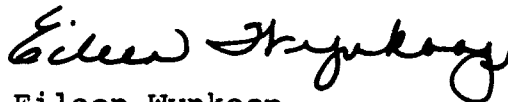
Yeas - 6
Nays - None
Absent - Hecht (1)

Motion carried.

Senator Hecht returned to the meeting immediately after the vote was taken and reported that he reserved the right to oppose the bill on the floor.

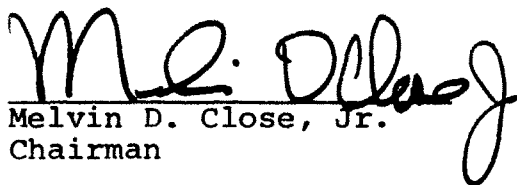
The meeting was adjourned at 10:00 a.m.

Respectfully submitted,



Eileen Wynkoop
Secretary

APPROVED:



Melvin D. Close, Jr.
Chairman

April 4, 1973

MEMORANDUM

To the Nevada State Senate
Judiciary Committee

Re: Senate Bill No. 572

This Bill covers three principal areas:

1. If a complaint is filed with the Secretary of State by any person having knowledge that a Nevada corporation is insolvent and no judicial proceedings have been commenced for dissolution, appointment of a receiver, or bankruptcy, the Secretary of State may bring an action to revoke the Articles of Incorporation.

In my opinion, this merely places an undue burden upon the Secretary of State, who is not staffed to handle problems of this kind and, even if he were so staffed, he would be usurping the powers of the courts which, under our laws, have adequate powers to protect anybody who has a complaint against an insolvent corporation. Many Nevada corporations could be considered insolvent in that their liabilities may exceed their assets, but they nevertheless are able to carry on business and should not be arbitrarily dissolved by the Secretary of State for this reason.

2. The Bill requires any person, in rendering the service of registering securities or acting as transfer agent to register with the Secretary of State. Registration consists of an individual filing an application and being approved by the Secretary of State.

This, again, places an undue burden upon the Secretary of State.

This Bill would preclude anybody, including attorneys, from preparing intrastate securities registration without first being licensed by the Secretary of State's office. The Bill provides absolutely no

standards which an applicant must meet in order to gain approval. The law is probably invalid for vagueness in that respect. The Bill also provides for similar registration for any person who offers or disseminates investment advice or interpretation of market or securities trends. This portion of the Bill likewise provides no standards an applicant must meet in order to be an investment advisor.

3. Section 8 of the Bill provides that it is unlawful for any person to make a public intrastate offering if the promoters have received securities which exceed by the amounts set forth in the Act the value of the actual real or tangible personal property or money contributed by the promoter.

It would appear that this is a "shotgun" approach. For example, if a promoter first organizes a corporation as a privately-held corporation and issues 10,000 shares of no par stock in return for promotional efforts and, for example, a lease, and the promoter later decides to go public, it would be exceedingly difficult to determine whether at the time of the original issue the promoter received stock that had a value in excess of the real and personal property contributed by him.

If the Secretary of State is concerned about promoters being unjustly enriched, he could impose a requirement such as often imposed in California that the promoters have to escrow their stock for a period of one year after the offering to insure that the promoter does not bail out as soon as he gets the public's money.

Our present securities law is a law simply requiring disclosure by the issuer and does not grant the Secretary of State the right to stop an issue that he deems to be unfair. Yet Section 8 of S.B. 572, in effect, imposes a fairness requirement on a public issue. Any such radical change in the philosophy of our securities act should be handled, if at all, by a complete revision of the act.

The writer of this Memorandum collaborated in 1963 with Senator Mahlon Brown, Senator Carl Dodge, and the late Kenneth Dillon, attorney at law of Reno, Nevada, in drafting our present Chapter 90 (securities act). It was felt by all concerned that Chapter 90 as drawn in 1963 would cover any intrastate stock frauds. In my opinion, this act has accomplished its purpose and yet has not given Nevada a full-fledged "Blue Sky" act. In the past ten years there have been 59 filings under Chapter 90, or approximately six a year. The proposed Senate Bill 572, while admirable in its aims, would seem more suited to a heavily-populated urban area, rather than a sparsely-settled State such as Nevada.

In the year 1972 the Secretary of State of the State of Nevada received approximately one million dollars in corporate filing fees. I call to the attention of this Honorable Committee that the corporation filing business is a most competitive one. Our prime competitor is the State of Delaware. Delaware does not have a "Blue Sky" law -- in fact, it does not even have a securities act comparable to Chapter 90. In my opinion, if Senate Bill 572 is passed, we will lose a great deal, if not all, of our corporation filings to Delaware. These filings are based upon the liberality of our law and upon the service given the applicants by the Secretary of State. We have had a liberal law and yet have given the public protection, and the Secretary of State's office has given the greatest of service.

I strongly urge that this Bill not come out of Committee.

Wm. K. Woodburn

Amend section 6, subsection 1, to read as follows:

Except as otherwise provided in subsection 7, it is unlawful for any person to perform in this state the service of registering the transfer of securities or acting as a transfer agent, as a primary business and for a fee unless he is registered as a transfer agent under this section.

Amend section 6, subsection 7, to read as follows:

A national bank, a bank or trust company licensed to do business as such in this state, and an attorney at law in the ordinary practice of his profession are exempt from the provisions of this section.

Amend section 7, subsection 1, to read as follows:

Except as otherwise provided in subsection 7, it is unlawful for any person in this state, as his primary business and for a fee, to offer or disseminate investment advice or interpretation of market or security trends unless he is registered as an investment advisor under this section.

Amend section 7, subsection 7, to read as follows:

Any person exempted from the definition of a "broker-dealer" by subsections 1 through 6, inclusive, of NRS 90.040, an attorney at law in the ordinary practice of his profession, a certified public accountant in the ordinary practice of his profession, a real estate broker or real estate salesman licensed as such in this state are exempt from the provisions of this section.

Amend section 8, subsection 1, to read as follows:

It is unlawful for any person to or sell any equity security in this state by means of a public intrastate offering if:

- (a) the organizers or promoters of the offering have received securities of the issuer within 2 years prior to the date of the offering; and
- (b) the value of the securities, at the price established for the public offering, exceeded the amount of any money paid for such securities plus the fair market value of any property transferred to the issuer for such ~~same~~ securities by more than
 - (i) 10% of the first \$200,000 of the offering, plus
 - (ii) 4% of the next \$200,000 of the offering, plus
 - (iii) 2% of the amount of the offering in excess of \$400,000.

Amend section 12, subsection 2(b), to read as follows:

Any interest in real estate, which includes or is limited to a present possessory interest, unless the offering or sale of such interest is subject to registration under the Securities Act of 1933 (15 U.S.C. Section 77a et seq.) or is exempt from such registration solely by reason of the interstate character thereof.

1. MICHIGAN

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THE MICHIGAN COUNCIL ON ALCOHOL PROBLEMS PUBLISHED STATE POLICE DATA FOR THE FIRST SIX MONTHS OF THIS YEAR INDICATING THAT MICHIGAN'S NEW YOUNG DRIVER-DRINKERS APPARENTLY ARE ABUSING THE RIGHT TO DRINK ALCOHOL WHICH THEY WON WITH THE START OF 1972. THE FIGURES ARE SHOCKING.

A. AMONG THE 18 TO 20 YEAR OLDS:

1. ALCOHOL RELATED TRAFFIC ACCIDENTS ROSE 144%
2. INJURIES INCREASED 144%
3. DEATHS INCREASED 90%

(BY COMPARISON: THERE WAS A 37% INCREASE IN ALCOHOL RELATED CRASHES AMONG THE 21 YEAR OLDS, A 40% INCREASE IN ALCOHOL RELATED INJURY ACCIDENTS AND AN 18% INCREASE IN ALCOHOL RELATED DEATHS AT THAT AGE LEVEL)

B. AMONG THE 18 YEAR OLDS:

1. ALCOHOL RELATED TRAFFIC CRASHES INCREASED FROM 750 TO 1,251 OR 150%
2. ALCOHOL RELATED INJURY CRASHES INCREASED FROM 346 TO 558 OR 163%
3. ALCOHOL RELATED TRAFFIC DEATHS INCREASED FROM 12 TO 21 OR 133%

2. NEVADA

A. IN 1972, 47% OF OUR FATALS WERE AGED 25 & UNDER

B. 18 THROUGH 20 YEAR OLDS COMPRISES 6.9% OF TOTAL LICENSES, BUT 13.2 % OF FATALS

1. 40-50% OF THESE INVOLVED ALCOHL

C. IN 1972, NEVADA WAS SECOND IN THE NATION IN NON RESIDENCY FATALS: SO FAR IN 1973 43% OF OUR FATALS WERE NON RESIDENTS

- D. IN 1972, 52 OR 20% OF OUR FATALS WERE CALIFORNIANS
IN 1973, 20 OR 29% OF OUR FATALS WERE CALIFORNIANS

3. IDAHO

IDAHO PASSED A LAW WHICH MADE IT LEGAL FOR 19 YEAR OLDS TO PURCHASE AND CONSUME LIQUOR. THE STATE OF IDAHO HAS A SOMEWHAT SIMILAR SITUATION TO NEVADA AS THE NEIGHBORING STATE OF OREGON (AS CALIFORNIA IS TO NEVADA) STILL HAS A 21 YEAR OLD DRINKING LAW. IDAHO'S LAW BECAME EFFECTIVE ON JULY 1, 1972.

THE FOLLOWING INFORMATION CONCERNING THE INVOLVEMENT OF ALCOHOL-INDUCED ACCIDENTS BY 19 AND 20 YEAR OLDS WAS RECEIVED FROM THE OFFICE OF HIGHWAY SAFETY IN IDAHO ON MARCH 28, 1973:

	<u>19 YR. OLDS</u>	<u>20 YR. OLDS</u>
1970	50 RESIDENTS	68 RESIDENTS
	3 NON RESIDENTS	5 NON RESIDENTS
1971	52 RESIDENTS	75 RESIDENTS
	2 NON RESIDENTS	9 NON RESIDENTS
1972	131 RESIDENTS	121 RESIDENTS
	15 NON RESIDENTS	20 NON RESIDENTS

OBSERVATIONS:

1. AMONG 19 AND 20 YEAR OLDS (R & NR):
 - A. 1971 = 138 ACCIDENTS
 - 1972 = 287 ACCIDENTS
 - 149 MORE OR 108% INCREASE
2. AMONG 19 AND 20 YEAR OLDS (NR ONLY):
 - A. 1971 = 11
 - 1972 = 35
 - 24 MORE OR 218% INCREASE

3. 19 YEAR OLDS (R & NR):

A. 1971 = 54

1972 = 146

92 MORE OR 170% INCREASE

4. 19 YEAR OLDS (NR ONLY)

A. 1971 = 2

1972 = 15

13 MORE OR 650% INCREASE

Lower Drinking Age Limit Is Vetoed in New Mexico

Special to THE WALL STREET JOURNAL

SANTA FE—Gov. Bruce King vetoed a bill that would have lowered the legal drinking age in New Mexico bars to 19 years from 21 years.

The bill was one of about 30 that sought to revise age limits in various statutes, in line with the state's new voting age. Most of the bills that now will allow 18-year-olds to qualify for various licensed trades and occupations have been signed into law. But revising the age limit for drinking provoked more public reaction than any other measure passed by the recent session of the 1973 legislature. Letters, petitions and phone calls were about two-to-one against a change in the law, the governor said, mainly due to fear of increased traffic accidents.

Original document is of poor quality

DAYCC PAPER FAVORABLE TO AB66 BEFORE SENATE JUDICIARY COMMITTEE

Mr. Chairman and members of the Senate Judiciary Committee. The District Attorney's Young Citizens Council, with the complete backing and support of Clark County District Attorney Roy Woofter, submits this request for a Do Pass resolution on the Youth Majority Bill known as AB66 as passed by the Nevada Assembly. He joins with District Attorney Robert Rose of Washoe County and the Nevada Law Enforcement Association in upholding the Youth Majority Bill. Certainly if our state's foremost prosecutors and law officers view the enactment into law of contracts, drinking and gambling rights and privileges to 18, 19 and 20 year-old citizens of Nevada, then what have lawmakers to fear? Evidently the feeling is strong that youth will not cause undue work and hardship on law enforcement agencies with the passage of this bill.

As representatives of a forceful body of young people who have already cast their first vote or who will soon reach the age of majority in question, DAYCC asks that this study get down to basics. Dr. Abram L. Sachar, chancellor of Brandeis University, says that the generation gap is a myth. He says "If there is a gap today, that gap exists between people who cannot adjust themselves to today's extraordinary, cataclysmic changes and those who do..." Although conceding that the generation gap still exists in vocabulary, Dr. Sachar goes on record by saying..."We ought to be proud of the fact that these young people have grown up.

"Fifteen years ago," he said, "we could look at teen-agers and consider them not mature enough to handle responsibilities. But the present generation is at least three to four years older in maturity -- as well as emotionally and physically -- than previous generations were at the same age, due to today's better education and more exposure to communication and travel.

"So," he concludes, "the worst thing we can do is keep shoving them aside as if they were too young to share responsibilities."

May I repeat Dr. Sachar's warning -- "the worst thing we can do is keep shoving them aside as if they were too young to share responsibilities."

~~That~~ is what we mean by basic. Another is this. There has been altogether too much emotional and hysterical rhetoric regarding the right of 18, 19, and 20 year-old voters to drink and gamble in the state of Nevada. We are here today to propose facts, not fancies or suppositions -- suppositions and shoving youth aside like this, and I quote this statement: "We see those kids flocking in from out of state frequenting our bars and I can tell you that our people are firmly convinced that they can operate beautifully without that business. They don't need the nickels and dimes on the bar. But more than that, they don't need the kids going out and hocking the family jewels to play the games or to play the slot machines." Unquote one of the most influential representatives of northern Nevada resorts.

Now, Mr. Chairman and members of the Senate Judiciary Committee, we voters and Vietnam veterans, 18, 19, and 20 years of age, propose that what you just heard -- and it's on record -- is sheer nonsense. It's also a deep slight and insult at thousands upon thousands of responsible -- and affluent -- young people 18, 19, and 20 years old, who, indeed, earn more than nickels and dimes at their various occupations, or have pretty fair incomes or allowances if in colleges and universities. Also, the facts unfortunately, bear out the sad and demoralizing ~~state~~ (state of affairs) that much older people than 18, 19, and 20 year-olds have access to the family jewels; that the older folks do, in fact, hock them for their fun and games in Nevada. We submit that young voters and Vietnam veterans of 18, 19, and 20 are certainly more responsible than that, and show it by their serious actions on all fronts.

What the man is really saying is that the gambling industry fears the longhairs, the hippies or freaks who might cause some of the older folks to miss a few come bets or hit 22 at blackjack because of the unsightly presence of such youth in the casino. May we remind the resort associations, both north and south, that the same discriminatory words were used against the black citizens a few years ago. They said the old time gamblers wouldn't go near a casino where a black person was playing -- or dealing. It was bad luck. And, secretly, they were afraid of what the black visitors might do to Nevada's image.

The state gaming control board chairman has testified and gone on record about our so-called Nevada image. He said, "Lowering the age for drinking and gambling will create in Nevada an attractive nuisance for the youngsters of surrounding states who do not have those same privileges. They will flock here and create an image problem back in their own states." Unquote. This is another supposition similar to the highway board's cry a few weeks ago of blood and carnage on the highway if out-of-state young people were to come to Nevada to drink. Further, what is the more attractive nuisance being created -- the young people or gambling and drinking? It's not made clear in his argument. And, certainly we all know that Nevada's image problem was created long before AB66 came into being. And that Nevada image problem was not created by youth.

We ask that you as fair-minded legislators, possessing high calibre minds, shuck off the shuck, the hype and the hysterical nonsense. Please don't be persuaded by cliches and bafflegab.

The most persuasive fact is that 18, 19, and 20 year old citizens of this state of Nevada and the United States of America are no longer kids. We are a powerful economic force. Statistics show that we have plenty of money as a demographic group. We are a powerful political force. We helped elect this Senate. 18, 19, and 20 year-olds are your constituents. Our vote and our lives are laid on the line in the nation's wars to insure the continuing freedoms of America. The freedom of 18, 19, and 20 year old citizens

DAYCC Judiciary Talk -5-

to drink or gamble, contract, marry, become an adult by law, is a tremendous responsibility. We can meet it, we will meet it with your favorable vote to allow us the opportunity to become emancipated.

I'd like to close with words of syndicated writer Steven Levine, who was 17 when he wrote: "It is not always a joy to be young; it is often anguish and inevitably a confusion of doubts and fears and not-quite-yet-ready inadequacies. But youth has in it a joyous quotient from its very uncertainties. It has the beauty of change in every day, of growing into the brightness, of feeling expansion of mind into new territories, of revelations in every split of time, of quick insights into instants. To be young is to see the sun without clouds, painfully white but so very clean and hot. To be young is always an inch closer to the edge and playing with tall stacks of blue poker chips..."

Yes, stacks of blue poker chips with the stakes high -- but we're ready for the game.