

SENATE JUDICIARY COMMITTEE

MINUTES OF MEETING

FEBRUARY 26, 1975

The meeting was called to order at 9:05 a.m. Senator Close was in the Chair.

PRESENT: Senator Close
 Senator Wilson
 Senator Bryan
 Senator Dodge
 Senator Sheerin
 Senator Foote
 Senator Hilbrecht

ABSENT:

SB 50 Amends definition of "victim" for purposes of compensation for victims of crimes.

SB 75 Expands definition of "victim" and provides compensation for and investigation of claims presented by victims of crimes.

SB 136 Clarifies definition of "victim" and provides for investigation of claims presented by victims of crimes.

Testimony was presented before the Committee by the following:

Darrell Luce, Christian Science Church of Las Vegas - Mr. Luce directed his remarks directly to SB 75. He proposed an amendment to Section 4, Subsection 2, Paragraph (a) to include "non-medical, remedial care and treatment rendered in accordance with a religious method of healing."

Pat D. Dolan, Deputy Attorney General, Administration, Blaine Sullivan Rose, Rehabilitation Division of the Department of Human Resources - Mr. Dolan presented to the Committee a new bill (BDR 16-878) which was prepared by the Administration Department and the Rehabilitation Department and which is a re-working of AB 185. It is their intent to have AB 185 killed and BDR 16-878 introduced in its place. He stated that the new bill is an attempt to clarify the existing law. The term victim under 217.270 is not as broad as the purposes section of the act and at the present time you have to be actively involved in the prevention of the commission of a crime or be affirmatively assisting in the law enforcement of the commission of a crime. Senator Close questioned as to whether, under this bill, the state would become an insurer against injury to any person as the result of a crime. Mr. Dolan indicated two important limitations on this which are 1) collateral sources and 2) rights of subrogation.

Mrs. Rose informed the Committee that there was a fiscal note of \$100,000 on Sections 20 through 31 which would involve the Rehabilitation Division. Mr. Dolan felt that there would be a fiscal implication as to the expansion under NRS 217.200 and

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SB 136 the amendment there in to provide for the payment of a pure victim. Senator Close suggested that the first 18 sections should also have a fiscal note attached to them.

Mr. Dolan discussed with the Committee each section of the bill and the reasoning and implications of each. At this time, Mrs. Rose requested, on behalf of the Rehabilitation Division, that SB 75 and SB 136 be killed and BDR 16-878 be introduced in their place.

There was no action taken on these bills at this time. They will be placed on the agenda for March 5, 1975 for further consideration.

SB 200 Defines "age of majority" to include certain persons 16 or 17 years of age who have been declared emancipated by the court.

Testimony was presented before the Committee by the following:

Bryan A. Nix, Student, University of Nevada, Las Vegas and Probation Officer with Juvenile Court Services - Mr. Nix stated that the bill originally came about as a school project but that it is now being supported by the juvenile court and other social agencies. He stated that it was the intent of the bill to provide the court with a mechanism to declare certain individuals, who have met the criteria set up by the court, emancipation so that they can live away from the custody of their parents for whatever reason.

Mr. Nix explained that as the law now reads, or as present practice dictates, a juvenile traveling through the state of Nevada can be picked up, transported to Juvenile Services and shipped home even if traveling with full parental permission.

Mr. Nix stated that after reviewing the bill, he felt that it was too encompassing. It was not their intent to enable minors to sign contracts. Section 13, Line 4 indicates that the emancipated minor would have all the rights and responsibilities of a person who has reached the age of majority with the exception of voting; they would like to have this amended to include drinking and gambling.

Senator Close suggested amending Line 5 of Page 5 to read "may be considered" rather than "is considered" in that as it now stands, the emancipation would be absolute. This amendment give the Juvenile Division some discretionary power in the matter.

Mr. Dolan explained the procedure that a minor must follow in order to obtain emancipation. Senator Hilbrecht stated that according to Page 4, Line 41 an order of emancipation by the court was irrevocable.

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SB 200 Mr. Nix replied that it had not been their intent and that it must have been placed in there by the bill drafters. Senator Hilbrecht observed that the bill addresses itself to two different situations and that as it is presently drafted, he feels it goes beyond what Mr. Nix is requesting. It was suggested by the Committee that two new bills be drafted which would concern themselves with each of these different problems.

Mr. Bill Gang, Student, University of Nevada, Las Vegas - Presented to the Committee some statistics on the cost factors involved in the apprehension, transportation, etc. of juveniles traveling through the state with parental permission.

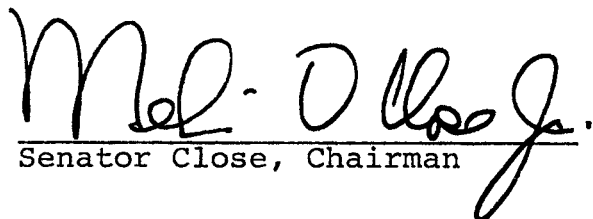
There was no action taken on the bill at the present time. It will be placed on the agenda for March 5, 1975 for further consideration.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Cheri Kinsley, Secretary

APPROVED:


Senator Close, Chairman