

SENATE JUDICIARY COMMITTEE

MINUTES OF MEETING

MAY 9, 1975

The meeting was called to order by Chairman Senator Close at 8:00 a.m.

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

ABSENT: None

SB 47 Clarifies and expands provisions of the Nevada Gaming Control Act.

Phil Hannafin, Chairman of the Gaming Control Board and Bud Hicks, Attorney General's Office, appeared before the Committee on this bill to discuss the amendment mad by the Assembly Judiciary Committee.

Mr. Hannafin stated that the primary purpose of this amendment is to take care of the situation where a corporation creates a subsidiary for gaming purposes in order to gain a federal tax break. (He cited the Hilton Hotel as an example) This section would eliminate the need for the Hilton to pay the doubledown tax twice (once for the Hilton and once again for its subsidiary), however, it would not eliminate the need for them to qualify for a gaming license.

After further discussion, Senator Bryan moved to concur in the Assembly Amendment; seconded by Senator Dodge and carried unanimously. Senator Sheerin was absent from the vote.

AB 130 Enacts Fair Rental Housing Act

Assemblyman John Vergiels presented testimony before the Committee. He stated that the bill has been gone over several times in meetings with the Consumer Affairs Division, and the Nevada Apartment Owners Association and it was his opinion that the bill is now satisfactory to everyone.

Leonard Howard, Sr., Housing Authority in Reno, stated that he had no major problems with the bill, however, there is one point that he feels will create difficulty with the Housing Authority. In Section 20, subsections 4 and 5 which pertains to the security deposits, it would be impossible for the Housing Authority to abide by this. They are found by federal regulations and according to the Brook amendment, passed by Congress which under Federal Housing Authority, they can only charge 25% of an adjusted gross rent of a tenant who qualifies as indigent. He stated that in some instances, a tenant will have a negative rent.

Rex Lundberg, Consumer Affairs, reviewed with the Committee, the definitional sections (1-20) and clarified the meaning of some of the terms used.

Section 13 - Senator Hilbrecht stated that the definition of "ownership" was too broad in that it included someone who would be leasing the property.

Section 15 - Senator Hilbrecht suggested that the phrase "or whose use is promised to the resident" be deleted and insert the term "common area" in that this is a legally recognized definition.

Section 17 - In response to a question by Senator Bryan, Mr. Lundberg stated that oral agreements are prohibited and that the bill establishes consequences for such later on.

At this point, the Committee requested that Mr. Gerry Lopez, Bill Drafters Office, review the remainder of the bill with them.

Mr. Lopez informed the Committee that the basis of this bill was the Uniform Landlord and Tenant Act.

On the question of oral agreement, Mr. Lopez stated that the owner would have the right to evict and that the person renting would be a tenant at sufferance.

There was further discussion on the bill, however, no action was taken at this time. The bill will be placed on the agenda for hearing at a later date.

AB 502 Clarifies Intention of the Legislature to increase penalty for crimes committed with use of a deadly weapon.

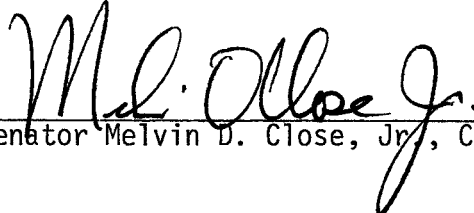
Senator Dodge moved to "do pass"; seconded by Senator Hilbrecht and carried unanimously. Senator Sheerin was absent from the vote.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Cheri Kinsley, Secretary

APPROVED:



Senator Melvin D. Close, Jr., Chairman