

Members present:

Chairman Jeffrey	Assemblyman Sena
Vice Chairman Robinson	Assemblyman FitzPatrick
Assemblyman Bennet	Assemblyman Rusk
Assemblyman Bremner	Assemblyman Tanner
Assemblyman Chaney	Assemblyman Weise
Assemblyman Horn	

Guests present: See attached list

Chairman Jeffrey called the meeting to order at 3:04 p.m. there being a quorum present. He announced that the purpose of this meeting was to hear testimony on AB 150, then AB 164 and then discussion on proposed amendments on AB 23 and AB 64.

AB 150: Assemblyman Nick Horn, sponsor of the bill was first to speak on this bill and stated that the reason for introduction was not to hurt free enterprise but to enable the people who live in the immediate area of special events not to be penalized for living in that area by being precluded from watching that event on local television if the event had been sold out.

Mr. Horn asked Mr. Frank Daykin, Legislative Counsel, to address the committee as to the possible constitutional implications of the bill. Mr. Daykin stated that he felt there would be no constitutional problems due to the following points: the event would be taking place in Nevada; the viewers are in the area of the event; the event would be broadcast and received in the State of Nevada, therefore, there is nothing in the Interstate Commerce clause which would exclude this from state regulation; even if the broadcast did reach across state boundaries there is no regulation or statute in operation at this time which would prohibit state regulation. He stated he did not feel either that it was an infringement on any free speech area. He further stated that if there is currently an FCC regulation which would be contrary to this, that he would have to review it on that basis.

In answer to a question from Mr. Sena, Mr. Horn stated that that from 1973 through 1976 there was an Act under section 331 of the Federal Communications Act that banned blackouts if a sporting event was sold out 72 hours in advance. He stated that that section had expired in 1976 even though many stations still practice it. He also stated that he knows of no other states which have blackout provisions. Mr. Bremner asked if Mr. Horn felt that the 12 hour period would enable the local television stations to have enough time in order to be able to carry the events. Mr. Horn stated that the bill was not intended to cause economic hardships, and that if the time period would cause a problem for the stations, that he would not have a problem with changing the time limit portion of the bill. Mr. Weise pointed out that normally the events are blacked out by the local stations, not by the networks.

Next to address this bill was Mr. Bill Ireland, Athletic Department of the University of Nevada, Las Vegas, and Mr. Tom Reed, Athletic Department of the University of Nevada, Reno. Mr. Ireland pointed out that this bill would effect them because they are under the NCAA rules and regulations for their sporting events broadcasting rules and the NCAA rules have a 48 hour blackout provision which is aimed primarily at protecting the gate receipts of thier conference games. He read from the 1977 NCAA (National Collegiate Athletic Association) Television Committee Report regarding their regulations and excerpts from that report are reproduced in pertinent part and attached hereto as Exhibit "A". The primary emphasis of Mr. Irelands comments was that regardless of what happened with this bill, they would have to go by the NCAA regulations regarding televising their sports activities. He also pointed out that they try to compensate for not showing home games by broadcasting their away-games in Las Vegas.

Mr. Ireland stated that Tom Hansen, Executive Director, NCAA in Sacramento, California could answer any questions on their regulations if the committee members cared to contact him. Mr. Reed pointed out that, in addition to the 400 mile rule discussed in Exhibit A, there is also a 120 mile radius rule which would apply possibly in the Reno area if another NCAA game was being played in the Sacramento, California area and broadcasting the Reno game might interfer with Sacramento's viewing area.

The committee and Mr. Ireland and Mr. Reed discussed the possibility of excluding collegiate sporting events from the bill which would eliminate this conflict. They also discussed the possible tape-delayed broadcasts of these games. Mr. Ireland pointed out that the major problem with the tape-delay situation was that you had to get a television station to agree to broadcast the tape-delayed program and that these programs were not very profitable to the local stations. At the conclusion of the discussion it was agreed that Mr. Horn would formulate an amendment which would exclude the broadcasting of NCAA and AIAW (the Association of Intercollegiate Athletics for Women) from the bill. See also Exhibits "B" and "C" regarding this bill attached.

AB 164: Assemblyman Robinson was first to address this bill and explained to the committee that it was introduced at the request of one of his constituents last session and that it had not been received in time to be introduced last session. Attached hereto and incorporated herein as Exhibit "D" is that request which Dr. Robinson read which came from Circus-Circus.

He stated that the 80% figure in the bill was an arbitrary choice and open to change if it was felt that this margin would not prove enough of an incentive to have the ticket agents promote the sale of the tickets, as the tickets are a very important part of the entertainment scene in Nevada. He stated that though the initial empahasis of the bill was directed toward the sale of show tickets, this bill also lends itself to other ticket sales.

Mr. Weise asked Dr. Robinson if he felt there should be some provision in the bill which would discourage one ticket outlet from falsely representing the sell-out status of a show to which they did not have tickets, but whose own shows they wished to promote. Dr. Robinson stated that this would be almost too hard to regulate.

Next to speak were Roger Trounday and Jack Stratton from the Gaming Control Board. Mr. Trounday pointed out that the Gaming Control Board did not want to be involved in the control of taxing or licensing sporting event ticket sales which would apparently be covered also in this bill. He said that since the bill addressed itself to the gaming chapters of NRS they felt they should state their position with regard to this because it was out of their realm. In response to a question from Mr. Weise, Mr. Trounday stated he felt that it was good that the legislature was looking into this area; however it fell outside their jurisdiction. He said he felt this bill would help to protect the visitors to our state from being taken advantage of by some ticket agencies and that they had had, in the past, several complaints from travelers who had been overcharged, or otherwise, and if they felt it was a very serious charge, they have contacted the casino involved and informed them that there had been a complaint lodged against them and the reasons cited, but that is as far as they could be involved.

Mr. Weise asked Mr. Trounday if it would satisfy their concerns if they amended the Chapter of NRS cited in the bill. Mr. Trounday replied that it would. In answer to a question from Mr. Chaney, Mr. Trounday stated that the bill did pertain to his Board where casino entertainment tickets were involved. Mr. Stratton stated that the Board used to be involved in some athletic events, such as boxing and j'ai alai, but that court decisions have eliminated them from being covered by entertainment tax. He stated that SB 132, currently in the Senate, deals with licensing ticket sales. The committee then generally discussed other types of entertainment, outside the casinos, which this bill would cover, such as concerts within the Theater for Performing Arts, etc. In answer to a question from Mr. Chaney Mr. Trounday and Mr. Stratton stated that they did not know who presently monitors ticket sales for events outside their purview.

Dr. Robinson pointed out that prior to the State imposing a casino tax on shows, there was a Federal Entertainment Tax which imposed a tax on all ticket sales whether or not they were related to casino shows. Discussion followed regarding direction of this bill and whether or not it should be expanded into other areas outside the licensees establishments, so that it would be more protective of the tourism industry. Mr. Stratton stated that a BDR would be coming up soon from Las Vegas which would have a lot of clean up language in it regarding ticket prices, etc, and that it might be helpful to wait for that before revising this bill. He also stated that he felt having the price of the ticket printed on its fact would aid greatly in auditing procedures.

Mr. Ed Bowers, Gaming Industry Association of Nevada, was next to address the committee, his primary concern with the bill was in the area regarding the price being preprinted on the face of the tickets and whether or not the casino tax would be computed on that sum or on the price they were actually sold for if they were discounted to an agent. He questioned what would control the auditing procedures if this requirement went into effect. He also said that he felt that since the bill had been introduced "by request" that he wondered if the abuses in this area were significant enough to warrant legislative action and he felt that perhaps this type of legislation should be delayed until it was found out if the abusive practices were more widespread, which he felt it wasn't.

Mr. FitzPatrick pointed out that Caesar's Palace sells some of their tickets through Ticketron which adds an additional \$1.00 service charge to the retail cost of the ticket. That concluded testimony on AB 164.

AB23: Chairman Jeffrey presented to the committee the amendments on this bill, a copy of which is attached and marked Exhibit "E". After a brief discussion of the amendment, Mr. Bremner moved to accept the motion and Mr. Bennet seconded the motion. The motion was adopted unanimously. Mr. Bremner then moved to Amend and Do Pass this bill. The motion was seconded by Mr. Horn and carried unanimously.

AB64: Russ McDonald has submitted to the committee proposed amendments to this bill, a copy of which are attached and marked Exhibit "F". He stated to the committee that these were the suggestions of the State Board of Pharmacy and he had discussed this proposal with Mrs. Wagner. The amendments proposed were discussed among the committee members regarding the fact that it was felt there were other types of drugs which should have been included in the restrictive labeling requirements which were systemics. Dr. Robinson stated that if the committee accepted this amendment and passed the bill from committee he felt that it would not pass the Senate. Russ McDonald stated that there were at least three more bills on the Senate side which dealt with this and other aspects of labeling and he suggested that the committee delay action on this bill until they had seen those bills.

Dr. Robinson moved to hold the bill until those bills were received for comparison. Mr. Bremner second the motion and it carried.

There being no further action to come before the committee, Mr. Bennet moved for adjournment and Mr. FitzPatrick second the motion. The meeting was adjourned at 4:20.

Respectfully submitted,


Linda Chandler
Secretary

(Committee Minutes)

ASSEMBLY COMMERCE COMMITTEE

ROLL CALL:

Hearing date: Feb. 7 , 1979

CHAIRMAN JEFFREY
VICE CHAIRMAN ROBINSON
MR. BENNETT
MR. BREMNER
MR. CHANEY
MR. HORN
MR. SENA
MR. FITZPATRICK
MR. RUSK
MR. TANNER
MR. WEISE

Present	Absent	Excused
x		
x		
x		
x		
x		
x		
x		
x		
x		
x		

Disciplinary Actions

The NCAA Committee on Infractions or Council, acting in accordance with the Association's enforcement procedures, periodically may disqualify various member institutions from any appearance on the series telecasts and on related programs described in this plan. Such an action, however, shall not interfere with a confirmed commitment on record between the network and any institution for such an appearance.

NCAA disciplinary actions affecting the eligibility of a member to appear on the series shall be governed by these provisions:

- (a) When television sanctions are applied against a member institution, existing, enforceable commitments between an institution and the network carrying the series still shall be honored;
- (b) An institution on probation with sanctions against television appearances cannot enter into a firm television commitment until after the sanctions have been removed;
- (c) During the time it is subject to such probation, an institution may be tentatively scheduled for a television appearance on a date subsequent to that on which it is scheduled to be removed from probation, but such tentative commitment cannot be made definite or the telecast take place until the probationary sanctions have been terminated.

ARTICLE 15

Wild-Card Game

The network carrying the series shall select, on any one date during the series, one game (identified as the wild-card game) to be telecast nationally either as a single game or as half of a doubleheader presentation consistent with the other provisions of this plan, except a doubleheader including this wild-card game may be presented on any date of the series.

An appearance in the wild-card game constitutes one of the "Special Exceptions" described in Article 14.

No member institution may participate in a wild-card game more than once during the two-year period of this plan under terms of this article.

ARTICLE 16

Exception Telecasts of Division I Games

Under prescribed conditions, "exception" telecasts of college football games may be presented consistent with the agreement

with the carrying network. Any such telecasting privilege granted hereunder, however, shall apply exclusively to the station(s) specified, and must be limited by the applicant institution to such station or stations. Any extension of the area of coverage authorized for an exception telecast shall be construed as a violation of the rights accorded the applicant institution, and shall preclude favorable consideration by the committee of any subsequent request by it for any additional authorization of this nature.

Further, when referring to "permissible area of release" for a telecast, the plan means the Grade B area of a television station. If, having received authorization for an exception telecast, the institution is unable to control carriage by cable (which is permitted within the Grade B contour) and the area of release is enlarged by unauthorized cable transmissions, then the institution shall be charged with an appearance on a regional telecast as defined in Articles 6 and 14 of the plan. If the cable expansion occurs in the home television market area of only one of the two participating colleges, then that institution alone shall be charged a regional appearance. If a charged institution previously has realized its permissible allotment of television appearances under the current plan, the appearance shall be charged against it during the first year of the next subsequent plan.

Live simultaneous exception telecasts of games between colleges, either or both of which are currently classified as Division I football-playing institutions (see Note 2), may be presented under the following regulations:

Sellout and 400-Mile Exceptions

- (a) On the afternoons and evenings of the Saturdays during the control period, and of Thanksgiving Day, among the types of exception telecasts which may be presented are Sellout Exceptions and 400-mile Exceptions:

- * (1) A game which is a sellout may be telecast over one station in the designated home television market of the home institution and of the visiting institution, and in the television market of the site of the game if it is not played in the home area of either competing college, but each site of release must be checked separately to ascertain that no appreciable damage (see Note 4) will be done to any concurrently-conducted college game (i.e., a game involving four-year colleges).

(For a game to qualify for sellout status, tickets to the game no longer shall be available 48 hours prior to game time, and the game must be accepted for classification as a sellout by the Television Committee.)

If both participants have the same home market (see Note 5), the host institution may choose an alternate site for its presentation; such site must contain a population which has demonstrated prior interest in the institution's program, and must be approved by the Television Committee.

(2) A game which is played 400 or more air-miles away from the visiting team's campus may be televised in the visiting team's home television market only, if no appreciable damage will be done to any concurrently-conducted college game (i.e., a game involving four-year colleges) (see Note 4).

Authorization for such a telecast must be requested and received from the Television Committee (via the appropriate district representative).

Any sponsors accepted must conform to the standards established by Article 10.

Other exceptions

(b) On Friday nights, Saturday nights, Saturday afternoons not included in the control periods defined in Article 2, and holidays other than Thanksgiving Day, a game may be telecast

Note 4: "Appreciable damage" as mentioned in this plan shall be considered to be created by, but only by, the existence of another concurrently-conducted and non-televised game (unless it is a sellout or unless no admission is charged) within a 120-air-mile radius of the VHF transmitter which is to carry such a telecast if a Division I institution is involved, or within a 60-air-mile radius of the VHF transmitter which is to carry a game between two Division II or III institutions (see Note 2). These protection areas shall be reduced to a 45-air-mile radius where a UHF station is involved. Concurrent conduct of a game shall be considered to exist if any game played within the prescribed radius of the transmitter for the telecast is not completed 30 minutes before the beginning of the telecast or is started within three hours after the beginning of the telecast. When undertaking a determination of appreciable damage, the Television Committee will base its finding strictly on the presence or absence of a game within the applicable radius. It cannot accept declarations of lack of attendance damage by the institutions participating in the concurrent game(s).

Note 5: "Home television market" as used in the plan shall mean a single station in the television market selected by the institution as its "home" market. Such market does not have to be the community in which the institution is located, but once its market is identified, the institution may not change to a second market for purposes of presenting an exception telecast during the same football season, and may change thereafter only for good reason and upon approval by the Television Committee. The home television market must be within the accepted area of interest of the institution's athletic program.

on a maximum of four stations located within the NCAA district or districts represented by the participating institutions, but only if no appreciable damage will be done to any concurrently-conducted college game (i.e., a game involving four-year colleges) or, on Friday night only, to any concurrently-conducted college, junior college or high school game (see Note 4). An appearance on such a telecast will be charged as a regional appearance under the rules set forth in Article 14 to each institution in whose market the telecast was released. Authorization for such a telecast must be requested and received from the Television Committee. Any sponsors accepted must conform to the standards established by Article 10.

(c) On the afternoons of Thanksgiving Day and the Saturdays on which series telecasts are scheduled, a game between two Division I institutions which have not appeared on a series telecast during the eight preceding seasons, or between such a Division I institution and a Division II or III institution, may be televised on a maximum of five stations, without regard for appreciable damage to any other game(s). However, no member institution may participate in more than two such telecasts each season. Authorization for such a telecast must be received from the Television Committee. Any sponsors accepted must conform to the standards of Article 10.

(d) On Friday nights and Saturday nights, a game between two Division I institutions which have not appeared on a series telecast during the eight preceding seasons, or between such a Division I institution and a Division II or III institution, may be televised on a maximum of five stations, provided no appreciable damage will be done to any concurrently-conducted college, junior college or high school game on Friday night, and to any college game on Saturday night (see Note 4). Participants in such a contest will not be charged with an appearance under Article 14. Authorization for such a telecast must be received from the Television Committee. Any sponsors accepted must conform to the standards of Article 10.

The Television Committee shall have the right to withhold or withdraw authorization for a special telecast under the provisions of this article if wired systems (including community antenna television) threaten enlargement of the permissible areas of telecast release.

EXHIBIT A

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EXCEPTION TELECASTING PROVISIONS

The table below has been prepared as a summary of the exception telecasting opportunities available to NCAA member institutions. Please see the various paragraphs of Article 16 for full, specific details governing each type of telecast.

Exception Telecasts

Article	Description / Participants	Time	Extent of Release
16(a)	400-mile and Sellout Any Division I Team No appearance charge APPRECIABLE DAMAGE	Day or Night	Institutional Home Markets Only
16(b)	Any Division I Team APPEARANCES CHARGED APPRECIABLE DAMAGE	Night	Four stations
16(c)	Division I Not on Series No appearance charge No appreciable damage	Day	Five Stations
16(d)	Division I Not on Series No appearance charge APPRECIABLE DAMAGE	Night	Five stations

The carrying network has first rights to all exception telecasts authorized by Article 16.

The Appreciable Damage rule shall apply to college games on Saturday, and to high school, junior college and college games on Friday.

Under 16(b), if all of the stations over which the telecast is released are in the area of interest of one participating Institution, the opponent institution shall not be charged with an appearance.

First Right of Network

Authorization for any exception telecast described in this article will be issued in each instance only with the understanding that the network carrying the series shall have the first right to present such game telecast, provided it is presented in full, as an addition to or a replacement for the regular series game being telecast on that date in the station area(s) approved for release of the exception telecast. Further, the carrying network retains the rights to present a particular game on the series, exclusively, even if it previously had passed on exception telecasting rights to that game and such exception rights had been granted for a local release.

If the network exercises its option, a rights fee shall be paid for the game according to the following formula:

$$\frac{x}{\text{National game fee}} = \frac{\text{Number of homes in carrying station's(s') coverage area}}{\text{Homes in areas of all stations on network. (68,500,000)}}$$

x = Fee for exception game

In any case where such right is not exercised by the network, the competing institutions then shall be free to make their own arrangements for televising the game under the terms of this plan.

Delaying Series Telecast

If the network elects to present an exception telecast and to show it at the time designated for the live presentation of the regular series game, the series game may be delayed telecast in the affected station area(s) immediately after the showing of the exception telecast. Such delayed telecast of the series game, however, may not be made if it would do appreciable damage (see Note 4) to any concurrently-conducted college game.

ARTICLE 17

Exception Telecasts of Division II and III Games

In any year embraced by this plan, extra-program live simultaneous telecasting of a game between any two institutions which are members of Divisions II or III (see Note 2) may be presented under the following regulations:

- (a) On the afternoons of Thanksgiving Day and the Saturdays on which series telecasts are scheduled, such a game may be televised on a maximum of five stations, without regard for appreciable damage to any other game and without restriction on the television appearances by either participating institution.
- (b) On Friday nights, Saturday nights, Saturday afternoons not included in the control periods defined in Article 2, and holidays other than Thanksgiving Day, such a game may be televised on a maximum of five stations without restrictions on the number of television appearances made by individual institutions participating, but only if no appreciable damage will be done to any concurrently-conducted college game or, on Friday nights only, to any concurrently-conducted college junior college or high school game (see Note 4).

A Division II or III institution qualified to televise under the provisions above may petition the committee to extend its network of stations if the game or associated ceremonies warrant.

EXHIBIT A

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of the [redacted] since 1971.

In 1977, Warner attempted to cablecast two Ohio State games, but both were in conflict with series telecasts and the NCAA Television Committee declined to authorize either presentation. Warner did present an evening



the [redacted] members of the National Sporting Goods Association have encouraged the nation's colleges and universities to help promote the event by using decals.

the country have been sent order forms for the colorful red, white and blue adhesive decals, said Kenneth G. Baldwin, director of NSGA member relations.

2,000. [redacted] interested should contact [redacted] G. Baldwin, National Sporting Goods Association, 717 N. Michigan Avenue, Chicago, Illinois 60611.

The 1978-81 Television Plan: Questions and Answers On Points of Interest

EDITOR'S NOTE: The following list of questions and answers is designed to highlight provisions of the 1978-81 NCAA Television Plan, copies of which are being distributed to all member institutions this month.

How long is the current plan in effect?

For the 1978, 1979, 1980 and 1981 seasons.

What is the format for the 1978-81 Television Plan?

During each season of the plan, the carrying network will present 23 exposures. An exposure is the release on a single date of a live game telecast into each television market on the national network.

The carrying network also will be required to present a minimum of 116 team appearances each season (an appearance being one team's participation in one televised game). This will be achieved through 13 national exposures (one game each) and 10 regional exposures, each consisting of three to six games.

Each regionally televised game will be telecast principally into the areas where interest naturally would exist for the competing teams and their traditional rivals. The result will be that the sum of the regional telecasts will equal national coverage.

Who selects the games to be televised?

The carrying network is completely responsible for selecting the series games. By April 1 of each year, it will decide on the games to be presented during September. Subsequent series games may be selected at any time thereafter up to 11:30 a.m. (Eastern time) of the fifth day preceding the telecast.

What is the carrying network required to televise?

• A minimum of 11 aggregate appearances for members of Division I-AA as part of the regular series telecasts during the 1978 and 1979 seasons.

• 14 appearances for Division II members on seven annual telecasts and eight appearances on four annual telecasts for members of Division III. The Division III Championship game may count as one of the four Division III games, while the semifinals and finals of the

Division II Championship may take three of the Division II games required each year.

What are limitations for appearances on the series?

During each two-year period of the plan, a member institution is limited to four appearances. Not more than two of those may occur in a single year. In addition, it may receive an "exception" appearance as prescribed in Article 14. In any event, no institution may appear more than five times during either two-year period (1978-79 or 1980-81).

What are the "special exceptions"?

• The "wild card" game. (Each year the carrying network may select for any date in the series one game to be telecast nationally either as a single game or as half of a doubleheader presentation. Such a contest is a "wild card" game.)

• The game(s) on the first Saturday in December each year.

• The game(s) on the initial Saturday of the series each year.

• The game(s) on Thanksgiving of each year.

• The game(s) on the Friday following Thanksgiving of each year.

• The game(s) on Labor Day and Veterans Day of each year.

• Other weeknight (Monday through Thursday) games, which may be approved by the committee on an individual basis.

May a Division I member televise any of its games not selected for television by the carrying network?

Yes, provided the conditions of the game to be televised and in the market in which the telecast is to be released meet the provisions of the plan governing such telecasts (Articles 16, 17, 18, 19 or 20.)

Authorization for any such telecast must be provided by the Television Committee. Any telecasting privilege that may be granted by the committee will apply ex-

clusively to the station(s) specified in the member's application.

What are "sellout" and "400-mile" exceptions?

The sellout exception: When a game is a sellout, it may be telecast over one station in the designated home television market of the home team; over one station in the designated home television market of the visiting institution; and over one station in the television market of the site of the game if the contest is not played in the home area of either of the participants. Each site of release must be checked to ascertain if any appreciable damage will be done to any concurrent intercollegiate game.

For a game to qualify for sellout status, the game must be sold out 48 hours before game time, and the game must be accepted for classification as a sellout by the committee.

The 400-mile exception: If a game is played 400 or more air-miles from a visiting team's campus, then that contest may be televised on a single station in the visiting team's home television market, provided no appreciable damage will be done to any concurrently conducted intercollegiate game.

Under what conditions are delayed telecasts of games allowable?

Generally, delayed telecasts may be shown at 10:30 p.m. or later the day of the game. No delayed telecasts may be shown before 10:30 p.m. on Fridays, Saturdays or Thanksgiving Days since such a telecast could conflict with other intercollegiate and interscholastic contests.

A contest played on Monday, Tuesday, Wednesday or Thursday (excluding Thanksgiving) may be presented on a delayed basis at any time on the day of the game.

A game played on Sunday may not be presented before 10:30 p.m. of that Sunday.

Such a delayed telecast, if presented on the day of the game, may not begin earlier than one-half hour following the beginning of the contest.

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February 7, 1979

TO: Assemblyman Nick Horn
FROM: J. Kenneth Creighton, Research Analyst *JKC*
SUBJECT: Sports Blackouts

Presently there are no states which have anti-blackout legislation. However, there was a federal provision (Section 331 of the Federal Communications Act) which banned blackouts if a sporting event was sold out 72 hours in advance. This provision was in effect from 1973-1976 and I have been informed by the networks that they still practice the 72 hour rule.

As you know, the various professional leagues make a contractual arrangement between the broadcasters regarding blackouts. ABC, NBC and CBS have informed me that they believe it would be difficult for a state to enforce an anti-blackout rule because of state jurisdictional problems and because a broadcaster cannot be compelled to show a program. However, state lotteries (a sport event) can be advertised in adjacent states even though the adjacent states do not have a lottery. For example, the New York lottery is advertised in Connecticut even though the latter does not have one. There is some question then regarding state jurisdictional authority. For a definitive legal opinion, however, I suggest you contact Frank Daykin.

JKC/llp.

EXHIBIT "C"

CIRCUS CIRCUS

HOTEL-SPA-CASINO/LAS VEGAS, NEVADA

March 4, 1977

The Honorable Robert E. Robinson
Suite 5
3000 West Charleston Boulevard
Las Vegas, Nevada 89102

Dear Sir:

It is very seldom that I find it necessary to write to our representatives in the State Legislature to express my opinions on pending legislation. There are two proposed bills in the works at this time that compel me to give you my views in the hope that they might be of some help to you in arriving at the correct decision.

The first bill that concerns me is A.B. 308 which pertains to the selling of show tickets. It has been my experience that selling show tickets in Las Vegas has been very beneficial in certain respects. It seems that the average tourist that comes to Las Vegas wants to get his hands on a show ticket as opposed to a verbal reservation for the show of his choice. I do feel, however, that there have been a number of abuses in the selling of these tickets and that some legislation is necessary to eliminate these abuses. The most flagrant abuse is the practice of ripping off a tourist by selling them a show ticket at a price that is higher than they would have to pay had they merely made a reservation, attended the show and ordered the same item that is served to them when they attend the show with a ticket. I am sure that you have had many complaints from friends who have come to Las Vegas and had this experience thereby leaving a bad taste in their mouth regarding our city.

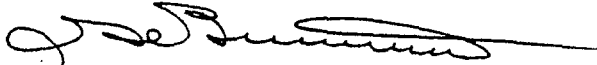
The second area that should be controlled by law is the amount of discount that a hotel could give to a show ticket company. I recently made a study of this discount practice and found that the dollar amount of the discount ranged from a high of \$6.00 to a low of \$1.40. It is quite obvious that show ticket companies would do everything in their power to promote the sale of tickets to a show carrying a higher discount or commission. I have even had friends tell me that they went to a show ticket booth to secure tickets to a certain show and were told that that show was no good and they should attend another show instead. The other show, in all cases, was one that had the higher discount or commission. I strongly feel that there should be some standardization of the amount of discount or commission, in any form, that can be paid by a hotel to a show ticket company.

EXHIBIT "D"

The other pending legislation that I want to touch on is the proposed repeal of the motorcycle helmet law. Most people are surprised to learn that I do like to ride motorcycles and have done so since I was about sixteen years old. I fully realize that wearing a helmet does increase the rider's chance of survival if he does have an accident. However, I also firmly believe that the chance of having an accident while wearing a helmet is greatly increased. Two very important faculties are lost to the motorcycle rider wearing a helmet...one is the restriction of his peripheral vision and the other is the rider's almost total loss of ability to hear other vehicles, particularly those vehicles passing him on a highway. As you probably know, a number of States enacted these helmet laws and quite a number have since repealed them. Additionally, and quite wisely I think, most of the States that have repealed the helmet law have retained some requirement with regard to minors, particularly those minors who are riding "off the road". The loss of vision and hearing does not really apply when riding off the road as other traffic is not a significant factor.

I want to thank you for taking the time to read this letter and hope you will call upon me whenever you desire information falling within my field of knowledge.

Very truly yours,


William G. Bennett, President
CIRCO RESORTS, INC. d/b/a
Circus Circus Hotel and Casino



Nevada Legislature

FIFTY-NINTH SESSION

June 2, 1977

William G. Bennett, President
CIRCO Resorts, Inc.
Circus Circus Hotel and Casino
2880 Las Vegas Boulevard, South
Las Vegas, Nevada 89109

Dear Bill:

I am finally getting a chance to review some of the correspondence of the last legislative session and I find your letter of March 4, regarding the sale of show tickets, to be of interest. As you are probably aware, the bill died in committee, never reaching the point where I could vote on it. I certainly think there should be something done in the area of controlling the amount of discount given to show ticket companies since, as you point out, a "floating" ticket system is subject to abuse. It invites the show ticket companies to discriminate against one or more of the hotels.

I am drafting a bill to be introduced at the next session of the legislature. It will be specifically aimed at this abuse. I hope we can standardize the commissions or discounts which can be paid by hotels who use these show ticket companies. Hopefully, it will be a specific new piece of legislation that we can get passed.

Of course, I am sure you are aware by now that the Governor vetoed the motorcycle helmet bill and his veto was sustained. I am confident that the bill will be reintroduced at the next session of the legislature. If it once again passes, it may be received in a different manner by the new governor who will be in Carson City at that time.

Mr. William G. Bennet

Page 2

Thank you for your interest in these pieces of legislation and feel free to call upon me anytime you have questions regarding legislative measures which have been considered in the last session or which you desire to see introduced in the coming session.

Sincerely,

Robert E. Robinson
Assemblyman, Clark County

REB/jd

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION	SENATE ACTION	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	Assembly _____
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	AMENDMENTS to Assembly _____
Date: _____	Date: _____	Bill No. <u>23</u> Joint Resolution No. _____
Initial: _____	Initial: _____	BDR <u>52-699</u>
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by <u>Committee on Commerce</u>
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>	
Date: _____	Date: _____	
Initial: _____	Initial: _____	

Amendment N^o 8



Amend section 1, page 1, by deleting line 12 and inserting:

"3. The sender of unsolicited goods, wares or merchandise is liable to the recipient for any impairment of the credit of the recipient caused by unwarranted attempts by the sender to collect payment for the goods, wares or merchandise.

4. The provisions of subsection 1 do not apply".

Amend the title of the bill to read:

"AN ACT relating to trade practices; providing additional remedies to the recipient of unsolicited goods; and providing other matters properly relating thereto."

Exhibit "E"

To: E & E
 LCB File
 Journal
 Engrossment
 Bill ✓

Date 1-26-79 Drafted by JSP:ml

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION		SENATE ACTION		Assembly	AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to	Assembly
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>		Joint
Date:		Date:		Bill No.	64 Resolution No.
Initial:		Initial:		BDR	54-597
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	Proposed by	Committee on Commerce
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>		
Date:		Date:			
Initial:		Initial:			

Amendment N^o 23



Amend section 1, page 1, by deleting lines 3 and 4 and inserting:
 "tion by the prescriber, all prescriptions filled in any pharmacy
for oral and injectable drugs shall be dispensed in a container
 to which is affixed a".

Amend the title of the bill by deleting the title and inserting
 in lieu thereof the following:

"AN ACT relating to containers for prescription drugs; specifying
 label requirements for oral and injectable drugs; and
 providing other matters properly relating thereto."

To: E & E
 LCB File
 Journal ✓
 Engrossment
 Bill

EXHIBIT "F"

Date 1-30-79 Drafted by JW:ml