

Members Present:

Chairman Hayes
Vice Chairman Stewart
Mr. Banner
Mr. Brady
Mr. Coulter
Mr. Fielding
Mr. Horn
Mr. Malone
Mr. Polish
Mr. Prengaman
Mr. Sena

Members Absent:

None

Guests Present:

Bud Campos
Frank Daykin
Geno Menchetti

Chief Parole and Probation Officer
Legislative Counsel Bureau
Deputy Attorney General

ASSEMBLY BILL 722

Revises provisions on compensation to victims of crimes.

Mr. Brady moved Do Pass on A.B. 722; Mr. Sena seconded the motion. The Committee approved the motion on the following vote:

Aye - Hayes, Stewart, Malone, Horn, Polish, Banner, Prengaman, Coulter, Fielding, Brady, Sena - Unanimous

Nay - None

Absent - None

Mr. Polish moved to refer A.B. 722 to Ways and Means Committee; Mr. Sena seconded the motion. The Committee approved the motion on the following vote:

Aye - Hayes, Stewart, Malone, Horn, Polish, Banner, Prengaman, Coulter, Fielding, Brady, Sena - Unanimous

Nay - None

Absent - None

ASSEMBLY JOINT RESOLUTION 17

Requests Congress to call a convention limited to proposing amendment to Constitution to restrict abortion.

Mr. Sena moved Do Pass A.J.R. 17; Mr. Brady seconded the motion. The Committee approved the motion on the following vote:

Aye - Hayes, Stewart, Malone, Horn, Polish, Fielding, Brady,
Sena - 8

Nay - Banner, Prengaman, Coulter - 3

Absent - None

Discussion was then heard on the bill.

Mr. Coulter's objections to this bill were that A.J.R. 17 would not stop abortion and the birth of crippled children would be on the increase again. He feels that it would be inviting federal intervention into something so private.

Mr. Stewart felt that abortion is a hideous measure to put some poor unborn child through such extreme pain and brutality. He feels that it is in no way fair to chop up the unborn or use a saline method which can take up to 6 hours to kill the unborn child; burning off its skin before death. He is opposed to all abortion, feeling it is inhumane. Another point raised was that the unborn have been protected in every other instance, except when unwanted. An example of this would be when the mother is injured and damages are inflicted to the unborn. If they are protected for that reason, then why should they be killed?

Mr. Banner was opposed because he felt that A.J.R. 17 would not stop abortion, it would just increase the number of illegal, dangerous, and sometimes fatal abortions.

Mr. Prengaman does not support abortion but he also does not support Constitutional Conventions. He would support an amendment from Congress to the States, however.

Mr. Sena felt that the bill should be passed in order to clean up the country. He felt that things have gone too liberal and our youth are not having to own up to their responsibilities. This in turn has caused a lot of their problems. If the younger generation would have to face their problems, it would help them grow and be stronger, more mature adults.

Mr. Brady is for A.J.R. 17; also because of the fact of the young people in our country. He is appalled at the fact that any young girl under 18 can get an abortion without her parents consent. He feels that our simpleness for our kids has been

our downfall.

Mr. Coulter stated that he would file a Minority Vote Report.

SENATE BILL 5

Adopts uniform brain death act.

Mr. Brady outlined the bill. He stated that if there was a heartbeat and a brainwave, the life support system cannot be disconnected and to do so would be murder.

Mr. Daykin gave testimony on S.B. 5. He said that this bill gave a standard for determining death which is expressed in terms of functioning of the brain. It doesn't preclude using other standards for determining death but it does recognize the one which the medical profession generally believes to be the best criterion for determination. There can be more or less mechanical functioning of the heart and even the respiratory system by reflex action. Once all functioning of the brain has ceased, medically the person is considered dead.

Mr. Sena motioned Do Pass on S.B. 5; Mr. Fielding seconded the motion. The Committee approved the motion on the following vote:

Aye - Hayes, Stewart, Malone, Polish, Banner, Prengaman,
Fielding, Coulter, Brady, Sena - 10

Nay - Horn - 1

Absent - None

ASSEMBLY BILL 461

Provides for determining for certain purposes terms of imprisonment of prisoners serving multiple sentences.

Mr. Bud Campos testified for A.B. 461. He stated that this bill would allow the prison in its time keeping to consider consecutive sentences in the aggregate than as individual sentences. He feels that this bill would be more economical. At present, the prison must keep track of separate sentences and also keep track of a person when paroled from one sentence to another. Consecutively, you would serve one sentence and be paroled to another sentence. The time a person serves in prison does not change, only his parole. This would increase the number of years he is on parole. A.B. 461 would reduce alot of unnecessary work.

Mr. Malone feels that Mr. Campos would be shifting his responsibilities from himself to the parole board and that it would eventually cost more, because of the extended years of parole.

Mr. Geno Menchetti testified for A.B. 461. He felt that this bill would keep the inmate from automatically being paroled. The length of parole is determined by the length of the sentence. This bill would take the inmates parole and place on the end of his sentence.

Mr. Stewart felt that this bill would cost the state more money because the parole board would have to keep checking on the paroled prisoner for a longer period of time.

Chairman Hayes motioned to move to the next bill.

SENATE BILL 9

Revises criminal penalties.

Mr. Daykin testified on S.B. 9. This bill would add the possibility of a fine to all felonies where there wasn't one. The fine would not be an alternative, but an additional punishment. He would like to see the amount of the fine correspond with the length of the prison term.

Geno Menchetti testified on this stating that it started as a clean up bill. The policy was adopted that a misdemeanor should be up to \$500 and 6 months confinement. He feels this is the perfect bill for standardized punishments.

Mr. Coulter felt that it was wrong to stiffen penalties on all bills. This would make marijuana penalties higher. There are 3 states that make marijuana possession a felony and Nevada is one of them. To increase penalties would most likely make Nevada the harshest state.

Mr. Menchetti interjected that Nevada would just increase the existing fine; Nevada has always had a fine for marijuana charges.

Mr. Malone felt that you cannot let the lesser crimes go, that you have to deal with all of them and all of them equally. This is the whole point of the bill, to standardize felonies.

Mr. Coulter could not understand why this bill should pertain to the Infamous Crime Against Nature. This bill would add the possibility of a fine where none had formerly existed. Mr. Coulter had contacted the District Attorneys Office and found that this law is never enforced, so why put a fine on top of it?

Mr. Prengaman felt there were too many discrepancies in this bill and also questioned why the stiffer penalty for the Infamous Crime Against Nature.

Mr. Daykin was not sure why the increased penalty was necessary, but felt that it represented a policy decision in this state. The bill treats like crimes of like severity alike. The fine in this instance would not be an alternative but an addition. The amount of the fine is left up to the sentencing judges discretion.

There were no fines reduced in this bill but some were abolished. Mr. Daykin would like to see this bill passed now.

Mr. Malone interjected that he would like to go back to A.B. 461. He outlined the bill a little more and pointed out that in the long run it would cost the state more money because the prisoner would be on parole longer.

Mr. Malone motioned to Indefinitely Postpone A.B. 461; Mr. Fielding seconded the motion. The Committee approved the motion on the following vote:

Aye - Hayes, Stewart, Malone, Horn, Polish, Banner, Prengaman, Fielding, Coulter, Brady, Sena - Unanimous

Nay - None

Absent - None

The meeting was adjourned at 9:55 a.m.

Respectfully submitted,

Judy E. Williams
Judy E. Williams
Secretary