

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:

John H. Andrew	Nv Retail Association
	J.C. Penney Co.
Paula Fitzgerald	Dept. of Prisons
Sam Mamet	Clark County
Mike Medema	Dept. of Prisons

ASSEMBLY BILL 584

Provides for service of process on executors and administrators by registered or certified mail.

Sam Mamet, representing Clark County, testified for A.B. 584. He stated that this bill was recommended by their clerk. Instead of the clerks office being responsible for personally serving papers, the attorney of record would be responsible for mailing records. The clerks office would not have to worry about the mandatory \$2 fee since it would be the responsibility of the attorney.

SENATE BILL 346

Defines crime of commercial bribery and provides penalty.

Mr. John H. Andrew, Regional Counsel for J.C. Penney's and representing the Nevada Retail Association, testified for S.B. 346. Mr. Andrew stated that this bill would declare that the practice of offering or receiving bribes in the conducting of business would be a crime. At the present time, Nevada is one of about half of the states which have not made this bribery criminal. Retail industries would like this bill to pass because the practice of bribery is something that they are quite prone to

when in the business of buying and selling goods. This statute was patterned after the New York statute.

Mr. Stewart questioned what if an employee was taken out to dinner with the intent to make a sale, or what about Christmas gifts?

Mr. Andrew stated that taking an employee out to dinner would not be considered a corrupt practice and as far as Christmas gifts would go, it would depend upon the questions of fact in each individual case.

Chairman Hayes stated that she felt the bill was a very good one but she would not want to pass something that could be used in another way.

ASSEMBLY CONCURRENT RESOLUTION 38

Encourages use of prisoners to educate youth against crime.

Mike Medema, Department of Prisons, testified for A.C.R. 38. He stated that this bill urges an educational program similar to "Scared Straight". So far they have gone through two phases of the program and a pilot program would be out by the end of May. Also, the governor has endorsed this program.

Mr. Malone questioned as to who would control and set up the curriculum.

Mr. Medema stated that the Warden would supervise this program and it would be made up of a volunteer staff and inmates. He would like to let the inmates design the program and feels that this could work out to be a very good program if right and a disastrous one if wrong.

At present, the only camera they have is a closed circuit camera in the women's but not at maximum. Mr. Malone voiced objections, feeling that a camera would hinder things and the inmates would not perform like they should.

Mr. Medema felt that if the supervisor also participates while he monitors them it would not cause any harm.

Chairman Hayes stated that a program of this type is needed to get to the kids who are right on the borderline of committing a crime. If these kids could see what is really going on, they would think twice before getting into trouble. She felt that the main problem is that this country thinks more of rehabilitation instead of prevention.

At 8:35 a.m. Chairman Hayes called for a 10 minute recess; the meeting reconvened at 8:45 a.m.

SENATE BILL 99

Consolidates various provisions relating to wrongful death actions.

Judge Thompson, Clark County, testified for S.B. 99. Mr. Thompson stated that too much time and money is spent litigating cases. This bill covers the subject of wrongful death. It would clarify three points: 1. Who can bring a cause of action for a wrongful death. 2. What can they recover. 3. What must be done with them. This is basically asking the legislature to clarify the laws.

ASSEMBLY BILL 697

Prohibits contact with department of parole and probation for purpose of influencing any action or report of the department concerning sentencing in a criminal action.

Mr. Bud Campos, Chief Parole and Probation Officer, testified on A.B. 697. Mr. Campos briefly stated that he did not know what this bill is for or what it means. He feels that in each case they receive information from many sources and are investigating the background of the individual and this is very influencing. He also stated though that they could not survive without this influence.

ASSEMBLY BILL 702

Requires landlords to hold tenants' security deposits in separate accounts.

Mr. Prengaman testified for this bill. He stated that it would require landlords who are holding tenants' security deposits to put them in a savings account that would collect a minimum of 5% interest or else pay the tenants the 5% interest. This would become mandantory after the tenants had resided there for 3 months. This would not apply to landlords who only owned 7 or less units. This savings account would have to be kept separate from all other accounts. It would be required that the tenants be paid their interest at least annually and it would go directly to them or be deducted from their rent. Mr. Prengaman would like to see the bill amended to say that the landlord could use his own discession as to what account the money could be put into. An interest accumulating account, or to co-mingle the money into other accounts.

Mr. Malone felt that problems could arise. If the money was put into an account that had more than a 5% interest rate, who would keep the extra interest, what type of notification would be given as to where the money went, and what if the damages inflicted to the apartment were more than the security deposit, would the landlord be allowed to assume the interest accumulated also?

Steve Coulter feels that the bill should read that the landlord is responsible for paying 5% interest and leave out the section relating to separate accounts and co mingling.

Mr. Horn feels that bill is an excellent concept but would it create more tenant and landlord problems along with an increased bookkeeping workload? He also feels that this could encourage non-refundable deposits.

Mr. Coulter moved to Do Pass A.B. 702; Mr. Fielding seconded the motion. Under committee rule 3 the motion lost to the following vote:

Aye - Prengaman, Coulter, Fielding, Sena - 4

Nay - Hayes, Stewart, Malone, Horn, Polish, Banner, Brady- 7

Absent - None

ASSEMBLY BILL 584

Mr. Stewart moved to Do Pass A.B. 584; Mr. Sena seconded the motion. The committee approved the motion on the following vote:

Aye - Unanimous

Nay - None

Absent - None

SENATE BILL 346

Mr. Brady moved Do Pass S.B. 346; Mr. Sena seconded the motion. The committee approved the motion on the following vote:

Aye - Hayes, Stewart, Prengaman, Fielding, Coulter, Brady,
Sena - 7

Nay - Horn, Polish, Banner - 3

Absent - None

Not Voting - Malone - 1

ASSEMBLY BILL 333

Consolidates, clarifies and amends certain provisions relating to comparative negligence.

Mr. Brady moved to Do Pass A.B. 333 as amended; Mr. Prengaman seconded the motion. The committee approved the motion on the following vote:

Aye - Hayes, Malone, Horn, Polish, Prengaman, Coulter,
Brady, Sena - 8

Nay - Stewart, Fielding - 2

Absent - Banner - 1

ASSEMBLY BILL 146

Consolidates and clarifies certain provision relating to comparative negligence.

Mr. Horn moved to indefinitely postpone A.B. 146; Mr. Sena seconded the motion. The motion was approved on the following vote:

Aye - Hayes, Malone, Horn, Polish, Prengaman, Coulter,
Brady, Sena - 8

Nay - Stewart, Fielding - 2

Absent - Banner - 1

ASSEMBLY BILL 644

Revises methods of serving notices of eviction.

Mr. Sena moved to indefinitely postpone A.B. 644; Mr. Brady seconded the motion. The committee approved the motion on the following vote:

Aye - Hayes, Stewart, Horn, Polish, Prengaman, Fielding,
Coulter, Brady, Sena - 9

Nay - None

Absent - Banner - 1

Not Voting - Malone - conflict of interest.

ASSEMBLY BILL 652

Permits appointment of psychologists to examine sanity of criminal defendants.

Mr. Horn moved to indefinitely postpone A.B. 652; Mr. Brady seconded the motion. The committee approved the motion on the following vote:

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

Nay - Banner

Absent - None

ASSEMBLY BILL 688

Revises definition of sexual assault.

Mr. Coulter moved to indefinitely postpone A.B. 688; Mr. Fielding seconded the motion. Mr Sena amended the motion and moved to Do Pass A.B. 688 as amended; Mr. Brady seconded the motion.

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

Nay - None

Absent - Banner

ASSEMBLY BILL 384

Subjects department of prisons to provisions of Nevada Administrative Procedure Act for purpose of adopting regulations.

Mr. Prengaman moved to Do Pass A.B. 384 as amended; Mr. Coulter seconded the motion. Under committee rule 3 the motion lost to the following vote:

Aye - Prengaman, Coulter, Sena - 3

Nay - Hayes, Stewart, Malone, Horn, Polish, Banner, Fielding,
Brady - 8

Absent - None

ASSEMBLY BILL 607

Requires installation of burglar alarm systems in all pharmacies.

Chairman Hayes stated that she would like to see all drug related crimes get a double penalty. It was decided that they would discuss this bill at a later date. Exhibit A.

ASSEMBLY BILL 225

Removes prohibition of employment of minors in public dancehalls.

Mr. Sena moved to indefinitely postpone A.B. 225; Mr. Fielding seconded the motion. Mr. Stewart amended the motion and moved to Do Pass A.B. 225 as amended. Mr. Horn seconded the motion. The committee approved the motion on the following vote:

Aye - Unanimous

Nay - None

Absent - None

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Chairman Hayes adjourned the meeting at 10:20 a.m.

Respectfully submitted,

Judy E. Williams

Judy E. Williams
Secretary



WASHOE COUNTY SHERIFF'S DEPARTMENT

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VINCENT G. SWINNEY
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RUSSELL T. SCHOOLEY
CHIEF, OPERATIONAL SERVICE BUREAU

JAY S. HUGHES
CHIEF, ADMINISTRATIVE SERVICE BUREAU

April 10, 1979

Honorable Karen Hayes,
Chairperson, Judiciary Committee
Nevada State Assembly
Capitol Complex
Carson City, Nevada 89710

Dear Ms. Hayes:

The Washoe County Sheriff's Department wishes to express its objections to a portion of AB 607 which requires the installation of burglar alarms in all pharmacies.

We heartily support the requirements for installation of such alarms but object to the provision that such alarms sound in a "police station" or a commercial monitoring service. It would appear that the wording of this section would allow the owner of the pharmacy to determine where he wanted such an alarm installed, and that the chief law enforcement officer of the jurisdiction would have no recourse - even if commercial monitoring facilities were available. It would be our recommendation that the bill be re-worded to require installation of such devices at commercial monitoring locations where they are available but permit installation of law enforcement offices when commercial facilities are not available.

Very truly yours,

ROBERT J. GALLI, SHERIFF*

by: 
R. W. KELLERER, Captain
Patrol Division