

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

PRESENT: Senator Close
Senator Hernstadt
Senator Don Ashworth
Senator Dodge
Senator Ford
Senator Raggio
Senator Sloan

ABSENT: None

SB 241 Prohibits gaming licensees from providing and certain state officers and employees from accepting specified items free of charge.

Senator Spike Wilson stated that this bill merely provides for a flat, straight across the board prohibition, except in cases of a public opening of some kind of a facility where the public is invited generally along with elected officials. This would prohibit the giving or payment of a comp to a legislator, a state elected official, members of the Gaming Commission Board or their staff. As far as the board or the staff is concerned with the gaming commission, they have, by regulation, to a large extent mooted this problem. In addressing the policy issue, it is really time that we put the issue to bed, and get it out of the way. It is a practice in this state which has grown and grown, year after year, until it has become an accepted form of largess. Public trust and largess are very incompatible concepts. The proposal of the bill is abrupt, it simply says this practice will stop and I think this is long overdue. The longer the existing dialogue continues, frankly the more reason the public is going to have to lose confidence in us all. The bill does not attempt to address local officials at the city or county level. However, you could apply the same analogy not only to gaming licensees, but to any business which is regulated, whether by the public service commission or by some other agency. He doesn't feel you effectively reach the problem by trying to limit the degree of comp, or to regulate it, or say what is or is not appropriate. This bill attempts to reach a problem by gaming licensees which is privileged. On the other hand the gaming industry does put a good deal of money in comps because they are a privileged industry. This has come to be an accepted practice and he feels that is appalling.

Senator Hernstadt asked if there was a reason city and county employees were left out of this bill.

Senator Wilson stated that he felt that if the Legislature

were going to pioneer in this area and effect what has been a tradition for years, the place to start is with ourselves and the people in state government. There is nothing wrong with extending the principle, but to show good faith the place to start is here in Carson City.

Senator Ford stated she agreed with the concept of the room, but was concerned in the area of the beverage. She felt this bill could be saying if you are long standing friends, you have a drink together, then each person must pick up their own tab. She felt this could be confining people in a social situation and could see some real problems with that.

Senator Wilson stated that there are probably ways to define this bill so that some of the practical problems could be avoided. He stated that the observation was a good one, but this practice has pervaded the entire system to the point where this type of dialogue is necessary.

Senator Ashworth stated he had another problem. As he reads this a gratuity, in its broadest sense, could be construed to mean one could no longer receive a political contribution.

Senator Wilson stated that perhaps this was a connotative problem. Gratuity to him has a personal connotation, which he feels would exclude campaign contributions. He agreed that the bill should not be ambiguous and there ought to be something put in which clearly provides that we are not talking about campaign contributions.

Senator Ashworth stated he had another problem. Keith Ashworth, who is a Senator, also works for Del Webb. He knows that many of Senator Ashworth's meals are comped by Del Webb for one reason or another. His question is, would this then mean that Keith Ashworth could no longer take any gratuity from the Del Webb Corporation?

Senator Wilson stated the point was well taken and perhaps something should be put in the bill which would cover situations where you are related to, or employed by a licensee.

Senator Ashworth also brought out the point of the case where there is a split ownership, such as the case of the Union Plaza being the owner of the Casino and the Union Pacific being the owner of the hotel.

Senator Raggio stated that he felt there was more inherent danger with a political contribution than a comp. He felt to really reach this situation it should be extended to political contributions and all areas including federal office holders, county and city office holders, and those who are employed in these categories. We should cover the

whole aspect of this situation.

Senator Wilson stated, "This is a modest bill and if you want to address a basic policy question in this Committee, that you will say a licensed industry shall be barred from making a political contribution, than have at it. If you are talking about political contributions that may influence a decision, as long as you have campaigns you are going to have that problem. But, I don't think you should say because the problem is larger, that you should not address this smaller one."

Senator Raggio stated that if you buy someone a \$5 lunch as compared to a \$5,000 political contribution, it should be obvious which way the scales are going to tip. He feels doing it in this limited manner is not reaching the problem.

Senator Wilson stated that the contribution addresses a different policy question and should be in a different bill.

Senator Raggio stated that there is another touchy subject and that is the media, in such things as advanced advertising fees from these industries.

Senator Wilson stated that the Legislators and public officials take oaths whereas he doesn't think the media does. The media has it's own code, but he doesn't want to weight the bill to the point that it sinks to the cellar, and he feels that is where this discussion is going. "This is a modest bill and certainly will not make the dishonest public servant honest, but it may be of some small modest help."

Senator Ashworth stated he thought there was a problem with the terminology. Say you had a person that comes in and is not really comped but is charged \$1 for a drink, \$1 for a room, and \$1 for entertainment, under this statute that might be considered perjury.

Senator Wilson stated he felt that would be an evasion.

Senator Sloan stated that as this bill reads you would have to go by fair market value. You would then have to pay full rate at say the Ormsby House which has a state rate or at the City Center Motel which has reduced rates for the Legislators.

Senator Wilson stated that perhaps they should consult the wordsmiths for some better language to cover the points that were brought up.

Roger Trounday and Jack Stratton with the Gaming Control Board took the witness table.

Mr. Trounday stated this bill would have no effect on the Board in relation to their present policy, which goes a little further than this bill. Their people are not

even allowed to take a room where there are live table games. So most of their people stay at motels where there is maybe one or two slot machines. We would have no opposition to this bill, but would like to alert the Committee to give us some guidelines as what is expected from us with regard to auditing. When we go in and do an audit, we look at the comp list but we do only a sampling, to make sure that the taxes on a particular comp have in fact been paid. If they have done a good job in their bookkeeping we do not expand our sampling, if not we may double the sampling that we take. In the last fiscal year the comps in this state amounted to \$204,000,000, of which elected officials made up a very small percentage. Most of these were junkets and people from out of state. In relation to the adoption of this bill, we would need some type of direction as to what kind of penalty would be imposed on our licensees should they be found guilty. Also, what is done with the information as far as reporting is concerned? Does one infraction cause serious enough impact to go after the licensee as far as the complaint is concerned?

Senator Dodge asked if this could be handled in the same manner as other infractions or violations.

Mr. Trounday stated that if the charge isn't too serious a "show cause" order is issued. If they respond in a satisfactory manner we do not carry it beyond that point. If it is serious enough then we file a complaint to the Commission and then they have the option to fine them or whatever. Whenever we have a complaint and have a hearing before the Commission it is a public hearing, but once that is resolved that wraps it up. We have no reporting requirements beyond that.

Senator Raggio asked if this were adopted, should it be an absolute mandate, or should there be some kind of leeway?

Mr. Trounday stated that with a mandate situation it makes it almost inflexible. In a matter as sensitive as this he felt there should be some direction so they would have some discretion in carrying it out.

Mr. Stratton stated he felt the industry itself should be consulted. They may have some objection as to abuse, because they could be set up in some way.

Senator Dodge asked if perhaps, as a controlling agency, they might not be getting into the Legislative branch with this type of legislation.

Mr. Trounday stated that was his point, because after you go after the licensee what do we do with the information?

Senator Ford asked if the room and beverage comps were kept

separate or all lumped together.

Mr. Trounday stated that they are identified individually, but that it would be a tremendous task to try and isolate those and go back and review them. In any situation where you have to look at specifics, it adds to audit time and cost. Our main function is to make sure that we are getting the entertainment tax and at the same time make sure that there are no undesirable elements receiving comps in an operation.

Senator Dodge stated he felt if we were going to process this bill there should be some type of reporting procedure, so there could be some disciplinary procedure within the Legislative body itself.

No action was taken at this time.

SB 156 Makes defacement or destruction of political signs a crime.

See minutes of February 20 for testimony and discussion.

After some discussion the Committee agreed that this is covered under NRS 206.310. If any change is made it should be by city or county ordinance.

Senator Dodge moved to "indefinitely postpone"
SB 156.

Senator Hernstadt seconded.

Motion carried unanimously.

SB 194 Provides for preliminary hearing after indictment.

See minutes of February 15 and 16 for testimony and discussion.

Senator Raggio stated that we have come a long way in the Grand Jury process, but wouldn't want to go any further. He does not feel the present practice is deficient. This bill would extend the defendants' rights in the Grand Jury beyond those that are afforded to a defendant that is charged merely by a criminal complaint issued by a District Attorney. Also, in those sensitive areas brought out in previous testimony, it is most important to retain the law as it now stands.

Senator Dodge stated he was still concerned over the different procedures in southern and northern Nevada. He feels that this is wrong and should be uniform.

Senator Ashworth moved to "indefinitely postpone"
SB 194.

Senator Sloan seconded.

Motion carried, vote was as follows:

AYES:

Senator Close
Senator Don Ashworth
Senator Hernstadt
Senator Ford
Senator Raggio
Senator Sloan

NAYS:

Senator Dodge

SB 9 Revises criminal penalties.

Senator Close stated that the Committee had in front of them the analysis of Ed Taylor (see attachment A), of the final analysis of Frank Daykin on the repealers and would like them to go over it to see if this is what they want.

The Committee agreed to make everything uniform as to fines and penalties, even though some of the sentences previously did not carry fines under the statutes. They also wanted to make sure that under NRS 475.040, the forestry part is not repealed.

Senator Dodge moved that SB 9 be passed out of Committee with an "amend and do pass" recommendation.

Senator Hernstadt seconded.

Motion carried unanimously.

SB 105 Clarifies procedures and requirements for disclaimers of property interests.

Senator Close stated these were the latest amendments from Frank Daykin (see attachment B). These were requested by the Committee and he would like them to go through these to make sure this was the way the Committee wanted them.

As the Committee had to go into Session, it was agreed that they would each check these over and take them up at a later date.

The meeting was adjourned at 10:58 a.m.

APPROVED

Respectfully submitted,

Virginia C. Letts
Virginia C. Letts, Secretary

Senator Melvin D. Close, Jr (Committee Minutes)
Chairman

MEMORANDUM

Senate Committee on Judiciary

DATE: 2/26/79

FROM: Edwin E. Taylor, Jr., Deputy Attorney General
Criminal Division

SUBJECT: Senate Bill No. 9

After reviewing Mr. Daykin's letter of February 20, 1979, to the Committee, and myself having compared the provisions repealed by Section 241 of Senate Bill No. 9 with more general statutes, I am satisfied, with some exceptions, that the specific provisions repealed are covered by the general statutes. The following are the exceptions:

1. NRS 422.330 provides that any relative responsible for the support of minor children who, not necessarily being under oath, signs a statement of information and therein "willfully" states as true any material matter which he knows to be false is guilty of perjury. This is not covered by the general perjury statute (NRS 199.120, section 13, lines 16-28, page 4 of S.B. No. 9).

2. NRS 647.095 and NRS 647.145 provide that junk and secondhand dealers who fail to use ordinary care in determining whether the seller of utility equipment has a legal right to do so are guilty of "criminally receiving such property". These provisions punish inadequate inquiry by the dealer as applied to the purchase of utility equipment, an inquiry set forth in NRS 647.060 and 647.110. NRS 205.275, the general receiving stolen property, addresses, of course, the purchase, possession, etc., of stolen property knowing it to be stolen. A dealer under the two repealed statutes need not know property was stolen in order to be convicted.

EET:bjs

422.330 STATE WELFARE ADMINISTRATION

422.330 Written statements by responsible relatives; perjury. Written statements of information required from responsible relatives of applicants or recipients need not be under oath, but any person signing such statements who willfully states therein as true any material matter which he knows to be false shall be subject to all the penalties for perjury as provided by law.

[Part 12a:327:1949; added 1951, 296; A 1953, 333]

422.340 Enforcement of support by legal action. The welfare division shall advise the attorney general of the failure of a responsible relative to contribute to the support of a recipient of public assistance as required by law. The attorney general shall cause appropriate legal action to be taken to enforce such support, and in addition may collect a reasonable fee which shall be added to the costs of the action in any justice's court of the state, the expense of such fee and costs to be borne by the relative. Any fees collected by the attorney general under the provisions of this section shall be deposited in the general fund in the state treasury.

[Part 12a:327:1949; added 1951, 296; A 1953, 333]—(NRS A 1961, 90; 1963, 907)

422.350 Liability of relative not grounds for denying, discontinuing public assistance; acceptance of assistance deemed consent to suit by recipient against responsible relative. The liability of a relative to contribute to the support of a recipient of public assistance established by this chapter shall not be grounds for denying or discontinuing public assistance to any person; but by accepting such public assistance the recipient thereof shall be deemed to consent to suit in his name by the county against such responsible living relative or relatives and to secure an order for his support.

[Part 12a:327:1949; added 1951, 296; A 1953, 333]

The next page is 14661

JUNK AND SECONDHAND DEALERS 647.110

and description of the articles proposed to be shipped. Any such officer shall retain the application and description, and shall issue to the applicant a permit for the shipment of articles enumerated and described in the application.

[6a:22:1921; added 1929, 364; NCL § 3726]

647.080 Power of municipalities to license, tax and regulate not impaired. NRS 647.010 to 647.095, inclusive, shall not be construed as impairing the power of cities or incorporated towns in this state to license, tax and regulate any person, firm or corporation now engaged in or hereafter engaged in the buying and selling of junk.

[Part 7:22:1921; NCL § 3727]—(NRS A 1971, 931)

647.090 Penalties. Any junk dealer who shall be found guilty of a violation of any of the provisions of NRS 647.010 to 647.080, inclusive, is guilty of a misdemeanor.

[Part 7:22:1921; NCL § 3727]—(NRS A 1967, 645)

647.095 Criminally receiving junk; penalty.

1. Any junk dealer or any agent, employee or representative of a junk dealer who buys or receives any junk which he knows or should reasonably know is ordinarily used by and belongs to a telephone, telegraph, gas, water, electric or transportation company or county, city or other political subdivision of this state engaged in furnishing utility service, and who fails to use ordinary care in determining whether the person selling or delivering such junk has a legal right to do so, is guilty of criminally receiving such property.

2. Any person convicted of criminally receiving junk shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years or in a county jail for not more than 1 year, or by a fine of not more than \$1,000, or by both fine and imprisonment.

(Added to NRS by 1971, 930)

SECONDHAND DEALERS

647.100 "Secondhand dealer" defined. As used in NRS 647.100 to 647.145, inclusive, every person engaged in whole or in part in the business of buying and selling secondhand personal property, metal junk or melted metals shall be deemed to be a secondhand dealer.

[1911 C&P § 207; RL § 6472; NCL § 10155]—(NRS A 1971, 931)

647.110 Record of transactions; inspection of record and goods.

1. Every secondhand dealer doing business in any incorporated city or unincorporated town in this state shall maintain in his place of business a book or other permanent record in which shall be legibly written in the English language, at the time of each purchase or sale, a record thereof containing:

(a) The date of the transaction.

(1973)

21923

JUNK AND SECONDHAND DEALERS 647.145

business within 4 days after the receipt thereof shall have been reported to the sheriff or the chief of police as provided in NRS 647.120.
[Part 1911 C&P § 203; RL § 6468; NCL § 10151]

647.140 Penalties. Every secondhand dealer and every clerk, agent or employee of a secondhand dealer is guilty of a misdemeanor, who shall:

1. Fail to make an entry of any material matter in his book or record kept as provided for in NRS 647.110.
2. Make any false entry in his book or record kept as provided for in NRS 647.110.
3. Falsify, obliterate, destroy or remove from his place of business the book or record kept as provided for in NRS 647.110.
4. Refuse to allow the district attorney or any peace officer to inspect the book or record kept as provided for in NRS 647.110, or any goods in his possession, during the ordinary hours of business.
5. Report any material matter falsely to the sheriff or to the chief of police.
6. Fail to report forthwith to the sheriff or to the chief of police the possession of any property which he may have good cause to believe has been lost or stolen, together with the name of the owner, if known, and the date when, and the name of the person from whom, the same was received by him.
7. Remove, or allow to be removed, from his place of business any property received, within 4 days after the receipt thereof shall have been reported to the sheriff or to the chief of police.
8. Receive any property from any person under the age of 18 years, any common drunkard, any habitual user of controlled substances as defined in chapter 453 of NRS, any habitual criminal, any person in an intoxicated condition, any known thief or receiver of stolen property, or any known associate of such thief or receiver of stolen property, whether such person be acting in his own behalf or as the agent of another.

[Part 1911 C&P § 204; RL § 6469; NCL § 10152]—(NRS A 1971, 2046; 1973, 1580)

647.145 Criminally receiving junk; penalty.

1. Any secondhand dealer or any agent, employee or representative of a secondhand dealer who buys or receives any junk which he knows or should reasonably know is ordinarily used by and belongs to a telephone, telegraph, gas, water, electric or transportation company or county, city or other political subdivision of this state engaged in furnishing utility service, and who fails to use ordinary care in determining whether the person selling or delivering such junk has a legal right to do so, is guilty of criminally receiving such property.
2. Any person convicted of criminally receiving junk shall be punished by imprisonment in the state prison for not less than 1 year nor more than 5 years or in a county jail for not more than 1 year, or by a fine of not more than \$250, or by both fine and imprisonment.

(Added to NRS by 1971, 930)

The next page is 21933

(1973)

21925

SENATE BILL NO. 105-COMMITTEE ON JUDICIARY

January 24, 1979

Referred to Committee on Judiciary

SUMMARY - Clarified procedures and requirements
for disclaimers of property interests.
(BDR 10-418)

FISCAL NOTE: Effect on Local Government: No
Effect on the State or on
Industrial Insurance: No

Explanation - Matter in italics is new; matter in brackets[]
is material to be omitted.

AN ACT relating to disclaimers of property interest;
clarifying procedures and requirements for valid
disclaimers and waivers of the right to disclaim;
and providing other matters properly relating thereto.

The people of the State of Nevada, represented in Senate
and Assembly, do enact as follows:

1. SECTION 1. Title 10 of NRS is hereby amended by adding
2. thereto a new chapter to consist of the provisions set
3. forth as sections 2 to 11, inclusive, of this act.
4. SEC. 2. As used in this chapter, unless the context
5. otherwise requires:
6. 1. "Beneficiary" means any person entitled, but for his
7. disclaimer, to take an interest:
8. (a) By intestate succession;
9. (b) By devise;
10. (c) By legacy or bequest;
11. (d) By succession to a disclaimed interest;
12. (e) By virtue of an election to take against a will;
13. (f) As beneficiary of a testamentary trust;
14. (g) Pursuant to the exercise or nonexercise of a
15. power of appointment;
16. (h) As donee of any power of appointment; or
17. (i) As beneficiary of an inter vivos gift, whether
18. outright or in trust.

1. 2. "Interest" means the whole of any property, real or
2. personal, legal or equitable, present or future, or any
3. fractional part, share or particular portion or specific
4. assets thereof, or any estate in any such property, or
5. power to appoint, consume, apply or expend property, or
6. right, power, privilege or immunity relating thereto.
7. 3. "Disclaimer" means a written instrument which declines,
8. refuses, renounces or disclaims any interest which would
9. otherwise be succeeded to by a beneficiary.
10. 4. "Disclaimant" means a person who executes a disclaimer.
11. SEC. 3. A beneficiary who is 18 years of age or over and
12. competent may disclaim any interest, in whole or part,
13. by filing a disclaimer as provided in this chapter. The
14. disclaimer must:
 15. 1. Identify the decedent or donor;
 16. 2. Describe the property or part thereof or interest
 17. therein disclaimed;
 18. 3. Declare the disclaimer and the extent thereof; and
 19. 4. Be signed by the disclaimant.
20. SEC. 4. A disclaimer to be effective must be filed within
21. a reasonable time after the person able to disclaim acquires
22. knowledge of the interest. .
 23. 1. Except as otherwise provided in subsection 3, a
 24. disclaimer is conclusively presumed to have been filed
 25. within a reasonable time if filed:
 26. (a) In case of interests created by will, within 9 months
 27. after the death of the person creating the interest.
 28. (b) In case of interests arising from intestate succession,
 29. within 9 months after the death of the person dying
 30. intestate.
 31. (c) In case of interests created by inter vivos trust,
 32. within 9 months after the interest becomes indefeasibly
 33. fixed.

1. (d) In other cases, within 9 months after the first knowledge
2. of the interest is acquired by a person able to disclaim.
3. (e) Interests resulting from the exercise or nonexercise of a
4. testamentary or nontestamentary power of appointment shall
5. be deemed created by the donee of the power.
6. 2. If the disclaimer is not filed within the time set forth
7. in subsection 1, the disclaimant has the burden of establishing
8. that the disclaimer was filed within a reasonable time after he
9. acquired knowledge of the interest.
10. 3. A disclaimer is conclusively presumed not to have been
11. filed within a reasonable time after the person able to disclaim
12. acquired knowledge of the interest if:
13. (a) An interest in the property which is in whole or in
14. part sought to be disclaimed has been acquired by a
15. purchaser or encumbrancer for value subsequent to or
16. concurrently with the creation of the interest sought
17. to be disclaimed and before the disclaimer; and
18. (b) One year has elapsed from the death of the person dying
19. intestate or creating by will the interest sought to be
20. disclaimed, or from the date of the transfer by inter
21. vivos gift, whether outright or in trust.
22. SEC. 5, 1. The disclaimer must be filed:
23. (a) In case of interests created by will or arising from
24. intestate succession, with the district court in the
25. county in which the estate of the decedent is administered,
26. and a copy must be filed with the personal representative
27. of the decedent. If there is no administration, the
28. disclaimer must be filed with the district court in
29. the county in which administration would be proper.
30. (b) In case of interests created by an inter vivos trust,
31. with the trustee then acting.
32. (c) In other cases, with the person creating the interest
33. or his successor or representative.

1. 2. A disclaimer made pursuant to this chapter which affects
2. real property or an obligation secured by real property must
3. be acknowledged or proved, and recorded, in the same manner
4. as a deed or real property. The acknowledgement or proof,
5. the recording, or the absence of any of these has the same
6. effect as for a deed of real property. Failure to file a
7. disclaimer which is recorded pursuant to this subsection
8. does not affect the validity of any transaction with respect
9. to such real property or obligation secured thereby.
10. SEC. 6, 1. A disclaimer, when effective, is binding upon
11. the beneficiary and all persons claiming by, through or
12. under him.
13. 2. A person who, under this chapter, could file a disclaimer,
14. may, instead file a written waiver of a right to disclaim.
15. The waiver, when filed, is binding upon the beneficiary and
16. all persons claiming by, through or under him.
17. SEC. 7. Unless otherwise provided by an express reference
18. to the possibility of a disclaimer in the will, inter vivos
19. trust, exercise of the power of appointment, or other
20. written instrument creating or finally determining an
21. interest, the interest disclaimed, and any future interest
22. which is to take effect in possession or enjoyment at or
23. after the termination of the interest disclaimed shall
24. descend, go, be distributed or continue to be held as if
25. the beneficiary disclaiming had predeceased the person
26. creating the interest. In every case, the disclaimer relates
27. back for all purposes to the date of the creation of the
28. interest.
29. SEC. 8, 1. A disclaimer may not be made after the beneficiary
30. has accepted the interest to be disclaimed, but an
31. acceptance does not preclude a beneficiary from thereafter
32. disclaiming all or part of any interest to which he became
33. entitled because another person disclaimed an interest, if

1. the beneficiary had no knowledge of the interest.
2. 2. For the purposes of this chapter, if a disclaimer
3. has not theretofore been filed, a beneficiary has
4. accepted an interest if he:
 5. (a) Makes a voluntary assignment or transfer of, or
 6. contract to assign or transfer, the interest or any
 7. part thereof:
 8. (b) Executes a written waiver of the right to disclaim
 9. the interest; or
 10. (c) Sells or otherwise disposes of the interest or
 11. any part thereof pursuant to judicial process.
12. SEC. 9. The right to disclaim exists irrespective of
13. any limitation imposed on the interest of a beneficiary
14. in the nature of an expressed or implied spendthrift
15. provision or similar restriction.
16. SEC. 10. Any interest created before the effective
17. date of this act may be disclaimed in the manner provided
18. in this chapter, but no interest which has arisen before
19. the effective date of this act in any person other than
20. the beneficiary is destroyed or diminished by any
21. action of the disclaimant taken pursuant to this
22. chapter.
23. SEC. 11. This chapter is declaratory of the existing
24. law and policy of this state and applies to all disclaimers
25. whether executed before or after the effective date of this
26. act, but it does not limit or abridge any presently existing
27. rights of any person to assign, convey, release or disclaim
28. any property or interest therein pursuant to any other law
29. of this state.
30. SEC. 12. This act shall become effective upon passage and
31. approval.

SENATE BILL NO. 9—COMMITTEE ON JUDICIARY

JANUARY 15, 1979

Referred to Committee on Judiciary

SUMMARY—Revises criminal penalties. (BDR 16-90)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to crimes and punishments; providing or increasing supplemental fines for certain felonies; simplifying the categories of fines for misdemeanors and gross misdemeanors; consolidating the respective statutes on perjury, public records and malicious mischief; revising certain other penalties; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 196.030 is hereby amended to read as follows:
2 196.030 Every person having knowledge of the commission of
3 treason, who conceals [the same,] *such crime*, and does not, as soon
4 as may be, disclose such treason to the governor or a justice of the
5 supreme court or a judge of the district court, [shall be] *is* guilty of the
6 misprision of treason and *shall be* punished by imprisonment in the
7 state prison for not less than 1 year nor more than 3 years [.] , and
8 *may be further punished by a fine of not more than \$5,000.*
9 SEC. 2. NRS 197.010 is hereby amended to read as follows:
10 197.010 Every person who [shall give, offer or promise,] *gives,*
11 *offers or promises,* directly or indirectly, any compensation, gratuity or
12 reward to any executive or administrative officer of the state, with intent
13 to influence him with respect to any act, decision, vote, opinion or other
14 proceeding, as such officer, shall be punished by imprisonment in the
15 state prison for not less than 1 year nor more than 10 years, and may
16 be further punished by a fine of not more than [\$5,000.] *\$10,000.*
17 SEC. 3. NRS 197.020 is hereby amended to read as follows:
18 197.020 Every person who [shall give, offer or promise,] *gives,*
19 *offers or promises,* directly or indirectly, any compensation, gratuity or
20 reward to a person executing any of the functions of a public officer
21 other than as specified in NRS 197.010, 199.010 and 218.590, with
22 intent to influence him with respect to any act, decision, vote or other
23 proceeding in the exercise of his powers or functions, shall be punished

SENATE BILL NO. 156—SENATOR NEAL

JANUARY 30, 1979

Referred to Committee on Judiciary

SUMMARY—Makes defacement or destruction of political signs a crime.
(BDR 16-286)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to malicious mischief; making defacement or destruction of political signs a crime in certain circumstances; providing a penalty; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 206 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *Any person who maliciously defaces or destroys any political sign*
4 *placed in a location and within the time limits as may be permitted by*
5 *law shall be punished by a fine of not more than \$500.*
6 2. *This section does not apply to the owner or lessee of the land on*
7 *which the sign was placed without the consent of the owner or lessee.*

SENATE BILL NO. 194—SENATOR DODGE

FEBRUARY 8, 1979

Referred to Committee on Judiciary

SUMMARY—Provides for preliminary hearing after indictment. (BDR 14-1083)

**FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.**



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to criminal procedure; granting an accused the right to a preliminary hearing after an indictment has been found; and providing other matters properly relating thereto.

***The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:***

- 1 **SECTION 1.** Chapter 173 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 *After an indictment has been found, the accused has the right to a*
4 *preliminary examination before a magistrate.*