

The meeting was called to order at 1:00 p.m. Senator Close was in the Chair.

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

ABSENT: Senator Ford, excused

SB 321 Authorizes judicial review of corporate takeover bids.

(See minutes of March 23 for testimony.)

After a short discussion, the Committee agreed that Section 6 should be deleted.

Senator Hernstadt moved that SB 321 be passed out of Committee with an "amend and do pass" recommendation.

Seconded by Senator Sloan.

Motion carried unanimously. Senators Ford and Dodge were absent from the vote.

AB 158 Eliminates limitation on admissibility of evidence of transactions or conversations with or actions of deceased persons.

(See minutes of March 6 for testimony.)

Senator Sloan moved that AB 158 be passed out of Committee with a "do pass" recommendation.

Seconded by Senator Raggio.

Motion carried unanimously. Senators Ford and Dodge were absent from the vote.

SB 289 Provides for creation of easements for collection of solar energy.

Senator Close stated that he has talked with Gil Buck, and Mr. Buck states that they have reached an agreement with the solar energy people. They have agreed to strike everything after line 21. They have not agreed on the language on lines 12 and 20.

Senator Hernstadt stated he could see nothing wrong with the language as it was a voluntary thing.

Senator Sloan stated he would like to see some amendments to make the bill more palatable.

Senator Hernstadt stated that the eneregy people had stated that they would rather have something than nothing.

Senator Close asked if the Committee agreed on the language on lines 12 thru 20, and then deleting from line 21 on.

The Committee concurred.

Senator Sloan moved that SB 289 be passed out of Committee with an "amend and do pass" recommendation.

Seconded by Senator Hernstadt.

Motion carried unanimously. Senators Ford and Dodge were absent from the vote.

SB 294 Provides for establishing parentage and enforcing support of children.

(See minutes of March 13, 14 and 20 for discussion and testimony.)

Senator Close stated that the Committee had before them a binder that was sent over by Ace Martell, and was prepared to clarify the changes and the bill. (see seperate binder for this information.)

He stated that on each page the top part is the Nevada Law, the middle section is the Uniform Act and the bottom part is the comments.

The Committee started through this but decided that they needed the Welfare people to come back in to discuss why they did certain things and answer questions the Committee might have.

No action was taken at this time.

SB 295 Requires certain justices of the peace to serve full time.

(See minutes of March 13, 14 and 26 for testimony and discussion.)

Senator Sloan moved that SB 295 be passed out of Committee with an "amend and do pass" recommendation.

Seconded by Senator Ashworth.

Motion carried unanimously. Senators Ford, Raggio and Hernstadt were absent from the vote.

AB 95 Provides certain immunity from civil damages to physician who provides treatment to patient in rural community in emergency.

(See minutes of March 12 for testimony and discussion.)

Senator Sloan stated he thought this was the wrong way to approach a real problem in the small counties. He felt it would hold out a false hope, and perhaps something more productive could be done, such as having some state financial help.

Senator Dodge stated that there is already much being done to try and help in terms of emergency medical services, rural health care, and others. He stated his personal opinion is that this is an invitation to practice sloppy medicine. Especially bad is the language that provides or arranges for further treatment of the patient.

Senator Hernstadt stated he felt the locality rule should be sufficient to give the rural physician protection.

Senator Sloan moved that AB 95 be "indefinitely postponed."

Seconded by Senator Ashworth.

Motion carried unanimously with Senator Dodge abstaining. Senators Ford and Raggio were absent from the vote.

SB 292

Provides for periodic payments of certain damages recovered in malpractice claims against providers of health care.

(See minutes of March 15 for testimony and discussion.)

Senator Close stated the Committee should go through the bill to make sure it says what they had agreed on.

Senator Dodge stated that the whole theory of structured settlements was the fact that on a lump sum basis, it is based on some actuarial information.


Senator Close stated that in Section 2 it should say something along the lines of "until recovered" or "for the length of the disability" instead of "for life."

Senator Hernstadt stated it should be decided by the court. The insurance company is going to say he is recovered and the guy is going to say he isn't.

Senator Close stated we could say that the money is based on the calculation of his life, then it should go for his life, even if he exceeds the actuarial basis. He stated he felt that the \$50,000 figure was low. That figure spread out over a lifetime is almost nothing. He felt it it should be \$100,000. The Committee concurred with this.

As a Commerce and Labor Committee meeting was scheduled for the hearing room, the Committee adjourned at 2:00 p.m.

Respectfully submitted,


Virginia C. Letts, Secretary

APPROVED:

Senator Melvin D. Close, Jr., Chairman

SENATE BILL NO. 289—COMMITTEE ON JUDICIARY

MARCH 2, 1979

Referred to Committee on Judiciary

SUMMARY—Provides for creation of easements for collection of solar energy. (BDR 10-883)

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 easements for the collection of solar energy; providing for creation of such an easement by grant or appropriation; providing for passing of such an easement upon transfer of the land; providing for termination; 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 111 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

3 SEC. 2. 1. *An easement for collection of solar energy may be created*
4 *by a grant from the owner of neighboring land to the owner of land on*
5 *which equipment for the collection of solar energy has been or is planned*
6 *to be installed.*

7 2. *The easement is an interest in real property.*

8 3. *The grant must be expressed in a written instrument, signed by*
9 *the grantor. When acknowledged, the instrument may be recorded by the*
10 *county recorder in the county where the burdened and benefited lands*
11 *are situated.*

12 4. *The instrument must include a description of:*

13 (a) *The burdened and benefited lands.*

14 (b) *The location, size and periods of operation of the equipment to be*
15 *used in collecting the solar energy.*

16 (c) *The open area to be preserved for passage of direct solar radia-*
17 *tion across the burdened land to the collecting equipment, by dimensions*
18 *or bearings from the equipment or by a statement that no obstructions*
19 *which cast a shadow on the equipment during its periods of operation*
20 *are allowed on the burdened land.*

21 SEC. 3. *Subject to the limitations set forth in section 4 of this act,*
22 *the owner of land used for a single-family residence may create an*
23 *easement by appropriation for the passage of direct solar radiation*
24 *across neighboring land if:*

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

SENATE BILL NO. 295—COMMITTEE ON JUDICIARY

MARCH 2, 1979

Referred to Committee on Judiciary

SUMMARY—Requires certain justices of the peace to serve full time.
(BDR 1-283)

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 justices' courts; requiring justices of the peace in certain townships to serve full time and prohibiting their other employment; 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 4 of NRS is hereby amended by adding thereto
2 a new section which shall read as follows:
3 *Each justice of the peace in a township having a population of more*
4 *than 60,000 as determined by the last preceding national census of the*
5 *Bureau of the Census of the United States Department of Commerce*
6 *shall devote his entire time and attention to the business of his office*
7 *and shall not pursue any other business or occupation or hold any other*
8 *office of profit.*

SENATE BILL NO. 321—SENATOR YOUNG

MARCH 12, 1979

Referred to Committee on Judiciary

SUMMARY—Authorizes judicial review of corporate takeover bids. (BDR 7-1126)

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 corporations; authorizing judicial review of corporate takeover bids; 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 78.3765 is hereby amended to read as follows:
2 78.3765 "Offeree [company] corporation" means a corporation
3 incorporated under the laws of Nevada whose shares are the subject of a
4 takeover bid.

5 SEC. 2. NRS 78.3767 is hereby amended to read as follows:
6 78.3767 "Offeror's presently owned shares" means the aggregate
7 number of shares of an offeree [company] corporation which are on the
8 date of a takeover bid either beneficially owned or subject to a right of
9 acquisition, directly or indirectly, by the offeror and each associate of the
10 offeror.

11 SEC. 3. NRS 78.377 is hereby amended to read as follows:
12 78.377 1. "Takeover bid" means an offer made by an offeror directly
13 or through an agent by advertisement or any other written or oral com-
14 munication to offerees to purchase such number of shares of any class
15 of equity securities of the offeree [company] corporation that:

16 (a) Together with the offeror's presently owned shares of that class,
17 will in the aggregate exceed 10 percent of the outstanding shares of such
18 class; or

19 (b) Together with the offeror's presently owned shares of all classes of
20 equity securities of the offeree [company,] corporation, will in the aggre-
21 gate, after giving effect to all conversion and purchase rights held and to
22 be acquired by the offeror, exceed 10 percent of the number of shares of
23 stock or a similar security of the offeree [company] corporation which
24 will be outstanding.

Original bill is 4 pages long.
Contact the Research Library for
a copy of the complete bill.

ASSEMBLY BILL NO. 158—COMMITTEE ON JUDICIARY

JANUARY 22, 1979

Referred to Committee on Judiciary

SUMMARY—Eliminates limitation on admissibility of evidence of transactions or conversations with or actions of deceased persons. (BDR 4-388)

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 admissibility of evidence; eliminating the requirement for corroborative evidence to support evidence of transactions or conversations with or actions of a deceased person.

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

- 1 SECTION 1. NRS 48.064 is hereby repealed.