

The meeting was called to order at 8:00 a.m. Senator Close was in the Chair.

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

ABSENT: None

SB 236 Makes various changes to laws regulating gaming.

For testimony and further discussion on this measure, see the minutes of the meetings for February 28, March 1, March 13, March 30, and April 2.

Senator Close informed the committee that there was an error in line 25 of the amendment. He stated that it should read "including but not limited to the agents of the government or of any state." The reason being, that it was felt that this could be construed to apply only to state agencies.

He further stated that the bill had been rereferred to the Senate committee on Finance and suggested that the amendment be sent to them for adoption.

Senator Ashworth moved to refer the amendment to Finance for adoption.

Seconded by Senator Ford.

Motion carried unanimously.

AB 504 Authorizes bailiffs in smaller counties under certain circumstances.

For testimony and further discussion on this measure, see the minutes of the meeting of April 6, 1979.

Senator Raggio moved to amend the measure by deleting the concurrence of the sheriff and to report the bill out of committee with an "amend and do pass" recommendation.

Seconded by Senator Ashworth.

Motion carried unanimously.

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

For testimony and further discussion on this measure, see the minutes of the meeting for February 26, 1979.

Senator Sloan stated that he believed this was covered under existing law. If it can be proved that an elected official accepted a complementary item with corrupt intent, he would be in violation of the law.

Senator Ashworth moved to indefinitely postpone SB 241.

Seconded by Senator Raggio.

Motion carried. The vote was as follows:

AYE:	Senator Close	NAY:	Senator Hernstadt
	Senator Don Ashworth		
	Senator Dodge		
	Senator Ford		
	Senator Raggio		
	Senator Sloan		

SB 398 Revises provisions of law concerning estates of decedents and minors.

For testimony and further discussion on this measure, see the minutes of the meeting for April 9, 1979.

The committee continued its review of each section.

Section 10: Senator Raggio stated that present law requires the appraiser to take his oath prior to the appraisal. This bill would allow him to take it following the appraisal.

Section 15: Amend line 15 to say "any attorney." The committee was concerned that otherwise, this would preclude more than one attorney as executor or administrator. This change will be made throughout the bill as necessary.

Section 17: It was the consensus of the committee to delete subsection 3 in that they felt it was inappropriate to let a 12 year old child have control of \$2,500.

Senator Raggio moved to report SB 398 out of committee with an "amend and do pass" recommendation.

Seconded by Senator Hernstadt.

Motion carried unanimously. Senator Dodge was absent from the vote.

AB 512 Includes willful and malicious burning of natural and cultivated flora in crime of third degree arson and re-defines certain other related offenses.

Les Groth, representing the Nevada Fire Chiefs and the Nevada Fireman's Association, testified that this measure had been drafted by the Nevada District Attorney's Association, in conjunction with the Nevada Fire Services Association, to close a loophole in the law.

Tom Huddleston, State Fire Marshall, informed the committee that present law does not specifically state that the burning of a forest or the growth in the area is a crime. He stated that there had been a case of an arsonist being released on this technicality. If the arsonist had not also burned federal lands, he would have gotten off completely.

Lowell Smith, State Forestry Fire Warden, testified in support of this measure.

Senator Ford asked what was meant by "without malice."

Mr. Huddleston replied that there is an inherent responsibility on the part of an individual setting a fire to see that it is controlled; that it is done in a safe manner; and to have some contingency plan in the event the fire escapes.

Senator Dodge stated that there had to be some intent in order to assign a criminal penalty to an action. He suggested using a standard of gross negligence, which would allow for civil recourse if state lands were burned.

Senator Ashworth concurred with Senator Dodge and further stated that "without malice" was so broad as to include any individual who started a fire, with malice or without.

Senator Raggio moved to report AB 512 out of committee with an "amend and do pass" recommendation.

Seconded by Senator Hernstadt.

Motion carried unanimously. Senator Dodge was absent from the vote.

AB 262 Removes distinctions based on sex from NRS 115.040, 115.050 and 115.070.

Senator Ford moved to report AB 262 out of committee with a "do pass" recommendation.

Seconded by Senator Ashworth.

Motion carried unanimously. Senator Dodge was absent from the vote.

AB 231 Authorizes district courts to grant certain relatives of deceased parent right to visit that parent's unmarried minor child.

Senator Hernstadt asked why this should only apply to deceased persons. He felt divorced parents should be included as well.

Senator Raggio agreed with Senator Hernstadt but questioned how this would be enforced.

Senator Ashworth stated that application would have to be made to the court because the original determination is made by the court. If the order were not adhered to, it would be contempt of court.

Senator Raggio concurred with that but pointed out that the bill was silent in that regard. He felt it should be specifically spelled out as to the mechanics of the petition.

It was the consensus of the committee that subsection 2 was written rather awkwardly.

Senator Sloan suggested amending line 3 to read "except as provided in subsection 2" and then deleting lines 12 through 14.

Senator Sloan moved to report AB 231 out of committee with an "amend and do pass" recommendation.

Seconded by Senator Hernstadt.

Motion carried unanimously.

SB 401 Prohibit disclosure of names of victims of sexual assault under certain circumstances.

For testimony and discussion on this measure, see the minutes for the meeting of April 9, 1979.

Senator Dodge moved to indefinitely postpone SB 401.

Seconded by Senator Hernstadt.

Motion carried unanimously.

BDR 1751 Urges abolition of statute of limitations for Nazi war crimes. (SJR 21)

Approved unanimously for committee introduction.

BDR 16-1744 Restricts penalty for certain cruel acts to animals belonging to another to instances where animal is restrained or on its owner's property.

The committee declined introduction of this matter.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Cheri Kinsley
Cheri Kinsley, Secretary

APPROVED:

Senator Melvin D. Close, Jr., Chairman