

The meeting was called to order at 8:00 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

AB 141 Prohibits advertisement of prostitution where its practice is unlawful.

For testimony, discussion and action on this measure, see the minutes of the meetings for February 23, April 21, and 25, 1979.

Senator Close informed the committee that Assemblyman Jan Stewart had proposed the following amendment: "It is unlawful for any owner, agent, or employee acting on his behalf to advertise..." Mr. Stewart believed that would take care of Senator Sloan's concern regarding the book which advertises houses of prostitution.

Senator Close stated that he had a further amendment which would make it prima facie evidence of advertising.

It was the consensus of the committee to adopt the amendments.

AB 647 Limits liability on account of preexisting relation when emergency care is provided to patient.

It was the consensus of the committee to go with SB 294 which is substantially the same as AB 647.

Senator Ford moved to indefinitely postpone AB 647.

Seconded by Senators Ashworth and Raggio.

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

SB 347 Authorizes additional manufacturing at department of prisons.

For testimony on this measure, see the minutes of the meeting for March 30, 1979.

Senator Sloan moved to indefinitely postpone SB 347.

Seconded by Senator Raggio.

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

AB 598 Provides for issuance of marriage licenses by certain wedding chapels.

For testimony on this measure, see the minutes of the meeting for April 30, 1979.

Senator Sloan moved to report AB 598 out of committee with a "do pass" recommendation.

Seconded by Senator Ashworth.

Motion carried unanimously.

In further discussion of this measure, Senator Raggio asked what the purpose was of allowing licenses to be sold only in the county seat. It was his opinion that they should be available throughout the county.

Senator Raggio moved to rescind the action on AB 598.

Seconded by Senator Dodge.

Motion carried unanimously.

Senator Raggio proposed to amend AB 598 by allowing the sale of marriage licenses in places other than the county seat.

Senator Raggio moved to report AB 598 out of committee with an "amend and do pass" recommendation.

Seconded by Senator Dodge.

Motion carried unanimously.

AB 599 Abolishes office of commissioner of civil marriages and allows police judges to perform marriages.

For testimony on this measure, see the minutes of the meeting for April 30, 1979.

Senator Dodge stated that he did not object to the requirement that the office for issuing marriage licenses be separate from the place of the ceremony but that he did not believe it was necessary that it be unconnected from the building.

Senator Sloan stated that the testimony before the Assembly committee had indicated that this would cause a problem for Clark County. They do not have space available to separate the two areas and would therefore have to rent additional offices.

Senator Raggio suggested deleting "unconnected." He stated that Washoe County has their offices set up on the same floor but on opposite sides of the building. It was his opinion that the separation was adequate for the purpose of keeping the two offices separate.

Senator Ford suggesting allowing them to remain in the same building but on different floors.

Senator Sloan proposed amending it by deleting "situated in a building separate from" and inserting "or located on a separate floor."

It was also the consensus of the committee to delete line 12, page 2 and allow the performance of marriages as long as licenses were being sold.

Senator Sloan moved to report AB 599 out of committee with an "amend and do pass" recommendation.

Seconded by Senator Hernstadt.

Motion carried. The vote was as follows:

AYE: Senator Close  
 Senator Ashworth  
 Senator Dodge  
 Senator Ford  
 Senator Hernstadt  
 Senator Sloan

NAY: Senator Raggio



AB 334 .Extends jurisdiction of district courts in divorce cases to adjudication of rights in property held in joint tenancy.

Bill Macdonald, Humboldt County District Attorney, and representing the District Attorneys' Association, testified in support of this bill. He stated that the problem arose when the courts decided that they did not have jurisdiction over joint tenancy property in a divorce action.

Senator Close stated that this removes the alimony situation on lines 3 and 4 but not on line 17. He suggested it be amended to make it consistent with lines 3 and 4.

Senator Raggio stated that the court has distinguished between a true joint tenancy, where the parties are fully informed, and a joint tenancy where the parties are merely holding their community property as a convenience. The Supreme Court has distinguished that the latter may in fact, be community property.

Senator Sloan suggested that the parties could make it a separate partition act. If it is legitimate joint tenancy property, the court is going to face it as a separate action for partition sooner or later. He felt they should be able to make it a combined action.

Senator Close further suggested that the court be allowed, on its own motion, to partition the joint tenancy property. An additional paragraph would have to be added to the effect that it would not be subject to the merits of the spouse, etc.

Senator Raggio moved to report AB 334 out of committee with an "amend and do pass" recommendation.

Seconded by Senator Sloan.

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

AB 338 Limits privilege of husband or wife to prevent testimony of other to testimony regarding events occurring after marriage.

Mike Malloy, Assistant District Attorney, Washoe County, testified in support of this measure. He cited an example wherein a man was arrested, his girlfriend was with him at the time, and they later married to avoid her having to testify against him.



Mr. Malloy stated that this has happened on more than one occasion.

Senator Sloan expressed concern over the legitimate cases. This would put the spouse in the position of having to testify against the other.

Senator Raggio asked what effect this would have on the federal laws in this area.

Frank Daykin, Legislative Counsel, responded that this is procedural law in the state of Nevada and would not affect the federal courts.

Senator Close asked what the federal law was in this area.

Mr. Daykin stated that he was not sure but believed the federal rules of evidence had a similar privilege.

No action was taken at this time.

AB 142 Creates crime of using minor in preparing pornography.

For testimony, discussion and action on this measure, see the minutes of the meetings for February 23, March 21, and April 21, 1979.

Senator Close stated that there was an error in the amendment which would make this a misdemeanor.

Senator Ashworth moved to rescind the previous action whereby AB 142 was amended and passed out of committee.

Seconded by Senator Sloan.

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

Senator Ashworth moved to report AB 142 out of committee with a "do pass" recommendation.

Seconded by Senator Sloan.

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

AB 267 Provides additional penalty for certain crimes against blind and aged persons.

Assemblyman Steve Coulter, District 27, testified in support of this measure. He stated that FBI statistics indicate that senior citizens, as a group, are more the victims of crimes of violence than any other group. He therefore felt that there was justification in singling them out in this type of legislation. He also stated that he believed this would serve as a deterrent to this type of crime if given enough publicity.

Senator Raggio stated that, although he agreed with the concept of this bill, his experience has been that when the penalty is enhanced and the sentence runs consecutively, the Parole and Pardons Board usually, for practical purposes, discards it. He asked if Mr. Coulter would object to making this type of crime non-probatable.

Mr. Coulter responded that he would not.

Senator Close expressed concern over the arbitrary figure of 65 years of age. He asked why an infirm person of 45 should not be covered by this. He further questioned the category of crimes. In the arson situation, how would you determine who it is you are trying to harm?

Mike Malloy, Assistant District Attorney, Washoe County, testified in support of this measure. In response to Senator Close's question regarding the 65 age cut-off, Mr. Malloy stated that, traditionally, 65 is the retirement age where people begin living on fixed incomes. In regard to Senator Raggio's observation that people did not serve more time with consecutive sentencing, Mr. Malloy disagreed. He stated that you have to serve out the minimum period before being parolled to the second sentence.

Senator Close stated that the court has the discretion to give a more severe penalty in cases of violent crimes, especially in this instance.

Mr. Malloy agreed but stated that he would feel better with this type of law because it would require 2 consecutive sentences and thus more time served.

Michael de la Torre, Director, Department of Law Enforcement Assistance, testified in support of this measure. He suggested that this bill be incorporated with NRS 193.165 dealing with mandatory sentencing. He further suggested that it could be included in the Governor's crime prevention program and a public awareness had knowledge of the infirmity or age of the victim.

Senator Raggio asked if, in order to convict someone under this statute, if it would be necessary to show that the defendant had knowledge of the infirmity or age of the victim.

Mr. Malloy responded that unless you included "knowingly" he did not believe so.

Senator Dodge stated that he did not see the need to double up the penalties in this type of crime.

Senator Close concurred and further stated that the judge has, at the present time, the ability to increase the sentencing if the case so warrants.

Senator Ashworth suggested deleting arson, mayhem, murder and manslaughter. Arson and mayhem are difficult to prove intent and murder and manslaughter already carry heavy penalties.

Senator Ashworth moved to report AB 267 out of committee with an "amend and do pass" recommendation.

Seconded by Senator Ford.

Motion carried. The vote was as follows:

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

SB 292 Provides for periodic payments of certain damages recovered in malpractice claims against providers of health care.

For testimony and further discussion of this measure, see the minutes of the meetings for March 15, 28, 29, and April 3, and 20, 1979.

The committee reviewed the amendments.



Senator Close stated that he believed that the injured party should be able to petition the court, as well as the trustee, if he feels that the security is inadequate.

With regard to the new Section 6, which reads as follows, "The judgment creditor may elect to receive an annuity purchased for him by the judgment debtor or his insurer, for the amount of the judgment.", Senator Sloan stated that it was ambiguous as to "the amount of judgment." He questioned whether that referred to the face amount of the judgment or the purchase price.

Senator Close stated that it should be for the amount of the judgment for future damages. In the annuity situation, there is no residual.

Senator Sloan stated that, as the victim, he should have the option of how he wants the award paid out, unless otherwise specified by the court.

Senator Close stated that his understanding of the structured settlement laws in existence was that the jury gives a separate verdict for pain and suffering. Then they also give a verdict for the medical care and treatment that the person is going to need. Under that verdict, they figure the estimated life of the individual and the amount needed each year for medical care. The jury then awards a lump sum for that amount.

Following that, the individual can then decide whether he wants an annuity purchased, which will go for lifetime, regardless of how long the person lives; or, put the cash in the bank and live on the interest, which may run out before the end of his lifetime.

Senator Dodge stated that the whole concept of structured settlements is a special finding. The order must specify the recipient of the payments, the amount of the payments, the interval between payments made, and the number of payments to be made.

Senator Close suggested that the committee discuss this with Frank Daykin, Legislative Counsel.

No action was taken at this time.

AJR 6

Proposes to amend Nevada constitution to confer right upon private citizens to keep and bear arms.

For testimony on this measure, see the minutes of the meeting for April 26, 1979.

Senator Raggio suggested, that since this was going into the constitution, it be made an affirmative statement. He questioned that if it were enacted as written, whether or not the legislature would be prohibited from enacting laws which would make it unlawful to carry a concealed weapon or for an ex-felon to possess a firearm.

Frank Daykin, Legislative Counsel, stated that that could be done. He informed the committee that the Ohio constitution simply provides that "the people have the right to keep and bear arms for their defense and security." That is it. They also have laws which prohibit the carrying of concealed weapons, etc.

Senator Raggio suggested deleting everything after "lawful purposes" on line 6.

Senator Raggio moved to report AJR 6 out of committee with an "amend and do pass" recommendation.

Seconded by Senator Sloan.

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

AB 584 Provides for service of process on executors and administrators by registered or certified mail.

Sam Mamet, representing Clark County, testified that this had been requested by county clerks throughout the state. At the present time, the clerk is responsible for personal service of various information on executors or administrators of an estate.

Senator Raggio stated that there is no requirement for the clerk to serve anyone. This merely serves as notice to them.

He expressed concern about removing this as it is a constructive service that is used in many areas in order to make sure that there is jurisdiction and that someone is available to accept service, particularly in the claims situation.

He further stated that this only allows the service to be mailed and not personally served. He did not believe that it really changed anything.

Senator Sloan moved to indefinitely postpone AB 584.

Seconded by Senator Raggio.

Motion carried unanimously. Senator Hernstadt was absent from ~~(Committee Minutes)~~ the vote.

SB 494 Revises rule for computing accrual of compensation and damages in condemnation actions.

Senator Dodge moved to withhold action on SB 494 until testimony could be received.

Seconded by Senator Ashworth.

Motion carried unanimously.

AB 479 Provides injunctive relief in certain situations of domestic violence.

For testimony and further discussion on this measure, see the minutes of the meetings for April 18 and 26, 1979.

Senator Sloan stated that he believed this should track the current language pertaining to temporary restraining orders. He did not want to establish a whole new procedure in this regard.

It was the consensus of the committee to track that language.

Senator Close stated that there were really two aspects of the bill.

Lines 1-13 pertain to the restraining order against physical violence. That is the part of the bill that the committee is most concerned about.

The second aspect of the bill that is causing the problems is trying to exclude one of the parties from the house. The affidavit is not really set up to sufficiently advise the court of the facts necessary to make a decision about excluding one of the parties from the house.

Senator Sloan suggested giving the court the authority to require the person seeking the exclusion order to appear personally.

Senator Dodge concurred and further suggested that the hearing procedure should track the language of Rule 65 in the Rules of Civil Procedure.

Senator Close also pointed out that the bill does not require that the person seeking the exclusion order be living there at the time. He felt that should be mandated.

No action was taken at this time.



There being no further business, the meeting was adjourned.

Respectfully submitted,

*Cheri Kinsley*

Cheri Kinsley, Secretary

APPROVED:

Senator Melvin D. Close, Jr., Chairman

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SENATE BILL NO. 347—SENATOR HERNSTADT

MARCH 21, 1979

Referred to Committee on Judiciary

SUMMARY—Authorizes additional manufacturing at department of prisons. (BDR 16-1129)

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



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

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AN ACT relating to the department of prisons; authorizing additional manufacturing at institutions of the department; requiring state agencies to purchase needed items from these institutions under certain circumstances; 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 209 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

3 SEC. 2. 1. *The director may purchase, within the limits of legislative*  
4 *appropriations, equipment, materials and supplies, hire necessary super-*  
5 *visory personnel and, with the approval of the state board of examiners,*  
6 *enter into contracts and other agreements to provide for the manufacture*  
7 *by prisoners of such articles as may be needed by the offices, depart-*  
8 *ments, institutions, boards, commissions and other agencies of this state,*  
9 *its political subdivisions and by charitable, civic, educational, fraternal*  
10 *or religious organizations in this state.*

11 2. *The director shall establish the price at which each article manu-*  
12 *factured at an institution of the department of prisons is to be sold and*  
13 *shall prepare, at such times as he deems necessary, a catalog containing*  
14 *the description and price of each article. Copies of the catalog must be*  
15 *sent to the chief of the purchasing division of the department of general*  
16 *services and using agencies as defined in NRS 333.020 and, upon their*  
17 *request, to local governments as defined in NRS 332.015 and to charita-*  
18 *ble, civic, educational, fraternal or religious organizations in this state.*

19 3. *Orders for such articles must be filled in the following order of*  
20 *priority:*

21 (a) *Using agencies.*

22 (b) *Local governments.*

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

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ASSEMBLY BILL NO. 142—ASSEMBLYMEN STEWART, HORN,  
SENA, FITZPATRICK, BRADY, TANNER, HAYES, FIELD-  
ING AND WAGNER

JANUARY 19, 1979

Referred to Committee on Judiciary

SUMMARY—Creates crime of using minor in  
preparing pornography. (BDR 16-30)

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.

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AN ACT relating to crimes against the person; creating the separate offense of  
using a minor in preparing pornography; providing a penalty; and pro-  
viding 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 200 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 SEC. 2. *A person who knowingly uses, promotes, entices or permits*  
4 *a minor to simulate on engage in or assist others to simulate or engage*  
5 *in any performance of sexual intercourse, lewd exhibition of the genitals,*  
6 *fellatio, cunnilingus, bestiality, anal intercourse, excretion, sado-maso-*  
7 *chistic abuse or masturbation for the purpose of preparing a film, photo-*  
8 *graph or any other representation, is guilty of a felony and shall be*  
9 *punished by imprisonment in the state prison for not less than 1 year nor*  
10 *more than 6 years, or by a fine of not more than \$5,000, or by both*  
11 *fine and imprisonment.*

12 SEC. 3. *A child is not abused or neglected, nor is his health or*  
13 *welfare harmed or threatened for the sole reason that his parent or*  
14 *guardian, in good faith, selects and depends upon nonmedical remedial*  
15 *treatment for such child, if such treatment is recognized and permitted*  
16 *under the laws of this state in lieu of medical treatment.*

17 SEC. 4. NRS 200.5011 is hereby amended to read as follows:

18 200.5011 As used in NRS 200.501 to 200.508, inclusive [ : ] , and  
19 sections 2 and 3 of this act:

20 1. "Child abuse and neglect" means the nonaccidental physical or  
21 mental injury, sexual abuse, negligent treatment or maltreatment of a

Original bill is 2 pages long.  
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a copy of the complete bill.



**A. B. 267**

ASSEMBLY BILL NO. 267—ASSEMBLYMEN COULTER, SENA,  
WAGNER, FIELDING, HORN, PRENGAMAN, MALONE,  
POLISH, BANNER, BRADY, HAYES, GETTO, DINI, JEFF-  
REY, PRICE AND WESTALL

FEBRUARY 2, 1979

Referred to Committee on Judiciary

SUMMARY—Provides additional penalty for certain crimes against blind  
and aged persons. (BDR 16-509)

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; providing an additional penalty for certain crimes  
against blind and aged persons; 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 193 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *Any person who commits the crime of:*  
4 (a) *Assault;*  
5 (b) *Battery;*  
6 (c) *False imprisonment;*  
7 (d) *Kidnaping;*  
8 (e) *Manslaughter;*  
9 (f) *Mayhem;*  
10 (g) *Murder;*  
11 (h) *Robbery;*  
12 (i) *Sexual assault; or*  
13 (j) *The infamous crime against nature,*  
14 *against any person who is aged or blind shall be punished by imprison-*  
15 *ment in the county jail or state prison, whichever is applicable, for a term*  
16 *equal to and in addition to the term of imprisonment prescribed by statute*  
17 *for the crime. The sentence prescribed by this section must run consecu-*  
18 *tively with the sentence prescribed by statute for the crime.*  
19 2. *This section does not create any separate offense but provides an*

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ASSEMBLY BILL NO. 334—COMMITTEE ON JUDICIARY

FEBRUARY 7, 1979

Referred to Committee on Judiciary

SUMMARY—Extends jurisdiction of district courts in divorce cases to adjudication of rights in property held in joint tenancy. (BDR 11-1022)

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.

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AN ACT relating to divorce; extending the jurisdiction of district courts in divorce cases to the adjudication of rights in property held in joint tenancy; 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 125.150 is hereby amended to read as follows:  
2 125.150 1. In granting a divorce, the court may award such alimony  
3 to the wife, or to the husband if he is disabled or unable to provide for  
4 himself, in a specified principal sum or as specified periodic payments,  
5 and shall make such disposition of the community property of the parties  
6 [.] and any property they hold in joint tenancy, as appears just and  
7 equitable, having regard to the respective merits of the parties and to the  
8 condition in which they will be left by [such] the divorce, and to the  
9 party through whom the property was acquired, and to the burdens, if  
10 any, imposed upon it, for the benefit of the children.  
11 2. Whether or not application for suit money has been made under  
12 the provisions of NRS 125.040, the court may award a reasonable  
13 attorney's fee to either party to an action for divorce if [attorneys']  
14 those fees are in issue under the pleadings.  
15 3. The court may also set apart such portion of the husband's prop-  
16 erty for the wife's support, or the wife's property for the husband's sup-  
17 port if he is disabled or unable to provide for himself, or the property of  
18 either spouse for the support of their children as [shall be] is deemed  
19 just and equitable.  
20 4. In the event of the death of either party or the subsequent remar-  
21 riage of the spouse to whom specified periodic payments were to be made,  
22 all [such] the payments required by the decree [shall] must cease,  
23 unless it was otherwise ordered by the court.  
24 5. If the court adjudicates the property rights of the parties, or an

ASSEMBLY BILL NO. 584—COMMITTEE ON  
GOVERNMENT AFFAIRS

MARCH 21, 1979

Referred to Committee on Government Affairs

SUMMARY—Provides for service of process on executors and administrators by registered or certified mail. (BDR 12-1233)

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 executors and administrators; providing for service of process on executors and administrators by registered or certified mail; 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 142.130 is hereby amended to read as follows:  
2 142.130 When a surety of an executor or administrator desires to be  
3 released from responsibility on account of future acts, he may make appli-  
4 cation to the court, or a judge thereof, for relief. The court or judge shall  
5 cite the executor or administrator to appear at a designated time and  
6 place and give other security. If the executor or administrator has  
7 absconded, left or removed from the state, or if he cannot be found after  
8 due diligence and inquiry, the citation may be served by leaving a copy of  
9 it at his residence or by such publication as the court or judge may order.  
10 [ , all in accordance with the provisions of NRS 143.190. ]

11 SEC. 2. NRS 143.190 is hereby amended to read as follows:  
12 143.190 1. Before letters testamentary, or letters of administration,  
13 or letters of administration with the will annexed, are delivered to any  
14 executor or administrator, he shall file with the county clerk of the  
15 county in which the administration of the estate is pending a written  
16 statement containing his name and his permanent address, which perma-  
17 nent address may, from time to time, be changed by him by filing with  
18 the county clerk a written statement giving his changed address. His  
19 permanent address shall be deemed to be that contained in the last state-  
20 ment so filed by him.

21 2. [The taking of his oath of office by an executor or by an admin-  
22 istrator, or by an administrator with the will annexed, shall be deemed to  
23 be and shall be the equivalent of an appointment by him of the county

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ASSEMBLY BILL NO. 598—COMMITTEE ON  
GOVERNMENT AFFAIRS

MARCH 22, 1979

Referred to Committee on Government Affairs

SUMMARY—Provides for issuance of marriage licenses by certain wedding chapels. (BDR 11-1152)

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.

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AN ACT relating to marriage; providing for certain wedding chapels to issue marriage licenses; requiring that in certain counties the offices or chapels issuing marriage licenses remain open to the public during certain hours and requiring the county commissioners in other counties to fix such hours; 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 122.040 is hereby amended to read as follows:  
2 122.040 1. Before persons may be joined in marriage, a license  
3 [shall] *must* be obtained for that purpose from the county clerk of any  
4 county in the state [ . Licenses] *or from a person authorized by the*  
5 *clerk to issue marriage licenses pursuant to section 3 of this act. The*  
6 *license may be obtained:*  
7 (a) At the county seat; [and  
8 (b) In counties having a population of 100,000 or more, but less than  
9 200,000 as determined by the last preceding national census of the  
10 Bureau of the Census of the United States Department of Commerce, at  
11 one place within the county in addition to the county seat if the county  
12 clerk designates such additional place.] *or*  
13 (b) *At a commercial wedding chapel where issuance of the licenses has*  
14 *been authorized by the county clerk.*  
15 2. Before issuing a marriage license, the county clerk *or other person*  
16 *authorized to issue the license* may require evidence that the [person  
17 applying] *applicant* for the [marriage] license is of age. The county  
18 clerk [may also require] *or other person authorized to issue the license*  
19 *shall accept* a statement under oath by the [person applying for the mar-  
20 riage license and the person's] *applicant and the applicant's* parent, if  
21 available, that the [person] *applicant* is of age.

Original bill is 3 pages long.  
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ASSEMBLY BILL NO. 647—COMMITTEE ON  
GOVERNMENT AFFAIRS

MARCH 23, 1979

Referred to Committee on Government Affairs

SUMMARY—Limits liability on account of preexisting relation when emergency care is provided to patient. (BDR 3-1230)

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.

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AN ACT relating to emergency care; limiting liability on account of a preexisting relation with the patient; 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 41.505 is hereby amended to read as follows:  
2 41.505 1. Any physician or registered nurse who in good faith gives  
3 instruction to an advanced emergency medical technician-ambulance, as  
4 defined by NRS 630.430, at the scene of an emergency, and the advanced  
5 emergency medical technician-ambulance who obeys [such instruction,  
6 shall] *the instruction must* not be held liable for any civil damages as  
7 a result of any act or omission, not amounting to gross negligence, by  
8 such a person in rendering [such] *the* emergency care.  
9 2. Any person licensed under the provisions of chapters 630, 632  
10 or 633 of NRS, who renders emergency care or assistance in an emer-  
11 gency, gratuitously and in good faith, [shall] *must* not be held liable for  
12 any civil damages as a result of any act or omission, not amounting to  
13 gross negligence, by such a licensed person in rendering the emergency  
14 care or assistance or as a result of any failure to act, not amounting to  
15 gross negligence, to provide or arrange for further medical treatment  
16 for the injured or ill person. This section does not excuse a physician  
17 or nurse from liability for damages resulting from his acts or omissions  
18 which occur in a licensed health care facility relative to any person with  
19 whom there is a preexisting patient relationship [.] *concerning the same*  
20 *or a related condition.*

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ASSEMBLY JOINT RESOLUTION NO. 6—ASSEMBLYMEN ROBINSON, POLISH, BREMNER, BARENGO, BANNER, HORN, RHOADS, HARMON, HAYES, SENA, JEFFREY, BRADY, FITZPATRICK, FIELDING AND CRADDOCK

JANUARY 16, 1979

—○—  
Referred to Committee on Judiciary

SUMMARY—Proposes to amend Nevada constitution to confer right upon private citizens to keep and bear arms. (BDR C-852)



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

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ASSEMBLY JOINT RESOLUTION—Proposing to amend the constitution of the State of Nevada by conferring a right upon private citizens to keep and bear arms for their defense and security.

- 1     *Resolved by the Assembly and Senate of the State of Nevada, jointly,*  
2     That section 11 of article 1 of the constitution of the State of Nevada be  
3     amended to read as follows:  
4     **[Sec:]** *Sec. 11. 1. The people have the right to keep and bear arms*  
5     *for their defense and security. No law may impose any requirement for*  
6     *licensing, registration or possession of firearms or ammunition, or permit*  
7     *the confiscation of any firearm except one used in the commission of a*  
8     *felony.*  
9     2. The military shall be subordinate to the civil power; No standing  
10    army shall be maintained by this State in time of peace, and in time of  
11    War, no appropriation for a standing army shall be for a longer time than  
12    two years.