

The meeting was called to order at 8:40 a.m. Senatro Close was in the Chair.

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

ABSENT: Senator Hernstadt

SB 262 Specifies certain rights and liabilities of lessor and lessee upon termination or expiration of lease of motor vehicle. (See minutes of March 9, 27, 29, April 19, 23, 25, 26, May 1 and May 11 for testimony, discussion, and action.)

Senator Close stated that he had received a call from David Hagen and he concurs with our amendments. Also, in lieu of "fair market value" we have used "estimated residual value" and left in "residual value" to conform throughout, as these terms are more understood. Also, on Page 5, line 47, of the redraft there is an error, the word "must" was not picked up from our notes. We had discussed putting in attorney fees and in talking with the bill drafter, we will put in "reasonable attorney's fees" as they feel that there could be a statutory problem if we leave out "reasonable."

Senator Ashworth stated that it was his understanding that under no circumstances, other than abuse of the vehicle, were we going to make the actual liability of the lessee more than 3 times the monthly payment.

Senator Sloan stated that you don't get presumption for the physical damage and wear and tear. If you bought a car you would have the same burden.

Senator Ashworth stated that that is the point, because the car is not being purchased.

Senator Close stated that he thinks that this tracks with the Federal language, but he will check to make sure it does.

After a discussion by the Committee they will add in the word "higher" on Page 8, line 7 and 8, so it would read the "higher amount of the next highest bid." Also this bill will become effective as of September 1, 1979.

Senator Sloan moved that the Committee concur with the amendments and further amend SB 262.

Seconded by Senator Dodge.

Motion carried unanimously among those voting, Senator Raggio was absent from the vote.

AB 671 Regulates termination of rental agreements by landlords of certain dwellings.

Tod Bedrosian, Assemblyman, and John Lefcorth and Nick Collona, representing the landlords in Washoe County testified on this bill.

Mr. Bedrosian stated that this bill merely intends to clarify the relationship between the landlord and the tenant during the termination of a rental agreement. This bill will not preclude eviction, it only asks that the landlord give reasonable cause.

Mr. Lefcorth stated that they do have a proposed amendment. One other cause of action would be if the landlord changes the use of the apartment, say for renovation or for an office or something of that nature. However, to be able to do that the landlord must have obtained a building permit showing that he intends to change the usage. There were originally 4 causes in our amendment we would add another 6. Beside the one above we ask that if the tenant gives the landlord more than two bad checks that this be a cause for eviction.

Senator Raggio stated that he felt that you couldn't write that into the law, that is saying he can write two bad checks.

Mr. Lefcorth stated that because of the economy a lot of people juggle funds around to make payments.

Senator Raggio pointed out that juggling funds around in a bank is a criminal offense.

Mr. Collona stated that the landlord could always request cash.

Senator Raggio stated that he felt that would be a difficult situation if you ended up in court. The tenant could say I offered him a check but he wouldn't take it.

Mr. Bedrosian stated that if there was a problem with this whole section he would rather see it taken out then loose the bill.

Mr. Lefcorth stated that he felt it was a good section because if you took it out you would have to fall back on the non-payment provision to evict. He stated that the next thing they would like added was that if the tenant made more then three late payments a year, that would be cause to evict.

After a short discussion the Committee agreed that there should be some type of written notice given by the landlord and they would work the language up later.

Mr. Lefcorth stated that the next ground would be substantial unreasonable oral or written harassment of the landlord or his agent by the tenant. Also, if the tenant was in violation of

any existing law or ordinance or codes as set forth by any governmental entity. Basically what we are doing with these proposed causes is to give clearer guidelines for the tenant to know what he can and cannot do that could lead up to an eviction.

No action was taken on this bill at this time.

SB 453 Revises provisions for casino entertainment tax.  
(See minutes of April 24 for previous testimony and discussion.)

Senator Sloan stated that we received the amendment to this the other day and it really doesn't do what it was supposed to do in regard to the concern that the MGM had. This is language from Bob Faiss. I have check with the Control Board and the industry and they agree that this language accomplishes what they want. This allows them to recover the taxes that they should not have had to collect. The second thing is the exception to the entertainment tax if it is a charitable and non-profit thing, and we added in the word "muesum" because of the problem Harrah's had. There also was some concern over the attorney's fees and we feel that this language also satisfies that.

The Committee concurred to get these amendments drafted.

SB 9 Revises criminal penalties.  
(See minutes of January 18, February 12, 22 and 26 for testimony, discussion and action.)

Senator Close stated that he had three amendments on this bill.

Amendment 883 - Committee concurred with amendments.

Amendment 756 - Committee concurred with amendments.

Amendment 961 - On both the marijuana and homosexual portions the Assembly has moved the the fine back to \$2,000 from the \$5,000 that came out of this Committee.

Senator Dodge moved to concur with the amendment.

Seconded by Senator Raggio.

AYE: Senator Dodge  
Senator Ford  
Senator Raggio  
Senator Sloan

NAY: Senator Close  
Senator Don Ashworth

ABSENT: Senator Hernstadt

SB 59 Adopts revision of Uniform Federal Tax Lien Registration Act.  
The Committee concurred with the amendments.

SB 143 Requires interpreters for certain handicapped persons in judicial and administrative proceedings.  
(See minutes of February 6, 13, 14, March 8, 26, and May 7 for testimony, discussion and action.)

Senator Ford stated that we had left out who is responsible for payment in the civil, criminal and administrative proceedings. This amendment simply clarifies that problem.

The Committee concurred with the amendments.

SB 174 Amends requirements for notice of check refused for payment because of insufficient funds.  
(See minutes of February 15, 16, March 22, 29, and 30 for testimony, discussion and action.)

Amendment 990 - Senator Ashworth stated that he felt that this was confusing language. This bill was only supposed to get at the intent to defraud.

The Committee did not concur with the amendments.

SB 305 Prohibits solicitation of minor to engage in acts which would constitute infamous crime against nature if performed by an adult.

Senator Close stated that what they have done is taken the misdemeanor sentence and made it so that if the minor performs the acts it is a 1 to 6 sentence, if not it is a gross misdemeanor.

The Committee concurred with the amendments.

SB 571 Provides penalty for owner of dog which runs at large and provides for liability of owner or animal which causes injury to or death of livestock or poultry.  
(See minutes of May 11 for testimony.)


Senator Dodge moved that SB 571 be passed out of Committee with a "do pass" recommendation.

Seconded by Senator Sloan.

Motion carried unanimously among those present, Senator Raggio was not present for the vote.

As the Committee had to go into session, the meeting was adjourned.

Respectfully submitted,

  
Virginia C. Letts, Secretary

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APPROVED:

Senator Melvin D. Close, Jr., Chairman

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