

The meeting was called to order at 8:30 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 416 Provides that sheriffs rather than justices of peace are ex officios county coroners.

John Flekenstein, Justice of the Peace, Lyon County, and President of the Nevada Judges Association, stated he is in favor of the bill. This bill would eliminate the coronor's duties from the Justice of the Peace, except in Clark, Washoe and Douglas, who have their own coronors. The Judges Association feels that the investigative end is a definite conflict of interest. He stated he would like to bring up one instance that would better illustrate the problem. "Recently there was the killing of an individual in Silver City. At that time the individual was arrested and charged with involuntary manslaughter and contributing to the delinquency of a minor. I made those determinations at the scene and then I had to go back to my office as J.P., set the bail on the individual, arraign him, and then proceed with the preliminary hearing for probable cause." Normally we just disqualify ourselves and have another judge come in and hear the preliminary hearing. We feel that we should not be an investigative body merely by the sheer fact of the office we hold.

Terry Reynolds, Judicial Planner, stated that they were in agreement with this bill also. If the sheriff's office became involved in anything like the situation Mr. Flekenstein brought up, they would go to the District Attorney and he would handle the situation. So the sheriff's office would not be involved at all.

Senator Raggio stated that he felt there is some merit to the J.P. handling the inquest.

Mr. Flekenstein stated that he would have no objection to that. But they definitely did not want the investigative part. The duties of the coronor at the inquest are only to make sure it is orderly, that witnesses are sworn, that a record is kept. He keeps the documents and the records but it is the District Attorney that calls the witnesses and tries to convince the three man jury of just exactly what the cause of death was.

Senator Close asked if there was a problem in taking out Section 15, which deals with fees.

Mr. Flekenstein stated that they used to get \$10 for each case. In his county they did not want the hassle, and he agreed, so he now gets \$100 a year added to his salary to perform the function of coroner. He also pointed out that the expenditure for a full time coroner could not be justified by the small number of cases in his county.

Frank Shank, Deputy Sheriff, Lyon County and Deputy Coroner to Judge Flekenstein stated that he agrees with the Judge. He feels that the function of coroner should be more professional. The sheriff of their county is planning on establishing a training program with the Washoe County Coroner. Many times there are scenes that have not been isolated, not only in our area but also other townships. They have been contaminated before anyone can get there.

Judge Flekenstein pointed out that there might be one problem with eliminating the fees, because some of the judges are still on a fee system for inquests.

Senator Raggio stated that this bill should be amended to provide that in the counties where the sheriff is going to serve as coroner, that the J.P. is still made the hearing officer at the inquest.

Senator Close stated that he felt that the fees should be amended to \$15 for each day for doing the inquest, and take out all the other fees.

Senator Raggio moved that AB 416 be passed out of Committee with an "amend and do pass" recommendation.

Seconded by Senator Dodge.

Motion carried unanimously by those present. Senator Ford was absent from the vote.

AB 757 Revises fees of court reporters.

Rich Molezza, Court Reporter, Washoe County, stated that the Reporters are requesting this to be equal with other state employees. The state employees have received a 6 1/2% to 7 1/2% increase, plus a 5% merit increase. The reporters last per diem increase was July 1, 1975, which was only \$10 over the raise last given them in 1969. Almost all other employees receive extra benefits which they do not receive. They do not get sick leave, insurance, vacation, or holidays. If the judge is not sitting on the bench they do not get paid.

Senator Dodge stated that one problem here is the Committee has had no indication at all of what the reporters now get.

Senator Raggio stated that as he understands it they get \$50 per diem now, and with the raise they would get \$65. He pointed out that they also get \$8 and hour for civil matters, and that is not to exceed \$50.

Mr. Molezza stated that that was correct, but say in one divorce case you many bill out to the attorney only 50¢.

Senator Raggio asked who kept track of the hours that are worked on these civil matters.

Mr. Molezza stated that the reporter does, he also does his own billing. This is charged to the attorney just as if it were a private practice.

Senator Raggio stated that then the reporter would be making around \$100 a day.

Mr. Molezza stated that actually it would only be \$98 because they pay \$8 per hour and it usually runs about 6 hours. At present we receive \$50 per day plus the \$48 for the civil matter.

Senator Dodge asked if the reporter is in court physically all day, or are they subject to call.

Mr. Molezza stated that they are in their office unless they are called, however they are usually dictating their notes for transcription.

Senator Dodge stated, then actually they are able to draw the \$50 a day while working toward the folio costs on the transcript.

Mr. Molezza stated that the transcription is done by some one else that the reporter hires, they usually receive about 30% of the cost.

The Committee agreed that they needed to get more accurate figures before acting on this bill. They asked Mr. Molezza to get the figures out of the Washoe courts and get back to them.

No action was taken on this bill at this time.

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.)

Senator Close stated that the amendment to this bill is on line 4, where it says "insufficient funds". Frank Daykin suggested that after insufficient we put in "or no", because we had not covered the situation where there was no bank account whatsoever.

Senators Sloan, Ford and Hernstadt were absent, but the remainder of the Committee concurred with the amendment.

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

Respectfully submitted,

Virginia C. Letts, Secretary

APPROVED:

Senator Melvin D. Close, Jr., Chairman