

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON JUDICIARY

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
May 29, 1981

The Senate Committee on Judiciary was called to order by Chairman Melvin D. Close at 8:05 a.m., Friday, May 29, 1981, in Room 213 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Melvin D. Close, Chairman
Senator Keith Ashworth, Vice Chairman
Senator Don W. Ashworth
Senator Jean E. Ford
Senator William H. Hernstadt
Senator Sue Wagner

COMMITTEE MEMBER ABSENT:

Senator William J. Raggio

STAFF MEMBERS PRESENT:

Sally Boyes, Committee Secretary

ASSEMBLY BILL NO. 423:

Changes reference to approving authority for excess fees to attorneys for indigents.

Mr. Bill Curran, Attorney, stated the bill did not bear much relation to the title; it deals with disqualification of judges. The changes in the bill are in the language: changing from "chief judge" to "presiding judge."

Senator Hernstadt moved do pass A.B. 423.

Senator Don Ashworth seconded the motion.

The motion carried unanimously. (Senator Raggio was absent for the vote.)

Senate Committee on Judiciary
May 29, 1981

ASSEMBLY BILL NO. 112:

Limits exercise of eminent domain to take land in historic districts for use in mining or related activities.

Chairman Close asked Mr. Frank Daykin, Legislative Counsel Bureau, if he was aware of any situation of a county binding a district court decision. Mr. Daykin stated he knew of none in this state; but it was the usual standard of judicial review of an administrative action. Senator Wagner asked if there would be any difficulty in spelling out that statute in regard to this bill. Mr. Daykin stated ordinarily the decision on whether property would be put to public use as an incident of condemnation, would be made by the court. This situation would not be ordinarily administrative and it could cause a problem. Chairman Close asked if the desire was to have the court consider the recommendation of the county, how would that be done. Mr. Daykin stated the determinations of the Board of County Commissioners are prima facie evidence; this could be inserted in the bill so as not to make it binding on the court.

Senator Hernstadt moved amend and do pass A.B. 112.

Senator Wagner seconded the motion.

The motion carried unanimously. (Senator Raggio was absent for the vote.)

SENATE BILL NO. 438:

Amends provisions relating to corporations.

Mr. Virgil Wedge, Attorney, submitted a copy of an example describing the way in which stock changes hands in regard to a parent corporation and its subsidiary. See Exhibit C.

The committee agreed the concept of the proposed Assembly amendment was acceptable but felt the language in the bill needed adjustment.

Senator Don Ashworth moved amend S.B. 438 with clarifying language.

Senator Wagner seconded the motion.

The motion carried with Senator Hernstadt abstaining. (Senator Raggio was absent for the vote.)

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There being no further business, Chairman Close adjourned
the meeting at 10:30 a.m.

Respectfully submitted by,

Sally Boyes
Sally Boyes, Secretary

APPROVED BY:

Mel D. Close
Senator Melvin D. Close, Chairman

DATED: May 31, 1981

SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on JUDICIARY, Room 213.
Day Friday, Date May 29, Time 10:00 a.m.

A. B. No. 423--Changes reference to approving' authority
for excess fees to attorneys for indigents.

SENATE AGENDA

COMMITTEE MEETINGS

Committee on JUDICIARY, Room 213.
Day Friday, Date May 29, Time 10:00 a.m.

A. B. No. 423--Changes reference to approving authority
for excess fees to attorneys for indigents.

SENATE COMMITTEE ON JUDICIARY

DATE: May 29, 1981

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NAME

ORGANIZATION & ADDRESS

TELEPHONE

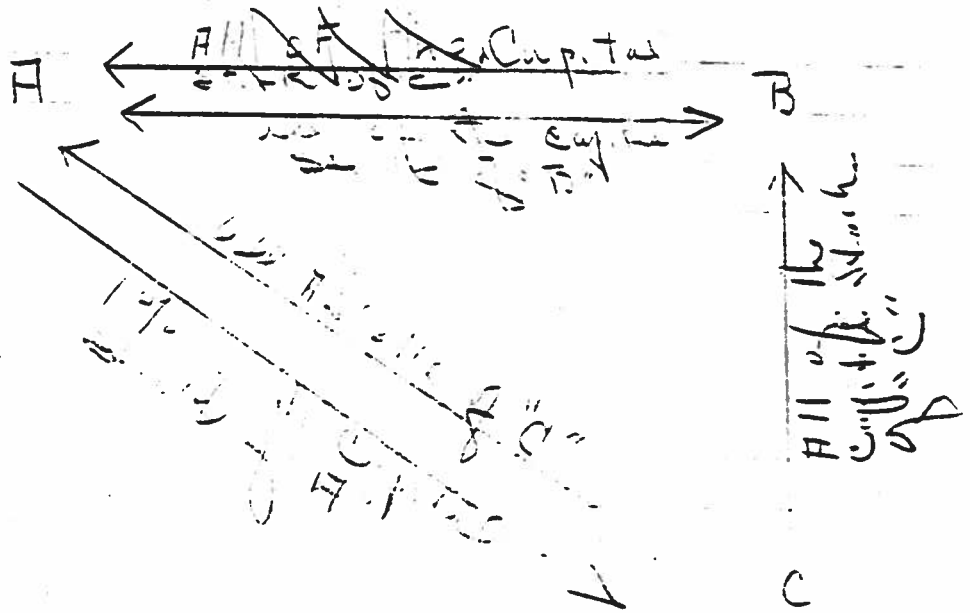
Virgil WEDGE

ATTORNEY

Bill CURRAN

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Senate Bill 438



A = Corporation
 B = Corporation
 C = Corporation

B. Corporation Superior
 100% of A's Capital
 100% of B's Capital

C. Corporation Superior
 100% of B's Capital

Newman Corporation

Step One =

"C" Transfer all of its assets to "B" for and in consideration of (190) one percent of "A" Capital Stock.

Step Two =

~~"B" Transfer all of the Capital Stock of its wholly owned subsidiary "C" to "A". "C" is now a wholly owned subsidiary of "A".~~

I request that =
① there is no pending or contemplated litigation which would be affected by this reorganization.

② There are no pending or contemplated Contingent Liabilities.

problems such as
selection of Board of
Directors, continuation
of management or
other area which
would be affected
by the legislation.