

**MINUTES OF THE  
SENATE COMMITTEE ON JUDICIARY**

**Seventy-third Session  
May 5, 2005**

The Senate Committee on Judiciary was called to order by Chair Mark E. Amodei at 8:05 a.m. on Thursday, May 5, 2005, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Mark E. Amodei, Chair  
Senator Maurice E. Washington, Vice Chair  
Senator Mike McGinness  
Senator Dennis Nolan  
Senator Terry Care  
Senator Steven A. Horsford

**COMMITTEE MEMBERS ABSENT:**

Senator Valerie Wiener (Excused)

**GUEST LEGISLATORS PRESENT:**

Assemblyman John Ocegueda, Assembly District No. 16  
Assemblyman Richard D. Perkins, Assembly District No. 23

**STAFF MEMBERS PRESENT:**

Nicolas Anthony, Committee Policy Analyst  
Bradley Wilkinson, Committee Counsel  
Gale Maynard, Committee Secretary

**OTHERS PRESENT:**

Ronald P. Dreher, Government Affairs Director, Peace Officers Research  
Association of Nevada

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David Kallas, Executive Director, Las Vegas Police Protective Association  
Frank Adams, Nevada Sheriffs' and Chiefs' Association  
Theodore V. Farace, President and Coordinator, Volunteer Homeland Reserve  
Unit, Southern Nevada  
John Cahill  
Dino DiCianno, Deputy Executive Director, Department of Taxation  
R. Ben Graham, Nevada District Attorneys Association  
Gil Shannon, Sergeant, Las Vegas Metropolitan Police Department  
Don Fieselman, Detective, Las Vegas Metropolitan Police Department  
Thelma Clark, Nevada Silver Haired Legislative Forum  
Frederick Schlottman, Administrator, Offender Management Division,  
Department of Corrections

CHAIR AMODEI:

We will call this meeting of the Senate Committee on Judiciary to order. The first bill on the agenda is Assembly Bill (A.B.) 232.

**ASSEMBLY BILL 232 (1st Reprint)**: Authorizes certain law enforcement officers and retired law enforcement officers to carry certain concealed firearms and weapons in certain circumstances. (BDR 15-301)

ASSEMBLYMAN RICHARD D. PERKINS (Assembly District No. 23)

Last year, Congress passed a law known as the Law Enforcement Officer Safety Act of 2004 to allow active and retired law enforcement officers to meet certain requirements to carry concealed firearms and weapons throughout our country.

Our existing State law regulates the carrying of a concealed weapon only in this State. Assembly Bill 232 helps us to reconcile our State law with the federal Act. It will create the requirements in our State's concealed weapons carrying law so that if they chose, law enforcement officers could carry their weapons in any state of the country.

Active law enforcement officers will have to apply for a special permit and will be required to have all the licensing in compliance with the Act. In addition, they would have to obtain a special federal permit recognizing their competence.

Retired law enforcement officers play an important role in keeping Nevada safe. Who would be better qualified and responsible to carry a concealed weapon? They understand the laws and have the training and skills in firearms.

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This bill codifies in our State law the reconciliation of the federal Act, and it also codifies a concealed weapon. I have a complete written statement ([Exhibit C](#)).

SENATOR CARE:

I have a constituent who is a retired police officer. We have had several discussions and read the correspondence between him and Stan Olsen, Las Vegas Metropolitan Police Department, and I support the bill.

CHAIR AMODEI:

For the record, someone talked about an amendment. Mr. Wilkinson, would you briefly go over that so we can indicate why we are not going to consider an amendment.

BRADLEY WILKINSON (Committee Counsel):

There was an amendment to clarify that all active law enforcement officers, as recognized by the State and identified in subsection 4 of the *Nevada Revised Statute* (NRS) 202.350, are qualified law enforcement officers as referred to in Title 18 of the United States Code, section 926B. This amendment is unnecessary because those officers are already exempted from provisions in statute under subsection 4 of the NRS 202.350, and the definition of qualified law enforcement officers is in federal law.

RONALD P. DREHER (Government Affairs Director, Peace Officers Research Association of Nevada):

As a retired law enforcement officer of the State, I can tell you over 45 retired officers have qualified pursuant to the federal statute in the Reno area several weeks ago. We ask you for your support of this bill.

DAVID KALLAS (Executive Director, Las Vegas Police Protective Association):

On behalf of the three organizations I represent, Las Vegas Police Protective Association, Las Vegas Metro Police Managers and Supervisors Association, and North Las Vegas Police Officers Association, we are here today in support of A.B. 232.

FRANK ADAMS (Nevada Sheriffs' and Chiefs' Association):

This bill puts the responsibility back on the sheriffs to do the certification of the retired law enforcement officers. Since the sheriffs were already handling the concealed weapons program, this would be a good fit for them to continue to do that. The bill basically establishes the sheriffs' ability to certify and charge

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a minimal fee for the certification of the retired officers. In your handout packet ([Exhibit D](#)), I gave you a copy of the Law Enforcement Officer Safety Act of 2004 that defines both full-time and retired officers. It also contains our proposed process on how we would handle these officers. We are ready to go, the sheriffs are ready to take this on, and these officers are the best trained to handle the weapons in the manner prescribed.

THEODORE V. FARACE (President and Coordinator, Volunteer Homeland Reserve Unit, Southern Nevada)

I am a retired New York City detective living in Las Vegas. I represent the Nevada Coalition of Police Organizations, comprised of retired and active law enforcement officers and the Volunteer Homeland Reserve Unit, which is comprised of approximately 175 retired law enforcement officers who assist the police departments. I want to commend Mr. Perkins for taking the lead on proposing this amendment. If you look across the country, we are one of a few states in the nation addressing this issue from the legislative view and changing the laws to comply with the Law Enforcement Safety Act of 2004. It is a step in the right direction to clarify a lot of issues. I represent a number of active and retired officers, and we all support this legislation.

JOHN CAHILL:

One of the discussions about passing this bill is that the fees should be kept as low as possible for retired peace officers in completing the process. Depending on where they qualify, they will have to pay the standard fees. Unlike the citizen concealed weapons carrying privilege, all our communities benefit when the retired officers meet the qualifications necessary to carry a concealed weapon.

CHAIR AMODEI:

Seeing no further testimony, we will close the hearing on A.B. 232 and open the hearing on A.B. 221.

**ASSEMBLY BILL 221 (2nd Reprint)**: Revises provisions relating to sale and disposition of intoxicating liquor. (BDR 20-270)

ASSEMBLYMAN JOHN OCEGUERA (Assembly District No. 16):

I am the primary sponsor of A.B. 221 and have my written testimony ([Exhibit E](#)). I appreciate the opportunity to be here.

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SENATOR CARE:

After you pass this course, there seems to be a duty by the bartender not to serve a person, and it is a good idea to have the certification. Was there any discussion on the other side about what you do with this course, once it is completed?

ASSEMBLYMAN OCEGUERA

I am not sure I understand the question.

SENATOR CARE:

Once an establishment has complied with the bill, then what happens? After the training, what do they do with it? The bill suggests that once the course is complete, the bartender has the authority not to serve an individual if he thinks that individual has had too much to drink.

ASSEMBLYMAN OCEGUERA

It is more of recognition and awareness than a duty to act.

SENATOR NOLAN:

My colleague was leaning toward the bill granting some kind of civil immunity to those bartenders who take this course. There is a program in place that has some of the components in this bill. Would this bill enhance the existing program or would it replace the current program?

ASSEMBLYMAN OCEGUERA:

That is the impetus behind this bill. In Clark County there is a Total Alcohol Management Card (TAM Card); however, each municipality requires a different class to receive one. If you are in North Las Vegas, the City of Las Vegas, Clark County or Henderson, there is no consistency. If you work for a Station Casino in Las Vegas and then transfer to their casino in Henderson, it is a different class and card. The idea behind this bill was to make it consistent and statewide.

SENATOR NOLAN:

If this bill passes, would this be the new statewide TAM Card where we all can identify as one card, one training, and it will be called the same thing?

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ASSEMBLYMAN OCEGUERA:

That is correct. A provision of A.B. 221 in section 11 states, " ... no agency, board, commission, local government or other political subdivision of this State may adopt ... " which is different and would always be regulated by the State.

SENATOR MCGINNESS:

You said this is a statewide regulation?

ASSEMBLYMAN OCEGUERA:

That is correct.

SENATOR MCGINNESS:

In rural Nevada at some events, the Lions Club serves alcohol at the Labor Day event. Are they covered under this provision?

ASSEMBLYMAN OCEGUERA:

I am not sure. It allows exception for private clubs, and I do not know the definition of private clubs. Maybe the Legal Division of the Legislative Counsel Bureau can look at this, but the bill does allow private clubs exception.

SENATOR MCGINNESS:

You are aware of the type of events to which I am referring. We do not want to harm those events just because everyone at an Elks Lodge or Lions Club does not have their licenses.

ASSEMBLYMAN OCEGUERA:

When I was considering the provisions of this bill, I thought about rural Nevada locations with small staffs. This would give those smaller establishments an opportunity to get employees up to speed by giving a 30-day grace period.

SENATOR MCGINNESS:

Where do you see these classes offered? Would they be in Carson City or Las Vegas?

ASSEMBLYMAN OCEGUERA:

No. Classes will be offered locally, but they will also be available on the Internet.

SENATOR HORSFORD:

For the record, I need to disclose that I am the executive director for a post-secondary, certified institution that is asked frequently by employers to do various forms of employment training, and this is in that sphere. I do not believe it affects my organization any more or less than any other organization.

DINO DICIANNO (Deputy Executive Director, Department of Taxation):

Page 4, section 9 of A.B. 221 requires the Department of Taxation to mandatorily apply the penalty with respect to these violations. I offer a suggestion. It is not a matter of whether the Department assesses fines, collects fines or distributes money. It would be more prudent to have the local liquor board assess the fine and collect the fine.

Everything the Department does is an appealable situation. In other words, if someone violates this situation in Pioche, or somewhere else in a rural area, that individual would have to come to Carson City to have a hearing. The local entities would have a better understanding of the issues in respect to that individual's situation within that establishment.

We did express this to someone on Assemblyman Ocegueda's staff about two weeks ago. However, this is a suggestion; if this Committee feels that the Department should assess or collect the fine or adjudicate any appeal, this will be fine.

CHAIR AMODEI:

Seeing no further testimony for A.B. 221, we will close the hearing and open the hearing on A.B. 470.

**ASSEMBLY BILL 470**: Removes provision which requires corroboration to prove certain crimes relating to prostitution. (BDR 14-1024)

R. BEN GRAHAM (Nevada District Attorneys Association):

I am here today representing the Nevada Sheriffs' and Chiefs' Association, the Nevada District Attorneys Association, the Clark County District Attorney's Office and the Las Vegas Metropolitan Police Department (Metro). We are asking this body to amend a statute dealing with prosecution of pandering and remove the limiting ability of our office to prosecute panders based solely on the testimony of the woman involved in this situation. Under the existing law,

unlike any other crime, we require additional corroboration to prosecute panderers and pimps other than the young women involved in these situations.

This gives the panderer and pimp a pass due to the fact it is almost impossible to get any other evidence except for what we witness and see, but our primary testifier would be the prostitute or the person engaged in prostitution at the behest of the panderer or pimp. We have to prove the offense beyond a reasonable doubt; it would be the word of the police officer's observation and what the prostitute would testify to, and the defendant would try to refute the testimony.

It has hampered our ability to make a dent in prosecuting, and we have some good officers in southern Nevada who are involved in prostitution enforcement. We would like to see this bill passed as written, and it would be effective by July or October. It is a good tool and supported by everyone.

GIL SHANNON (Sergeant, Las Vegas Metropolitan Police Department):

I support A.B. 470. To add to Mr. Graham's testimony, this bill will allow us to arrest and prosecute more of the pimps based solely on the word of the prostitutes who are victims in need of our help. These individuals have been victims of rape with curling irons, beatings with hangers, cigarette burns, shaved heads, murder and run over by vehicles. These individuals are in need of our assistance. Passing this bill will help us to provide a part of the protection and safety for them. It will also ease the arrest-and-prosecute process for law enforcement and minimize the trauma to the victims and their families.

DON FIESELMAN (Detective, Las Vegas Metropolitan Police Department):

I will just echo what was said by Mr. Graham and Sergeant Shannon. I have no more to add. The issues were covered well.

CHAIR AMODEI:

Mr. Graham, help me to understand. Are we getting rid of language that is going to help in the prosecution of these matters?

MR. GRAHAM:

I have a memo from District Court Judge Douglas Herndon from a year and a half ago when we had a meeting with our Metro officers, and they had expressed frustration with our screening department which reviews case submissions. The problem was that arrests would be made based on



observation, individual conduct and information they discovered after arresting prostitutes. As the sergeant has testified, the prostitutes are victims and in many instances, not doing this of free choice. What our unit was doing was saying, "we just got the prostitute's word and what you saw and that is not sufficient corroboration, we have to have testimony from a john or someone else that had been involved in this act of prostitution." Our officers say the way the statutes are written, with the testimony of the prostitute and what was observed, that is not sufficient evidence under our statute to prosecute, and they would not authorize the filing of a complaint. This is frustrating to all, particularly those who are trying to help.

CHAIR AMODEI:

If this is enacted, the NRS 175.301 basically becomes a statute dealing only with abortion.

MR. GRAHAM:

Yes, that is correct, and we would appreciate a do pass motion.

SENATOR NOLAN:

Do we have to hold this bill for an evening in order to give the opposition a chance to come forward?

CHAIR AMODEI:

What is the pleasure of the Committee on A.B. 470?

SENATOR CARE MOVED TO DO PASS A.B. 470.

SENATOR NOLAN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

We will open the hearing on A.B. 267.

[ASSEMBLY BILL 267 \(1st Reprint\)](#): Prohibits abuse, neglect, exploitation or isolation of vulnerable person. (BDR 15-1244)

MR. DREHER:

Assembly Bill 267 was brought forward by the Carson City Sheriff's Department regarding an incident that occurred with a person who had their wheelchair taken away from them, and then it was pawned. There was nothing we could do, because it was the spouse of the victim. This legislation, like the elder abuse legislation, and similarly the child abuse legislation, would require reporting the abuse to law enforcement agencies. It would also enhance the legislation we already have for elder abuse to include what is known as the vulnerable person. The vulnerable person then would be, as listed in the section, a person who is 18 years of age or older who suffers from a condition of physical or mental incapacity. Anyone who violates that would be subject to a misdemeanor charge.

There was some confusion on the Assembly side as to the cost from certain agencies and who would be required to report. This is a tool that is currently nonexistent for law enforcement to take action against someone who takes advantage of disabled or mentally challenged persons.

CHAIR AMODEI:

Does this bill basically take the things we have done for seniors and apply them to who you have defined as a vulnerable person?

MR. DREHER:

Yes, that is correct.

SENATOR CARE:

I am looking at section 2, subsection 3, paragraph (f) where it says, "Every attorney, unless he has acquired the knowledge of abuse ... from a client ... accused ... ." The accused is going to need an attorney. A vulnerable person in the hands of a guardian would go to see an attorney and say, "We believe that this person has been abused, but we are telling you in private and do not want to let this go any further." Now we have a statute that stipulates, regardless of the attorney-client privilege, that attorney is compelled to make a report in violation of what his client might have instructed him to do.

I am also interested in knowing what other statutes we have that would require clergymen, based on communication, to make the same report. I am thinking of a particular situation where a clergyman who is told of an abuse by the victim during a confession. Is the clergyman obligated to report this?

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MR. WILKINSON:

The provisions shown in the bill are patterned exactly after the child and elder abuse statute that exists now.

SENATOR CARE:

Do you know when that came into law?

MR. WILKINSON:

I am not sure; it has been around for a while. The child and elder abuse statutes are more recent, and I can check on that.

SENATOR HORSFORD:

Will we be adding subsection 7 of this bill to the NRS 200.5092?

MR. DREHER:

Yes, that is correct.

MR. GRAHAM:

All agencies that deal with elder and child abuse have brought up the issue of a new reporting requirement and how it might create new bureaucracy. The testimony, as I recall, is to add a tool for law enforcement for a vulnerable person who is in a situation where we could prosecute the abuser, and it is not creating a new industry for reporting. It runs in line with Senator Care's thoughts, and we need to make it clear that we are not creating a new reporting industry.

SENATOR CARE:

The way the language is stated in the bill, you would have to prosecute an attorney or a clergyman who did not disclose a privileged communication between the victim and him or herself. Do you read the language the same way?

MR. GRAHAM:

Your concerns are valid. I am also curious and will inquire as to what kind of burden we have with child and elder abuse reporting.

MR. DREHER:

Having been involved as a former law enforcement officer in homicide and child abuse cases, that legislation was passed so law enforcement could have some

teeth and people would not hide things such as child abuse. There are certain provisions or boundaries where you can cross the line between attorney-client or clergymen-client privilege to protect the child. This is to provide the same protections currently not available to the vulnerable person. It is only used in limited circumstances. There are a lot of avenues taken care of by this bill or criteria so defined, that given the circumstance where someone is taking advantage of these people, and the people listed, they would have an obligation to report, but only in those rare instances.

SENATOR CARE:

Maybe this was a discussion that should have taken place when the language was adopted. I am concerned about a senior citizen who sees a priest, admits to being abused, says he or she is not sure what to do, asks for advice and requests the priest not tell anyone about the conversation. The clergyman is then obligated to report this. It may never happen, but under the law it could, and this bothers me.

MR. GRAHAM:

We are supportive of this bill. We are not trying to create a new reporting industry or more bureaucracy.

THELMA CLARK (Nevada Silver Haired Legislative Forum):

I have been waiting for this bill, and I think it is wonderful. The Nevada Silver Haired Legislative Forum had hearings during last year. There were five different hearings on this subject. We support this bill and thank you.

SENATOR HORSFORD MOVED TO DO PASS A.B. 267.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CARE VOTED NO. SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

We will open the hearing on A.B. 528.

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[ASSEMBLY BILL 528 \(2nd Reprint\)](#): Revises crime of intimidating or threatening public officers and employees and certain other persons. (BDR 15-1371)

MR. DREHER:  
The Peace Officers Research Association of Nevada supports this bill.

CHAIR AMODEI:  
Is this the same issue we struggled with?

MR. DREHER:  
I believe it is, but I am not sure. I have read the bill, and it looks good for law enforcement. We support it.

CHAIR AMODEI:  
Mr. Wilkinson, will you take a look at what we passed in reference to Senator Care's work on the bill and see how it works.

MR. WILKINSON:  
The bill you are referring to is in a different statute.

CHAIR AMODEI:  
Is that the same one we tried under a different statute?

MR. WILKINSON:  
No.

FREDERICK SCHLOTTMAN (Administrator, Offender Management Division, Department of Corrections):

We are here today in support of this bill. Often, our officers are targets of threats coming from inmates. The threats are usually the result of a cell extraction or a cell search where contraband is found. In addition, high-ranking officers in the past have been threatened. We also have officers in smaller towns in this State who are at some degree of risk. Our warden at Ely was a target of a potential car bombing plot that was foiled. I myself have to change my unlisted phone number at least every six months because I receive threats. These threats occur not only at work but at home from various inmates and locations across the United States.

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CHAIR AMODEI:

Mr. Wilkinson, please get us a copy of this so we can include it in a work session along with A.B. 221. Are there any other questions on the bills we have heard so far today?

SENATOR CARE:

I request that staff draft a Senate Floor amendment to A.B. 267 which will delete those sections pertaining to the communications between victim and attorney or clergyman and repeal from existing law the same provisions relating to seniors.

SENATOR WASHINGTON:

As a clergyman myself, I would support Senator Care in his effort. There are times individuals will confide in me regarding issues happening in their lives. It would be an awkward position to obtain information on a confidential basis and then be required or queried due to a State statute to divulge that information. I would not want to be in that position.

CHAIR AMODEI:

Senator Care, I suspect your concerns would be supported by the majority of the Committee. If you would like, we can draft a Floor amendment on behalf of the Committee on Judiciary that you can present.

SENATOR CARE:

That will be good. In regard to A.B. 221, I do not know if I would look for a Floor amendment today. However, staff can brief us later on what the liability is of a tavern owner who serves alcohol to a minor who subsequently causes damage to a third party. I do not know if that is absolute immunity or if it falls under Nevada's third-party liquor liability law.

MR. WILKINSON:

The answer to that question is that it is absolute immunity from liability.

CHAIR AMODEI:

We are going into our Work Session Document ([Exhibit F](#)). I have asked Mr. Anthony for the work session bills and not to do a formal work session. They all appear straightforward; you either like the bill or you do not. If there is

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a suggestion for an amendment, that will be fine also. We will see what the pleasure of the Committee is on these bills today. Assembly Bill 215 is the first bill for this work session.

**ASSEMBLY BILL 215 (1st Reprint)**: Revises provisions relating to disclosure of certain information to purchaser of residential property. (BDR 10-1004)

CHAIR AMODEI:

Last Session, we had a bill from North Las Vegas which dealt with disclosures of houses and the sale of houses formerly owned by methamphetamine laboratories or fabrication facilities. In a foreclosure context, it is tough to disclose this information, because you do not know who is going to show up at the auction. What A.B. 215 is seeking to do is stipulate that it must be disclosed at the time of sale. However, it provides an exemption for the standard disclosure we put into effect at the request of Kimberly McDonald representing the City of North Las Vegas. What is the pleasure of the Committee on A.B. 215?

SENATOR MCGINNESS MOVED TO DO PASS A.B. 215.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

Assembly Bill 219 from Assemblywoman Genie Ohrenschall, Assembly District No. 12, was heard some time ago.

**ASSEMBLY BILL 219**: Creates Nevada Council for the Prevention of Domestic Violence. (BDR 18-1012)

CHAIR AMODEI:

I had advised everyone attending the meeting that we were going to look at three bills dealing with counseling for various crimes: Senate Bill (S.B.) 75, S.B. 76 and S.B. 77.

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**SENATE BILL 75**: Allows use of audiovisual technology under certain circumstances for counseling and evaluations required for certain offenses. (BDR 15-188)

**SENATE BILL 76 (1st Reprint)**: Revises provisions pertaining to evaluations of juveniles who commit certain unlawful acts involving alcohol or controlled substances. (BDR 5-186)

**SENATE BILL 77 (1st Reprint)**: Revises provisions pertaining to counseling required for person convicted of battery which constitutes domestic violence. (BDR 15-185)

CHAIR AMODEI:

My intent, depending on the vote, is to pass A.B. 219 out of Committee in order to meet the May 20 deadline. It would be my intent to place a Floor amendment on these four bills. What is the pleasure of the Committee on A.B. 219? Is the Committee prepared to make a motion?

SENATOR MCGINNESS MOVED TO DO PASS A.B. 219.

SENATOR NOLAN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

Assembly Bill 278 was heard yesterday, and it is the bill sponsored by Assemblyman Joseph M. Hogan, Assembly District No. 10.

**ASSEMBLY BILL 278 (1st Reprint)**: Revises certain provisions governing termination of residential leases. (BDR 10-1147)

CHAIR AMODEI:

This bill deals with people over the age of 60 who incur a physical or mental disability that requires them to get treatment which is not available in a residential setting. The Nevada Association of Realtors testified in support of the bill. What is the pleasure of the Committee?



SENATOR HORSFORD MOVED TO DO PASS A.B. 278.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

Assembly Bill 468 was the Nevada Supreme Court bill making changes in alternative methods of dispute resolution and changing the threshold from \$40,000 to \$50,000. The District Court and Supreme Court judges both testified in support. There were some changes made in short trials, and there was no opposition testimony heard. What is the pleasure of the Committee?

ASSEMBLY BILL 468 (1st Reprint): Makes various changes to provisions regarding arbitration and other alternative methods of resolving disputes in certain civil actions. (BDR 2-523)

SENATOR HORSFORD MOVED TO DO PASS A.B. 468.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

Senate Concurrent Resolution (S.C.R.) 21 was requested by this Committee from the Legal Division regarding a study of feasibility of unification, collocation and consolidation of Justices and Municipal Courts in Washoe County.

SENATE CONCURRENT RESOLUTION 21: Urges Washoe County and City of Reno to study feasibility of colocating or unifying Justices' and Municipal Courts. (BDR R-1426)

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CHAIR AMODEI:

This resolution stipulates that the folks in the Truckee Meadows take a look at the study and report back to the next Legislative Session on the feasibility of the concept of court unification.

SENATOR WASHINGTON MOVED TO DO PASS S.C.R. 21.

SENATOR MCGINNESS SECONDED THE MOTION.

CHAIR AMODEI:

Is there any discussion on the motion?

SENATOR CARE:

What happens if the City of Reno and Washoe County do not come to an agreement on unifying the Justices' and Municipal Courts?

CHAIR AMODEI:

They requested the resolution. If they do not come to an agreement, this Committee will note that for the next Legislative Session.

THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

Is there anything else to come before the Committee? It appears there are a few more items to discuss; one is the bill we heard earlier by Assemblyman Perkins, A.B. 232.

SENATOR CARE:

There was no opposition to A.B. 232, and in fact, the testimony was to get State law to conform to federal law.

SENATOR CARE MOVED TO DO PASS A.B. 232.

SENATOR MCGINNESS SECONDED THE MOTION.

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THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

Finally, Senator Care, on A.B. 267, do you want to reconsider our action on this bill for purposes of a Committee amendment?

SENATOR CARE MOVED TO RECONSIDER THE ACTION WHEREBY A.B. 267 WAS DO PASSED.

SENATOR MCGINNESS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

On the matter, is there a motion to amend and do pass?

SENATOR CARE MOVED TO AMEND AND DO PASS A.B. 267 BY DELETING THE REFERENCES TO ATTORNEYS AND CLERGY MEMBERS BEING REQUIRED TO REPORT ABUSE OF A VULNERABLE PERSON AND REPEALING CORRESPONDING PROVISIONS TO REPORT ABUSE OF SENIORS FROM EXISTING LAW.

SENATOR WASHINGTON SECONDED THE MOTION.

CHAIR AMODEI:

We will bring this bill back before the Committee reports it out. If the amendment is done before the last meeting, we will look at it again at that time.

THE MOTION CARRIED. (SENATOR WIENER WAS ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

Mr. Wilkinson and Mr. Anthony, we need a way to track the Committee's involvement in the conference process. If you gentlemen have any ideas to brief the Committee so everyone knows what to expect, please do so.

Seeing nothing else to come before the Committee, we are adjourned at 9:13 a.m.

RESPECTFULLY SUBMITTED:

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Gale Maynard,  
Committee Secretary

APPROVED BY:

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Senator Mark E. Amodei, Chair

DATE: \_\_\_\_\_