

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-fourth Session
April 30, 2007**

The Senate Committee on Judiciary was called to order by Chair Mark E. Amodei at 9:42 a.m. on Monday, April 30, 2007, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412E, 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 in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Mark E. Amodei, Chair
Senator Mike McGinness
Senator Valerie Wiener
Senator Terry Care
Senator Steven A. Horsford

COMMITTEE MEMBERS ABSENT:

Senator Maurice E. Washington, Vice Chair (Excused)
Senator Dennis Nolan (Excused)

GUEST LEGISLATORS PRESENT:

Assemblyman John C. Carpenter, Assembly District No. 33
Assemblyman Ruben Kihuen, Assembly District No. 11
Assemblywoman Sheila Leslie, Assembly District No. 27

STAFF MEMBERS PRESENT:

Linda J. Eissmann, Committee Policy Analyst
Brad Wilkinson, Chief Deputy Legislative Counsel
Gale Maynard, Committee Secretary

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OTHERS PRESENT:

Susan J. Meuschke, Nevada Network Against Domestic Violence
Walt Dimitroff, Committee on Domestic Violence
John McCormick, Rural Courts Coordinator, Administrative Office of the Courts,
Nevada Supreme Court

CHAIR AMODEI:

I will open the hearing on Assembly Bill (A.B.) 52.

ASSEMBLY BILL 52 (1st Reprint): Makes various changes relating to domestic relations. (BDR 11-421)

ASSEMBLYMAN JOHN C. CARPENTER (Assembly District No. 33):

This bill puts into statute a number of factors a judge needs to consider in a situation when alimony is to be awarded. Senator Washington has Senate Bill (S.B.) 202 which is virtually the same as A.B. 52, but there is a difference in the reporting requirements.

SENATE BILL 202 (1st Reprint): Makes various changes relating to domestic relations. (BDR 11-215)

There may be one amendment having to do with domestic violence. If there are any questions from the Committee, I will take them.

CHAIR AMODEI:

Mr. Wilkinson, have you had a chance to compare these two bills?

BRAD WILKINSON (Chief Deputy Legislative Counsel):

They are identical with the exception that S.B. 202 amends *Nevada Revised Statute* 171.1227 to allow the Director of the Department of Public Safety to prescribe the information that comes from arrest reports for domestic violence and the information is forwarded to the Central Repository. The request came from Captain O'Neill from the Central Repository for Nevada Records of Criminal History.

CHAIR AMODEI:

We can process your bill, Assemblyman Carpenter, since Senator Washington is not here.

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ASSEMBLYMAN CARPENTER:
That will be fine.

CHAIR AMODEI:
Is there someone here to offer an amendment to A.B. 52?

ASSEMBLYMAN CARPENTER:
There is a lady in Las Vegas who would like to add a new paragraph (l) to section 1, subsection 8, stating "The consideration of domestic violence."

CHAIR AMODEI:
We will consider your amendments in section 1, subsection 8.

ASSEMBLYMAN CARPENTER:
Yes, after paragraph (k), add paragraph (l) "The consideration of domestic violence."

CHAIR AMODEI:
Is there anyone else to testify on A.B. 52?

SUSAN J. MEUSCHKE (Nevada Network Against Domestic Violence):
I am in favor of A.B. 52 and present to the Committee my written testimony ([Exhibit C](#)). If this Committee is to amend the bill to include the provision for the reports from law enforcement, there is some concern that the Central Repository will create the parameters for what is reported. There are some requirements in the statute that should be included.

CHAIR AMODEI:
If there is no one else to testify on A.B. 52, we will close the hearing and open the hearing on A.B. 282.

ASSEMBLY BILL 282 (1st Reprint): Makes various changes to provisions concerning domestic violence. (BDR 3-105)

ASSEMBLYWOMAN SHEILA LESLIE (Assembly District No. 27):
This bill is about domestic violence linked to animal cruelty. There are five states that address this issue and many more considering similar legislation. There are people who will speak on this issue.

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Research has shown that victims of abuse are more likely to stay with their abuser out of concern for the family pet. A study in Utah showed that in 71 percent of cases, the abuser had threatened to harm or kill the pet and in many cases, they followed through. Eighteen percent of women delayed seeking shelter because of concern for their pet.

This language is made clear to also deal with animals owned or kept by the adverse party as well.

CHAIR AMODEI:

In view of the fact that there is support to pass, I am going to give you a choice; either we can pass the bill now, or we can wait until after the testimony.

ASSEMBLYWOMAN LESLIE:

I would prefer you pass the bill.

CHAIR AMODEI:

What is the pleasure of the Committee on A.B. 282?

SENATOR WIENER MOVED TO DO PASS A.B. 282.

SENATOR HORSFORD SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS NOLAN AND WASHINGTON WERE ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

We will open the hearing on A.B. 381.

ASSEMBLY BILL 381: Revises provisions related to domestic violence. (BDR 18-962)

ASSEMBLYMAN RUBEN KIHUEN (Assembly District No. 11):

This bill is simple and will change the composition of the Committee on Domestic Violence to have one of the members successfully complete the program for the treatment of persons who commit domestic violence. In addition, this member must not have recommitted since the completion of the treatment program and must show leadership to persons who commit domestic violence or victims of domestic violence.

It has been difficult finding a person to fill the position with these credentials. Over the past ten years, this position has not been permanently filled. This key position remains vacant and cannot add constructive ideas or dialogue to help the Committee on Domestic Violence be more effective.

CHAIR AMODEI:

Are there any questions for Assemblyman Kihuen?

WALT DIMITROFF (Committee on Domestic Violence):

I am here to show support for A.B. 381 and to recommend due consideration.

JOHN MCCORMICK (Rural Courts Coordinator, Administrative Office of the Courts, Nevada Supreme Court):

I am here to express the support of the counsel for A.B. 381. The counsel has had the opportunity to review the legislation and has concluded that having a judge participate on the Committee on Domestic Violence would serve to enhance communication and cooperation on the serious issue of domestic violence.

After consultation, it has been agreed that the Chief Justice of the Nevada Supreme Court will provide a name to the Attorney General for appointment to the Committee on Domestic Violence.

CHAIR AMODEI:

Are there any questions from the Committee? What is the pleasure of the Committee?

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SENATOR HORSFORD MOVED TO DO PASS A.B. 381.

SENATOR MCGINNESS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS NOLAN AND WASHINGTON WERE
ABSENT FOR THE VOTE.)

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CHAIR AMODEI:

Is there anyone who has not testified on any bills and wished the Committee to reconsider? Seeing no further business to come before this Committee, we are adjourned at 9:59 a.m.

RESPECTFULLY SUBMITTED:

Gale Maynard,
Committee Secretary

APPROVED BY:

Senator Mark E. Amodei, Chair

DATE: _____