MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY

Seventy-fourth Session
February 21, 2007

The Senate Committee on Judiciary was called to order by Chair Mark E. Amodei at 9:04 a.m. on Wednesday, February 21, 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 Maurice E. Washington, Vice Chair
Senator Mike McGinness
Senator Dennis Nolan
Senator Valerie Wiener
Senator Terry Care
Senator Steven A. Horsford

GUEST LEGISLATORS PRESENT:

Senator Warren B. Hardy II, Clark County Senatorial District No. 12

STAFF MEMBERS PRESENT:

Linda J. Eissmann, Committee Policy Analyst
Brad Wilkinson, Chief Deputy Legislative Counsel
Lora Nay, Committee Secretary

OTHERS PRESENT:

Rick Perry, Director, LDS Family Services
Justin Jones, Families Supporting Adoption
T. Arthur Ritchie Jr., District Judge, Family Division, Department H, Eighth Judicial District
Helen A. Foley, Catholic Charities of Southern Nevada Adoption Services

Jean Gunter, Manager, Office of Vital Records, Health Division, Department of Health and Human Services
Donald W. Winne, Jr., Deputy Attorney General, Human Resources Division, Office of the Attorney General
Kimberly M. Surratt, Nevada Trial Lawyers Association
Chris Escobar
Michael R. Kerr, Deputy Executive Director, National Conference of Commissioners on Uniform State Laws
Russell A. Foulk, M.D., Nevada Center for Reproductive Medicine
Ernie Adler, Former Senator, Reno-Sparks Indian Colony
Louise Bush, Chief, Child Support Enforcement, Division of Welfare and Supportive Services, Department of Health and Human Services
Susan D. Hallahan, Chief Deputy District Attorney, Family Support Division, Washoe County District Attorney's Office
Frank W. Daykin, Former Legislative Counsel

CHAIR AMODEI:
We open the hearing on Senate Bill (S.B.) 67.

SENATE BILL 67: Provides for the establishment of a registry of putative fathers for purposes of facilitating the termination of parental rights and the adoption of certain children. (BDR 11-478)

SENATOR WARREN B. HARDY II (Clark County Senatorial District No. 12):
Senate Bill 67 was brought by LDS Family Services to make the adoption process easier on agencies and mothers faced with a difficult decision.

A number of components in S.B. 71 may be better crafted than my bill. Senator Care, Mr. Kerr and I talked about how we might merge the two bill proposals.

SENATE BILL 71: Enacts the Uniform Parentage Act. (BDR 11-719)

RICK PERRY (Director, LDS Family Services):
LDS Family Services supports the concept of a putative father registry. A putative father registry is essential in the State of Nevada. Over half of the adoptions our agency places do not get a relinquishment from a birth father that requires a diligent search. Sometimes we identify a father, sometimes not. We then have a court procedure to terminate rights of the father. The adoptive couple is at risk not knowing whether someone will appear. It is a disadvantage

for the birth mother who terminated her parental rights. It is a disadvantage for the birth father because his only recourse is to hire an attorney and contest an already-existing adoption. It puts the child in jeopardy.

We support uniformity because in doing interstate adoptions, differences between states often create complications.

Senator Hardy's bill contains an advertising process. Ohio's putative father registry creates a pamphlet and distributes it to agencies that attempt to get them in the hands of fathers and provide the opportunity to register if they choose.

JUSTIN JONES (Families Supporting Adoption):
On behalf of adoptive couples, we support a putative father registry. Senate Bill 71 protects the due process rights of fathers.

T. ARTHUR RITCHIE JR. (District Judge, Family Division, Department H, Eighth Judicial District)
I will present my prepared written testimony (Exhibit C).

We are considering a narrow and specific process in which unknown fathers' rights are addressed to facilitate adoption. Putative unknown fathers are basically fathers who are not married, did not cohabitate with the mother, did not acknowledge paternity in writing and did not appear on the birth certificate. To terminate the rights of an unknown father, you cannot serve personally; you request substitute service by publication of a general notice. If the petition is filed right after the child's birth and timely request for publication is sufficient, there is a hearing. At the hearing, there is a canvassing of the petitioner whether the mother is married, cohabitated or there is information to identify the father.

I have never had an unknown father show up at one of these hearings saying he read the general notice in the newspaper. Decision to establish a registry is properly with the Legislature. It allows fathers to preserve rights of notice. They can always request a termination of parental rights hearing. The negative aspect is their rights may be terminated if they do not register or file an action.

One of the nicest things I do is adoptions. There is a gap between the time a mother would relinquish and the courts can terminate the rights of an

unknown father. Our judges thought it proper not to take a position in support or opposition to this bill. We are technically neutral. The Uniform Parentage Act (UPA) goes beyond the issue of terminations related to putative fathers. It concerns parentage principles: the parent-child relationship; the voluntary acknowledgment of paternity; the putative father registry; genetic testing and contracts between parties seeking to have children pursuant to gestational agreements approved by the courts.

CHAIR AMODEI:
I spoke with Senator Hardy and Senator Care on S.B. 67 and S.B. 71, and the two measures can be combined. Mr. Wilkinson or one of his staff will act as the point of contact for you or your designated clerk.

DISTRICT JUDGE RITCHIE:
I submit my prepared written testimony on S.B. 67 (Exhibit D).

HELEN A. FOLEY (Catholic Charities of Southern Nevada Adoption Services):
We support this legislation and support either bill.

JEAN GUNTER (Manager, Office of Vital Records, Health Division, Department of Health and Human Services):
I present my prepared written testimony (Exhibit E).

CHAIR AMODEI:
Senate Bill 71 has a section saying "may" charge a fee. The word "may," at least yesterday, did not pass the test of no new taxes or fees. If that will kill the bill, then it should come out as we have a potentially unfunded mandate. The way it is drafted can address that problem.

DONALD W. WINNE, JR. (Deputy Attorney General, Human Resources Division, Office of the Attorney General):
An earlier version of this bill was S.B. No. 295 of the 71st Session. The Nevada Trial Lawyers Association (NTLA) was actively involved and concerned about money for the publicity of the registry. Senator Dina Titus was concerned about due process, proper notification and clarifications relating to the drafted language.

I am willing to work with Mr. Wilkinson. Nevada has a two-order system. The first order is to ensure no parent has any existing rights to the child. The second

order is the adoption. States with a single-order system terminate parental rights during the adoption. The problem with a one-order system is parents who object to their rights being terminated can challenge the adoption decree. In Nevada's two-order system, if the parents do not want their rights terminated, they have to file to overturn termination of parental rights before they can file to set aside the adoption.

KIMBERLY M. SURRATT (Nevada Trial Lawyers Association):
I am here to summarize the position of NTLA. Senate Bill 71 has better-crafted provisions than S.B. 67. We prefer the registration provisions in S.B. 71 and have concerns about the impact of the registry. Nevada Trial Lawyers Association is offering to help craft these provisions to assure they are sound.

CHRIS ESCOBAR:
I am an adoptive father of two and an attorney practicing family law in Las Vegas. I understand the historical aspect and due process arguments. I offer my services and involvement.

One difference with the putative father registry is the 30-day provision in S.B. 71, verses the 3-day provision in S.B. 67. The three-day provision is found in *Nevada Revised Statutes* (NRS) in terms of how long a birth mother has to wait before she can terminate and relinquish her parental rights. It is time for Nevada to have some form of putative father registry.

CHAIR AMODEI:
We will close the hearing on S.B. 67 and open the hearing on S.B. 71.

SENATOR TERRY CARE (Clark County Senatorial District No. 7):
Most of the testimony today concerns S.B. 71. The UPA is about much more than the putative father registry. Michael Kerr, the Deputy Legislative Director of the National Conference of Commissioners on Uniform State Laws (NCCUSL), helped draft the UPA and can walk us through each section of the bill.

Senate Bill 71, section 60, says "the Division may charge a reasonable fee." With so much talk about no taxes and no fees, I wanted clarification. I consulted the Governor's staff who said this bill, in its present form, would be vetoed.

CHAIR AMODEI:
When we work session these bills, we will have an extensive hearing in terms of how S.B. 71 and S.B. 67 were combined.

MICHAEL R. KERR (Deputy Executive Director, National Conference of Commissioners on Uniform State Laws):
The UPA is a comprehensive statute that integrates with the Uniform Interstate Family Support Act (UIFSA) in regards to jurisdiction (Exhibit F, original is on file in the Research Library). The Act compares the UPA with existing Nevada law. While it is a large Act with many provisions, it does not dramatically change existing Nevada law. It creates consistency by updating language consistent with recent best practices for issues like deoxyribonucleic acid testing (DNA), procedural rules and voluntary acknowledgment of paternity.

The Act is designed to determine parent-child relationships between father and child and mother and child using new science. With the growing use of egg donors, most states have not yet dealt with it in terms of mother-child relationships. The Act sets out presumptions of paternity. The most obvious is marriage, but there is also the situation where a cohabitant claims the child as his. It is a presumption of parentage in that relationship. Acknowledgments of paternity are conducted in every state. The federal government, as part of UIFSA and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, insisted voluntary acknowledgments of paternity be implemented in all states. They are implemented in Nevada.

This Act would be more consistent and provide greater clarity with provisions about acknowledgments, time limits and procedures. The Act provides for a registry; updates of genetic testing laws and standards for the use of DNA; the chain of custody of DNA for evidence; the process when relatives are needed to establish a biological relationship; procedures and standards of proof; establishment of burdens of proof and protective procedural language for the parties involved. The Act also covers adjudications of parentage and does not require a jury in a civil proceeding and special rules in parentage adjudications specifically regarding admissibility of genetic testing. The Act provides for a final order to determine parentage, covering situations of assisted reproduction with egg or sperm donors and their relationship to the fundamental question of parentage. The Act is comprehensive and addresses possible problems that could happen with assisted reproduction.

Finally, the Act covers gestational agreements. These are agreements between a married couple and a third party who will carry a child to term for them as part of a planned adoption. These people are called intended parents. Not all states allow gestational agreements. This is a bracket provision in the UPA. Gestational arrangements are done in all states. The Commissioners' philosophy was it is important to have protective procedures and statutes in place where gestational agreements are carried out. This Act requires preapproval to make such agreements more dependable and reliable should they go forward. It also protects the gestational mother to a greater extent than most existing state law on the subject.

The 2002 UPA replaces a prior uniform act from 1973 which was adopted in approximately 22 states and influenced states looking at parentage issues. Seven states have adopted provisions regarding voluntary acknowledgments of paternity and paternity registries. The NCCUSL is interested in preparing and producing well-written and well-drafted statutes. I urge your support.

CHAIR AMODEI:
It is my intention to use S.B. 71 as the base template.

DISTRICT JUDGE RITCHIE:
Senate Bill 71 is endorsed by the American Bar Association Section of Family Law. Section 1 has a couple of conflicts with current Nevada law. Under NRS 126, the statute of limitations for paternity actions is age 21, 3 years after a child turns 18. The UPA establishes a statute of limitations of two years from the birth of a child. A presumed father would be a father who is married or cohabitates with the mother. There is a long list of standards establishing a presumed father. While there is no statute of limitation for establishing parentage of a child who has no presumed father, there is a short statute of limitations for paternity or parental actions when a child has a presumed father. The provision in section 81 says an action "must be commenced not later than 2 years after the birth of the child." Anecdotally, we have many actions filed between unmarried parents later than two years after birth of a child to establish custody, visitation, child support etc.

The UPA allows for gestational agreements and requires validation by courts. Current law allows contracts for birthing and necessary living expenses. The UPA allows agreements for payment of reasonable compensation to the birth mother, but does not provide a meaningful explanation or definition. How would

judges validate the contract and where would the line be drawn concerning the level of compensation? This proposal expands the ability of people to contract conditions other than necessary expenses and requires courts to validate gestational agreements.

MR. ESCOBAR:
I did research on the Internet and found a memorandum published in April 2005 from the Center for Law and Social Policy that compared the 2002 UPA provisions with the seven states where it passed. All seven states made changes in one form or another. As we go through a work committee, we should consider actions by other states and their reasoning.

MR. PERRY:
We concur. Senate Bill 71 would be the template for considering the registry. I echo Mr. Escobar's testimony in favor of the three-day period as the time given the birth mother to relinquish her parental rights.

MS. GUNTER:
I submit my prepared written testimony (Exhibit G).

CHAIR AMODEI:
Senator Care is the unofficial chair of the work group, and you should coordinate with him for any further discussion.

SENATOR HORSFORD:
Is S.B. 71 a uniform set of laws for which we need compliance?

MR. KERR:
We recommend adopting this uniform set of laws.

SENATOR HORSFORD:
If there is a fiscal impact? Did the Governor say he will not support fees to pay costs involved?

CHAIR AMODEI:
We are about to engage in a dangerous practice of saying what the Governor said, when the Governor has not said anything directly. This process is to ensure the administration is fully informed on what the potential, additional

revenue-generating sources are before we vote and be crystal clear on the Governor's opinion. The overriding factor is what the policy is and not to diminish an impact of $200,000 or $167,000 in new costs.

SENATOR WIENER:
Senator Care used permissive language; are we imposing a fee? As we go forward, I want it clear when a word is a permissive word rather than "shall."

CHAIR AMODEI:
Mr. Wilkinson, will you look at the fee language presently in S.B. 71 to determine if "may" requires an imposition of a fee or merely enables the imposition of a fee? I assume it would leave discretion to the agency.

MS. SURRATT:
I am here on behalf of NTLA and also as a family law practitioner in northern Nevada. A significant portion of my practice is assisted reproductive technology law. Nevada has limited statutes. One is about artificial insemination, a term no longer utilized in the industry as we do not look at anything as artificial. The other statute is the surrogacy statute which is also an extremely narrow statute. The artificial insemination statute is narrow because it only contemplates sperm donors and not embryo donations, egg donations or any differentiation between known and unknown donors. The surrogacy statute is narrow because it only contemplates intended parents who are themselves the egg and/or sperm donor to the carrier. There is a differentiation between gestational carriers and surrogates. The UPA utilizes the correct terminology and brings us into the 21st century.

In 2004, the Centers for Disease Control reported 461 existing clinics across the United States that reported 49,458 infants born utilizing assisted reproductive technology. I have to make things up as I go. The judges and I twist and shape something to make people responsible for the children born through these procedures as our statutes are not clear. We cannot constitutionally prohibit or slow down the use of assisted reproductive technology due to privacy rights. We do not have statutes that make clear decisions as to who are the parents of these children. The biggest impact is to children without parents who do not have people financially responsible for them to enforce child support laws. We do not have any clear definitions when these individuals break up or are divorced. We presume when a woman gives birth to a child, she is the mother and if she is married, her husband is the

father. We use those presumptions to the maximum, but they do not cover all situations and circumstances.

I recently represented a married couple who had a baby using an embryo donation. The hospital discovered it was an embryo donation and refused to put either parent on the birth certificate. I went to court to deal with the circumstance because we cannot have a birth certificate issued with no parents. The couple ended up in court to clarify the issue. The judge and I went around and around about what laws we could use when these were obviously the parents. We do not know who donated the embryo. There must be parents of the child. The UPA will resolve a number of similar problems. I have a great amount of experience in this area and can answer questions.

SENATOR NOLAN:
In trying to comprehend this voluminous statute, does the registry for fathers include or require a DNA sample?

MS. SURRATT:
No, it does not. The registry is for individuals who believe they are the parent of the child. The UPA divides genetic testing for parentage, adjudication of parentage and parentage found through assisted reproductive technology as different findings of parentage. The registry only concerns putative fathers, but because of assisted reproductive technology, it should also include putative mothers due to all the strange things that happen in society.

SENATOR NOLAN:
The Legislative Counsel's Digest says:

> If a child has a presumed father, section 81 of this bill provides that the statute of limitations for an action is 2 years from the birth of the child. However, an action to disprove the presumed father's paternity may be brought at any time if the presumed father and mother did not cohabit or have sexual intercourse during the time of conception and the presumed father did not treat the child as his own.

Whether a couple had intercourse at the time the child was conceived is more objective than subjective. I do not understand why we are relying on that as the standard when we can bring in DNA to identify the father.

MS. SURRATT:
No one can assert the UPA perfectly covers all different scenarios and fixes every problem in Nevada regarding parentage. It brings us significantly closer than we have ever been. I do not like parentage linked to sexual intercourse because in my practice, I have seen lots of things happen. One thing with the UPA is we have to look at the sections independently and cross-reference them because there are different versions and methods of coming across parentage. When you look at one provision, you could be looking at sexual intercourse, whereas if you look at a different provision of UPA, they are not talking about sexual intercourse anymore for finding parentage. The section that addressed sexual intercourse was not clear that the other section even existed. It is a difficult uniform law to read because it is extensive. You have to think of each section independently and jointly.

MR. JONES:
I echo my prior comments and those of Mr. Perry.

CHAIR AMODEI:
Our record will reflect all four testifiers from Las Vegas consider themselves stakeholders who will be contacted for participation in the working group.

RUSSELL A. FOULK, M.D. (Nevada Center for Reproductive Medicine):
I am the medical director of the Nevada Center for Reproductive Medicine, one of four centers in the State of Nevada and the only one in northern Nevada. My interest in S.B. 71 has to do with sections 98 to 113 regarding how we can counsel patients to define parenthood and avoid events like Ms. Surratt mentioned concerning patients of mine that occurred last month at Carson Tahoe Regional Medical Center.

After nine years of infertility, my patients went through a process of embryo donation having exhausted all other means. They saw a psychologist and wrote appropriate consents indicating intent of the parents to be financially responsible. Despite all that, we got a frantic call after the birth of the baby. They could not take the child home or put their names on the birth certificate.

Other patients purposely have a gestational carrier deliver in another state because they are afraid the laws in Nevada do not protect them. My interest has to do with developing a framework through the UPA to counsel our patients and help them achieve their dreams of becoming parents. These cases are

happening with greater frequency. In Nevada, hundreds of babies are born each year through assisted reproduction. A subset is of those individuals who cannot have a child through normal-assisted reproductive means such as in vitro fertilization. They might use a gestational carrier. If a woman lost her uterus to cancer, she may have another woman carry the fetus. Patients need to know how to define their ability to be a parent in the future. There are five ways to become a parent.

CHAIR AMODEI:
Mr. Wilkinson, would you contact Mr. Bill Welch, the lobbyist for the Nevada Hospital Association? We want them in the working group because we heard testimony about hospitals in this state, at least Carson Tahoe. You should also contact Ms. Mary C. Walker who is the lobbyist for Carson Tahoe Regional Healthcare. We want them involved in the working group so whatever we decide—assuming it moves through the Legislature—there will not be a situation where legal counsel for any hospital in the state decides after the fact they have an issue with the statute. We will not have a situation as described today. If they have a problem participating with the working group, please let me know, and we will calendar a hearing for them to tell us their views on these issues. Everyone who testified today, unless they say they want out, is a part of the working group.

If there are other instances of specific health care providers in the state refusing to acknowledge facts under the circumstances related, I also want them specifically involved. If there is a legitimate issue, let us discuss and deal with it. The time to deal with this issue is not postbirth.

ERNIE ADLER (Former Senator, Reno-Sparks Indian Colony):
On page 4 of S.B. 77, a state is defined as meaning an Indian tribe, but on page 6 of S.B. 71, Indian tribes are not included as a state for purposes of the Act. According to NRS 127.052, social service agencies putting a child up for adoption of Indian parentage must notify the tribe. It creates a problem not having the cross-reference to tribes as equivalent to a state government. It would be helpful if there was something in the Act to notify social service providers they need to contact the home tribe if the child is Native American. Otherwise, they would be in violation of NRS 127.052.

SENATE BILL 77: Amends the Uniform Interstate Family Support Act. (BDR 11-755)

LOUISE BUSH (Chief, Child Support Enforcement, Division of Welfare and Supportive Services, Department of Health and Human Services):
I submit my written testimony (Exhibit H).

MR. WINNE:
Section 81 of S.B. 71 is a jurisdictional requirement to file a disestablishment of paternity. The court can only hear it if the two conditions in paragraphs (a) and (b) are met. It was designed to limit disestablishment of children to preserve the already-existing familial relationship, which is why it is a short time period to bring the action. For instance, for a child who is three years old with a presumed father married to the mother and the child was part of the marriage, the father's ability to disestablish would be limited. The law states an issue with this child should be addressed within two years of the child's birth by proving the father never slept with the mother and never held the child out as his own.

SUSAN D. HALLAHAN (Chief Deputy District Attorney, Family Support Division, Washoe County District Attorney's Office):
I request a seat on your work committee.

SENATOR CARE:
The contact information will go to Mr. Wilkinson. Most work will be done after I receive written suggested changes.

CHAIR AMODEI:
I want comments and other concerns finalized within two weeks. This means a week to get them to Mr. Wilkinson, a week to review and discuss them with Senator Care and get a committee/group meeting. The work session will be before the end of March.

MR. KERR:
The statute of limitations can be contentious. That is the limit on someone's ability to disestablish a child, either the father or a third party coming in to an existing family. That is a policy choice. It has been noted by a number of speakers this Act has not been adopted verbatim in any of the seven states. The variance among the adopting states is the statute of limitations. We have accepted a fixed period in other states and will have no problem accepting that for Nevada.

Nevada practice on gestational agreements limits compensation to expenses. The entire gestational agreement section, called a bracketed section is more like a model, as opposed to a uniform act, because there is disagreement and variation. There is no problem with a limitation on the reimbursement or compensation of expenses. Other variations among adopting states have been fairly minimal. We try to conform to existing state law and practice whenever possible. This is a complicated bill, and NCCUSL will do its best to be helpful.

CHAIR AMODEI:
We will close the hearing on S.B. 71 and open the hearing on S.B. 77.

SENATOR CARE:
Senate Bill 77 contains 2001 amendments to UIFSA. Nevada adopted the original act promulgated in 1996, and it has been on our books since 1997. We strive for uniformity with NCCUSL. Geographically, each one of our neighbors, except Oregon, has adopted the amendments before you (Exhibit I). Since promulgation of the original act, a number of jurisdictional issues have arisen. The purpose of the amendments is to clarify jurisdictional issues such as parties seeking modification of an order outside the jurisdiction where the order was originally issued.

MR. KERR:
Every U.S. jurisdiction has adopted UIFSA. Most have included the 1996 version. In 2002, we received a request from state and federal child support enforcement agencies to address issues with regard to particularities within the U.S. and interstate child support practice. You have amendments before you in Exhibit I that are clarifying in nature. There is technical language with this particular statute.

The amendments create clarity and more emphasis on the controlling order. When there is more than one child support order, it must be decided which one is controlling to a single amount owed. There is more emphasis on that process and standard. A determination of controlling order is used for clarification of an international child support order. Most of Canada has adopted a child support enforcement system similar to the U.S. This set of amendments allows greater recognition for out-of-country orders on principles of comity and acknowledgment of reciprocal status. It also gives greater clarity concerning foreign exchange calculations for international child support orders. It specifies

that duration of a support order is the same as the state from which originally issued. It cannot be modified later by moving everybody to a different state.

SENATOR WIENER:
What is Nevada's status for reciprocity with other states and countries?

MR. KERR:
When the U.S. Department of State recognizes a country as a reciprocating nation through basic principles of federalism, Nevada also recognizes those orders. In the 1996 amendments, Nevada could recognize, say the province of British Columbia, a reciprocal relationship on the basis of comity as a state-specific relationship and a state-specific decision.

FRANK W. DAYKIN (Former Legislative Counsel):
I did not know we would have the benefit of Mr. Kerr's presence, and so I intended to answer any questions.

DISTRICT JUDGE RITCHIE:
My written testimony (Exhibit J) mirrors the comments of Mr. Kerr.

I am responsible for supervising full-time child support enforcement masters who work in Clark County. Those judicial officers reviewed the amendments and reported to me that the U.S. has improved enforcement practices, and the amendments mirror processes we already have as part of our culture, including audiovisual and electronic processes.

SENATOR ADLER:
This bill is an improvement. In the past, Indian tribes issued child support orders just to have a state court issue the same order. I know one instance where a gentleman was ordered to pay about 110 percent of his salary to the support of one child. Integrating these orders makes sense because judges must otherwise rectify competing orders.

One problem with tribal court orders is they are not stored electronically and many are not readily known to state welfare divisions or human resources. We have to get those orders to the state court so they know there is an existing order to help decide the correct amount of child support to be paid.

MS. BUSH:
I present my prepared written testimony (Exhibit K).

MR. KERR:
There is tension between administrative agencies and administrative convenience, especially with child support and rights of people who have parentage obligations unfairly assessed against them. The UPA made a determination that if a man is found to be a parent, child support obligations are attached on him. Procedural due process protections for that person are needed. The recommendation of the NCCUSL is for parentage decision adjudications to be done at court, not administratively.

CHAIR AMODEI:
We will close the hearing on S.B. 77.

We have bill introductions beginning with Bill Draft Request (BDR) 3-77 relating to liquefied petroleum gas.

BILL DRAFT REQUEST 3-77: Enacts provisions pertaining to civil actions involving liquefied petroleum gas. (Later introduced as Senate Bill 133.)

SENATOR McGINNESS MOVED TO INTRODUCE BDR 3-77.

SENATOR WIENER SECONDED THE MOTION.

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

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Next is BDR 3-212.

BILL DRAFT REQUEST 3-212: Makes various changes concerning the liability of trailbuilding organizations and landowners, lessees and occupants of land to persons using premises for recreational activities. (Later introduced as Senate Bill 132.)

SENATOR McGINNESS MOVED TO INTRODUCE BDR 3-212.
SENATOR WIENER SECONDED THE MOTION.

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

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CHAIR AMODEI:
A member's vote to introduce does not obligate the member to support the bill during its hearing or on the Senate Floor, should it reach the Senate Floor.

Next is BDR 2-385.

BILL DRAFT REQUEST 2-385: Makes various changes regarding certain court fees charged and collected by county clerks. (Later introduced as Senate Bill 131.)

SENATOR NOLAN MOVED TO INTRODUCE BDR 2-385.

SENATOR WASHINGTON SECONDED THE MOTION.

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

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Next is BDR S-588.

BILL DRAFT REQUEST S-588: Repeals the prospective expiration of the provision relating to the use and sale of certain property acquired by a governmental entity through eminent domain. (Later introduced as Senate Bill 130.)

SENATOR McGINNESS MOVED TO INTRODUCE BDR S-588.

SENATOR CARE SECONDED THE MOTION.

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

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The final introduction is BDR 13-1109.

BILL DRAFT REQUEST 13-1109: Makes various changes to provisions relating to guardianships. (Later introduced as Senate Bill 129.)

SENATOR WIENER MOVED TO INTRODUCE BDR 13-1109.

SENATOR McGINNESS SECONDED THE MOTION.

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

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MR. WILKINSON:
Did you want to take up the possible committee bill draft on justice court masters?

This comes by way of the Las Vegas justice court and proposes to provide in any county, in which the appointment of masters by a justice court is authorized by the board of county commissioners, that the local rules of practice adopted in the justice court within the county may authorize the chief judge or his designee to appoint masters to perform certain subordinate or administrative duties approved by the Nevada Supreme Court for assignment to such a master.

CHAIR AMODEI:
We are looking for a motion to use a Committee bill draft for that purpose.

SENATOR McGINNESS MOVED TO INITIATE A BILL DRAFT REQUEST.

SENATOR NOLAN SECONDED THE MOTION.

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

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The meeting is adjourned at 10:40 a.m.

RESPECTFULLY SUBMITTED:

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Lora Nay,
Committee Secretary

APPROVED BY:

_____
Senator Mark E. Amodei, Chair

DATE:_____