

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Seventy-Seventh Session
May 28, 2013**

The Committee on Judiciary was called to order by Chairman Jason Frierson at 8:21 a.m. on Tuesday, May 28, 2013, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at nelis.leg.state.nv.us/77th2013. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Jason Frierson, Chairman
Assemblyman James Ohrenschall, Vice Chairman
Assemblyman Richard Carrillo
Assemblywoman Lesley E. Cohen
Assemblywoman Olivia Diaz
Assemblywoman Marilyn Dondero Loop
Assemblyman Wesley Duncan
Assemblywoman Michele Fiore
Assemblyman Ira Hansen
Assemblyman Andrew Martin
Assemblywoman Ellen B. Spiegel
Assemblyman Tyrone Thompson
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Justin C. Jones, Clark County Senatorial District No. 9

Minutes ID: 1296



STAFF MEMBERS PRESENT:

Dave Ziegler, Committee Policy Analyst
Brad Wilkinson, Committee Counsel
Karyn Werner, Committee Secretary
Macy Young, Committee Assistant

OTHERS PRESENT:

David Chipman, Senior Advisor, Mayors Against Illegal Guns
Chuck Callaway, Police Director, Office of Intergovernmental Services,
Las Vegas Metropolitan Police Department
Eric Spratley, Lieutenant, Legislative Services, Washoe County Sheriff's
Office
Richard Perkins, Private Citizen, Las Vegas, Nevada
David Hoover, Private Citizen, Lakewood, Colorado
Amanda Hoover, Private Citizen, Lakewood, Colorado
Keith Munro, First Assistant Attorney General and Legislative Liaison,
Office of the Attorney General
Susan Meuschke, Executive Director, Nevada Network Against Domestic
Violence
Jennifer Batchelder, representing Nevada Women's Lobby
Carol Gaxiola, Private Citizen, Tucson, Arizona
Brian Fadie, representing ProgressNow Nevada
Teresa Crawford, Private Citizen, Henderson, Nevada
Esther Sass, Private Citizen, Henderson, Nevada
Greg Ross, Private Citizen, Reno, Nevada
Ron Sims, Private Citizen, Gardnerville, Nevada
Janis Brand, Private Citizen, Round Hill, Nevada
Randy Anderson, Private Citizen, Reno, Nevada
Johanna Schumacher, Chairman, Gifted Minds with Too Little Time
Steve Johnston, Private Citizen, Reno, Nevada
Shawn Meehan, representing Douglas County Republican Party; and
Nevada State Republican Party
Larry Johnson, President, Coalition for Nevada's Wildlife; and Director,
Nevada Bighorns Unlimited
Robert Roshak, representing Nevada Sheriffs' and Chiefs' Association
Janine Hansen, representing Nevada Eagle Forum
Gerald Antinoro, Sheriff, Storey County
Eva Lane, Private Citizen, Carson City, Nevada
Richard Brengman, Private Citizen, Gardnerville, Nevada
Dennis Johnson, Private Citizen, Carson City, Nevada
Kim LaBrie, Private Citizen, Reno, Nevada

Derek Clark, Private Citizen, Carson City, Nevada
Gordon Utz, Private Citizen, Fallon, Nevada
Judy Caron, Private Citizen, Reno, Nevada
Duncan Mackie, representing the Nevada Firearms Coalition
Bob Irwin, Owner, The Gun Store, Las Vegas, Nevada
Bonnie McDaniel, Private Citizen, Las Vegas, Nevada
Matthew Yealy, Private Citizen, Las Vegas, Nevada
Bishop Dan Edwards, representing Episcopal Diocese, Las Vegas, Nevada
Jody Starkey, Private Citizen, Las Vegas, Nevada
Craig Wright, representing American Legion, Post 76, Las Vegas, Nevada
Juanita Clark, representing Charleston Neighborhood Preservation
Patrick Kerby, representing Nye County Republican Party
Michael Reese, President, Southern Nevada Coalition for Wildlife
Jim Sallee, Private Citizen, Las Vegas, Nevada
James Crowley, Private Citizen, Carson City, Nevada
Joel Blakeslee, representing Southern Nevada Coalition for Wildlife
Juanita Cox, Chairman, Citizens in Action
Michelle Kozlowski, Private Citizen, Gardnerville, Nevada
John Wagner, representing Independent American Party
Lynn Chapman, representing Nevada Families Association
Carol Howell, Private Citizen, Carson City, Nevada

Chairman Frierson:

[Roll was taken. Committee protocol and rules were explained.] We have one bill, but it is not a simple bill. We are going to be here awhile. Every agenda at this stage of the session includes a possible work session. We are going to work session a bill today, which is Senate Bill 416 (2nd Reprint), that we heard yesterday. None of the issues are new to us. I am making the public aware since we are going to be here for a while dealing with the bill that is on the agenda. With that said, we will start with Senate Bill 416 (2nd Reprint).

**Senate Bill 416 (2nd Reprint): Revises provisions governing gaming.
(BDR 41-1104)**

Dave Ziegler, Committee Policy Analyst:

Senate Bill 416 (2nd Reprint) is sponsored by the Senate Committee on Judiciary. It has to do with the regulations on gaming. It was heard in the Committee yesterday, May 27, 2013. Section 1 of the bill revises the definition of a restricted license. Section 2 of the bill addresses what the operation of a race book or sports pool includes. Section 3 of the bill has to do with the meaning of the term "incidental" as it relates to taverns in counties with populations greater than 100,000. Section 4 of the bill is a series of provisions having to do with where a race book and a sports pool may be operated.

Section 7 of the bill is transitory, and it is all of the language that has to do with effective dates and grandfathering of the various permutations on the licenses.

As the Chairman mentioned, this bill is similar to another bill that we heard earlier this session. The revised definition of a restricted license means not more than 15 slots and no other games or gaming device, race book, or sports pool under a restricted license. In terms of the meaning of "incidental" in a county greater than 100,000 persons, it establishes conditions for a license to operate 15 or fewer slot machines at a bar, tavern, saloon, or other establishment licensed to sell alcohol by the drink, a minimum of 2,500 square feet for patrons, a permanent physical bar, a restaurant with seating for 25 patrons, a kitchen operated 12 hours per day, and the structural barrier to exclude minors from the gaming area.

There was an amendment proposed by Mr. Higgins from the Nevada Restricted Gaming Association. That amendment was not accepted by the sponsor.

Chairman Frierson:

Is there any discussion on the bill itself?

Assemblyman Duncan:

Looking at this bill, I do not know if there will be any appetite to entertain part of the Porter Gordon Silver amendment, or all of it. Looking at the detrimental reliance aspect of it, it appears to me that, without at least the tavern language, all of the small businesses that have established these taverns are going to have to go back and essentially remake their whole business model. It was not talked about in the hearing, but I think we all know this is probably going to spur a lot of litigation in this area. I would be supportive of the bill if we could have that amendment language.

Also, in terms of looking at the kiosk issue, I think we have been having a good policy discussion. It is my understanding that an interim study has been amended into Assembly Bill 360. It would be nice to have some information to look at on the 83 entities that are doing those kiosks, but I do not know what the Chairman's appetite is for looking at these amendments. I would be supportive of the bill if we could at least get the tavern language back in there. As a matter of prudence in trying to study this issue, it would be prudent of us to allow them to operate for two years and get the recommendation from the study committee, then make an informed policy decision. These folks were operating under the regulations and laws at the time, so I think we need to look at that and not create an uncertain and unstable environment.

Chairman Frierson:

Lawyer to lawyer, detrimental reliance, to some extent, insinuates entitlement. Throughout this session, when it came to gaming bills, there has been testimony about the commission's ability to control the issuance of licenses, and that is something that is always subject to question. I believe the bill, as it exists, allows those who are currently operating to continue. Mr. Horne has indicated to me and to those concerned who have proposed that amendment that he is open to addressing the grandfather issues in Assembly Bill 360. This is certainly a policy discussion and a policy decision that is up to us to make.

Assemblyman Wheeler:

I, too, would be supportive of this bill if we could at least get the tavern part of the amendment in there. I would not support the bill, or would at least reserve my right to change, if that was not included.

Assemblywoman Spiegel:

I, too, find several aspects of this bill problematic. As a small business owner, I know that many small business owners put everything they have into their business and often forego funding their retirement, figuring that at the end of their career, they will be able to sell their business and use the monies that they receive to fund their retirement. I am especially troubled by the bill, as it would not allow someone to sell his business. As I think about the policy implications of the bill, I am probably going to vote yes, but reserve my right to change my mind on the floor. I would like to see some of these issues get resolved. I have been told they will be resolved in the other bill, but until I see that, I am hesitant.

Assemblyman Hansen:

Just a clarification on what you were saying. Is it your understanding, and the record will reflect it, that there is a grandfather factor in this? That the existing taverns will not have to change their current business model? Will this only affect people in the future? Did I hear you right about that?

Chairman Frierson:

It is, but I also need to defer to Mr. Ziegler as well. It is my understanding that the bill, as it exists, says that those operating under existing statutes could continue. The issue is, if they want to sell the business to someone else, the new owner will be subject to the new provisions and requirements.

Assemblyman Hansen:

I want to ensure the existing businesses are protected and are not forced to retrofit if we pass this.

Chairman Frierson:

Mr. Ziegler, am I off base there? I am looking at several different versions.

Dave Ziegler:

I think the provision that you are asking about is in there. An establishment granted a license before July 1, and not in compliance with those provisions, must come into compliance either upon change of ownership or by July 1, 2015. I think that is what you are asking about with the taverns.

Brad Wilkinson, Committee Counsel:

I want to clarify one thing. There are different applicability provisions relating to the taverns, and different requirements for them. The square footage requirement, for example, is grandfathered in, so it does not kick in on July 1, 2015, or upon transfer of ownership. The other parts related to the permanent physical bar does kick in on transfer of ownership, or July 1, 2015.

Assemblywoman Fiore:

Because we are flying through a lot of things, I would highly urge my colleagues to reverse that; to vote no with the right to change on the floor. Until these issues are ironed out, I truly believe this bill hinders small businesses. I am going to vote no, with a right to change if it gets corrected with the amendment to where we do not hinder the small taverns that are already in business.

Assemblyman Thompson:

I have a follow-up question for Mr. Wilkinson. If I am hearing you correctly, everyone would be grandfathered with the 2,500 square feet, but the other requirements, such as a physical bar and a kitchen, must be established. Is that correct? All of that has to be in compliance by July 1, 2015, if they want to continue in business.

Brad Wilkinson:

That is essentially correct. It is contained in section 7, subsection 3 of the bill, which says, "An establishment which was granted a gaming license before December 22, 1990, and which has been operating at the same location since that date is not required to comply with the provisions of paragraph (b) of subsection 2 of NRS 463.161, as amended by section 3 of this act." Then there is subsection 4, which also says, "An establishment that has been granted a restricted license by the Commission before July 1, 2013, but which is not in compliance with the provisions of paragraph (a) or (c) of subsection 2 of NRS 463.161." Those are the square footage and restaurant requirements. It is not required to come into compliance with those provisions unless it ceases gaming operations for 18 or more consecutive months.

Assemblyman Thompson:

If a tavern is having a struggle and they are trying to do due diligence and get into compliance, but they cannot quite meet the deadline, who would they have to talk with to get an extension? Are there opportunities to get a waiver? How would this work, or am I thinking too deeply?

Chairman Frierson:

I have an answer, but I think Mr. Wilkinson should answer that.

Brad Wilkinson:

Ultimately, those things fall within the purview of the State Gaming Control Board and the Nevada Gaming Commission. There was no testimony about how they would handle those issues, but ultimately they would be the ones to resolve that.

Assemblyman Ohrenschall:

I understand that we need to clearly demarcate the line between restricted licensees and nonrestricted licensees, but I share some of the same concerns as Mrs. Spiegel. I will support the measure today, but I will reserve my right to change my mind.

Assemblyman Duncan:

Mr. Wilkinson, if a tavern owner sells his business that has been grandfathered and is under the old provisions, do the new owners then have to come into compliance?

Brad Wilkinson:

That depends on which provision you are talking about. Section 7, subsection 2, does have the applicability provision triggered by a change in ownership or July 1, 2015. The other requirements are not tied to transfer of ownership interests.

There is one other thing that I should have mentioned about the previous question. Section 7, subsection 5, does say the Gaming Commission will not renew a restricted license of an establishment if it does not come into compliance with the amendatory provisions of that section, which imposes all of the new requirements.

Assemblyman Duncan:

I want to see what is going to happen with A.B. 360. I am going to vote no now, with the right to change. I want to see what the two bills are going to look like. I certainly think there is a policy discussion to be had about the kiosks and, obviously, making those demarcated lines between the restricted and

nonrestricted. That is something this body should do. I am concerned about the way the bill is shaping up.

Chairman Frierson:

The session being what it is, timing does not always line up, and this bill is coming over from the Senate with a limited amount of time. The other bill is still in our house in the Committee on Ways and Means.

Assemblyman Thompson:

I want to state for the record, that I will vote yes to get it out of Committee, but reserve my right to change on the floor.

Chairman Frierson:

That is everyone's right, and I just ask that you let the Chair know. With that, I will entertain a motion.

ASSEMBLYWOMAN DIAZ MOVED TO DO PASS SENATE BILL 416
(2ND REPRINT).

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

THE MOTION PASSED (ASSEMBLYMEN DUNCAN, FIORE, AND
WHEELER VOTED NO).

Ms. Diaz will take the floor statement. With that, we will move on to the agenda. We need to be done by 11 o'clock. I will give an hour to each side and neutral will have a shorter period of time. I will open the hearing on Senate Bill 221 (2nd Reprint).

**Senate Bill 221 (2nd Reprint): Makes certain changes relating to public safety.
(BDR 14-943)**

Senator Justin C. Jones, Clark County Senatorial District No. 9:

Senate Bill 221 (2nd Reprint) is a bill that addresses the important issues of ensuring that firearms do not end up in the hands of violent felons, domestic violence perpetrators, and those with mental illnesses who are a danger to themselves and others.

I did not set out to take on this issue during the last election, but Sandy Hook changed things for me, as I know it did for many folks. I am a father first, and I was deeply disturbed that someone with mental health issues had such easy access to firearms and could carry out such carnage on innocent children. Sitting in church the Sunday after Sandy Hook, a young mother came up to me

and said, "Justin, we got you elected, now what are you going to do to protect our children?" I do not take my charge to represent my constituents lightly, and that is why I have spent so much time on this issue, more time than I ever expected to spend studying these issues; talking to mental health professionals; visiting psychiatric facilities; reviewing police records; reviewing Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) records; and pouring over statutes and proposed legislation from other states. Throughout that process, I have carried on a dialogue with individual firearm owners. I have had multiple discussions with the National Rifle Association (NRA) and others. In fact, one of the key provisions of the bill—the duty to warn—was at the suggestion of the NRA. After Sandy Hook, New York State rushed to judgment on the issue of how to deal with firearms. I have endeavored to be deliberative in this process and to have an open door policy to ensure that all sides are represented.

I want to go over a few provisions of the bill before introducing some of the guests I have here today. Senate Bill 221 (2nd Reprint) requires faster reporting of mental health adjudications by the courts to the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation (FBI) mixed database. One of the aspects of this bill came from discussions that we had on the Senate side. We had a hearing to address the issues long before this bill was published. One of the things that was quite shocking to learn from Judge Voy, who runs the mental health court in southern Nevada, was that there is no statutory timeline for courts to report information to the Central Repository. What he told us was that it was taking at least 45 days to report that information to the Central Repository. Senate Bill 221 (2nd Reprint) corrects that grave error by requiring courts to report this information to the Central Repository within five days. Also, at the request of law enforcement, I have included provisions to allow additional information reported to the Central Repository to be available through the National Crime Information Center (NCIC) database, since the National Instant Criminal Background Check System (NICS) is not available to local law enforcement.

The second thing is that Senate Bill 221 (2nd Reprint) directs the Department of Health and Human Services (DHHS) to expand its collaboration efforts with mental health professionals, law enforcement, local governments, and others to ensure those with mental illnesses do not fall through the cracks. I had a chance to meet with Sheriff Furlong here in Carson City and to talk to some of those who are working on a program with the DHHS to ensure that folks here in Carson City are not falling through the cracks, that the jails are adequately staffed, and there are adequate mental health professionals to address those who are coming into the system. I think that is something we should adopt throughout the state.

Senate Bill 221 (2nd Reprint) also establishes a duty for mental health professionals to report to the police and warn a potential victim, when a patient expresses a specific intent to harm or kill another person. Nevada is one of only a few states in the entire nation that does not have a duty to warn. It is time to protect potential victims.

Finally, this is the one you have heard about—background checks. In looking at this issue and talking to law enforcement and those in the mental health profession, I came to the conclusion that you cannot effectively keep guns out of the hands of those who may be a danger to others without expanding background checks for private party transfers. A purchaser will not be required to do anything more than they would if they walked into the Carson Armory and purchased a gun. The conversations that I have had are interesting. You will hear from Lieutenant Spratley a little later, but he told me a story of how he walked into a gun shop the other day expecting it to take a long time for him to purchase a firearm, but he was able to walk out within ten minutes, having gone through a background check. That is how long I am proposing a transaction between two purchasers will take.

Senate Bill 221 (2nd Reprint) recognizes several reasonable exceptions to the requirement to undergo a background check, including transfers to a carrying a concealed weapon (CCW) permittee, transfers of an antique gun, transfers to a family member within the second degree of consanguinity, transfers by operation of law upon death, temporary transfers for personal protection in the home, temporary transfers while at a shooting event or hunting, transfers by a serviceman while on active duty, and transfers to a mental health professional or doctor. Ninety-five percent of the time, a background check can be performed by a licensed dealer in five minutes. It involves a single call to the FBI's NICS program. The process is less time-consuming and less invasive than going through security at the airport, and certainly less time-consuming than registering your car at the Department of Motor Vehicles (DMV).

Background checks work. Since implementation in 1998, more than two million people nationwide have been denied guns because they are prohibited by law from owning a firearm. That includes felons, domestic violence perpetrators, and those who have been adjudicated mentally defective. In Nevada, just in 2012, nearly 2,000 people were denied gun purchases after background checks. Even with slow and spotty mental health reporting in Nevada, more than 1,000 have been denied guns because of mental health prohibitions since the inception of background checks in the state.

Before closing, I want to emphasize that the purpose of this bill is not to stigmatize those suffering from mental illness or to discourage them from

seeking treatment. As some of you know, I come from a family where mental illness, unfortunately, has touched our lives; we have family members who have struggled with clinical depression, bipolar disorder, and suicidal ideations. I am not here to tell you that this is not a difficult topic. It is difficult for you and for many of those in this room, but we need to do something—something meaningful—in order to keep guns out of the hands of those who should not have them.

I have tried my best to balance the rights of the mentally ill and the rights of law-abiding gun owners with the rights of those parents who approached me in the church hall in December and asked what I was going to do to protect the children from the next tragedy. I do not pretend to have all the answers to this very difficult subject, nor do I pretend that, if passed, my bill will stop all mentally ill individuals who are determined to be a danger to others from gaining access to guns or from committing heinous crimes. I cannot look those concerned parents in the eye if I stand idly by and do nothing. I know the same goes for many of you. I look forward to working with you during the short time frame that we have left during this session to ensure we are all doing all we can to protect children and to keep guns out of the wrong hands.

Chairman Frierson:

Would you like for those folks to offer their testimony, or would you like to entertain questions now?

Senator Jones:

It is at your discretion. I think we might have them testify, and we can answer questions after that.

David Chipman, Senior Advisor, Mayors Against Illegal Guns:

The reason I was asked to come today is that I served this nation as a special agent with ATF for 25 years. I was a Special Weapons and Tactics (SWAT) team member. I have enforced the laws on the books, and later in my career, I ran all of the firearms programs for the ATF. For the past year, I have been a policy advisor for Mayors Against Illegal Guns. The reason I chose to do that is because Mayors Against Illegal Guns was talking about background checks. In my experience, of all the things we could do to prevent future gun violence, background checks are the only things that have proven to work. They do not interrupt the delicate balance between the right to own a gun and the right to be free from being shot in the head. For 25 years, every single day of my life, I carried a gun. I am still a gun owner today. I am here today because this is fundamentally a crime-control problem. No one in this room wants criminals to get guns and to shoot people we love; no one. I hope my testimony today

provides how I came to the conclusion that background checks work. That is the most I can offer. [Submitted written testimony ([Exhibit C](#)).]

Of all the gun sales in America, about 60 percent of the buyers either go to a gun store and pass a background check, or they go to a gun owner for a private sale. There have been arguments that it is really 60/40. I do not think any of us are certain. We looked at the state of Michigan and, in Michigan, hand guns are gotten through private parties closer to 50 percent of the time. We can all agree that some portion of gun sales in America do not happen at gun stores. After 9/11, everyone wanted to make sure this nation was never again attacked using planes. It is now a pain in the butt to fly. I flew out here, and I do not carry a badge anymore, so I have to go through the same lines. Imagine if, after 9/11, we decided to say, "We will just focus on 60 percent of the people and screen them completely to make sure they do not have any weapons. Then we will allow 40 percent of the people to randomly walk onto the plane unchecked." If we then saw planes still being hijacked, would we really, as commonsense Americans, be surprised by that? To me, it is common sense that, if we do not have a system that requires background checks, criminals are going to get guns easily. There is research to support that; not just Dave Chipman's wisdom. We have actually interviewed criminals in jail who were caught with a gun, and 80 percent of them said they got it through a private party. Like you, I do not really trust criminals, but we can say that a significant portion of criminals get their guns through private sales.

I think that is why we are here today. Why not do what we can do? When we look at the evidence, at states that have passed these background checks, fewer women are being killed, and fewer people are committing suicide. In states that have done away with background checks, like Missouri, there has been an increase in crime. To me, it is something we should try. Since 1968, we have had people going to gun stores and filling out forms. As was said before, two million people have been prevented from getting a gun since the Brady Bill. It seems to be working. Could it work better? Of course. As a cop, nothing is worse than a bad guy with a gun, having to suit up, kicking down the door, and hoping to catch him before he blows your head off. That is what we are asking our cops to do. There was a lovely woman that I was conversing with before and she feels like she has to have guns in her home. I do not want her to have to win a gun fight against a thug to be safe. I absolutely understand her desire to have a gun in the home. I have one myself. I think we can do better, and that is where background checks are for me.

Before I came out here, I went on to <www.armslist.com>, an Internet site for private sales of guns. You connect with someone who is selling a gun, then meet them somewhere and buy the gun. I thought it would be interesting to

look at an incident that affected this community, the shooting at the IHOP. That shooting was a little different from most of the shootings that I have seen based on the firepower that was used. There was a Norinco Mak-90 assault rifle, a Glock 26 in his car, and another AK-47 variant. These are not typical guns; they are not uncommon, but this was an arsenal for a single person to have. I thought it might be complicated to acquire those guns. In five minutes' time on the Internet, I could have bought all of those guns here in Nevada without a background check, cash-and-carry, no records. I think this state can do better; this country can do better.

Is this a slippery slope to some place where people cannot have guns? I understand that fear. I heard it from the woman in red. Do you know what I fear? Not living in a place where we can all be safe, and where our cops have a chance to prevent crimes—not just solve it after it has occurred. That is why I am here today, to encourage you that this law will absolutely work. I saw it work. It will empower cops to do the right thing and to prevent crimes before they happen.

Assemblywoman Fiore:

As I read your bill, the question I have for you is, is this bill to help the mentally ill or to implement more gun control on law-abiding citizens?

Senator Jones:

The purpose of the bill is to address the issue of keeping the mentally ill, felons, and domestic violence perpetrators from obtaining access to firearms. There are multiple aspects to the bill as I have discussed. I wanted to take a holistic approach. I do not think that ensuring our children are protected is a single issue. That is why there are multiple aspects to this bill. I tried to work with law enforcement and mental health professionals to ensure we address all aspects of keeping guns out of the hands of the wrong folks.

Assemblywoman Fiore:

How would a background check have saved the Newtown victims?

Senator Jones:

I am not here to tell you that my bill would solve all of the massacres that have happened across the country. I never said that, but I can tell you that more than two million folks who are felons, domestic violence perpetrators, or those who have been adjudicated mentally defective have been denied firearms as a result of background checks.

My first job out of law school was as a law clerk at the federal courthouse in Las Vegas. Every day I walked through security. The U.S. Marshals were there

to make sure the judges and I were safe. In 2011, a man walked into the federal courthouse and shot the U.S. Marshals and killed them. He had obtained the weapon in a private party transaction in order to avoid a background check because he was a felon. The U.S. Marshals died because this individual was allowed, under our current laws, to purchase a firearm. Those men were there to keep us safe—to keep our judges safe—and their lives were taken because we did not have adequate laws. I am not suggesting that this bill will solve every problem; it will not. But if we can take one step in the right direction, we need to do it.

Assemblyman Martin:

Would you clarify for me what happens when you go in for a background check? Are you registering the type of weapon being transferred?

Senator Jones:

You go through a background check, and you want to sell your gun to someone else. The purchaser is not under one of these exceptions, so you would go to one of the 500-plus federally licensed firearm dealers in the state and present the gun and the person, and go through the background check. Under most circumstances, the check can be done within five minutes; it is a simple call to NICS. You would fill out an ATF form, which would be retained by the gun dealer at the gun store.

David Chipman:

What happens to the information that is sent to the FBI is another important question. That information, if you pass the check, is destroyed within 24 hours. Under federal law, the records that are maintained in the gun dealer's shop cannot be turned into a registration system. That would be a federal felony to do so.

Assemblyman Martin:

What information is being transferred and what is on record? For instance, if I were to sell a .40 caliber semiautomatic weapon to my neighbor, is it being recorded that he now has a .40 caliber semiautomatic weapon? Or does it just show he cleared the background check? I am trying to understand exactly what you are trying to do here.

David Chipman:

There would be a record, an ATF Form 4473, in the gun store that shows the date and the person who purchased that gun. That would be the record and that would be the only place where it would be.

Senator Jones:

I am going to have a couple of our law enforcement folks from Nevada step up in a minute to talk about why it is important to have that paperwork at the gun dealer's shop.

Assemblyman Wheeler:

I, too, have a law enforcement background. I found some problems with some of the things that you were saying. I have had three different federal firearms licensees (FFLs) contact me and say that people from your agency have come in and asked to look at their ATF-4473s. The agent then opened his laptop and there was a complete list of the ATF-4473s for the last two or three years. That is a de facto registry. How can NICS be completely deleted within 24 hours as you say? Is the FBI giving this information to the ATF, who is then keeping it? If they are keeping it, it is not really being deleted.

David Chipman:

On your question regarding what the FBI has, they would not have any information about firearms. If what these three people are saying is true, that there was some information in the possession of an ATF employee prior to going into the store, that information would have been gotten from the stores previously, maybe from an inspection problem; I am not sure. You are asking me to speculate. If, in fact, this is true, I would hope that these people would bring it to the attention of their Congressmen and the ATF. As you presented it, I can see why you would have a problem with it. I do not think this has anything to do with the FBI or background checks. I would think this is a collateral issue.

Assemblyman Wheeler:

They brought it to the attention of their Assemblyman, so they are on the right path. Quite honestly, if they already had it on the laptop, it was not obtained from the shop because they were auditing the shop and comparing the records. Given the Internal Revenue Service (IRS) scandal and everything else that is going on, I do not see a problem with assuming the government does have these records. That is not my question right now; that is more of a statement.

You said that 80 percent of the criminals got their guns through private-party transfers. As a former law enforcement officer—and I am sure there are quite a few others in here who may agree with me on this—if this bill were passed and we had background checks for private-party transfers, do you think 80 percent of them would still get those guns illegally?

David Chipman:

I do not know your law enforcement experience. I have shared mine; 25 years primarily working gun laws across this nation. My perspective on criminals: first of all, all criminals are different and are motivated differently. It has been my experience that the more steps someone has to go through to break the law, the more mistakes they make, and cops like us have an opportunity to catch them. I am not naïve. Criminals will try to break the law. Criminals do not have to break their anonymity; they can just get on a computer to find a gun. No one knows about it, so they can meet in the McDonald's parking lot and buy a gun. We have to make it harder than that.

Assemblyman Thompson:

I want to talk about the difference between a responsible gun owner versus an irresponsible one. I was born and raised in southern Nevada and worked in the community for over 20 years. One of the projects that we worked on was Project Safe Neighborhoods. I am not saying that everyone who commits a crime is in a gang. This is a community outreach effort where we teach people about gun control. There is an amnesty day where people can turn in their illegal guns and there are no questions asked. Sometimes they receive an incentive. Those types of community programs work. They are data-driven. We can get that information. Should we be taking that route? Anyone who wants to commit a crime has access to a gun. Should we be looking more to programs?

I am not saying that I disagree with background checks, but this is data-driven and it works. Should we try to capture dollars for our communities to work at that grassroots level through these programs? The programs have partnerships with law enforcement, schools, juvenile justice, and so forth.

David Chipman:

That is a very insightful question. What on the front end of prevention is reasonable with the freedoms that we have to prevent bad guys from getting a gun? To me, a background check makes sense. As has been pointed out by Assemblyman Wheeler, criminals are going to get guns. I believe what you are speaking about is, how do we effectively—as a nation—attack that problem when it occurs? Project Safe Neighborhoods is a data-driven approach where we get the community involved in getting guns out of the hands of criminals who have already obtained them. This is smart and is something we will have to do no matter what happens here today. Again, on the front end, there would be fewer people trying to get guns back if we had background checks. We know that is the case because two million people have already been prevented from getting guns because of the background checks that we have.

Assemblyman Hansen:

In the bill itself, section 7.8, subsection 4, says, "A transfer of a firearm that is a gift or loan between family members who are related by consanguinity or affinity within the second degree," would be allowed, but if I sold that same firearm to my son, would I have to go to a gun dealer?

Senator Jones:

No. The transfer is described as any type of transfer, so if you want to sell your gun to anyone related by consanguinity or affinity within the second degree, you can do so without going through a background check.

Assemblyman Hansen:

We mentioned Sandy Hook earlier. In that massacre, the guy who shot the kids actually got the firearms from his own family members. I am trying to figure out how this bill—since you brought that up as the main catalyst for this bill—would have prevented the Sandy Hook situation.

Senator Jones:

I believe I already said in my response to Assemblywoman Fiore's question that I was not suggesting that this bill was going to solve the Sandy Hook problem or any specific massacre in this country. However, I do believe, because two million folks who are felons, domestic violence perpetrators, or those who have been adjudicated mentally ill have been denied firearms, it makes sense to go forward with something that will keep guns out of the hands of those individuals.

The bill is intended to address the issue holistically. There are other bills in this building that address the issue. I am going to be hearing one of them from Assemblyman Stewart this afternoon. I am not here to suggest that this bill is the magic solution to all of our problems, but it is a step in the right direction.

Assemblyman Hansen:

You mentioned two million people who were denied firearms. Do you know if any of those who were denied were able to successfully get firearms through private party transactions or other ways? You act like the two million that were denied never got firearms. Did they ever get them in some other fashion?

Senator Jones:

I do not have the answer to your question. I can probably guess statistically that those two million-plus folks did not all get weapons and did not all go commit crimes. I have to believe that it deterred at least a few of them. If it deterred even a few of them, then it is the right thing to do.

Assemblywoman Spiegel:

In section 7.8, subsection 9, it talks about transfers that would be permitted if someone was going to serve in the armed forces and be deployed outside of the United States. It got me thinking about some other scenarios that might happen. What would happen if there are two roommates living together in a home and they share a gun safe. One of them went out of town on an extended business trip—say for four months to Carson City—and did not take the firearm with him. Would that constitute a transfer since the roommate would have control of the gun safe? Where would that fall in the bill?

Senator Jones:

It is an interesting question. Many of the proposed exceptions were at the suggestion of those who addressed us in the Senate Committee on Health and Human Services. We also looked at other statutes, including what was passed in Colorado recently. There are innumerable situations we can come up with that could potentially affect someone. I am happy to discuss that particular situation with you. At some point, the exceptions swallow the rule, so we have to draw the line somewhere.

Assemblywoman Spiegel:

You mentioned our colleague from Assembly District 22—who has a bill that deals with outpatient and involuntary commitment—and I wondered if part of your legislative intent is for those scenarios to be covered by this as well, if that bill passes?

Senator Jones:

If someone is participating in an outpatient commitment program, would they be covered by this bill? The answer to that is "no," unless they are a convicted felon, domestic violence perpetrator, or have been adjudicated mentally defective. My understanding of Assembly Bill 287 is that it will address folks who have not yet been adjudicated mentally defective, although it is possible that someone was previously adjudicated mentally defective, then was released and reentered through an outpatient commitment program. Under that circumstance, their record of prior adjudication would still be prohibitive of their ability to possess a firearm.

Assemblyman Martin:

I am going back to the background checks and the concept of transferring firearms. Would it be illegal for one domestic partner to transfer a firearm to another domestic partner? What about transferring to a domestic partner's children? Please discuss the testamentary exception and whether it will require the administrator of the estate to do background checks on the beneficiaries.

Please concentrate on those few questions. I am trying to get into the guts of this.

Senator Jones:

The answer to your first question is that I am not entirely certain, but I would be happy to include it since we are including domestic partnerships in any statute right now. If it is not currently covered under family, I would be happy to include it.

On your second question, with regard to testamentary transfers, my read of it is that you would not have to go through a background check if it was by operation of law, by an executor to a beneficiary.

Assemblywoman Fiore:

Let us touch on the light of the bill and tell me how this will help a mentally ill person?

Senator Jones:

As I discussed, one of my concerns is that those who are suffering from mental illness are falling through the cracks in our system. That is why I have worked with mental health professionals and law enforcement and studied other programs. I have included sections in the bill to ensure that there is proper coordination between the DHHS, law enforcement agencies, and government officials in order to ensure the model that is being implemented here in Carson City is implemented throughout the state. It is a good model.

I would like to note that Sergeant First Class Jeremiah Mock is here. He was shot in the IHOP shooting. He will not be testifying today, but I did want to recognize him. He is a member of our National Guard.

**Chuck Callaway, Police Director, Office of Intergovernmental Services,
Las Vegas Metropolitan Police Department:**

I will be very brief. We are here today in support of S.B. 221 (R2). We appreciate Senator Jones' work on this issue. I appreciate having in this bill the ability to have folks who have been adjudicated mentally ill reported to the Central Repository to have that information pushed down into NCIC. Currently, officers in the field cannot directly access information on the folks who are adjudicated mentally ill. They would have to go through the Central Repository. If it is not business hours or they have trouble getting hold of someone, they do not have immediate access to that information. This bill covers that loophole.

We also appreciate the background check issue being addressed. We understand there are concerns about the logistics of how the background checks would be handled. I am not going to take a position on how they would be done. I will leave that to the Committee to decide whether that is done as currently written in the bill, or through another avenue. We do believe the background checks are an important step in the right direction.

Eric Spratley, Lieutenant, Legislative Services, Washoe County Sheriff's Office:

I am here to express our support of S.B. 221 (R2). We thank Senator Jones for having the courage to address this sensitive topic and for bringing forth legislation to address access to firearms by mentally ill persons.

Richard Perkins, Private Citizen, Las Vegas, Nevada:

I think it is important to give you a quick background. I am a native Nevadan. I am a hunter, a fisherman, and an outdoorsman. I am a gun owner, and when I say gun owner, I mean dozens of guns. I am not unfamiliar with the gun ownership laws in our state and throughout our country. I retired after 25 years at the Henderson Police Department, the last three years as their chief of police. I carried a gun every day for those 25 years, and often still do. I have a daughter who has her own CCW permit. We are not unfamiliar with responsible gun ownership. I am a lifetime NRA member and have gotten an A grade from the NRA every session that I served in this legislature, and carried and supported many of their bills. I am a gun show participant. I go to the gun shows and enjoy the products that are on display. I have also encountered many mentally ill and the criminal element with guns during my law enforcement career and have participated in hundreds of investigations involving violence. Many of those, as has already been testified, obtained those firearms in private transactions. Not all of them did; some of them obtain them through criminal means, but many obtain them through private transactions.

What we are talking about today is responsible gun ownership, not the lack of gun ownership or the impediment for responsible and law-abiding citizens to obtain the firearms they want for sporting reasons, collecting, or self-protection. People who should not own firearms are turned away from our gun stores every day. You can talk to the gun store owners; that happens on a regular basis. Why would we keep a loophole in our law that keeps them from purchasing those firearms? There is a loophole big enough to drive a truck through in finding those firearms.

Let me finish by telling you that no law is perfect. I have participated in the passage of many laws in this Legislature and very few, if any, were perfect. We should not overlook the good for the perfect, and this bill is a great step in the right direction.

Assemblywoman Fiore:

I think it is sad that we are using the mentally ill to disguise a gun control bill.

Assemblyman Carrillo:

In reference to section 9, subsection 2, paragraph (a) on page 21, will this section pertain to those individuals who are hospitalized under a "Legal 2000"?

Eric Spratley:

It would not.

Assemblyman Carrillo:

Is the background check different from what is currently performed at a police station or substation to obtain a blue card for a handgun that is transferred privately in Clark County?

Chuck Callaway:

If I am selling my gun privately and I go into the police station for the registration, the background check would be done through the Central Repository, through the NICS system. It would not go through the licensed firearm dealer, so it would still be done through the NICS system. It is being done directly through the Central Repository. Our folks at the police station would call into the Central Repository for the background check.

Assemblyman Carrillo:

Do you feel the background checks that you do are adequate for the transfer between two private owners?

Chuck Callaway:

Yes, I believe it is adequate. There needs to be some type of background check. As I stated in my testimony, I will leave the logistics of the background check to this Committee to decide whether it is done at a firearms dealer, through the police department, or a direct phone call with the Central Repository.

Assemblyman Hansen:

You mentioned that we currently have a giant loophole through which they are driving trucks. If we, in fact, plug that loophole, there is always going to be a new loophole and some way to obtain firearms as long as firearms are allowed to exist in our society. The idea that criminals will somehow be blocked from getting firearms is not a realistic proposal. My question is, if we keep going down the road of forcing more and more law-abiding citizens to go through these onerous steps, when do you finally get to the point that you say the criminals cannot get firearms short of confiscation of firearms, as has happened

in so many countries around the world? Why do you think by creating a new layer of law the criminals are suddenly going to be more or less susceptible to breaking the law?

Eric Spratley:

We have to start somewhere, and prohibiting mentally ill people from gaining access to firearms is a great start. I have an analogy. I have an old home that has a lot of plumbing problems. Do I let the water run under the house or do I get my butt under there and try to fix it? Is another plumbing problem going to come up? It certainly is. I just keep trying to address them the best I can. Sometimes you call for the professionals to help out. It would be ludicrous to let it go and say that it will not break somewhere else. We have to start somewhere. We have to address mentally ill access to firearms.

Assemblyman Wheeler:

I am worried about the enforcement end of this. I have talked to four sheriffs, including one from my area, who say it is totally unenforceable. Most security companies with security personnel, though they are armed guards, do not actually have guns on them; they check the guns out. The way I read this law, every day they will have to go through a background check to check the guns out, and then they will have to go through another background check to put them back. The police officer who wants to buy a gun but does not have a CCW, will have to go through a background check if he wants to get a gun from his buddy. How do we enforce all of these loopholes in this law versus the law itself? How do we enforce the background check of this portion of the law? I do not think the mental health portion is enforceable.

Chuck Callaway:

I will answer the questions. To answer your first question regarding the background check, I am sure it is not Senator Jones' intent to capture folks who work for a company that owns the firearms. They hired security guards and, as part of the hiring process, the guards have gone through a background check. They check out a gun to do their job, and at the end of the shift they check the gun back in. I do not know how often that occurs; most of the security guards I know own their own firearms.

As for police officers, I bought a gun four months ago, paid the \$25, and got the Brady background check. If I have to do the background check when I buy again from a gun store, I do not see the difference in doing it if I buy a gun from Lieutenant Spratley.

As far as enforcement goes, I think it is twofold. I could say to heck with this law, sell someone a gun and never do the background check, but it is a gamble.

If the person I sell that gun to commits a crime with it, they will trace the gun back to me, and I could potentially be held criminally liable under this law. I could be charged for selling the gun without the background check.

The other side of that is a deterrence factor. As a law-abiding citizen, I want to sell the gun to someone, although I do not know the person or his background. I would go through the background check and know that I can turn the gun over to that person knowing that he is not prohibited from having it. If I want to say to heck with it and sell the gun, there is a bit of deterrence there knowing I could be criminally charged, and that might not be the thing to do.

You are right about the time of sale. It is difficult to pin that moment down. Law enforcement is not going to show up at someone's door at the moment he is ready to sell a gun and ask him if he has done the background check. There are avenues to hold people accountable when they do not do the background check and the gun ends up in the hands of someone who should not have it and he commits a crime with it.

Chairman Frierson:

I am going to invite the remaining folks here to provide testimony in support. We have to move on. We have to give all sides equal time.

David Hoover, Private Citizen, Lakewood, Colorado:

It is an honor, and with a heavy heart, that we are here today. I am from Colorado. I was raised in a family of five children. My father is a retired Air Force major, and we traveled all over the world. He taught us how to hunt, to handle a firearm, and the responsibility that comes with handling the firearm. We have been all over the country. I went to high school in Wyoming and, after school, we would go hunting. We knew that responsibilities came along with that as well.

Our family, obviously, has been touched by violence. The pictures on the slideshow that you will see today are those in our family whom we lost. My nephew was killed July 20 of last year. My sister, who is the youngest of the five, sent her son off to see a movie with his girlfriend. My daughter is more like his best friend than a cousin; they are three months apart. They went to catechism classes together and had first communion together. They enjoyed and spoke with each other on a daily basis.

Background checks are not intrusive. They are simple and part of the responsibility that comes along with a right. I have passed background checks; I own guns. I have no fear that my daughter could pass a background check,

and I would be happy to have her go through one. If she could not pass a background check, I would not want her to have a firearm.

We all have family members in our lives that, when they leave the party, it is okay. My nephew was a special young man. When he showed up, the party began. He was over at our house and I work as a police sergeant. I am not here to represent my department, but I have been in law enforcement for 30 years. My wife and I came out here while we were dating to meet her grandparents, who lived in Carson City. Her uncle does fish guide trips on Lake Tahoe, and she has an aunt and uncle who live in Reno. They are wonderful people and this is a wonderful state.

As a sergeant, we go to licensed gun shops weekly or daily to deal with the issues at hand or to make an arrest. An individual trying to purchase a firearm may have a warrant out for him, or he may be under restraint because of a domestic violence restraining order. Criminals are not the brightest individuals in the world, so when we go to the gun shops, they are sometimes surprised they have a warrant out for their arrest. Background checks work. We need to keep the guns away from those who are mentally ill. Over the past 30 years, I have had four people shoot themselves in front of me. I would prefer not to have that happen again. Just two weeks ago, I wrestled a gun away from an individual who had stolen the firearm in a burglary. He got it illegally. It can prevent problems if we set the framework now. We need to set what the responsibilities are of gun owners when they trade or sell or give away something that is designed to take lives. Guns are not toys; guns are designed to kill. This young man lost his life that night. He was at my house mowing our yard. When I got off work that night, I was dismayed with my wife because she paid A.J. \$40 to mow my yard, which is not huge. She told me to stop complaining because he is my nephew and he wanted to take his girlfriend to a movie. My daughter was going to go with him, but decided not to since she had to get up early the next morning for work. She went to a theater that was closer to our home—thank God—or she may not be here today.

We can make a difference. My sister called me at 2:37 a.m., screaming a scream that I do not want anyone here to have to hear. She told me she did not know where her son was. I can remember it as if it were yesterday. I will never forget it until the day I die. You do not need to hear those screams. You do not need to deal with the funeral and burying your children if you do not have to. Are we going to stop crime from happening? Let us be real; it is not going to stop all crime, but this is the right thing to do. There were Republican children and Democratic children in that theater, and in Sandy Hook, and in all the other shootings, including the shooting in Carson City. We have all seen a loss. This is about putting the responsibility with the right. This is not

burdensome or prying into personal lives. It is setting the framework for those who privately sell guns. Everyone in here needs to say they will not sell a gun to someone who is irresponsible and may commit a crime. I am not worried about us; we are obviously law-abiding citizens. It is the individuals out there who do not care who they sell the gun to; they just want to make the sale. Please do the right thing.

Chairman Frierson:

As always, and regardless of which side you are on, thank you for sharing so much of yourself. It certainly brings some powerful insight for our consideration.

Amanda Hoover, Private Citizen, Lakewood, Colorado:

Like my father said, my cousin was killed in a shooting. I do not want anyone else to ever feel the loss that I felt. I miss him every day; he was my best friend. Background checks are not going to stop everyone from committing a crime, but if you can stop one person from getting hold of a gun—or make it more difficult—and prevent one person from being killed and one family from feeling the pain, I think that is a no-brainer and why not do it. Look at what you have to go through to get a license to drive a car. You have to go through a lot. I feel it is too easy to get a gun that is designed to kill people. I feel that needs to change. This is a good way to start the move toward change and to help prevent some crimes.

Keith Munro, First Assistant Attorney General and Legislative Liaison, Office of the Attorney General:

I am here in support of the concepts of this legislation.

Chairman Frierson:

I would like to invite up the remaining people who want to provide testimony in support, both here and in Las Vegas. We are well into the point where you can indicate that you agree with the folks who have come before you. I want to ensure we hear from Las Vegas as well.

Susan Meuschke, Executive Director, Nevada Network Against Domestic Violence:

You have a copy of my testimony ([Exhibit D](#)). Nevada currently ranks number one in per capita deaths of women killed by men with handguns and has ranked number one in five of the last six years. We know that the combination of domestic violence and firearms increases the chances of homicide for women by 500 percent. We also know that, in states that have closed the private sales loophole and are requiring a background check for every handgun sale, 38 percent fewer women are shot to death by intimate partners.

As the folks before me so eloquently said, if we can stop one death, it is well worth the effort. As a gun owner, I personally would appreciate the opportunity, if I was going to sell one of my guns, to know that the gun was not going to someone who is prohibited from having it.

Assemblyman Wheeler:

You said that you would appreciate the opportunity to run a background check when you sell one of your guns. I want to know if you understand that, in Nevada law, you can do that right now. It is voluntary.

Jennifer Batchelder, representing Nevada Women's Lobby:

I will just say a big, "me too."

Carol Gaxiola, Private Citizen, Tucson, Arizona:

I am representing my daughter Jasmine. I am here to give her a face, a name, and a voice. I am very honored to be here, and I thank you for this opportunity to speak about the importance of background checks, and to ask you to please pass S.B. 221 (R2).

I would like to ask you a question. Can you imagine what it would feel like if every bone in your body broke simultaneously? That is how I felt when the person came to tell me that my 14-year-old daughter had been murdered with a gun. You have the details in my written testimony ([Exhibit E](#)), but briefly, Jasmine became aware of a friend who had been a witness in a crime. She was trying to get him to turn himself in. Luis and Genaro—who were the 18- and 19-year-olds who had committed the attempted drive-by murder—overheard her. They tricked Jasmine and her friend Chris into getting into an automobile with them on a ruse. They were going to take them to the home of a relative who was going to straighten this out for Chris. Chris had been driving the car, but was not aware that they had a gun and were going to commit this crime. Luis and Genaro viewed my daughter and Chris as liabilities, and planned to kill them to silence them. Chris was able to run away, although he had six bullets in him. He collapsed after a mile and a half run and was taken to the University Hospital. His life was saved; my Jasmine was not so lucky. Genaro had her by the right arm—I know this because I saw the bruises on her arm—and Luis shot her in the neck. They dropped her and she fell to the ground. Luis stood over her—I know this because of the forensic evidence—and she covered her face, and the bullet lodged in her brain and killed her. My daughter was my reason for living; she was my future. At that moment, they took all of that away from me. This was a crime of opportunity. They were both eventually adjudicated and will be spending the rest of their lives in prison.

My 14-year-old daughter had dreams of her future. She wanted to be a marine biologist. She loved dolphins and wanted to be part of the effort to save them. "She was a child who saw the beauty in everyone she met." Those are the words of one of her teachers. That was in 1999. The first few years were unbearable; now it is livable. Every day and every time there is a celebration, it has two parts: the happy part, and the stab in my heart. As you can imagine, Mother's Day is a day that I try to forget.

You may be wondering if this bill would save lives. Jasmine's killers obtained their gun through a legal sale at a gun show, without a background check that they would never have passed. It was easy access to a gun, which is why they so cavalierly planned these two crimes: the original shooting where they attempted to murder another student, and the shooting that almost killed Chris and did kill my daughter. If they had been required to undergo a background check, they would never have been able to get that gun. They would have formed a different plan.

The debate over gun laws can be impersonal or political. This is not about politics; this is about people. I will forever live without seeing my daughter's dreams realized. Instead of a high school diploma or a marriage certificate, I have her death certificate. I would not wish my life on anyone. When this fight becomes confusing or difficult, I want you to remember her. We need to figure this out; we are smart. We can be reasonable and balance the different rights and responsibilities in this issue. When it becomes hard for you, I want you to remember my life and what I live with every day, and the life sentence that I received when these young men easily obtained a firearm and killed my beautiful baby.

Chairman Frierson:

Now to Las Vegas. I cannot see who it is, so I will let folks know that they should limit their comments to minutes. I am saying this before I know who is there, because we are well over the time that I set. I want to give the other side time as well so we can get through it. I will ask folks to be brief and if you have a personal story that you would like to share, feel free to submit that in writing in more detail. We need to get as many folks on the record as we can.

Brian Fadie, representing ProgressNow Nevada:

I am here in support of S.B. 221 (R2) because, as stated, background checks are common sense. I want to point out that, since the start of this year, there have been multiple polls conducted in Nevada asking for residents' opinions on expanding and strengthening the background check system. They have found that 86 percent of the respondents support expanding and strengthening background checks. You usually do not see that kind of support for issues that

are supposedly as controversial as guns, but we see it on this issue. This is a commonsense thing to do.

Teresa Crawford, Private Citizen, Henderson, Nevada:

I strongly support this bill from a public health perspective. I was looking at guns and domestic violence affecting women. In 2010, Nevada had the fourth highest rate of homicides against women of all 50 states, which is an improvement. [Read from written statement ([Exhibit F](#)).]

Chairman Frierson:

I need to ask you to sum up your testimony. I do not want you to read to us.

Teresa Crawford:

This is a good bill. As Brian told us, it is popular, and we urge you to pass it.

Esther Sass, Private Citizen, Henderson, Nevada:

I am in favor of S.B. 221 (R2). I had a family member murdered. The gun came from Florida. Criminals get their guns from states with weaker gun laws and bring them to states with stricter laws. Besides being devastating to the immediate family, his parents woke up to see their son dead on the sidewalk with his brains and blood pouring down the sidewalk.

With 60 percent of gun owners going through background checks now, I do not understand why expanding it to 100 percent is a problem. This would make a tremendous difference. No one is taking away anyone's guns. No one should have to go through this.

Chairman Frierson:

I will now invite those who are in opposition to come forward.

Greg Ross, Private Citizen, Reno, Nevada:

I hear that this is a really bad bill and I oppose it. As was stated previously, it allows a transfer of firearms through a gift or a loan, but does not allow any other transfer. This bill is discriminatory toward gay couples because they are not family under the law. In general, it does not matter how many exceptions you make, it is always going to be extremely inconvenient for people who are just roommates and who do not have a legal relationship whatsoever.

They keep saying if it only saves one life, it is worth it, but what if it costs one life? What if it creates a black market and black market crime causes people to die due to black market crime? People I know do not want to risk their privacy with background checks and potential registration. Some people I know do not have the money for background checks. This is a really bad bill. You cannot

leave your gun at home when you are going somewhere that guns are prohibited—or where the owner does not like guns—but you also cannot leave your gun with a friend who lives elsewhere. If you have a friend who is going to California, he cannot leave his gun with you for safekeeping during his journey. Overall, I think it is a really bad bill.

Ron Sims, Private Citizen, Gardnerville, Nevada:

I manage a federally licensed firearms dealership, and I would like to point out a few issues in this bill that will directly affect folks who actually sell guns and have to perform the background checks. [Submitted written testimony that was not referred to ([Exhibit G](#)).]

Nevada is a point of contact state. When the states went to the Brady check system, Nevada chose to be a point of contact state, which means we do not directly contact the NICS system as they do in other states. What that means to us is that we call the Department of Public Safety (DPS) and they give us a background check, which costs \$25 each. As this bill is written, the Legislature has put in an exemption to this, which will allow private party transfers to go around the point of sale system and go directly to NICS. That creates an unfair system for the folks in my industry. When you purchase a gun from me, I have to charge you \$25, but if you want to buy it from the guy next to me, it does not cost you.

Another interesting point is that, at the Nevada Sheriffs' and Chiefs' Association concealed weapons forum I asked, "What do I get for my \$25 when I go to the state rather than going to the FBI?" The response from the folks at DPS was that we get access to local databases. My next question to them was, "If the State of Nevada has information that would preclude someone from purchasing a firearm, why is it not uploaded to the federal system?" Their response was that there is not enough money. What you are seeing here, if the bill passes as it is written, are individuals doing private-party transfers getting the federal background check, while individuals coming in to purchase firearms from my inventory in the store are getting the more thorough and extensive state check. That could possibly include the mental health issues that need to be reported to the Central Repository.

I have a few other questions. Will this bill affect out-of-state purchases? Currently, Nevada residents can purchase in other states. Will this bill affect the transfer of National Firearms Act (NFA) items between parties? I do not see that addressed in here either. Were any FFL licensees and folks in the industry contacted about this? My next point is the mandated fees for services. We have been told in this bill that we cannot charge more than \$30 to perform this service. I do not know about the rest of you who are business folks, but I am

sure those of you who are attorneys would not appreciate it if the Legislature came in and told you, "I think these folks deserve representation and should not be charged more than \$30 for your services."

We have a presence in California; we have two stores over there. They are currently mandated a \$35 fee and are also required to perform these services. There is no backing out or option not to do private party transfers. It takes an estimated three to five hours of work to do this. It sounds like it is a ten-minute process, but if you bring a firearm into my store, I have to log it into my inventory, and then it has to go into the acquisition and disposition book. I have to explain to the customers what is going to happen, and do the actual background check. Then there is the financial aspect of the transaction when we charge them the fee. We have to then log it out of our system by removing it from the acquisition and disposition book. Next, our compliance guy wants to go over it to ensure we did not screw something up along the way. That is not ten minutes, and it is certainly not going to be covered by \$30. In passing this bill, you will be requiring me to lose money.

Chairman Frierson:

I want to clarify something. Would you point me to where it requires you to do the background check, because my reading of it initially—and I was scrambling trying to find the section—is that you can say that you do not do them there.

Ron Sims:

I cannot find that in there, and that would be awesome if that is the case; if we can turn them away. Quite a few dealers will not perform private party transfers if it is going to cost us money.

Chairman Frierson:

I will ask the sponsor of the bill to address that in closing when we are done. It was my understanding when I read the bill that, if you want to do it, you cannot charge more than \$30. The \$30 cap is mandatory, but you do not have to do them.

Ron Sims:

Certainly, there is nothing to address the Legislature in the future requiring us to do it.

Chairman Frierson:

If that is the case, we would have to address every possible scenario. I understand the concern, but I want to stick to the bill.

Ron Sims:

On a personal note, I am a gun owner and someone who falls outside of the exemptions. I live in a committed relationship, and I do not have the option of a domestic partnership because my girlfriend and I do not want to be married. This bill means that, when I leave the house, everything has to be locked up. She cannot have access to my firearms, and vice versa. Although we both have our own, including guns that we have given to each other—which would now come to an end—we would fall into that category.

I would also encourage the folks on this Committee to look at the Nevada Electronic Information System (NELIS). The comments on it run something like 2,000-plus against the bill versus about 154. The 86 percent in polls is fantastic, but look at the folks who actually took the time to respond to you, the legislating body, with their opinions on the matter. I appreciate the folks who came and gave their testimony. It is awesome to be sitting here appearing from a position outside the realm of common sense. There are quite a few of us who absolutely do not want bad guys to have guns, but fear that this is just a step on the slippery slope of a firearms registration.

Janis Brand, Private Citizen, Round Hill, Nevada:

My husband and I moved to Nevada because this was the last bastion of freedom—we thought. It saddens me to see that Nevada is at warp speed trying to assimilate into the same type of big government that we left in California. I wish you would reconsider that, and I ask you to please vote no on S.B. 221 (R2). There is a public safety issue that can be addressed by making sure that those who are mentally ill cannot get access to firearms. That is logical.

Perhaps that would have stopped my best friend, Florence, from being murdered at the IHOP. I doubt that, but perhaps. I looked at her husband, Wally, who was also shot in the leg at the same time. The mental anguish from the horror that he went through—having her head in his lap as she died—could put him into the category of the mentally ill. I cannot imagine Wally, who is a former Marine and police officer, being denied the right to have a gun for self-defense because he went through a period of extreme stress.

Florence was a very strong supporter of the *Constitution* and the Bill of Rights. We knew each other for over 30 years, so I can tell you the type of person she was. She would not have approved of this bill because she wanted to preserve all of our rights. The Second Amendment makes no exception to the right to bear arms. Our founding fathers knew that gun ownership was the basic foundation for protecting us from tyranny, and for self-defense. I believe that the changes in this law, changing the background check on party-to-party sale

of guns from voluntary to mandatory is intrusive and perhaps unconstitutional when you really look at it. In light of the Internal Revenue Service scandal, the Department of Justice problems with the witch hunt against journalists, Fast and Furious, and other such events coming from our government, I feel it is very, very dangerous for those of us who own guns to protect ourselves to continue putting our names and information anywhere on record. Please vote no against this bill.

Randy Anderson, Private Citizen, Reno, Nevada:

I would like to leave the background checks part of this alone for the moment, because there are a lot of people to argue it. I would like to argue on the mental health issues in this bill. How many people who need help with mental issues are not going to seek it because they do not want to lose their right to own a gun? How many more people will die because they were afraid they would lose their right to own guns? What happens to, say, a single mother who goes through a post-partum depression and calls a helpline? Now she has a mental issue and no right to own a gun. What happens to a 15-year-old kid who is a bit hyper and they claim he has attention deficit hyperactivity disorder (ADHD)? Now he cannot own a gun for the rest of his life. How about the soldier who had a bomb go off next to his head and survived, but when he got home he is told that he has post-traumatic stress disorder (PTSD) and can no longer have a gun? All of these mental issues are not clearly defined here and all of these people could be precluded from owning a gun. No one wants crazy people to have guns, but most of these issues are not things that should preclude you from having a gun for the rest of your life. This is not really fair to them, and I think many people will not seek the mental health help they need because they are afraid of losing their gun rights.

Chairman Frierson:

Can you point to the section that addresses some of the examples that you gave regarding mental illness? I ask because my reading of it says a person who has been adjudicated mentally ill, pleads guilty by reason of insanity, or things like that. I do not see anything in here that says a kid who is diagnosed with ADHD would not be allowed to own a gun in the future. The only thing other than a criminal adjudication that I see is simply that mental health professionals are supposed to report to law enforcement explicit threats that they believe someone could carry out. Even in that section, I do not see any connection to their inability to own a gun as much as to the obligation of the professional to notify law enforcement within the narrow confines of that threat.

Randy Anderson:

I would say that you are probably right; it is not specifically defined in there. That is the problem, that it is not specifically defined. What you mean right now might not be what the next guy means in two years down the road. It is not clearly defined. You said it mentions doctors who must report specific threats. What happens if you have an argument with your doctor about the treatment he is giving you, he gets pissed off, and decides to call on you so you cannot own a gun anymore.

Chairman Frierson:

I do not want to get too far into the weeds. I think that is way beyond the scope of the bill. The bill says if there is an explicit threat that the health care professional believes that person is capable of carrying out, he is required to report it to law enforcement. It is independent and has nothing to do with the right to own a firearm, if I am reading it correctly. If your point is that this opens the door for future things that could implicate gun ownership, I certainly understand that and you can make that point, but the other part is not part of the bill.

Randy Anderson:

I think it is both. I believe a lot of people are not going to seek mental health help because they are afraid of losing their gun rights. There is no definition in here to specify that you are not going to lose your gun rights if you seek the help you need. You cannot leave things open-ended like that because, as we have seen throughout our history, somehow the politicians always push it a step further, then another step, and another. That is why you have the disenfranchisement with the public.

Johanna Schumacher, Chairman, Gifted Minds with Too Little Time:

I represent a large bipartisan group of men and women who are not able to attend this meeting today. I want to speak personally first, because I noticed that we continue to bring up the 86 percent poll. I have personally interviewed two people who conducted these polls. I could not get more of them to talk to me about it because of the current economy. It is very difficult for them, and they are afraid they will lose their jobs. They informed me that the wording of these polls was deliberately leading, offering only two choices between background checks or universal registration. Of course this would lead people who are polled to pick the lesser of two evils, which was to do the background checks. That means we are still picking an evil.

We must stop legislating to soothe our sadness. We have to stop looking to punish law-abiding citizens for the criminal acts of those who are committing

the crimes. All this does is to allow us to feel better because we can blame someone else. That is not right.

On behalf of my group, we want you to know that we can no longer sit idly by and allow the systematic stealing of our constitutionally protected rights. [Read from written testimony ([Exhibit H](#)).]

Chairman Frierson:

Please do not read to us. You have the benefit of being able to summarize your testimony and to submit it. You get both if you summarize it for us.

Steve Johnston, Private Citizen, Reno, Nevada:

I am a licensed firearms dealer in Reno. I will try not to repeat the points made by Mr. Sims earlier, but I do share every one of his points emphatically. To the best of my knowledge, everything he presented as far as the effects on a dealer's business, are absolutely true.

One interesting statistic specifically out of our business is that we have had a federal firearms license since July 2011, and we have processed countless background checks. I have not had a single denial; not one. Two million people since the Brady Bill have been denied, but we have not seen a single one of them. The reason for that is prohibited buyers do not submit themselves to background checks unless they are really mistaken or just plain stupid. Our experience has been that we have not seen that type of people. What we have seen are people coming through and legally processing through a background check. Sometimes there are delays, but in the end, we have always gotten a "proceed" on every background that we have processed since we have been in business as a licensed dealer. That points directly to the fact that, even though requiring private parties to go through background checks, criminals would still not submit to them. That is a fact.

I do not see another way. Are criminals still going to get guns? Yes. Is this law going to prevent it? Absolutely not. When the supporters of this bill were pressed on that issue, they absolutely agreed that this law will not prevent future tragedies. It is not common sense; it is feel-good stuff that is not going to have the effect that they are saying it might.

I will not talk about the burdens on the business. Mr. Sims already did. I do want to talk about the CCW permit holders that are in this Legislature. By current law, they are already exempt from background checks. Requiring them to come into my business, or another gun shop, to fill out paperwork when they are exempt before they walk through the door is, again, a disruption of my business and a waste of time. Further, by putting all of that information

on paper—and this is what the former ATF agent alluded to—that record does stay on the books. It is, in fact, a de facto registration because that has nothing to do with a background check. In our laws, we know that CCW holders are exempt from background checks. Requiring them to come in and fill out the paperwork and putting the details down on that firearms transfer does nothing but report the transfer of the firearm, because the background check is not processed. It is a de facto registration and is illegal. Firearm registration is illegal and there is no other reason to have them come in; they are already exempt. The registration is not something we want to see in this country.

In my reading of the bill, all of the directions to licensed dealers say, "shall." They shall do this, and they shall do that. Nothing says "may" or that the dealer has the option to back out of this. We could have a line out the door with a separate counter just to process private party transfers. I do not know what the effect will be, but it can only be negative. That concerns us as well. Mr. Sims gave you some details on how we would process something like this. It is not just the customer filling out a piece of paperwork and making a phone call. It is significantly more paperwork than that. We have not seen any possible effects that this might have on our business or instructions from Nevada or the ATF on how to process those types of transfers. With a lot of outside influence, this legislation is being pushed through in what feels to me like a desperate attempt. It is not right for Nevada, and I do not believe it is right for America. It does not fit our culture. Because of the issues that I have seen in this bill, I urge you to vote no on it and find some other means to require state agencies to do better reporting of mental illness and crime convictions to both the NICS and NCIC systems, and the Nevada Central Repository because that is very important.

Shawn Meehan, representing Douglas County Republican Party; and Nevada State Republican Party:

I will try to summarize my written testimony ([Exhibit I](#)) for you. When you review previous testimony, notice that there were no challenges to many of the references that were presented, and several of them did not jive with what I found in researching this.

I have prepared citations and references to what I am going to present to you. I would like us to also consider that society has been lulled into a fraudulent belief that laws prevent crime rather than react to crime. Initially, the punishment for this bill really got my attention. Currently in Nevada, if you are caught driving under the influence you lose your driver's license for 90 days, but you do not lose your car. The second time, you lose your driver's license for a year, but do not lose your car. Driving is not an enumerated constitutional right. The first offense for this bill for failing to do paperwork and registering

with an FFL, for two years you lose an enumerated constitutional right. Is that really where we want to go? The media in this country proclaim that firearms will never be confiscated in America. September 8, 2005, in New Orleans, Louisiana, Police Superintendent Eddie Compass ordered local police, National Guard, and Deputy U.S. Marshals to confiscate all civilian-held firearms. They listened. Seizures were carried out without constitutional warrants and in some cases with excessive force. On September 23, 2005, the U.S. District Court for the Eastern District of Louisiana issued a restraining order barring further unconstitutional firearm confiscation. It can happen. [Read from written testimony ([Exhibit I](#)).]

Chairman Frierson:

I do not want to cut you off, but you are doing a whole lot of reading.

Shawn Meehan:

Present day dateline, the IRS admits they abused their database and used that authority to target conservative groups. In New York, newspapers published a Google Map with concealed weapons permit holder data precipitating stalking incidents and physical threats. Missouri's database of concealed weapon holders that their state law mandates must be confidential was twice given to the Social Security disability fraud investigators of the federal government. We have to be very cautious what data we give the government.

Also, the facts show this bill cannot work and will be nothing more than harassment of law-abiding firearms owners. A paper by Greg Ridgeway, Ph.D., Deputy Director of the National Institute of Justice, at the U.S. Department of Justice, titled "Summary of Select Firearm Violence Prevention Strategies" concludes that the effectiveness of background checks depends on the ability to reduce straw purchasing, requiring gun registration. This was written this year by the current administration. This paper also cites the top two sources of gun crime; 47 percent are acquired by criminals via straw purchase and 26 percent are stolen. He concludes that, "A perfect universal background check system does not address the largest sources, which would likely become larger if background checks at gun shows and private sellers were addressed."

Chairman Frierson:

It does not sound like you are close to being done and I have forty more people wanting to speak, and I do not want to cut any of them off.

Shawn Meehan:

A current database already exists and the Department of Justice offered a counsel's opinion that actually discloses that the NICS background check information is retained by the ATF in violation of current law. That is a matter

of public record. The ATF representative earlier gave a very passionate testimony in which he said, "We need cops to have a chance to prevent crime." Mr. Ridgeway's paper—that I encourage you to read—sets out research that over 90 percent of the weapons used in crime are obtained in violation of laws that currently exist. I would like to join with this Legislature and Mr. Chipman in giving cops a chance to prevent crime and enforcing the laws that currently exist.

Larry Johnson, President, Coalition for Nevada's Wildlife; and Director, Nevada Bighorns Unlimited:

Both organizations have submitted written testimony, which I will submit and summarize briefly ([Exhibit J](#)) and ([Exhibit K](#)).

Nevada Bighorns Unlimited (NBU) states that keeping firearms out of the hands of criminals—yet ensuring that law-abiding citizens and Nevada's sportsmen and sportswomen are not subject to negative regulatory impacts—is the challenge. They also state that S.B. 221 (R2) is not the effective answer to these exceedingly important issues. Nevada Bighorns Unlimited cannot support S.B. 221 (R2) as currently submitted. The NBU is the largest sportsman organization in the state that has many thousands of members.

The Coalition for Nevada's Wildlife wishes to express our strong opposition to portions of the bill. We fully support the mental health requirements of the bill and we commend Senator Jones for this portion. Areas that we object to are the requirements of background checks for transfer of firearms between private individuals for the following reasons: it is a de facto firearm registration; we object to the requirement of the fees; we object to the lack of outreach to citizens; we object to its ineffectiveness; and we feel it is extremely unenforceable. When criminals do not abide by and do not care about these requirements as the previous gentleman testified, all the Legislature is doing under this bill is penalizing, and even criminalizing, the honest citizens. These unnecessary requirements in no way reduce crime or keep guns out of the hands of criminals.

I want to point out a couple of personal loopholes in this bill. First, I take young people in wheelchairs hunting. We have an agreement with Newmont Mining to use their landowner antelope tags. At my home, I teach these young people to shoot. I loan them firearms to take home with them to practice, because an individual who is paralyzed on the entire left side of his body has difficulty in lining his eye up to a scope in the manner that would allow hunting. They have to practice and practice and practice. This bill would make that illegal.

I created a small tricked-out shotgun for my young boys when they were growing up until they could use a full-size shotgun to hunt chukar with. The gun is engraved and is a beautiful little piece. I passed it off to my business partners so their sons could utilize the gun, and then passed it off to the president of the Nevada Trappers Association so he could teach his grandson, who passed it off to the president of the Truckee River Fly Fishermen so he can teach his granddaughter to use firearms. All of those activities under this bill are loopholes and would be illegal.

Finally, just a personal note on the mental health portion of this bill. I was widowed at a very young age. I lost my wife to a drunk driver who broke every bone in my body. I woke up in the hospital six weeks later. Two months later I went through my medical bills and there was an invoice from a psychiatrist. I called the office and said this had to be a mistake; I did not see a shrink. I do not remember any of this. They replied that I did. They said that I refused to acknowledge the death of my wife, and when they repeatedly told me about it, I made threatening comments about the drunk driver and his passenger. I have been an extremely responsible citizen. I am a retired professional. I am a father and grandfather. I have done a lot for Nevada in my life and career. I really urge everyone to take a look at what would have happened if I had been declared mentally unfit for the rest of my life. Are there, hopefully, clauses where you can get this reversed?

Since this is a de facto gun registration bill, we asked the sponsor of the bill whether he would be willing to agree that records of successful background checks of honest people be expunged from the record immediately and no record keeping take place, and his answer was, "No. Those records need to be kept." We sincerely object to those portions of the bill and for that reason we are forced to propose the following amendment: to delete section 7.1 through 7.9 inclusive.

Chairman Frierson:

I need to stop you at this point. This is also a message for everyone. It is protocol to present proposed amendments to the bill's sponsor before the hearing. I will go ahead—I recognize that you have not been here before—and discuss them on the record, but I would ask that you provide them to the bill's sponsor.

Larry Johnson:

We did so, verbally, and I believe he has our marked-up version of the bill. We also propose to delete section 8 from S.B. 221 (R2).

Robert Roshak, representing Nevada Sheriffs' and Chiefs' Association:

I would like to express concerns from the Association and those pertain to the background checks. I realize that you have had other members of our association testify in favor of this, but the sheriffs that I have been in contact with do not feel that sections 7 and 8 need to be in the bill, and that the background check portion is strictly not enforceable and they do not know how they would be able to enforce that law at all.

Chairman Frierson:

When you say "some members," I think in reviewing this, Sheriffs' and Chiefs' as an organization supported this bill in the Senate, did they not?

Robert Roshak:

Initially, yes.

Chairman Frierson:

Has there been a change in the bill itself that has changed the position of the organization as an official position?

Robert Roshak:

We supported it because it appeared to be a good concept on the Senate side. There was some further review and looking into the bill, and as it continued to move forward with these particular areas—sections 7 and 8—they surfaced as concerns and, as a result, that is where this is coming from.

Chairman Frierson:

I have to point out the breach in protocol, so to speak, of testifying in favor of a bill in one house and in opposition in the other house with nothing having changed in the bill. I have been in your seat before, so I understand, as lobbyists, there is a job to be done and sometimes positions change. It is pretty unique to change positions between houses with no changes in the bill itself. If it is your position that a review has changed the position of an organization, so be it.

Robert Roshak:

Yes, sir.

Janine Hansen, representing Nevada Eagle Forum:

I would like to go directly to the bill. On page 19, line 3, it talks about a CCW permit holder and that the licensed dealer shall maintain a record of the transaction in the same manner as though the licensed dealer were selling the firearm from his or her own inventory.

Chairman Frierson:

I am sorry, Ms. Hansen, what section are you looking at?

Janine Hansen:

Page 19, section 7.85 on line 3, where it talks about a CCW permit holder wanting to transfer a gun, but he has to go to the licensed dealer. Those records will be maintained by the dealer. Of course, we know that the same requirement is in the bill for people who are not CCW holders. My concern is that, as has been stated, this is essentially de facto gun control registration. If you go to page 14, section 4.6, line 9, it talks about these records being confidential, but on line 11 it says, "a purpose related to criminal justice, including, without limitation." It goes down to line 14 to say that the Central Repository may disclose the record to any criminal justice agency.

Chairman Frierson:

Can you restate the section?

Janine Hansen:

I have gone to another page now. It is page 14, section 4.6 of the bill and it starts on line 9 where it says "confidential." Then on line 12 it talks about a purpose relating to criminal justice including without limitation. Then on line 14, it talks about the National Criminal Information Center and the Central Repository. The Central Repository may disclose the record to an agency of criminal justice. I am not sure how that is defined, but I assume that includes federal agencies of criminal justice. This information could be given to the FBI, the Department of Homeland Security, the ATF, federal marshals, the Criminal Investigative Bureau of the IRS, the Bureau of Land Management, the Forest Service, the Transportation Security Administration, and we have already heard about the Social Security fraud division. This is of significant concern to those of us who follow the admonition of Thomas Paine in *Common Sense* when he said, "It is the duty of the patriot to protect his country from its government." Anthony Scalia said in *District of Columbia v. Heller*, 554 U.S. 570 (2008) on handguns, an armed citizenry is the last resort against oppression. The right to keep and bear arms is the freedom from which all other freedoms flow. We are significantly concerned about the de facto registration in this bill and feel it only serves to limit lawful gun owners and does not protect us from the criminal.

Chairman Frierson:

For clarification, the section that you were referring to, section 4.6, is a different set of records. That refers to records described in *Nevada Revised Statutes* (NRS) 179A.163, which are the mental health records. Those are a different set of records, but I do not think that will change your position.

I want to make sure we are not talking about the same records that we were talking about as far as registration when you purchase a gun. This refers to mental health records in NRS Chapter 179A.

Janine Hansen:

It does not change my position, but I want to make sure none of these records will be available. I do not see anywhere that it prohibits giving the records to the federal government. That concerns me greatly, and I am concerned about de facto gun registration.

Gerald Antinoro, Sheriff, Storey County:

To make one thing clear, I do not believe that I—or any of my counterparts around the state—want to see anyone harmed by handguns, rifles, or any type of firearm. I believe we need to do more work to keep firearms out of the hands of those who should not have them. However, the background checks that are being proposed are unenforceable and intrusive.

There is no way to enforce them. We will say that I have two gentlemen standing on a fence line talking about horse trading, gun trading, and everything else. I do not have a firearms shop in my county, so they would have to travel to Carson City, Reno, or anywhere else. I have two otherwise law-abiding gentlemen wanting to swap guns, to make this transaction, but now we are going to criminalize them.

I also see a potential for governmental intrusion and abuse. We have seen what has happened on the federal level. Possession of a firearm in and of itself on a local level will start raising the specter of how did you obtain that weapon, who did you buy it from, and where did you do the background check. These are intrusions into citizens' lives that are unnecessary.

Assemblyman Ohrenschall:

The bill talks about different types of checks. One is a DPS check and one is a NICS check. Has it ever been your experience that the two do not agree? What do you think would happen in this scenario where someone goes to a dealer to purchase a firearm from a private seller and the two checks do not agree? I wonder what your experience has been in law enforcement.

Gerald Antinoro:

Having not been involved in any of the NICS checks, but knowing the different checks that are being done, there are, in all likelihood, discrepancies just because someone's records are updated quicker than someone else's. I had a gentleman in the back of the room ask me that very question. It is conceivable that something does not get reported. When you look at the

different jurisdictions across the country, it is entirely possible that something can get into one record and not into another. This is a common problem when doing the CCW background checks. Many times we have to call the agency of jurisdiction to get to the bottom of it, and those records do not show up on the checks, or they are incomplete records.

Assemblyman Ohrenschall:

So you have found discrepancies between DPS and NICS records?

Gerald Antinoro:

There are discrepancies between DPS records and FBI records.

Eva Lane, Private Citizen, Carson City, Nevada:

I am opposed to this bill. I think it should be two bills: one to go to the Committee on Health and Human Services dealing with the mental health issues, and the other one to go to the Committee on Judiciary to deal with the gun control issues.

Richard Brengman, Private Citizen, Gardnerville, Nevada:

I am currently a firearms manufacturer, and formerly in retail firearms for over 20 years. With all due respect to the Committee, I have to say that the emperor has no clothes. This bill is so convoluted it fails the reasonable man test. I know there are several lawyers on the Committee, and I am sure you are familiar with the reasonable man test. The average citizen is not going to be able to understand this bill well enough to be assured that they are following it despite their best efforts. The bill disenfranchises people in rural communities. How many FFLs are there in Silver Peak? How many in Crescent Valley? You are going to tell people that, in order to comply with this law, they have to travel over 100 miles. This is Nevada; we have rural communities. A 100-mile drive is not unusual. If I want to go to Reno from Gardnerville, it is over 100 miles by the time I make the complete trip. The bill is so flawed I cannot begin to address all of the problems.

I find one thing very disturbing. When I called the Legislature to get some clarification, I was told that this bill is not being considered a tax and can be passed by a simple majority. That is disingenuous. Just because a fee is paid to private enterprise and not to the state, does not mean it is not a tax. You can play games with words, but it is a tax. This bill should require a two-thirds vote. In addition, by my interpretation and many years of experience in this field, this bill requires two background checks. You may be able to do it on one telephone call, but it is going to be two checks. The bill states, "A fee of not more than \$30." In reality there are two persons being checked, so that fee could be \$60. Ignoring all of that, in Nevada we have a lot

of transactions on NFA items. Many of you may not know what an NFA item is, which tells me you should not be legislating on this at all. These NFA items include flash bangs that the police departments use and smoke grenades. There are also machine guns, suppressors, and any other weapon like a cane gun or a pistol with a forward pistol grip. This stuff is very common in Nevada, particularly suppressors. They are becoming more popular by the day. People have decided to keep their hearing rather than lose it.

My reading of this bill, since all private party transactions must transfer through a dealer, every NFA transaction currently has a \$200 federal tax, so do not deny that there is a tax involved with this bill.

Chairman Frierson:

Please adjust your tone. We are not here to talk about people's motives and call people disingenuous. I want to hear your point of view.

Richard Brengman:

Currently, NFA background checks take between seven months and a year. Under this bill, as it is currently written—this bill is fatally flawed—that is now going to require two background checks because it takes a \$200 transfer to transfer it to the dealer. This bill requires all private-party firearm transactions to transfer to the dealer for keeping his records before being transferred to the ultimate buyer. Now you are requiring two \$200 background checks and over a year to transfer everything back and forth twice. That is ridiculous.

The bill is regressive, internally inconsistent, and I do not believe that any state legislature has the authority to mandate that people lose their ability to appeal for two years. I do not think you can write law that overwrites the *U.S. Constitution*. There are too many points to go over. I have offered many times to discuss this privately with people, and no one has taken me up on that.

Dennis Johnson, Private Citizen, Carson City, Nevada:

Like Senator Jones, if I heard him correctly, he had some mental illness issues in his family, as did I. He also talked about suicide. My younger brother took his own life because of mental problems that he was having. It does not make it any easier whether you can go to the store and buy something over the counter at the pharmacy.

Like the folks who testified, the gentleman from Colorado, and the reference to the Sandy Hook killings, I lost a loved one. My daughter was killed in an accident and not through violence, other than the violence of the accident, but it is a tough burden to carry when you lose a child. There is no way to describe it. Until you have been there, you do not have a clue what it feels like.

One of the things that resulted from my daughter's death is that I spent a lot of time back East seeking to get changes made in the confluence of events that caused her death. One of the biggest challenges that I had was to dump the emotional aspect of it and pick up on the commonsense, practical rather than feel good steps that could be taken. I would like to see this bill bifurcated: one dealing solely with mental health issues, which are very important, and the other getting a team of experts to figure out an easy way, if there is one, for background checks. I do not believe that background checks are going to stop the crooks from getting weapons. I think it is delusional.

One common element about Sandy Hook School and the theater in Colorado is that they were both gun-free zones. With all due respect to the Nevada Legislature, there was an opportunity to let proper, qualified select people carry firearms on campuses.

Chairman Frierson:

I will stop you right now. That is a whole other road and we do not consider bills that are not before us. There are other bills that I would like to compare, but we have to stay focused.

Dennis Johnson:

In conclusion, I think it is unusual that this bill would be heard today since we all spent this past weekend honoring those who died in the service of their country to protect and defend our *Constitution*. Why would we want to water it down? It is the most important document in the history of the world.

Kim LaBrie, Private Citizen, Reno, Nevada:

Anything I say is on my own behalf. I am not representing any organization that I may mention or that I may have belonged to in the past.

I am a 35-year Nevada resident, recently retired as a colonel from the Nevada Army National Guard. I was involved for most of the past decade, beginning in 2000, with running counter-drug and homeland defense support operations within Nevada. I worked with state, federal, and local law enforcement agencies at all levels, as well as with community agencies running numerous youth programs to address problems. I have worked with a number of the legislators in the past in Las Vegas. I have appeared a number of times before various committees to speak about the issues that we were running there.

I am here this morning to express my strong opposition to the passage of S.B. 221 (R2). I have read the bill, all 26 pages of it. I would underscore that it is somewhat complex and difficult to read. I do not consider myself a hard

reader, but it took me a number of times chewing through it to figure out what is going on. I would second the comment that this will provide considerable difficulty for the citizens as they try to work their way through it. I would applaud the changes to mental health reporting. I understand that it does make an effort to increase the effectiveness of reporting enforcement judicial proceedings, et cetera. I would say that my opposition is, of course, sections 7 and 8. It adds an unnecessary restriction to law-abiding gun owners. It calls into question the judgment of a great majority of gun owners. It opens the door to a vast enlargement of the state's role in Nevadans' personal life. It incrementally advances the agenda of America's vocal and active anti-gun forces. It slowly tightens the noose around clearly protected Second Amendment freedoms.

We have heard a lot of emotional testimony this morning and I feel for those people who have lost loved ones, both in these collective acts of violence and individual acts of violence. I have seen them myself. I would point out that Heath Kelly, who was killed at the IHOP, was one of my officers. He worked for me for a number of years and I considered him a personal friend. Miranda McElhiney, who also died at IHOP, worked for me from 2008 until shortly before she died. She was one of the individuals in the counter-drug task force, and when I was commanding the aviation battalion and the aviation brigade at the Nevada Army National Guard, Caitlin Kelley's husband was one of my aviators in Reno. I am familiar with the impact that gun violence has on people personally. Nonetheless, I still believe that, in advancing sections 7 and 8 of the bill, we are entering some dangerous territory constitutionally. I believe there is a slippery-slope threat out there that we need to be aware of. It has been adequately addressed here, so I will not harp on that. I do believe that there is evidence that it leads to the potential for de facto registration.

I will talk for a minute on confiscation. I ran the Army's helicopter reconnaissance task force in the New Orleans area of operation (AO) during Hurricane Katrina. Either my aviators or I were over the AO in New Orleans every night, running videos, supporting law enforcement, supporting the people on the ground who were conducting rescues and recovery operations, and providing security. Again, as a private citizen—and this is all open source stuff so I am not reporting anything that has not been said—there were instances of citizens being targeted for the possession of firearms, and those firearms were removed from their possession. I think that was an egregious violation of their constitutional rights. I was at the convention center as they processed many of those 20,000 to 30,000 people through. I watched the process as the Nevada Guard did it. The Nevada Guard did an exceptionally professional job. There were other things happening across the AO in New Orleans that were at

times questionable. It was a very dangerous situation, very fluid, but nonetheless, with my own eyes I witnessed what can happen. We need to be careful with these types of laws because we do not want to emplace structures that can enforce or support those types of things.

I did some research on murders. I have only been retired for three months and I have not spent a lot of time delving into this, but looking statistically at Nevada—aside from the emotional issues—what I noticed is there has been a significant downward trend in the number of murders in Nevada, both by number and by percent per 100,000. The trend for the use of firearms in murders has also been going down. The question that I would ask is, what are we trying to accomplish here? If we are trying to accomplish keeping firearms out of the hands of people who should not have them, certainly on the mental health side there is fruitful discussion there. But I do not believe that enacting the universal background checks as established in this bill will do that. I personally support the existing National Instant Check or Central Repository type check system. I do not understand all of the particulars. I believe it is fine when you go to a dealer to undergo that process. I stand against the imposition on private transactions.

We all feel the need to take some action after the things that we have witnessed, and that is an understandable sentiment. I believe, as the gentleman sitting next to me said, we probably need to take a step back and not do that out of emotion, but do it out of a careful consideration of what might work while we balance the very real protections offered to us by the *Constitution*. The question that I would ask is, are we here proposing something in order to propose something so we feel that we are taking action? Or have we provided something that would actually address the issues that have had an impact on the recent mass killings?

I read in some of the supporting documents that there was discussion about the little impact that this would have on gun owners transferring. I was in support of the statement made by the gentleman on my left about the actual distance required to make some of these transfers at an FFL. I have seen background checks come back when they have taken much longer than ten minutes, so I would agree with that. I also believe that one of the things that we are witnessing here is the Manchin-Toomey bill that did not pass in the U.S. Senate. I understand there is an effort now by the national anti-gun forces to move that fight into the state legislatures and to referendum in front of the people. With Nevada's culture, traditions, and history, I would personally prefer that we look at this from Nevada's perspective and not the perspective of some other areas in this country.

Chairman Frierson:

I will remind folks that we have ten minutes and we have gone over the limit. We are cutting into the time for the Las Vegas folks.

Derek Clark, Private Citizen, Carson City, Nevada:

I am a recent arrival in Nevada. I retired from law enforcement after 33 years with the San Diego Sheriff's Department. For 18 years, I worked primarily in narcotics and gangs.

What bothers me about reading this bill and listening to the testimony is the private transfer of firearms from one person to another, from a friend to a friend, or from a family member to a family member is being lumped into the same type of category as a gang member selling a firearm to some dooper for a couple of bindles of methamphetamine. I think it is very scary that there is this kind of lumping of the law-abiding citizen into the criminal element. As several people who have testified mentioned, there are grave constitutional issues here that we all need to look at very carefully. I understand the need for criminal and mental health background checks. Like several people have testified, I think splitting this bill into two different ones might clarify some of those issues. Everyone here sees the need to limit criminal access to firearms, but this bill is poorly written and very unclear; it is very difficult to wade through. As a private individual, I wholeheartedly oppose S.B. 221 (R2).

Chairman Frierson:

Please limit your testimony to a couple of minutes because we are out of time.

Gordon Utz, Private Citizen, Fallon, Nevada:

I keep wondering, when I hear the statistic that 86 percent responded in favor of the bill in a poll, how that would have come out if they had rephrased the question to, "Would you support legislation imposing a fee to exercise your constitutional right?"

Chairman Frierson:

I appreciate that, but that issue was raised earlier. I want to make sure we get you on the record.

Gordon Utz:

I will show you where I am going with this. In the last year, I can almost guarantee that I have been involved in more firearms transfers than 90 percent of the people have been involved in general elections. Would you support charging a fee for a background check before allowing someone to vote? Of course not; that would be ridiculous. So why am I going to be charged a fee to exercise my right to purchase a firearm when I have done nothing wrong?

I have a CCW, so I can avoid the background check when I buy a gun through a dealer. Now, suddenly, because I am buying it from a neighbor or a good friend, I have to go pay a fee. This does not make sense to me, and I doubt anyone here would support a fee to charge someone to vote. In fact, I am pretty sure that has been ruled illegal in the past. Also, I have heard people say that this is not considered a tax because the money does not go to the government. If I buy health care to be in compliance with ObamaCare, that money does not go to the government, but the U.S. Supreme Court ruled that it is still a legal law because it is a tax.

Chairman Frierson:

We are in the weeds.

Gordon Utz:

That is my point; it is a tax on a right.

Chairman Frierson:

So it is a tax.

Gordon Utz:

Health care is not a constitutional right, but gun ownership is.

Chairman Frierson:

I am not disputing your point; it is just that someone has already made the point that it is a tax.

Gordon Utz:

I was backing it up with an example that has already been shown.

Judy Caron, Private Citizen, Reno, Nevada:

I came from California and I came as a law-abiding, firearm user who enjoys outdoor recreation with my family. When I came to Nevada, I was introduced to the sport of trap shooting. I have loaned my firearm—my trap gun—many times to people on the range to educate them about the wonderful activities that firearms are used for. The firearm is not used to kill; it is used for recreation, for an activity.

I would like to thank you today for serving the people of Nevada. You are our voice in government. The trust I have in you is the same trust that you must have in us as responsible firearm users. When I looked at this bill originally, there was no section concerning firearm sales and transfers. I am as concerned as you are about criminals having firearms.

I will tell you a story that pertained to our family. You have heard stories today; mine might be a little different. Our daughter's car was stolen when she was 23 years old. She also hunts and shoots trap. She is a safe, responsible firearm user. When we recovered the car in Washoe County, we took it to our business and parked it outside and rolled down the windows because it was trashed. When I looked inside of it—it was a Saturn that had the emergency brake handle in the middle—I thought they had broken the emergency brake handle off. It was down by the accelerator pedal. I opened the door to retrieve what I thought was the emergency brake handle. My fingers stopped because it was a revolver that was pointing directly up at me, wedged between the accelerator pedal and the mound where the automatic shifter is. I, in turn, picked up the police report, went in, and called them. I identified myself and explained what had happened and how I found this firearm. They had the police report, but the first statement was, "Maybe it is your daughter's." I explained, as a responsible firearm owner, I would not be calling if I knew this was my daughter's gun. The police officers' lives who arrested the people who stole the car had been in jeopardy. Before we can do anything to curtail firearms in criminals' hands, we also need to look at our justice system and how the police interact with law-abiding citizens on the use of firearms.

Chairman Frierson:

I am sorry; we are already over on time. There are four people behind you, but I need to go to Las Vegas before they can testify so we can be fair.

Judy Caron:

I turned my computer on at 4:44 a.m. because you are my voice. Thirteen people sit on this Committee. On the opinion poll that is available to your constituents, where we can voice our opinion, 2,558 people responded to the number one top bill on there. There are 13 different districts being represented in this room.

Chairman Frierson:

You are cutting into other people's time.

Judy Caron:

Thank you, but 95 percent of the people are not supporting this. I would like to see the bill divided and the public health part go forward. Put a task force together in the interim and let us all work together collaboratively and come up with gun legislation to contend with the criminals.

Chairman Frierson:

We are going to go down to Las Vegas and ask folks to be as brief as they can. As many times as I try to stop, the more people pop up.

Duncan Mackie, representing Nevada Firearms Coalition:

I will be brief. We have serious concerns with S.B. 221 (R2). Our biggest concerns are with implementation and enforcement. This bill does not contain an enforcement mechanism for the private sale background checks. There is nothing in the bill for police to quickly and easily determine whether a background check has occurred as part of a private sale, or for prosecutors to prove in a court of law that a violation occurred. That means both the criminals and the law-abiding citizens can ignore the private sale background requirement with impunity because law enforcement has no easy way of knowing when the law has been broken or followed.

Regarding the implementation by the gun dealers, S.B. 221 (R2) is also both risky and difficult for Nevada's gun dealers to implement. Trying to process the private sale transfer provision will entangle gun dealers in an already complicated web of federal, state, and local regulations that could easily leave them liable to things like federal straw-purchaser charges, which are very serious, and in many cases a felony—a violation of a secondhand dealer licensing provision in many of Nevada's counties and cities. Actually, these implementation problems are so difficult that there are few gun dealers in Nevada who will want to go anywhere near the private transfer provisions of this bill, which means there will be problems in getting the background checks done. We oppose this bill, and we ask you to prevent the passage of a complex law that will create more problems than it solves.

Chairman Frierson:

Please try to be briefer.

Bob Irwin, Owner, The Gun Store, Las Vegas, Nevada:

I have been a firearms dealer in Nevada for 40-plus years. There are a couple of things that I will address very briefly. It says in the bill that the dealer "shall" do the background checks. It does not give us the opportunity to refuse. One of the earlier people said several times that, since we have been doing background checks, two million people have been prevented from obtaining firearms. Then they go on to say that they are felons, et cetera. Actually, in my experience, about 60 percent of the people who are declined are fugitives from justice, meaning they have an outstanding traffic ticket from another state and they have to send the money to the court to get it cleared. Actually, regarding the two million people, the number of criminals who have been caught is not nearly that high. The ATF was asked in federal hearings why, if two million people were declined, were only eight people prosecuted? The answer was because most of them are not actually criminals; they are "fugitives."

My next point is that five times during the questioning, the author of the bill, Senator Jones, answered a question by saying, "I am not entirely certain." Everyone in this room feels the same way as Mr. Jones. We have been asked to go directly to the NICS system on the background checks, where we contact the FBI directly. That is a computer system where we punch in information and run it through the FBI. That program does not exist in Nevada because we are currently required to go to the system in Carson City. We do not have the equipment to implement this to do the checks. I would point out that, in testimony years ago when our system started here at the Central Repository, their argument for it was that NICS was full of holes and that they were missing warrants and missing people who were domestic violence perpetrators because they were not in the system. That is why we needed the state system and not NICS. Now we are advocating going to NICS instead of the state system. Now, will we have two systems for two different types of customers? The people in Carson City are complaining that one of them does not work effectively, because it does not catch criminals.

Because this is a hot button issue, could we have an actual vote by the Committee—not people yelling yes or no—so the public can tell who actually voted for or against this bill?

Chairman Frierson:

We do that later. I am glad that you were able to make your statement on the record.

Bonnie McDaniel, Private Citizen, Las Vegas, Nevada:

I have owned and used guns since the age of five. I shot my first deer at the age of six, and my first antelope at age eight. Guns do not kill people. People kill people. Pressure cookers do not fill themselves with nails and make themselves into bombs. We have got to stop this insane bill, and we have to stop it now.

Chairman Frierson:

Thank you. You are on the record. We have to move on.

Matthew Yealy, Private Citizen, Las Vegas, Nevada:

The representatives in Carson City are representatives of the people of the state of Nevada who are supposed to be listening to the constituents, not bringing in people from out of state such as Connecticut, Colorado, or anywhere else. You listen to us, not them. They do not have any reason to speak for bills in Nevada.

With the option of private party transfers for all of the 500 FFL dealers in the state, what if all of them decide to opt out? Where does that leave the citizens who want to do private party transfers?

If anyone wants to see real research on the mass shooting incidents in this country over the last 30 years, on March 18, 2013, the Congressional Research Service released a study—document R43004—about mass shootings and all of the statistics that go with it.

Chairman Frierson:

I am going to ask everyone who remains to simply state your name, your position on the bill, and who you represent so we can get through everyone.

Bishop Dan Edwards, representing Episcopal Diocese, Las Vegas, Nevada:

Speaking with the greatest respect for Senator Jones, our church supports the bill.

Chairman Frierson:

We are in opposition.

Jody Starkey, Private Citizen, Las Vegas, Nevada:

I am in opposition to this bill. We need to spend more time controlling the mentally ill patients and criminals and less time controlling the guns.

Chairman Frierson:

From now on, just state your name, who you represent, and your position on the bill.

Craig Wright, representing American Legion, Post 76, Las Vegas, Nevada:

We did a poll and we are unanimous veterans against and opposed to this bill.

Juanita Clark, representing Charleston Neighborhood Preservation:

We want you to vote no on this unconstitutional bill that is actually a crime in itself. [Submitted written testimony ([Exhibit L](#)).]

Chairman Frierson:

I really mean it when I say please just say your name, who you represent, and your position on the bill.

Patrick Kerby, representing Nye County Republican Party:

We urge you to vote no on this bill.

Michael Reese, President, Southern Nevada Coalition for Wildlife:

We have 19 different organizations in our coalition and we strongly oppose this bill.

Jim Sallee, Private Citizen, Las Vegas, Nevada:

I sent you an email and I want to put a face to the name. I am a member of the Clark County Republican Central Committee and the Nevada State Central Committee and we do oppose this bill.

Chairman Frierson:

We will go back up to Carson City.

James Crowley, Private Citizen, Carson City, Nevada:

I oppose the bill. Please look at section 10; it has never been discussed and I do oppose it.

Joel Blakeslee, representing Southern Nevada Coalition for Wildlife:

We are opposed to the bill as written.

Juanita Cox, Chairman, Citizens in Action:

We oppose this bill. [Submitted written testimony ([Exhibit M](#)).]

Michelle Kozlowski, Private Citizen, Gardnerville, Nevada:

I oppose this bill on behalf of the people with traumatic brain injuries and veterans.

John Wagner, representing Independent American Party:

I am going to say that I have heard enough testimony that I absolutely oppose this bill.

Lynn Chapman, representing Nevada Families Association:

I just noticed that most of the people who have been testifying against this bill are the citizens. Enough said.

Carol Howell, Private Citizen, Carson City, Nevada:

I am a CCW holder, and I also oppose this bill.

Chairman Frierson:

Does anyone happen to be neutral on the bill either here or in Las Vegas? Seeing no one, I will close the hearing on S.B. 221 (R2). On a personal note, I know there are some strong feelings on this, and we got done as much as we could get done, and had an opportunity for people to be heard. I appreciate the respect on both sides that we were able to have on this issue.

[Written testimony submitted on S.B. 221 (R2) but not discussed is made part of the record ([Exhibit N](#)), ([Exhibit O](#)), ([Exhibit P](#)), ([Exhibit Q](#)), ([Exhibit R](#)), ([Exhibit S](#)), ([Exhibit T](#)), ([Exhibit U](#)), ([Exhibit V](#)), ([Exhibit W](#)), ([Exhibit X](#)), ([Exhibit Y](#)), ([Exhibit Z](#)), and ([Exhibit AA](#)).]

I will briefly open it for public comment. I see no one. Today's meeting of the Assembly Committee on Judiciary is now adjourned [at 11:27 a.m.].

RESPECTFULLY SUBMITTED:

Karyn Werner
Committee Secretary

APPROVED BY:

Assemblyman Jason Frierson, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Judiciary

Date: May 28, 2013

Time of Meeting: 8:21 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
<u>S.B.</u> 221 (R2)	C	David Chipman	Written Testimony
<u>S.B.</u> 221 (R2)	D	Susan Meuschke	Written Testimony
<u>S.B.</u> 221 (R2)	E	Carol Gaxiola	Written Testimony
<u>S.B.</u> 221 (R2)	F	Teresa Crawford	Written Testimony
<u>S.B.</u> 221 (R2)	G	Ron Sims	Written Testimony
<u>S.B.</u> 221 (R2)	H	Joannah Schumacher	Written Testimony
<u>S.B.</u> 221 (R2)	I	Shawn Meehan	Written Testimony
<u>S.B.</u> 221 (R2)	J	Larry Johnson	Letter in Opposition from Nevada Bighorns Unlimited
<u>S.B.</u> 221 (R2)	K	Larry Johnson	Letter in Opposition from Coalition for Nevada's Wildlife
<u>S.B.</u> 221 (R2)	L	Juanita Clark	Letter in Opposition from Charleston Neighborhood Preservation
<u>S.B.</u> 221 (R2)	M	Juanita Cox	Letter in Opposition from Citizens in Action
<u>S.B.</u> 221	N	Richard Oliver	Written Testimony

(R2)			
<u>S.B.</u> 221 (R2)	O	Mark Hames, 2nd Amendment Gun Shop	Written Testimony
<u>S.B.</u> 221 (R2)	P	Don Turner, President, Nevada Firearms Coalition	Written Testimony
<u>S.B.</u> 221 (R2)	Q	Bill Young, Clark County Sheriff	Written Testimony
<u>S.B.</u> 221 (R2)	R	Jim DeGraffenreid, Nevada Republican Party	Written Testimony
<u>S.B.</u> 221 (R2)	S	Daniel Reid, National Rifle Association of America	Written Testimony
<u>S.B.</u> 221 (R2)	T	Elynda Long, President, Stillwater Firearms Association	Written Testimony
<u>S.B.</u> 221 (R2)	U	Jake McGuigan, National Shooting Sports Foundation, Inc.	Written Testimony
<u>S.B.</u> 221 (R2)	V	Dr. Lesley Dickson, Executive Director, Nevada Psychiatric Association	Written Testimony
<u>S.B.</u> 221 (R2)	W	Kenneth Jones, Sheriff, Eureka County	Written Testimony
<u>S.B.</u> 221 (R2)	X	Anthony DeLill	Written Testimony
<u>S.B.</u> 221 (R2)	Y	J.L. Rhodes	Written Testimony
<u>S.B.</u> 221 (R2)	Z	Glen R. Parshall	Written Testimony
<u>S.B.</u> 221 (R2)	AA	Keith Pickard	Written Testimony