MINUTES OF THE

SENATE COMMITTEE ON JUDICIARY

Seventy-Seventh Session
May 6, 2013

The Senate Committee on Judiciary was called to order by Chair Tick Segerblom at 9:01 a.m. on Monday, May 6, 2013, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Tick Segerblom, Chair
Senator Ruben J. Kihuen, Vice Chair
Senator Aaron D. Ford
Senator Justin C. Jones
Senator Greg Brower
Senator Scott Hammond
Senator Mark Hutchison

GUEST LEGISLATORS PRESENT:

Assemblyman James Ohrenschall, Assembly District No. 12

STAFF MEMBERS PRESENT:

Mindy Martini, Policy Analyst
Nick Anthony, Counsel
Linda Hiller, Committee Secretary

OTHERS PRESENT:

Gail J. Anderson, Administrator, Real Estate Division, Department of Business and Industry
Michelle D. Briggs, Senior Deputy Attorney General, Office of the Attorney General
Bill Uffelman, President and CEO, Nevada Bankers Association

Garrett Gordon, Olympia Companies
Andrew S. Fortin, Associa
Jonathan Friedrich
Diana Cline
Valerie Wiener
Susan D. Roske, Chief Deputy Public Defender, Juvenile Division, Clark County; Adjunct Professor, William S. Boyd School of Law Juvenile Justice Clinic, University of Nevada, Las Vegas
Amber Howell, Administrator, Division of Child and Family Services, Department of Health and Human Services
John T. Jones, Jr., Nevada District Attorneys Association
Steve R. McBride, Deputy Administrator, Juvenile Services, Division of Child and Family Services, Department of Health and Human Services
Carey Stewart, Director, Juvenile Services, Washoe County
Regan J. Comis, M + R Strategic Services
Rebecca Gasca, Campaign for Youth Justice
Vanessa Spinazola, American Civil Liberties Union of Nevada
Allan Smith, Religious Alliance in Nevada
Oscar Peralta
Paula Berkley, Nevada Network Against Domestic Violence
Sue Meuschke, Nevada Network Against Domestic Violence
Nancy Hart, Nevada Network Against Domestic Violence

Chair Segerblom:
I will open the hearing of the Senate Committee on Judiciary with Assembly Bill (A.B.) 98.

ASSEMBLY BILL 98 (1st Reprint): Revises various provisions relating to common-interest communities. (BDR 10-488)

Today we have an informational hearing on the superpriority lien in homeowners' associations (HOA) and how it relates to this bill. We are interested in seeing how the superpriority lien fits in with a default that leads to an HOA foreclosing on a homeowner and what happens if a bank forecloses.

Gail J. Anderson (Administrator, Real Estate Division, Department of Business and Industry):
Nevada Revised Statutes (NRS) 116, which covers the Common-Interest Ownership Uniform Act, involves connecting many dots and cross-referencing.

It is not a simple chapter. The Real Estate Division issued Advisory Opinion 13-01 (Exhibit C) in December 2012 in response to questions received about this subject over time. We also produced a summary of the opinion, and I have included some advisory conclusions with my testimony (Exhibit D).

Chair Segerblom:
You have referred to abatement costs in your testimony, Exhibit D. How do you define those costs?

Michelle D. Briggs (Senior Deputy Attorney General, Office of the Attorney General):
Nevada Revised Statute (NRS) 116.310312 is usually not confusing to anyone. It is the cost the HOA would incur to remedy a situation on a property. If the property fell into disarray and disrepair, the HOA could make those changes and those incurred costs would become a lien on the property. This section was added to statute in 2009 and incorporated into the lien the HOA has under NRS 116.3116. There is generally no confusion over that amount. The confusion over the superpriority lien generally refers to the amount of the assessments and what that includes.

Chair Segerblom:
Are you saying that everyone agrees on what the abatement is and that is part of the superpriority lien?

Ms. Briggs:
That is correct.

Ms. Anderson:
That was set forth specifically in 2011 to refer back to NRS 116.3116 and be part of the superpriority lien. The other part of that, prior to the first secured, is the 9 months of assessments as reflected in the HOA's budget. That is important because the HOA budgets for assessments, but it does not budget for fines or collection costs.

Chair Segerblom:
Are you saying that if there is a monthly charge or assessment, whatever that charge is, you can get up to 9 months of that with no added collection fees or

fines? Just 9 months times the monthly assessment would be part of the superpriority lien. Is that correct?

Ms. Anderson:
That is correct.

Senator Jones:
I want to step back for a minute. We have a December 2010 opinion from the Commission for Common-Interest Communities and Condominium Hotels by its Chair, Michael Buckley. It seems to be a well-reasoned opinion about what should be included. How did the Division get involved with this?

Ms. Anderson:
The Real Estate Division has authority to issue advisory opinions. The Commission you refer to does not have specific authority to issue advisory opinions, but it issued an advisory opinion in December 2010 before the 76th Session. At that time, part of our consideration in the advisory opinion from the Real Estate Division were items proposed in 2011 but not adopted. We got into the mix through the process in statute pursuant to NRS 116.623, which specifies that advisory opinions should be requested of the Division.

Senator Jones:
Who requested the opinion from the Division?

Ms. Anderson:
The U.S. Department of Housing and Urban Development (HUD) was the requestor. We had a cross-reference from the Director of the Department of Business and Industry sent to the Real Estate Division following the Nevada Supreme Court ruling, *State of Nevada Department of Business and Industry, Financial Institutions Division v. Nevada Association Services, Inc.,* 128 Nev. Adv. Op. 34, 294 P.3d 1223 (2012), on Commissioner George E. Burns of the Division of Financial Institutions—his declaratory order and advisory opinion that went up to the Supreme Court. The Court's finding was that the Commissioner for Financial Institutions did not have authority to interpret NRS 116, the Real Estate Division does. The Supreme Court ruling said the Commission for Common-Interest Communities and Condominium Hotels and the Real Estate Division should interpret NRS 116. It came to the Administrator through specific requests. One request for an advisory was to the Director of the Department of

Business and Industry, which was referred to the Administrator of the Real Estate Division.

Senator Jones:
When you say Commission and the Real Estate Division, you mean the Commission for Common-Interest Communities and Condominium Hotels?

Ms. Anderson:
The request came to the Administrator of the Real Estate Division. Regarding the Supreme Court ruling on interpreting NRS 116, I believe it referenced that the Commission can interpret it through regulation process and the Real Estate Division through NRS 116.

Senator Jones:
I am still having trouble understanding. In making your advisory opinion, did you consult with Mr. Buckley and the Commission to figure out why it was that, even though nothing changed in the 2011 Session, you felt the need to jump into the mix and overrule the Commission's advisory opinion?

Ms. Anderson:
No, I work at the direction of the Director of the Department of Business and Industry.

Senator Jones:
Did you speak with Mr. Buckley?

Ms. Anderson:
He was no longer on the Commission by the time this issue came to me. He had recused himself from the vote of the Commission since he drafted the opinion.

Senator Hutchison:
In talking about the judicial foreclosure process in the middle of page 3 of Exhibit D, you are probably aware that some courts had different interpretations of that issue. Some of the courts determined there had to be an actual court proceeding or action. In your testimony, you have taken a different view. Have you provided any caselaw support, or is it just the analysis you have provided? Your conclusion seems to be that because there is no judicial foreclosure proceeding required in Nevada, action can constitute something other than a legal proceeding.

Ms. Anderson:
That conclusion was based on what NRS 116 says about an action that needs to be taken. That language is judicial language, meaning the type of notice. Nevada law says it is nonjudicial, but you must take an action.

Ms. Briggs:
Associations typically do not follow a judicial foreclosure, so to say they have to do that to get the lien is not the argument. The argument is if HOAs take an action, they have satisfied enough of that step to secure their superpriority lien. It is then the amount of that lien and the effect of that lien if the association closes first, ahead of a lender, or if the lender closes first.

Senator Hutchison:
Are you aware of any district courts in Nevada taking the position that in order to perfect the lien, some sort of legal action has to be taken?

Ms. Briggs:
No.

Ms. Anderson:
We recognize there are issues. It would be most helpful if those issues could be clarified legislatively instead of needing to connect all these cross-references in the statutes. It would be easier for us all if the law would just say what is allowed and what is not allowed. We are here to implement and carry out the laws that are passed.

Back to my presentation, there are two issues with NRS 116.3116. Those issues are listed and highlighted on page 3, Exhibit D.

Senator Jones:
To clarify, the Real Estate Division's opinion from December 2012 basically overrules the December 2010 opinion from the Commission for Common-Interest Communities and Condominium Hotels. It is also your position that in adopting *Nevada Administrative Code* (NAC) 116.470, the Commission got it wrong there. Do you believe it was limited in a way that the Commission did not perceive?

Ms. Anderson:
It is limited to what the regulation says, which is referencing back to the foreclosure process.

Senator Jones:
But that is not how it has been interpreted by Real Estate Division arbitrators since the 2011 adoption of NAC 116.470.

Ms. Anderson:
Interpretations by our arbitrators—not Division employees, but an independent panel—read it differently. That is part of the confusion, because the regulation focuses on the foreclosure process: the fees in the first section were added in that regulation. It appears to narrow those fees to a foreclosure process, but section 4 of the regulation on page 5 of Exhibit D talks about an association collecting a past-due obligation from a unit's owner in the broad sense.

So much in statute involves us connecting dots and really dissecting—it would be helpful to have a clear guide in statute as to what to include or not.

Senator Jones:
I will agree with you there.

Ms. Anderson:
Back to my presentation, Exhibit D; I will read page 5 through page 7. This is a summary of the advisory opinion. It is based on statute specific to testimony from previous Legislative Sessions in the last 4 years. We would like to have issues clarified without having to cross-reference two or three sections of laws. We could help with that.

Bill Uffelman (President and CEO, Nevada Bankers Association):
In 2009, this Committee under former Senator Terry Care heard a bill that increased the priority to 24 months of regular assessments. In the end, it was reduced to 9 months because at the time a foreclosure was taking 7 to 8 months. As evidenced in letters submitted from government agencies, they still stick to 6 months, which is the reason for the language about 6 months versus 9 months if it was federally insured. In retrospect, we shorted some federal agencies with similar rules.

The banks have been caught in between, as Ms. Anderson has explained. A bill from Senator Hammond, S.B. 332, made it clear HOAs had to give notice to all other lienholders that they intended to proceed with a foreclosure of their priority.

SENATE BILL 332: Makes various changes relating to common-interest communities. (BDR 10-587)

If you look back over the last several months, I have seen quiet title actions from various banks not getting notice that the HOA was proceeding. Specific notice to all the other lienholders is paramount in any solution you construct.

I talked to one of the community banks, hoping it had an attorney in Las Vegas participating in these situations. It turned out the bank uses a staff person with title experience instead of an attorney. I was told that when a demand letter from an HOA comes in, the bank will pay the 6 months or 9 months for one time. No bank wants to get an invoice every 9 months for dues a homeowner did not pay, but one time is acceptable. That is our position.

If you elect to move forward, creating a solution based on setting up a system that says the HOA can proceed and the first lienholder has the opportunity to pay on proper notice, we can resolve that issue.

When I talk to others, they ask if the superpriority becomes a superpriority absent foreclosure. Can an HOA create a superpriority by enacting its own foreclosure? Or if the first lienholder forecloses, does the HOA under the superpriority become super at that moment? Up to that time, it was always felt that it is just a lien. Can you self-declare that your lien is a superpriority lien so you can collect it? Better legal minds than mine out there could clarify that, but that is the impression I have gotten from several attorneys.

In many ways, we feel like the monkey in the middle, but we need to know the rules. There is still debate about what constitutes the real situation. It will take a law or a Nevada Supreme Court decision to resolve this confusion.

Senator Hutchison:
It seems like the three questions we have been talking about so far are whether the association's superpriority lien can include costs of collections; whether the total of the superpriority lien can ever exceed 9 months of the assessments; and

whether an association has to institute a civil action in order to perfect its priority lien. Are these the three issues we have to clarify, or are there other issues from a bank's perspective that need to be clarified?

Mr. Uffelman:
Answering those three questions would go a long way to clarify this issue. We testified on this topic in 2009 and 2011, and here we are in 2013 seeking the answers to the same questions. The limiting factor during the 2009 discussion was what Fannie Mae and Freddie Mac would allow when it came time to settle up—what they would allow the servicer to the bank to pay out.

Senator Hutchison:
What is the bank's position when notified of nonpayment?

Mr. Uffelman:
The 9 months comes down to what the reimbursement or the deductibility is relative to the holder of that note. The understanding coming out of 2009 was that we were working around what was allowed. That created the limit. The question was, is it nine times the assessment the ultimate cap on what the HOA could collect? Apparently, we have created a situation which reasonable minds can differ, and here we are 4 years later.

Senator Hutchison:
I take it you think that if we had just acted on Senator Hammond's bill, we would not be here now.

Mr. Uffelman:
I see amendments to this bill that look a lot like Senator Hammond's bill and certainly would go toward establishing the statutory scheme, if both sides of this panel could agree.

Garrett Gordon (Olympia Companies):
I have a revised amendment to A.B. 98 (Exhibit E) based on the April 30 hearing for this bill. The Common-Interest Ownership Uniform Act, NRS 116, was enacted in 1991. Since then, there has been no confusion that collection costs are included in the superpriority lien. To my knowledge, not one case has supported the recent Attorney General opinion. In contrast, many cases support the inclusion of collection costs. The industry has relied on the 2010 Commission for Common-Interest Communities and Condominium Hotels

opinion (Exhibit F). I agree with the testimony that we need clarification, and our amendment does that.

On page 2 of Exhibit E, the new language is underlined and refers to subsection 1 of NRS 116.3116, which basically states that the HOA has a lien on a unit for assessments. It also states that unless the declaration provides otherwise, penalties, fees, charges, late charges, fines and interest are enforceable as an assessment. It has been the industry's position that cost of collections are included in the term "charge."

The second underlined paragraph in Exhibit E, page 2 of the revised amendment also came from the April 30 hearing. We understood there was intent to limit these charges further as currently defined in regulation. This paragraph confirms and incorporates the regulation that the cost of collection shall not exceed $1,950, pursuant to *Nevada Administrative Code* (NAC) 116.470, subsection 1. It is not as if $1,950 would be incurred monthly. Rather, that amount is if the HOA has to hire an outside vendor and go through the 10- to 12-month process of foreclosure. That amount is the ultimate cap in the event a first security lienholder forecloses. The homeowners' association would then get 9 months of assessments and up to $1,950.

The second thing language in that page 2 paragraph does is limit the hard costs. At the last hearing, we discussed a loophole in the regulation describing hard costs with no cap. This revised amendment would cap hard costs at $500. I have been told that amount should be $1,000, but since we agreed to $500, our amendment sticks with that number.

Finally, that paragraph limits attorney's fees and refers to NAC 116.470, section 3 and section 4, subsection (b). The intent of this is to limit attorney's fees and disallow double-dipping. Attorney's fees would only be allowed in the event of a bankruptcy filed where the HOA hired a bankruptcy attorney to preserve its claim or if an injunction was filed. Most of the time, it is just cost of collections.

We hope this amendment clarifies some of the confusion after the Attorney General's opinion; caps the hard costs and attorney's fees; and caps the costs of collection in statute.

Andrew S. Fortin (Associa):
I represent Associa, which is the Nation's largest community association management company with many offices and employees in Nevada. We support the amendments to A.B. 98 that clarify the inclusion of reasonable collection costs as has been the practice in this State. I have submitted my written testimony (Exhibit G).

There are 19 states that have a priority assessment lien (Exhibit H). Seventeen of those states allow for collection costs recovery as part of that lien. As I have read the opinions from both the Real Estate Division and the Commission for Common-Interest Communities and Condominium Hotels, I noticed that the latter based its opinion on the fact that in 2008 the Common-Interest Ownership Uniform Act changed. I was involved in the drafting of that Act.

I think it is a misstatement of what the Commission said in its 2010 opinion. The Commission members did not say that because the law changed, the interpretation changed. What they said is that they looked at other states adopting similar language as that of Nevada, they looked at those states' court cases interpreting that language and that led to their conclusion. From that perspective and looking at the 17 other states, the work we are doing here will help settle this issue.

Senator Hammond:
We received an email from Jonathan Friedrich (Exhibit I) that said this amendment violates HUD's guidelines and could impact future lending in this State. In the email, he says "they do not reimburse for collection costs or attorney fees … therefor[e] this amendment should not be considered as it could have serious implications on future lending to those seeking mortgages in Nevada." He attaches a letter from HUD that supports his letter (Exhibit J). How do you respond to that?

Mr. Fortin:
There has been a tremendous lack of coordination between the federal mortgage agencies in response to the housing crisis. We have seen the Federal Housing Administration (FHA) issue a series of guidelines or decrees starting in 2008. These guidelines include rules the FHA has chosen to govern the housing market. Many times, FHA has issued rulings contrary to state laws that do not reflect due diligence.

I oversee a division that does FHA approvals for condominiums. In the 19 states with priority lien statutes, FHA is issuing FHA-backed mortgages. I call this Chicken Little lobbying—saying that a change in statute will cause the sky to fall when in fact it will not. The reality is that these 19 states still get the flow of mortgages. We heard these same arguments when priority lien bills were adopted.

Sometimes FHA sets rules that are contradictory. For example, one requirement for condominiums to qualify for FHA-backed mortgages is that no more than 50 percent of the units can be leased. The FHA was disqualifying homeowners' associations if they had a rule in place to help them meet that requirement. Last year, FHA also came out with a statement saying it would not allow associations to use accrual accounting, which is statutorily required in Nevada as well as California. Unless the information in that letter from Mr. Friedrich came from the head of the condominium insurance program in Washington, D.C., I would say that is not the final word on the matter.

Senator Ford:
I also received the letter from the Federal Housing Finance Agency (FHFA) that cautions against enacting this legislation. Are you saying we should not concern ourselves with this letter?

Mr. Fortin:
I am not saying we should pick a fight with the federal government, but the statute here gives deference to what these federal agencies do. If they choose to change how they protect the homeowners of Nevada and limit the lien rights here, the statutory language means Nevada already adopts that.

Many of these federal mortgage market agencies do not have a grasp of the challenges that states like Nevada are facing. The last time we had a major housing issue, the HOAs, certainly in their current form, did not exist. These entities are creatures of State law, not federal law, and nearly 25 percent of the housing market is now in an HOA. This new federal agency, FHFA, has continually made missteps.

If you recall, 2 to 3 years ago, there was a big issue with community associations and transfer fees. In response, 33 states adopted laws to deal with this issue where investors would buy land, subdivide and record a requirement

that every time the property was sold, 1 percent of the sale price had to go back to the original investor. This was to go on for 99 years.

States began to regulate this, many of them simply banning transfer fees. Associations used those transfer fees to fund reserves and other things, so when the State banned that practice, it meant the HOA would have to rely on special assessments or increased assessments to make up the difference.

The first thing FHFA did after being reformed in 2008 to regulate the bankrupt Fannie Mae and Freddie Mac was to go after transfer fees. The FHFA said it did not have authority to ban transfer fees, but any community association with a transfer fee in its governing documents could not get federally backed mortgages. The FHFA thought that it would be the same thing Nevada or California did in banning these fees, but it was not. If a state bans the fees, they become unenforceable. When FHFA issued that rule, it meant the community associations had to amend their declarations, which required 67 percent or more of all property owners to vote or they would be frozen out of getting mortgages. We educated them on that consequence. These priority liens protect the assets held by Fannie Mae and Freddie Mac. Those letters came after the issuance of the confusion of the lawsuits so, clearly, they would have a concern with the current situation.

Senator Ford:
The FHFA letter I am referring to was written April 26, 2011. Have you received any subsequent correspondence indicating the amendments you are proposing now would be sufficient for the purposes of the FHFA?

Mr. Gordon:
There is already protection in statute through NRS 116.3116. This is where the language of this amendment would be inserted. Language in that statute talks about the 9 months of assessments and says "unless federal regulations adopted by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association require a shorter period of priority for the lien ... ."

If there is a shorter period of time for a party for a lien, there is a carveout. The collection issue would arguably fall into that same paragraph. There would be a federal preemption issue if the federal agency came out with something contrary to State law.

Mr. Fortin:
That is what I was referencing. In the 17 states allowing collection costs to be rolled into the priority lien, Fannie Mae and Freddie Mac are still issuing mortgages. That may be a concern, but it is a concern they have not acted on, and the statute gives you a safety valve.

Senator Ford:
It seems like it would be beneficial to have something from the FHFA saying that what you are proposing will be acceptable. The last correspondence we have here indicates otherwise. I understand what you mean about interpretation and the language in the statute. I do not know if I would agree it would go down to collection costs. Has there been any recent correspondence with Alfred Pollard, general counsel of the FHFA, on this issue?

Mr. Gordon:
No. We could get feedback from him.

Senator Ford:
That would be helpful because we are all getting a lot of emails with concerns about this issue. If we had something concrete like a letter from a federal agency, it would be helpful.

Jonathan Friedrich:
The letter you referred to from April 26, 2011, Exhibit J, was in response to a bill from last Session, S.B. No. 174 of the 76th Session.

In the letter from FHFA signed by Mr. Pollard, he states:

> I would note Fannie Mae and Freddie Mac have provided for reimbursement of six months of regular common expense unpaid assessments. They do not reimburse for collection costs or attorney's fees. The comments that follow, therefore, relate primarily with specifics of the legislation, but I would note that, in general, the bill would alter practices for which the Enterprises do not provide reimbursement.

The last paragraph of page 1 of his letter, Exhibit J, refers to section 15 of A.B. 98, which addresses collection costs. It also refers to what Pollard calls "reasonable" attorney's fees.

In the first paragraph on page 2 of his letter, Mr. Pollard talks about how the Enterprise seller-servicer guides prohibit reimbursing servicers for such attorney's fees and collection costs.

In the second paragraph on page 2, Mr. Pollard refers to capping collection fees under section 15 of S.B. No. 174 of the 76th Session, and says that the set amount of $1,950 is not a true limitation because "an exception exists transferring authority to homeowners' associations to make a declaration to provide that a lien may exceed the statutory cap without limitation."

In the last paragraph, Mr. Pollard states, this "could have unintended consequences in the current market environment."

The Commission for Common-Interest Communities and Condominium Hotels received a letter dated August 29, 2012, from Lisa Hoffman, Senior Single Family Housing Specialist for HUD (Exhibit K). On page 1 of the letter, she states in the bottom paragraph:

> Because HUD does not pay costs and fees associated with years-old assessments, HOAs have not released the liens on the properties and HUD has not been able to sell the properties. This results in a significant dilemma for the Department, as HUD is forced to choose between either holding on to properties indefinitely or paying thousands of dollars in fees and costs that are imposed in a manner not in accordance with Nevada law. In either case, the practices of the HOAs are negatively impacting taxpayer resources and the FHA Insurance Fund. This dilemma also stands in the way of HUD's mission to resell HUD-owned properties quickly in order to reduce vacancies and reinvigorate communities.

I did want to respond to Mr. Fortin about the transfer fees. He said the 1 percent would go back to the developer or the individuals who subdivided the property. He then stated it would deprive the HOAs of needed funds. If the money was going back to the developer and the community was completed, the developer is no longer involved and the HOA was never to get that money anyway.

Senator Ford:
Assuming we get correspondence from the federal government indicating that the proposed amendment would be satisfactory, would you then have no problem with the amendment?

Mr. Friedrich:
The federal government trumps the State government, so if the federal government still has an objection to it, I see it as a conflict. Just because those 19 other states are doing it does not mean it is right.

Senator Ford:
Assuming we get correspondence back from the federal government saying it is okay with this amendment, would you be okay with it?

Mr. Friedrich:
Yes, as long as it does not violate federal law.

Diana Cline:
This amendment does three things. We are seeking to clarify Nevada law, stating that a lawsuit is not required to trigger or create a superpriority lien. We are also seeking to clarify what happens to title after an HOA forecloses and to clarify that notice is required and has always been required to all subordinate lienholders, including the first security interest. There are at least 150 cases pending quiet title action claims on this subject.

Chair Segerblom:
Are those lawsuits filed by HOAs, homeowners or banks?

Ms. Cline:
All of the above—mainly investors who purchased at HOA foreclosure sales and relied on the plain language of the statute and the legislative history to determine what type of title they would take.

Chair Segerblom:
The investors are doing quiet title actions against the bank saying we wiped out your first?

Ms. Cline:
Correct. Senator Hutchison asked earlier if any cases involved a situation where a judge said a lawsuit was required to create a superpriority lien. I am aware of at least one case. It was a bank foreclosure sale purchased by a third party who also failed to pay HOA dues. The HOA foreclosed after that. The third party purchaser is arguing that the HOA's lien was completely extinguished because the HOA did not file a lawsuit to create the superpriority lien.

Regarding notice to first security interest holders, there is direction in NRS 116.31168, which was incorporated at the same time the entire act was incorporated in 1991, that references and incorporates NRS 107.090, which specifically requires notice to all subordinate claims of record. That would also include a first security interest if there are any superpriority amounts included in the HOA lien at that time.

The Common-Interest Ownership Uniform Act, NRS 116, allows for judicial foreclosure. It also allows the Legislature some flexibility. It can choose whether to include judicial or nonjudicial action. If you look at the Act, there are brackets that say the association's lien must be foreclosed in a manner as a mortgage on real estate or by power of sale.

That is what the Act intended to do, which was to give the Legislature a chance to include judicial or nonjudicial foreclosure. Massachusetts has only judicial foreclosure in statute. Washington has judicial foreclosure but the legislature determined it would limit the superpriority enforcement to judicial foreclosure. Colorado has a similar statute which includes the ability of the superpriority lien amounts to be triggered by either a bank judicial or nonjudicial foreclosure or an HOA judicial or nonjudicial foreclosure. Our Legislature in 1991 determined to include the nonjudicial statutes and noticing requirements, which is what our amendment should clarify.

Chair Segerblom:
Before I close the hearing on this bill, I want to submit three letters we have received, two voicing support (Exhibit L and Exhibit M) from Michael T. Schulman for Community Associations Institute Legislative Action Committee and from Mike Randolph for Homeowner Association Services, Inc., and one letter of dissent (Exhibit N) from Bob Robey. I will now close the hearing on A.B. 98 and open the hearing on A.B. 202.

ASSEMBLY BILL 202 (2nd Reprint): Revises various provisions relating to juveniles charged as adults for committing certain crimes. (BDR 5-64)

Valerie Wiener:
I am a retired Nevada Senator and interim chair of the Legislative Committee on Child Welfare and Juvenile Justice. This measure is one of ten that was recommended this Session by the Committee.

Chair Segerblom:
The issue has been the age cutoff at the age of 14. Can you tell us your recommendation and how that has transmogrified?

Ms. Wiener:
The Committee was comprised of six members, five of whom voted with the original language pertaining to age 16. That recommendation went to the Assembly. There was much debate and the parties compromised on the age of 12, but no one was happy. If there is not an age reference in the change, the law will allow anyone 8 years or older to be direct-filed. The law is the age of 8, the original bill said 16 years of age, and the compromise was 12 years of age. A compromise was also reached on allowing a juvenile to petition to be temporarily placed, which went unchallenged. The bill made it through the Assembly with a floor amendment that changed the number to the age of 14, and that was overwhelmingly approved by the Assembly.

Chair Segerblom:
Who sponsored the amendment?

Ms. Wiener:
I believe it was Assemblywoman Lucy Flores.

Chair Segerblom:
Could you clarify for us what difference it makes if the juvenile's age is 16, 14, 12 or 8? What is the consequence of the different ages?

Ms. Wiener:
If nothing is done, we will stay at 8 years of age, which is statute. The age of 12 is the age the State juvenile justice experts and district attorneys (DAs) said they could handle. Any older, and some people were concerned it could create a fiscal impact.

One of the concerns raised is that these children are in the custody of the State, so it will depend on which facility they go to. There will be an impact no matter where the juvenile is housed. The reason this was brought up at all was because of Supreme Court decisions based on the ages of children and their brain development. There would be no fiscal impact at the age of 12, but there would at 14 years of age.

Chair Segerblom:
Does this mean that if you are under 14 years of age, you will be housed in a juvenile facility no matter what?

Susan D. Roske (Chief Deputy Public Defender, Juvenile Division, Clark County):
As the law is written, there is no bottom age for the direct file of murder and attempted murder. Any person charged with those two crimes must be processed in the adult criminal system. There is no jurisdiction in the juvenile system for these offenses. This means any person aged 8 or older charged with murder or attempted murder will be prosecuted in the adult system.

When this bill was being drafted, we wanted to specify a bottom age so children 16 or older would be direct-filed into the adult system. That would allow the younger children to be charged as juvenile delinquents.

Chair Segerblom:
Could the DA seek an exception and go after a 14-year-old child?

Ms. Roske:
Yes. If the age were at 16 for direct file, the DA could petition those who are 14 or 15 to be transferred to the adult system. We are essentially talking about juveniles aged 12 and 13. Do we want to send them to prison, probably for the rest of their lives? I submit that this is throwing them away. The Department of Corrections (DOC) puts these children in isolation for their own protection. Studies show what damage isolation does to adults; imagine the effects on young children. It is debilitating and stressful on their mental health. When you put a 12-year-old or 13-year-old child in isolation in an adult prison facility for 20 years to life, that also has a huge fiscal impact.

By treating these children as juvenile delinquents, we would keep them in the juvenile system for up to 9 years if they come in around aged 12 or 13. The juvenile system is supportive, has rehabilitative services, would house them

with children of like ages and teach them vocational skills. In the juvenile system, we are providing children with a future. Under statute, we are throwing these children away to the correctional facilities. I have provided written testimony (Exhibit O) referencing some of the studies done on children in the adult system. These children commit suicide at much higher rates than in the juvenile system and are subject to sexual and physical abuse at a higher rate also. I strongly urge you to keep the age at 14.

Amber Howell (Administrator, Division of Child and Family Services, Department of Health and Human Services):
We have spent the last 2 years participating in the Supreme Court Commission on Statewide Juvenile Justice Reform. Through that process, we have learned that we have two facilities—Nevada Youth Training Center and Caliente Youth Center. Neither one gives the level of security for what we need. There was a recommendation to reopen Summit View Youth Correctional Center (Summit View) in Las Vegas, which was closed in 2010 due to budget cuts. In those Commission meetings, we determined the State need was for 50 beds to accommodate our current population of children. We have a request for proposal out now for a private vendor to open Summit View, but we did not include the possibility of the older juveniles. We care about this population and would like to analyze and build something appropriate before we take these kids in.

We are concerned about our ability to handle all these kids. Staff members in these correctional facilities are not category III peace officers. As we have gone through the budget, the money committee expressed concern about the current system and what security we can provide. We still have to go back to the committee to show our plan to ensure the safety and security of the population that would be coming to the facilities. We want to discuss what we would need to build. We need to be able to do that before we receive the youths and have to house them, especially since we do not have any maximum secure facility open today. We appreciate the compromise in the middle between the ages of 16 and 8. We came up with the age of 12 and will allow an interim committee to study it and will then take its recommendations.

Chair Segerblom:
Is there anyone in this age group incarcerated right now?

Ms. Howell:
Yes, there is a 14-year-old. We have learned from the DOC that this person is one of the most difficult inmates. There are currently 20 inmates under the age of 21 in the DOC.

Chair Segerblom:
Maybe he or she is difficult because of being in solitary confinement and having mental issues as a result.

John T. Jones, Jr. (Nevada District Attorneys Association):
We oppose this bill. Along with the Division of Child and Family Services (DCFS), the Nevada District Attorneys Association through its Washoe County and Clark County offices are participating in the Nevada Supreme Court's Commission on Statewide Juvenile Justice Reform. This is one of the issues we are discussing—how do we appropriately handle more offenses within the juvenile system? We are working toward developing a system capable of handling more serious offenses. We are discussing options like longer stays and more appropriate correctional facilities. Right now, DCFS has two correctional facilities—Caliente and Elko, which is a Nevada youth training center. Both are called staff-secure facilities with no bars, meaning they are more like dormitory boarding schools. These facilities designed for children to stay approximately 6 to 9 months focus on programs in culinary, woodshop, textile and art fields. There is also a focus on counseling and dealing with other problematic issues.

No disrespect to DCFS, but this organization is not equipped to handle murderers. We are really only talking about murderers with this measure—the intentional killing of another human being. Even when you are talking about 12-year-olds and 13-year-olds, you are still talking about an offense so serious it warrants more consideration than what this bill is giving it.

Section 10 of the bill deals with a study intended to address the issue of which system can more adequately handle these types of offenses.

Chair Segerblom:
Is it what is best for the facility, or what is best for the child?

Mr. Jones:
And what is best for the community at large. It is not just a kid focus. We have victims and victims' families to think about. If you have a family member

murdered by a 12-year-old or 13-year-old, it would not give you much solace to know the murderer is spending 6 to 9 months in a boarding school.

This bill does nothing to extend the jurisdiction of the juvenile court. At 21 years of age, the juvenile court jurisdiction terminates. If you have a 12-year-old murderer who goes through the system, by the age of 21, there is nothing the juvenile system can do, even if that person is still deemed a danger to society.

The study in this bill is supposed to deal with the ability of adult correctional facilities and institutions to provide appropriate housing and programming. The youthful offenders program is in the Southern Desert Correctional Center in Indian Springs. It might be that expanding that program in the adult setting would be a more appropriate place for these kids. Maybe an answer is expanding DCFS and extending jurisdiction so the juvenile system is the place to keep these offenders. But just raising the age to 14 without any other change in *Nevada Revised Statutes* or programming is inappropriate, bad public policy and not fair to victims and to the juveniles already in the system.

If you have a juvenile incarcerated for the crime of graffiti, is it appropriate to bring someone into that facility who has been adjudicated for murder? We talk about sending kids to the adult system and the danger of corrupting them by the adult population. Imagine if we keep those individuals in the juvenile system, where corruption of the youths could occur. Changing the age from 12 to 14 is not the way to solve these dilemmas within our State correctional system.

Steve R. McBride (Deputy Administrator, Juvenile Services, Division of Child and Family Services, Department of Health and Human Services):
The average length of stay in our juvenile correctional facilities is between 6 and 9 months. We have never looked at a possible 8 to 9 years to work with a juvenile offender. We would need to plan the programming required, the capacity and what would be best for this entire juvenile offender population.

The part of section 10 that references an interim study would be a proper path for us. The end result may be that these kids belong with us, but today we do not know. We want to thoroughly examine our resources and needs, especially in partnership with DOC, to determine the best path to take for these juveniles within our correctional system. I have submitted written testimony (Exhibit P).

Mr. Jones:
As Ms. Howell alluded to, there is some discussion about opening Summit View in Las Vegas which, in our opinion, is an appropriate placement of some of the more serious offenders. However, there is still no guarantee this facility will reopen.

Chair Segerblom:
Maybe this law would prompt DCFS to do it.

Mr. Jones:
We are still years away from that happening.

Ms. Howell:
We are putting a small fiscal note on this bill to get our correctional officers up to the DOC classifications they would need and also for some of the equipment we would need. We have submitted $347,000 for the first year and $398,000 for the second year to get our correctional officers trained as they would be in the adult system.

Carey Stewart (Director, Juvenile Services, Washoe County):
Referring to section 10, we would ask that a chief probation officer or director be added to the task force studying this issue.

Regan J. Comis (M + R Strategic Services):
The organization I represent manages the National Campaign to Reform State Juvenile Justice Systems with the MacArthur Foundation. Only 15 states allow a DA to direct-file youths into the adult system. Of those states, only one state, Montana, has the cutoff at the age of 12. The remaining states are at 14 or 16 years of age.

Rebecca Gasca (Campaign for Youth Justice):
The national organization I represent works to reduce the number of youths prosecuted in adult courts while promoting more effective approaches in the juvenile justice system. I have submitted my written testimony (Exhibit Q), which includes references to the 10 to 15 organizations that publicly support reforms like seen in this bill.

Public opinion supports the philosophy behind this bill, as 76 percent of the public favors individualized determinations on a case-by-case basis over automatic prosecution in the adult criminal court.

Section 10 is the result of a compromise. The bill originally would have had all youths going back into DCFS and coming out of DOC. The discussion did not actually focus on the children aged 12 to 14, which is a very small group. The purpose of section 10 is to bring all kids back from the adult system, getting them out of solitary or segregated confinement and into appropriate facilities.

I attended the Senate Finance Committee meeting last week when the topic of Summit View came up. The Committee recognized that the category III peace officer issue was important and planned to reconvene in the near future to examine whether that facility could reopen with or without category III officers in place.

Vanessa Spinazola (American Civil Liberties Union of Nevada):
I was part of the group that initially agreed to the age of 12, but I do support moving the age to 14. A recent report by the National Research Council, sponsored by the U.S. Department of Justice, showed that juvenile risk-taking drops off significantly at the age of 16, so that may be part of the reason the age cutoff was initially put at 16. Much of the legal involvement we see with adolescents has to do with that risk-taking behavior.

Allan Smith (Religious Alliance in Nevada):
We support this bill and particularly like the study in section 10.

Chair Segerblom:
I will close the hearing on A.B. 202 and open the hearing on A.B. 207.

ASSEMBLY BILL 207 (1st Reprint): Revises provisions relating to juveniles. (BDR 5-51)

Assemblyman James Ohrenschall (Assembly District No. 12):
This bill came out of a project I worked on with Professor Mary Berkheiser at the University of Nevada, Las Vegas, William S. Boyd School of Law Juvenile Justice Clinic. Many students interning at the juvenile division of the Clark County Public Defender's Office happened to notice the way battery

constituting domestic violence was being charged against juveniles. The interns felt this did not comport with the letter and spirit of our statutes.

Nevada has a strong domestic violence law, much of that because of my mother, Genie Ohrenschall, who sponsored A.B. No. 170 of the 69th Session.

Many children brought in from domestic violence situations are taken to juvenile hall and placed in detention. These children are victims and have been living in households with violence. These kids are often used to being pushed and shoved and subject to violence and abuse.

Many of the clients from the Juvenile Justice Clinic who students worked with in this Boyd internship were living in residential treatment centers and foster homes. The clients were usually living with kids they did not grow up with, and in these new living places, often there are pecking orders. Unfortunately, the new kids suffer.

This bill is about prosecutorial discretion, allowing prosecutors not to charge battery constituting domestic violence as a petition alleging delinquency against a juvenile in cases where the prosecutor does not feel it is appropriate. This only applies to juveniles and does not affect adult statutes.

When a child is adjudicated delinquent of a misdemeanor battery domestic violence charge, consequences follow that child long past the time they serve in juvenile hall for their offenses. These consequences can prevent the children from moving on with their lives or joining the military.

For many kids who wind up in juvenile hall, this may be their best option. This bill would help provide that option. The juvenile brain is different from the adult brain, so punishing one crime the same between juveniles and adults may not provide the success we hope to achieve.

This bill was amended in the Assembly and there is another amendment proposed (Exhibit R) by the Nevada Network Against Domestic Violence. I am committed to working with the advocates.

Senator Jones:
Section 3 references a child being someone who is aged 18 to 21. I looked at NRS 62A.030, which is "'Child' defined." I would define a child as less than 18 years of age. Can you clarify what age qualifies someone as a child?

Assemblyman Ohrenschall:
The reason for that confusing definition is because the period between the ages of 18 and 21 can include when that child, who was adjudicated delinquent on a petition, was still within the jurisdiction of the juvenile court on a period of juvenile probation. Say a 17-year-old child did graffiti at a skate park, was charged the $1,000 restitution to repair the damage and the payments were $20 a month, which would take more than 4 years to pay off. In this scenario, the period of restitution could go on until the child turns 21.

Senator Jones:
That only relates to an offense committed prior to the child being 18, right?

Assemblyman Ohrenschall:
Correct, that is a cleanup provision, related to any offense for which the child was adjudicated delinquent.

I was told a story by an attorney and fellow graduate of the University of Denver, Ralph Baker, about a child charged with battery domestic violence. It was a teenage girl attempting to commit suicide. Her father panicked, called the police and began to fight her to stop her from hurting herself. They fought and she was saved, but she was taken into custody and charged with battery domestic violence. I know this is an outlier case, but it is an instance where this can be misapplied.

Chair Segerblom:
Are you saying there is no discretion to not prosecute a case like that?

Assemblyman Ohrenschall:
From the discussions I have had with prosecutors and advocates, that discretion is not there. Where a charge is appropriate, it should be filed and counseling should be ordered. But there are instances where it can be misapplied. That is what A.B. 207 is designed to prevent. While that young girl needs a lot of mental health help, I am not sure the counseling we give for adult batterers

would benefit her. We want to see her succeed and not attempt suicide, or end up in an institution or in a self-destructive lifestyle.

Senator Brower:
As I understand the statutory scheme, the government prosecutor has the discretion whether to charge as domestic violence, but once that charge is made, the statutory scheme precludes the prosecutor from taking a plea to something less or something else. The original decision to charge is within the prosecutor's discretion. Is that correct?

Assemblyman Ohrenschall:
As I understand it, A.B. No. 170 of the 69th Session was thoroughly crafted and unless there is a major fault with a case, I do not believe the prosecutors have that discretion. If a relationship is described in statute—dating, familial, cohabitation—then the discretion is not there.

Mr. Jones:
You may be referring to subsection 8 of NRS 200.485, which says, "If a person is charged with committing a battery which constitutes domestic violence." If a person is charged and booked by a police officer for battery constituting domestic violence and there is probable cause to believe that crime has been committed, we will charge with battery constituting domestic violence.

Senator Brower:
Your office looks at the complaint and decides whether to charge with domestic violence. That decision is discretionary, right?

Mr. Jones:
The way I read the statute, if we as prosecutors feel we can prove this case beyond a reasonable doubt, we need to proceed with the case.

Senator Brower:
I get that, but whether to call it battery or domestic violence is a discretionary decision on your part, right?

Mr. Jones:
No, if it is a battery of someone who is in a classified domestic relationship, we have to proceed with the battery domestic violence.

Senator Brower:
So the relationship dictates the prosecutorial decision?

Mr. Jones:
Correct.

Oscar Peralta:
As a student at the University of Nevada, Las Vegas (UNLV), William S. Boyd School of Law, I was involved with the drafting of this bill. I have submitted my written testimony (Exhibit S).

Senator Hutchison:
Are there prosecutors looking for this kind of discretion?

Assemblyman Ohrenschall:
I am not sure they are looking for it, but I have not heard any opposition to having it. Some children fit the definition of batterer and need the counseling, but not every child fits that definition. If a child could benefit more from mental health treatment or some other form of treatment, the prosecutor, defense and judge should have that flexibility to seek what is best for that child.

Mr. Jones:
With juveniles we have an added benefit that adults do not have. Any juvenile cited or arrested for a misdemeanor offense can have the charges handled informally by a juvenile probation officer. A vast majority of battery domestic violence cases are handled this way. If the person denies the offense or fails to comply with the juvenile probation officer, the case is then referred to us for the filing of the petition. In this sense, there is some discretion already, but this bill will enhance that.

Senator Ford:
One concern I have with the bill is the potential for missing out on the opportunity to nip bad behavior in the bud. Do you have any statistics on recidivism when these offenses are prosecuted?

Assemblyman Ohrenschall:
I do not, but the Juvenile Justice Clinic at Boyd conducted a study looking at 6 months of data on this issue in Clark County.

Mr. Jones:
I do not have recidivism data, but I do have statistics from Clark County. There were 1,315 arrests for battery domestic violence by juveniles committed by 1,133 individuals.

Susan D. Roske (Adjunct Professor, William S. Boyd School of Law Juvenile Justice Clinic, University of Nevada, Las Vegas):
The students I teach at the UNLV Boyd School of Law Juvenile Justice Clinic could not be here to testify, but they did testify before the Assembly Committee on Judiciary. We had the students look over 6 months of domestic violence cases referred to Clark County Public Defender's juvenile division. Of the approximate 160 cases of battery domestic violence that we looked at, only a small percentage involved the type of relationship referred to in statute. Instead, the vast majority of cases were siblings fighting or a child pushing an abusive parent or something that we do not generally envision as domestic violence. There is a negative label that domestic violence has on a juvenile record. I strongly support this bill to give prosecutors, once the charge is filed, the discretion to dismiss or reduce the charge.

Paula Berkley (Nevada Network Against Domestic Violence):
I want to give you a little background on this bill. I have submitted a document outlining this issue (Exhibit T) and I have a handout with domestic violence referral data for 2012 (Exhibit U). When the bill was first introduced, the Boyd School of Law students said they felt 87 percent of the domestic violence cases they reviewed were inappropriate. The DA from Clark County testified that she had heard from the Clark County Public Defender that there was some concern about juvenile domestic violence cases. She asked that those cases be referred to her, and three were sent to her. Between three cases and 87 percent, there might be a problem, but we need to figure out how big the problem is and where it is. We are missing this data.

Chair Segerblom:
Are you saying your amendment is missing data, too, or does it deal with it?

Ms. Berkley:
It deals with it.

Chair Segerblom:
Assemblyman Ohrenschall is working on the amendment with you?

Ms. Berkley:
Yes, we have had many meetings. You can refer to my testimony for reference, Exhibit T. One fact you will see is that a juvenile who has been convicted of battery domestic violence and does not reoffend for 3 years can have his or her record sealed.

Chair Segerblom:
In immigration cases, you cannot seal records.

Ms. Berkley:
True, but we are talking miniscule numbers. The only conclusion we can make from what few numbers we have is that a lot of discretion is underway. Neither the proponents nor my organization can prove the appropriate action because prosecutors have no data and keep no records. Even if we pass this bill today, we have no way of knowing whether we have solved this problem.

That is why we asked for more information when we were in the Assembly hearing. Why not refer it to the Attorney General's Nevada Council for the Prevention of Domestic Violence or to the Legislative Committee on Child Welfare and Juvenile Justice, we asked. Let all the people involved talk together and base our pathway forward on facts. That option was declined. Instead, the Assembly Committee on Judiciary said we must come up with a compromise, which we did. Once on paper, it was not exactly what we wanted.

Sue Meuschke (Nevada Network Against Domestic Violence):
You have a copy of our proposed amendment, Exhibit R, most to which we have agreed. The sticking point is about reporting—we do not have good data. We are making policy decisions based on bad data. Until we really understand whether 87 percent of the cases are bogus, we cannot proceed. If so, that is horrible and we need to do something about it. But is the real number only three cases? We need to do something about that, too, but that is much different than 87 percent.

Thirty years ago, domestic violence was not a crime in Nevada. In 1985, based on reports and testimony, the Legislature required law enforcement to arrest abusers in domestic violence cases. We oppose this bill.

Nancy Hart (Nevada Network Against Domestic Violence):
The basis of this bill is that no discretion exists so the bill is necessary to provide it. Once the prosecutor has charged, then discretion can happen a second time. We know the prosecutors already exercise discretion in charging because the numbers do not reflect actual prosecutions. If there is a decision to charge domestic battery, we believe it should go forward unless it cannot be proved according to the standard in NRS 200.485.

Chair Segerblom:
Ms. Roske, people are saying there is no information, but it sounds like you have 120 cases of information. We appreciate what the Boyd School of Law students have done.

Ms. Roske:
I want to clarify that when the Clark County DA said there had only been three cases referred to her from me, that was out of context. Those three cases involved cases the Boyd Juvenile Justice Clinic worked on in one semester. Every domestic violence case does not come across my desk so I could not bombard her with hundreds of inappropriate cases. To use that number of only three cases is misleading.

Assemblyman Ohrenschall:
As to the sealing of records, many children who want to join the military and pursue other positive things have to agree to unseal those records. So sealing the misdemeanor battery domestic violence is a good thing, it does not necessarily protect the child.

Chair Segerblom:
Seeing no public comment, I am closing the meeting of the Senate Committee on Judiciary at 11:22 a.m.

RESPECTFULLY SUBMITTED:

_____
Linda Hiller,
Committee Secretary

APPROVED BY:

_____
Senator Tick Segerblom, Chair

DATE:_____

EXHIBITS				
Bill	**Exhibit**		**Witness / Agency**	**Description**
	A	1		Agenda
	B	6		Attendance Roster
A.B. 98	C	20	Gail J. Anderson	State of Nevada Department of Business and Industry, Real Estate Division, Advisory Opinion
A.B. 98	D	7	Gail J. Anderson	Summary of NRED Advisory Opinion 13-01
A.B. 98	E	3	Garrett Gordon	Revised Amendment to AB 98
A.B. 98	F	14	Garrett Gordon	Commission for Common-Interest Communities and Condominium Hotels Advisory Opinion No. 2010-01
A.B. 98	G	3	Andrew S. Fortin	Letter of Support and Written Testimony
A.B. 98	H	1	Andrew S. Fortin	Assessment Priority Lien by State
A.B. 98	I	1	Jonathan Friedrich	Superpriority Lien Amendment to AB 98
A.B. 98	J	2	Jonathan Friedrich	Federal Housing Finance Agency Letter from Alfred M. Pollard
A.B. 98	K	2	Jonathan Friedrich	U.S. Department of Housing and Urban Development Letter from Lisa Hoffman
A.B. 98	L	4	Senator Tick Segerblom	Letter of support from Michael T. Schulman
A.B. 98	M	12	Senator Tick Segerblom	Letter of support from Mike Randolph

A.B. 98	N	1	Senator Tick Segerblom	Letter of dissent from Bob Robey
A.B. 202	O	3	Susan D. Roske	Written Testimony
A.B. 202	P	5	Steve R. McBride	Written Testimony
A.B. 202	Q	9	Rebecca Gasca	Written Testimony
A.B. 207	R	1	Nevada Network Against Domestic Violence	Proposed Amendment from Sue Meuschke
A.B. 207	S	2	Oscar Peralta	Written Testimony
A.B. 207	T	2	Paula Berkley	History of A.B. 207
A.B. 207	U	1	Paula Berkley	2012 Domestic Battery Referral - Decisions