

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-Seventh Session
March 7, 2013**

The Senate Committee on Judiciary was called to order by Chair Tick Segerblom at 9:04 a.m. on Thursday, March 7, 2013, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E 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:

Senator James A. Settelmeyer, Senatorial District No. 17
Senator Pat Spearman, Senatorial District No. 1

STAFF MEMBERS PRESENT:

Mindy Martini, Policy Analyst
Nick Anthony, Counsel
Lynn Hendricks, Committee Secretary

OTHERS PRESENT:

Catherine Cortez Masto, Attorney General
Michael Hackett, Nevada State Medical Association
Ramir Hernandez, City of North Las Vegas
Carey Stewart, Washoe County Juvenile Services; Nevada Association of Juvenile Justice Administrators

Scott J. Shick, Nevada Association of Juvenile Justice Administrators; Chief Juvenile Probation Officer, Juvenile Probation Department, Douglas County

Chair Segerblom:

This morning, we have a presentation by the Attorney General on the workings of her Office.

Catherine Cortez Masto (Attorney General):

I have a presentation covering the duties and statistics of the Office of the Attorney General (AG) ([Exhibit C](#)) and the organization charts for the Office and its divisions ([Exhibit D](#)).

Slide 2 of [Exhibit C](#) gives the mission statement of the AG's Office. Slide 3 describes our general duties. We are the official counsel for the Executive Branch of Nevada's government and all the Constitutional Officers. Slide 4 lists the agencies we represent, and Slide 5 lists the boards and commissions we represent. There are over 200 agencies, boards and commissions in this list, and new ones are added all the time. We do not get additional funding for this purpose, so we use existing resources. Slide 6 lists boards and commissions we do not represent. By law, the State boards and commissions must be represented by the AG's Office unless the statute specifically states they can hire outside counsel. The boards and commissions on Slide 6 have that statutory authority.

Pages 8 through 11 of [Exhibit C](#) describe the main divisions of the AG's Office. When I came into the Office, I tried to make the organization easy for people to understand and also to create synergy throughout the various units. We have the Bureau of Government Affairs, Slide 8; Bureau of Litigation, Slide 9; Bureau of Criminal Justice, Slide 10; Bureau of Consumer Protection, Slide 11; and Administration.

One of the divisions in the Bureau of Criminal Justice is the Special Prosecutions Unit, which includes the two tri-county prosecutors. They handle crimes against women and children in the rural counties. They are grant-funded and work in collaboration with the district attorneys in those counties. The Bureau of Criminal Justice also includes the Medicaid Fraud Control Unit. Over the biennium, the Medicaid Fraud Control Unit prosecuted 25 criminal cases involving fraudulent activities by companies scamming the Medicaid system. We

also participated in global settlements of false claim cases with numerous pharmaceutical manufacturers. In the process, the Unit recovered \$3.3 million in fiscal year (FY) 2010-2011 and \$4.7 million in FY 2011-2012.

Slide 11 of [Exhibit C](#) describes the units of the Bureau of Consumer Protection. This division provides consumer education. This week is Consumer Protection Week, so you will see a lot of alerts going out of the AG's Office to prevent individuals from becoming victims of consumer fraud. We try to do that on a regular basis to inform folks about the latest scam out there. Slide 12 of [Exhibit C](#) lists the staffing of the AG's Office. I have 358 staff statewide with offices in Las Vegas, Reno, Carson City and Ely. Of these staff, 150 are attorneys and 51 are peace officers.

One of the main functions of the AG's Office is to issue legal opinions. The opinions we write are specific to our client agencies. We only provide them if one of our Executive Branch agencies has a question about how to implement a State law. According to *Nevada Revised Statute* (NRS) 228.150, we cannot provide legal opinions to the private sector or to anyone who is not part of an Executive Branch agency. These opinions are persuasive and carry a lot of weight, but they are not the law. It is the Judicial Branch that makes those determinations. The AG's Office is purely advisory.

Slide 15 of [Exhibit C](#) lists our special prosecution units. I chair the Nevada Council for the Prevention of Domestic Violence. We are the enforcers for the Open Meeting Law, with one attorney who receives and investigates complaints. I chair the Advisory Board for the Nevada Task Force for Technological Crime, which tackles cybercrimes. We have a Tobacco Enforcement Unit as a result of the Master Settlement Agreement with the tobacco industry. This Unit works to ensure that retailers do not sell tobacco products to minors. We do sting operations in which we hire minors to work with our investigators.

With regard to the Nevada Children's Advocate and Clearinghouse for Missing Children, Nevada is unique. Most of the missing and exploited children agencies across the U.S. are usually put in either a nonprofit or another Executive Branch agency. We are the only state that has that unit housed in the AG's Office. That is a positive, because we have an investigator and a prosecutor who handle the missing children cases. These are most often children who have been kidnapped by their noncustodial parents. We work with the courts and the custodial

parents to track them down across state borders and internationally. The most recent case we had was out of France, and we were able to reunite that child with the parent in France. With regard to exploited children, Assembly Bill (A.B.) 67 is enabling legislation that gives us the tools, in conjunction with our district attorneys, to investigate and prosecute people who exploit children.

ASSEMBLY BILL 67: Revises provisions relating to crimes. (BDR 3-403)

The primary jurisdiction for these cases is with district attorneys. This legislation would enable us to work with rural communities that lack the resources to tackle some of these issues.

The Senior Protection Unit investigates and prosecutes elder abuse, neglect and exploitation. It was created in 2007, but it was never appropriately funded. We are using existing resources for the investigators and prosecutors. This unit also operates secondary to the district attorneys' jurisdictions.

I chair the Substance Abuse Working Group, which started out as the Task Force for a Methamphetamine Free Nevada in 2007 when S.B. No. 530 of the 74th Session was passed to address methamphetamine abuse. We still work on those issues, but we have expanded it to address substance abuse in general. This includes prescription drug abuse, synthetic cannabinoids and the class of drugs known as bath salts. We have a collaborative working group of law enforcement, private sector and treatment individuals trying to address these issues in our state.

The Advisory Council for Prosecuting Attorneys is housed in my Office, and I am the chair. This is a collaborative council made up of district attorneys and law enforcement.

The Mortgage Fraud Unit includes individuals, attorneys and investigators who investigate and prosecute on the criminal and civil sides of mortgage fraud. The civil cases include the national mortgage settlements. The criminal mortgage cases are still unfortunately ongoing in this State, where we have a lot of people preying on homeowners.

Chair Segerblom:

With regard to mortgage fraud, have you come to a conclusion on the essential changes that need to be made to A.B. No. 284 of the 76th Session?

Attorney General Masto:

Yes. We had our last work group meeting 2 weeks ago to finalize the language. We had one member who wanted to look at two words. We are working with Assemblyman Jason Frierson to get the final language to him. Among the people who have been working on this, including the banks, we have come to a consensus on how we can clarify some of the language.

Chair Segerblom:

That will be an Assembly bill, correct?

Attorney General Masto:

Yes.

Senator Brower:

I have a question about your Office's use of private counsel to sue on behalf of the State. I think, although I am looking for an update, that the issue is currently being litigated and may be in the Nevada Supreme Court. Is that correct? Can you give us the status of that litigation?

Attorney General Masto:

Let me first make a distinction. When we hire private counsel, there are two ways to do it. There is a contingency fee basis, which means there is no cost to the State; any payment that goes to the attorneys comes out of the settlement. If there is no settlement, the attorneys do not get paid, although their fees and costs are sometimes covered in the agreement. The other way of hiring counsel is an hourly rate. In both instances, the contracts we enter into go to the State Board of Examiners for approval, oversight and transparency.

The case you are referring to deals with a contingency fee agreement. It is before the Nevada Supreme Court at the moment. The issue is whether the AG has the authority to hire outside counsel on a contingency fee basis. It has been briefed before the Nevada Supreme Court, but they have not yet set a date for a hearing.

Senator Brower:

Will it be heard, or has the Court said it may decide without a hearing?

Attorney General Masto:

I have not heard one way or the other. It has been with the Court for some time and has been thoroughly briefed. We have not heard recently what is happening with the case.

Senator Jones:

Thank you for your work on the Home Again program. My district has one of the highest foreclosure rates in the State, and I appreciate all you do.

With regard to the Mortgage Fraud Unit, my understanding is that unlike many states, Nevada does not regulate out-of-state loan servicers, and therefore you do not have any jurisdiction to go after them. Is that something you would like to have?

Attorney General Masto:

We have a great working relationship with our regulatory bodies, including the Department of Business and Industry's Division of Mortgage Lending, financial institutions and the Division's Commissioners. I do not want any type of regulatory authority in my Office, but I would like for them to have the regulatory authority. The Mortgage Lending Division in particular has compliance investigators who do the administrative and regulatory oversight and inspections. Anything that rises to the level of criminal action is then referred to our Office. My investigators often work collaboratively with and even train compliance investigators on what we look for in criminal referrals. Any type of tool you would want to give the regulatory bodies to help us address the lenders, particularly outside the State, would be great. There are challenges, obviously, with federal preemption. There is some caselaw now, *Cuomo v. Clearing House Association, L.L.C.*, 557 U.S. 519, a case decided by the U.S. Supreme Court, that opened the door to allow attorneys general to use deceptive trade practices acts to take action against federally insured lending institutions.

Chair Segerblom:

I will open the work session on Senate Bill (S.B.) 139.

SENATE BILL 139: Expands provisions governing criminal and civil liability for certain crimes to include crimes motivated by the victim's gender identity or expression. (BDR 15-703)

Mindy Martini (Policy Analyst):

I have prepared a work session document regarding S.B. 139 ([Exhibit E](#)).

Chair Segerblom:

Senator Brower, at this bill's hearing you pointed out that our hate crime statute does not include arson. That could be a big issue, so thank you for bringing it to our attention. We have been informed by the Legal Division of the Legislative Counsel Bureau (LCB) that the writing of amendments has been put on hold until all bills have been drafted. However, the LCB has made an exception for this bill. If we amend the bill, it will be amended immediately, and we hope to have it in the Senate for a vote by Monday.

Senator Pat Spearman (Senatorial District No. 1):

Senator Brower's question about arson prompted me to think about what else might be missing from S.B. 139. We did a check of the hate crime statutes in other states. I have a proposed conceptual amendment for S.B. 139 that amends the NRS's definition of hate crimes to include those crimes included in the FBI's hate crimes statistics ([Exhibit F](#)).

Senator Jones:

Could you list the crimes that are being added by this amendment?

Senator Spearman:

The crimes we found that were not present in our statutes were murder, manslaughter, burglary, larceny, motor vehicle theft and certain other property crimes.

Senator Ford:

Would this amendment change the definition of hate crime for all other protected groups?

Senator Spearman:

That would be at the pleasure of the Committee. You may want to take a look at the other statutes having to do with hate crimes and synchronize them so there is no doubt in anyone's mind as to what crimes are covered.

Senator Ford:

Would the other protected groups receive this same enhancement for the additional crimes?

Nick Anthony (Counsel):

My understanding is you would be adding the crimes from the FBI crime statistics to NRS 193.1675. That would add an additional penalty for those new crimes in addition to the crimes that are already spelled out in statute.

Senator Brower:

I think it is the intent of the Committee that we do what Mr. Anthony just confirmed: make the FBI list of 12 different types of crimes the definition of hate crimes in the NRS.

Senator Hutchison:

My understanding is this amendment will make the definition consistent throughout the NRS for all protected groups. If you can prove the crime was motivated by one of those factors, that is when the enhancement kicks in.

Mr. Anthony:

I believe that is correct, yes.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 139 WITH THE CONCEPTUAL AMENDMENT FROM
SENATOR SPEARMAN.

SENATOR KIHUEN SECONDED THE MOTION.

Senator Brower:

Let me also just address on the record—We've all received a lot of emails about this bill, and just to set the record straight, at least according to this one Senator's view—The idea that this bill somehow creates special rights for certain groups of people I think is just absolutely wrong. I think we all understand that what we're doing here is the following: All victims of all of the crimes we're talking about are treated the same. That is, if the evidence is there, our law enforcement professionals will investigate and prosecute. That's the same for everybody, no matter whether they fit into any of these special categories or not. The difference is that we have, and the federal government has, decided that it's important that for certain types of persons, certain categories of persons, that upon conviction, the penalty, in the discretion of the judge, should be enhanced. And I see the sponsor nodding, I know that she

understands that's the intent of this. And so, just, again, for the record, we are not, by passing this bill, creating special rights for any group or groups of people. That's not my intent; it's not the sponsor's intent, I think, and I just wanted to make sure that's clearly stated on the record.

Senator Hutchison:

I have received similar concerns and comments. As a lawyer, I understand the different reasons to enhance sentences. When you can prove that a crime was committed because of the victim's race, religion or gender identity, it is good government and good public policy to enhance the sentence. That is the reason we are doing this. It arises from my experience and my family's experience. As a society, we ought to provide protection to all citizens and enhance sentencing when people commit heinous, violent crimes because of a person's particular characteristics.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Segerblom:

I will open the hearing on S.B. 177.

SENATE BILL 177: Prohibits a minor from committing certain acts relating to the possession and use of tobacco products. (BDR 5-689)

Senator James A. Settelmeyer (Senatorial District No. 17):

In my first Legislative Session in 2007, constituents came to me with problems with what they called smokers' corners. These are specific locations where youths from high school or middle school go to smoke. The issue for property owners and law enforcement is that nothing can be done about this under statute. This is the problem S.B. 177 seeks to solve.

Nevada law states you have to be 18 years old to buy cigarettes, yet there is no law against minors possessing cigarettes. In some situations, you have 12- and 14-year-old children smoking cigarettes, and as one officer put it, it is discouraging to have a 14-year-old blow smoke in your face and say, "You can't do anything." I spoke to a young man from Yerington High School recently, and

he said it was disturbing to see a bunch of 16-year-olds go across the street to smoke every day, and there was nothing anybody could do.

Some have told me that the bill may have gone too far, and there may be some testimony to that effect. I am willing to work with anyone to try to craft some solution.

Imagine if we treated underage drinking the same way, if we said you have to be 21 to buy liquor but you can drink at any age. I do not think we want to do that, but we have done that with smoking.

I have some photographs from organizations such as Students Taking On Prevention and Kick Butts, also known as the Campaign for Tobacco-Free Kids, which are organizations trying to help people get rid of addiction. I do not have permission to publish these photos, so I will just pass them around the Committee. The photos show large groups of middle school and high school children smoking. Representatives from the organizations I mentioned will most likely be filling your email boxes with pictures from your own districts with similar pictures, showing that this problem is wide-reaching.

I will walk you through S.B. 177. I have a handout with the bill split into its major divisions ([Exhibit G](#)).

Section 1 of S.B. 177 refers to the defining section, which is section 10.

Section 3 outlines the steps available to officers when they cite someone. The citation is simply given to the youths, and officers are not to take them into physical custody.

Section 5 of the bill defines the offense for the court. As you can see in section 5, subsection 1, the language is completely discretionary. It is up to the court to levy the fine. The juvenile court may order a fine of \$25 for the first offense, \$50 for the second offense and \$75 for the third offense. For a fourth offense, the court can order a \$75 fine or waive that fine if the child and/or parent takes a smoking cessation program. The offender must pay the cost of the cessation program. Community service is also an option. Fines that are collected will go to the Account for Health Education for Minors. The concept is to have that money available to help other children.

Section 6 of the bill includes an administrative assessment to help the court cover some of its costs. Obviously, \$10 per citation is not enough to do much.

Section 8 of S.B. 177 stipulates that if the child completes a tobacco cessation program as ordered, the record shall be sealed. It is important not to stigmatize the child for the future.

I have no problem changing any of these provisions. We need to have something we can do to help these children stop smoking. Many of the Legislators who signed on to this bill who smoke told me they wished they had stopped when they were young.

Section 10 of the bill lays out the definitions. The bill applies to those under the age of 18 years. Section 10, subsection 3 makes an exception for minors who work with tobacco products in the course of their employment or who are assisting in investigations pursuant to NRS 202.2496. That statute authorizes law enforcement to employ minors to help with random investigations of retail tobacco sellers. This provision of the bill means those minors will not be cited for handling tobacco in the course of those investigations. Subsection 4 of section 10 states that the bill covers all tobacco products, not just cigarettes.

Senator Brower:

It is interesting to think about the evolution of this issue. When Chair Segerblom was in high school, smoking was not allowed on school grounds. When I was in high school, there was a smoking section on campus to accommodate students who wanted to smoke. I toured my high school a few years ago, and that smoking section no longer exists; in fact, smoking is once again prohibited on the grounds, even in the teachers' lounge. That was the last holdout of smoking areas on campus.

The concept of this bill has been brought to us in some form in previous sessions. When I was in the Assembly, I heard it in the Assembly Committee on Judiciary, and because at least one member of the Committee was adamantly opposed to the idea, it did not go anywhere. The thinking was that we should not be picking on kids who smoke. There may be someone here today who still has that idea, but I think that is the wrong idea and this bill is the right approach to this problem. We need to get this right.

Senator Hammond:

I am one of the sponsors of this bill, so I will state for the record that I do not smoke.

Michael Hackett (Nevada State Medical Association):

We support S.B. 177. Diseases caused by tobacco are among the most preventable and significantly impact our health care system. Because many of these diseases are chronic, they often require a lifetime of treatment. Tobacco use by young people has long been a challenge in Nevada. Getting kids to quit using tobacco or never start in the first place has been a priority for health care organizations. As stated, S.B. 177 addresses an inconsistency in State law in that it is illegal to sell tobacco products to minors, but it is not illegal for minors to possess or use tobacco. This bill makes it illegal for people under the age of 18 years to purchase, possess or use tobacco. We feel this will help encourage kids to stop using tobacco and perhaps never start.

We appreciate the flexibility the bill provides regarding punishment. Young people do not always know how harmful tobacco use can be. Sometimes, a wake-up call is all that is needed. We especially appreciate the option the courts have to require an offender to attend a program on tobacco awareness and cessation. Tobacco cessation programs are proven to be successful in getting people of all ages to quit using tobacco.

Ramir Hernandez (City of North Las Vegas):

We support S.B. 177 because it will finally give law enforcement officers the tools they need to go after the minors who possess and purchase tobacco products. We agree with the statements made by previous speakers on this issue.

Carey Stewart (Washoe County Juvenile Justice Services; Nevada Association of Juvenile Justice Administrators):

We are in opposition to S.B. 177 most notably for its effect on the juvenile justice system. We have had the chance to meet briefly with Senator Settelmeyer, and we appreciate the chance to meet with him again to see if we can amend the bill so it works for both sides.

Chair Segerblom:

Is your concern that it will overload the juvenile justice system?

Mr. Stewart:

Yes. We are concerned about several aspects. One is that there are federal guidelines that list the use of tobacco by minors as a status offense.

Chair Segerblom:

Which means what?

Mr. Stewart:

It means that it is a nondelinquent act. If a minor ends up in secured detention as a result of noncompliance or other issues associated with being on probation, it potentially jeopardizes federal funding issues with regard to the Office of Juvenile Justice and Delinquency Prevention. We do not want to see this bill push those kids into the juvenile justice system because of noncompliance issues.

Senator Hutchison:

I am trying to understand how this will overload the juvenile justice system. Is this not the equivalent of a traffic violation? The child is simply issued a citation and is not taken into custody. How is this a drain on resources that will overload the system?

Mr. Stewart:

The concern comes from section 7, subsection 2 of S.B. 177, which mentions adjudication. That indicates the ultimate outcome is that a petition could be filed, and the child could be involved in the formal components of the juvenile justice system. That leads into our concern about putting these kids on probation. Our experience is that any time a youth is put on probation, either for a Child In Need of Services offense or a delinquent offense, noncompliance issues result in the use of secured detention, which we do not want to see.

Senator Brower:

Those were the same arguments we heard in the Assembly when this bill came up before. We need to keep in mind that we are coddling bad behavior among children, and we are not doing enough to provide disincentives to prevent that bad behavior. I am preaching to the choir on this, but I encourage you not to look for ways that this cannot work; rather, look for ways to make it work. I am sure you will do that.

Mr. Stewart:

We agree, and we echo your thoughts. We have some strategies we can put into place that will hopefully develop accountability but also keep kids out of the deep-end component of the juvenile justice system.

Scott J. Shick (Nevada Association of Juvenile Justice Administrators; Chief Juvenile Probation Officer, Juvenile Probation Department, Douglas County):

I have been a licensed drug and alcohol counselor in the State of Nevada for the last 18 years. I talked to Senator Settlemeyer earlier today about my concerns with S.B. 177. I believe we can find middle ground and find a way to make this bill work.

My concern is that I do not want to start punishing children for a nicotine addiction. We have a prevention system in place with a cessation program. A lot of the kids we will see are those who do not have family support and those with addiction within their families. My concern is that we do not overburden that part of it. We need to address the areas where children are smoking without creating another problem on the top. That is what I hope to accomplish.

Senator Ford:

That is a fair statement. I do not know what needs to happen in that regard, but clearly we should be talking about addressing that issue simultaneously.

Mr. Shick:

Yes. Our coalition, the Partnership for Community Resources, is actively involved on the front end of smoking prevention. We can address it that way. We do not want to give children a criminal record for noncompliance. I do not want to coddle these kids either. Let us find the best solution and keep it right.

Senator Hutchison:

In light of your concerns, you might want to take a look at the language in section 7, subsection 2 of S.B. 177. It says the juvenile court may issue orders or take action. It leaves a lot of discretion with the court, whom I would think would understand what needs to happen and would not try to punish these minors if there was a bad addiction going on. That is what courts do, and it seems like there is some flexibility in there.

Chair Segerblom:

I will close the hearing on S.B. 177 and open the work session on S.B. 78.

SENATE BILL 78: Makes various changes concerning guardianships and powers of attorney. (BDR 13-465)

Ms. Martini:

I have prepared a short history and summary of S.B. 78 ([Exhibit H](#)). The State Bar of Nevada submitted two amendments, which can be found on pages 2 through 4 and pages 5 through 7 of [Exhibit H](#). The first amendment would provide for a waiver of publication of notices for guardianship proceedings when the ward has no known family members. Second, it would clarify bidding procedures for the sale of real property. Third, it would provide for the amount of time for the closure of guardianships when there is no probatable estate or trust. The second amendment deletes section 12, subsection 9 and section 13, subsection 9 of the bill, which relates to documentation the court may accept in cases where documentation supporting the need for temporary guardianship is unavailable.

SENATOR JONES MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 78 WITH BOTH AMENDMENTS.

SENATOR BROWER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Segerblom:

I will open the work session on S.B. 101.

SENATE BILL 101: Revises provisions relating to departments of alternative sentencing. (BDR 16-464)

Ms. Martini:

I have prepared a short history and summary of S.B. 101 ([Exhibit I](#)). Senator Settelmeyer offered an amendment to the bill, which can be found on pages 2 through 4 of [Exhibit I](#). There was some concern by Committee

members at the use of the term "probationer" in the bill, and the amendment instead uses the term "supervised releasee" and defines it.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 101.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Segerblom:

I will open the work session on S.B. 105.

SENATE BILL 105: Enacts the Uniform Electronic Legal Material Act. (BDR 59-168)

Ms. Martini:

I have prepared a short history and summary of S.B. 105 ([Exhibit J](#)). There were no amendments.

SENATOR KIHUEN MOVED TO DO PASS S.B. 105.

SENATOR JONES SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Segerblom:

I will open the work session on S.B. 110.

SENATE BILL 110: Revises provisions relating to the Uniform Commercial Code. (BDR 8-873)

Ms. Martini:

I have prepared a short history and summary of S.B. 110 ([Exhibit K](#)). There were no amendments.

SENATOR BROWER MOVED TO DO PASS S.B. 110.

SENATOR HUTCHISON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Segerblom:

I will open the work session on S.B. 136.

SENATE BILL 136: Revises provisions relating to justifiable homicide by a public officer. (BDR 15-867)

Senator Brower:

I am surprised we did not catch this apparent hole in the law earlier. This is a case of better late than never.

Ms. Martini:

I have prepared a short history and summary of S.B. 136 ([Exhibit L](#)). There were no amendments.

SENATOR BROWER MOVED TO DO PASS S.B. 136.

SENATOR FORD SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Senate Committee on Judiciary
March 7, 2013
Page 18

Chair Segerblom:

Is there any public comment? Hearing none, the meeting is adjourned at 10:18 a.m.

RESPECTFULLY SUBMITTED:

Lynn Hendricks,
Committee Secretary

APPROVED BY:

Senator Tick Segerblom, Chair

DATE: _____

<u>EXHIBITS</u>				
Bill	Exhibit		Witness / Agency	Description
	A	2		Agenda
	B	5		Attendance Roster
	C	16	Attorney General Catherine Cortez Masto	Overview of the Attorney General's Office presentation
	D	6	Attorney General Catherine Cortez Masto	Organization charts for the Office of the Attorney General
S.B. 139	E	1	Mindy Martini	Work session document
S.B. 139	F	1	Senator Pat Spearman	Proposed conceptual amendment for Senate Bill No. 139
S.B. 177	G	5	Senator James A. Settelmeyer	Senate Bill 177 Youth Smoking
S.B. 78	H	7	Mindy Martini	Work session document
S.B. 101	I	4	Mindy Martini	Work session document
S.B. 105	J	1	Mindy Martini	Work session document
S.B. 110	K	1	Mindy Martini	Work session document
S.B. 136	L	1	Mindy Martini	Work session document