

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-Eighth Session
April 10, 2015**

The Senate Committee on Judiciary was called to order by Chair Greg Brower at 1:04 p.m. on Friday, April 10, 2015, in Room 2134 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 Greg Brower, Chair
Senator Becky Harris, Vice Chair
Senator Michael Roberson
Senator Scott Hammond
Senator Ruben J. Kihuen
Senator Tick Segerblom
Senator Aaron D. Ford

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nick Anthony, Counsel
Lynn Hendricks, Committee Secretary

Chair Brower:

I will open the work session on Senate Bill (S.B.) 255.

SENATE BILL 255: Makes various changes to provisions governing the termination of parental rights. (BDR 11-637)

Patrick Guinan (Policy Analyst):

I have a work session document summarizing the bill and explaining Proposed Amendment 6238 offered by Senator Hammond ([Exhibit C](#)).

Senator Hammond:

Proponents and opponents of this bill met with each other, but there was no movement either way. In the end, they agreed to disagree. This is a good bill, and there may be some work we can do on it after it leaves the Committee. I appreciate the concerns of those who are worried about parental rights. I would like to move this bill now and work on it as the information comes to us.

SENATOR HAMMOND MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 255.

SENATOR ROBERSON SECONDED THE MOTION.

THE MOTION FAILED. (SENATORS FORD, KIHUEN AND SEGERBLOM
VOTED NO. SENATOR HARRIS WAS ABSENT FOR THE VOTE.)

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Chair Brower:

I will open the work session on S.B. 138.

SENATE BILL 138: Revises provisions governing the forfeiture of property.
(BDR 14-222)

Mr. Guinan:

I have a work session document that summarizes the bill and includes Proposed Amendment 6406 offered by Senator Brower ([Exhibit D](#)).

Senator Brower:

You will recall that we had a robust hearing on this bill that brought up many important issues, and it was difficult to get consensus on all of them. We do have consensus on the reporting requirements that now comprise the entirety of the amended bill. This provision considerably improves the transparency of the reporting of asset forfeiture in Nevada.

SENATOR ROBERSON MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 138.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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Chair Brower:

I will open the work session on Senate Joint Resolution (S.J.R.) 17.

SENATE JOINT RESOLUTION 17: Proposes to amend the Nevada Constitution to expand the rights guaranteed to victims of crime. (BDR C-952)

Mr. Guinan:

I have a work session document that summarizes the joint resolution and describes the amendment offered by Senators Roberson and Brower in consultation with the law enforcement community ([Exhibit E](#)).

Chair Brower:

A lot of work went into this amendment by law enforcement, the criminal defense bar, prosecuting attorneys and others who deal with these issues day in and day out. I wanted to make sure everyone's concerns with the original language were vetted and sorted out. The amendment in [Exhibit E](#) is a good end result. We are all concerned with the rights of victims of crimes. There is a provision in Nevada's Constitution and statutes; this simply offers some detail.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED S.J.R. 17.

SENATOR HAMMOND SECONDED THE MOTION.

Senator Ford:

I commend those who worked on the resolution to get it into its current format. Unfortunately, I am still unable to support S.J.R. 17. We already have protection for victims in the Nevada Constitution and statutes. Just as I was leaving my office this afternoon, a news report reminded me of one of the reasons it is dangerous to proceed on this route. A gentleman who had been on Death Row for 30 years was just exonerated and set free. If you take a look at the speedy trial and prompt final resolution component of this measure, I wonder how a plaintiff's right to timely disposition would have affected that gentleman. That adds to my rationale for not wanting to pursue this measure at this juncture.

Senate Committee on Judiciary
April 10, 2015
Page 4

Chair Brower:

The speedy trial aspect of the proposed resolution was the subject of discussions I took part in. I am satisfied that nothing in S.J.R. 17 would alter the existing speedy trial rules in a way that would be prejudicial to defendants. I am comfortable with it.

THE MOTION PASSED. (SENATORS FORD AND SEGERBLOM VOTED NO.)

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Chair Brower:

The meeting is adjourned at 3:53 p.m.

RESPECTFULLY SUBMITTED:

Lynn Hendricks,
Committee Secretary

APPROVED BY:

Senator Greg Brower, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	4		Attendance Roster
S.B. 255	C	22	Patrick Guinan	Work session document
S.B. 138	D	6	Patrick Guinan	Work session document
S.J.R. 17	E	4	Patrick Guinan	Work session document