

Mar. 24—From committee: Do pass. Read second time.

Mar. 25—Read third time. Passed. Title approved. To Assembly. In Assembly. To enrollment.

Mar. 27—Enrolled and delivered to Governor.

Apr. 1—Approved by the Governor. Chapter 211. Effective April 1, 1969.

**A. B. 196—Reid, Bryan, and Wilson, Feb. 6.**

Summary—Provides penalty for failing to observe 3-day waiting period in purchase of firearms. (BDR 16-846)

Feb. 6—Read first time. Referred to Committee on Judiciary. To printer.

Feb. 7—From printer. To committee.

**A. B. 197—Jacobsen, Feb. 6.**

Summary—Changes composition of certain boards of trustees of school districts. (BDR 34-933)

Feb. 6—Read first time. Referred to Committee on Elections. To printer.

Feb. 7—From printer. To committee.

Mar. 21—From committee: Amend, and do pass as amended.

Mar. 24—Read second time. Amended. To printer.

Mar. 26—From printer. To engrossment. Engrossed.

Mar. 27—Read third time. Passed, as amended. Title approved, as amended. To Senate.

Mar. 28—In Senate. Read first time. Referred to Committee on Federal, State, and Local Governments. To committee.

**A. B. 198—Torvinen, Feb. 6.**

Summary—Repeals law relating to prospecting on private lands. (BDR 3-170)

Feb. 6—Read first time. Referred to Committee on Judiciary. To printer.

Feb. 7—From printer. To committee.

Feb. 27—From committee: Amend, and do pass as amended.

Feb. 28—Read second time. Amended. To printer.

Mar. 3—From printer. To engrossment. Engrossed.

Mar. 4—Read third time. Passed, as amended. Title approved. To Senate.

Mar. 5—In Senate. Read first time. Referred to Committee on Public Resources. To committee.

Mar. 20—From committee: Do pass. Read second time.

Mar. 21—Read third time. Passed. Title approved. To Assembly.

Mar. 24—In Assembly. To enrollment.

Mar. 25—Enrolled and delivered to Governor.

Mar. 27—Approved by the Governor. Chapter 175. Effective March 27, 1969.

**A. B. 199—Torvinen, Feb. 6.**

Summary—Voids certain acceleration clauses in mortgages and deeds of trust. (BDR 9-349)

Feb. 6—Read first time. Referred to Committee on Judiciary. To printer.

Feb. 7—From printer. To committee.

**A. B. 200—Hilbrecht, Feb. 7.**

Summary—Creates presidential primary election. (BDR 24-1330)

Feb. 7—Read first time. Referred to Committee on Elections. To printer.

Feb. 10—From printer. To committee.

Feb. 12—From committee: Do pass. Placed on Chief Clerk's desk.

Feb. 18—Taken from Chief Clerk's desk. Placed on Second Reading File. Read second time. Amended. To printer.

Feb. 19—From printer. To engrossment. Engrossed.

Feb. 20—Taken from General File. Re-referred to Committee on Ways and Means. To committee.

Apr. 9—From committee: Do pass.

Apr. 10—Read third time. Passed, as amended. Title approved. To Senate.

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ASSEMBLY BILL NO. 196—MESSRS. REID,  
BRYAN AND WILSON

FEBRUARY 6, 1969

—○—  
Referred to Committee on Judiciary

SUMMARY—Provides penalty for failing to observe 3-day waiting period in purchase of firearms. (BDR 16-846)



EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT relating to crimes against health and safety; providing a mandatory 3-day waiting period for the purchase of certain firearms; and providing a penalty.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. Chapter 202 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 1. *It is unlawful for any person, firm or corporation within the State*  
4 *of Nevada to:*

5 (a) *Sell any pistol, revolver, sawed-off shotgun or other firearm capable*  
6 *of being concealed upon the person; or*

7 (b) *Purchase any pistol, revolver, sawed-off shotgun or other firearm*  
8 *capable of being concealed upon the person,*  
9 *unless a 3-day waiting period has elapsed between the offer to sell and*  
10 *the sale or the offer to purchase and the purchase, as the case may be.*

11 2. *Every person violating any provision of subsection 1 is guilty of a*  
12 *misdemeanor.*

13 SEC. 2. This act shall become effective upon passage and approval.

Present: Torvinen, Kean, Swackhammer, Fry, Bryan, Schouweiler, Lowman.

Absent: Reid and Prince.

Chairman Torvinen introduced BDR 14-1367\*, which provides for expungement of certain criminal records. (\*A.B. 49)

Assemblyman Lowman moved it be introduced as a committee bill.

Mr. Torvinen continued. This bill is for the purpose of expunging the records, so that a person who has committed his first felony and completed his sentence, doesn't have to register as an ex-felon. It also provides for a person who has been arrested, but charges were dismissed, not to have any record.

Swackhammer said he presumed that the person who wants this record expunged would have to pay the costs of having the records sealed? "Section 5 looks like it will be almost impossible to comply with?"

Kean: "Mr. Chairman, do you want to have the bill introduced and then work on these individual things?"

Fry: "I have another bill coming."

Schouweiler: "Can we wait until the end of the week?"

Kean: "Let's introduce this and get it into print."

Torvinen: "Schouweiler has a couple of ideas".

Kean: "I can see from some suggestions already made that some of you have some ideas."

Kean moved to introduce.

Schouweiler seconded. Unanimously carried.

A.B. 196 - Three day waiting period for the purchase of guns.

Bryan: "Harry (Reid) has a great deal of information on this. I would suggest we reschedule A.B. 196 when Harry can be here."

Torvinen: "At the convenience of the committee, but I will try to lump it with something else in the same general category."

A.B. 231 - which deals with attorneys fees for minors in certain cases.

Close: "This bill was brought to my attention by 2 attorneys in Las Vegas who had, in fact, been appointed by the Court to represent the children. The parents were fighting bitterly over the children, but no one seemed to have the welfare of the children at heart. The Court was brought in because they held no allegiance to either parent, but to the best interests of the children."

MINUTES OF MEETING - ASSEMBLY COMMITTEE ON JUDICIARY, 55th Session  
March 7, 1969

Meeting was called to order at 2:40 P.M. by Chairman Torvinen. 2-40

PRESENT: Torvinen, Swackhamer, Lowman, Bryan, Kean, Reid, Prince, Kean.

ABSENT: Schouweiler

AB 218: Excludes from privileged communications information given to physician to obtain dangerous drug unlawfully.

AB 219: Permits probation for minor narcotic supplier on first offense.

MR. TORVINEN: I was instructed to keep the provisions in each of these bills. 453.180 deals with both in one paragraph and I could see I was going to have troubles trying to make two bills of it so I have put it all into 218.

MR. LOWMAN: 219 was pulled off the board this morning because we did not have severe enough punishment.

MR. BRYAN: I move the adoption of amendment 1598 to AB 218.  
MR. REID: I second the motion.

MR. TORVINEN: This contains provisions which were in 220.

MR. BRYAN: I move we indefinitely postpone AB 220.  
MR. SWACKHAMER: I second the motion.  
MOTION CARRIED UNANIMOUSLY.

MR. TORVINEN: This is the time set for a hearing on AB 290, Mr. Swackhamer's bill. We have here to speak on this bill Mr. Phillip Hannifin and Mr. Carroll Nevin.

AB 390: Creating law enforcement assistance bureau.

MR. SWACKHAMER: The reason I have been interested in trying to do something to fight the crime wave is that Mr. Hilbrecht said considerable money was available from the Federal Government to help us if we get set up right. If we proceed with this, we will have a criminal division in the State. Mr. Hilbrecht, Mr. McDonald and myself met and drafted this. The Federal monies are available to cities and counties.

MR. NEVIN: In November of 1968, Governor Laxalt appointed a Commission on Crime, Delinquency and Corrections, naming 16 members. This was for the purpose of trying to qualify for the money that was available from the Federal Government. We formed our plan and sent it in and were awarded \$129,000 for planning purposes only.

About 40 to 43 percent must be assigned to the cities. We have used three planning districts. We used one by population. Clark County was one, Washoe County was another and the other 15 counties made up the third. We thought this was better than to break it up into such small amounts of money that we could not do anything much.

Clark County would get 56%, Washoe 24% and the other counties 20%.

MR. REID: I second Mr. Kean's new motion.  
MOTION CARRIED UNANIMOUSLY.

MR. TORVINEN: I hereby appoint Mr. Lowman, Mr. Swackhamer and Mr. Nevin and Mr. Hannifin, if they will, to get this job done.

This conference we just had should have been done about three weeks ago. Now we will talk about the three-day waiting period for guns. Do our guests have any comment on that? (No).

AB 196: Provides penalty for failing to observe 3-day waiting period in purchase of firearms.

MR. REID: I move we have a public hearing on this next Wednesday.  
MR. BRYAN: I second the motion.  
MOTION CARRIED UNANIMOUSLY.

AB 399: Establishes guardianship procedures and designates duties of guardian.

MR. REID: I move Do Pass with all proposed amendments.

MR. BRYAN: I don't like the language in section 25, subsection 5, page 5.

MR. TORVINEN: I appoint you a committee of one to work out an amendment on the above over the week-end.

MR. REID: Do I understand this correctly? Is it corporations only that can act as nonresident guardian?

MR. BRYAN: A non-resident can serve as executor on the estate.

MR. TORVINEN: You might say nonresident cannot be guardian unless nominated by a qualified person in Nevada to be the guardian.

MR. BRYAN: (Read from the law on nonresident). Must associate as co-fiduciary in the State. Do you want to make it more certain and say "no banking or other corporation shall serve unless it associates as co-fiduciary."

MR. REID: I like that. I move that amendment.

MR. SWACKHAMER: I would like to interrupt this discussion briefly to give you the data that Stan Warren has which applies to 390 and 205. There is a teletype system that would be authorized in 390. This is presently being done in Nevada and if 390 passes we could just tie in with it. (Passed out drawings of this system to the committee).

MR. WARREN: Since this system is already in existence you do not need the section in 390 that provides for it to be set up. This comes from the Department of Motor Vehicles.

MR. REID: The system we have in 390: Do we have to go out and set this up some way? Couldn't we tie into yours?

MINUTES OF MEETING - ASSEMBLY COMMITTEE ON JUDICIARY, 55th Session <sup>2-215</sup>  
March 26, 1969, Afternoon Meeting

Meeting was called to order by Chairman Torvinen at 3:15, P.M.

PRESENT: Torvinen, Swackhamer, Bryan, Reid, Prince, Lowman, Fry, Kean, Schouweiler.

ABSENT: None.

AB 196: Provides penalty for failing to observe 3-day waiting period in purchase of firearms.

MR. REID: I move Do Pass AB 196.

MR. BRYAN: I second the motion.

MOTION FAILED.

AB 696: Empowers magistrate to exclude adverse witnesses from preliminary hearings.

MR. BRYAN: I move Do Pass AB 696.

MR. REID: I second the motion.

MR. BRYAN: Under present law, if counsel for the defense moves to exclude all persons from the courtroom, in a Justice Court, the Justice of the Peace must do so. Under this proposed law, this would no longer be the case. This can be done on request and reserves to the magistrate the power to exclude adverse witnesses until such time as they are called to testify.

MR. TORVINEN: Under another statute, the witnesses are now able to be excluded.

MR. BRYAN: That is true. There is a great deal of concern and anxiety about our criminal justice these days. I have been on both sides of this question. I believe the public interest in being informed is greater than the harm that might be done to the defendant.

MR. TORVINEN: I would like to state my views on this, even though I may engender the enmity of the newspaper people present. I am opposed to this bill. There are cases where testimony is of such an inflammatory nature the defendant may be bound over and the testimony may be damaging to him.

This is a right the Supreme Court said the defendant could waive. In some rare cases the damage to the individual may be so great as to outweigh the public interest. If the defendant requests that his preliminary hearing be closed-----

MR. REID: I think that we have to consider here that many times we have situations where we don't know, but it is possible that something could go wrong that would not go wrong is the press were there. The Supreme Court in their decision indicated it was something the Legislature had done and they were bound to abide by it. At the trial and at the preliminary hearing, the public has the right to know what is going on.