

Assembly

MINUTES OF MEETING - COMMITTEE ON JUDICIARY, 53rd Legislature, February 10, 1965

Meeting commenced at 2:00 P. M.

Present: Close, Jacobsen, Delaney, Kean, Parsons, Knisley, Olsen, Swobe, Rosaschi

Minutes of the previous meeting were approved.

Although Civil Rights was not on the agenda Rev. Walker from Las Vegas was present to speak on this issue. Rev. Walker was not representing NAACP, but is a spokesman for several other groups. He stated that their only interest was in obtaining "equal opportunities and equal justice before the law".

Mr. Swobe presented the committee with two new bills to be introduced and referred back to the committee.

^{3-543*}
BDR 367-8 has to do with placing the value on property taken over by the State when the case goes to trial.

^{3-678°}
BDR 354-3 allows recovery of attorney fees at condemnation case and allows the court to set these attorney fees and costs.

Mr. Knisley moved that BDR 367-8 be introduced as a bill.

Mr. Kean seconded

Motion passed unanimously

Mr. Kean moved that BDR 354-3 be introduced as a bill.

Mrs. Parsons seconded

Motion passed unanimously

A. B. 208 Fire Protection District
A. B. 209 " " "

Mr. Leo Sauer, County Commissioner, and Mr. C. B. Kennison, County Manager were introduced to the committee members.

Mr. Kean introduced amendments to these bills. Regarding A. B. 209 the purpose of the amendment is to clarify the word "value". This should read "assessed value".

On A. B. 208 Mr. Kean stated that what the people want is to get out from under unfair tax situation, after which they would tax themselves to set up their own fire protection. This bill takes the power away from the State Forester.

There are two ways in which a fire district could be formed. One is to be formed by the County Commissioner, and the other is for the people to elect to do so. If 51% of the people in the entire district are in favor of this fire district then it may be formed.

It was stated that the Clark-McNary Tax is for the protection of forests and water sheds, with this tax money going through the State Forester fund.

This bill was deferred until a later date. Mr. Kean will work on it and bring it back to the Committee.

A. B. 81 Regulates instalment sales of goods and services.

The New Mexico bill is now being reviewed by the First National Bank. This will be deferred until a later date.

*A.B. 310

° A.B. 311

Assembly Committee on Judiciary

A. B. 292 Enacts Unfair Trade Practices Act

Mr. Swobe stated that this bill is a combination of the Oklahoma and California statutes. This would prohibit items being sold at below cost, with the exception of those certain items listed in Section 11.

Mr. Eric Palludan spoke on this bill, not as an assemblyman but as a small merchant. He feels this bill would be of help to small stores. He stated that the large chain stores do cut prices below cost, something which the small stores are unable to compete with. This bill would help the smaller concerns to stay in business.

Mr. Knisley will check with the beef wholesalers and if they do not agree with this bill as it now stands he will ask for an amendment.

Mr. Close felt more time was needed to study this bill.

A. J. R. 19 Proposes constitutional amendment to allow Legislature to amend or repeal after 3 years a statute adopted by referendum.

Mr. Knisley asked that this bill be held, and it was suggested that Mr. Pozzi be asked to speak to the Committee regarding same.

A. J. R. 20 Amend Nev. Const. by guaranteeing protection of property owners rights.

Mr. Palludan or Mr. Wood will be invited to speak on this bill.

A. B. 80 Land Subdivision Act

Mr. Mann has not contacted the Committee as yet.

An amendment will be added to section 5 requiring quality of water and location of schools to be included.

Section 4, Subsection 2. Mr. Close feels this is unworkable and should be stricken. Mr. Knisley stated that if this clause is stricken it would permit land to be sold with no access road.

The Committee felt that the number "25" in line 15, page 1 is acceptable.

In Section 7 the question arose as to whether newspapers and magazines carrying these advertisements would be liable. It was decided they would not.

Mr. Close stated that the Real Estate Commission would like a copy of this bill for their files.

Mr. Kean moved Do Pass as Amended

Mr. Swobe seconded

Motion passed unanimously

A. B. 278 Requires detailed statement of charges for automobile repair.

Mr. Knisley moved Do Pass

Mr. Delaney seconded

Motion passed unanimously

A. B. 267 Allows University of Nevada Board of Regents to create University Police Dept.

Mr. Swobe stated that the University now has police officers with no jurisdiction. This would give them police power.

Mr. Jacobsen moved Do Pass

Mr. Rosaschi seconded

Motion passed unanimously

A. B. 228 Allows third conviction of petit larceny to be punished as felony.

Mr. Close stated this bill is unworkable.

Mr. Delaney moved to kill the bill.

Mr. Jacobsen seconded

Motion passed unanimously

A. B. 240 Allows arrest without warrant on reasonable belief misdemeanor has been committed.

Mr. Knisley does not feel this bill would stand the test of either the Federal Constitution or the State Constitution.

Mr. Knisley suggest to keep in Committee.

S. B. 6 Provides for licensing and regulation of barbershops.

Mr. Kean stated that he felt this is an encroachment on free enterprise.

Mr. Martinelli will be invited to speak to the Committee.

Meeting was adjourned at 4:15 P. M.