

## Assembly

MINUTES OF MEETING - COMMITTEE ON JUDICIARY, 53rd Legislature, February 9, 1965

40

Meeting commenced at 2:00 P. M.

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

One change was made in minutes of previous meeting. Under AB 74 \$1.00 penalties should read \$100 penalties.

Mr. Close announced the scheduling of the following hearings:

AB 159 - Civil Rights hearing on Monday, February 15th, 2:00 P. M. in room 43, with the Southern and Northern NAACP, plus the Southern Nevada Human Relations Commission

AB 236 - Mechanics Lien Law hearing, February 16th, 2:00 P. M. in room 43.

AB 234 - Licensing and practice of professional engineers and land surveyors, February 17th, 2:00 P. M. in room 43.

Mr. Close stated that a letter was being written to Ila Harvey, committee secretary, to be sent along with flowers from the committee wishing her a speedy recovery.

Mr. Jacobsen made a motion to this effect.

Mrs. Parsons seconded

Motion passed unanimously

Mr. Swobe will order the flowers from a Reno florist.

MR. BILL BARKER, City Attorney of North Las Vegas, was introduced and spoke on bill relating to laws of arrest (BDR 14-596)\*. He stated that under the present law an officer is unable to make an arrest unless he actually witnesses the act of the misdemeanor. In some cases, such as driving under the influence of intoxicating liquors, it is evident the party is guilty but still officer is unable to make arrest unless he actually witnesses the crime.

A. B. 83 False Advertising

Bill is still pending in printing room.

A. B. 208 Fire Protection District

A. B. 209 " " "

Mr. George Zappettini, State Forrester, spoke to the committee and extended the objection of the Fire Districts to AB 208. He stated that nothing pertaining to AB 209 had been done by the fire districts. This is based on taking care of forrest and water shed districts. A procedure was needed to exclude these people to establish their own districts. He stated that the signing of a petition to be excluded is a slow procedure. He felt this should be left up to the County Commissioner to make the exclusion.

A. B. 234 Amends provisions relating to licensing and practice of professional engineers and land surveyors.

Mr. Swobe stated the telephone company wants to be stricken from this bill. He would like bill to be deferred until Wednesday, February 17th, at 2:00 P. M.

\*A.B. 240

A. B. 252 Establishes State Bureau of Criminal Identification and Investigation.

Mr. Dickerson was not here to speak on this bill.

A. B. 35 Secures redemption rights of debtor under trust deed against acceleration clause

Mr. Fike stated that this bill was to make certain and to clarify the fact that the maker of trustee note has certain redemption rights. Deficiency is the right to make payment or instalment which is due and not the face amount.

Mr. Fike feels there should be a 35 day grace period to redeem instalment rights. He stated that the shortest possible time this could be reduced to was 21 days.

Mr. Knisley stated that he feels 35 days is too long for a grace period. This would enable borrower to run consistently late with his payments.

Without AB 35 if a payment is missed the full amount becomes due and payable. With AB 35 the borrower may pick up past due instalment not later than 35 days and continue on with regular contract payments.

It was felt that the way it now reads after 35 days the entire balance is due and payable. At that time Notice of Default may be filed. The borrower then has 90 days in which to correct default.

Action on this bill was delayed until a later date.

A. B. 257 Gives probate court discretion as to term of lease by estate.

Mr. Swobe commented on this bill. As presently stated guardian of an estate cannot lease property for more than 10 years. This bill would leave it up to the court as to whether or not the lease could be longer than 10 years.

Mr. Knisley moved Do Pass

Mr. Keen seconded

Motion passed unanimously

S. B. 50 Repeals obsolete provision for district court seal.

Mr. Swobe stated that this repeals an old law allowing the clerk to have a private seal when courts did not have a seal. This law is no longer needed.

Mr. Swobe made motion for Do Pass

Mr. Jacobsen seconded

Motion passed unanimously

Mr. Close made the following assignments of members of the Committee to speak for various bills:

A. B. 257 Mr. Swobe

S. B. 50 Mr. Rosaschi

A. B. 230 Permits court to authorize payment of fees to realtors upon sale of real property by guardians.

Mr. Olsen proposed an amendment to this bill providing a 5% fee limit to realtors.

Mr. Knisley moved to put bill out as amended on a Do Pass.

Mr. Swobe seconded

Motion passed unanimously

A. B. 233 Prohibits certain persons from making out federal income tax returns for a fee.

Mr. Jacobsen checked with Internal Revenue and they feel this would be an excellent bill. If they do not call Mr. Jacobsen by Friday then they would like to go on record as favoring the bill as it now stands.

Mr. Knisley stated that he felt Subsection 2 of this bill should be changed to read employees of banks, trust companies, savings and loan companies who are authorized to make out income tax forms. He felt it should also include employees of accountants who are authorized.

Meeting was adjourned at 3:00 P. M.