

## Assembly

MINUTES OF MEETING - COMMITTEE ON JUDICIARY, 53rd Legislature, March 1, 1965

Meeting called to order 2:00 P.M.

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

Absent: Knisley, Swobe

AB 208: Mr. Kean stated that there were quite extensive amendments to the bill and he went over these with the members of the Committee. He said that at present the forester has the authority to say who is in the special tax district for watershed lands and forest land fire protection district. The forester also has authority to keep anybody from getting out of this special tax district.

Mr. Kean said that AB 208 will make it possible for residents to get out of this Fire Protection District by petition of ten people owning separate pieces of property, the petition being presented to the Board of the County Commissioners. He said that when people do get out, then their fire protection is provided by the county.

Mr. Close asked if Mr. Kean thought that these people would really get together and form their own fire protection district. It was pointed out that many areas already have their own and are paying this special tax also.

Frank Johnson stated that he and others in his same situation are paying this special tax rate of 45% for absolutely nothing.

Mr. Delaney moved amend and Do Pass  
Jacobsen and Parsons seconded  
Motion passed unanimously

AB 377: Requires D.A.'s approval before petitions for commitment of mentally ill persons can be filed.

Mr. Close explained that under present conditions anybody can file for commitment of anybody. Then these people who are committed must wait in jail a week or so until examinations can be made to determine if they really are mentally ill. If any person desires to commit any other person there is no way now to stop him.

Mr. Close said the bad thing about this bill is that it makes the District Attorney a psychiatrist, which he is not.

Mr. Olsen said he can't see the District Attorney put in this position. He doesn't see anything too wrong with the system as it is at present. He thinks it may be better to have the judge decide on these things, with help of doctor's certificates, than to have this power given to the D.A.

Mr. Close asked if it might be possible to amend the bill so that if a petition

is turned down by the District Attorney the person desiring to make the commitment can come back with doctor's certificates and have the case reconsidered.

Mr. Olsen suggested that this bill be deferred for the time being to allow all members to give it some study and thought. It was so decided.

AB 379: Provides additional justice of the peace in townships having population of 70,000 or more.

Mr. Close said that his only objection is that the bill provides that this extra JP be appointed and start out now. He would like to see it amended so that this extra JP can be elected next election. If he is elected next election that would also give the counties a chance to get another courtroom ready.

Mr. Olsen suggested that possibly the extra JP could be appointed now but used only on permission of the present JP.

Jacobsen moved amend and Do Pass  
Parsons seconded  
Motion passed unanimously

AB 380: Provides for removal of city officers from office upon conviction of intoxication or use of drugs while in office.

Mr. Close explained that this bill exists right now. This bill just adds the word "city" on line 10.

It was decided to hold the bill until Mr. Kean could be present.

AB 387: Increases penalty for violation of Dangerous Drug Law.

Mr. Close explained that this bill makes a violation of the act a gross misdemeanor instead of a misdemeanor.

Mr. Jacobsen inquired if there had been any prosecutions on this?

Mr. Close said that he was not aware of any.

Further discussion of this bill was postponed until Mr. Knisley and Mr. Kean could be present.

AB 390: Creates commission on peace officer standards and training.

Mr. Close explained that right now there is absolutely nothing to look up to to train our policemen or other law enforcement officers. This bill sets up a commission which will decide certain standards for these officers, and set up a course of study.

He said that right now Clark County has such a school and they are willing to take men from other places and train them. The course takes 10 hours a

day for six weeks. The man taking the training will be on full salary plus per diem of \$12.50. The training will be financed by levying additional fines on crimes out of Justice of the Peace and City Courts. He said that he felt there might be poetic justice in having the crook pay for the training of the policeman who might arrest him some day.

The commission will be formed from people already working in law enforcement. This will be a part-time duty for them.

Mr. Close said that it is estimated that there are 1,000 law enforcement people in the State of Nevada who should have this training.

AB 408: Amends provisions relating to licensing and regulation of hair-dressers and cosmeticians.

Mr. Jacobsen reported that he had talked to four beauticians who were concerned with this bill and they would like a chance to appear before the Committee and be heard. He said that it is his opinion that when they are trying to clean up their industry we should try to help them.

A hearing was set up for Wednesday, March 3, at 2:00 P.M. Mr. Jacobsen is to notify those who would like to appear.

AB 413: Provides for appointment of counsel for indigent defendant at preliminary hearing.

Mr. Close explained that this is something we are going to have to come to or the Supreme Court of Nevada and the Federal Government (courts) will start turning down our decisions. These indigent people must be represented by legal counsel in JP court.

The bill provides up to \$200 in JP court and up to \$300 in district court. The fee for a crime punishable by death would be \$1,000.

Mr. Olsen moved Do Pass  
Mr. Delaney seconded  
Motion passed unanimously

It was pointed out that this defense counsel is not forced on these indigent defendants. They can choose whether or not to accept it.

The Ways and Means Committee have already made an appropriation to take care of this expense.

AB 440: Regulates retail installment sales of all consumer goods and services.

Mr. Close told the Committee that this is a new bill based on the New Mexico act.

A hearing was set for Thursday, March 4, at 2:00 P.M. and the same people who were at the previous hearing on a similar bill are to be notified.

AB 428: Prohibits gas and electric companies from making promotional offers to customers.

Mr. Jacobsen explained the background on this bill--how South West Gas had offered free water heaters, etc., to promote business away from existing companies. He said there was a hearing with the PSC and they said they would try to stop it but nothing was stopped. Out of the hearing with PSC came the suggestion to try to do something about this situation through the legislature. It is felt that this is unfair competition and there are people who would like to be heard on the bill.

A hearing was scheduled on AB 428 for 3:30 P.M. on Thursday, March 4. Mr. Jacobsen is to notify those who would like to be heard.

Mr. Close made the following assignments for study and report:

<u>SB 140</u>	Mr. Olsen
<u>SB 139</u>	Mr. Close
<u>SB 141</u>	Mrs. Parsons

AB 369: Requires out-of-state contractors to give security to cover employee payroll.

Mr. Close said that he could see some problems on this bill.

Mr. Olsen said we shouldn't be too hasty on this one and he suggested a hearing.

A hearing was set up for Friday, March 5, at 2:00 P.M.

AB 372: Vests title to real property of University of Nevada in Board of Regents.

Mr. Jacobsen reported that he had talked to Art Palmer about this and Art had studied it and found all kinds of errors in descriptions. When these errors are all found and corrected we will get the bill back.

Mr. Close announced there would be no Committee meeting on Tuesday, March 2. Instead there is a meeting with all the District Attorneys of the state.

Meeting adjourned 3:00 P.M.