

**Assembly**

MINUTES OF MEETING - ASSEMBLY COMMITTEE ON JUDICIARY, 53rd Session, March 31, 1965

Meeting was called to order at 6:15 P.M.

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

Absent: Olsen

SB 296: Imposes additional requirements for intrastate sale of securities and clarifies scope of securities regulation.

Mr. Close asked the members to take time to read the bill closely.

Mr. Kean was asked to contact some man in the field to come in and speak on the bill.

SB 80: Provides comprehensive authority for counties and municipalities to acquire, improve, equip, operate, and maintain various types of local improvements and to defray costs by special assessment levies, bonds, and general taxes.

Mr. Close presented the various amendments proposed for this bill, for Committee approval.

Page 2, Section 5:

Strike "final and conclusive" and insert in lieu thereof "prima facie".

Mr. Knisley moved for adoption of the amendment

Mr. Jacobsen seconded

Motion passed unanimously

Mr. Kean said it seemed to him that the bonding companies are attempting to add to our statutes laws that are the most acceptable to them.

Mr. Knisley said he was willing to give them a workable set of laws but didn't think we should go overboard for them.

Mr. Swobe said how about throwing in gross negligence? Mr. Close said he did not think it applied in this instance.

Mr. Knisley said there must be an assumption of validity. There can't be suits against a bond issue forever and ever.

Page 3, Section 12:

Mr. Close said the question here is whether or not the Committee wants to have "atomic shelter project" left in the bill as one of the things that can be accomplished under the bill.

Mr. Swobe moved to delete Section 12 in its entirety.

Mr. Delaney seconded

Motion passed unanimously

Page 5, Section 28, Line 29:

Proposal is to amend the 10 days to 20 days. Also to strike the entire sentence on lines 31 and 32.

Mr. Knisley moved the adoption of the amendments  
Mr. Jacobsen seconded  
Motion passed unanimously

Mr. Knisley moved that the Chair be given authority to make these same changes in the second part of the bill.  
Mr. Jacobsen seconded  
Motion passed unanimously

Page 5, Line 46:

Correction of misspelled word "municipailty" to "municipality".

Mr. Swobe moved the correction  
Mr. Jacobsen seconded  
Motion passed unanimously

Page 6, Section 33:

Question: Does the Committee want "parks" to be covered under the bill.

Mr. Swobe expressed considerable opposition.

Mr. Blythe suggested inserting page 13, line 43, "excepting a park project".  
He thought this would help.

Mr. Knisley suggested striking all the definite things named in the bill and making the language general. Page 6, lines 21 through 24.

Mr. Swobe moved to strike these lines.  
Mr. Kean seconded  
Motion passed unanimously

Page 6, Section 35, Line 31:

Amendment is to change the 10 days to 20 days.

Mr. Swobe moved the adoption of the amendment  
Mr. Kean seconded  
Motion passed unanimously

Atomic Shelters:

Proposed amendment is to strike "atomic shelters".

Mr. Swobe so moved  
Mr. Jacobsen seconded  
Motion passed unanimously

Page 12, Section 62:

Starting with "as to" amendment is to strike lines 31, 32, 33, and 34.

Mr. Swobe so moved  
Mr. Jacobsen seconded  
Motion passed unanimously

Page 11, Section 58:

Mr. Swobe asked why can't we change to 51% "for" instead of 51% "against". He thinks we have it backwards.

Mr. Knisley replied that the whole bill is based on 51% can kill or stop.

Mr. Close said it would be better to raise the percentage for initiating than to reverse this other. He asked: If a majority of people want to have a park why are you against it?

Mr. Swobe said he wanted to protect people against themselves.

Mr. Close: When people have to pay the costs themselves, they are going to think pretty hard before they do anything.

Page 13, line 45:

Mr. Knisley moved to add "excepting parks".

Mr. Blythe suggested inserting "any" for "the" page 13, line 44.

Mr. Knisley moved adoption of these amendments.  
Mr. Swobe seconded  
Motion passed unanimously

Page 17, Line 24:

Amendment is to eliminate words "and best".

Mr. Jacobsen moved adoption of the amendment.  
Mr. Knisley seconded  
Motion passed unanimously

Page 17, Line 26:

Amendment is to change wording to "and to waive any irregularity in form in any bid".

Mr. Knisley moved adoption of the amendment  
Mr. Swobe seconded  
Motion passed unanimously

Page 17, Line 28:

Amendment is to delete lines 30, 31 and add "in accordance with provisions of 339 of NRS.

No move was made on this amendment. Mr. Close informed the Committee that Russ McDonald is drafting a new amendment on this.

Page 18, Line 21:

Amendment is to add, after word "bid" "when so stated in the invitation to bid".

Mr. Knisley moved adoption of the amendment.  
Mr. Delaney seconded  
Motion passed unanimously

Page 22, Line 13:

Amendment is to correct spelling from "immediateely" to "immediately". Also, to strike word "publication" and add the words "effective date".

Mr. Jacobsen moved adoption of these amendments  
Mr. Knisley seconded  
Motion passed unanimously

Page 26, Line 14:

Amendment is to delete subsection 3 in its entirety.

Mr. Swobe so moved  
Mr. Knisley seconded  
Motion passed unanimously

Page 27, Line 3:

Amendment is to strike "private" and to insert in lieu thereof "bonds shall be first offered at public sale and if no satisfactory bid is received, then bonds may be offered for private sale".

Amendment is to delete 7%, line 5 and substitute "5%".

On line 7 amendment is to delete "7%" and insert "6%".

Mr. Swobe moved the adoption of the above amendments  
Mr. Kean seconded  
Motion passed unanimously

Page 29, Line 2:

Amendment is to delete "7%" and insert "6%".

Mr. Knisley moved adoption of the amendment  
Mr. Swobe seconded  
Motion passed unanimously

Page 28, Section 100, Subsection 3:

Mr. Knisley said he wanted to make sure that all members of the committee understand that Sections 100 and 101 are in the Act and are aware of what they signify.

Mr. Blythe said he assumed that regulations pertaining to counties in sections 12 to 121 applied also to cities.

Mr. Close said Section 108 seems a strange one.

Bill Barker, City Attorney from North Las Vegas, who was present, explained that this is a savings clause.

Curt Blyth, Lobbyist for Nevada Municipal Association, was also present to speak on this Act.

Mr. Delaney moved SB 80 Do Pass as amended.  
Mr. Knisley seconded  
Motion passed unanimously

AB 447: Makes certain changes in law relating to acquisition of property by adverse possession and by eminent domain.

Mr. Close said he had had a panic call from Las Vegas about this bill.

Some discussion, but Committee decided to drop the whole thing.

Mr. Swobe moved to kill AB 447  
Mrs. Parsons and Mr. Delaney seconded  
Motion passed unanimously

AB 633: Facilitates setting and notice of city public hearings.

Mr. Blyth explained the reason and the need for this bill. He said that at present there is too much time involved. He couldn't think of any criticism of the bill. It is permissive legislation which will allow a speed-up of proceedings without hurting anybody.

Mr. Knisley moved Do Pass  
Mr. Swobe seconded  
Motion passed unanimously

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SB 6: Provides for licensing and regulation of barbershops.

Mr. Delaney moved to kill the bill  
Mr. Rosaschi seconded  
Voting was 3 Ayes and 3 Noes

Mr. Swobe moved to put out without recommendation  
Mr. Kean seconded  
Voting was 4 Ayes and 3 Noes

Mr. Rosaschi moved to reconsider  
Motion died

SB 114: Provides alternative dates for determination of compensation in protracted condemnation cases.

Mr. Swobe said he had been informed that the Senate has passed AB 310 just the way the Assembly passed it.

Mr. Jacobsen moved to kill SB 114  
Mr. Knisley seconded  
Motion passed unanimously

SB 211: Provides broader definition and increased penalty for interception of private conversations.

Mr. Jacobsen moved Do Not Pass  
Mr. Knisley seconded  
Motion passed unanimously

SB 259: Prohibits sale or advertisement of goods in limited quantities unless advertisement so states.

Mr. Rosaschi moved Do Pass  
Mr. Knisley seconded

Mr. Knisley rescinded Mr. Rosaschi's motion.

Mr. Rosaschi moved to kill the bill

Mr. Close said he had promised Mr. Swackhamer an opportunity to speak on this bill. It was decided to hold the bill over and have him come in.

SB 302: Declares that limitations in relatives contribution scale for public assistance are not applicable to support liability under the Uniform Illegitimacy Act.

Mr. Jacobsen moved indefinite postponement  
Mr. Swobe seconded  
Motion passed unanimously

SB 48: Provides for separate licensing of physical security specialists and private detectives.

Mr. Close said he had received a lot of opposition to this bill but he couldn't figure out why.

Mr. Rosaschi moved to postpone indefinitely

Mr. Close suggested it might be advisable to allow Senator Dial to come in and speak on his bill before killing it. Senator Dial says the Federal Government will not contract with anyone except a physical security specialist.

Meeting adjourned at 8:15 P.M.