

## Assembly

MINUTES OF MEETING - ASSEMBLY COMMITTEE ON JUDICIARY, 53rd SESSION, April 1, 1965

Meeting was called to order at 4:25.

Present: Close, Parsons, Jacobsen, Swobe, Rosaschi

Absent: Olsen, Knisley, Kean, Delaney

Mr. Miller, member of the State Parole System, was present to speak for the bill SB 319

Mr. Close asked Mr. Miller to explain what the bill is and why it is needed, etc.

Mr. Miller explained that under the new parole bill which has been passed some changes are needed, many new reports are required that were not needed before, etc. New arrangements are absolutely essential so that there can be more hearings on the prisoners eligible for parole under the new law.

This bill will allow them to appoint representatives to hear cases out in the field. Inmates have never had the privilege of coming before the parole board in person to be heard. All prisoners should have the opportunity to appear before the parole board. The parole board will meet four days, six hours a day. This will work out to about five or six minutes per case. The bill will allow the board to break itself down into three panels to hear minor cases and get them out of the way. Murder and some of the more serious crimes will be heard by the entire board.

Mr. Miller added that most of this new law is taken right out of the California law, and is pretty common practice. It puts flexibility into our system which we simply must have under the new law. Now we have to bring the board together to hear a case or send the man back to prison.

Mr. Close: I thought the Board had to approve all cases.

Mr. Miller: Under this bill the Board Chairman could approve action taken by a panel. You have to put your faith and trust in someone. The only time we would use a referee is to go over a parole plan set up by a panel. Safety check, on plans approved by the field supervisory office. Unless you allow us to do this your parole board just cannot operate.

Mr. Swobe: Under this you can have one board member and one field representative do the job. I think a regular quorum majority should approve these actions.

Mr. Close: Then you would have to call the board back in. That is what they are trying to get away from.

Mr. Miller repeated that murder, arson, rape and other of the most serious cases will not be heard by a panel. No board member would want to take this responsibility by himself--to make a decision on one of these more serious cases.

April 1, 1965

Mr. Miller pointed out that Mr. Reed who is now with the parole system is one of the top men in his field and that it would be foolish not to take advantage of having him.

Mr. Swobe: We cannot build a statute around a man.

Mr. Miller: There is not enough money appropriated to have the parole board meet as it should. We have no paid parole board. We must have flexibility or we can't work under these handicaps.

Mr. Swobe: I would like to see at least two board members approve any action. I think the bill is too loose the way it is now.

Mr. Close: The only way we could make it two is to have two from Las Vegas, two from Reno, or have the one from the small counties sit on all of them.

Mr. Swobe: I didn't say they have to be there--just have to approve. I would think this could be done in writing by mail.

Mr. Close: How about making it two members and specifically giving them the authority to take action without sitting in on the hearing?

Mr. Swobe moved to amend and Do Pass  
Mr. Jacobsen seconded  
Motion passed unanimously

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

Mr. Swackhamer was present to speak for this bill.

The grocermen's association throughout the state decided they would like to have a no-limit law. I understand it is not acceptable. I would rather, said Mr. Swackhamer, see a bill prohibiting limiting without advertising than nothing. This would not be the best thing but if that is all we can get out of this session we would like to have it.

Mr. Close: What is a special sale? Is it any sale advertised in the newspapers?

Mr. Swackhamer: A sale is anything which you sell for a short time at something other than the accepted price.

Mr. Close: Isn't all your advertising in the newspapers at a price better than the usual?

Mr. Swackhamer: Sure. That's the way we get people into our store.

Mr. Swackhamer: Take out of the bill the provision that you must advertise the

amount on hand. Just limit it to advertising the limit to each customer. You could word it something like this: No person can hold merchandise for sale or can refuse to sell merchandise to a buyer unless the advertised price states that there is a limit to each customer.

Mr. Rosaschi: This boils down to the fact that they cannot advertise below cost.

Mr. Swobe moved to amend and Do Pass

Mr. Swobe later moved that if language can be found which is acceptable to Mr. Close and Mr. Swackhamer the bill be put out.

John Cahlan, who was present for the discussion of the bill, said he thinks the Committee should check with Wally Cox. He said he, Cahlan, can see danger ahead with this bill, if it passes.

Mr. Swobe: All we are doing is making a full disclosure.

AB 236: Mechanic's Lien Law

Ed Fike was present to go over with the Committee the proposed amendments to this bill sent in by the Senate. He said he would urge the Committee to concur because they would much rather have what was left than nothing and it is too late to get anything new going. He said he had called the people who breathed life into the bill in the beginning and they are willing to go along with the Senate amendments. It is better than nothing at all.

Mr. Fike then went over these amendments in detail with the Committee.

Meeting adjourned at 5:05 P.M.