

Assembly

MINUTES OF MEETING - COMMITTEE ON JUDICIARY, 54th Session, Jan. 31, 1967

Meeting was called to order at 9:15 A.M.

Present: Wooster, Swackhamer, Hilbrecht, Lowman, Schouweiler, Dungan, Kean (late)

Absent: Torvinen, White

SB 3: Requires that address of grantee be provided county recorder when conveyance of real property is recorded.

Mr. Wooster said that this bill has passed the Senate and been referred to the Assembly Judiciary Committee. It was introduced by Senator Dodge. He asked if the committee would desire to get Senator Dodge in to explain the reason for the bill.

Mr. Hilbrecht asked what address was wanted, the mailing address, the legal address, or the address of the property?

Mr. Wooster said this could be answered best by Senator Dodge.

Mr. Wooster said that one reason this bill is needed is in zoning matters. In these matters adjacent residents must be notified and many cases it is difficult to get their names and addresses.

Mr. Loman said that extending this one step further it might be a help to the power company with their troubles.

Mr. Swackhamer said he had introduced a similar bill previously to have these things recorded by the county recorders but the recorders thought it would be a lot of work and the thing failed.

Mr. Wooster asked if the committee would like to have Senator Dodge in and Mr. Swackhamer said that if we can find his reason for putting it in it might clear things up a bit.

Mr. Loman said the problem must be to get an address where you can reach a man by mail. Mr. Swackhamer said he thought it would mean where you could reach a man if you wanted to talk to him.

Mr. Wooster said he would speak to Senator Dodge and find out about these things, also find out if the Senator would like to come and explain anything further.

AB 62: Revises fee schedule for county recorder of Washoe County

Mr. Wooster said he was not quite sure why this bill was referred to this committee. The recorders want to get uniform filing fees but never could agree amongst themselves what these should be. They asked the Washoe County delegation to put this in. To some extent, uniform filing fees would be very desirable.

Miss Dungan asked if there had not been a filing fees bill previously. Mr. Swackhamer said that there had been that it must have failed in the Senate.

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Mr. Kean arrived at this point and explained that this was a bill which was introduced last session, passed the Assembly, and failed in the Senate. He said some of the county commissioners came in and said they wanted to do what they wanted to about it in their own county.

Mr. Swackhamer commented that if this is true, then this is strictly a Washoe County measure unless we try the old bill again, which would give uniformity of filing fees. Mr. Hilbrecht said he thought uniformity would be desirable and Mr. Swackhamer agreed.

Mr. Wooster said it would be nice to be able to know what it would cost to file any document in any county. Now there is no uniformity.

Mr. Loman said that it was his opinion that the counties could each solve this problem. Mr. Wooster said the desirability is in the idea of having uniformity. We would not have this if each county sets their own filing fees.

Mr. Hilbrecht: Isn't it true that now if counties want to change things they just go ahead and do it?

Mr. Swackhamer said that traditionally things that concern a particular county are left to those county's delegations. This is probably the reason there is not uniformity. He said the counties used to keep the fees but now they don't so uniformity would be desirable.

Mr. Wooster added that if it is left to the counties there will never be uniformity.

Miss Dungan asked if this couldn't be done without passing statutes.

Mr. Wooster replied that the county recorders are not in agreement on the matter and that is one reason the last bill died in the Senate. Most of them were in agreement with the bill.

Mr. Hilbrecht moved to direct the chairman to get the bill from the last session.

Mr. Wooster: How about a committee introduction? In our county we need this bill. An advantage is that you record these things by page instead of counting lines. It is ridiculous to have to find out what it is going to cost to record an item.

Mr. Swackhamer asked if this new bill would cause the operation to lose money and Mr. Hilbrecht replied that it should make a little money.

Mr. Loman said that he was in favor of more Home Rule. Mr. Swackhamer said that the matter of Home Rule has been a matter of concern for many years. He said that year after year we have been passing amendments to get rid of all this garbage but the measures to do this always fail in the Senate. He said maybe we have a different climate this year and can do something about it. He added that yesterday he introduced legislation that will cost the state \$280 and will take each of the committeemen's time just to raise some salaries in Lander County because they have some pretty good people and would like to keep them. This should be the concern of only Lander County.

Mr. Kean moved to introduce a new bill to make fees uniform and hold AB 62 until it is determined if the new bill can get through.

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Mr. Hilbrecht seconded
Motion passed unanimously

Mr. Kean said that there are some areas where Home Rule should not be considered and in his opinion this is one of them.

Mr. Loman said he wanted to be on record as being in disagreement with this point of view, since he feels that this is an area where Home Rule should take care of the matter. He said further that we should not make changes to benefit one class of people, such as lawyers.

Mr. Hilbrecht and Mr. Wooster pointed out that a very small percentage of these papers are filed by lawyers, that most of them are filed by ordinary citizens.

Mr. Wooster said he would get the old bill introduced last session and bring it into the committee for study.

AB 84: Provides for removal of city officers from office upon conviction of intoxication or use of drugs while in office.

Mr. Kean explained that personalities should be left out of the consideration of this bill, that his only purpose in having it drafted and introducing it was to have the word "city" added to line 10. He didn't see why city officers should be left out when county and township officers were included.

Miss Dungan moved Do Pass

Mr. Wooster suggested that the Act be made effective as of July 1st, rather than immediately. This would remove any suggestion that the bill was aimed at any one certain person. By that time the one man that many think the bill is aimed at will be out of office. He suggested changing section 2 to read "effective July 1."

Mr. Kean moved to amend and Do Pass
Mr. Schouweiler seconded
Motion passed unanimously

Mr. Wooster said he will get the amendment to section 2 from the bill drafters.

AB 85: Authorizes use of certificate of deposit in lieu of required cash payment or surety bond.

Mr. Kean explained that the purpose of this bill is to make it possible for the one who has to put up surety or bonds to have the interest which accrues from the money, rather than to have the State of Nevada have the use of it until it is due and payable. Also the state department involved started asking for nice rounded figures like \$1,000, to make their work easier. This bill changes this figure to the nearest \$100, puts a ceiling on it, so to speak.

Mr. Hilbrecht suggested holding this legislation over for a further meeting in order that committee members have more chance to study it. He said the language on it should be perfectly clear and he is not sure that it is as presently worded.

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Mr. Wooster announced that joint hearings on the new criminal code have been set up for February 8th and 9th in the Assembly Chambers at 2:00 P.M. He asked if this was in conflict with any plans of any of the committee. No one had any objections.

Mr. Swackhamer brought up the matter of a bill which Mr. McKissick has in his desk concerning more liberal abortion laws. He asked if the committee would be willing to introduce such legislation, even though it is bound to be quite controversial. He would like to have it introduced and passed by the committee so that it will have a better chance for passage. He said the bill originated with the American Medical Association.

Mr. Kean moved to introduce the bill

Mr. Loman seconded

Motion passed unanimously

Mr. Wooster said this will surely require a hearing, but that this can be taken care of so that those who want to be heard on it will have their chance.

Meeting adjourned at 10:00 A.M.