

Senate

JUDICIARY COMMITTEE

MINUTES OF MEETING HELD

JANUARY 23, 1967

The meeting of the Judiciary Committee was called to order at 1:05 P.M., January 23, 1967, in Committee Room 56, State Capitol Building, by Chairman Warren L. Monroe.

The following members were present:

- Warren L. Monroe, Chairman
- V. E. Bunker
- M. J. Christensen
- Carl F. Dodge
- Procter Hug, Sr.
- Coe Swobe
- C. Clifton Young

Also present: Senator Casey Fisher

Chairman Monroe announced that the Bills introduced by, and referred to, the Committee would be reviewed.

S.B. 3 "Requires that address of grantee be provided county recorder when conveyance of real property is recorded."

Senator Dodge stated that this action had been requested by persons in the title insurance business in Fallon as they constantly encounter difficulty in locating absentee property owners. Senator Swobe asked if these addresses would not be available thru the Recorder's Office.

Disposition: Held over. Senator Swobe is to investigate necessity of the legislation and report findings to Committee.

S.B. 5 "Authorizes acknowledgment of bail bonds and justification of sureties before clerk of district court."

Chairman Monroe requested Senator Pozzi's presence to clarify the reasons for introduction of the Bill. Senator Pozzi addressed the Committee, and stated that the Bill had been requested by the District Judges. The District is composed of five counties and in some instances they only presided in a county once each week. He read a letter received from Judge Gregory requesting the legislation, and in which the writer indicated Judge Water's concurrence. Senator Dodge suggested that inasmuch as the responsibility for actually setting the bail probably should not be delegated to a court clerk but be retained by the judiciary, that a consultation with Mr. Russ McDonald would be in order before taking any action. The members of the Committee agreed.

Disposition: Held over. Senator Dodge to consult with Mr. McDonald and report findings to Committee.

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S.B. 7 "Extends preference for in-state contractors and suppliers."

After considerable discussion of the definition of certain terms, such as "in-state contractors" and "taxation," and the limitations and enforcement of such legislation it was agreed by the members that a Hearing should be arranged. Chairman Monroe suggested that the Associated General Contractors and Chambers of Commerce would certainly be interested in presenting information on this matter.

Disposition: Held over. Senator Monroe will arrange a Hearing.

S.B. 9 "Provides broader definition, evidentiary exclusion, and increased penalty for interception of private conversations."

Senator Dodge suggested that Washoe County District Attorney, William Raggio, and other law enforcement authorities should be heard before a determination of action is made by the Committee. The members of the Committee concurred.

Disposition: Held over. Hearing to be arranged. Law enforcement agencies and the sponsors of the Bill, Senators Slattery and Lamb are to be invited.

S.B. 11 "Provides for submitting question at next general election whether Sales and Use Tax Act of 1955 should be amended to provide credit against use tax for sales or use tax previously paid on tangible personal property purchased in another state."

Discussed by members of Committee.

Disposition: Committee to consult with Mr. Russ McDonald.

S.B. 12 "Authorizes state fire marshal to set standards for fire prevention and fighting equipment, license certain businesses, and establish library."

Disposition: Held over. Kieth Henrickson and State Fire Marshal to be requested to appear before Committee for consultation.

S.B. 21 "Expands provisions relating to attempted arson and prohibits disposal and possession of fire bombs."

Disposition: Held over. Kieth Henrickson and State Fire Marshal to be requested to appear before the Committee for consultation.

S.B. 22 "Increases penalties for certain offenses committed against peach officers or firemen."

Disposition: Held over. Kieth Henrickson and State Fire Marshal to be requested to appear before the Committee for consultation.

S.B. 23 "Provides for direct notice to corporate officer of resignation of resident agent."

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Senator Young reported that the Secretary of State, Mr. John Koontz, had requested the legislation.

Disposition: Held over. Mr. John Koontz to be requested to appear before the Committee for consultation.

S.B. 24 "Harmonizes provisions for distribution of Nevada Reports and Statutes of Nevada."

Disposition: Held over. The Secretary of State, Mr. John Koontz, will be invited to appear before the Committee for consultation.

S.B. 28 "Prohibits governor who is not reelected from making appointments to fill nonjudicial vacancies."

After a general discussion of the merits of the requested legislation the members agreed that it would be necessary for the governor to make appointments in the event of death or incapacitating illness, but, that any such appointments should not extend beyond the governor's term of office.

Disposition: Held over. Senator Swobe was requested to prepare an Amendment covering the above conditions.

S.J.R. 2 "Proposes amendment to Nevada Constitution to limit use of initiative and referendum in fiscal matters."

Senator Dodge recommended that the matter be discussed with persons in the Political Science field. It was agreed by the members that Mr. Russ McDonald should be asked for the names of the persons requesting the legislation so that the Committee could meet with them.

Disposition: Held over. Persons requesting legislation to be heard by Committee.

S.J.R. 3 "Proposes to amend Nevada Constitution to provide for acquisition of voting residence by military personnel and federal employees."

Disposition: Held over. Persons requesting legislation to be heard by Committee.

S.J.R. 4 "Proposes constitutional amendment to clarify qualifications of petitioners required to recall public officers."

Disposition: Held over. Persons requesting legislation to be heard by Committee.

Senator Dodge suggested that the Committee determine whether Bills introduced by the Committee would require a simple majority or a unanimous consent of the members. After discussion, ON MOTION of Senator Dodge, seconded by Senator Hug, and unanimously passed, it was agreed that the members of the Judiciary Committee introduce Committee Bills only after consultation and approval of all members present, and the Chairman would be entitled to introduce the Committee Bill if he has the unanimous consent of those members present.

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Senator Bunker asked whether Bills coming out of the Committee would require a simple majority or unanimous vote. It was agreed by the members that a simple majority would be required.

Chairman Monroe stated that Mr. Russ McDonald had three Bills which he requested that the Judiciary Committee introduce. The first one discussed would require Unions to recognize "Government Service Leave of Absence." The other two had to do with providing the State Attorney General with the power to subpoena witnesses.

The meeting adjourned at 1:56 P.M. (Senate reconvened at 2:00 P.M.)