

Senate

JUDICIARY COMMITTEEMINUTES OF MEETING HELD
FEBRUARY 24, 1967

A meeting of the Judiciary Committee was held at 9:20 A.M., Friday, February 24, 1967, in Committee Room 56, State Capitol, Chairman Monroe presiding.

Members Present: Warren L. Monroe, Chairman
V. L. Bunker
M. J. Christensen
Carl F. Dodge
Procter R. Hug
Coe Swobe
C. Clifton Young

Also Present: Russ McDonald
Senator Fisher

S.B. 209 "Increases renewal fees for licensing of certain private schools; makes changes in exemptions of other schools from supervision by State Department of Education."

Chairman Monroe stated that he had received an amendment to the Bill.

Disposition: ON MOTION of Senator Young, seconded by Senator Swobe, it was unanimously agreed to "Hold Over S.B. 209."

Senator Bunker advised the Committee that he had been contacted by the County Clerk relative to his objections to S.B. 137 and would appreciate the Committee's providing the time for him to be heard. Chairman Monroe agreed, however, suggested that when the amendments are available they might preclude the necessity.

A.B. 18 "Clarifies applicability of mechanics' lien law to employees' claims arising subsequent to July 1, 1965."

Mr. McDonald explained that the rights of employees had been omitted from the Lien Law enacted in 1965. This Bill would provide them with the same protection under the new law as they had enjoyed under the old law.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Bunker, it was unanimously agreed to "Do Pass A.B. 18."

A.J.R. 4 of the 53rd Session "Proposes constitutional amendment to allow new courts to be created by law.

Disposition: ON MOTION of Senator Young, seconded by Senator Swobe, it was unanimously agreed to "Hold Over A.J.R. 4."

Senator Bunker requested the Committee to consider the introduction of several Bills, and, asked Mr. McDonald to provide a brief explanation of their provisions.

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1. Mr. McDonald advised that the proposed bill would grant REA type power districts the right of a single filing of securities which has been granted to investor owned electric utilities. The legislation was requested by Lincoln County. The question was asked if the public power districts were under the purview of the Public Service Commission, to which the reply was negative.

Disposition: It was unanimously agreed, by consent, to introduce the Bill *

2. Mr. McDonald advised that the proposed Bill would amend the "Illegal Sale of Dangerous Drugs" law to provide that the burden of proof shall be on the defendant.

Disposition: It was unanimously agreed, by consent, to introduce the Bill **

3. Mr. McDonald explained that the Sheriff in Clark County especially had been plagued with suits against his Bond. The intent of this Bill is to transfer the liability of third party suits levied against individual peace officers to the political subdivision. The primary point the Committee decided to investigate, when under consideration, was the individual's personal liability if the legislation were passed.

Disposition: It was unanimously agreed, by consent, to introduce the Bill °

S.B. 171 "Clarifies procedure on appeal from Municipal Court to District Court."

The amendment merely changes the wording from "District Attorney" to "City Attorney".

Disposition: ON MOTION of Senator Dodge, seconded by Senator Bunker it was unanimously agreed to "Do Pass as Amended S.B. 171."

Chairman Monroe reminded the members of the Committee that a Hearing would be held Monday, February 27, 1967, in connection with the "Police Bills". He also mentioned that he had brought back into Committee S.B. 180 as it should be considered at the same time.

Chairman Monroe also reminded the members of the Committee that a Hearing would be held Wednesday, March 1, 1967, on the "Lawyer's Bills". Senator Young commented, with humor, that they were in reality "People's Bills".

The meeting adjourned at 9:55 A.M.

- * S.B. 256 (BDR 58-1166)
- ** S.B. 257 (BDR 40-999)
- ° S.B. 258 (BDR 23-1001)