

Senate
JUDICIARY COMMITTEE

MINUTES OF MEETING HELD
MARCH 14, 1967

A meeting of the Judiciary Committee was held at 9:10 A.M., Tuesday, March 14, 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: Senator Fisher
Joe Jackson, Nevada State Journal

The Chairman read the amendment to A.B. 105 which the Committee had passed at the afternoon meeting on March 13, 1967.

S.B. 282 "Limits period within which penalty is increased for subsequent offense of driving under influence of intoxicants or narcotics."

Senator Swobe stated that under the present law a certain number of convictions makes it mandatory for the imposition of a certain sentence. This Bill provides a limit of 7 years immediately prior to the new trial.

Disposition: ON MOTION of Senator Swobe, seconded by Senator Christensen, it was unanimously agreed to "Do Pass S.B. 282."

S.B. 350 "Provides penalty for operating vehicle while operator's license is canceled."

Mr. Daykin stated that he believed that it was intended to confer that authority to impose a penalty. Chairman Monroe stated that he would contact the Motor Vehicle Department for further information.

Disposition: Held Over.

S.B. 361 "Amends form of acknowledgments."

Senator Swobe informed those present that this was a new form of acknowledgement but an amendment would be required as the words "notary public" should be inserted under the signature line.

Disposition: Senator Swobe to have the Amendment prepared.

S.B. 368 "Clarifies and modernizes law relating to professional engineering and land surveying."

Disposition: Senator Swobe to set up a meeting with the attorney's for the architects.

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S.B. 370 "Amends law relating to water and sanitation district organization and elections."

Senator Dodge commented that he believed that the Improvement District Act contains some new language on who is qualified to vote and he thought this type of district was included in that Act.

Disposition: Held Over.

S.B. 376 "Provides qualifications and preferences for contractors and sub-contractors for public contracts."

Chairman Monroe stated that he had revised the previous Bill and included all the agreed upon changes including the sliding percentage scale for the bids.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Swobe, it was unanimously agreed to "Do Pass S.B. 376."

S.B. 378 "Redefines ownership rights required to vote in irrigation district elections."

Senator Dodge stated that the provisions in this legislation were to change two procedures. At the present time anyone is entitled to vote that owns land in the district, this Bill would tie it to water right acres having the right to vote. Also, at present, it is necessary to re-register to vote if you failed to do so in the preceding election which is ridiculous in an irrigation district -- this Bill would eliminate that requirement and a person would be entitled to vote as long as he owned the property after his initial registration. The other change that had been contemplated was that when voting on capital improvements the votes be weighted by the size of a person's holdings, however, he said that he had been advised by Mr. McDonald that this could be held unconstitutional.

Disposition: Senator Dodge is to have Amendment prepared.

S.B. 380 "Makes State Fire Marshal and his deputies peace officers."

Chairman Monroe advised that Senator Farr had said that they need this designation as peace officers when making arson investigations. Senator Monroe said that he would have Mr. McDonald prepare an amendment.

Disposition: ON MOTION of Senator Christensen, seconded by Senator Dodge, it was unanimously agreed to "Do Pass S.B. 380 as Amended."

S.B. 386 "Provides time limit for action on parole or probation violations."

Senator Dodge stated that Paul Tolen, Parole Officer, had requested this legislation. He said that the parole people do not have sufficient time to investigate and this Bill would give them 15

days to investigate in-state violations and 30 days for out-of-state.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Christensen, it was unanimously agreed to "Do Pass S.B. 386."

S.B. 387 "Repeals portion of general improvement districts law relating to annual audits of district accounts."

Senator Dodge stated that this now comes under the Budget Act and should be amended out of the statutes.

Disposition: ON MOTION of Senator Swobe, seconded by Senator Young, it was unanimously agreed to "Do Pass S.B. 387."

S.B. 385 "Expands and clarifies municipal court duties, power, and jurisdiction."

Senator Bunker was requested to investigate the background of Bill.

S.B. 397 "Defines monorail as a motor vehicle and gives monorail companies certain powers of eminent domain."

Senator Bunker explained that a private corporation intends to build an overhead monorail from the Las Vegas Airport to the downtown section of Las Vegas with stops at various places along the "Strip". Mr. Daykin stated that the purpose of this Bill is to extend to the monorail the same right of way provisions as those of railroads insofar as eminent domain. When the statute was originally written there wasn't any such thing as a monorail. Section 2 specifies that it might be desirable for the monorail to operate over the highway so it would not interfere with traffic but there is no provision in the law to obtain the required easements. Section 3 is to place them under the Public Service Commission in the Motor Carrier division which is the recommendation of the P.S.C. Mr. Daykin stated that they had "lifted" the language in the Bill from the Illinois Statutes.

Disposition: ON MOTION of Senator Swobe, seconded by Senator Young, it was unanimously agreed to "Do Pass S.B. 397."

S.B. 403 "Restricts local filing of financing statements to consumer goods, farm-related transactions, and fixtures."

Mr. Daykin stated that under the Uniform Commercial Code there were three provisions for filing. This Bill would only make it necessary to file with the Secretary of State.

Disposition: ON MOTION of Senator Swobe, seconded by Senator Christensen, it was unanimously agreed to "Do Pass S.B. 403."

The meeting was adjourned at 10:10 A.M.