

JUDICIARY COMMITTEEMINUTES OF MEETING HELDMARCH 16, 1967

A meeting of the Judiciary Committee was held at 2:30 P.M., Thursday, March 16, 1967, in Committee Room, Capitol Building, 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
George Zappettini, State Forester
Esther Nickolson, League of Women Voters
Joe Jackson

S.B. 314 "Requires spark arrestors on certain vehicles and provides civil liability for causing fires."

Mr. Zappettini stated that Section 1 provides a definition of the term "spark arrestor" in the statute. He said that the word "negligently" had been omitted in Section 2, that there was no intent to attempt to prosecute persons accidentally causing a fire. After considerable discussion Senator Dodge asked him if, assuming Section 1 of your Bill is not too earth shaking, do you need Section 2? Mr. Zapettini replied that they had been getting along without it.

Disposition: It was agreed to Amend S.B. 314 by deleting Section 2

Chairman Monroe stated that he had been requested to have the Committee introduce 4 Bills, as follows:

1. Amends provision of powers and duties of the Public Service Commission relative to Hearings. (S.B. 440, BDR 58-899)
2. Requires approval of Public Service Commission for transfer of more than 15% of any motor carrier company. (S.B. 439, BDR 58-1453)
3. Allow the District Court Justices in the State to attend the College of Trial Judges at the University. (S.B. 441, BDR 1-213)
4. Permit privacy by eliminating the notice in a change of name action. (S.B. 442, BDR 3-1413)

ON MOTION of Senator Christensen, seconded by Senator Hug, it was unanimously agreed to introduce the above Bills.

S.J.R. 14 "Proposes to authorize legislative amendment of referred measures."

The Committee was advised that Lew Paley had not been able to organize his opposition. Also, that there was another Bill in

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that goes much further, it prohibits any tax measure by referendum.

Disposition: ON MOTION of Senator Swobe, seconded by Senator Hug, it was unanimously agreed to "Do Pass S.J.R. 14".

S.C.R. 24 "Directs Legislative Commission to study city charters and redraft as required."

Chairman Monroe advised the Committee that Russ McDonald had told hole that this Resolution was necessary; that they spend so much time studying these charters and so forth.

Disposition: ON MOTION of Senator Christensen, seconded by Senator Young, it was unanimously agreed to "Do Pass S.C.R. 24".

S.J.R. 24 "Proposes impartial method of legislative apportionment."

Senator Christensen stated that the idea behind the Resolution was that we should have a mathematical approach to apportionment. He thought, at first, we could use precincts but he found that the population moved too fast, so with the help of the Legislative Counsel he discovered that they could use the census tracts which are not quite so fluid and stay in a particular place. He said that each legislative district would have one Senator and two Assemblymen. He also said that when any town became too large for one district it would be divided and they would elect from their particular district. There are some members who would not like the foregoing and would like to have the candidates run "at large" but the Counsel says that this would be unconstitutional. Senator Swobe commented that it would only be unconstitutional if you districted the West Side of Las Vegas into one district, otherwise he considered it constitutional because of the Georgia case to have multi-districts as they feel an area is best suited to do it in such a manner to insure that no one is disenfranchised. Senator Dodge said, are you than going to say that you have one Senator and two Assemblymen from each district -- one of the things we did in the small counties when we had this last apportionment, which is sound, is to have sub-districts for the Assembly -- in the Eureka-Humboldt-Lander-Pershing District half of the population is in Humboldt so it was a sub-district then the other half which was composed of Eureka-Lander-Pershing was a sub-district. If you don't set up sub-districts you will not have any representation in some of the smaller counties. Another thought projects by Senator Dodge was that consideration should be given to districting where you have like interests rather than just districting to satisfy the population requirement. Chairman Monroe invited Mrs. Nickolson to address the Committee. She presented the background the the League's interest and read prepared conclusions and recommendations. Mrs. Nickolson concluded with the recommendation that provision for judicial appeal should be included in the event someone initiated suit that it could be heard before the State Courts rather than the Federal.

Disposition: Held Over.

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S.J.R. 25 "Proposes constitutional amendment providing that salaries of Supreme Court Justices shall be increased simultaneously."

Disposition: ON MOTION of Senator Bunker, seconded by Senator Swobe, it was unanimously agreed to "Refer S.J.R. 25 to the Finance Committee."

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

Senator Swobe stated that he had introduced a Bill for the professional engineers two years ago in the Assembly and ran into strong opposition from the architects. However, this time the architects had been consulted and were in agreement with the Bill. He also presented an amendment: Page 1, lines 12 and 13 deleted; line 14, delete the words "or incidental".

Disposition: ON MOTION of Senator Young, seconded by Senator Bunker, it was unanimously agreed to "Amend and Do Pass as Amended S.B. 368."

Chairman Monroe announced that the County Recorder from Mineral County wished to be heard relative to S.B. 137 before the Committee made a disposition of the Bill.

Chairman Monroe stated that S.B. 385 had a conflict within the Bill.

Senator Hug asked the Committee to consider changing the date teachers are required to sign their contracts back to May 1st rather than April 1st.

The meeting was adjourned.