

## Senate

## JUDICIARY COMMITTEE

## MINUTES OF MEETING HELD

March 31, 1967

A meeting of the Judiciary Committee was held at 2:24 P.M., Friday, March 31, 1967 in Committee Room 56, State Capitol, Chairman Monroe presiding.

Members present: Warren L. Monroe, Chairman  
Vernon E. Bunker  
M. J. Christensen  
Carl F. Dodge  
Procter R. Hug  
C. Clifton Young

Members absent: Coe Swobe (in at 3:30)

Also present: Joe Jackson, Reno Newspapers, Inc.;  
Senator Fisher

A.B. 180 "Allows therapeutic abortion to be performed under certain circumstances."

Chairman Monroe called for discussion.

Disposition: ON MOTION of Senator Christensen, seconded by Senator Bunker, it was agreed to kill A.B. 180 by a vote of 4 to 2, Senator Young and Chairman Monroe voting against killing the bill.

A.B. 85 "Authorizes use of certificate of deposit in lieu of required cash payment or surety bond."

Senator Dodge said he thought it was all right, provides security rather than cash.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Bunker, it was agreed to Do Pass A.B. 85.

A.B. 131 "Provides penalties for wrongful diversion of construction funds."

Assemblymen Wood and Kean have asked for hearing. Carson Frazzini also wants hearing.

Disposition: To be held.

A.B. 148 "Requires Public Service Commission to issue cease and desist order when a public utility violates or allows violation of wiretapping laws."

Chairman Monroe said that Mr. McAdam of Phone Co. got amendment he wanted. Discussion. Attorney General

will transmit order, rather than utility company.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Bunker, it was agreed to 'Amend and Do Pass A.B. 148.

A.B. 210 "Includes deeds of trust in single action rule for foreclosure proceedings, establishes procedure for determining amount of deficiency judgment, and forbids deficiency judgment for purchase money."

Chairman Monroe stated he had several complaints on this bill and that Attorney Roger Bissett wanted to be heard on it.

Disposition: To be held.

A.B. 223 "Bases allowance of attorney's fees by plaintiff in civil action upon amount recovered."

Mr. Vargas opposed, but if language is changed from 3,000 to 10,000, changing back to what they sought instead of what they recovered, it will be all right.

Disposition: ON MOTION of Senator Young, seconded by Senator Bunker, it was agreed to Amend and Do Pass A.B. 223.

A.B. 139 "Reorganizes Nevada National Guard and adopts Nevada Code of Military Justice."

Col. Addison Millard and Colonel Robert Burns of the National Guard appeared to discuss this bill. It provides for a full-time Adjutant General. Col. Millard and Colonel Burns both stressed the need for a full-time Adjutant General, Colonel Millard is currently serving as both Adjutant General and State Director of Selective Service. One job is enough for one man, they stated. General May has never actually been replaced. Establishes salaries will be set in accordance with the salary appropriations act. This money is in the budget. Growth of the National Guard since World War II was discussed. They are desirous of having additional troop strength with a battalion for Las Vegas. Chairman Monroe brought up summertime training of Guard members, he wondered why they could not train some other time of year when the tourist industry is not at its peak? Colonel Millard said they train all the time and in order to attract young men they have to do so when school is not in session. Teachers must also be available and weather conditions enter in.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Christensen, it was agreed to Do Pass A.B. 139.

S.B. 487 "Exempts employees of Legislative Counsel Bureau from jury duty while Legislature is in session."

Brief discussion

Disposition: ON MOTION of Senator Christensen, seconded by Senator Dodge, it was agreed to Do Pass SB 487.

S.B. 488 "Abolishes certain provisions of Uniform Commercial Code relating to security interests in crops."

Senator Dodge said at the big hearing held on this bill previously, intention was really that both livestock and crops should be included. The bankers feel problems will be created trying to loan on crops on a one year basis in case of crop failure. They will have no continuing security. Joe Sbragia of First National felt that this bill was for the benefit of the farmers and not the bankers and unless it passes as amended the bankers will be in a bad spot about loaning. Russ McDonald was called in to discuss the bill. He read proposed language - "crops grown on the land." He mentioned a letter from the Bankers' Association on difficulty of making loans to farmers now.

Disposition: ON MOTION of Senator Hug, seconded by Senator Young, it was agreed to Amend and Do Pass S.B. 488.

S.B. 470 "Establishes procedures to issue gaming licenses to corporations."

Don Winne, Deputy Attorney General; Alan Abner, Chairman, Gaming Control Board; Attorney George Dickerson appeared to discuss this bill further. Additional press members also arrived, including Vickie Nash, Guy Shipler and Mort Saltzman.

Discussion of fact that one corporation sometimes operates the gaming in a casino and the other is actually the landlord. Mr. Dickerson said this was actually a subterfuge. Senator Dodge asked whether they had any concern about administrative problems under this act. Mr. Dickerson said he thought the act itself is tighter and provides greater controls. Chairman Monroe said suggested amendments would be prepared, we would put it out then let them take a look at it. Senator Dodge brought up the subject of treasury stock and reporting sales of the parent corporation. Mr. Winne said he would have no objection to it. Senator Dodge said on an annual report, it would be a value judgement if the person owned 8% or 10% perhaps..

Disposition: See above.

A.B. 437 "Provides additional method for exclusion of land from Clarke-McNary Fire Protection District."

Senator Swobe asked Assemblyman Tom Kean to come in to discuss this bill. He explained that the State Forester had had complete control over this situation. The people became irate so the 1965 Legislature passed a law that if 51% of the people wanted to get out that people in the area could withdraw. They were paying taxes but receiving no fire protection, and wanted to prevent those with a great deal of land from getting out. They felt at least ten people in a district wanted to be removed they could be. In cases where a section line was used as a boundary to provide a straight district line, and the irrigation ditch line meandered, pockets of less than 10 people were locked into an unfair situation. This act provides for those people to withdraw if they are abutting an area that has withdrawn and are less than 10, thereby making it so they don't have to pay taxes.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Christensen, it was agreed to Do Pass A.B. 437.

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

Senator Dodge said he is satisfied, but he has to hear from Herb Rountree.

Disposition: Hold.

A.B. 476 "Facilitates conduct of elections in larger counties, permits choice of name by candidate."

Senator Young said his objections had been removed. Senator Bunker asked Joe Jackson of Reno Newspapers if they had checked on it, inasmuch as the newspapers had been protesting. Joe said their business manager was concerned about the time, but otherwise it is o.k. Chairman Monroe thought it was good.

Disposition: ON MOTION of Senator Young, seconded by Senator Swobe, it was agreed to Do Pass A.B. 476.

A.B. 251 "Abolishes notice requirements of suppliers of labor and material before bringing action on contractor's bond on public works."

Senator Swobe said the American Insurance Adjusters Association favors this bill. Brief discussion.

Disposition: ON MOTION of Senator Bunker, seconded by Senator Young, it was agreed to kill A.B. 251.

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A. B. 331 "Requires State Contractors' Board to be administered as separate state agency."

Brief Discussion. Contractors from Las Vegas want to come up.

Disposition: Hold for hearing.

Meeting adjourned approximately 4:00 P.M.