

Senate
JUDICIARY COMMITTEE
MINUTES OF MEETING HELD
MARCH 7, 1967

A meeting of the Judiciary Committee was held at 3:00 P.M., Tuesday, March 7, 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
James H. Thompson, State Highway Department
Wm. Raymond, State Highway Department

Chairman Monroe announced that a Committee meeting would be held at 9:00 A.M. Wednesday, March 8, 1967.

A.B. 240 "Adopts revised Uniform Federal Tax Lien Registration Act."

Senator Christensen said that the County Recorder in Clark County had told him that he could not live with this Bill. The Recorder would have to give tax credit to the Federal Government, prepare statements and wait for payment, and in the meantime he would be required to pay this amount to the County Treasurer. Senator Christensen asked if the Bill could be changed to require the Government to pay cash like everyone else. Senator Dodge suggested that the County Treasurer might be provided with a revolving fund to handle the matter.

Disposition: Held Over.

S.B. 266 "Amends various provisions of Highways and Roads law."

Mr. Thompson was invited to address the Committee on the provisions of this Bill. Mr. Thompson stated that the requested legislation would authorize some housekeeping changes in the Department. He said that the first section of the Bill was concerned with the signature facsimile; it is no longer necessary to place the whole machine in the vault as the signature plate on the new machine can be removed and placed in the vault. Section 2, he said, would delete Line 12 on Page 2 as the phrase is inconsistent with the language on Line 9. Section 3, Line 17, Page 2, would increase the amount the Highway Engineer was authorized to let contracts without formal bid procedures from \$15,000. to \$25,000. Section 4, Line 29, on Page 2, we would like the phrase "or at a location approved by the Highway Engineer" added; at times it is virtually impossible to store all the material on-site and in some instances the contractor would be required to store them and could not be given progress payments that would include such material not stored on-site. Section 5 is designed to clarify payment for relocation of families.

The State pays the family to be relocated \$200. and is subsequently reimbursed by the Bureau of Public Roads. However, in the past, it has been difficult to ascertain who the "relocated" family was because of the vagueness of the wording of the time element.

After a thorough discussion of each point the Committee agreed that Section 3 would be amended to delete the new language and leave the limit at \$15,000. Also they agreed to amend Section 5 by inserting the word "immediately" in the phrase immediately preceding...

Disposition: ON MOTION of Senator Dodge, seconded by Senator Swobe, it was unanimously agreed to "Do Pass as Amended S.B. 266."

S.B. 267 "Proposes various amendments to law relating to eminent domain proceedings."

Mr. Thompson stated that the changes were very minor. Section 1, Lines 8 and 9 should have been taken out, he believed it was unconstitutional. Senator Dodge inquired if this Act protected the defendant, to which Mr. Thompson replied yes. Section 2, Line 17 would add the phrase "if any". Section 3 on Page 3, this whole section was enacted two years ago and when we submitted it to the Legislative Counsel we had the word "jury" in it but it was left out. Senator Young asked when they deposited the money, and Mr. Thompson replied that they very rarely made a pledge of faith that they usually made a cash deposit with the Clerk of the Court as soon as possible. In Section 4 they had originally had the word "deposit" and in the final act the word had been changed to "distributed". Section 5 requires them to pay 7% interest of any difference between the amount on deposit and the amount awarded from the date of the entry of order, and they believed it would be more fair to pay from the date of possession.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Swobe, it was unanimously agreed to "Do Pass S.B. 267."

Messrs Thompson and Raymond left the meeting at 3:35 P.M.

S.C.R. 18 "Directs Legislative Commission to make study of Nevada court structure."

Senator Dodge explained that there was a Bill in the Assembly which they are holding because they think this one is broader. Senator Swobe stated that he was not in favor of a Juvenile Court System because it was his belief that it should be a part of the District Court System. Chairman Monroe suggested that the word "System" be deleted which would clarify the intent. Senator Dodge agreed with the suggestion and will have the Resolution amended to read, "...make a study of court structures including juvenile matters..."

Disposition: ON MOTION of Senator Dodge, seconded by Senator Swobe, it was unanimously agreed to "Do Pass as Amended S.C.R.18."

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S.B. 313 "Provides for recordation of master form mortgages and deeds of trust to permit short-form recordings thereafter."

Senator Swobe commented that this Bill was identical with Bill 289 except for the effective date. After discussion it was agreed that S.B. 313 would be considered and S.B. 289 be "killed." Senator Swobe also requested that consideration be delayed as he had not finished checking it out.

Disposition: Held Over.

S.B. 325 "Gives municipal courts and justices of the peace jurisdiction over juvenile traffic offenders."

Chairman Monroe commented that there was another Bill that provides for some definite court instructions relative to handling juvenile traffic offenders that he believed had more merit. Senator Dodge stated that this is a real problem among law enforcement officers, they apprehend them and then nothing happens which is frustrating to the officers.

Disposition: Held Over.

Senator Monroe mentioned that S.B. 246 had inadvertently been placed in the Hold File.

The meeting adjourned at 4:00 P.M.