

Senate

JUDICIARY COMMITTEE

MINUTES OF MEETING HELD

April 6, 1967

A meeting of the Judiciary Committee was held at 2:55 P.M., Thursday, April 6, 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
 Coe Swobe
 C. Clifton Young

Also present: Frank Daykin; Joe Jackson
 Paul Toland; Roy Torvinen (later)

S.B. 480 "Requires indexing of financing statements covering crops or fixtures according to name of record owner of real property."

Disposition: ON MOTION of Senator Dodge, seconded by Senator Young, it was agreed to Do Pass S.B. 480.

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

Senator Hug said he would like to have us reconsider A.B. 180. He has been under tremendous pressure and accused of keeping it in Committee. Senator Swobe said he would like to have someone give a legal opinion as to whether or not the present bill with the Judge in it is constitutional or not in view of the Marrying Sam bill. Senator Bunker felt very strongly that the bill should not be put on the floor, he was not a bit concerned about its passing and this could go on the record. Senator Hug said he would vote against it when it came on the floor but he wanted to get it out. Heated discussion.

Disposition: ON MOTION of Senator Hug, seconded by Senator Young, Senators Bunker, Christensen and Dodge voting against; Monroe, Young, Dodge and Hug voting for, it was agreed to reconsider A.B. 180. After discussion, ON MOTION of Senator Bunker, seconded by Senator Dodge, it was agreed to make A.B. 180 an Emergency Measure, amended to read "without recommendation," and stipulating it be voted on this day. All in favor except Senators Swobe and Young.

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S.B. 497 "Provides for payment of fees by defendants granted probation to help finance programs of State Board of Parole Commissioners."

Senator Young said he would like to have Paul Toland come in on this. Mr. Toland said Governor Laxalt is very much in favor of the bill. He also said the Chief Justice of the Supreme Court had checked its constitutionality and found it to be all right. He said he wanted money to provide professional training for parole agents, and mentioned sending someone to seminars each year, for which there is no money in the budget. He felt the offender could assume some of this cost. The amount he would pay would be not less than \$1.00 per month nor more than \$15.00, based on the individual's ability to pay. If he couldn't pay, he wouldn't be charged. There could be an order of the Court as to the amount he should pay. The Court would have information as to man's background, etc. Senator Monroe said he thought the minority should be considered as well as the majority, some men would have no money, no job, he didn't think it was right. Mr. Toland said it would bring in about \$40,000 to be utilized for training. If he doesn't have more money, he said he will soon have to ask the Legislature for some. Senator Young said he thought this bill was all right, people don't appreciate what they get for nothing and honest, hard-working people are paying the bills.

Disposition: ON MOTION of Senator Dodge, seconded by Senator Young, it was agreed to re-refer S.B. 497 to Finance.

S.B. 470 "Establishes procedures to issue gaming licenses to corporations." Section on Accountants under discussion.

Senator Monroe said he had discussed this with Flora Dungan, who feels quite strongly about it, and had received numerous phone calls thereafter.

Disposition: It was agreed to amend and Do Pass S.B. 470, putting "registered" back in.

S.B. 499 "Clarifies law relating to liens of trailer park keeper."

Discussion of 45 days, etc.

Disposition: It was agreed to amend with new language and remove brackets in Line 5, S.B. 470, and Do Pass.

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S.B. 502 "Permits governing bodies of cities to set compensation for all officers and employees."

Disposition: ON MOTION of Senator Swobe, seconded by Senator Dodge, it was agreed to Do Pass S.B. 502.

S.B. 505 "Authorizes retention by or private sale to law enforcement officers or agencies of confiscated weapons."

Frank Daykin came in to discuss this. He said they wanted the law to say police would be able to keep a ~~confiscated~~ ~~weapon~~ ~~for~~ ~~use~~ ~~in~~ the law enforcement agency or make a sale of it to another law enforcement agency or officer. They could only keep for official use by the officer, but could also sell it privately to an officer. Discussion of fact guns have to be sold at private auction now, policeman may buy them there. Senator Swobe said he thought this would open the door to selling of confiscated equipment to officers; that if they want to buy a gun, they should buy it at auction like anyone else. Mr. Daykin suggested taking out Paragraph C. Senator Swobe said fine.

Disposition: ON MOTION of Senator Young, seconded by Senator Swobe, it was agreed to amend by striking out lines 10, 11 and 12 on page 2 and Do Pass S.B. 505. Senators Young, Swobe, Bunker and Monroe voted for the Do Pass, Senators Dodge and Christensen against.

A.B. 274 "Amends provisions concerning limitations on actions against the State, political subdivisions."

Assemblyman Roy Torvinen came in to discuss this bill. It concerns waivers of sovereign immunity..no action against firemen or policemen unless resulting from gross neglect. Discussion of wrongful arrest.

Disposition: ON MOTION of Senator Young, seconded by Senator Swobe, it was agreed to Do Pass A.B. 274.

A.B. 287 "Provides mandatory penalties for issuance of small checks without sufficient funds."

This bill was said to have received very favorable consideration in the Assembly. Senator Swobe said he thought it was a bad bill and would just fill up the Courts with trials, thinks it is too stiff. Senator Dodge said he would like to hear someone on it.

Disposition: Hold until we hear the D.A. on it.

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

Disposition: Hold until Monday, April 10, Senator Bunker would like to be present.

A.B. 351 "Exempts community property from liability for certain ante-nuptial debts of either spouse."

Senator Young said he thought it unfair that a woman should come into a marriage with debts and expect no liability.

Disposition: Kill.

A.B. 382 "Provides that bids by unlicensed bidders are void and for suspension or revocation of license of contractors who loan use of license."

Disposition: ON MOTION of Senator Christensen, seconded by Senator Young, it was agreed to Do Pass A.B. 382.

A.B. 393 "Extends jurisdiction for probate of resident decedents' wills.

Disposition: Kill

* S.B. 394 "Exempts parents from guardianship requirements when child's estate is \$2,500 or less."

Disposition: ON MOTION of Senator Young, seconded by Senator Christensen, it was agreed to Kill S.B. 394.

Meeting adjourned at approximately 4:15 P.M.

* A.B. 394