

MINUTES OF MEETING - ASSEMBLY COMMITTEE ON JUDICIARY, 55th Session
February 6, 1969

Meeting called to order at 4:37 by Chairman Torvinen.

Present: All members of the Committee.

MR. TORVINEN: I have been asked to set a public hearing on the matter of SCR 8. I would like to set this hearing for this coming Monday at 2:00 o'clock.

Mr. BRYAN: I move to Deep Six AB 2.

MR. KEAN: I second it.
Motion carried unanimously.

MR. BRYAN: I move to Deep Six 81.

MR. REID: I second the motion.
Motion carried unanimously.

MR. REID: I move to Deep Six AB 7.

MR. BRYAN: I second the move.
Motion carried unanimously.

MR. TORVINEN: Is it the general concensus of the committee that we might take AB 116 and add amendments?

I would like to appoint Mr. Bryan and Mr. Schouweiler to draw up amendments in the way I feel is the majority rule of the committee.

MR. KEAN: I am not in favor of leaving it up to the judges. Let's set them three ground rules as was suggested.

MR. BRYAN: The way it is drafted now the prosecution would have to prove that the automobile was taken with the intent to permanently deprive. The entire history of larceny has always been "intent to deprive". It is just a difference in grand larceny and petty larceny. It will be a factual thing and the jury will have to decide.

MR. SWACKHAMER: George suggested we amend it to take care of a situation that involved two people with a personal relationship.

MR. TORVINEN: We don't really need that. The district attorney won't prosecute, and if he does he really has a case.

MR. BRYAN: If he brings it back it is pretty good evidence that he didn't mean to take it permanently. Still, petty larceny would be difficult to prove.

MR. SCHOUWEILER: I suggest we have legislative counsel in here to find out just what we want on these amendments. I know they are terribly busy, but everyone is wondering about the pace of this committee. I am just putting this out as a suggestion.

MR. REID: I would suggest we do that at the Chairman's suggestion.

MR. REID: I move amend and Do Pass AB 156.

MR. FRY: I don't mind this. I think it should be names and a brief resume of the testimony.

MR. TORVINEN: If you get the exact wording you want and get it in to Dennis Wright you get it back the next day.

MR. BRYAN: I think this "alibi" bill is as good for the defense as it is for the prosecution.

ACR 4: Directs Legislative Commission to make study of administration of criminal justice.

MR. REID: I move we indefinitely Postpone ACR 4.

MR. KEAN: I second the move.

MR. REID: I would be happy, at a later date, to help bring it out again, if we don't get the material from Mr. Franklin.

MR. LOWMAN: I was thinking of a kind of survey of all the states of the country to see what we could find that might help Nevada.

MR. TORVINEN: I was dubious about this from the beginning, but after hearing these people's opinion I am thinking that a study might be well taken.

MR. REID: What do we do to determine what system they will have for this study?

MR. LOWMAN: We did have a system for our study of narcotics, but we made it ourselves.

MR. SCHOUWEILER: Tell me what you are going to do.

MR. LOWMAN: I would say to Mr. Russ McDonald, these are some of the things that have been suggested to us by the district attorneys and then list them.

MR. REID: Why wait? Why not do it right now?

MR. SCHOUWEILER: You are going to be writing three or four volumes if you study all these things. You have got to tell me more of what you are going to go into.

On the motion to Indefinitely Postpone ACR 4:

AYE: Kean, Swackhamer, Schouweiler, Bryan, Reid, Fry

No: Prince, Torvinen, Lowman

MR. LOWMAN: I will attempt to put into an outline what I am trying to do with this bill.

AB 117: Specifies times when one spouse may testify against the other.

MR. BRYAN: I move Do Pass AB 117.

MR. REID: I second the move.

MR. TORVINEN: We have not had any testimony from the civil side.

MR. REID: If you want to hold it, I withdraw my second.

MR. KEAN: This would get to the point where every woman getting a divorce will tell how he is unfaithful to her.

MR. BRYAN: She can do this now in a divorce case. If Mr. Kean wants to hold it, I withdraw my motion.

AB 132: Authorizes publication of name of juvenile offender who commits subsequent felony.

MR. KEAN: I move Do Pass AB 132.

MR. REID: I second the motion.

MOTION CARRIED UNANIMOUSLY.

MR. TORVINEN: The only question I have is should we entertain a suggestion by Mr. Raggion as to TV and radio.

Meeting was adjourned at 5:00 P.M.