

SENATE JUDICIARY COMMITTEE

MINUTES

Prior to the meeting Senator Lamb commented on SJR #1 [Excludes fiscal matters from state and local initiative and referendum] and SB 58 [Excludes fiscal matters from local initiative and referendum.] He explained there were amendments for both being prepared and any action should be postponed until new amendments were presented.

The meeting was called to order by Chairman Monroe at 10:10 a.m. on January 29, 1969.

Committee members present: Senator Monroe, Chairman
Senator Hug
(All present) Senator Christensen
Senator Dodge
Senator Swobe
Senator Young

The following were presented to the committee for action:

SB #23. Includes state fire marshal and his deputies or assistants as peace officers.

Chairman Monroe advised he had contacted Senator Farr who advised the addition to the bill had been inadvertently omitted from the original bill and this was merely a correction.

Senator Young moved this be passed.
Senator Dodge seconded the motion
Motion carried.

SB #31. Deletes obsolete reference to chattel mortgage in provision relating to public livestock sales.

Senator Christensen moved this be passed.
Senator Young seconded the motion.
Motion carried.

SB #33 - Provides penalty for unlawful use of summary eviction procedure.

Senator Bunker requested this be set aside for a hearing and suggested that Senator Herr be contacted to explain the bill.

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Senator Dodge stated he felt if a landlord had a legitimate reason for evicting a tenant the bill as written could open the door for harrassment by the person being evicted.

It was agreed by all that Senator Herr be contacted and requested to explain the reasoning of this bill to the committee.

SB #34. Provides remedy for tenant in summary eviction proceedings and extends notice period.

Senator Monroe requested this be set aside with SB #33 and have Senator Herr discuss this also.

SB #35. Provides standards for rendition of deficiency judgments.

Chairman Monroe asked Senator Hug, the author of this bill to comment on it. Senator Hug explained Mr. Ed Reed requested this be introduced and he read parts of a letter from Mr. Reed which cited a case in Las Vegas, Nevada Land vs. Hidden Wells involving a judgment under a Deed of Trust.

A general discussion followed and Senator Dodge pointed out that the deficiency charge could not be more than the difference of the appraisal and the deficiency judgment. He also mentioned that in the Las Vegas area some of the commercial lenders had over loaned on various properties and there were several foreclosures, however he felt that this bill could be abused by commercial lending companies.

Senator Christensen pointed out that all appraisers were not competent and questioned whether a fair appraisal would always be made.

Senator Christensen moved this bill be set aside for the present time.

Senator Swobe seconded the motion.
Motion carried.

SJR #3 (54th Session) Proposes to amend Nevada constitution for acquisition of voting residence by military personnel and federal employees.

Chairman Monroe asked if there was any revised thinking on this since it was last considered.

There was considerable discussion and it was of some concern that the privilege could be abused by a person wanting to establish a residence in Nevada for the purpose of entering their children in the University of Nevada as a resident and not have to pay the out of state tuition. Senator Young remarked there could be no discrimination between voting in a federal

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election or a state election.

Senator Bunker felt something should be done to help the military with the voting problem.

Senator Dodge suggested Frank Daykin be contacted and have him attend the next meeting to explain and discuss this. This was agreeable to all. The bill was set aside.

SJR #4, 54th Session. Proposes constitutional amendment to clarify qualifications of petitioners required to recall public officers.

Chairman Monroe remarked this would require not less than twenty five percent of the registered voters who had actually voted to sign the petition to recall a public officer.

Senator Dodge suggested this also be held until Frank Daykin could meet with the committee and explain it further.

The bill was set aside.

There being no further business the meeting adjourned at 10:45 a. m.

Respectfully submitted,

Jeanne M. Smith, Secretary.

Approved: _____