

SENATE JUDICIARY COMMITTEE

MINUTES

Meeting was called to order on February 20, 1969 at 9:30 a. m. by Chairman Monroe.

Committee members present: Chairman Monroe  
Senator Dodge  
Senator Hug  
Senator Christensen  
Senator Swobe  
Senator Young  
Senator Bunker

SB 210 - Authorizes Ormsby County to issue not to exceed \$700,000 of bonds for acquiring an auditorium and recreation center, and sites and grounds, equipment and furnishings therefor.

Senator Monroe referred to the discussion of this with Senator Pozzi in yesterday's meeting and explained that according to the regulations of the Fair and Recreation Board the room tax could not be used until after the revenue from a specific facility was used first. The auditorium was not expected to produce any revenue and this was merely to authorize using the room tax funds for the operation.

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

SB 125 - Provides penalty for issuance of bad check in payment of preexisting obligation.

Chairman Monroe remarked there were a lot of objections to this bill and he thought it should be discussed further and decide just what should be done with it.

Senator Christensen stated he thought it was a good law as he thought there should be some protection from a person writing a bad check.

Senator Dodge was not in favor and moved the bill be kept in committee.

Senator Young seconded the motion

Ayes: Senators Dodge, Hug, Young and Bunker.  
Nays: Senator Christensen and Senator Swobe.

Motion carried.

Senate Judiciary Minutes  
February 20, 1969

-2-

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

Chairman Monroe had a definition of domicile furnished by Mr. Daykin. Domicile was when you acquired a residence and established an intent to remain. Merely having a house on a military base was not necessarily an intent to remain. Domicile is synonymous with residence.

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

SJR 10 - Proposes to amend Nevada constitution by providing that legislative sessions convene in March.

Senator Christensen explained there were three major reasons for introducing this. 1. It would give a newly elected governor to get his feet on the ground before the legislature would convene and time to study and prepare the budget. 2. It would give the bill drafters time to go into new legislation more thoroughly after a new election. 3. The weather would be much better and travel would be easier. The only objection to it would be that it is traditional to meet in January.

Senator Bunker felt that January was the best time to hold it as you couldn't do anything else during the bad weather.

Senator Dodge declared he had mixed feelings about it. The same situation exists in the Federal government as in the state government. It is a problem as far as preparing the budgets, however if they did not meet until March the decisions on the budgets would not be complete until June and that would take it to far into the year. He suggested they should contact the people working on the subdivisions be contacted as they definitely would be effected.

Senator Christensen felt the two months set aside for the legislature to meet was really not sufficient to take care of the problems satisfactorily and if they met later on it might be able to be extended.

Senator Bunker suggested this be investigated more thoroughly and call in the subdivision representatives to discuss it.

This was agreeable.

SJR 22 - Proposes constitutional amendment to require supreme court to sit en banc and deletes quorum provisions.

It was decided to hold this and consider with the court bills.

SCR 10 - Urges gaming licensees to use equitable practices when charging for table games.

Senator Swobe remarked there was no set amount taken out of each pot by shills so there was no way to keep accurate count.

Senator Dodge discussed this with Frank Johnson and he recommended this be accepted.

Senator Swobe moved this be passed  
Senator Bunker seconded the motion.  
Motion carried.

AB 36 - Makes posting of bond discretionary where insanity is ground for divorce.

Senator Dodge suggested Howard McKissick be asked to come in and explain this bill.

Bill was set aside until a later date.

AB 72 - Allows uninsured motorist coverage up to limits of insured's policy.

There was considerable discussion on AB 72. Senator Young felt a motorist should be able to but the increased coverage and protect himself against an uninsured person if he wanted to pay the additional premium, no matter how high it was. If the rates were set to high it could always be taken to the Insurance Commissioner for justification of the rates. He stated Nevada was lax in backing up the law in enforcing the penalties for the responsibility law and felt a person should be able to protect himself.

Senator Dodge did not like the idea of mandating the insurance companies to sell the coverage and suggested other insurance people be contacted to see how they felt about it.

Chairman Monroe read a letter from George Vargas expressing the opinion of the American Insurance Association. He suggested Insurance Commissioner Mastos and George Vargas be asked to come in and discuss this. It was agreeable.

AB 56 - Conforms Nevada law to Uniform Business Records as Evidence Act.

Senator Dodge stated he would prefer to find out if this was the same language used in other states before they considered it.

Bill was held until later.

AB 83 - Increases small claims limit in justices' courts.

Senator Swobe advised the Retail Merchants and the Reno Chamber of Commerce were behind this.

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

AB 84 and AB 106 were set aside until Frank Daykin could explain them. Also bills 107, 108 and 109.

Frank Daykin was asked to come in and explain several bills.

AB 84 - Provides for parole under indeterminate sentences.

Mr. Daykin explained this was requested by the Attorney General. It spells out the provision for parole eligibility for persons sentenced after July 1, 1967. This will make the penalties uniform for the same crime. This will serve its purpose for a ten year period and then can be forgotten about.

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

AB 106 - Broadens purposes for which nonprofit corporation may be formed.

Mr. Daykin explained this was basically a corrective bill. Many corporations were a combination of educational and charitable activities. This was asked for by the Legislative Counsel.

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

AB 107 - Broadens purposes for which nonprofit corporations may be created and removes debt limitation.

Mr. Daykin stated this was another clean up bill. It removed an obsolete restriction.

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

AB 108 - Eliminates requirement that majority of persons forming nonprofit corporation be state residents

Mr. Daykin explained that according to the law now the majority of the members of the corporation had to be a resident of Nevada. This broadens and allows more corporations to be filed in the State.

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

AB 109 - Permits religious corporations to acquire property by devise or bequest.

Mr. Daykin stated that if put to a test this would be proven to be unconstitutional.

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

AB 49 - Requires timely submission of questions to appear on ballot.

Mr. Daykin remarked the language in this and SB 70 were about the same, but he felt SB 70 was better.

Senator Swobe stated the Assembly bill was a recommendation by Washoe County where the Senate Bill was recommended by all the counties. He moved this bill be held in committee.

Senator Dodge stated he felt the Assembly should be contacted as they might hold the Senate Bill thinking their bill had been passed.

Chairman Monroe will contact the chairman of the Elections committee in the Assembly and discuss it with him.

AB 58 - Requires registration of corporation doing business under assumed or fictitious name.

Mr. Daykin explained this pertained to a partnership-corporation as they always did business under a DBA. This would make it easier to bring action against a corporation and trace back the individuals belonging to a corporation.

Senator Bunker moved to pass.  
Senator Young seconded the motion.  
Motion carried.

AB 85 - Grants certain powers to state board of architecture; requires proof of licensure in certain court actions.

This would allow a board to set its own salary for their secretary and treasurer, Mr. Daykin explained.

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

AB 103 - Provides that single trustee for insolvent corporation has powers equivalent to group of trustees.

Mr. Daykin explained this was just a technical correction. Page 1, Line 25 changes from trustees to trustee or trustees.

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

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

Respectfully submitted,

Jeanne M. Smith, Secretary

Approved: \_\_\_\_\_