

SENATE JUDICIARY COMMITTEE

MINUTES

Meeting was called to order by Chairman Monroe at 2:35 p. m. on February 3, 1969.

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

Chairman Monroe advised he had a proposed bill to be introduced by the Judiciary Committee at the request of another Senator, who, for personal reasons could not introduce the bill himself. It provided "when filing a tax lien on property the property against which the lien was filed must be listed".

Senator Swobe suggested it might be introduced by the legal profession.

Senator Dodge expressed his opinion that this type of bill should be explored to see if it was of merit. It could be enacted against a federal law which would have jurisdiction over any state law.

Senator Christensen asked if this would apply to only liens filed by the federal government.

Chairman Monroe advised that it would only apply to a federal filing.

Senator Dodge requested this be set aside until Frank Daykin be contacted on this. All were in agreement.

Chairman Monroe read amendments for SB 9 prepared by Senator Dodge. "any chaplain who is assigned to duty in this state by the Armed Forces of the United States may solemnize marriages, if he obtains a certificate of permission to perform marriages from the county clerk of the county in which his duty station is located. The county clerk shall issue such certificate to a chaplain upon proof by him of his military status as a chaplain and of his assignment.

A county clerk may authorize a licensed or ordained minister whose congregation is in another state to perform one or more marriages in the county, if the county clerk satisfies himself that:

[a] The minister is in good standing with his denomination or church and

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[b] There is a relationship of consanguinity within the fourth degree between the minister and a member of each couple whose marriage is to be solemnized.

The authorization shall be in writing and shall limit the number of marriages to be performed, but need not be filed with any other public officer."

This merely pins it down so the visiting minister can perform marriages for actual relatives only.

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

Chairman Monroe announced he had set a hearing at 10:00 a. m. Thursday, February 6th. He advised he had written to Paul Horn, Clark County Recorder about ten days ago but had not received a reply so had sent another letter today advising him of the hearing. He will notify Don Questa, Washoe County Recorder of the hearing. Mr. Sherman of the Internal Revenue Service will be present to testify. As far as he knew they were the only ones that had expressed an interest in this bill.

Regarding Senator Hug's SB #35, Chairman Monroe advised there was a recent Supreme Court decision on this. He had given the decision to Senator Swobe to study and asked that he pass it on to the other members of the committee to be considered. It will be discussed at a later date.

SB #19. Permits female employment in liquor sales.

Chairman Monroe advised Mr. Bailey was going to Las Vegas and would have something to report on this when he returned. He mentioned the fact there could be some static from the labor union in the Las Vegas area on this.

Senator Christensen stated he felt the bill was self explanatory and saw no reason for further delay.

Chairman Monroe felt they would have to be careful as this was a hot issue with labor.

Senator Dodge stated that if a woman wanted to make an issue of not being able to work she could make it stick and felt they could not be excluded.

This was set aside for future consideration.

Chairman Monroe stated that as far as he knew all of the

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election bills were in and he would like to set a hearing for Tuesday, February 11th. The bills are mostly minor, one being to set the date for the primary election earlier in order to give the County Clerks more time before the general election.

Senator Christensen remarked that as the date was now set it usually conflicted with the opening of school and he was in favor of setting the date ahead as proposed.

Chairman Monroe advised he had talked to Mr. Torvinen, Chairman of the Assembly Judiciary Committee and they set a joint meeting for Thursday, February 13th after adjournment to discuss the Court Reform bills. This will not include the marriage bill as they would rather consider that alone.

Senator Bunker advised the Clark County Clerk would like to be present to testify when the marriage bill was scheduled.

Senator Young advised he was working on the amendments for SB5.

Chairman Monroe asked if the members thought a hearing should be set up for SJR 6, removing fish and game fines from the education fund.

Senator Dodge advised there was another bill relative to this coming up and he would suggest they wait until it came in and consider the two together.

Senator Hug asked if there was any opposition expected.

Senator Dodge remarked it was possible and explained there is now \$7,000,000.00 in the education fund that could not be touched. Only the interest received from that amount was available. He would like to amend that the fines go into the education fund and give the \$7,000,000.00 to the schools and felt there would be a way to work this out so there would be no opposition.

Senator Hug asked if the interest goes from the general fund to the school permanent fund.

Senator Dodge affirmed it did.

Senator Swobe was not in favor of giving the entire amount to them all at once.

Chairman Monroe asked if all fines were going into the fund or only the fines from Fish and Game.

Senator Dodge stated it was all fines. He requested this be held until the new bill came up. It was agreeable to all.

Chairman Monroe asked the members of the committee what they wanted to do with SJR 3 and SJR 22 of the 54th Session. Did they want to do anything on them today or did they suggest a hearing on them?

Regarding SJR 3, Senator Christensen remarked Frank Daykin advised the government had adopted this and he felt that all that had to be done was to go along with it.

Senator Dodge reminded the committee that Frank Daykin was to bring in the definition of "domicile" and he would prefer to wait until that time for any action.

Senator Swobe thought SJR 22 should be considered with the Court Revision bills.

Senator Young advised there was a bill coming up in the Court Revisions that was going to allow the Supreme Court to sit in panel rather than en banc on certain cases. He felt SJR 22 would be contradictory to the new bill and suggested they hold this until such time as they would have a chance to consider both. This was agreeable to all.

Chairman Monroe advised there were several Assembly Bills to be considered, most of them being technical corrections and he would like to consider them at the next meeting, Tuesday at 10:00 a. m.

There was some discussion of AJR 23, introduced by Eileen Brookman, proposing constitutional amendments to legislature to broaden participation in presidential elections.

Senator Monroe advised this would permit voting in the presidential election for the president only whether they were a resident of the state or not.

Senator Hug thought they would have problems in blocking off the rest of the ballot.

Senator Christensen felt if a person was really interested in voting he could vote in his own state by absent ballot.

Senator Monroe mentioned some of the states had laws where a person could lose their right to vote and would not qualify to vote for a president. He would set up a hearing with Mrs. Brookman if the members wanted it.

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

No further business, the meeting was adjourned.

Respectfully submitted,

Jeanne M. Smith

Approved: _____.