

## MINUTES

Meeting called to order at 8:30 a. m. on April 9, 1969 by Chairman Monroe.

Committee members present: Chairman Monroe  
Senator Dodge  
Senator Hug  
Senator Bunker  
Senator Christensen  
Senator Swobe  
Senator Young (In at 9:15)

Legislative Counsel: Frank Daykin

Guests: Ed Whittaker, American Employment Bureau,  
Reno, Nevada

Phil Hanifen, Chief Parole and Probation  
Officer, State of Nevada

Harry Reid, Assemblyman.

AB 671 - Prohibiting discovery of certain medical committee proceedings.

Senator Dodge moved "do pass".  
Senator Bunker seconded the motion.  
Motion carried.

AB 543 - Prohibits parole from county jails.

Mr. Phil Hanifen stated this was merely to eliminate a conflict in the present statutes.

Page 2, subsection 7 provided when a person was paroled from this jurisdiction and convicted and incarcerated in another jurisdiction we would not be obligated to bring him back to this state.

Senator Dodge moved "do pass."  
Senator Bunker seconded the motion.  
Motion carried.

AB 544 - Creates department of parole and probation.

Mr. Hanifen explained there had been a Board of parole and probation created but there was never had been a department created where the responsibility could be pinned down to. This would give him the responsibility to do certain specified duties. This was discussed quite

thoroughly in the Assembly and was amended taking out the qualifications of the chief parole and probation officer of requiring a degree.

Senator Dodge moved "do pass".  
Senator Swobe seconded the motion.  
Motion carried.

AB 667 - Revises provision relating to "good time" credits for prisoners.

Mr. Hanifen advised under the present laws the prisoner was given good time credits as he entered the prison before he earned any good time credits. This was given automatically and then he could earn more as time went on.

The Attorney General ruled they could not be paroled if they had enough credits before the time they would actually be up for parole. Rather than change the present parole act it was thought better to change the good time credits.

This was drawn up by Mr. Hanifen and the Warden of the Nevada State Prison and his staff. The good time credits would not be given until they were actually earned and would be posted every month after he earned the credits.

Senator Swobe moved "do pass".  
Senator Bunker seconded the motion.  
Motion carried.

AB 665 - Increases time period prior to bail forfeiture.

Senator Swobe felt this was good. If a person could not be contacted before for some reason it would give time to try to find him. This had a lot of advantages.

The Assembly amended it from 90 days to 60 days.

Senator Dodge moved "do pass".  
Senator Swobe seconded.  
Motion carried.

AB 573 - Adopts credit card crime act.

Senator Dodge felt there was no urgent need for this and that the present law covered it well enough. If the next session felt it was necessary it would be time enough to consider it.

Chairman Monroe checked and found that several of the states had adopted this or were considering it.

Senator Swobe moved to "Hold".  
Senator Dodge seconded.  
Motion carried.

AB 654 - Permits employment agency to charge fees to employers.

Mr. Whittaker of the American Employment Bureau advised they had not presented this and were not in favor of it but it was presented by an outside interest. It would permit an agency to charge an employer an annual fee of a percentage (usually 10%) of the annual income of a person placed in a job because of his high qualifications. The Employment bureaus handled their placements this way in the larger cities in California, but it is not necessary in Nevada.

Mr. Close advised Mr. Whittaker that a large company wants to come into Nevada and want to hire qualified personnel, but he did not feel it was necessary to have this control.

Mr. Whittaker advised that as of February 1st, his Bureau went to a computer system and they could find qualified people with this.

Senator Dodge Moved "Hold".  
Senator Bunker seconded the motion.  
Motion carried.

AB 158 - Revises Uniform Reciprocal Enforcement of Support Act.

Mr. Daykin advised this changed from the 1952 Uniform Reciprocal Enforcement of Support Act to the 1968 version. Most of the states have adopted the 1968 version. It makes technical changes. It clarifies the procedure if a defense was made. It permits registration in this state for support issued in another state and permits enforcement in this state as if it were issued here.

Senator Swobe moved "do pass".  
Senator Dodge seconded.  
Motion carried.

AB 232 - Provides additional requirements and regulatory measures for collection agencies.

Senator Dodge felt this was an area where there were not enough controls and in as much as it involved public money there should be controls.

Chairman Monroe suggested they adopt the recommended amendment of Mr. Porter. He also felt the \$200 fee should be changed back to the original charge of \$100 as this could hurt the small collection agencies.

Senator Swobe moved to amend and "do pass".  
Senator Bunker seconded the motion.  
Motion carried.

AB 490 - Enumerates dangerous drugs.

Mr. Daykin advised this bill picked up the regulations of the Bureau of Narcotics and Dangerous Drug Act of the federal govt.

## Senate

Judiciary Committee Minutes  
April 9, 1969

-4-

Senator Dodge moved "do pass".  
Senator Swobe seconded.  
Motion carried.

AB 491 - Prescribes procedures for declaring drugs to be dangerous.

Mr. Daykin explained this merely made a certified copy of any regulation prima facie evidence.

Senator Swobe moved "do pass".  
Senator Christensen seconded  
Motion carried.

AB 449 - Provides right of contribution for joint tortfeasors.

Mr. Reed explained under the present law if two individuals were responsible for negligent action and only one was named in an action by a plaintiff it was impossible for the one named to bring the other responsible person into the action. He felt it was good in that it would create early settlement of cases however it could be bad as it might cause more law suits.

Senator Young felt he would like to hear more testimony on this.

Mr. Reed advised at least thirteen states have adopted similar legislation.

It will be discussed further.

AB 487 - Raises bond required of notaries public.

Mr. Reid stated he handled many suits for insurance companies and there had been a number of actions filed against a notary public for notarizing a signature when the person had not actually signed a document but it had been forged by another. The most they could collect would be the amount of the bond which was \$2,000 and he felt the bond limit should be raised. Most states have an average of 6500 or \$7,000 bond for a notary.

Senator Dodge asked if Mr. Reed thought by raising the bond to \$4,000 it would make the insurance or bonding companies check the qualifications of a person more? Mr. Reed did not feel that it would.

He stated the entire statute on notary publics needed revision as there were several loop holes in it. It would be studied and changes presented next session.

Mr. Reed left the meeting.

Senator Dodge moved to "Hold".  
Senator Swobe seconded the motion.  
Motion carried.

AB 349 - Provides certain exemptions from execution.

Mr. Daykin advised this "updated" the language and made modern references. There are no substantial changes.

Senator Young questioned f on page 3 "One vehicle not exceeding in value \$1,000". This was a substantial as it previous exempted only vehicles used in business.

It was agreed this should be amended also and to exempt only vehicles used in business.

Mr. Daykin also stated section h, page 4 had been changed to conform with the federal laws.

Senator Dodge moved to amend and "do pass".  
Senator Young seconded  
Motion carried.

AB 345 - Extends provision for service of process on director of department of motor vehicles in actions arising out of vehicle accidents.

Mr. Daykin advised this was a corrective measure. AB 233 was replaced by AB 345 however in preparing this it was incorrectly drawn and had to be recalled from the Governor's and amended. It is now drawn correctly.

Senator Dodge moved "do pass".  
Senator Young seconded  
Motion carried.

AB 696 - Empowers magistrate to exclude adverse witnesses from preliminary hearings.

This would make it discretionary rather than mandatory.

Senator Swobe moved "do pass".  
Senator Young seconded.  
Motion carried.

AB 736 - Alters procedure where plaintiff's security for court costs is required.

Mr. Daykin explained in certain cases the plaintiff was required to deposit court costs before the length of time the defendant is given to file his answer. The plaintiff could stall and not deposit the costs until the day before the time limit was up and it would not give the defendant time to prepare his answer. This would give him additional time after the deposit was made.

Senator Swobe moved "Do pass".  
Senator Christensen seconded the motion.  
Motion carried.

ACR 19 - Directs study of Nevada community property laws.

Senator Swobe and Senator Young both felt the community property laws in Nevada were good as they were. Neither had problems with them in the past.

Senator Swobe moved to "Hold".  
Senator Young seconded.  
Motion carried.

ACR 45 - Directs legislative commission to study criminal justice.

Senator Dodge remarked this was done previously and could see no reason for further study.

Senator Dodge moved to "Hold".  
Senator Swobe seconded.  
Motion carried.

ACR 49 - Directs legislative commission to study proposed county courts.

Senator Dodge felt this had merit. They would be able to set up regulations for the new courts if it is decided to accept the new system. This would give them something concrete to refer to and would be advantageous.

Senator Swobe moved "Do Pass".  
Senator Bunker seconded.  
Motion carried.

AJR 35 - Proposes constitutional amendment to increase term of assemblyman to 4 years.

Senator Swobe was opposed. He felt an election every two years could be determined as a vote of confidence for the governor in power or against his policies.

Senator Christensen felt when they were elected for two years it gave them just a couple of months to legislate and they would not get into the "swing" of the routine and they should have a chance to come back to session a second time. It was expensive to campaign for just that little time.

Senator Dodge stated it has always been inconvenient to run for an election, however he felt the ones that drew up the first Nevada laws had a good reason for making the term of Assemblymen and Senators different and he did not feel it should be changed. This conformed with the federal terms.

Senator Young favored the two year term. He felt it kept the

legislatures in contact with the people and responsible to the electorate. He was opposed to changing the terms to four years.

Senator Dodge remarked they did not approve the resolution to extend the terms of the national representatives.

Senator Swobe moved to "Hold"

Senator Hug seconded.

Ayes: Dodge, Young, Hug, Swobe, Monroe

Nays: Bunker and Christensen.

Senators Bunker and Christensen were in favor of putting this out of committee.

SB 514 - Extends immunity from suit by persons receiving industrial insurance.

Senator Dodge would like to know what other states have done.

Senator Young will contact those wanting to testify on this and there will be a hearing Thursday morning.

The meeting adjourned at 10:45 a. m.