

ASSEMBLY COMMITTEE ON JUDICIARY, 56TH SESSION, 1971

MEETING HELD FEBRUARY 15, 1971

Meeting called to order at 2:15 p.m. Present: Miss Foote, Messrs. Fry, Dreyer, Olsen, May, Torvinen and Kean. Absent: Messrs. Lowman and McKissick.

Mr. Torvinen presented the following bills for introduction:

1. Increases number of counties in 6th Judicial District. Mr. Dreyer moved the committee introduce the bill. Seconded by Mr. May. Carried.
2. Provides that city attorneys may appear in application for writs of habeas corpus. Mr. Kean moved the committee introduce the bill. Seconded by Mr. Olsen. Carried.
3. Removes law library from jurisdiction of state library and places it under jurisdiction of Supreme Court.

Discussion. Mr. Kean opposes the bill. He feels the Supreme Court Justices are out of their field running a library. No further action taken.

Mr. Fry presented a bill for introduction which extends the bail forfeiture deadline and provides for exoneration and termination of surety. Mr. May moved the committee introduce the bill, seconded by Mr. Kean. Carried.

AJR 11: The bill was put aside for further study.

Mr. Fry announced he will set up all the drug bills for a hearing. Mr. Kean suggested Grant Davis explain the dangerous substances bill section by section. March 1 and 2 are the dates set for hearing of Assembly Bills 71, 83, 107, 126, 127, 128, 129 and 130.

AB 180: Eliminates use of quo warranto action for public offices of assemblyman and state senator. Mr. Torvinen remarked that this strengthens the position that the Legislature has the right to seat its own people. Mr. Torvinen moved "Do Pass", seconded by Mr. Kean. Carried.

Mr. Fry presented a bill requested by Mr. McKissick regarding divorce laws. Mr. Kean moved the committee introduce the bill, seconded by Mr. Olsen. Carried. Mr. Torvinen said he would like to have the bill held until a few days after a rumored bill providing for three-week residency for divorce is introduced.

AB 163- Provides penalties for unauthorized entry upon Nevada State Prison property. Mr. Fry stated there is a proposed change in line 4 from the State Planning Board which reads, "pass upon the State of Nevada property used by the Nevada State Prison". Mr. May said he thought the prison owned some property near the state hospital in Sparks, and there is a cloud on the title, so ownership is uncertain. Mr. Dreyer asked what about an amendment to Section 3. Mr. Torvinen said he would like to hear Warden Hocker's comments on the bill. Mr. Torvinen further stated that the statute on trespass makes a conviction difficult to obtain, and he would like to study the trespass statute further before any action is taken on the bill.

Regarding a hearing on Mr. Olsen's bill to abolish capital punishment (AB 222), Mr. Olsen wants to wait for a hearing until the Attorney General issues an opinion on the legality of capital punishment.

Mr. May is not ready for a hearing yet on AB 12 and AB 236.

Discussion on SB 8: Mr. Fry will discuss the reasons for the bill with Senator Monroe before any action is taken.

There being no further business, the meeting was adjourned at 3:10 p.m.

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