

SENATE JUDICIARY COMMITTEE

1 - 135

MINUTES

February 18, 1971

Chairman Monroe called the meeting to order at 9:45 a.m.

Committee Members Present: Chairman Monroe  
Senator Close  
Senator Dodge  
Senator Foley  
Senator Swobe  
Senator Wilson  
Senator Young

Others Present: Senator Brown  
Senator Gibson  
Judge Llewellyn A. Young  
Grant Davis - Legislative Counsel  
Bureau  
Press

S.J.R. #1 of the 55th Session - Excludes fiscal matters  
from state and local initiative and referendum.  
Senators Brown and Gibson

Senator Foley asked to open discussion on this bill again regarding his minority report. He stated that he felt this would put a limitation on peoples rights to initiative, but that it could be a double-edged sword. For examples, if a popular cause goes to the people and they put a 2% tax on gambling. Many people can't be convinced the gamblers don't have all the money in the world. He felt that he would like to hear from Senators Brown and Gibson on this bill. Senator Dodge contacted Senators Brown and Gibson and they will try to be present later this morning.

S.B. #181 - Enacts disclosure law for members of public agencies, boards, councils, commissions or corporations.  
Senator Wilson

Senator Dodge felt that this would be covered in the conflict of interest provision. Senator Wilson informed him that this bill would not concern doing business with the government, it concerns doing business with a third guy who, for example, comes before a board at sometime as an applicant for a license. Chairman Monroe also pointed out that it is not a conflict of interest act, but a disclosure act.

Chairman Monroe felt that it would be victimizing the innocent people by bringing attention to an issue that would not otherwise be an issue, and it would not be very effective in catching those people it should be directed to since they would not comply for fear of revealing themselves.

Senator Young felt that it would discourage citizens from being on city councils and other public offices the bill would effect, and suggested putting a monetary value as the basis for reporting. Senator Dodge suggested it be on an annual basis and an amount in a single transaction, and Senator Wilson agreed. Grant Davis suggested the wording "\$1,000 gross in any one transaction or a total of \$3,000 gross in the 6 month period immediately preceding and succeeding."

Senator Wilson suggested amending this bill to cover economic interest in the applicant's business. Senator Young stated that everybody should have knowledge and suggested asking for an oral disclosure at the meeting.

Grant Davis was asked to draft up some language to cover these changes, keeping in mind that the legislature doesn't want to discourage experienced citizens from being on these commissions.

S.B. #243 - Makes certain relatives responsible for burial of unemancipated minors.  
Senator Wilson

Senator Wilson explained that this bill was drafted to take care of a problem where a child is still born and the parents refuse to do anything about burying it. There is no statutory law to point to to cover this.

Senator Foley made a motion to "do pass." Senator Dodge second the motion. Motion carried.

S.J.R. #1 of the 55th Session - Excludes fiscal matters from state and local initiative and referendum.  
Senators Brown and Gibson

Senators Brown and Gibson arrived to speak on this bill. Senator Dodge explained that Senator Foley raised a point that we might be endangering the gaming industry by passing this bill because the people might soak them for any taxes needed. Senator Brown felt they would be no more of a target than the Power company for instance.

Senator Foley stated that he could foresee a public cause with a great deal of public appeal coming to the ballot, and with the misconception people have that certain people are not paying their share, it could have a destructive effect on business. Senator Gibson felt that it would be more destructive for the people to ignore completely the cost of what they are proposing.

Senator Wilson felt this bill would knock out initiative because any initiative proposal will probably directly or indirectly require an appropriation for money. Senator Gibson stated that this doesn't deprive citizens of any right, but it does provide a mechanism where they would have to consider budget and therefore act in a more informed way.

Senator Dodge stated that he would have to agree with Senators Brown and Gibson in that as this governmental process becomes more complicated, the challenges become greater and that we have got to rely on the governmental process as established. We need to rely less on the possibility of by-passing it because of uninformed electorates. Senator Brown added that the Chamber of Commerce and other city people were informed of this bill and they thought an informed public is a responsible public.

S.B. #82 - Increases number of district judges in first, second and eighth judicial districts.  
Senator Monroe

Llewellyn A. Young, District Judge, 6th Judicial District, attended the meeting to discuss S.B. 82 and the proposed re-districting the committee suggested to save two judges. He asked to go on record as saying Las Vegas and Reno need more judges, but felt that he didn't know enough about the first district.

Senator Dodge explained that the committee is trying to compromise on the amount of judges needed by re-districting and saving two judges. Judge Gregory indicated that he had an overloaded calendar and if he had one less county, he could get by; therefore, we are asking you as far as your workload between the counties, could you realistically assume Churchill County as well as your present workload? Judge Young replied that as of now, he has cases set clear up to May 21 in Humboldt and Pershing Counties almost everyday. After that he will be on exchange in several other counties. He also stated that Winnemucca has had a flock of murder trials recently. He thought it would be more realistic to study the workloads in Pershing and Humboldt and see what they are.

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Chairman Monroe asked Judge Young for his views on S.J.R. 1 (Proposes to amend constitution by permitting appointment of temporary district court judges). Judge Young replied that if S.B. #82 doesn't pass and provide for additional judges, they should go through with this bill.

Meeting adjourned at 10:55 a.m.

Respectfully submitted,

  
Eileen Wynkoop, Secretary

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