

SENATE JUDICIARY COMMITTEE

MEETING

February 26, 1971

Chairman Monroe called the meeting to order at 9:10 a.m.

Committee Members Present:

Chairman Monroe
Senator Close
Senator Dodge
Senator Foley
Senator Swobe
Senator Wilson
Senator Young

Other present:

Grant Davis - Legislative Counsel Bureau
Press

S.B. 141 - Makes sound recordings subject to obscenity laws.
Senator Pozzi

There was a short discussion on this bill and Senator Swobe made a motion to "do pass." Senator Close second the motion. Motion carried.

S.B. 307 - Grants subpoena power to officials of University of Nevada System in faculty hearings.
Senator Dodge

Chairman Monroe explained that this bill would provide general subpoena powers limited to the Board of Regents, chancellor, the presidents of the two campuses, director of the desert research institute and the director of the community college. They are having problems with students busting into meetings and are sometimes unable to elicit information for hearings.

Senator Foley that the bill was too broad in that anybody could have subpoena powers and requested a hearing in this bill.

S.B. 309 - Provides for liberal construction of ordinances and building codes to encourage establishment of condominiums.
Senator Swobe

Senator Swobe explained that when the condominiums statutes were passed several years ago, they thought the counties and cities would follow with legislation to augment the statutes. They have the idea in Reno that the condominium act preempted local subdivisions from enacting local ordinances for building condominiums. This bill would allow them to do so.

Senator Close felt that we should not be taking over the entire field by telling them to construe the ordinances in their own way.

No final action was taken.

S.B. 241 - Allows estates less than \$3,000 to be distributed without administration to children of deceased who are not minors.
Senators Close and Foley

Senator Close explained the purpose of this bill. Senator Dodge made a motion to "do pass." Senator Close second the motion. Motion carried.

S.B. 248 - Re-forms definition of excusable homicide.
Committee on Judiciary

There was a discussion of the bill and the committee felt that it should be amended further. Senator Wilson will submit another amendment.

S.B. 262 - Prohibits licensees from having gaming interests outside State of Nevada.
Senator Foley

Chairman Monroe stated that the internal study committee considered this at great length and were unanimously of the opinion that this was valid at this time. However, we couldn't project what would happen in the future

Senator Foley felt that we should control foreign gambling because if we allowed the expertise we have in gaming to be exported, we would create much competition. Senator Dodge stated that he is for this bill, and that we have enough problems for at least 10 years working for some confidence with corporate licensing. He didn't think we should consider allowing outside interests until the corporate licensing is taken care of.

The committee felt that this bill warrants a hearing for those opposed to it.

S.B. 255 - Makes committing felony while on bail or own recognizance a separate offense; permits denial of bail after conviction in certain instances.
Senator Pozzi

Senator Foley explained that this bill would provide for a separate offense if a person is on bail and commits a crime on a habitual basis. Senator Wilson suggested that rather than making it a separate crime, make the penalty much more severe if convicted of a second offense while on bail. This would avoid the constitutional problem of denying bail.

Senator Young suggested that the conviction would have to be for a felony, not a gross misdemeanor. Grant Davis will draft an amendment.

S.B. 276 - Repeals 1866 law requiring mayor, city councilmen to suppress riotous assembly.
Committee on Judiciary

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

S.B. 315 - Changes method of computing payment of delinquent taxes for reconveyance.
Committee on Judiciary

Senator Dodge explained that this bill provides that the delinquent taxpayer must pay the additional taxes during the hiatus period from the last assessment before he can recover any property taken by the state.

Senator Foley felt that if the property owner didn't pay his taxes, the county should get to keep that land and use it and the property owner should not be able to redeem it by paying the delinquent taxes. Senator Dodge stated that if the county were really interested, they would bid on the property when it goes up for tax sale. He felt that it was bad public policy for the counties to own a lot of acreage without immediate plans for its use. Senator Dodge suggested we talk to the county commissioners about this. He felt that they are remiss if they don't advertise the property for sale and get it back on the rolls. A hearing will be scheduled.

Meeting adjourned at 10:55 a.m.

Respectfully submitted,



Eileen Wynkoop, Secretary

Approved: _____