

SENATE JUDICIARY COMMITTEE

MINUTES

2-10

March 17, 1971

Chairman Monroe called the meeting to order at 7:35 p.m.

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

Absent : Senator Swobe

Others Present: Grant Davis - Legislative Counsel Bureau

S.B. #369 - Clarifies limitation of actions
in real property matters.
Committee on Judiciary.

Senator Foley felt this bill was bad and didn't make any sense in light of advance publications in real property.

Senator Young made a motion to "kill" this bill. Senator Close seconded the motion. Motion carried.

S.B. #370 - Redefines crime of criminal
syndicalism.
Senator Fransway.

Grant Davis said this bill was aimed at the university. Senator Wilson wondered whether this would be unconstitutional.

Chairman Monroe will ask the introducer to testify.

S.B. #371 - Allows court to tax jury costs when
civil action settled before trial.
Committee on Judiciary.

Senator Foley felt this bill would discourage settlement before trial.

Senator Foley made a motion to "kill" this bill. Senator Young seconded the motion. Motion carried.

S.B. #375 - Requires municipal airport operation to
conform to Local Government Purchasing Act.
Committee on Judiciary.

Senator Close said he has strong feelings about the bill and felt the county should have the right to decide who can best provide a service.

Senator Dodge stated that Federal State and Local Government Committee passed a bill which would give them more flexibility so that they are not bound by the lowest bid.

No final action was taken.

S.B. #388 - Limits kinds of suits that may be brought or defended against State by district attorney.
Committee on Judiciary.

Senator Dodge felt this bill was no good because it violates the cannon of ethics to appear on both sides of the case. He felt that by bracketing out the criminal actions, it would thereby permit those to be defended.

Senator Young made a motion to "kill" this bill. Senator Foley seconded the motion. Motion carried.

S.B. #389 - Allows county commissioners to vote on any lease of personal property for county use.
Committee on Judiciary.

Senator Foley made a motion to "kill" this bill. Senator Young seconded the motion. Motion carried.

S.B. #390 - Permits disposal of certain school district records.
Committee on Judiciary.

This would provide that the school would make its own determination of what records are obsolete.

Senator Dodge made a motion to "do pass." Senator Young seconded the motion. Motion carried.

S.B. #480 - Increases maximum value of estates which may be set aside without administration and those eligible for summary administration, and modifies uniform fee schedule for estate administration.
Committee on Judiciary.

Senator Close felt that now that the value of estates which may be set aside is \$5,000, if we shouldn't require notice to creditors by publication. Chairman Monroe felt that the bill should be changed to give the regular 4 days summary notice to creditors by publication, but charge more for it.

Senator Young suggested amending this by raising the publication fee from \$5.00 to \$15.00. Senator Close felt the provision allowing posting instead of publication should be deleted.

No final action was taken.

2-87
S.B. #532 - Permits parole board to exercise additional supervision over certain paroled prisoners.
Senators Wilson and Close.

The committee discussed this bill at great length. This bill grew out of the public hearing on S.B. #247 on March 3rd. The purpose of the bill is to allow the judge to set a sentence between the minimum and maximum and retain parole board supervision over the defendant up to the maximum sentence regardless of when he is released from jail.

Senator Dodge felt the provision covering violation of the supervision was too harsh. It provided that the defendant be returned to jail to serve the remainder of his term. The committee agreed to amend it to allow the parole board to determine the sentence for violation of this supervision.

Senator Wilson made a motion to amend and "do pass." Senator Close seconded the motion. Motion carried.

S.B. #534 - Requires revocation of license of gaming licensee upon second violation of provision of chapter 465 of NRS.
Committee on Judiciary.

This bill was discussed on March 12 when Mr. Phil Hannafin asked for committee introduction. This would give him flexibility for enforcement of gaming violations.

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

S.B. #538 - Allows certain state park personnel to be designated as peace officers when exercising police powers.
Committee on Judiciary.

The committee was concerned about the number of bills that allow public employees to be considered peace officers. They discussed ways of providing that these peace officers do not receive the benefit of early retirement.

They will hear further testimony on this bill.

S.B. #548 - Resolves statutory conflict concerning sheriff's responsibility for acts of deputy.
Senator Foley.

Senator Foley told the committee that this bill was requested by the Clark County Sheriff's Office. It would provide that the sheriff is liable, but not personally liable, for the acts of his deputy. The problem arose because the sheriff was sued above the amount of his bond.

No final action was taken.

S.B. #562 - Requires justices of the peace and police judges to receive instruction.
Senator Dodge.

2-108

Senator Dodge explained that this bill died last session because there was money tied to it. This time the Crime Commission has received federal funds to cover this program.

The committee will hear further testimony.

S.B. #540 - Establishes procedures for determination of heirship in estates of deceased persons.
Committee on Judiciary.

The committee asked Grant Davis to find out the origin of this bill.

S.B. #541 - Removes certain inconsistencies in penalty and probation provisions in criminal law.
Committee on Judiciary.

Senator Close felt the bill doesn't make sense.

Grant Davis will check the origin of this bill.

S.B. #543 - Conforms reference in state gaming law to Uniform Commercial Code.
Committee on Judiciary.

Senator Close made a motion to "do pass." Senator Dodge seconded the motion. Motion carried.

S.B. #533 - Corrects references to number of days allowed to make and transmit abstracts of votes.
Committee on Judiciary.

Senator Dodge made a motion to "do pass." Senator Wilson seconded the motion. Motion carried.

Meeting adjourned at 9:45 p.m.

Respectfully submitted,



Eileen Wynkoop, Secretary,

Approved: _____