

JUDICIARY COMMITTEE
57th NEVADA ASSEMBLY SESSION

5

MINUTES

January 23, 1973

THE MEETING WAS CALLED TO ORDER BY MR. KEITH HAYES, CHAIRMAN, AT 2:00PM, JANUARY 23, 1973. THE CHAIR DECLARED A QUORUM PRESENT.

MEMBERS PRESENT: MESSRS: HAYES, HICKEY, HUFF, GLOVER, LOWMAN (LATE), TORVINEN (LATE), AND FRY (LATE), AND Ms. FOOTE.

MEMBERS ABSENT: MR. BARENGO, (EXCUSED), ATTENDING A CONFERENCE .

The guests were introduced and welcomed. They included: Susan Lundahl, student; Jack Ross, Legislative Intern for A. Glover; C.W. Lingenfelter, Realtor; Ross Morres, Executive Director for the Bureau of Indian Affairs; Lee Adler, Press.

Mr. Hayes announced with reference to the agenda that Senate Bill #12 would not be considered today since the chair has not yet received a copy of the bill. Mr. Glover requested postponement of consideration on Senate Bill #10 until tomorrow so that a representative from the Nevada Employees Association could be present to testify. This was granted, and S.B.10 was added to the agenda for Wednesday, January 24th.

Counsel from the Legislative Bureau had been requested to explain the Senate Bills before the Committee, but had not yet arrived and the meeting was recessed so that the secretary could telephone and ascertain whether we would have counsel present at this meeting.

Mr. Wooster from the LCB arrived and the meeting was continued.

S.B. No. 8 SUMMARY-Technical Amendment designating Legislative Counsel Bureau as agency to receive payment by legislators for a set of Nevada Revised Statutes. Fiscal note: NO. (BDR 17-424)

MR. WOOSTER explained that this was simply a technical amendment to designate the LCB as payment agency instead of the Secretary of State to adhere to policy now being followed.

Mr. Hickey moved the bill be recommended DO PASS.

MOTION CARRIED UNANIMOUSLY.

S.B. No. 9 SUMMARY-Technical amendment correcting wording of statute pertaining to use of voting machines. Fiscal note: No. (BDR S-42)

MR. WOOSTER explained that this was a measure to correct the statutes.

Mr. Glover MOVED THE BILL BE RECOMMENDED DO PASS.

MOTION CARRIED UNANIMOUSLY.

S.B. No. 11 SUMMARY-Technical amendment deleting NRS annotations thereto and the Nevada Digest from the list of publications sold by Secretary of State. Fiscal note: NO. (BDR 29-434)

Miss Foote moved the bill be recommended DO PASS.

MOTION CARRIED UNANIMOUSLY.

S.B. No.13 SUMMARY-Corrects erroneous description of property comprising site of Lost City Museum. Fiscal Note: No. (BDR 33435)

MR. WOOSTER related that Mr. Lee would sign the new deed only if the correct description of the real property comprising the site of the Lost City museum was also corrected in the Nevada Revised Statutes. This bill accomplishes that requirement.

Mr. Lowman moved the bill be recommended DO PASS.
MOTION CARRIED UNANIMOUSLY.

S.B. No.17 SUMMARY-Technical amendment repealing obsolete section of statute enacting Nevada Insurance Code. Fiscal Note: No. (BDR S-448)

MR. WOOSTER told the Committee that this bill was actually to correct an oversight in not deleting this section, since the section that it refers to was deleted last session.

Miss Foote moved the bill be recommended DO PASS.
MOTION CARRIED UNANIMOUSLY.

S.B. No.20 SUMMARY-Makes technical correction to properly set forth the name of the state commission of environmental protection. Fiscal Note: No. (BDR 43461)

MR. WOOSTER said that the word "board" is to be replaced by "commission" since the state would like recognition of this commission assured.

Mr. Fry moved the bill be recommended DO PASS.
MOTION CARRIED UNANIMOUSLY.

S.B. No.21 SUMMARY-Permits judicial notice of municipal code adopted and filed by any incorporated city. Fiscal Note: No. (BDR 4-546)

MR. HAYES stated that as an attorney he had experienced problems in getting municipal codes in evidence and was in favor of any measure which would accomplish this purpose.

Mr. Lowman moved the bill be recommended DO PASS.
MOTION CARRIED UNANIMOUSLY.

S.B. No. 22 SUMMARY-Repeals statute providing extensive criminal jurisdiction over Indians declared void by Nevada Supreme Court. Fiscal Note: No. (BDR 16-449)

MR. WOOSTER explained that this section had been declared void by the State Supreme Court and that it was actually redundant since it duplicates other provisions set forth in NRS 194, and that no new legislation would be required with passage of this bill.

Miss Foote moved the bill be recommended DO PASS.
MOTION CARRIED UNANIMOUSLY.

S.B. No. 25 SUMMARY-Repeals obsolete transitory provisions pertaining to business licenses for issuance of prepaid cemetery service contracts and deposits to endowment care funds. Fiscal Note: No. (BDR 40-442)

MR. WOOSTER explained that these both contained set dates of 1971, and that they did try to take transitory provisions out of the NRS after the set date has expired.

Mr. Hickey moved that the bill be recommended DO PASS.
MOTION CARRIED UNANIMOUSLY.

S.B. No. 34 SUMMARY-Clarifies nature of presumption created by recording affidavit of death of joint tenant. Fiscal Note: No (BDR 10-418)

There was some discussion concerning the insertion of the wording that "there is a disputable presumption", and it was generally felt that consideration of this bill should be postponed until representatives from the Title insurance companies had had an opportunity to express their viewpoints on this legislation.

S.B. No. 41 SUMMARY-Clarifies ambiguous language in provisions prohibiting certain acts while intoxicated or under the influence of controlled substances. Fiscal Note: No. (BDR 39-44)

MR. WOOSTER explained that this bill was just to include a word omitted in a previous session in the printing of the bill.

Mr. Glover moved that the bill be recommended DO PASS.
MOTION CARRIED UNANIMOUSLY.

Mr. Lowman had been given a packet of bills by Mr. Vern Calhoun, Special Educator for the Narcotics Division, to be presented to the Committee for consideration to sponsor in introduction. Following general discussion by members of the Committee only one bill was approved for sponsorship.

^{4-35*}
BDR 12-599- AN ACT TO PERMIT AN EXPERT IN THE IDENTIFICATION OF CONTROLLED SUBSTANCES, WHO HAS QUALIFIED AS SUCH AN EXPERT IN A DISTRICT COURT OF THIS STATE, TO APPEAR AT TRIALS, PRELIMINARY EXAMINATIONS AND GRAND JURY HEARINGS BY AFFIDAVIT; PROVIDING A PROPER FORM OF AFFIDAVIT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

MR. HUFF MOVED THAT THE JUDICIARY COMMITTEE SPONSOR THIS BILL. THE COMMITTEE MEMBERS VOTED IN APPROVAL OF THIS MOTION WITH THE EXCEPTION OF MR. FRY WHO VOTED NOT TO SPONSOR THIS BILL.
MOTION CARRIED.

Assembly Judiciary

PAGE FOUR

JANUARY 23, 1973

Ms. FOOTE PRESENTED A BILL FROM LAST SESSION TO THE COMMITTEE FOR SPONSORSHIP IN INTRODUCTION TO THE ASSEMBLY. THIS WAS BDR 12-599;

AN ACT RELIEVING THE ESTATE OF A DECEASED PERSON FROM COURT-ORDERED CHILD SUPPORT PAYMENTS; MAKING AN EXCEPTION; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

MR. TORVINEN MOVED THAT THE COMMITTEE SPONSOR THIS BILL.
MOTION CARRIED UNANIMOUSLY.

AT THIS POINT, MR. ASHWORTH SPOKE TO THE COMMITTEE REGARDING THE ADVISABILITY OF USING A SECOND ON COMMITTEE MOTIONS. MR. HAYES ANNOUNCED THAT IN THE FUTURE A SECOND ~~WOULD~~ BE REQUIRED ON ALL COMMITTEE MOTIONS AND INCORPORATED THIS IN COMMITTEE RULE #4.

MR. FRY MOVED THE MEETING ADJOURN AND THIS TOOK PLACE AT 3:25PM.

* A.B. 110