

JUDICIARY COMMITTEE
57th NEVADA ASSEMBLY SESSION

16

February 5, 1973

The meeting was called to order at 2:00 PM BY Mr. Keith Hayes, Chairman, in the Judiciary Committee Room.

Members present: Messrs: Hayes, Barengo, Glover, Hickey, Huff, Lowman, and Ms. Foote.

Members Absent: Mr. Torvinen [excused]

Mr. Hayes announced that since there were several people present to testify on AB 68 that they would be called in the order that they had signed the quest register.

A.B. No. 68 SUMMARY-Broadens authority of peace officers to issue misdemeanor citations in lieu of making arrests. Fiscal Note: No. (BDR14-583)

Captain Robert E. Smart of the Reno Police Department speaking in behalf of policemen feels that this is very desirable legislation. It will eliminate a great deal of confusion, embarrassment, and hostility on the part of the public toward law enforcement agencies in the state. Instead of an arrest for a minor building code or fire code infraction of the law an officer may issue instead a citation. The only section of this bill that Captain Smart felt may need changing was Section 4, line 12 which states "the time specified in the notice to appear must be at least 5 days after the alleged violation". Captain Smart said that the Reno court calendar was so tremendously crowded that perhaps a wider time variance might be better. Mr. Lowman questioned Captain Smart as to whether it might help the condition of the court calendar if the judges spent more actual time on the bench. Captain Smart replied that this may be true, but that he would hate to have to appear as one of those cases scheduled late in the day. Temperments being equal.

Carson City District Attorney, Michael Fondi spoke in agreement with this bill stating that he felt it was a very favorable piece of Legislation. He said this bill contained very important provisions with beneficial ramifications. He stated that his only hesitation would be that it would greatly increase the administrative and paper work, however, it would be well worth the problems and he encouraged the Committee to pass this bill.

Officer Barney Dehl from the Nevada Highway Patrol was next to speak in favor of this bill. Both he and Captain Smart felt it was more beneficial to the general public well being for an officer to spend ten minutes issuing a citation rather than an hour off the job with an arrest procedure. "The need is for Officers on the street."

Mr. Hayes thanked these gentlemen for attending the meeting and excused them.

A.B. No. 49 SUMMARY-Provides for termination of leases jointly executed by certain senior citizens upon death of one of them. Fiscal Note: No. (BDR 10-155)

February 5, 1973,

Mr. Getto, one of the sponsors of this bill, spoke to the Committee concerning the necessity of passage of this legislation in behalf of senior citizens. He then introduced Mr. John Mc Sweeney from the Division of Aging Services. Mr. Mc Sweeney told the Committee that there are four major areas of concern for the elderly: 1. Income, 2. Housing, 3. Transportation, and 4. Health. He further stated that because the senior citizen is on a fixed income and at a time in life when he is no longer employable he needs all the help he can get. Mr. Hayes mentioned that if the Committee were to send this bill out with a do pass it should include a non-waiver clause and also the bill would have to state that this would apply only to leases executed after the date of effect.

Mr. Hayes excused all witnesses from the Committee room.

In regard to AB 153 Mr. Hayes felt that out of courtesy to Mr. Torvinen who authored the bill that the Committee should delay consideration until Mr. Torvinen would be present to speak in behalf of this legislation. The Committee concurred and the bill was set for discussion on Tuesday, February 6, 1973.

Mr. Hayes called for Committee action on AB 68.

Ms. Foote moved to recommend DO PASS, Mr. Huff seconded.
MOTION CARRIED.

Mr. Barengo asked the Committee to hold further action on AB 49 until further information could be obtained from his legislative intern who has recently done research into various problems dealing with the senior citizen. This request was granted.

Mr. Hickey moved that the meeting adjourn, Mr. Barengo seconded.

ASSEMBLY

AGENDA FOR COMMITTEE ON JUDICIARY

Date February 5 Time 2:00 PM Room 240

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
AB 49	SUMMARY—Provides for termination of leases jointly executed by certain senior citizens upon death of one of them. Fiscal Note: No. (BDR 10-155)	
AB 68	SUMMARY—Broadens authority of peace officers to issue misdemeanor citations in lieu of making arrests. Fiscal Note: No. (BDR 14-583)	
AB 153	SUMMARY—Authorizes formation of nonprofit corporations for scientific purposes. Fiscal Note: No. (BDR 7-580)	

*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date FEB. 6 Time 9:00 AM Room 131
Subject SJR-1-Ratifies proposed constitutional amendment relative to
equal rights for men and women.

Date FEB. 22 Time 8:00 AM Room 234
Subject AB32 SUMMARY-Authorizes work release program for state prisoners/