

JUDICIARY COMMITTEE  
57th NEVADA ASSEMBLY SESSION

MINUTES

APRIL 17, 1973

The Meeting was called to order at 8:00 AM by Mr. Robert Barengo, Vice Chairman.

MEMBERS PRESENT: MESSRS: HAYES (late), BARENGO, GLOVER, TORVINEN, HUFF HICKEY, LOWMAN AND MISS FOOTE.

MEMBERS ABSENT: MR. FRY

Senator Close appeared before the Committee to testify on several Senate bills under consideration. The first bill he spoke in behalf of was S.B. 557. Mr. Barengo was concerned with the amended version of the bill which deletes "a person who possesses two or more credit cards which are so signed is presumed to have violated this section". Senator said there is another section of NRS dealing with possession of credit cards where this is included. It does not belong in this section and is duplicity, according to Senator Close. The request for this legislation comes from the Las Vegas Police Department where a real problem exists. The feeling of the Senate is that if more than one credit card is involved they would probably prosecute under the possession statute where the presumption section is already included.

On S.B. 422 Senator Close noted that the Senate Judiciary felt that after 5 years discharge from probation with no convictions greater than a traffic violation a person should have his civil rights restored.

Senator Close testified that S.B. 341 is an attempt to restore the dangerous drug section to the NRS. It was taken out of law two years ago. Senator Close said that in researching this bill he believed that they knew they were deleting the dangerous drugs but they didn't know the effect of the action. The dangerous drugs should be covered and this bill is an attempt to re-instate the prior law. Senator Close commented on the necessity of this type of legislation saying they had found it to cost hundreds of thousands of dollars and the state has neither the time or the money to go through the procedures outlined in the Administrative Procedures Act. The drug companies think nothing of spending tremendous amounts of money to protect their products. It is to our benefit to take advantage of the hearings etc. of the Federal Government.

S.B. 560 is a bill which the gaming people feel is really important to the continuity of expertise on the board. The problem now is that there is no continuity because when a new governor comes in he is under a great deal of pressure making appointments etc. and many times they have been without any expertise at all. The next term of the governor starts in 1975. We would suggest that the next appointment due this July should run until January of 1977, from that time on there would be two appointments to go from 1975 to 1979. In this way there would always be one carry over member of the board when a new governor comes in.

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"I think you could say that the appointment due in July should terminate in January of 1977 and then the next two in 1975 and to run every four years thereafter." Senator Close was not sure of the exact dates but offered this as an example.

Senator Close explained that S.B. 599 is permissive legislation giving the city commissioners the right to determine which violations they want to make civil. This is a new concept in the law and the feeling is that they should have the opportunity to try it out.

S.B. 603 is a bill having to do with the impaneling of Grand Jurors. Both the present and the prior systems have come under attack and testimony indicated the need for change. Under this bill 100 names would be selected at random by the County Clerk. A questionnaire would be sent to these people to determine if or whether they could serve. They would continue to send out panels of hundreds until they had received a positive response from one hundred people. This an absolute random although probably somewhat selective on the basis that only people who are interested and willing will respond. From among those people the district judge would make grand jury appointments. In a small county 50 people would be sufficient. Senator Close stated that they had thought of having two grand juries but the cost to the smaller counties would be prohibitive. He also noted that this system seemed to work well in surrounding states.

Senator Close told the Committee that S.B. 493 would equalize the situation between private and public employees having a position in the legislature. Senate Judiciary felt that it would be appropriate to get an employers consent to run, but after that had been obtained he should not have the fear of discharge for absence or voting record. If a person wants to run he should resolve employer problems.

S.B. 532 is similar legislation to that introduced on a national level by Senator Alan Bible. It is an attempt to stop hijacking etc. "The only way to stop thefts is to stop the person from being able to fence the stolen property. Mr. Barengo commented that one of the problems is the language on Line 6 and Clark County Judges have held that it is too broadly vague. Senator Close said he felt that they were not so vague that it could not be shown.

Senator Close testified that although the Senate Judiciary Committee could not accept the provisions contained in the Uniform Landlord Tenant Act there were some areas which needed attention and this bill attempts to cover some of them. This is a less stringent, but substitute measure. There is a legal method of removing someone from your premises without resorting to turning off utilities or changing locks etc. There is also a provision for disposing items left behind. Abandoned means left unattended for a period of thirty days following the termination of lease. Senator Close said that there is a distinction made between a person who operates a motel in the statutes.

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Mr. Bill Adams said that agreement had been reached that 1-1-74 would be satisfactory in A.B. 879.

Mr. George Bennett explained that S.B. 341 is an attempt to re-instate a law which should not have been deleted. At present there is no penalty provision in the statutes for possession of a dangerous drug. Law enforcement is reluctant to prosecute under federal law. Fortunately this is a little known fact. This is not new, Mr. Bennett reiterated it is merely putting back what we had.

MEETING ADJOURNED SO THAT COMMITTEE MEMBERS COULD GO TO GENERAL ASSEMBLY.

ASSEMBLYAGENDA FOR COMMITTEE ON JUDICIARYDate APRIL 17, 1973 Time 2:00 PM Room 240

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
S.B. 422	SUMMARY-Removes disabilities resulting from conviction under certain circumstances.	
S.B. 560	SUMMARY-Provides for removal or suspension of members of state gaming control board and revises investigative hearing procedure.	
S.B. 599	SUMMARY-Permits cities to determine whether ordinance violation imposes civil liability.	
S.B. 603	SUMMARY-Provides new method for selecting and impaneling grand jurors and places conditions on issuance of certain reports.	

\*Please do not ask for counsel unless necessary.