

SENATE JUDICIARY COMMITTEE

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MINUTES OF MEETING HELD

23rd DAY OF JANUARY, 1973

The meeting was called to order at 10:00 a.m. Senator Close in the Chair.

PRESENT: Senator Foley
Senator Bryan
Senator Dodge
Senator Hecht
Senator Swobe
Senator Wilson
Mr. Clinton Wooster, Legislative Counsel Bureau
Mr. Vern Calhoun, State Narcotics Division

S.B. 19 - Corrective legislation eliminating Narcotic and Dangerous Drug Division from State Crime Commission to avoid duplication of functions.

This bill received a "Do Pass" recommendation from the committee on January 17, 1973 on the basis that it was a duplication of functions. Chairman Close requested it be taken from the General File and placed on the Secretary's desk pending further investigation.

Mr. Vern Calhoun of the State Narcotics Division testified that while this bill did eliminate several duplications, it also deleted several provisions which were not duplicated elsewhere in NRS. Mr. Wooster asked Mr. Calhoun to submit in writing the provisions which the State Narcotics Division would like retained; he would advise the Crime Commission, who originally requested the bill; and a new bill will be drafted.

The bill will be referred back to committee.

S.B. 28 - Technical amendment deleting reference to repealed law and alerting recipients of wiretap orders of further statutory requirements.

Chairman Close contacted Noel Clark of the Public Service Commission regarding the provision for notification of the PSC of court order wiretaps. Mr. Clark stated that he had no desire to know the name involved in each wiretap since it could cause a breach in security, but would like to know the number of wiretaps at any one period of time.

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Several members of the committee felt that this could be a useless provision since it would not disclose the illegal wiretap and felt that there should be some provision for correlating the names with the number of court order wiretaps and having that information available for inspection.

Senator Bryan asked if the utilities enforce the wiretap or if the law enforcement agencies have the technical ability to do their own wiretaps without notice to the utilities. Senator Hecht remarked that the law enforcement agencies do have the technical ability to do their own taps and do not go through the public utilities.

Chairman Close will ask Noel Clark of the PSC and Stan Warren of Nevada Bell to appear before the committee for further testimony and background.

S.B. 24 - Removes conflicts in various provisions relating to homesteads declared during life and set apart after death.

This bill received a "Do Pass" recommendation from the committee on January 17, 1973 on the basis that it resolved an inconsistency which was pointed out by the Supreme Court between two sections of NRS. Chairman Close requested it be taken from the General File and placed on the Secretary's desk pending further investigation.

Chairman Close questioned whether the corrective language should be a policy determination made by the committee or if it is a recommendation contained in the Supreme Court decision. Mr. Wooster remarked that there should be a policy determination made and that the bill drafters merely corrected the inconsistency by conforming the language with the federal language; i.e., devisee rather than minor child.

The committee agreed on the amended language but felt that the correction should better protect the rights to possession of the homestead during the lifetime of the surviving spouse and minority of the children. After that time, the husband should be able to designate any other heirs that he sees fit.

The committee asked Mr. Wooster to draft a new amendment providing the time period for the homestead not to extend beyond the lifetime of the surviving spouse or minority of the surviving children. The provisions of community property would then prevail.

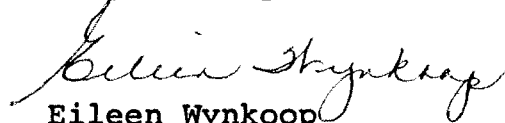
The bill will be referred back to committee.

Chairman Close announced that a public hearing dealing with Equal Rights legislation will be held on Tuesday, February 6, 1973 at 9:30 a.m. in Hearing Room 131. Senator Hecht remarked that perhaps a hearing should be held in Las Vegas on this legislation since it is such a popular issue. Chairman Close suggested waiting to see what kind of public attendance it receives here first.

Minutes of January 17th meeting approved. Senator Close informed the committee of the procedure whereby he will sign two copies of the minutes: one to be kept in the committee secretary's minute book and turned into the Legislative Counsel Bureau at the end of the session, and one to be delivered to the Secretary of the Senate.

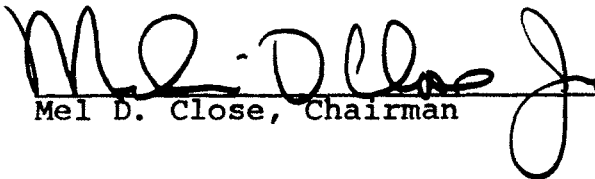
The meeting was adjourned at 11:00 a.m.

Respectfully submitted,



Eileen Wynkoop
Secretary

APPROVED:


Mel D. Close, Chairman