

SENATE JUDICIARY COMMITTEE

442

MINUTES OF MEETING HELD

15th DAY OF APRIL, 1973

The meeting was called to order at 9:30 a.m. Senator Close in the Chair.

PRESENT: Senator Bryan
Senator Wilson

John Borda, Highway Safety Coordinator
Assemblyman Jim Banner

EXCUSED: Senator Dodge
Senator Foley
Senator Hecht
Senator Swobe

Chairman Close informed those present that the members absent from the meeting had given their proxies to act on bills where appropriate. Those members absent will have the opportunity to examine any action taken on bills before a vote is entered.

A.B. 42 - Requires blood test for driver
or pedestrian killed in motor
vehicle accident.

Mr. Borda testified that this bill is very important to highway safety and has been enacted in similar form by 40 states. It would help to develop a data base on fatal crashes due to alcohol. In order to get future federal grants for alcohol abuse, Nevada would have to have comprehensive data on accidents resulting from use of alcohol. Presently 70-80% of the coroners in the state are performing these tests but are not sending in their reports.

Senator Bryan asked Mr. Borda if he felt the rural areas would have any difficulties complying with this statute. Mr. Borda stated that the rural areas informed him that there would be no problems complying. He stated that they have not had problems with the rural areas reporting, but have had problems with the two larger areas.

A.B. 821 - Permits payment of jurors
and witnesses in justice
court cases.

Assemblyman Banner testified that this would extend the procedure of paying jurors in District court by cash to the justice courts. This procedure would help the Comptroller speed up the process of payment. It would also apply cash payments to witnesses in criminal cases.

Senator Bryan noted that a similar bill was processed through the Committee on Federal, State and Local Governments relating to jurors in district court and which was amended to include civil court.

AJR 44 - Memorializes Congress and the Federal Communications Commission to eliminate obscenity and nudity from television broadcasting.

Senator Wilson stated his objection to imposing licensing sanctions on something which is a matter of degree.

A.B. 665 - Makes sheriff's permits to carry concealed weapons valid statewide.

Senator Wilson questioned why local sheriffs should not have some review in these matters. The question to be decided is whether a man with a license in one county should be permitted to travel in another county without being busted, as opposed to allowing a person to have a state-wide license.

A.B. 794 - Prohibits landlord from shortening time periods allowed lease by NRS 40.250.

Senator Bryan commented that he was opposed to the Uniform Landlord Tenant Act because the time for notice was too long. He supported the time periods in this bill: 15 days without cause and 5 days for non-payment of rent. Senator Wilson commented that he has no problem with this bill.

A.B. 579 - Reduces class of waiver provisions in documents affecting real property which are void.

Senator Close read a statement submitted by Wallie Warren of the Nevada Bankers Association, in opposition to the bill.

"This bill declares it against public policy for any document relating to the sale of real property to contain any provision whereby a mortgagor or trustor waives any right secured to him by the laws of this state. The law, as it now stands, makes it against public policy for any party to waive any rights under the proposal. Apparently, a mortgagee or trustee can waive rights, or anyone else for that matter. This is an improvement, but it would be better to repeal the whole section."

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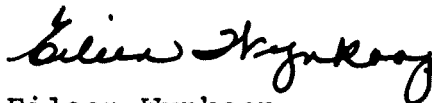
A.B. 742 - Permits Attorney General to declare foreign jurisdiction to be an initiating state for reciprocal enforcement of support orders.

Senator Bryan asked for further testimony on this bill because he felt that perhaps a foreign jurisdiction may not have anything akin to our procedures in terms of standards by which they would initiate URA proceedings.

Chairman close asked the record to reflect that A.B. 42, A.B. 821, A.B. 794 were approved and unless the members absent state any disapproval, these bills will be reported out with the recommendation "DO PASS." The record should also show that A.B. 44 would be indefinitely postponed unless the committee members absent request it be considered further.


The meeting was adjourned at 10:28 a.m.

Respectfully submitted,



Eileen Wynkoop
Secretary

APPROVED:



Melvin D. Close, Jr.
Chairman