

ASSEMBLY JUDICIARY COMMITTEE  
58th NEVADA ASSEMBLY SESSION

MINUTES  
OF  
SPECIAL MEETING

April 17, 1975

This Special Meeting of the Assembly Judiciary Committee was called to order at the hour of 5:12 p.m. by Chairman of the Committee, Robert R. Barengo, for the purpose of taking action on bills previously heard by the Committee. No Forms are attached.

MEMBERS PRESENT: Messrs. BARENGO, BANNER, HICKEY, LOWMAN, POLISH, Mrs. HAYES and Mrs. WAGNER.

MEMBERS EXCUSED: Messrs. HEANEY and SENA.

The first order of business was A.B.38. Mr. Hickey moved DO PASS with Mr. Lowman seconding his motion. Discussion was had, and a vote followed showing 6 Committee members voting in favor of this motion. Mrs. Wagner, Mr. Heaney and Mr. Sena were absent for the vote.

MOTION CARRIED DO PASS A.B.38.

As to A.J.R.15 of the 57th Session, Mrs. Hayes moved INDEFINITE POSTPONEMENT, and Mr. Banner seconded. The vote showed 7 in favor of this motion. 2 were absent.

MOTION CARRIED INDEFINITELY POSTPONE A.J.R.15 of the 57th Session.

As to A.J.R.16 of the 57th Session, Mr. Hickey commented briefly on these bills and discussion by the Committee followed. Mr. Banner moved DO PASS, and Mrs. Wagner seconded. There were 7 Committee members who voted in favor of this motion. Two absent (Sena & Heaney).

MOTION CARRIED DO PASS A.J.R.16 of the 57th Session.

Mr. Hickey moved DO PASS A.J.R.18 of the 57th Session, and Mr. Banner seconded his motion. A vote showed 7 Committee members in favor of this motion. Two, Mr. Sena and Mr. Heaney were absent for this vote.

MOTION CARRIED DO PASS A.J.R.18 of the 57th Session.

Chairman Barengo discussed with this Committee the possibility of setting up an intermediary court for criminal matters. The Committee decided to see if something in this regard could be drafted.

Chairman Barengo stated the feelings of this Committee that the Assembly Judiciary Committee is in favor of looking further into the Judicial Council System as proposed by the Nevada Supreme Court, and we believe that our resolution to study the court system will be coming from the Legislative Functions Committee.

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Mr. Hickey, after discussion by the Committee, moved DO PASS A.B.328. He then withdrew his motion and moved to INDEFINITELY POSTPONE the bill. Mr. Lowman seconded. The vote was 6 in favor of the motion, 1 dissented (Mrs. Wagner), and 2 were absent (Mr. Heaney and Mr. Sena.)

MOTION CARRIED INDEFINITELY POSTPONE A.B.328.

As to A.B.481, the Committee amended the bill, and Chairman Barengo read the amendment to the Committee. Mr. Lowman moved DO PASS AS AMENDED. Mrs. Wagner seconded. The vote was 7 in favor of the motion, with 2 absent.

MOTION CARRIED DO PASS A.B.481 AS AMENDED.

Mrs. Hayes moved DO PASS A.B.460 AS AMENDED, and Mr. Hickey seconded. Mr. Barengo read the proposed amendment to this Committee during the discussion period. 5 voted in favor of the motion, and 2 dissented (Mr. Lowman and Mr. Polish). Two were absent for the vote.

MOTION CARRIED DO PASS A.B.460 AS AMENDED.

Mr. Lowman moved to INDEFINITELY POSTPONE both A.B.391 and A.B.392. The Committee discussed them briefly and decided to hold up taking any action on these bills until they could be considered at a later date.

Discussion was had on A.B.444. Mr. Hickey said he received a telephone call saying a justice of the peace would come to Carson City to testify on this bill before this Committee. The Committee then decided to withhold any action on the bill until such time as this testimony could be heard.

Mr. Hickey moved to INDEFINITELY POSTPONE A.B.382, and Mr. Lowman seconded the motion. Discussion ensued, and Mr. Barengo proposed an amendment to the bill. A vote was had, showing 4 members of the Committee in favor of indefinite postponement, 3 dissented on the vote (Banner, Hayes and Barengo), and 2 were absent (Sena and Heaney). This motion did not carry.

Discussion was had on A.B.456, and it was noted that this bill was passed as amended on April 10, 1975.

Next to be discussed was A.B.331, and Mr. Hickey moved DO PASS AS AMENDED. Mr. Lowman seconded Mr. Hickey's motion. The vote showed 7 members of this Committee in favor of this motion, with 2 absent. Mr. Hickey will be responsible for getting this amendment.

MOTION CARRIED DO PASS A.B.331 AS AMENDED.

Mr. Lowman moved to INDEFINITELY POSTPONE A.B.484, but the motion died for lack of a second. Discussion followed. Mr. Barengo announced that no vote on the bill would be taken today.

Mrs. Hayes moved to INDEFINITELY POSTPONE A.B.485, and Mr. Banner seconded her motion. The vote showed 6 in favor of this motion. Mr. Hickey abstained, and Mr. Sena and Mr. Heaney were absent.

MOTION CARRIED INDEFINITELY POSTPONE A.B.485.

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A.B.486 was briefly discussed, and it was decided to check into this proposed bill further before any action was taken by the Committee.

A.B.487 was discussed, and Mr. Barengo suggested getting the amendment to this bill before any action is taken by the Committee.

A.B.488 was next discussed. Mr. Lowman moved to INDEFINITELY POSTPONE, but this motion died for lack of a second. Chairman Barengo suggested that certain sections of the bill should be re-worked and that no action should be taken until such time. Mr. Lowman commented briefly on the bills proposed by the Equal Rights Commission.

A.B.489 was briefly discussed, and this bill, also, will be held for further action by the Committee.

As to S.B.229, Chairman Barengo said that Juvenile Master Charles Springer, Washoe County, called him and said he was not too happy with this proposed bill. Chairman Barengo announced that in the near future, Judge Mendoza, Clark Juvenile Judge, would be in Carson City to testify on the bill. Mr. Banner moved DO PASS S.B.229, and Mr. Lowman seconded his motion. The vote showed 6 members of the Committee in favor of the motion. Mrs. Wagner abstained. Mr. Sena and Mr. Heaney were absent. MOTION CARRIED DO PASS S.B.229.

S.B.70 was discussed, and Mr. Hickey has not yet contacted the Nevada Judges Association about this bill, and he will do so before action is taken.

Mr. Hickey questioned the voting on A.B.285. Committee discussion followed on Committee Rules which were adopted at the beginning of this Session. Mr. Hickey moved that this Committee suspend its rules at this point, and Mr. Banner seconded. A vote showed 4 members of the Committee in favor of this motion, and Mrs. Hayes, Mr. Barengo and Mrs. Wagner dissented. Absent for this vote were Mr. Sena and Mr. Heaney. This motion to suspend the Committee Rules did not carry.

Mrs. Wagner commented that as to A.B.106, the amendments to this bill would be coming to this Committee.

Regarding action on A.B.8 and A.B.97, Chairman Barengo suggested this Committee wait until Mr. Lowman's bill in the same regard is referred to the Committee.

As to S.B.222, Mr. Lowman moved DO PASS AS AMENDED. Mr. Polish seconded. Discussion on the amendments to the bill was had. The vote showed 7 in favor of this motion. 2 members of the Committee were absent.

MOTION CARRIED DO PASS S.B.222 AS AMENDED.

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A.B.12 was discussed, and it was decided that A.B.12 would be considered at a later time.

Discussion of A.B.502 began, and Mr. Banner moved DO PASS. Mr. Lowman seconded. The vote showed 7 in favor of this motion, with 2 Committee members absent.

Lengthy discussion on the amendments to S.B.52 commenced. The Committee decided to have Frank Daykin, Legislative Counsel Bureau, in to discuss the contents of the bill before action was taken.

There being no further business before this Committee, Chairman Barengo adjourned the meeting after a motion and a second to it at the hour of 6:15 p.m.