

ASSEMBLY JUDICIARY COMMITTEE
58th NEVADA ASSEMBLY SESSION

MINUTES

May 20, 1975

This meeting of the Assembly Judiciary Committee was called to order on Tuesday, May 20, 1975 by Vice-Chairman Karen Hayes.

MEMBERS PRESENT: BARENGO, HAYES, HEANEY, HICKEY,
LOWMAN, POLISH, SENA & WAGNER.

MEMBERS EXCUSED: NONE.

Guests at this meeting included Nat Adler, Public Administrator in Las Vegas, and James Bilbray, Las Vegas.

S.B.616 was considered first, and Mr. Adler testified on this bill. Mr. Adler explained to this Committee that he and the members of his staff are on call 24 hours a day. Occasionally they are called by the Metro Police and the Coroner's Office.

He explained the compensation his office is requesting and various actions and duties that they perform. The Committee questioned Mr. Adler generally and as to salary.

As to A.B.786, Mrs. Hayes told the Committee that she was in possession of the City of Las Vegas' amendments to the bill. Mr. Bilbray commented that Mr. O'Connell, Las Vegas Chamber of Commerce, had not been aware of this particular bill until just recently. He was asked to support it. Mr. Bilbray says he does not know who really initiated the bill. He further says that he was asked to meet with Carl Lovell. The Chamber of Commerce did not want to meet with Mr. Bilbray because they did not really know enough about this proposed legislation. Mr. Harmon did not want to meet with him because it is so late in the Session, so Mr. Bilbray did not have anyone to meet with to work out the language of this bill. Yesterday, he commented, he and Mr. Barengo went over these amendments. Mr. Adler is concerned because he runs regular auctions. This bill, as it stands now, will affect all auctions, as well as the jam auctions. There is no real definition of jam auction mart. They have never heard this term used. This bill has been thrown together very hastily. Mr. Bilbray said that the people who originally drafted this bill did so unsatisfactorily. Mr. Bilbray commented that he thought thorough study would be given to the City's amendments, and then thorough study would be given to his proposed amendments. Mr. Hickey commented that due to the lateness of this Session, it seems to be a futile effort to consider the bill any further. Mr. Heaney moved to indefinitely postpone the bill, and Mr. Hickey seconded. Discussion was had, and it was decided to wait until Chairman Barengo was present before action would be taken. Mrs. Wagner questioned

Minutes

Page 2.

May 20, 1975

why this situation could not be controlled locally, and Mr. Heaney also expressed his feelings for local ordinance. Mr. Lowman commented that this bill originally came from the City Commission. Mr. Bilbray said that the City Attorney does not know anything about the bill.

The medical malpractice situation was discussed, and Mrs. Wagner and Mr. Heaney are in favor of at least getting the bill to the floor. Sue Wagner moved DO PASS A.B.806, and Mr. Heaney seconded. Discussion was had as to the definition of "reversionary clause". The vote showed 5 in favor of passage of this bill, with 1 dissenting (Lowman), and 3 absent (Banner, Barengo & Hickey). Form attached.
MOTION CARRIED DO PASS A.B.806.

Mr. Heaney moved DO PASS S.B.616, and Mr. Lowman seconded. 5 voted in favor of this motion, and 1 dissented (Wagner). 3 were absent for the vote (Barengo, Banner & Hickey). Legislation Action Form is attached.
MOTION CARRIED DO PASS S.B.616.

Mr. Lowman moved to adjourn this meeting, and Mr. Sena seconded. 3 voted in favor of adjournment, 3 dissented (Wagner, Hayes & Heaney), and 3 were absent (Barengo, Banner & Hickey). The meeting continued.

Mr. Lowman moved DO PASS A.B.802, but the motion died for lack of a second.

Chairman Barengo entered the meeting at this time. He proceeded to chair this meeting, and explained to the Committee how he came into possession of the amendments to A.B.786.

Further discussion was had on the medical malpractice matter. Mr. Heaney moved to amend the original motion made by Mrs. Wagner to include Committee amendments as were discussed after the arrival of Mr. Barengo. These amendments would be added on the floor. Mr. Sena seconded this amended motion, and 6 voted in favor of it. Mr. Banner, Hickey and Lowman were absent for this vote.

Chairman Barengo commented that the Senate told him they would kill A.B.786 if it passed the Assembly. Then, Mr. Heaney moved to INDEFINITELY POSTPONE A.B.786, and Mr. Polish seconded. 4 voted in favor of this motion, and Mr. Sena and Mrs. Hayes dissented. 3 were absent--Banner, Lowman and Hickey. This motion did not carry.

Discussion was had on S.B.574. Chairman Barengo said that the Highway Department opposed this bill because they must pay witnesses out of their budget. Apparently, this bill was requested by firemen and police officers. Mr. Sena moved DO PASS, and Mrs. Hayes seconded. 6 voted in favor of the motion with 3 absent (Banner, Hickey & Lowman). Form attached.
MOTION CARRIED DO PASS S.B.574.

Minutes
Page 3.

May 20, 1975

S.B.602 was discussed, and Mr. Heaney moved DO PASS, and Mr. Sena seconded. 7 voted in favor of passage. Absent for the vote were Banner and Lowman. Form attached.

MOTION CARRIED DO PASS S.B.602.

Mrs. Wagner moved DO PASS A.B.285, and Mr. Hickey moved to amend the motion to INDEFINITELY POSTPONE. Since the entire Committee was not present for a vote, and action was not taken in the past for this reason, Mr. Hickey moved for a call of the Committee. 4 voted for a call of the Committee and 3 opposed. Banner and Lowman were absent.

At this point, adjournment was considered, and the meeting was adjourned at 9:30 a.m.

After adjournment of the meeting, an informal meeting was held on the Assembly floor at Chairman Barengo's desk. Mr. Hickey moved DO PASS A.B.786, and Mr. Sena seconded. A vote was had which indicated 7 in favor of passage of the bill. 1 opposed (Heaney). 1 absent (Lowman). Form attached.

MOTION CARRIED DO PASS A.B.786.

ASSEMBLY JUDICIARY COMMITTEE
58th NEVADA SESSION

LEGISLATION ACTION

DATE 5-20-75

BILL NO. A.B. 806

MOTION: _____

Do Pass Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mrs. Wagner Seconded By Mr. Heaney

AMENDMENT: _____

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Barengo	---	---	---	---	---	---
Banner	---	---	---	---	---	---
Hayes	<input checked="" type="checkbox"/>	---	---	---	---	---
Heaney	<input checked="" type="checkbox"/>	---	---	---	---	---
Hickey	---	---	---	---	---	---
Lowman	---	<input checked="" type="checkbox"/>	---	---	---	---
Polish	<input checked="" type="checkbox"/>	---	---	---	---	---
Sena	<input checked="" type="checkbox"/>	---	---	---	---	---
Wagner	<input checked="" type="checkbox"/>	---	---	---	---	---

Banner, Barengo & Hickey absent
TALLY:

ORIGINAL MOTION: Passed Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-20-75
Date

ASSEMBLY JUDICIARY COMMITTEE
58th NEVADA SESSION

LEGISLATION ACTION

DATE 5-20-75

BILL NO. S.B. 616

MOTION: _____

Do Pass Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Heaney Seconded By Mr. Lowman

AMENDMENT: _____

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Barengo	---	---	---	---	---	---
Banner	---	---	---	---	---	---
Hayes	✓	---	---	---	---	---
Heaney	✓	---	---	---	---	---
Hickey	---	---	---	---	---	---
Lowman	✓	---	---	---	---	---
Polish	✓	---	---	---	---	---
Sena	✓	---	---	---	---	---
Wagner	---	✓	---	---	---	---

Barengo, Banner & Hickey absent.

TALLY: _____

ORIGINAL MOTION: Passed Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-20-75
Date

ASSEMBLY JUDICIARY COMMITTEE
58th NEVADA SESSION

1747

1144

LEGISLATION ACTION

DATE 5-20-75

BILL NO. S.B. 574

MOTION: _____

Do Pass Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Sena Seconded By Mrs. Hayes

AMENDMENT: _____

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Barengo	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Banner	_____	_____	_____	_____	_____	_____
Hayes	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Heaney	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Hickey	_____	_____	_____	_____	_____	_____
Lowman	_____	_____	_____	_____	_____	_____
Polish	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Sena	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Wagner	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____

Banner, Lowman & Hickey absent.

TALLY:

ORIGINAL MOTION: Passed Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-20-75
Date

ASSEMBLY JUDICIARY COMMITTEE
58th NEVADA SESSION

1145

LEGISLATION ACTION

DATE 5-20-75

BILL NO. S.B. 602

MOTION: _____

Do Pass Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Heaney Seconded By Mr. Sena

AMENDMENT: _____

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Barengo	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Banner	_____	_____	_____	_____	_____	_____
Hayes	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Heaney	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Hickey	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Lowman	_____	_____	_____	_____	_____	_____
Polish	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Sena	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Wagner	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____

Banner & Lowman absent

TALLY:

ORIGINAL MOTION: Passed Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-20-75
Date

ASSEMBLY JUDICIARY COMMITTEE
58th NEVADA SESSION

1146

LEGISLATION ACTION

DATE 5-20-75

BILL NO. A.B. 786

MOTION: _____

Do Pass Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Hickey Seconded By Mr. Sena

AMENDMENT: _____

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Barengo	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Banner	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Hayes	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Heaney	_____	<input checked="" type="checkbox"/>	_____	_____	_____	_____
Hickey	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Lowman	_____	_____	_____	_____	_____	_____
Polish	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Sena	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____
Wagner	<input checked="" type="checkbox"/>	_____	_____	_____	_____	_____

Lowman absent

TALLY:

ORIGINAL MOTION: Passed Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-20-75
Date