

MINUTES OF MEETING

APRIL 25, 1975

The meeting was called to order at 8:20 a.m. Senator Close was in the Chair.

PRESENT: Senator Close
 Senator Wilson
 Senator Bryan
 Senator Dodge
 Senator Foote
 Senator Sheerin
 Senator Hilbrecht

SB 447 Revises schedule of maximum fees for court-appointed counsel for indigent criminal defendants.

The Committee elected to process SB 555 as a superior bill.

Senator Bryan moved a "do kill",
Seconded by Senator Hilbrecht,
Motion carried unanimously.

SB 550 Enacts Interstate Corrections Compact; provides furloughs and community based programs for certain prisoners.

Ed Pogue, Warden, Nevada State Prison, presented amendments to the bill as discussed at a previous meeting.

The Committee said the amendments did not reflect their previous recommendations and asked Mr. Pogue to consult with counsel again and rewrite the amendments.

There was no action taken at this time.

SB 555 Revises schedule of maximum fees for court-appointed counsel for indigent criminal defendants.

The Committee discussed the bill with Bob List, but no action was taken at this time.

SB 458 Provides indemnity for public officers and employees in certain areas.

Pat Dolan, Deputy Attorney General, discussed with the Committee insurance costs for providing liability insurance under this bill.

Howard Barrett, Budget Director, discussed the sovereign immunity aspects; suggested that perhaps the answer would be some kind of law stating employees could not be sued in the course of their employment if they act in a reasonable manner.

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SB 458 Senator Sheerin requested more information on the cost of insurance. Senator Dodge asked for information on endorsements. Senator Hilbrecht suggested developing a State revolving fund concept.

There was no action taken at this time.

SB 173 Enacts the Nevada Antitrust Act.

Bob List, Attorney General, stated that under this bill if there is violation of the Antitrust Act the guilty parties will be subject to both criminal penalties and civil recovery by the victims; and he feels that without a criminal penalty he will not be able to produce witnesses and evidence. He said he felt that white collar crimes of this nature are more injurious, victimize more people, and hurt society more in many way than the type of individual offenses for which we imprison people.

George Vargas, Representing the Major Oil Companies, testified that the oil companies agree it is desirable to have a State antitrust act, but their position is that they would like to adopt the Uniform State Antitrust Act. A copy of the Act was submitted to the Committee for review. The prefatory note in the Act calls attention to the fact that there is a diversity of economic conditions and business problems in many states and practices that may be undesirable on a national scale are not necessarily undesirable or even avoidable in local areas.

Senator Hilbrecht opposed including criminal penalties in the act but agreed to statutory civil remedy action. Senator Dodge questioned Mr. List regarding federal prosecution for antitrust violations. The Committee questioned Mr. List regarding the criminal penalties. They requested his office to make amendments to the bill and submit them to the Committee.

There was no further action taken at this time.

SB 556 Extends period for giving notice of tort claims against State or local government.

The Committee discussed with Bob List and Jim Thompson the Supreme Court decision which invalidated all State statutes dealing with requirement to file a claim within 6 months against city, county or State, on the grounds that it violated due process and equal protection by creating a different claim process for governmental agencies. Senator Hilbrecht suggested that perhaps administrative

SB 556 procedures could be set up to allow the subdivisions to settle claims before they get to court.

There was no action taken at this time.

SJR 25 Proposes constitutional amendment to permit magistrate to deny bail in certain circumstances.

After a brief discussion as to the constitutionality of this bill, Senator Wilson moved to indefinitely postpone. The motion was seconded and carried unanimously.

There being for further business, the meeting was adjourned.

Respectfully submitted,

K M Berry
Katherine Berry, Secretary

APPROVED:

Melvin D. Close, Jr.
Senator Melvin D. Close, Chairman