

## Assembly

MINUTES OF MEETING - COMMITTEE ON JUDICIARY, 53rd Legislature, March 10, 1965

Meeting was called to order 3:05 P.M.

Present: Close, Rosaschi, Parsons, Knisley, Delaney, Swobe, Kean, Jacobsen, Olsen

SB 230: Allows parole of prisoner whose minimum term of imprisonment is more than one year and who has served one-third of such term.

Carl Parise, of the United Tax Payers of Washoe County, Inc., was present to inform the Committee that there would be a mother's march on Friday protesting SB 230. He requested a hearing on the bill. He said there would be a public hearing or a public demonstration. He said the Committee should know the public thinking on this bill, that the public is not ready to accept this bill.

Mr. Swobe moved that the Committee set up a public hearing with proper notice to allow the proponents and the opponents of this bill a hearing. He said it would be very detrimental to the prestige of the Committee and of the Assembly to deny a hearing.

Mr. Jacobsen seconded Mr. Swobe's motion.

Mr. Knisley said that we have had a man come in and warn us of a march. There is nothing we need any pressure on. We are going to vote as a matter of conscience. This is not a political matter. He said he resented the way this thing is being pushed and said the pressure would accomplish nothing.

Mr. Rosaschi concurred with Mr. Knisley's remarks.

Mr. Swobe said he had never heard of proponents or opponents being denied a hearing. We have hearings on other bills.

An individual poll was taken on Mr. Swobe's move to hold a public hearing.

Voting against the public hearing were: Mr. Rosaschi, Mrs. Parsons, Mr. Delaney, Mr. Knisley, and Mr. Close.

Voting for the public hearing were: Mr. Swobe, Mr. Jacobsen, Mr. Olsen, and Mr. Kean.

Mr. Knisley moved the Committee put out SB 230 Do Pass

Mr. Swobe asked that the bill be set over for a discussion. He said he was opposed to the bill for three reasons: 1. We do not have adequate rehabilitation; 2. We do not have an adequate parole system; 3. We are going to have a two-year study to determine the whole criminal procedure.

Mr. Swobe moved the bill be amended to eliminate the following crimes: Assault with intent to commit rape, robbery, rape, kidnaping, murder, lewdness to children, habitual criminals and violations of the Uniform Drug Act.

Mr. Kean seconded

Voting was 4 in favor of Mr. Swobe's motion and 5 against. Motion died.

Voting for Mr. Knisley's motion were: Olsen, Knisley, Rosaschi, Parsons.  
Voting against Mr. Knisley's motion were: Swobe, Kean, Jacobsen, Olsen.

Mr. Knisley said that Mr. Swobe's motion to amend was out of place from the beginning.

Mr. Close stated that there would be a minority report on the bill.

AB 404: Civil Rights Bill

Mr. Kean moved Do Pass as amended  
Mr. Knisley seconded  
Motion passed unanimously

AB 513: Allows attorneys to perform legal services in adoption proceedings.

Mr. Rosaschi moved Do Pass  
Mr. Olsen seconded  
Motion passed unanimously

AB 428: Prohibits gas and electrical companies from making promotional offers to companies.

Mr. Olsen moved to draft a bill to give the PSC authority to regulate promotions of this type.

Mr. Jacobsen and Mr. Rosaschi seconded  
Motion passed unanimously

AB 447: Makes certain changes in law relating to acquisition of property by adverse possession and by eminent domain.

Mr. Kean made a report on this bill of the things he had been asked to study.

SB 110: Amends the Nevada Hospital Survey and Construction Act.

Mr. Don Baker, of the Department of Public Health, spoke for the bill. He explained that the bill has been amended to make the act conform to federal legislation. He said that the money received under it is a direct grant and does not need to be repaid. It will enlarge the advisory council to as many as 13 members. The act has been totally re-written to bring into conformance with the federal. If the plan doesn't conform we can't get money from the federal government.

Mr. Close asked Mr. Baker if the bill met with his approval.

Mr. Baker replied that it does. He added that an attorney from the public health service went over the bill carefully and that he also likes it. He said the bill represents \$950,000 per year to the State of Nevada.

Mr. Jacobsen moved Do Pass and re-refer to the Ways and Means Committee  
Mr. Kean seconded  
Motion passed unanimously

AB 521: Makes extensive changes in provisions relating to vital statistics.

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Mr. Close explained that this bill sets up a uniform marriage and divorce record, or center. It also would prevent disclosure of birth out of wedlock. It adds \$1.00 to each marriage license.

Mr. Jacobsen asked if the committee would like to hear John Sullivan on this. He was appointed to make arrangements with Mr. Sullivan to appear Thursday at 3:00 P.M. on this bill.

AB 533: Makes giving and accepting of bribes to influence outcome of sporting events unlawful.

Mr. Rosaschi and Mr. Kean objected to the penalty for violation of this bill.

Mr. Kean moved to amend to a gross misdemeanor

Mr. Olsen suggested dropping penalty to 5 years and keeping the \$5,000.

Mr. Jacobsen moved Do Pass as amended

Mr. Kean seconded

Motion passed unanimously

AB 535: Prescribes methods for adoption of administrative regulations.

Mr. Close explained that this is one of a series of 3 bills and that the Senate has one which may encompass all of these. He said if the Senate bill goes through we will not bother with ours.

AB 539: Provides for tolling statute of limitations pending appeal by State in criminal action.

Mr. Knisley requested deferment of this bill until Mr. Swobe and Mr. Olsen were present.

AB 540: Permits introduction of evidence and comment by counsel in all criminal prosecutions on attempt and failure to locate missing witness.

Mr. Knisley moved Do Pass

Mr. Delaney seconded

It was decided to defer the vote until Ted Marshall returns. The committee wants to hear him on this one.

Meeting adjourned at 4:30 P.M.