



**Hundredth Legislature - First Session - 2007  
Committee Statement  
LB 214**

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**Hearing Date:** February 28, 2007  
**Committee On:** Judiciary

**Introducer(s):** (Ashford)

**Title:** Change acting county attorney compensation, provide for county judge interchange, and eliminate an obsolete procedure

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**Roll Call Vote – Final Committee Action:**

- X   Advanced to General File
  - Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

7	Yes	Sen. Ashford, Sen. Lathrop, Sen. Chambers, Sen. McDonald, Sen. McGill, Sen. Pedersen, Sen. Pirsch
	No	
	Present, not voting	
1	Absent	Sen. Schimek

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**Proponents:**

Sen. Ashford  
Judge Patrick McDermott

**Representing:**

County Judge’s Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:** Legislative Bill 214 amends N.R.S. §§23-1205, 24-516, and 29-509 to allow county courts to provide compensation to special prosecutors, improve the administration of the county courts, and to clean up statutes which have become obsolete.

Under current law, all courts have the power to appoint special prosecutors in matters pending before them, but only district courts possess the power to provide for payment. LB 214 grants the the court making the appointment the power to provide for compensation. Without the power to compensate, the power to appoint special prosecutors is empty for all except the district court and places an unnecessary administrative hurdle in front of already busy judges.

Under current law, if a county judge within a specific district has a sudden need for assistance, he or she can ask for help from judges within the district or must go through a process of obtaining an appointment

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by the Chief Justice of a judge from another district. LB 214 allows a judge from another district, who might be physically closer to the court needing help or more available on short notice, to serve without going through the formal appointment. The intent of this bill is to expedite responsiveness to the short-term needs of a given court.

LB 214 also repeals statutes which have become obsolete, and may conflict in some ways with modern constitutional requirements and statutory provisions. The *Riverside* case requires a person being detained without a warrant to have the probable cause of his or her arrest to be reviewed by a magistrate within 48 hours. The constitutional and statutory provisions on a speedy trial combined with the fact that the bond provisions of 29-503 apply only to the proceedings provided for in 29-501 and 29-502 render the provisions obsolete.

**Explanation of amendments, if any:**

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**Senator Brad Ashford, Chairperson**