

SENATE COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

APRIL 15, 1977

The meeting was called to order at 8:13 a.m. on Friday, April 15, 1977, in Room 323, with Senator Jack Schofield in the Chair.

PRESENT: Chairman Jack Schofield
Vice-Chairman Joe Neal
Senator William Raggio
Senator Richard Blakemore
Senator William Hernstadt

ABSENT: Senator Wilbur Faiss

GUESTS: Robert Broadbent, Nevada State Pharmacist's Association
Assemblyman Steve Coulter, A.B. 205
Ken Hougen, Nevada Classified School Employees Assoc.
Vernon Rowley, Carson City School District
Neil Humphrey, University of Nevada System
Senator Ty Hilbrecht, S.C.R. 30
Senator Jim Gibson, S.B. 458
Frank Daykin, Legislative Counsel Bureau
Assemblyman Lonie Chaney, A.B. 495
Bob Best, State School Boards Association
Bob Petroni, Legal Counsel, Clark County Sch. Dist.
Chuck Knight, Assistant Supt. of Schools in Elko County

A.B. 205

Mr. Robert Broadbent of the Nevada State Pharmacist's Association said they support this bill.

Assemblyman Coulter said there is some interest on the floor to amend A.B. 205 to include the generic drug substitution bill, which is A.B. 204, but he said that he opposed this incorporation.

A.B. 502

Senator Raggio asked isn't this a specific item of negotiation under NRS 288? Mr. Ken Hougen of the Nevada Classified School Employees Association said that Clark County school employees have negotiated under NRS 288.150, a pay-off of sick leave, upon death of a member, but because of an Attorney General (A.G.) ruling, the district has not been able to pay-off.

Mr. Bob Best of the Nevada State School Boards Association submitted a written statement to the Committee (Exhibit "A").

(Senator Hernstadt entered the room)

Senator Raggio said that sick leave is a matter that has been negotiated, but an A.G. opinion said that language was in conflict and payment could not be made. Mr. Best said that school boards felt protected by the language that is in the current statute, because all of the school boards do not conduct collective

bargaining, although they may, and they would not like to make regulations regarding "unused sick leave".

Mr. Hougen sited Lines 17-18 on Page One which says, "Boards of Trustees shall prescribe by regulation or may in the alternative, negotiate pursuant to local government employees..." Senator Raggio said that he understood now that this was taken out of one area of the statutes and put back in the above mentioned section.

Chairman Schofield said that the Clark County attorney told him that in 1973, that the School District paid out approximately \$500,000.00 in sick leave, and he felt that by giving the employees this type of "reward" payment, this would eliminate some of the abuse of sick leave. Senator Raggio commented that undue absenteeism costs money too, and penalizes the employee who is loyal.

Mr. Vernon Rowley of the Carson City School District said that school districts do negotiate for sick leave, and in Carson City, this can be negotiated for up to 180 days, but he said that his District opposes negotiations for "unused" sick leave. Mr. Rowley submitted a statement for the Committee,

(Vice-Chairman Neal entered the room)

(Exhibit "B").

Senator Raggio said that the law doesn't mandate the payment of sick leave, it does say that this is an item for negotiation. What is the justification for limiting the teachers in this area when other public employees have this right, Senator Raggio asked? Mr. Rowley said because of the cost factor and this bill appears to be an attempt to circumvent NRS 288, by adding additional items in NRS 391. In response to Senator Neal, Mr. Rowley said that a consideration could be given to pay sick leave at a certain rate, rather than for full daily salary.

S.B. 458

Mr. Neil Humphrey of the Nevada University System commented that the Board of Regents has not had an opportunity to consider this legislation. Mr. Humphrey said that there is a constitutional problem with Article 15, Section 11 as he understands it, and that four (4) year terms should be controlling.

S.C.R. 30

Senator Hernstadt, sponsor of this bill said, that S.C.R. 30 provides that if the medical school does not receive enough private endowments to allow it to continue, that after July 1, 1981, it should be discontinued. Senator Hernstadt stated that he felt that the medical school is good but he felt that this is a luxury that the State of Nevada cannot afford, and it should be funded by private funds.

Senator Neal asked is it Senator Hernstadt's objection to oppose a state supported school that has socialized medicine? Senator Hernstadt said no. Senator Hernstadt said that it is a "hoax" to think that the medical school will be a way to get doctors in the small, rural counties.

Senator Ty Hilbrecht, co-sponsor of this bill said, that he felt that moving the medical school from two years to four years is not advisable because of the State's limited ability to develop the State's financial resources.

S.B. 458 (Continued)

Senator Jim Gibson, member of the Senate Finance Committee said, that he asked Mr. Frank Daykin of the Legal Counsel Bureau to research the constitutionality of the terms of the University Board of Regents. Mr. Daykin's opinion is Exhibit "C".

Senator Raggio said that Article 15, Section 11 seems to apply to any elected office created by the Legislature, and the Board of Regents are in the Constitution. The Senator said that he thought that it could be reasonably argued that the six year terms of office could be sustained on the basis that the office is not created by the Legislature. Mr. Daykin remarked that if the Constitution had not wanted to imply terms of four (4) years they could have said that the "Legislature could provide for the election". Senator Gibson said that if this information had been available when reapportionment was decided in 1971, they would not have gone to the six year term.

Mr. Humphrey said that Section Three of the bill is important from the standpoint that it declares actions of the Board lawful under the six year term, and he questioned that if the legislation is introduced, but not passed, is the Board subject to lawsuits that would declare the actions of the Board invalid especially where it concerns bond issues. Mr. Daykin said that if it is correct that the terms are longer than is constitutional, then the Regents have an exposure to suits that will increase as the members stay over the four year category. Senator Gibson said that if the bill passes, the wording is adequate to handle Mr. Humphrey's concern.

Senator Blakemore: Motion for Do Pass on S.B. 458
(Exhibit "D")

Senator Hernstadt: 2nd the Motion

The Motion passed. (Senator Neal voted "NO")

S.C.R. 30

Senator Raggio said that it is important that professional education be available for the students of this State. He said that he felt 1980 is a "little unfair" as large endowments take time because they come from the State's general fund.

Senator Hernstadt said that the Legislature meets before the 1980 date, so if progress is being made, then adjustments can be made by the 1979 legislature. He said that if Nevada desires a speciality school, the Regents should consider a Hotel Management program; and he also asked what kind of tax is the Legislature going to propose if the expenses of the Medical school get "out of hand"? Senator Neal said that he doesn't see the trade-off between a Hotel Management school and a Medical school, as our primary concern should be the health care of the citizens of Nevada.

Senator Schofield said that all schools have a problem getting started and it is to be expected that the State will have to subsidize for a period of time.

Senator Neal: Motion to Indefinitely Postpone SCR 30
(Exhibit "E")

Senator Blakemore: 2nd the Motion

The Motion passed. (Senator Hernstadt voted "NO")

A.B. 495

Assemblyman Lonie Chaney submitted a written statement to the Committee, (Exhibit "F"). Senator Hernstadt asked why was the bill amended? Mr. Chaney said that in the Assembly it was felt that this should not be done in the Junior Highs, and that it was too expensive to establish planning centers.

Senator Hernstadt asked if there is a law in Nevada prohibiting sex education in Nevada? Mr. Chaney said that he did not think this was case, however, the Assembly heard testimony that teachers do instruct these classes, but at their own risk.

Senator Raggio asked what do the children do who are not allowed by their parents to attend these classes? Mr. Chaney said that the intent of the bill is to leave the administration of the program up to the individual schools.

Senator Schofield said that he has been confronted by the citizens on the problem of providing a qualified instructor for these courses, and they felt that this type of course would encourage more sexual promiscuity.

Senator Neal said that he felt it is difficult not to support this type of legislation when it is shown that 11 year olds are pregnant, and he stated that normally children learn about sex from their peers rather than their parents. Mr. Chaney said that sex education is a way of curtailing early pregnancies in the future.

A.B. 300

Senator Hernstadt said that A.B. 300 provides for a silent period of voluntary individual prayer or meditation, and in regards to this legislation, the Senator read into the record a letter from Rabbi Stephen E. Weisberg, (Exhibit "G").

Senator Hernstadt said that this type of law also prohibits the extremely fervent religious individual who wishes to "sing out the praise of the Lord". Senator Hernstadt said that he would urge the Committee to attach an amendment which would require a written statement of consent from the parents, if this bill is going to be processed. Senator Hernstadt said this would be for those minorities who feel that this is the "majority church" making its views known, whose parents by written notice can provide for their exclusion.

S.B. 457

Senator Blakemore said that this bill came from the closure of the Lund School in White Pine County. He stated that this measure provides for appeal to both the local school board, and if necessary, to the State school board. Senator Raggio said that this bill clearly gives the right to the school board to close the schools, (Section One, Sub-section 3).

Mr. Bob Best suggested an amendment that would require a thirty day notice and a hearing in advance of a decision to close or move a school, and have the final decision made by the local school board. Senator Neal stated that he could see where citizens would prefer the process mentioned now in the bill as this would save them the expense of an attorney.

Senator Raggio asked how the members of the State Board are selected? Mr. Best said they are elected by the electors in the regions of the State.

Senator Raggio sited a case of the problem of closing the Mt. Rose School in Washoe County, and he felt that this bill would have been a great help to the local school boards because if there is a great deal of emotion involved in the closure they can appeal it to the State Board which probably would sustain their decision.

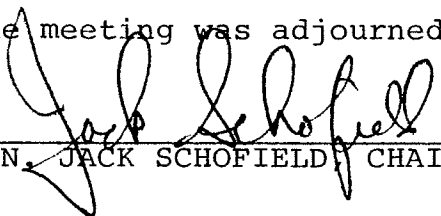
Mr. Best asked in regards to the last paragraph, Page Two, Line 7, what is the procedure for filing the decision? Mr. Bob Petroni said that rather than filing with the District Court, it should stay with the State Board. Senator Blakemore stated that he did not see the need to file with the District Court, and this could be deleted.

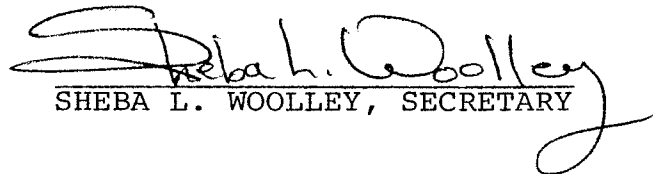
Senator Hernstadt asked how long would this delay the closing of a school? Mr. Best said that the act calls for 10 days notice minimum time, and then there is a written request to the State Board for a hearing within a thirty day period.

Senator Raggio said that the school couldn't be closed while an appeal procedure was in process in the State Board.

Mr. Chuck Knight of the Elko County School District said that the Elko School Board is in opposition to this measure. Mr. Knight said that if this bill had been in affect since 1956, Elko County would still be operating about 19 additional schools over what is currently operating. Mr. Knight said that he felt that the decision of the local school board was upheld by the voters of White Pine County regarding the Lund School, as all of the members of the School Board were re-elected. Mr. Knight said that if these decisions were made by the State School Board, regardless of whether they sustained the lower-board's decision, it takes away from the autonomy of the local school districts.

The meeting was adjourned at 10:27 a.m.


SEN. JACK SCHOFIELD, CHAIRMAN


SHEBA L. WOOLLEY, SECRETARY

NEVADA STATE SCHOOL BOARDS ASSOCIATION

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AB 502 - Position of the Nevada State School Boards Association.

The Nevada State School Boards Association is opposed to AB 502.

School trustees are opposed to inclusion by regulation, or in the alternative to negotiate with respect to accumulation of sick leave or payment for unused sick leave.

The intent of sick leave is to make it possible to receive an income while missing work resulting from no fault of the worker. It is not vacation time and should not be treated as such. If payment is allowed for unused sick leave and sick leave time is used for personal business or vacation, then it should be done away with altogether. Under these conditions the employee who misses work on account of sickness is getting no relief. He is losing money he would otherwise receive.

Payment for unused sick leave is an added expense. Without additional revenue to offset the added cost the money will have to come from some where in the school's operation. Cutting into the operating funds can have a detrimental effect upon the educational process.

The Nevada State School Boards Association recommends that this bill be given no further support.

Robert Best, Executive Secretary

March 28, 1977

Comments re: AB 502

The major concern we have with AB 502 is the provision for negotiation pursuant to the Local Government Employee-Management Relations Act with respect to payment for unused sick leave. Although local government employers could generally hold firm in rejecting this provision during the negotiations process, there is always the possibility of binding arbitration which could conceivably result in an arbitrator's mandate in this regard.

Sick leave is a special employee benefit which provides for continuation of salary during periods when the employee is ill and unable to work. In addition, a school district will make salary payments to the substitute who is employed during a teacher's absence on paid sick leave. The Carson City School District grants up to 15 days of sick leave per year which can be accumulated to a total of 180 days. The concept of such accumulation is to provide benefits to employees in the event of a major illness or injury. It serves much like an insurance policy in that it is not anticipated that every employee will have illness or injury of such catastrophic nature as to utilize all accrued sick leave.

Approximately 400 employees of the Carson City School District accumulate 15 days of sick leave annually for a total of approximately 6000 days of accumulated sick leave. These employees use an average of approximately 6 sick leave days per year for an accumulated total of 2400 paid sick leave days. Thus there would be approximately 3600 days of accumulated sick leave which would be eligible for payment each year. This would create a financial obligation of approximately \$250,000 in sick-leave payments at about \$70 per day average salary. In addition, there would be \$20,000 in employer contributions to the retirement system at the present 8% rate.

The Carson City School District would not oppose legislation which would permit Boards of School Trustees to make payments for unused sick leave upon the death or retirement of an employee, but would strongly oppose making payment for unused sick leave an item for negotiations.



Dr. Vernon C. Rowley, Director
Research and Development
Carson City School District

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

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April 5, 1977

Senator James I. Gibson
Chairman of the Committee on
Government Affairs
Legislative Building
Carson City, Nevada 89710

Dear Senator Gibson:

You have asked whether the 6-year terms provided for the members of the board of regents of the University of Nevada by NRS 396.040 are constitutional. Section 11 of article 15 of the constitution provides in relevant part:

Sec. 11. The tenure of any office not herein provided for may be declared by law, or, when not so declared, such office shall be held during the pleasure of the authority making the appointment, but the legislature shall not create any office the tenure of which shall be longer than four (4) years, except as herein otherwise provided in this constitution.

The office of regent is created by section 7 of article 11 of the constitution, not by the legislature, so it might be argued that it escapes the 4-year limit.

The framers of the constitution, however, were not of that opinion. Section 2 of article 6, as originally adopted, provided for three justices of the supreme court, and authorized the legislature to add two more. When Nev. Art. 15, § 11, was first drafted, it did not contain the last clause, "except as herein otherwise provided in this constitution." The question was raised whether the section would limit the terms of the additional justices to 4 years. Despite an observation by Mr. Banks that "the language [of Nev. Art. 6, § 2] seems to be such as to distinctly create the office,"

Senator James I. Gibson
April 5, 1977
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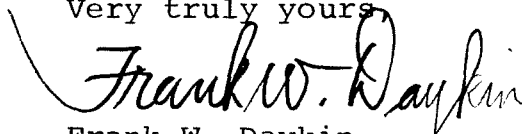
an amendment to add the clause quoted "was agreed to by unanimous consent." MARSH, NEVADA CONSTITUTIONAL DEBATES AND PROCEEDINGS, page 810.

The policy of the constitution is further made clear by the first sentence of Nev. Art. 11, § 7, itself:

Sec: 7. The Governor, Secretary of State, and Superintendent of Public Instruction, shall for the first Four Years and until their successors are elected and qualified constitute a Board of Regents to control and manage the affairs of the University and the funds of the same under such regulations as may be provided by law. [Emphasis added.]

This plainly implies a series of 4-year terms, of which the first was to be filled by the designated officers ex officio. Such were in fact the statutory terms from 1869 until 1917, when the legislature established terms of 10 years. These terms were reduced to 4 years by the 1941 legislature, and so remained until 1971 when the present 6-year terms were instituted. Despite the 1917 precedent, it is my opinion that the contemporary construction by the 1869 legislature was correct, and that the 6-year terms created in 1971 are longer than the constitution permits.

Very truly yours,


Frank W. Daykin
Legislative Counsel

FWD:jll

S. B. 458

SENATE BILL NO. 458—COMMITTEE ON FINANCE

APRIL 7, 1977

Referred to Committee on Human Resources and Facilities

SUMMARY—Changes terms of members of board of regents of University of Nevada. (BDR 34-1884)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the board of regents of the University of Nevada; changing the terms of members; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 396.040 is hereby amended to read as follows:
 2 396.040 1. [After January 1, 1973, the] *The* board of regents [shall
 3 consist] *consists* of nine members to be elected by the registered voters
 4 from within the following districts:
 5 (a) Washoe County [shall be known as] *is* district No. 1, with two
 6 members of the board of regents residing therein.
 7 (b) Clark County [shall be known as] *is* district No. 2, with five mem-
 8 bers of the board of regents residing therein.
 9 (c) The remainder of the state [shall be known as] *is* district No. 3,
 10 with two members of the board of regents residing therein, as provided
 11 in NRS 396.041.
 12 2. The members of the board of regents shall be elected as follows:
 13 (a) At the general election in [1972:] *1978*:
 14 (1) From district No. 1, one member of the board of regents shall
 15 be elected for a term of [6] *4* years [.] , and *one member of the board*
 16 *of regents shall be elected for a term of 2 years.*
 17 (2) From district No. 2, [two members] *one member* of the board
 18 of regents shall be elected for [terms of 6] *a term of 4* years, and [one
 19 member] *two members* of the board of regents shall be elected for [a
 20 term of 4] *terms of 2* years.
 21 (3) From district No. 3, [no member shall be elected.] *one mem-*
 22 *ber of the board of regents shall be elected for a term of 2 years.*
 23 (b) At the general election in [1974:] *1980*:
 24 (1) From district No. 1, one member of the board of regents shall
 25 be elected from a term of [6] *4* years.

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

S. C. R. 30

**SENATE CONCURRENT RESOLUTION NO. 30—SENATORS
HERNSTADT AND HILBRECHT**

APRIL 7, 1977

Referred to Committee on Human Resources and Facilities

SUMMARY—Requests board of regents of University of Nevada to discontinue medical school if it is not fully endowed by 1980. (BDR 1575)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

SENATE CONCURRENT RESOLUTION—Requesting the board of regents of the University of Nevada to discontinue operation of the medical school if it is not financially self-sufficient through private contributions by January 1, 1980.

- 1 WHEREAS, The medical school of the University of Nevada requires
- 2 additional private contributions and endowments in the next few years if
- 3 it is to become financially self-sufficient; and
- 4 WHEREAS, In the absence of such contributions and endowments, the
- 5 medical school will constitute a drain upon public resources which will
- 6 be urgently needed for other purposes; now, therefore, be it
- 7 *Resolved by the Senate of the State of Nevada, the Assembly concur-*
- 8 *ring,* That unless the medical school of the University of Nevada receives
- 9 additional private contributions and endowments in an amount which
- 10 will make the school financially self-sufficient by January 1, 1980, the
- 11 board of regents of the University of Nevada is requested to commence a
- 12 reduction in the operation of the school on that date and to eliminate
- 13 the school by July 1, 1981; and be it further
- 14 *Resolved,* That a copy of this resolution be transmitted by the legis-
- 15 lative counsel to the chairman of the board of regents of the University
- 16 of Nevada.

Original bill is on file at
the Research Library.

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I'M LONIE CHANEY. I REPRESENT ASSEMBLY DISTRICT 7 IN CLARK COUNTY. I'M HERE TO TESTIFY IN FAVOR OF A.B. 495.

FIRST OF ALL, I WOULD LIKE TO LET YOU KNOW THAT THIS BILL HAS BEEN WATERED DOWN TO WHAT I AM SURE NOW IS ACCEPTABLE TO JUST ABOUT ANYBODY, BUT I DO FEEL IT IS MY RESPONSIBILITY TO COME OVER AND LET YOU KNOW THAT WE DID PASS THIS BILL OUT AND WE DO SUPPORT IT.

I KNOW I DON'T NEED TO SHOW YOU THE NEED FOR THIS BILL, BUT I WILL JUST BRIEFLY GO OVER A FEW THINGS THAT WE TALKED ABOUT IN COMMITTEE, AND ALSO THAT WE TALKED ABOUT ON THE FLOOR THAT WE FOUND TO BE VERY INTERESTING AND VERY HELPFUL TO GETTING THIS BILL PASSED.

THIS IS NOT A CONCERN OF EVERYBODY IN THE STATE OF NEVADA AND I AM SURE WE ALL REALIZE THAT; HOWEVER, WE DO KNOW THAT THIS PROBLEM EXISTS NOT ONLY IN NEVADA BUT WE HAVE REPORTS THAT IT IS A PROBLEM ALL OVER THE UNITED STATES. I'VE PASSED OUT A CLIPPING THAT I GOT OUT OF THE REVIEW-JOURNAL ON APRIL 12. IT TALKS A GREAT DEAL ABOUT THE SAME PROBLEM THAT WE HAVE AND I'M SURE YOU CAN READ THAT. THAT WAS A SURVEY TAKEN, AND THEY FOUND OUT THAT WE DO HAVE A PROBLEM, BUT I DON'T HAVE TO TALK ABOUT THAT--IT'S THERE FOR YOU TO READ, AND I'M SURE MOST OF YOU HAVE ALREADY.

I WOULD LIKE TO SAY, ALTHOUGH SOME OF YOU HATE TO ADMIT IT, WE DO HAVE AN EPIDEMIC OF UNWANTED TEENAGE PREGNANCIES IN THE UNITED STATES AND IN NEVADA. IN THE PAST, AS YOU ARE AWARE, THIS PROBLEM WOULD NORMALLY BE RELATED TO POOR, MINORITIES, OR

WHATEVER. BUT RECENT EVIDENCE SUGGESTS THAT TEENAGERS FROM HIGH INCOME AND NON-MINORITY GROUPS ARE INVOLVED IN SOME TYPE OF SEXUAL AFFAIRS AT AN EARLY AGE, LEADING TO HIGHER RATES OF UNWANTED PREGNANCY FOR ALL TEENAGERS, NOT JUST IN MINORITIES, AS IT HAS BEEN IN THE PAST SUGGESTED.

THERE ARE MANY FACTS THAT WE COULD TALK ABOUT, BUT I KNOW THAT YOU ARE AWARE THAT CLOSE TO 13 MILLION OF THE 60 MILLION WOMEN WHO BECAME MOTHERS IN 1975 BECAME PARENTS BEFORE THEY BECAME ADULTS. THIS REALLY SHOULD BRING TO SOMEBODY'S ATTENTION THAT THERE IS A PROBLEM. SO THIS MADE EARLY CHILD BEARING INCREASE EVERYWHERE, NOT JUST IN ~~NEVADA~~ ^{NEVADA}, BUT ALL OVER.

I THINK THE THING THAT REALLY DISTURBED ME WAS TO FIND OUT THAT A LARGE NUMBER OF THOSE PEOPLE THAT GET PREGNANT WHILE THEY ARE TEENAGERS NEVER GET TO SEE WHAT IT'S LIKE TO FINISH HIGH SCHOOL OR WAIT LONG ENOUGH TO BECOME AN ADULT. THE SURVEY ALSO SHOWED THAT 8 OUT OF 10 WOMEN FIRST BECAME MOTHERS AT AGE 17 OR YOUNGER NEVER COMPLETED HIGH SCHOOL, TWICE AS HIGH A PROPORTION AS THOSE WHO DO NOT GIVE BIRTH UNTIL THEY ARE 20 OR OLDER. EVEN THOUGH THE FIRST BIRTH OCCURS AT AGE 18 OR 19, THE RISK OF DROPPING OUT OF SCHOOL BEFORE OBTAINING A HIGH SCHOOL DIPLOMA IS 1.4 TIMES GREATER. NINE OUT OF 10 OF THOSE WHO FIRST GIVE BIRTH AT AGE 15 OR YOUNGER, NEVER COMPLETE HIGH SCHOOL, AND MORE THAN 4 IN 10 NEVER GET PAST THE EIGHTH GRADE. SOME 12,500 GIRLS 14 OR YOUNGER AND 38,000 AGE 15 GAVE BIRTH IN 1974. I THINK THAT'S TELLING US SOMETHING THAT AGAIN THERE IS A PROBLEM.

ALSO, THERE WAS ANOTHER INTERESTING ARTICLE IN THAT SURVEY THAT I NOTICED, THAT ABOUT 10 PERCENT OF THE TEENAGERS GET

PREGNANT AND 6 PERCENT OF THEM GIVE BIRTH EACH YEAR. THAT'S OVER THE WHOLE COUNTRY. ANOTHER THING THAT'S REALLY INTERESTING IS THAT WE HAVE TO REALIZE THAT IF WE CAN SOME WAY PREVENT TEENAGERS FROM BECOMING MOTHERS, WE HAVE TO CUT DOWN ON OUR WELFARE AND OUR ADC. WE REALIZE THAT MOST PEOPLE IN NEVADA THAT ARE RECEIVING ADC WIND UP BEING UNMARRIED MOTHERS. THAT'S BASICALLY THE REASON THEY ARE RECEIVING ADC. AND SOMETIMES IT FORCES THE YOUNG MOTHER TO GIVE AWAY HER CHILD. THE SURVEY ALSO SHOWED THAT 9 OUT OF 10 MOTHERS TRY TO KEEP THEIR BABIES. THEY DON'T WANT TO GET RID OF THEM BUT THEY CAN'T AFFORD THEM SO THEY WIND UP BEING ON WELFARE.

ONE OTHER THING I WOULD LIKE TO POINT OUT IS THAT BETWEEN THE EARLY 1960'S AND THE EARLY 1970'S, THE POPULATION OF CHILDREN OF ADOLESCENT MOTHERS WHO WERE BORN OUT OF WEDLOCK HAS DOUBLED AND HAS RISEN AT EVERY AGE UNDER 20. I DON'T THINK I NEED TO CONTINUE TO TRY AND SHOW YOU THE NEED. I THINK THE NEED IS THERE, BUT I WOULD LIKE TO POINT OUT THAT IN THIS BILL WHAT WE HAVE DONE IS TO MAKE SURE THAT IT IS NOT MANDATORY THAT ALL KIDS IN HIGH SCHOOL TAKE THESE CLASSES, BUT IT IS JUST BEING MADE AVAILABLE TO THEM IF THEY WANT IT. OF COURSE, IF THE PARENTS DON'T WANT THEM TO HAVE IT, THEY WON'T HAVE TO TAKE IT. I UNDERSTAND THAT SOME OF THE TEACHERS ARE ALREADY TEACHING THESE TYPES OF CLASSES, AND THEY ARE DOING IT AT THEIR OWN RISK. THIS BILL WOULD ONLY GIVE THEM THE LEVERAGE THAT THEY NEED TO CONTINUE TEACHING THESE CLASSES IN HIGH SCHOOL.

SOMEBODY HAS MENTIONED THAT THEY FEEL WE ARE TAKING THE OBLIGATIONS AND RESPONSIBILITIES AWAY FROM THE PARENT. BUT I WOULD LIKE YOU TO KNOW THAT THERE ARE A LOT OF PARENTS WHO DON'T REALLY KNOW THEMSELVES WHAT TO TEACH THEIR KIDS AND HOW TO DEAL WITH THE PROBLEMS. AND THERE ARE OTHERS THAT REALLY DON'T

HAVE THE TIME. I'M SURE YOU ARE AWARE OF THE PROBLEMS IN CERTAIN AREAS WHERE THE MOTHER IS THE ONLY SUPPORT OF THE FAMILY, WHO WORKS, IN SOME CASES, AT NIGHT, WHILE THE KIDS GO TO SCHOOL IN THE DAY AND NEVER GET A CHANCE TO COMMUNICATE WITH THE MOTHER. I JUST FEEL WE ARE DOING THE RIGHT THING BY ALLOWING THE TEACHER TO BE ABLE TO TEACH THOSE KIDS SOMEWAY TO PREVENT NOT ONLY PREGNANCY BUT TO PREVENT DISEASE. AND I'M SURE YOU ARE AWARE OF THE HIGH PERCENTAGE OF VENEREAL DISEASE WE ARE ENCOUNTERING HERE IN NEVADA.

WE ARE NOT TRYING TO SHIFT THE RESPONSIBILITY OR TAKE IT, AND WE ARE DEFINITELY NOT TRYING TO TAKE THE RESPONSIBILITY OF ANY CHURCH GROUP OR ANY OTHER ORGANIZATION. I JUST THINK IT'S ONLY FAIR THAT THE TEACHER WHO SPENDS MORE TIME WITH MOST KIDS THAN THE FAMILY HAVE THE OPPORTUNITY TO TEACH THE KIDS VERY IMPORTANT THINGS THAT THEY SHOULD KNOW ABOUT LIFE. I THINK IT'S BETTER TO TEACH THEM BEFORE THEY GET PREGNANT OR COME DOWN WITH A CASE OF SOME KIND OF VENEREAL DISEASE. I THINK IT WOULD BE BETTER TO TEACH THEM HOW TO PREVENT THIS FROM HAPPENING THAN TRYING TO TELL THEM HOW TO CURE IT, BECAUSE I UNDERSTAND THERE ARE SOME VENEREAL DISEASES NOW THAT ARE VERY HARD TO CONTROL OR THAT THEY HAVEN'T FOUND THE CURE FOR. SO I JUST URGE THIS COMMITTEE TO CONSIDER VERY CLOSELY THIS BILL AND I THINK IT'S NOT DOING EXACTLY WHAT WE WANT IT TO DO, BUT I DO BELIEVE IT'S A STEP IN THE RIGHT DIRECTION, IT'S A FOOT IN THE DOOR.

THE PARENTS WHO DON'T WANT THEIR KIDS TO BE TAUGHT, ALL THEY HAVE TO DO IS SIGN THE LETTER AND SEND IT BACK, SAYING "NO, WE DO NOT WANT OUR KIDS TO HAVE THIS CLASS," AND THEY WILL NOT BE TAUGHT THIS CLASS. IT SAYS THEY "MAY" BE, NOT "SHALL", AND I JUST THINK IT'S A GOOD BILL AND I URGE YOUR SUPPORT.

THANK YOU. IF ANYBODY HAS ANY QUESTIONS, I'D BE HAPPY TO
ANSWER.

RABBI STEPHEN E. WEISBERG
 CONGREGATION NER TAMID
 NEW SYNAGOGUE OF LAS VEGAS

April 11, 1977

Senate Committee on Human
 Resources & Facilities
 Nevada Legislature
 Capitol Complex
 Carson City, Nevada 89701

RE: AB 300 MOMENT OF SILENT MEDITATION

Gentlemen:

It is our opinion that AB 300 is a futile exercise in protended religious sentiment. Those who support it doubtless do so more to please the constituents than out of genuine religious depth. The bill, should it pass, will provide nothing that the students need. It will make the act of silent prayer or meditation as empty and devoid of genuine meaning as any other mechanical exercise. Further, the proper place for such meditation or prayer, silent or otherwise, is in the church and synagogue, certainly not in the publicly-supported school system.

From time to time the legislators need to be reminded that the public school system in America is not a branch of America's religious establishment. It concerns me greatly that there are those who feel that the rights of minorities in this and other instances have neither bearing nor merit. The question here is a constitutional question, as well as one of minority rights, and minorities do have rights.

Sincerely,

Rabbi Stephen E. Weisberg
By Sandra Hayer, Secretary
 Rabbi Stephen E. Weisberg

SEW:sh

Dictated by Rabbi Weisberg, April 11, 1977.