Date: Feb. 4, 1981
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MEMBERS PRESENT: Chairman Stewart

Vice Chairman Sader

Mr. Thompson
Ms. Foley
Mr. Beyer
Mr. Price
Mr. Malone
Mrs. Cafferata

Ms. Ham Mr. Banner

MEMBERS ABSENT: Mr. Chaney (Excused)

GUESTS PRESENT: Fred Weldon, LCB Research

Senator Jean Ford

Ned B. Solomon, Clark County Juvenile Court Frank Carmen, Nevada Youth Services Division

Senator Melvin B. Close

Marie Egbert, Nevada Advisory Council for

Voc-Tech Education

Michael L. Rask, Nevada Advisory Council for

Voc-Tech Education

Bill Curran, Clark County D.A. Office

Sheila J. Nelson Fred B. Nelson

S.S. Stern, NFT, Reno

Chairman Stewart called the meeting to order at 8:11 a.m. He then proceeded to hear SCR 10.

SCR 10 Encourages juvenile court judges to appoint youth services commissions.

Senator Jean Ford, Clark County, District 3, placed before the members of the committee a final report of the Interim Committee which she chaired. She stated that it was similar in some respects to the committee chaired by Mr. Stewart and one by Assemblyman Colter. SCR 10 is addressed on page 12 of the report and one of 11 recommendations made by her committee in an attempt to resolve some real friction between local governments and the juvenile courts in organizing and financing of the juvenile courts. She stated that her committee found that there weren't a lot of firm changes in the law that could be recommended to deal with the problem. She noted that the other resolutions on this morning's agenda came out of that committee and had her support. They are resolutions calling for attention to the problems and asking for notice from community organizations and agencies since the juvenile delinquency problem cannot be legislated out of existence.

SCR 10 calls for the various judicial districts to exercise their option to create a youth services commission, which was provided for in the law in 1975. To this point, no judicial district has ever created one. The legislation was supported at that time. NRS 422.300 is very brief and makes it optional for the judge of the juvenile court to establish a commission consisting of 5 persons, appointed to advise in conjunction with the Welfare Division on matters relating to dependent and neglect the governing bodies of the cities and counties, the judge of the court, the Governor and the Legislature regarding new programs to reduce the incidence of juvenile delinquency, develop formal agreements among agencies and organizations similar to youth service bureaus which have been very effective around the country. This attempts to be an information and referral kind of program to assist in getting first offenders into family groups or good recreational programs. Other projects in delinquency prevention utilize and coordinate existing resources.

Senator Ford stated that it is appropriate that this resolution recommend the development of youth services commissions since they could, in fact, be the groups in each county to carry out the recommendations coming from the other resolutions being dealt with this morning. She noted that there is no fiscal note, however the law also provides that the commission and the judge can seek and secure monies and resources to carry out the purposes of the commission. She did make the point that a lot can be accomplished with volunteer groups and made mention of a youth services advisory commission in Clark County of which she was a member. She indicated that the advisory commission worked with the judge and attempted to come up with a better method of handing of the juvenile delinquency and juvenile court situation. She felt that group accomplished a great deal during its existence and, as a result, they requested a statute be created calling for these groups to be statutory in nature.

Mr. Malone asked where the monies the commission and judge are permitted to seek would come from. Senator Ford stated that there is a third party matching money available in Title 20 which can go to community organizations through the Welfare Department to carry out these kinds of programs, there is local United Way money, volunteer monies such as Junior League, Federal money, money which the school district has access to, etc. She noted that there is much literature available on very effective youth service bureaus and commissions around the county.

Mr. Beyer questioned why the concept of creating these commissions had not been brought up in the past. Senator Ford replied that the judges are very busy however, as in Clark County, the judge has several other options available to him. She indicated that because the name "youth commission" is not applied, it doesn't mean that it isn't already in operation under other names. She stated that in Washoe County the head of the juvenile court services philosophically does not agree with this type of thing and has other ways of going about the same problem; judges in the rural areas are acting as district and juvenile judges and aren't often as aware of how this can be utilized in a positive manner. She felt this was just something that had been overlooked and no lay people suggesting it be done.

Senator Ford stated that a companion measure arising from the study was passed which is on the general file of the Senate today requiring all judges who perform duties of juvenile judges to attend the Judicial College in Reno since many of them are simply not aware of the options open to them in dealing with juvenile problems. She pointed out that in the back of the report before the committee were statistics done during the course of the study, however felt they were inadequate.

On Mr. Beyer's question that about the kind of cooperation needed by county agencies to make the program work, Senator Ford responded that one of the things to be done would be to determine to what extent that is necessary. In other words, they would decide the type of programs needed and then decide who to work with and ask for their cooperation. She further noted the language in subsection (c), $\bar{}$. . . coordinate existing resources within the community. . . $\bar{}$ and stated that where this had taken place, it was largely the private sector that had gotten involved. An example given is the Children's Service Guild in Clark County, a very active volunteer program which raised hundreds of thousands of dollars for the juvenile court in Clark County.

Senator Ford responded to a statement by Mr. Beyer that the whole idea is to create a commission assisting the judge which could go out in the community, educate them on the kinds of community self-help needed and help the judge better deal with the juveniles.

Chairman Stewart at that point introduced Senator Close, Chairman of the Senate Judiciary Committee, and indicated that he would be sitting in on some of the sessions involving bills from his committee. He then asked if Senator Ford would like to comment on the other resolutions to be heard on this date.

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It was decided that Ned Solomon would first speak to SCR 10 before continuing on to the other resolutions.

Ned Solomon, Deputy Director, Clark County Juvenile Court, expressed his support of the bill. Mr. Sader asked if there were plans to establish a commission in Clark County. Mr. Solomon responded that there was a rotation of juvenile judges in their system, each of which begins with his own list of priorities. He indicated that they had never been able to go into this type of program, however there were other programs currently in operation. He stated that this was secondgeneration which would bring them closer to where they should On Mr. Sader's question of whether the juvenile court supported the concept of youth services commission, Mr. Solomon stated they did, as well as the juvenile court judge. He mentioned in relation to private industry, that in his court they were looking to private industry to provide resources. He indicated they had actively recruited groups to provide services and resources.

On a question from Mr. Beyer, Mr. Solomon stated that one of the main functions of the youth services commission would be to coordinate the services in the community as well as recruit resources available throughout the country.

Mr. Beyer asked who would be selected to serve on the commission, to which Mr. Solomon replied it would probably be a wide community representation, however, it was the judge's prerogative. He did feel it would be very broad, encompassing the community, government, minorities and representatives from the outlying areas.

Mr. Sader moved DO PASS SCR 10, seconded by Mr. Malone and passed unanimously, Mr. Chaney being absent.

- Encourages strict enforcement of criminal ACR 12 laws in cases involving juvenile offenders.
- Expresses support for programs in schools ACR 13 which contribute to reduction of juvenile crime.
- ACR 14 Encourages activities, programs and employment for youth in Nevada.
- Directs youth services division of depart-ACR 15 ment of human resources to use advertising and news media to increase public awareness of problems among youth relating to juvenile crime and abuse of drugs and alcohol.

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Senator Jean Ford spoke generally in support of all the resolutions. She expressed concern over the fact that there might not be complete support of the resolutions due to the fact that some felt they were unnecessary and costly to print, and further that they do not have the force of law. She felt them important in that they are the Legislature's way of reminding people of their own personal responsibilities. She mentioned that the resolutions were not consistent in suggesting that they be sent to appropriate parties. It was her suggestion that once all the resolutions were passed they be sent in a package with a joint letter from both the Senate and Assembly Judiciary Committees to all parties concerned. Her suggested mailing list was as follows: ACR 12 to judges, prosecutors, sheriffs and chiefs of police; ACR 13 to school boards and superintendents of school districts; ACR 14 a list of people in the private sector to be determined jointly by the two committees; ACR 15 to Department of Human Resources - Youth Services Division and superintendent of public instruction. She felt that this mailing would have quite a bit of impact. Chairman Stewart agreed and asked that Jor Jan Martin remind him to contact Senator Ford about the mailing once the resolutions were passed.

Fred Weldon was asked by the Chairman to give a background on each of the subject resolutions. He responded by stating that these are all resolutions of broad intent. The sub-committee which Chairman Stewart chaired and Assemblyman Malone also served on looked at juvenile crime and abuse of alcohol. He indicated that the committee should have received Bulletin 8110 on that. The sub-committee decided early in their work that they wanted to emphasize prevention of juvenile delinquency rather than looking at disposition after the fact. committee received testimony from every State agency involved, had five presentations from high school classes to give the youth a perspective on the problem at which several local entities spoke. Seven national organizations were contacted to discuss prevention of juvenile delinquency as well as over 30 local programs which dealt in prevention and what to do with the youths after they were in trouble. Mr. Weldon felt that the research was productive, but frustrating in that he felt as if he was required to give a solution to the problem of juvenile delinquency. He went on to say that everyone recognized that there was a problem, but no one had a simple answer.

Mr. Weldon stated that the research into prevention outlined four areas where the problems with youth could be addressed: family, schools, community and youth employment. These areas are addressed in the subject resolutions. He outlined the resolutions as follows:

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ACR 12 encourages the judges, prosecutors, sheriffs and chiefs of police to enforce the criminal laws relative to juvenile offenders with the same vigor that they enforce the laws for adult offenders. The testimony heard by the sub-committee indicated that an even-handed enforcement of the laws could probably help in deterring juvenile problems. The second portion of the resolution supports restitution programs. Testimony heard was that these programs were very valuable and useful, particularly for first time offenders. The resolution goes on to encourage the enforcement of the liquor sales laws. Testimony heard was that in many cases these laws were not strictly enforced.

Mr. Stewart commented that the testimony heard came mainly from juveniles themselves who asked why the laws were not enforced. Mr. Beyer expressed concern over the fact that the Legislature had to pass resolutions to tell the courts to enforce the laws that had already been passed. Mr. Malone responded by saying that it was virtually impossible to keep on top of all offenders. Mr. Beyer agreed but made the point that the judges should enforce the laws that had been passed. Mr. Malone felt that once the judges became aware that the juveniles themselves had criticized the way they were adjudicated, they would begin to take closer notice.

It was suggested that if sale of alcohol to a minor were made a felony, that perhaps that offense would not occur so frequently. Mr. Stewart pointed out that revoking an establishment's liquor license was quite effective.

ACR 13 speaks to the school districts and the situation in the schools. The sub-committee was told of alternative learning programs and programs in which juveniles could be placed who had problems in the regular setting. This resolution supports alternative learning programs, as well as counseling students and parents at the same time rather than just counseling the students alone. It further requests the school districts to get involved in programs of vocational education. It was felt that if problem children could be learning skills, they would probably be more productive throughout their lives.

Mr. Sader spoke of a meeting in which this subject was discussed. The idea of the school districts participating in a more aggressive manner and requiring parents to take more responsibility in the matter of truancy was discussed. Ms. Ham felt that the parents should not be saddled with all the blame in situations with problem children. Mr. Malone again pointed out that all the testimony heard by the sub-committee was from juveniles who pointed out these problems. Mr. Stewart pointed out that the resolution did not state that the parents were always responsible for the problems, but that the word "often" was used, indicating that it was sometimes as the result of bad parenting.

Mr. Thompson commented that one area addressed was that of vocational programs in the schools. He felt the programs were inadequate as was the budgeting for those programs.

ACR 14 is designed primarily to address the communities. The first portion encourages the communities to develop activities for youth through the private and volunteer sector. The second portion speaks to encouraging communities to include activities for the full participation of the families and the third area speaks to the employers, encouraging them to try to provide productive employment opportunities for the youth.

Ms. Ham commented that in Clark County there are quite a lot of activities for the youth. Mr. Stewart stated that the study performed by his sub-committee had found that those young people who actively participated in programs for the youth were less likely to get into trouble and that a problem was encouraging them to take advantage of the activities provided for them. Mr. Weldon reiterated Senator Ford's comments on the value of these resolutions showing the Legislature's concern over this area and encouraging support by the community.

ACR 15 directs specific actions to be taken. It was the concensus of the sub-committee that public service media campaigns have been successful in some areas. The shoplifting campaign in Nevada was cited as an example. It was also their concensus that in some cases this could be done as a public service presenatation on television, radio, etc. to heighten the awareness of the public to the problem and their personal responsibilities. Mr. Weldon stated that the report detailed the types of things the Youth Services Division should emphasize. He further stated that the Department of Education was involved in this type of program and that the resolution speaks to the Department cooperating with the Youth Services Division and lend them their expertise.

Mr. Thompson asked if the problem of gang violence was addressed in the study performed by the sub-committee. Both Mr. Malone and Mr. Stewart felt that this type of program would aid in alleviating the problem. Mr. Malone gave as an example neighborhood families watching out for one another to prevent burglaries.

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Frank Carmen, Administrator, Nevada Youth Services Division, commented on each of the resolutions as follows. He began by expressing general support of all the resolutions by his agency. With regard to ACR 12, Mr. Carmen expressed the feeling that the laws dealing with juveniles was enforced more harshly than those for adults. He gave as examples runaways, truants, etc. He stated that there are programs in most of the juvenile courts in the state that deal with shoplifting, alcohol abuse and drug abuse which place those youngsters on probation. He stressed that the problem is options available for dealing with these juveniles. One primary problem he mentioned was the money available to deal with all the juveniles brought before the court. He felt that a priority should be to encourage the development of additional resources for the juvenile courts and communities.

Mr. Carmen went into the abuse of alcohol stating that some parents encourage the use of alcohol by their children as an alternative to drugs, thereby creating the problem of juvenile alcoholics. He indicated that only about 10% of the juvenile population were problem children and it was his feeling that this was a decrease in percentages from prior years. On the question of the percentage of incidents of alcohol abuse in youth today as compared to past years, Mr. Carmen stated that there was probably more known alcohol and drug abuse today than ever before, partially due to the fact he felt that alcohol abuse wasn't really recognized prior to the 1970's. Mr. Stewart asked if Mr. Carmen felt it was easier today for children to acquire alcohol than 10 years ago. Mr. Carmen didn't feel it was any easier now. Mr. Stewart pointed out that intoxication in the classroom was quite often a common occurrence today, whereas it was not tolerated in years past. He felt that it should be made clear that since it was in violation of the law for a minor to be in possession of alcohol, it should be made equally as clear that intoxication would not be tolerated. Mr. Carmen replied by responding that locking a juvenile up or putting him on probation for being an alcohol or drug abuser would not solve the problem. He felt there needed to programs put in place in communities to deal with drug and alcohol abusers. Mr. Beyer agreed with Mr. Carmen's comments, but felt that the statutes should be strictly enforced by the courts so that credibility would not be lost with the juveniles.

Mr. Carmen went on to say that the juvenile statutes do not specifically address a penalty for a juvenile being caught under the influence of alcohol, but simply state that it is a misdemeanor offense. His point was that juvenile laws should be enforced differently from adult laws. He felt that an encouragement would be to develop policies and programs within the juvenile courts aimed at accomplishing that.

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He suggested perhaps imposing a fine or, if the problem is a serious one, referring the juvenile to a community based program.

On a question from Mr. Beyer about the lack of a penalty for being caught under the influence, Mr. Carmen stated that it was his recollection that in the juvenile statutes there are very few penalties spelled out. He agreed with Mr. Beyer that immediate consequences of some type are required. He felt that programs were sometimes a greater penalty than being locked up due to the amount of work required to complete a program and bring about changes.

On <u>ACR 13</u>, Mr. Carmen expressed the basic support of that resolution by his agency and agreed with Mr. Thompson's comment about the school district's general position of reduced resourses. The need for increased vocational opportunities, as well as career programs and special education was recognized. He stated that school districts were being expected to do more and more with less and less.

Mr. Carmen stated that his agency basically supported ACR 14. He felt that activities and employment were areas that should be looked at to deter negative behavior in juveniles. He pointed out that an existing problem, particularly in Clark County, is transportation to and from jobs and activities and the expense involved for transportation and some of the activities such as movies, roller skating, etc.

Ms. Ham asked if the employers were required to pay minimum wages to juveniles. Mr. Carmen replied that they were and that it had presented a problem to small businesses coupled with the cost of employment insurance.

Mr. Carmen stated that Youth Services supported ACR 15 and indicated that there was a request for money in the amount of \$7,500 entitled "Juvenile Prevention Program". That money as well as what might be available from the Governor's Crime Prevention Committee, BADA (Bureau of Alcohol & Drug Abuse) and other sources would be put to work in effecting the requirements of this resolution.

Ms. Ham asked about the cost of television time. Mr. Carmen indicated that public service announcements were free, however production was costly. Miss Foley stated that it was possible to get the TV stations to donate the time necessary to produce these announcements.

Mr. Thompson asked about the availability of government grants for this type of program. Mr. Carmen stated that he had not seen a federal grant dealing with news media or development

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of these types of campaigns for a number of years. He indicated that there were some years ago but money today through federal sources was not as readily available. He did say that it was something that would be pursued.

Miss Foley suggested working with various sources to get bill-boards, posters, etc. and indicated that through her work with Opportunity Village they were able to get cooperation from various community organizations.

Michael Rask, Executive Director, Nevada Advisory Council for Vocational Technical Education, testified as follows (verbatim at the request of Mr. Beyer):

"It struck me that resolutions like ACR 13 and ACR 14 and the others are tomorrow's problems as a resolution today. The problems you're talking about at the resolution level are the critical crises you deal with in the Finance Committee. It is interesting that it costs approximately \$16,500 to incarcerate a youth in this state or adjudicate a youth, and yet it costs less than \$1,900 per year to train a youth.

"I would like to fill you in on a study that the Council began last year that might, at some point, be interesting to this committee. We have neared completion on a statewide study on barriers to youth employment. Now there aren't too many people, commissions, whether they are legal commissions, law enforcement commissions, educational commissions, that have not recognized the link between unemployment for those individuals between the ages of 16 and 19 and the adjudication rate of those individuals.

"It is interesting that in Nevada we rank third in our per capita expenditure for law enforcement and incarceration. We rank 48th in our investment in the nation totally for the education and training of youth. The paradox there I think speaks for itself with the problems you're dealing with today. Assemblyman Thompson mentioned the problem of equipment. That's not the only problem you have to deal with in terms of adjudicated youth. Nationally, 50% of all of the young people enrolled in secondary programs in high schools are enrolled in one form of vocational education program or another at varying levels and times during the day - in Nevada, 30%. We could go through statistics that would scare you to death in terms of what the future labor force of this state is going to look like; especially in light of the MX missile. But I really was not prepared to come in and comment on that.

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"What I really do appreciate is the fact that the resolution, especially ACR 13, includes a realistic comment about vocational education. There is one four-letter word that kids have forgotten in their vocabulary in high school in Nevada and America in many cases -- the word 'work'. It has value and it has merit. I think it helps to prevent expenditures in support of adjudicated youth. I was a vocational classroom teacher. I came up through that direction. I worked with adjudicated youth and I have worked with special programs. have operated programs in the prisons. Not in Nevada; in other areas. I can tell you that the inflation, the problem that mothers must now work in order to keep a family of 5 together, the isolation of young people and the inavailability of money for basic activities like entertainment are contributing factors to adjudicated youth. They are significant factors and I think you can find that the National Crime Commission from 1976 and again, I apologize because I didn't bring those statistics with me, that over 35% of all of the people who are incarcerated in America over the age of 19 are there because of financial stress. The primary number of those individuals were unable to gain employment because they lacked basic -- not math, reading skills -- but basic skills for employment, which include attitudes about work and the role and function of work in our society. We are a work oriented society.

"It is interesting also to note that we were running parallel studies with youth regarding employment that began a year ago in August talking about what were the significant factors. Among the significant factors for youth in why they spent increasing amounts of time away from home, which was a causative factor in adjudication, was the fact that they had no productive activities either within their home or immediately available to them after regular school hours.

"There are in Nevada right now some 3,500 young people in secondary school programs who are enrolled in what we, in Education, call vocational youth organizations. They're leadership organizations. You know them as the Future Farmers of America, the Future Homemakers of America, Future Business Leaders of America, Distributive Education Clubs of America. These youth operate those organizations through a direct state contribution of approximately \$10,000, which is \$3,000 a student, and that contribution is through the regular Department of Education budget. There are many areas that can be helped.

"Equipment and facilities for vocational education in Nevada is at a crisis level. There has not been major contribution from the State, State appropriation, or through the Federal government for vocational education equipment and facilities since 1964 and you know what the technology of today is. Youth employment is a problem for small business. In general, the gaming industry is not a place that we employ 16 to 19 year old individuals. Being a one-industry state, if we're going to find employment for young people that is going to keep them off the streets, if that's what we're attempting to do, we have to depend upon the very small businessman. And, quite frankly, without incentives, he is unable to maintain an individual who does not have enough productive skills to turn him a profit. So, as we get down the road, this state is going to have to look at some kind of tax incentive system -- one year, 18 months, whatever it takes -- in order to encourage employers of small businesses, the 3 to 5 man businesses, to employ young people and provide them with training. So the problem is not just adjudication and the problem is not just a problem that this committee has to deal with, but it's a problem that surfaces as a resolution, as a joint or concurrent resolution, in a judiciary committee and it becomes a priority through a judiciary committee, but that priority is not followed through in the committees that functionally effect what you're making That's the financing of preventative programs resolutions on. in the State of Nevada. It's prevention that will do away with early resolutions. It's not more resolutions that this committee has to deal with.

"The one last comment that I'd like to make -- if you consider the cost of adjudication of youth at \$16,500 per year per individual, and that is a rounded off best estimate, and estimate a cost of approximately of \$1,900 a year for vocational education, how long can we afford to follow the path we're on? Prevention is cheaper than cure, but first you have to recognize the need. As Executive Director of the Advisory Council for Vocational Education, I'd like to thank the committee and the working group who put these resolutions together, because as we begin to work toward better funding of vocational education in the State of Nevada, these kinds of resolutions help to support the position that we take which is that prevention is cheaper than cure."

Ned Solomon, Deputy Director, Juvenile Court, spoke in support of the resolutions on behalf of the juvenile court. He stated that the support of <u>ACR 12</u> is based upon the assumption that this is a declaration from the Legislature that we are all concerned about the problems of juvenile crime and that the juvenile court recognizes the Legislature's support in helping them fulfill their responsibilities as well as law enforcement and others.

Mr. Malone commented on the fact that it is illegal to sell juveniles cigarettes and yet the schools set up smoking areas. Mr. Thompson responded by saying that when he was in school a smoking area had been established because of the congestion of smokers in the bathrooms. Mr. Malone raised the point again that in years past smoking even in the bathroom was punished in some manner, but that today it is tolerated and there is even a designated smoking area for the juveniles. Mr. Stewart commented that by making the youth aware of the health hazards of smoking had helped in reducing the number of young smokers today.

Mr. Beyer moved DO PASS ACR 12, seconded by Mr. Malone, and passed unanimously, Mr. Chaney being absent.

Mr. Beyer moved DO PASS ACR 13, seconded by Mr. Malone, and passed unanimously, Mr. Chaney being absent.

Mr. Beyer moved DO PASS ACR 14, seconded by Mr. Malone, and passed unanimously, Mr. Chaney being absent.

Mr. Beyer moved DO PASS ACR 15, seconded by Mr. Malone, and passed unanimously, Mr. Chaney being absent.

The Chairman then asked if there was anyone particularly interested in any of the resolutions passed and would like to handle them on the Floor. Since there was no response, he suggested he give the individuals who served on the Interim Committee the opportunity to handle them.

Since there was nothing on the agenda for Thursday, Mr. Stewart suggested that might be a good opportunity for the sub-committees previously assigned to work on their bills.

Mrs. Cafferata reported that she had received some research on AB 33 which indicated a fiscal impact on that bill. She stated that she is currently soliciting information from the small counties.

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Ms. Foley reported that she had talked to some of the lobbyists from the small counties about the subpoenas and asked them about their grand juries. She indicated that she had asked them to contact their DA's and get back to her.

Since there was no further business, the Chairman adjourned the meeting at 9:40 a.m.

Respectfully submitted,

Jor dan M. Martin, Committee Stenographer

SCR 10: Encourages juvenile court judges to appoint youth services commissions.

February 4, 1981

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February 4, 1981

ATTACHED TO MINUTES OF February 4, 1981

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February 4, 1981

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