

MEMBERS PRESENT: Chairman Stewart
 Vice Chairman Sader
 Mr. Thompson
 Miss Foley
 Mr. Beyer
 Mr. Chaney
 Mr. Malone
 Mrs. Cafferata
 Mrs. Ham
 Mr. Banner

MEMBERS ABSENT: Mr. Price (excused)

GUESTS PRESENT: Steve Robinson, Department of Prisons
 Frank Carmen, Youth Services Division
 Brooke Nielsen, A.G. Criminal
 Colleen Dolan, UNR Intern
 Bob Evans, UNR Intern
 R. Bayer, Department of Prisons
 Lody Smith, Nevada Division of Forestry
 Bud Campos, Parole & Probation

Chairman Stewart called the meeting to order at 8:10 a.m. and asked for committee introduction of BDR 57-735*, BDR 43-736** and BDR 31-630† at the request of the Nevada Trial Lawyers Association. Mr. Sader moved for committee introduction, seconded by Mr. Malone and carried by majority vote, Mrs. Cafferata voting nay.

AB 482: Allows amount of uncashed checks of former inmates of juvenile correctional institutions to be transferred after 1 year.

Frank Carmen, Administrator for the Youth Services Division, stated that AB 482 resulted from a recommendation by the Legislative Audit Division when they audited the accounts at the NYTC and the girls training center. There were checks issued to juveniles which had gone uncashed or unaccounted for. This amounts to about \$200 to \$300 per year. The juveniles are issued a check upon release from the training center and sometimes go uncashed for a number of years. This bill allows the superintendent to transfer the amount of uncashed checks issued to the inmates into an existing juvenile gift fund. This fund is basically used for buying gifts for the juveniles at Christmas or for field trips. The bill asks for a one year expiration on the checks when issued so that the funds can be put into the gift fund. Mr. Carmen stated this has nothing to do with social security checks or checks from employers. Any check from another party would be returned to the issuer.

*AB 576

+AB 574

*AB 575

To Mr. Sader's question, Mr. Carmen stated that the gift fund is specifically for the juveniles and not gifts for the staff. He further explained that when the juveniles are issued a check from an outside employer through the agency, they are issued an agency check upon release. He added that in most cases these checks are issued directly to the juveniles unless there is a cooperative agreement through the agency. He continued by saying that the language of the bill is as recommended by the Legislative Audit people.

Mr. Malone asked how much money this amounts to. Mr. Carmen responded that at last checking, there was \$180 unaccounted for in the form of these checks and that the checks range from \$5.00 to \$30.00. The \$180 has built up over the last two or three years and the auditors want it cleaned up by putting it in a gift fund.

Mr. Carmen explained to Mr. Beyer that when the juveniles are issued a check from an outside employer, the institution puts the money into a trust account for the juvenile to draw on as needed. He explained further that it is not feasible to open 180 different savings accounts for the boys and is easier to distribute it from one mass trust account with a record for each juvenile. He added that some parents send allowances and other juveniles receive social security checks. A record is kept of the money in each account and distributed when the child goes on special outings or into town. When they leave, the institution issues a check for the balance of the account.

There were suggestions from some of the committee members that the checks become void after 90 days rather than one year. Mr. Carmen was not sure why one year was stipulated and had no problem with 90 days. He thought that the time period might be for the superintendent's purposes and so that it appeared that the institution was not hoping the checks would go uncashed. He explained that some of the kids are simply careless and forget to cash the check until later or else lose the check. He added that when a check is lost, they don't generally ask for another check to be issued, but the funds would be available if they did. The rule, however, was that all but a couple of checks are cashed.

Chairman Stewart felt that it should be clarified in the language that a check from a third party does not fall under this bill. To Mr. Sader's question, Mr. Carmen stated that there are very few instances in which the juveniles work for other state agencies, but there may be an occasional occurrence of that. Most are employed through local commercial businesses such as garages or hamburger stands. Mr. Sader commented that the language could be amended to refer specifically to checks issued by the institution.

SB 36: Relaxes requirements for assignment of prisoners to honor camps.

Steve Robinson of the Department of Prisons spoke in support of SB 36, stating that the Department has been appropriated 108 beds in the north for honor camps and 36 down in the Mt. Charleston area. In the past, there has been a problem filling the appropriated beds primarily because of the restriction under the existing statutes which prohibits an inmate convicted of or having committed an assault on any person to participate in the honor camp program. The Attorney General's office has interpreted that as possibly meaning that anyone who has been involved in an assault, even before being incarcerated, could be precluded from participation in the camp. It is therefore proposed that that restriction be removed. Mr. Robinson explained that the Senate amended that but also put in the restriction that any inmate convicted of a sexual offense continue to be prohibited from participation in the program. He stated that is standard policy now and the Department can live with that restriction.

Mr. Lody Smith of the Nevada Division of Forestry stated that his division has worked hand in glove with the prison administration for the last 20 or more years in working with honor camps, mostly in the western and eastern parts of the state. Southern Nevada has just received the first honor camp in Pioche from the last session of the Legislature. These restrictions provide very few qualifying inmates and does not meet the intent of the program. The honor camp programs provide the State with work done in the forested areas around the Lake where conservation work has been done which could not be done any other way. Fire crews are also a service provided by these inmates. There is an inmate foreman employed by the Division of Forestry and the crews and inmates are equipped to do the various jobs. It was felt by Mr. Smith that this bill would meet the needs. He commented that he has been personally involved with this program for 20 years, having taken out the first crew from the prison 20 years ago. Over those years there have been some escapes and problems, but by and large, honor camp crews are one of the best uses for these people. He added that living in an honor camp environment is considerably better than living in the prison and there is a competition to stay on the crews and keep themselves in order. Most of the inmates will not tolerate acts by another which might foul up the program. By totally restricting those who can become involved limits the rehabilitation and the work is not accomplished.

To Mr. Sader's question, Mr. Smith stated that there is authorization for 108 inmates in this area, but the crews are not filled due to these restrictions and there are currently only 32 assigned to work.

Mr. Smith further explained that if the inmates were available, the program could be expanded if necessary. There is currently a new camp provided in the Governor's recommend at the new institution at Indian Springs which will be a 36 man facility and an increase up to 48 at Pioche. The inmates are housed outside the prison facilities and are transported by bus. Mr. Smith felt that the bill as written would provide the necessary manpower and still maintain safety for the public.

To Mr. Sader's question, Mr. Smith stated that he gets the men who are on the back stretch of their sentences and are not as apt to run away as those who have a full term left to serve.

Mr. Robinson felt that this bill would free up enough inmates to fill up the authorized beds. By way of further explanation to Mrs. Ham, Mr. Robinson stated that assault restriction could be construed to include a fight on a playground in elementary school.

SB 247: Limits length of probation and use of presentence reports and provides for disposal of certain confiscated property.

Bud Campos, Chief Parole and Probation Officer for Nevada, stated that SB 247 is important and commented that his agency has grown in the last 11 or 12 years from about 27 people to 180 people. SB 247 is an attempt to discontinue certain areas without any significant effect or impact on anyone.

SB 247 accomplishes three different things. First, at the present time, the agency is required to do a presentence report on all convictions in district court. The agency feels that the necessity for preparing a presentence report on gross misdemeanors is not worth the money that it costs the state to have it done. About 1/3 of the presentence reports are on gross misdemeanors. The disposition of a gross misdemeanor is dependent almost entirely on the seriousness of the offense and the individual's prior record. Those two elements are information which is almost always known by the district attorney's office. Anything on behalf of the defendant can be presented by the defense attorney. Mr. Campos commented that there is very little choice in terms of what can be done with a gross misdemeanant anyway. He either goes to county jail or is granted probation. This would allow the department to request 6 fewer people, 4 fewer in Las Vegas and 2 in Reno. It will also have a continual impact over the years in this manner. Mr. Campos added that this is a service provided for the district court judges who have indicated that they do not oppose this bill.

The next area addresses the probation time. Mr. Campos stated that currently there is no distinction made between the length of time that an individual can be on probation for a felony vs. a gross misdemeanor. The maximum for probation is five years. This bill would limit the amount of time a person could be on probation for either a gross misdemeanor or deferred judgment to 3 years rather than 5 years. This cuts down the length of time and will have a long range impact on the growth of the agency. Mr. Campos continued by saying that in those states where this has been challenged, the courts have found that a person should not be on probation for any longer than the penalty were he not granted probation. The penalty on a gross misdemeanor is 1 year. According to case law, the longest they should be on probation is 1 year. There is no such case law to apply that to Nevada, so the 3 year maximum has been requested and is more desirable in a lot of cases since a lot are reduced from felony charges.

The third section of the bill provides a method for the department to effectively get rid of contraband and particularly weapons. Mr. Campos distributed photographs of the types of weapons which the department currently has in possession in Carson City's central office. At the present time there is no effective way of getting rid of the weapons. It can be destroyed, but as could be seen by the photographs, it is a shame to destroy brand new weapons worth several hundred dollars. At the present time, the weapons are just being retained and are becoming a burden in terms of storage and the liability if they should be burglarized. It is the proposal that the equipment and weapons be auctioned with the money going into the State General Fund. Mr. Campos stated that this is the current practice with the Sheriffs. Those weapons serviceable to the agency in terms of direct use or for training purposes would be put into the State inventory. The bill provides that these transactions would be made once or twice a year with the attorney general's office notified so that there is some record of what is being done.

By way of explanation to Mr. Chaney, Mr. Campos stated that one way in which the department comes by these weapons is that when a home or apartment is searched where one of the occupants is on probation or parole, no one will acknowledge ownership. Subsequent research will also indicate a lack of registered ownership. He added that this bill does not give authorization to seize weapons since that authorization exists elsewhere. The problem is what to do with them once they are seized. When an individual is convicted of a felony, he loses his right to bear any type of firearms forever. At that point, the department aids the individual in getting rid of the gun.

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SB 256: Makes various changes in provisions regarding presentence reports.

Bud Campos of the Department of Parole & Probation stated that SB 256 is an effort to clarify what can be in a presentence report and the handling of the report in terms of its confidentiality. The first real change or addition to the law appears at line 19 on page 1 where it states that a presentence report can contain any type of information that might be helpful to the judge in imposing the sentence. That was included due to continuous arguments by defense counsel as to the content of the reports. He stated that it comes from the Federal Code and it is the judge's discretion which determines the weight of the information contained in the report.

The second impact of the bill appears at line 8, page 2, Section 2. Mr. Campos stated that currently the judges all have their own ways of handling the presentence report after sentencing. Some put them in the Clerk's Office which makes them a matter of public record. These reports carry information about the family, friends, neighbors, victims, psychiatric and psychological reports and should not be a matter of public record. Some judges feel that the law does not address the problem. Therefore, the bill states that the record ". . . must not be made a part of any public record." He continued by saying that there has been fear that this information would be withheld from other people entitled to it such as district attorneys or defense attorneys. This would not occur since parole and probation does provide copies to those people who have a legitimate right or need for the records. The intent is to keep the information from the public and not other agencies entitled to it.

The third section at line 16 of page 2 gives the adult parole and probation officer the right to access to juvenile records which have not been sealed upon conviction as an adult. Mr. Campos stated that the way the law reads now, if a juvenile record was needed in this instance, a court order would have to be obtained first. He explained that the protection afforded juveniles is simply to protect him as an adult from nefarious activities he committed as a juvenile. Once he is convicted in a district court, it was Mr. Campos' feeling that his rights in that respect no longer exist since his behavior has continued to be delinquent and anti-social. He added that AB 453 addresses confidentiality in those juvenile records which have been sealed and this bill does not conflict with that bill since SB 256 deals with records prior to their being sealed. A court order would still be required to get access to sealed records.

Mr. Sader commented that the presentence report is argued during sentencing in court between the defense counsel and prosecutor which makes it public record to the extent that it is discussed. He felt there would be a problem with the disclosure during sentencing proceedings. Mr. Campos was under the impression that the law currently allows that the factual content of the report may be released but not the source of the information, yet in open court during the sentencing process the sources are discussed. He felt that this bill just makes the law clearer in terms of what to do with the report itself. Mr. Sader expressed concern over how this bill would affect the sentencing proceedings.

By way of explanation to Mr. Beyer, Mr. Campos stated that between the time of finding of guilty and sentencing (approximately 30 days) an investigation is done on the individual's background and a report for the court. There is protection under the law in this state and about half the others for the defendant as to the contents of the presentence report.

Mr. Sader asked if there were any other public proceedings where the presentence report might be used other than the sentencing. Mr. Campos stated it is used in the appeal process and is used by the department itself and by the prison, as well as mental health agencies if they are treating the defendant.

Chairman Stewart asked why some of this information should be kept confidential. Mr. Campos stated that if the defendant were living with a "known drug user", making that information public would open the agency up to a lawsuit unless there is concrete evidence of the fact. The court should have this information, but it should not be public.

Chairman Stewart suggested the possibility of having the presentence reports sealed and put in the court's files. Mr. Campos had not considered that possibility and suggested the problems of people who had a legitimate right to the report having to get an order.

AB 482: Allows amount of uncashed checks of former inmates of juvenile correctional institutions to be transferred after 1 year.

Mr. Sader suggested inserting language to specify that these be checks issued by the agency only. Mr. Sader moved AMEND AB 482 to specify checks by the institution, seconded by Mrs. Cafferata, and carried unanimously, Mr. Banner, Mr. Price and Mr. Thompson being absent.

Mrs. Cafferata moved AMEND AB 482 to require that the checks be invalid after 90 days, seconded by Mr. Malone. The motion failed, Mr. Stewart, Mr. Sader, Miss Foley and Mr. Chaney voting nay, Mssrs. Banner, Price and Thompson being absent.

Mr. Malone moved DO PASS AB 482 as amended, seconded by Mrs. Ham, and carried unanimously, Mr. Banner, Mr. Price and Mr. Thompson being absent.

SB 13: Adds supervised work as optional condition of probation or punishment for misdemeanor.

Senator Keith Ashworth stated that Senator Close was involved in a hearing and could not appear to testify. To Chairman Stewart's question about the constitution not allowing probation at the municipal court level, Senator Ashworth stated that question had been discussed at length. It was determined that if it was an agreement between the court and the defendant, as well as the community, it could be done and would be constitutional. The defendant must agree to perform the work.

Mr. Sader raised the question of cruel and unusual punishment and involuntary servitude. He agreed that the defendant agreeing to work in lieu of a fine or imprisonment would extinguish the argument, but there was still the question of whether the municipal and justice courts would have jurisdiction to allow this type of probation. Senator Ashworth thought there was another bill addressing that. Miss Foley stated that was SJR 18/60 which was passed, but which was amended to remove the granting of probation from the bill.

Senator Ashworth stated that Barbara Durbin had testified at length on the value of this approach to probation. He then referred to the language which states that the court shall not impose such work as punishment or a condition of probation unless the convicted person agrees to perform it.

Miss Foley commented that the lower courts are still not authorized to grant probation and asked how the inferior courts could use it. Mr. Sader stated that imposition of sentence could be postponed pending completion of the work program. He suggested that the committee take a deeper look at the bill.

SB 247: Limits length of probation and use of presentence reports and provides for disposal of certain confiscated property.

Mrs. Cafferata moved DO PASS SB 247, seconded by Miss Foley, and carried by majority vote, Mr. Malone voting nay and Mr. Price and Mr. Thompson absent.

SB 36: Relaxes requirements for assignment of prisoners to honor camps.

Miss Foley moved DO PASS SB 36, seconded by Mrs. Cafferata, and carried unanimously by the committee, Mr. Price being absent.

SB 256: Makes various changes in provisions regarding presentence reports.

Chairman Stewart felt that Section 2 of the bill needs to be reworked, but did not have any specific suggestions. He stated he would look into it.

AJR 24: Proposes to amend Nevada Constitution to allow raffles for charity.

Mr. Sader passed out the proposed amendment to AJR 24 (EXHIBIT A) and stated that the original language read that the Legislature may authorize any lottery as long as the proceeds are used for charitable purposes within the state. He reminded the committee that the gaming industry felt schemes could be devised whereby serious competition could develop for them. The proposed amendment inserts entirely new language with the goal being to limit lotteries to charitable and non-profit activities since many of the organizations which currently conduct raffles are not charitable, but fraternal, political, high schools, etc. The amendment further excludes any kind of state lottery. The last sentence of the amendment is an accommodation to gaming.

Mr. Sader read the amendment and explained each portion as follows: "The Legislature may authorize only persons engaged in non-profit or charitable activities to conduct lotteries on their own behalf. . ." This excludes the professional organization which runs lotteries for a lot of people. ". . . if the net proceeds are to be used for non-profit and charitable purposes in this state and may provide by law for the regulation of these lotteries. Neither the state nor any political subdivision may conduct a lottery." Therefore, no state lotteries of any kind. "No lottery offered to the general public may be conducted by a person on a continuing basis." This avoids the non-profit organizations like Manogue High School from getting into a professional lottery operation to finance their activities. "No cash prize may be offered as consideration in the lottery if it exceeds an amount equal to the maximum jurisdictional limits of the justice courts." This was inserted as an accommodation to the gaming industry who had no objection to auctioning a car or side of beef, but didn't want a cash lottery to compete with the Keno games. They suggested a dollar limitation of \$500.00. Mr. Sader felt it bad public policy to put dollar limits in the constitution. The changing nature of our times will not allow that.

Chairman Stewart suggested removing the cash prizes completely from the bill. Mr. Sader stated that a substantial number of lotteries done are the "Pot of Gold" where an organization will conduct a lottery and give a percentage of the money as a prize. Miss Foley stated that is the most on-going type of raffle there is such as is done by the Women's Democratic Club at luncheons. Mrs. Cafferata, on the other hand, stated she had never seen a raffle which had cash as a prize.

The committee next discussed the definition of "ongoing lottery". Mr. Sader commented that the prohibition is "no lottery offered to the general public may be conducted on a continuing basis". This would not include guests of club members. This simply addresses organizations who get into the professional lottery business to sponsor other organizations unless offered only to the membership.

Mr. Sader suggested passing the amendment as it stands if there is no concern about opposition from the gaming lobby. Miss Foley suggested that the amendment read: "The Legislature may authorize only persons engaged in non-profit or charitable activities to conduct lotteries on their own behalf if the net proceeds are used for a non-profit or charitable purpose within this state and may provide by law for the regulation of these lotteries. Neither the state nor any political subdivision shall conduct a lottery." Mr. Sader felt that much more appropriate while taking care of the other problems by statute.

Harvey Whittemore stated that the gaming industry would not support anything that would allow a lottery without specific limitations with respect to either a merchandise limit or a monetary limit. They did not want to establish a specific amount because of inflation. He stated that the original limiting language as proposed by Mr. Sader, tying the amount to the jurisdictional amount of the justice courts would be more acceptable than Miss Foley's proposed language. There were comments from the committee to the effect that the dollar limitation should appear in the statutes and not in the constitution. Mr. Whittemore felt it appropriate to put a monetary limitation on the lotteries tied to something. With regard to the "continuing lottery", Mr. Whittemore stated that gaming does not want an annual lottery or a lottery done on a monthly basis. He suggested that definition be set out in the statutes.

Miss Foley moved AMEND AJR 24 in accordance with EXHIBIT A, seconded by Mr. Banner, and carried by majority vote, Mr. Sader, Mr. Malone and Mrs. Cafferata voting nay and Mr. Price absent.

Miss Foley moved DO PASS AJR 24 as amended, seconded by Mr. Banner, and carried by majority vote, Mr. Malone and Mrs. Cafferata voting nay and Mr. Price absent.

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SB 224: Limits deficiency judgments against guarantors and sureties.

Mrs. Cafferata moved INDEFINITELY POSTPONE SB 224, seconded by Miss Foley, and carried unanimously by the committee, Mr. Price being absent.

Since there was no further business or discussion, Chairman Stewart adjourned the meeting at 10:35 a.m.

Respectfully submitted,



Jor Jan M. Martin
Committee Stenographer

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: April 28, 1981

SUBJECT: AB 482: Allows amount of uncashed checks of former inmates of juvenile correctional institutions to be transferred after 1 year.

MOTION:

DO PASS XX AMEND XX INDEFINITELY POSTPONE _____
 RECONSIDER _____

MOVED BY: Malone SECONDED BY: Ham

AMENDMENT:

Specify institution checks only may be transferred.

MOVED BY: Sader SECONDED BY: Cafferata

AMENDMENT:

Require that checks be invalid after 90 days.

MOVED BY: Cafferata SECONDED BY: Malone

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	ABSENT	_____	ABSENT	_____	ABSENT	_____
Foley	XX	_____	XX	_____	_____	XX
Beyer	XX	_____	XX	_____	XX	_____
Price	ABSENT	_____	ABSENT	_____	ABSENT	_____
Sader	XX	_____	XX	_____	_____	XX
Stewart	XX	_____	XX	_____	_____	XX
Chaney	XX	_____	XX	_____	_____	XX
Malone	XX	_____	XX	_____	XX	_____
Cafferata	XX	_____	XX	_____	XX	_____
Ham	XX	_____	XX	_____	XX	_____
Banner	ABSENT	_____	ABSENT	_____	ABSENT	_____
TALLY:	8	_____	8	_____	4	4

ORIGINAL MOTION: Passed _____ Defeated _____ Withdrawn _____
 AMENDED & PASSED XX AMENDED & DEFEATED _____
 AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES OF April 28, 1981

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: April 28, 1981
 SUBJECT: SB 247: Limits length of probation and use of presentence reports and provides for disposal of certain confiscated property.

MOTION:
 DO PASS XX AMEND _____ INDEFINITELY POSTPONE _____
 RECONSIDER _____
 MOVED BY: Cafferata SECONDED BY: Foley

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____
 AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	ABSENT	_____	_____	_____	_____	_____
Foley	<u>XX</u>	_____	_____	_____	_____	_____
Beyer	<u>XX</u>	_____	_____	_____	_____	_____
Price	ABSENT	_____	_____	_____	_____	_____
Sader	<u>XX</u>	_____	_____	_____	_____	_____
Stewart	<u>XX</u>	_____	_____	_____	_____	_____
Chaney	<u>XX</u>	_____	_____	_____	_____	_____
Malone	_____	<u>XX</u>	_____	_____	_____	_____
Cafferata	<u>XX</u>	_____	_____	_____	_____	_____
Ham	<u>XX</u>	_____	_____	_____	_____	_____
Banner	<u>XX</u>	_____	_____	_____	_____	_____
TALLY:	<u>8</u>	<u>.1</u>	_____	_____	_____	_____

ORIGINAL MOTION: Passed XX Defeated _____ Withdrawn _____
 AMENDED & PASSED _____ AMENDED & DEFEATED _____
 AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES OF April 28, 1981

**61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION**

DATE: April 28, 1981
 SUBJECT: AJR 24: Proposes to amend Nevada Constitution
 to allow raffles for charity.

MOTION:

DO PASS XX AMEND XX INDEFINITELY POSTPONE _____
 RECONSIDER _____

MOVED BY: Foley SECONDED BY: Banner

AMENDMENT:

SEE ATTACHED EXHIBIT A.

MOVED BY: Foley SECONDED BY: Banner

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>XX</u>	—	<u>XX</u>	—	—	—
Foley	<u>XX</u>	—	<u>XX</u>	—	—	—
Beyer	<u>XX</u>	—	<u>XX</u>	—	—	—
Price	<u>ABSENT</u>	—	<u>ABSENT</u>	—	—	—
Sader	<u>XX</u>	—	—	<u>XX</u>	—	—
Stewart	<u>XX</u>	—	<u>XX</u>	—	—	—
Chaney	<u>XX</u>	—	<u>XX</u>	—	—	—
Malone	—	<u>XX</u>	—	<u>XX</u>	—	—
Cafferata	—	<u>XX</u>	—	<u>XX</u>	—	—
Ham	<u>XX</u>	—	<u>XX</u>	—	—	—
Banner	<u>XX</u>	—	<u>XX</u>	—	—	—
TALLY:	<u>8</u>	<u>2</u>	<u>7</u>	<u>3</u>	—	—

ORIGINAL MOTION: Passed _____ Defeated _____ Withdrawn _____
 AMENDED & PASSED XX AMENDED & DEFEATED _____
 AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES OF April 28, 1981

A M E N D M E N T

ASSEMBLY JOINT RESOLUTION NO. 24

Amend the resolution on Page 1 by deleting lines 6 and 7 and inserting:

Line 5: The legislature may authorize "only persons engaged in non-profit or charitable activities to conduct lotteries on their own behalf if the net proceeds are used for non-profit or charitable purposes in this state, and may provide by law for the regulation of these lotteries. Neither the state nor any political subdivision shall conduct a lottery."