

Library

MEMBERS PRESENT: Chairman Stewart
Vice Chairman Sader
Mr. Thompson
Ms. Foley
Mr. Price
Mr. Malone
Ms. Ham
Mr. Banner

MEMBERS ABSENT: Mr. Beyer (Excused)
Mr. Chaney (Excused)
Mrs. Cafferata (Excused)

GUESTS PRESENT: None

Chairman Stewart called the meeting to order at 8:15 a.m. The first order of business consisted of a request for a Committee introduction of a bill. Mr. Malone moved THE COMMITTEE INTRODUCE BDR 40-1612, seconded by Mr. Thompson and passed unanimously.

SB 255: Revises certain provisions concerning violation of parole and probation.

Mr. Stewart noted he discussed this bill with the bill drafter to determine whether it covered just the present charge, or if it could be applied to some earlier charge. It was agreed a technical amendment was needed to clarify this issue. Thus, page 1, lines 8-9 should read: "...before conviction, unless his confinement was pursuant to a judgment of conviction for another offense..."

Mr. Price moved AMEND AND DO PASS SB 255, seconded by Mr. Stewart and passed unanimously, with Ms. Foley, Mr. Beyer, Mr. Chaney and Mrs. Cafferata absent at the time of the vote.

AB 425: Substantially revises procedure regarding incompetency of criminal defendants.

Mr. Sader gave a progress report on this bill. He noted that he had been talking with several of the witnesses who had testified on this bill, and they had drafted several amendments which were currently in the bill drafter's office. He said he would bring the bill back to the Committee, amended, within a few days.

*AB 596

1084

AB 250: Forbids probation or suspension of sentence for persons convicted of burglary.

Ms. Ham said she had obtained the amendment discussed earlier by the Committee: page 1, line 10 should be amended to read "person who is convicted of burglary and who has previously been convicted of burglary may..."

Mr. Malone moved AMEND AB 250 as noted above, seconded by Mr. Sader and passed unanimously, with Ms. Foley, Mr. Beyer, Mr. Chaney and Mrs. Cafferata absent at the time of the vote.

Mr. Malone then moved DO PASS AB 250 AS AMENDED, seconded by Mr. Thompson and passed unanimously, with Ms. Foley, Mr. Beyer, Mr. Chaney and Mrs. Cafferata absent at the time of the vote.

SB 227: Revises procedure for instructions to jury in criminal trials.

Mr. Stewart read from a communication from Judge Thompson: "This bill is designed to standardized the jury instruction procedure for both civil and criminal trials. The new language is taken verbatim from NRS 16.110 which governs the jury instruction procedure in civil cases. The language is being inserted within NRS 175.161 which governs the procedure in criminal trials."

Mr. Price asked why a judge would refuse to give written instructions. Mr. Sader replied that at the end of a trial the judge instructs the jury on the law. At the end of a complicated trial, the judge could have 20 or 30 different instructions. The instructions, however, are given to the judge by the attorneys; thus, he receives two sets--one defense oriented and one slanted towards the prosecution. The judge must decide which ones he will select from these to give to the jury. When the judge refuses one which either attorney feels to be important, he so indicates in writing on the instructions, in order to preserve the attorney's appeal. Hence, these instructions are fundamental for appeal rights.

Mr. Stewart said he felt it to be a good idea to standardize the procedure.

Mr. Malone moved DO PASS SB 227, seconded by Mr. Stewart and passed unanimously, with Ms. Foley, Mr. Beyer, Mr. Chaney and Mrs. Cafferata absent at the time of the vote.

AB 529: Clarifies law relating to appeals from denial of writ of habeas corpus.

Mr. Frank Daykin, of the Legislative Counsel Bureau, explained the changes in this bill. He noted that AB 529 stems from a decision of the Supreme Court last year, in which, while they rejected an appeal from a writ of habeas corpus in a particular matter before them, going on the clear intent of the Legislature in the 1977 Act, said that the sections of the law on the writ of habeas corpus were ambiguous because they still contained references to appeals. Also, there was the point that the evident intent in 1977 was to eliminate appeal from the denial of the writ of habeas corpus only where the writ was sought as an interlocutory matter in a criminal proceeding. Thus AB 529 removes those references which survived 1977.

Mr. Daykin then outlined the areas dealt with by each section of the bill.

Section 1: This deals directly with a pre-trial petition for a writ of habeas corpus based on alleged want of probable cause or jurisdiction to proceed. It contains the limitations on when the application may be made to the District Court. It also takes out the reference here to an appeal of the court's ruling, so as to be consistent with the elimination of the appeal elsewhere.

Section 2: This amends NRS 34.380 in two respects. First, it takes out at the beginning language which is simply duplicative of the constitutional provision in Article VI. This eliminates no authority, it simply removes a duplication of the Nevada Constitution. It dates back to 1866 when they thought they had to reenact in statute everything the Constitution said, and they didn't always copy it right. It also specifies how the appeal may be taken after conviction, if that is the grounds of the defendant's objection.

Mr. Daykin summarized his testimony by noting that the first section removes the ambiguity of which the Supreme Court complained, and the second section assures and explains, in effect, that this removal of denial of the right of appeal was intended only to apply before trial in a criminal matter. Thus, this does not repeal more broadly than the 1977 Legislature intended.

Mr. Stewart added that the Supreme Court, in an attempt to streamline and eliminate a lot of unnecessary matters which were coming in front of them, proposed to the Legislature a bill which would preclude pre-trial writs of habeas corpus, mainly from the Justice of the Peace Courts. This was passed during the last Legislative session. Thus, a writ of habeas corpus could no longer be taken to the Supreme Court after a preliminary hearing. There arose a question, however, of whether it also applied to District Court, and the Supreme Court said they did not intend to eliminate those. This bill simply clarifies all of this.

AB 530: Corrects terminology of "aggravating circumstances" in relation to first degree murder.

Mr. Daykin also testified on this bill. He noted that this bill also stems from the 1977 Legislative session, when they were revising the "capital murder statute" into "aggravated murder" and setting forth the circumstances which aggravate it. He said the bill was drafted in terms of existing law, and thus referred to committing robbery and "forcible rape". This latter term has since been included in a new offense called sexual assault. Consequently, the bill simply updates the name of the offense from "forcible rape" to the more inclusive and broader one of "sexual assault".

SB 357: Provides for admission of evidence of transactions with deceased persons under certain circumstances.

Mr. Daykin testified that this bill clarifies what was meant by the repeal at the last Legislative session of the "dead man statute". He explained that before the last session, the evidence code carried forward the prior law of Nevada that an adverse party could not introduce evidence of transactions with a decedent--i.e., where the action was against his personal representative or his estate. That section was repealed in 1979. The intent of the Legislature, as represented by the persons who sponsored the repeal, was to put transactions with a decedent in those cases on the same basis that they are in other matters; i.e., governed by the hearsay rule. The judges, however, are apparently interpreting the repeal as going back to the common law where transactions with a decedent are not admissible at all at the suit of an adverse party. Thus, SB 357 simply clarifies that evidence of transactions...etc. is admissible if the nature of the evidence and the special circumstances offer strong assurances of accuracy; i.e., the hearsay rule.

AB 529: Clarifies law relating to appeals from denial of writ of habeas corpus.

Mr. Sader moved DO PASS AB 529, seconded by Mr. Malone and passed unanimously, with Ms. Foley, Mr. Beyer, Mr. Chaney and Mrs. Cafferata absent at the time of the vote.

AB 530: Corrects terminology of "aggravating circumstances" in relation to first degree murder.

Ms. Ham moved DO PASS AB 530, seconded by Mr. Thompson and passed unanimously, with Ms. Foley, Mr. Beyer, Mr. Chaney, Mrs. Cafferata and Mr. Price absent at the time of the vote.

1687

SB 357: Provides for admission of evidence of transactions with deceased persons under certain circumstances.

Mr. Malone moved DO PASS SB 357, seconded by Mr. Banner and passed unanimously, with Ms. Foley, Mr. Beyer, Mr. Chaney, Mrs. Cafferata and Mr. Price absent at the time of the vote.

AB 453: Permits court to inspect sealed records of juvenile offenders under certain circumstances.

Mr. Sader noted that the main question raised concerning this bill was that of confidentiality, especially regarding computer terminals, etc. Mr. Malone said he could not really see this as a major problem, although Mr. Thompson expressed concern over whether this information could be obtained through the computer system currently installed in police patrol cars. Mr. Malone said this could not be done.

Chairman Stewart decided it would be best if this bill were held until additional information clarifying this question of confidentiality could be obtained.

AB 532: Clarifies law relating to certification of juvenile as adult in cases of murder and attempted murder.

Mr. Stewart noted that the only significant change in this bill was contained on page 2, lines 35-36.

Mr. Frank Carmen, Administrator of the Youth Services Division offered to clarify this bill for the Committee. He explained that the original law came out of the 1979 Legislative session, and that it made it an automatic adult jurisdiction if a juvenile committed murder or attempted murder. He opined that the current wording was an attempt by the juvenile court in Clark County to clarify that the adult system could still petition the juvenile court to hold that child in custody at the juvenile detention facility pending the final disposition of the entire matter.

Mr. Carmen pointed out that the law currently states that the child can petition for placement in a juvenile detention facility pending final disposition of the issue of jurisdiction; the law itself, however, states categorically that murder or attempted murder is automatically an adult jurisdiction; i.e., there is not question of jurisdiction involved. Thus, the wording is misleading and not really applicable.

Mr. Carmen pointed out that the Youth Services Division does not necessarily believe it to be in the juvenile's best interest to be housed in an adult facility pending final disposition of the case. Thus, they hope that in those kinds of cases the adult system will petition the juvenile court to hold the child in the juvenile detention facility while the trial was being held, in order to see if the charge might be reduced to manslaughter etc.

Mr. Malone moved DO PASS AB 532, seconded by Mr. Sader and passed unanimously, with Ms. Foley, Mr. Beyer, Mr. Chaney, Mrs. Cafferata and Mr. Price absent at the time of the vote.

As there was no further business, Chairman Stewart adjourned the meeting at 9:00 a.m.

Respectfully submitted,

Pamela B. Sleeper

Pamela B. Sleeper
Assembly Attache

61st NEVADA LEGISLATURE
 ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: Friday, 1 May 1981
 SUBJECT: SB 255: Revises certain provisions concerning violation of parole and probation.

MOTION:

DO PASS _____ AMEND _____ INDEFINITELY POSTPONE _____
 RECONSIDER _____ AMEND AND DO PASS XX _____

MOVED BY: MR. PRICE SECONDED BY: MR. STEWART

AMENDMENT:

Page 1, lines 8-9 should read: "...before conviction, unless his confinement was pursuant to a judgment of conviction for another offense..."

MOVED BY: _____ SECONDED BY: _____

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	—	—	—	—	—
Foley	<u>ABSENT</u>	—	—	—	—	—
Beyer	<u>ABSENT</u>	—	—	—	—	—
Price	<u>X</u>	—	—	—	—	—
Sader	<u>X</u>	—	—	—	—	—
Stewart	<u>X</u>	—	—	—	—	—
Chaney	<u>ABSENT</u>	—	—	—	—	—
Malone	<u>X</u>	—	—	—	—	—
Cafferata	<u>ABSENT</u>	—	—	—	—	—
Ham	<u>X</u>	—	—	—	—	—
Banner	<u>X</u>	—	—	—	—	—
TALLY:	<u>7</u>	<u>0</u>	—	—	—	—

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

ATTACHED TO MINUTES OF Assembly Judiciary Committee
 Friday, 1 May 1981

61st NEVADA LEGISLATURE
 ASSEMBLY JUDICIARY COMMITTEE
 LEGISLATION ACTION

DATE: Friday, 1 May 1981
 SUBJECT: AB 250: Forbids probation or suspension of sentence
 for persons convicted of burglary.

MOTION:

DO PASS _____ AMEND XX INDEFINITELY POSTPONE _____
 RECONSIDER _____

MOVED BY: MR. MALONE SECONDED BY: MR. SADER

AMENDMENT:

Page 1, line 10 should read: "...person who is convicted
 of burglary and who has previously been convicted of
 burglary may..."

MOVED BY: _____ SECONDED BY: _____

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	—	—	—	—	—
Foley	<u>ABSENT</u>	—	—	—	—	—
Beyer	<u>ABSENT</u>	—	—	—	—	—
Price	<u>X</u>	—	—	—	—	—
Sader	<u>X</u>	—	—	—	—	—
Stewart	<u>X</u>	—	—	—	—	—
Chaney	<u>ABSENT</u>	—	—	—	—	—
Malone	<u>X</u>	—	—	—	—	—
Cafferata	<u>ABSENT</u>	—	—	—	—	—
Ham	<u>X</u>	—	—	—	—	—
Banner	<u>X</u>	—	—	—	—	—
TALLY:	<u>7</u>	<u>0</u>	—	—	—	—

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

ATTACHED TO MINUTES OF Assembly Judiciary Committee
 Friday, 1 May 1981

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: Friday, 1 May 1981
SUBJECT: AB 250: Forbids probation or suspension of sentence
for persons convicted of burglary.

MOTION:

DO PASS _____ AMEND _____ INDEFINITELY POSTPONE _____
RECONSIDER _____ DO PASS AS AMENDED XX

MOVED BY: MR. MALONE SECONDED BY: MR. THOMPSON

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	_____	_____	_____	_____	_____
Foley	<u>ABSENT</u>	_____	_____	_____	_____	_____
Beyer	<u>ABSENT</u>	_____	_____	_____	_____	_____
Price	<u>X</u>	_____	_____	_____	_____	_____
Sader	<u>X</u>	_____	_____	_____	_____	_____
Stewart	<u>X</u>	_____	_____	_____	_____	_____
Chaney	<u>ABSENT</u>	_____	_____	_____	_____	_____
Malone	<u>X</u>	_____	_____	_____	_____	_____
Cafferata	<u>ABSENT</u>	_____	_____	_____	_____	_____
Ham	<u>X</u>	_____	_____	_____	_____	_____
Banner	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	<u>7</u>	<u>0</u>	_____	_____	_____	_____

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

ATTACHED TO MINUTES OF Assembly Judiciary Committee
Friday, 1 May 1981

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

DATE: Friday, 1 May 1981
 SUBJECT: SB 227: Revises procedure for instructions to jury in criminal trials.

MOTION:
 DO PASS XX AMEND ____ INDEFINITELY POSTPONE ____
 RECONSIDER ____
 MOVED BY: MR. MALONE SECONDED BY: MR. STEWART

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	____	____	____	____	____
Foley	<u>ABSENT</u>	____	____	____	____	____
Beyer	<u>ABSENT</u>	____	____	____	____	____
Price	<u>X</u>	____	____	____	____	____
Sader	<u>X</u>	____	____	____	____	____
Stewart	<u>X</u>	____	____	____	____	____
Chaney	<u>ABSENT</u>	____	____	____	____	____
Malone	<u>X</u>	____	____	____	____	____
Cafferata	<u>ABSENT</u>	____	____	____	____	____
Ham	<u>X</u>	____	____	____	____	____
Banner	<u>X</u>	____	____	____	____	____
TALLY:	<u>7</u>	<u>0</u>	____	____	____	____

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

ATTACHED TO MINUTES OF Assembly Judiciary Committee
 Friday, 1 May 1981

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

DATE: Friday, 1 May 1981
 SUBJECT: AB 529: Clarifies law relating to appeals from denial of writ of habeas corpus.

MOTION:
 DO PASS XX AMEND INDEFINITELY POSTPONE
 RECONSIDER
 MOVED BY: MR. SADER SECONDED BY: MR. MALONE

AMENDMENT:

MOVED BY: SECONDED BY:

AMENDMENT:

MOVED BY: SECONDED BY:

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Foley	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Beyer	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Price	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Sader	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Stewart	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Chaney	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Malone	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Cafferata	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Ham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Banner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TALLY:	<u>7</u>	<u>0</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

ATTACHED TO MINUTES OF Assembly Judiciary Committee
Friday, 1 May 1981

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: Friday, 1 May 1981

SUBJECT: AB 530: Corrects terminology of "aggravating circumstances" in relation to first degree murder.

MOTION:

DO PASS XX AMEND INDEFINITELY POSTPONE
RECONSIDER

MOVED BY: MS. HAM SECONDED BY: MR. THOMPSON

AMENDMENT:

MOVED BY: SECONDED BY:

AMENDMENT:

MOVED BY: SECONDED BY:

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Foley	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Beyer	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Price	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Sader	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Stewart	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Chaney	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Malone	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Cafferata	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Ham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Banner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TALLY:	<u>6</u>	<u>0</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

ATTACHED TO MINUTES OF Assembly Judiciary Committee
Friday, 1 May 1981

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: Friday, 1 May 1981

SUBJECT: SB 357: Provides for admission of evidence of transactions with deceased persons under certain circumstances.

MOTION:

DO PASS XX AMEND ____ INDEFINITELY POSTPONE ____
RECONSIDER ____

MOVED BY: MR. MALONE SECONDED BY: MR. BANNER

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

AMENDMENT:

MOVED BY: _____ SECONDED BY: _____

VOTE:	MOTION		AMEND		AMEND	
	YES	NO	YES	NO	YES	NO
Thompson	<u>X</u>	____	____	____	____	____
Foley	<u>ABSENT</u>	____	____	____	____	____
Beyer	<u>ABSENT</u>	____	____	____	____	____
Price	<u>ABSENT</u>	____	____	____	____	____
Sader	<u>X</u>	____	____	____	____	____
Stewart	<u>X</u>	____	____	____	____	____
Chaney	<u>ABSENT</u>	____	____	____	____	____
Malone	<u>X</u>	____	____	____	____	____
Cafferata	<u>ABSENT</u>	____	____	____	____	____
Ham	<u>X</u>	____	____	____	____	____
Banner	<u>X</u>	____	____	____	____	____
TALLY:	<u>6</u>	<u>0</u>	____	____	____	____

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

ATTACHED TO MINUTES OF Assembly Judiciary Committee
Friday, 1 May 1981

61st NEVADA LEGISLATURE
ASSEMBLY JUDICIARY COMMITTEE
LEGISLATION ACTION

DATE: Friday, 1 May 1981

SUBJECT: AB 532: Clarifies law relating to certification of juvenile as adult in cases of murder and attempted murder.

MOTION:

DO PASS XX AMEND INDEFINITELY POSTPONE
 RECONSIDER

MOVED BY: MR. MALONE SECONDED BY: MR. SADER

AMENDMENT:

MOVED BY: SECONDED BY:

AMENDMENT:

MOVED BY: SECONDED BY:

VOTE:	MOTION		AMEND		AMEND	
	<u>YES</u>	<u>NO</u>	<u>YES</u>	<u>NO</u>	<u>YES</u>	<u>NO</u>
Thompson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Foley	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Beyer	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Price	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Sader	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Stewart	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Chaney	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Malone	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Cafferata	<u>ABSENT</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Ham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Banner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TALLY:	<u>6</u>	<u>0</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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