

**MINUTES OF THE
JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT
OF THE SENATE COMMITTEE ON FINANCE
AND THE ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**Seventy-third Session
April 27, 2005**

The Joint Subcommittee on General Government of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order at 8:06 a.m. on Wednesday, April 27, 2005. Chair Bob Beers presided in Room 2134 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

SENATE COMMITTEE MEMBERS PRESENT:

Senator Bob Beers, Chair
Senator Dean A. Rhoads
Senator Bob Coffin

ASSEMBLY COMMITTEE MEMBERS PRESENT:

Mr. Morse Arberry Jr., Acting Chair
Mr. Lynn C. Hettrick
Mr. Joseph M. Hogan
Ms. Ellen M. Koivisto
Mr. Bob Seale

COMMITTEE MEMBERS ABSENT:

Ms. Kathy A. McClain, Chair (Excused)

STAFF MEMBERS PRESENT:

Steven J. Abba, Principal Deputy Fiscal Analyst
Jeffrey A. Ferguson, Program Analyst
Joyce Garrett, Program Analyst
Bob Guernsey, Principal Deputy Fiscal Analyst
Mark W. Stevens, Assembly Fiscal Analyst
Sandra Small, Committee Secretary

OTHERS PRESENT:

Don Henderson, Director, State Department of Agriculture
Rick E. Gimlin, Deputy Director, State Department of Agriculture

CHAIR BEERS:

We will hear budgets from Joint Subcommittee on General Government Closing List #5 ([Exhibit C](#), original is on file at the Research Library) starting with the Department of Business and Industry.

BUSINESS AND INDUSTRY

B&I, Business and Industry Administration – Budget Page B&I-27 (Volume II)
Budget Account 101-4681

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JOYCE GARRETT (Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

My comments regarding budget account (B/A) 101-4681 appear on pages 2 through 5 of [Exhibit C](#). The Department of Business and Industry (B&I) has requested a centralized personnel function to be staffed by transferring personnel from B&I divisions to the director's office. These transfers are not cost neutral and B&I was unable to demonstrate tangible cost savings.

ASSEMBLYMAN HOGAN:

I am interested in the positions to be transferred. Do the employees in those positions have personnel skills?

MS. GARRETT:

Two of the six positions are filled. They are performing personnel functions. The remaining four positions are vacant.

ASSEMBLYMAN HOGAN:

Does the Subcommittee have the authority to indicate which positions would be transferred?

MS. GARRETT:

Yes, it does.

CHAIR BEERS:

The two individuals in the Division of Industrial Relations are performing personnel services. The Department of Personnel oversees all personnel operations. Three positions are from the State Dairy Commission and the other from the Taxicab Authority.

ACTING CHAIR ARBERRY:

I do not see the need for this change.

CHAIR BEERS:

We have closed the Department of Personnel's budget with several enhancements to the Nevada Employee Action and Timekeeping System.

MS. GARRETT:

Staff recommends two adjustments described on page 4 of [Exhibit C](#). The Governor's budget includes an amount for videoconferencing equipment which has been reduced to \$8,219 and, if the centralized personnel function is not approved, staff recommends eliminating \$2,319 for requested training resources.

Staff also recommends technical adjustments for revised revenue projections, changes in cost of computer equipment and cost allocations based on final approval of the other budgets within the department, all described on page 5, [Exhibit C](#).

SENATOR COFFIN MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4681 ELIMINATING THE CENTRALIZED PERSONNEL DEPARTMENT AND APPROVAL OF STAFF ADJUSTMENTS AS RECOMMENDED ON PAGES 4 AND 5 OF [EXHIBIT C](#).

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ASSEMBLYMAN HETTRICK SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

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B&I, Industrial Development Bonds – Budget Page B&I-37 (Volume II)
Budget Account 101-4683

Ms. GARRETT:

My comments regarding B/A 101-4683 appear on page 6 of [Exhibit C](#). Staff recommends this budget be closed as recommended by the Governor with one technical adjustment for changes in the volume cap transfer fee.

ASSEMBLYMAN HETTRICK MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4683 AS RECOMMENDED BY THE GOVERNOR GIVING AUTHORITY FOR STAFF TO MAKE TECHNICAL ADJUSTMENTS TO THE VOLUME CAP TRANSFER FEE.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

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MINERALS

Minerals – Budget Page MINERALS-1 (Volume I)
Budget Account 101-4219

JEFFREY A. FERGUSON (Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

My comments regarding B/A 101-4219 appear on pages 34 and 35 of [Exhibit C](#). The administrator for the Division of Minerals has requested the addition of a new field inspector position not included in the *Executive Budget*. The position would be funded with reserves. Staff requests budget adjustments for reduced computer hardware costs.

SENATOR COFFIN MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4219 ADDING THE REQUESTED FIELD INSPECTOR POSITION AND GIVING AUTHORITY TO STAFF FOR TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN ARBERRY SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

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AGRICULTURE

AGRI, Administration – Budget Page AGRI-1 (Volume I)
Budget Account 101-4554

MR. FERGUSON:

My comments regarding B/A 101-4554 appear on page 7 through 9 of [Exhibit C](#). During the budget hearing for the State Department of Agriculture, the Subcommittee directed the Department to work with staff and the Budget Division to develop a standard cost allocation plan. Senator Beers was appointed by the Subcommittee to direct this effort. Senator Beers and staff have reviewed the final version of the cost allocation plan and recommend the Subcommittee adopt the revised cost allocation plan and its associated modifications for all Department budgets. The Budget Division has provided staff with a revised recommended Governor's budget for all of the Department's budgets. I have provided the Subcommittee with a copy of AGRICULTURE Revenue and Expenditure by Budget ([Exhibit D](#)). The spreadsheets in [Exhibit D](#) schedule the original recommended Governor's budget and the revised recommended Governor's budget for all the Agriculture budgets affected by the new cost allocation plan. Staff requests mechanical corrections to the cost allocations and technical adjustments to the revised recommended Governor's budget.

ASSEMBLYMAN SEALE:

The new cost allocation plan results in minor changes to the budgets. Why was a new plan developed?

CHAIR BEERS:

The Department, Legislature and the Budget Division have agreed on a cost allocation plan. We are all aware of the rationale and components used to develop the plan. The new cost allocation plan should make the budget process go smoother in the future.

ASSEMBLYMAN SEALE MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4554 AS RECOMMENDED BY THE REVISED GOVERNOR'S BUDGET AND GIVING STAFF AUTHORITY TO MAKE COST ALLOCATION CORRECTIONS AND TECHNICAL ADJUSTMENTS FOR CHANGES IN COMPUTER COSTS.

ASSEMBLYMAN HETTRICK SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

MR. FERGUSON:

The State Department of Agriculture will be in its current offices while renovating an existing building in Elko. The Department may come to the Interim Finance Committee (IFC) after the budget closes if it needs additional authority to make this move.

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AGRI, Gas Pollution Standards – Budget Page AGRI-9 (Volume I)
Budget Account 101-4537

MR. FERGUSON:

My comments regarding B/A 101-4537 appear on pages 10 and 11 of [Exhibit C](#). Staff has incorporated the recommended cost allocation corrections in the closing sheets.

ASSEMBLYWOMAN KOIVISTO MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4537 WITH THE REVISED GOVERNOR'S BUDGET AND GIVING STAFF AUTHORITY TO MAKE COST ALLOCATION CORRECTIONS.

ASSEMBLYMAN SEALE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS, ASSEMBLYWOMAN MCCLAIN AND ASSEMBLYMAN ARBERRY WERE ABSENT FOR THE VOTE.)

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AGRI, Plant Industry – Budget Page AGRI-16 (Volume I)
Budget Account 101-4540

MR. FERGUSON:

My comments regarding B/A 101-4540 appear on pages 12 through 14 of [Exhibit C](#). This Subcommittee directed the Department to work with staff to develop a realistic revenue projection for this budget. Staff, the Budget Division and the Department have developed a method of projecting revenues based on revenue growth trends rather than using a three-year average. As a result, staff recommends an adjustment to increase revenues and reduce the need for General Funds in the Base Budget as indicated on pages 13 and 14 of [Exhibit C](#). Staff has incorporated this change, its recommended cost allocation corrections and price changes for computer hardware costs in the closing sheets on page 13 of [Exhibit C](#).

ASSEMBLYMAN HETTRICK MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4540 AS RECOMMENDED IN THE REVISED GOVERNOR'S BUDGET AND GIVING STAFF AUTHORITY TO MAKE ADJUSTMENTS FOR THE CHANGE IN PROJECTED REVENUE, GENERAL FUNDS, COST ALLOCATION CORRECTIONS AND COST FOR COMPUTER HARDWARE.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

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AGRI Grade & ID of Agricultural Products– Budget Page AGRI-26 (Volume I)
Budget Account 101-4541

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MR. FERGUSON:

My comments regarding B/A 101-4541 appear on pages 15 and 16 of [Exhibit C](#). Staff has incorporated its recommended cost allocation changes on the closing sheet, page 15 of [Exhibit C](#).

ASSEMBLYMAN SEALE MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4541 AS RECOMMENDED IN THE REVISED GOVERNOR'S BUDGET AND GIVING STAFF AUTHORITY TO MAKE ADJUSTMENTS FOR COST ALLOCATION CORRECTIONS.

ASSEMBLYMAN HETTRICK SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

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SENATOR COFFIN:

Why did the potato grading plant phase out the state inspectors?

DON HENDERSON (Director, State Department of Agriculture):

Winnemucca Farms dropped their contract with us because they could not justify the cost of a state potato inspection. The price they get for their potatoes is not high enough.

SENATOR COFFIN:

Who provides inspection of this product?

MR. HENDERSON:

We will still provide inspection on an on-call basis.

ASSEMBLYMAN HETTRICK:

When the state inspects Winnemucca Farms' potatoes, the Farm is able to get a better grade and sell their product at a higher price. The difference in price did not justify the cost. They felt it was more cost effective not to try to raise the grade of the potatoes. They will still have some potatoes worth inspecting. They will call the Department at that time.

MR. HENDERSON:

I agree with that assessment.

AGRI, Agriculture Registration/Enforcement— Budget Page AGRI-32 (Volume I)
Budget Account 101-4545

MR. FERGUSON:

My comments regarding B/A 101-4545 appear on pages 17 and 18 of [Exhibit C](#). Staff has incorporated its recommended cost allocation changes and reduced computer hardware costs on the closing sheet, page 17 of [Exhibit C](#).

ASSEMBLYWOMAN KOIVISTO MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4545 AS RECOMMENDED IN THE REVISED GOVERNOR'S BUDGET AND STAFF'S RECOMMENDATIONS

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TO MAKE ADJUSTMENTS FOR COST ALLOCATION CORRECTIONS AND
REDUCED COMPUTER HARDWARE COSTS.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN
MCCLAIN WERE ABSENT FOR THE VOTE.)

AGRI, Livestock Inspection - Budget Page AGRI-39 (Volume I)
Budget Account 101-4546

MR. FERGUSON:

My comments regarding B/A 101-4546 appear on pages 19 through 21 of [Exhibit C](#). The Subcommittee previously discovered that this budget had failed to adjust seasonal and full-time salaries as described on page 20 of [Exhibit C](#). Staff has incorporated its recommended changes to personnel costs and cost allocation corrections on the closing sheet, page 19 of [Exhibit C](#).

ASSEMBLYMAN ARBERRY MOVED TO RECOMMEND TO THE FULL
COMMITTEE TO CLOSE B/A 101-4546 AS RECOMMENDED IN THE
REVISED GOVERNOR'S BUDGET WITH STAFF'S RECOMMENDATIONS
TO MAKE ADJUSTMENTS FOR PERSONNEL COSTS AND COST
ALLOCATION CORRECTIONS.

ASSEMBLYMAN HETTRICK SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN
MCCLAIN WERE ABSENT FOR THE VOTE.)

AGRI, Veterinary Medical Services - Budget Page AGRI-49 (Volume I)
Budget Account 101-4550

MR. FERGUSON:

My comments regarding B/A 101-4550 appear on pages 22 and 23 of [Exhibit C](#). The Budget Division, Department of Wildlife (DOW) and staff request the elimination of a transfer of funds from DOW's budget to this budget to pay for the senior veterinarian diagnostician's training. Staff has incorporated this recommended change and cost allocation changes on the closing sheet, page 22 of [Exhibit C](#).

SENATOR COFFIN:

We are relying on fees. How do we know when we are doing enough to protect the consumers?

MR. HENDERSON:

Our Agriculture Enforcement Unit, created by the 2001 Legislature, is in the Plant Industry budget account. We have been able to bring some of our expertise into that program. Livestock numbers have declined over the past

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several years. The Livestock Inspection account is solvent. There is no place to cut in this account. If the costs exceed the revenues, we will have to ask producers to increase fees for inspection. That cost is currently 90 cents per head.

SENATOR COFFIN:

All it takes is one bad cow to ruin the Nevada livestock industry. Contagious deceases are public health issues in which we should be involved.

MR. HENDERSON:

The Veterinary Medical Services budget has been successful in pursuing Homeland Security funding. We need an outreach education program for Nevada producers to teach them about bioterrorism and animal health issues. We have looked for federal funding sources. The animal health issues are federal programs and get involved with federal trade issues and inspections at the borders. We fully participate in those processes.

SENATOR COFFIN:

I do not want to rely on a federal program. They can run contrary to what we want.

MR. HENDERSON:

If you want to consider augmenting B/A 4550, it is primarily a General Fund account. The state has recognized that veterinary medical services is important. Every animal coming into Nevada has to have a health certificate. Livestock inspectors check for that. The database and issuance of the records from Nevada is through the Nevada State Board of Veterinary Medical Examiners' office.

ASSEMBLYMAN SEALE:

What are you doing with the Virginia Range wild horses?

MR. HENDERSON:

We have a 1,000-head horse herd in the Virginia Range between east Carson City and Reno. That horse herd has not been managed for a number of years. They are not wild horses. That area has been declared a horse-free area by the Bureau of Land Management (BLM). In the late 1960s, the BLM said there was too much private land in that area and they could not manage a wild horse herd there. The BLM gathered the herds and said they got all the horses. We are living with the legacy of the horses they did not get. The horses are now defined as estray. We built a holding facility at the Northern Nevada Correctional Center. Last session we received \$80,000 to hire a full-time person to oversee these horses and work with the citizens and local groups to capture horses that pose either a public or horse safety issue. We capture horses as we can. We have about eight authorized adoption agents. We performed two helicopter captures over the past two or three years, removed about 200 horses from the Virginia Range and adopted them to good homes.

CHAIR BEERS:

What does the BLM director, who lives Nevada, say about the Virginia Range horses? Are you working with any contraceptive programs?

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MR. HENDERSON:

The BLM director is focused on the other horses he needs to manage. We have some fertility contraceptive programs. We are going to do a field demonstration with one of the products. The problem is that most products are only good for one year. The product we are testing is good for three and possibly four years.

CHAIR BEERS:

How long does a horse live after puberty?

MR. HENDERSON:

In the wild, the horses live probably 14 or 16 years.

AGRI Weights & Measures - Budget Page AGRI-57 (Volume I)
Budget Account 101-4551

MR. FERGUSON:

My comments regarding B/A 101-4551 appear on pages 24 through 26 of [Exhibit C](#). The Department is requesting equipment for this budget in a one-shot appropriation in Assembly Bill (A.B.) 105. No changes will be required to this budget if A.B. 105 is approved. This B/A will be affected if Senate Bill (S.B.) 165 is approved. Senate Bill 165 proposes to eliminate all General Fund appropriations to this B/A and allow it to receive the entire 55 mil per gallon petroleum tax. If S.B. 165 is approved, this budget would require adjustments to remove General Funds, add petroleum inspection fee revenue and include a reserve balance. Staff has incorporated cost allocation changes on the closing sheet, page 24 of [Exhibit C](#).

ASSEMBLY BILL 105: Makes appropriation to State Department of Agriculture for acquisition of equipment for State Sealer of Weights and Measures. (BDR S-1223)

SENATE BILL 165 (1st Reprint): Specifies permissible uses by State Department of Agriculture of certain fees and other money. (BDR 50-1136)

CHAIR BEERS:

I received an e-mail today from Mr. Gary Ghiggeri, Senate Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, saying the Governor does not oppose S.B. 165 if the additional funding is available. We will not know that until after the Economic Forum meets next week.

ASSEMBLYMAN SEALE MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4551 AS RECOMMENDED IN THE REVISED GOVERNOR'S BUDGET WITH STAFF'S RECOMMENDATIONS TO MAKE COST ALLOCATION CORRECTIONS.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RHOADS AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

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AGRI, Noxious Weed & Insect Control - Budget Page AGRI-66 (Volume I)
Budget Account 101-4552

MR. FERGUSON:

My comments regarding B/A 101-4552 appear on pages 27 and 28 of [Exhibit C](#). The Department and Budget Division have agreed with staff recommended cost allocation corrections to the revised Governor's budget. Staff is also recommending a number of adjustments to the Base Budget.

ASSEMBLYMAN HETTRICK MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4552 AS RECOMMENDED IN THE REVISED GOVERNOR'S BUDGET WITH STAFF'S RECOMMENDATIONS TO MAKE COST ALLOCATION CORRECTIONS AND ADJUSTMENTS TO THE BASE BUDGET.

ASSEMBLYWOMAN KOIVISTO SECONDED THE MOTION.

SENATOR COFFIN:

Why are we showing a drop of one FTE in B/A 4552?

RICK E. GIMLIN (Deputy Director, State Department of Agriculture):

We have an agreement with Clark County to provide services. That agreement expires in 2006. If that agreement is renegotiated, we will come back to the IFC.

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS ABSENT FOR THE VOTE.)

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Mormon Cricket & Grasshoppers - Budget Page AGRI-73 (Volume I)
Budget Account 101-4556

MR. FERGUSON:

My comments regarding B/A 101-4556 appear on page 29 of [Exhibit C](#). Staff is not recommending any revisions to this budget.

ASSEMBLYWOMAN KOIVISTO MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4556 AS RECOMMENDED IN THE REVISED GOVERNOR'S BUDGET.

ASSEMBLYMAN HETTRICK SECONDED THE MOTION.

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS ABSENT FOR THE VOTE.)

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AGRI, Predatory Animal & Rodent Control - Budget Page AGRI-76 (Volume I)
Budget Account 101-4600

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MR. FERGUSON:

My comments regarding B/A 101-4600 appear on pages 30 through 32 of [Exhibit C](#). The Department is requesting funds, not included in the Governor's budget, for a fuel surcharge to be added to the mileage of vehicles leased by the federal government and a cost of living adjustment effective January 1, 2005. Staff will need to make budget adjustments if these items are approved.

ASSEMBLYMAN HETTRICK MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4660 AS RECOMMENDED BY STAFF WITH THE ADDITION OF THE FUEL SURCHARGE AND COST OF LIVING ADJUSTMENT.

SENATOR RHOADS SECONDED THE MOTION.

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS ABSENT FOR THE VOTE.)

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AGRI, Nevada Junior Livestock Show Board - Budget Page AGRI-80 (Volume I)
Budget Account 101-4980

MR. FERGUSON:

My comments regarding B/A 101-4980 appear on page 33 of [Exhibit C](#). Staff is not recommending any revisions to this budget.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE B/A 101-4980 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HETTRICK SECONDED THE MOTION.

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS ABSENT FOR THE VOTE.)

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CHAIR BEERS:

There being no further business to discuss at this time, the meeting is adjourned at 9:42 a.m.

RESPECTFULLY SUBMITTED:

Sandra Small,
Committee Secretary

APPROVED BY:

Senator Bob Beers, Chair

DATE: _____

Assemblyman Morse Arberry Jr., Acting Chair

DATE: _____