

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**Seventy-Fourth Session
May 10, 2007**

The Committee on Ways and Means was called to order by Chair Morse Arberry Jr. at 3:40 p.m., on Thursday, May 10, 2007, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Morse Arberry Jr., Chair
Assemblywoman Sheila Leslie, Vice Chair
Assemblywoman Barbara E. Buckley
Assemblyman Mo Denis
Assemblywoman Heidi S. Gansert
Assemblyman Tom Grady
Assemblyman Joseph P. (Joe) Hardy
Assemblyman Joseph Hogan
Assemblyman John W. Marvel
Assemblywoman Kathy McClain
Assemblyman David R. Parks
Assemblywoman Debbie Smith
Assemblywoman Valerie E. Weber

COMMITTEE MEMBERS ABSENT:

Assemblywoman Ellen Koivisto

STAFF MEMBERS PRESENT:

Mark W. Stevens, Assembly Fiscal Analyst
Linda Blevins, Committee Secretary
Patti Adams, Committee Assistant

Chairman Arberry opened the hearing on Senate Bill 559.

Senate Bill 559: Makes an appropriation to the Legislative Fund for the costs of the 74th Legislative Session. (BDR S-1485)

Mr. Lorne J. Malkiewich, Director, Legislative Counsel Bureau (LCB), presented testimony supporting Senate Bill 559. Mr. Malkiewich stated the bill was an appropriation included in The Executive Budget for \$5 million. The Executive Budget included \$18.5 million for the cost of the 2007 Legislative Session. Senate Bill 1, which passed as an emergency measure on the first day of the 2007 Legislative Session, appropriated \$10 million. Passage of S.B. 559 brought the total appropriation to \$15 million. The balance to be determined



near the end of the session would be included in the General Appropriations Act.

Assemblyman Marvel asked whether the entire \$18.5 million would be required. Mr. Malkiewich responded that was likely, but the final projection could not be determined at this time.

There being no further comments or questions, Chairman Arberry closed the hearing on S.B. 559.

ASSEMBLYMAN MARVEL MOVED TO DO PASS S.B. 559.

ASSEMBLYMAN DENIS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Hardy and Koivisto were not present for the vote.)

Assembly Bill 200: Makes an appropriation to the Information Technology Division of the Department of Administration to add sites and enhancements to the 800 MHz radio system. (BDR S-1265)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 200. Mr. Stevens noted the bill was an appropriation of \$7.6 million from the State Highway Fund for the continuation of the 800 MHz project and was included in The Executive Budget.

ASSEMBLYMAN DENIS MOVED TO DO PASS A.B. 200.

ASSEMBLYMAN MARVEL SECONDED THE MOTION.

Mr. Stevens further explained that the amounts requested had been reviewed. There were many mountaintop repeaters to be installed. There was also a contingency built into the appropriation which was normal for construction projects. If the Committee wished to continue the project with enhancements in the next biennium, staff recommended approval of the bill.

THE MOTION PASSED. (Assemblymen Hardy and Koivisto were not present for the vote.)

Assembly Bill 202: Makes an appropriation to the State Gaming Control Board for implementation of security measures and replacement of equipment. (BDR S-1220)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 202. The bill was a one-shot appropriation included in The Executive Budget for the Gaming Control Board. Staff had worked with the agency in reviewing the request and recommended amending the appropriation amount in the bill to \$748,622.

ASSEMBLYWOMAN LESLIE MOVED TO AMEND AND DO PASS AS AMENDED A.B. 202.

ASSEMBLYMAN MARVEL SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 272: Makes appropriations to the Department of Health and Human Services to replace vehicles, appliances, radios and other equipment at certain youth facilities. (BDR S-1218)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 272. The bill was a one-shot appropriation included in The Executive Budget for the Division of Child and Family Services' youth facilities in Caliente and Elko. There was an appropriation for \$54,315 for the Juvenile Correctional Facility in Elko and \$86,000 for Caliente. Staff had reviewed the request with the agency and recommended Committee approval.

ASSEMBLYWOMAN LESLIE MOVED TO DO PASS A.B. 272.

ASSEMBLYMAN MARVEL SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 539: Makes appropriations to the State Department of Agriculture. (BDR S-1223)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill (A.B.) 539. The bill was a one-shot appropriation included in The Executive Budget for the Department of Agriculture. Staff had reviewed the requested appropriation with the agency and determined the request for the purchase of servers, computer hardware, software, and replacement of two vehicles could be reduced to \$138,725. The amount requested for the purchase of new and replacement laboratory equipment and to replace one veterinary vehicle could be reduced to \$51,973. The revised request appeared appropriate to staff.

ASSEMBLYMAN GRADY MOVED TO AMEND AND DO PASS AS AMENDED A.B. 539.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 551: Makes appropriations to the Department of Cultural Affairs. (BDR S-1211)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 551. The bill was a one-shot appropriation request included in The Executive Budget for the Department of Cultural Affairs. Staff recommended the appropriation for computer equipment be reduced to \$250,124 because of reduced prices. Staff recommended elimination of the \$1.2 million for library acquisitions as it was included in the ongoing budget in each year of the biennium. The \$506,092 for the purchase of new replacement equipment and the Liberty Belle antique slot machine collection should be

reduced by \$1,000, the value of one slot machine donated to the museum. The sum appropriated for library acquisitions should be reduced to \$68,115.

Addressing a question from Chairman Arberry regarding the McKeen Motor Car, Mr. Stevens noted the \$120,000 appropriation was required to complete the restoration of the car and put the ownership into the hands of the State. If the restoration was not completed, the car would be returned to the original owner.

ASSEMBLYMAN DENIS MOVED TO AMEND AND DO PASS AS AMENDED A.B. 551.

ASSEMBLYWOMAN MCCLAIN SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywomen Buckley and Koivisto were not present for the vote.)

Senate Bill 456: Extends the reversion date of a previous appropriation to the Department of Administration for the digital microwave project. (BDR S-1151)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Senate Bill 456. Mr. Stevens advised the Committee that the bill extended the reversion date to June 30, 2009, for the unexpended portion of an appropriation designated for expenditure on the digital microwave project approved in the 2005 Legislative Session.

ASSEMBLYWOMAN GANSERT MOVED TO DO PASS S.B. 456.

ASSEMBLYWOMAN WEBER SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywomen Buckley and Koivisto were not present for the vote.)

Senate Bill 470: Extends the reversion date of an appropriation made during the 73rd Session of the Nevada Legislature to the Interim Finance Committee for allocation to the Department of Business and Industry. (BDR S-1421)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Senate Bill 470. Mr. Stevens advised the Committee that the bill extended the reversion date to June 30, 2009 for the unexpended portion of an appropriation designated for expenditure on the data processing project in the Department of Business and Industry approved in the 2005 Legislative Session.

ASSEMBLYMAN DENIS MOVED TO DO PASS S.B. 470.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywomen Buckley and Koivisto were not present for the vote.)

Assembly Bill 128 (1st Reprint): Revises provisions relating to prescription drugs. (BDR 54-108)

Assemblywoman Leslie stated the fiscal note had been removed from Assembly Bill 128 (1st Reprint), and in her opinion, the bill required no further amendment.

ASSEMBLYWOMAN SMITH MOVED TO DO PASS AS AMENDED
A.B. 128 (1st REPRINT).

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

Assemblyman Hardy reserved the right to change his Floor vote after consideration of Section 1 of A.B. 128 (1st Reprint).

THE MOTION PASSED. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 150 (1st Reprint): Makes various changes pertaining to methamphetamine and other controlled substances. (BDR 40-667)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 150 (1st Reprint). Staff recommended Section 9 of the bill be deleted. The section required the Court Administrator to apply for any federal grants for the establishment, support, or expansion of drug courts and to allocate to the courts any money received. Staff additionally recommended that Section 32 of the bill, which created the Anhydrous Ammonia Advisory Committee, be considered by the Committee.

Assemblywoman Leslie noted the advisory committee would be made up of individuals employed in the public sector, and therefore, the public sector would pick up any required per diem. In her opinion, Section 32 should remain a part of the bill. Ms. Leslie agreed Section 9 should be eliminated from the bill.

ASSEMBLYWOMAN LESLIE MOVED TO AMEND AND DO PASS
AS AMENDED A.B. 150 (1st REPRINT) DELETING SECTION 9.

ASSEMBLYWOMAN MCCLAIN SECONDED THE MOTION.

THE MOTION PASSED. Assemblyman Hardy voted no and reserved the right to change his Floor vote upon review of the amendment. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 212 (1st Reprint): Provides for high school reform. (BDR 34-118)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 212 (1st Reprint). Mr. Stevens noted that the Clark County School District had requested an amendment to Section 3, subsection (a) by adding "where practical."

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
A.B. 212 (1st REPRINT) BY ADDING "WHERE PRACTICAL" AS
OUTLINED BY STAFF.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 246: Increases the number of district judges in the Second and Eighth Judicial Districts. (BDR 1-654)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 246. Section 2 of this bill increased the number of district judges in the Eighth Judicial District, which included Clark County, from 37 to 47. Six of the ten additional district judges must be judges of the family court, increasing the number of judges of the family court in the Eighth Judicial District from 13 to 19. Staff recommended that the appropriation of the salaries for the judges be included in the bill. The salaries would be for the final six months of the biennium.

Chairman Arberry suggested the Committee consider eight judges total.

ASSEMBLYWOMAN LESLIE MOVED TO AMEND AND DO PASS AS AMENDED A.B. 246 BY ADDING SIX DISTRICT JUDGES FOR CLARK COUNTY AND TWO DISTRICT JUDGES FOR WASHOE COUNTY AND INCLUDING THE APPROPRIATION FOR SALARIES.

ASSEMBLYWOMAN BUCKLEY SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 410: Makes certain changes relating to the immunization of children. (BDR 40-877)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 410. The Health Division budget closing assured there was sufficient funding to implement A.B. 410.

ASSEMBLYWOMAN SMITH MOVED TO DO PASS A.B. 410.

ASSEMBLYMAN PARKS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 567 (1st Reprint): Revises provisions governing university schools for profoundly gifted pupils. (BDR 34-918)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 567 (1st Reprint). The bill provided the basic support guarantee for students who attended the university school for profoundly gifted pupils.

Assemblywoman Smith explained the university school for profoundly gifted pupils was a public school and the appropriation was for per pupil expenditures. The bill also made needed technical adjustments.

ASSEMBLYWOMAN SMITH MOVED TO DO PASS
A.B. 567 (1st REPRINT).

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywoman Koivisto was not present for the vote.)

Assembly Bill 596 (1st Reprint): Makes certain changes to provisions concerning obligations of support for a child. (BDR 11-1411)

Mr. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), provided the Committee with a review of Assembly Bill 596 (1st Reprint). The original version of the bill stated that to comply with federal law, Section 3 of the bill required the Chief of the program to charge and collect a fee of up to \$25 each year in each case in which the State had collected more than \$500 and in which the person who had physical custody of the child had never received Temporary Assistance for Needy Families (TANF). The original version of the bill had the \$25 charged to the custodial parent. The first reprint charged the \$25 to the noncustodial parent.

Assemblywoman Leslie explained the issue had been discussed several times in subcommittee. Verification had been provided to the Committee that most states required the custodial parent pay the fee, one state charged the noncustodial parent to pay, and in eight states the state paid the fee. In researching the impact of the fee, it was determined the charge for the noncustodial parent to pay was nearly \$500,000 annually. After discussions in the subcommittee, the bill was closed with the noncustodial parent paying the fee. Ms. Leslie recommended the Committee amend the bill to restore the original language and make the custodial parent responsible for the fee.

ASSEMBLYWOMAN LESLIE MOVED TO AMEND AND DO PASS
AS AMENDED A.B. 596 (1st REPRINT) RESTORING THE ORIGINAL
LANGUAGE OF THE BILL.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED. (Assemblywoman Buckley voted no.
Assemblywoman Koivisto was not present for the vote.)

There being no further discussions, Chairman Arberry adjourned the meeting at 4:09 p.m.

RESPECTFULLY SUBMITTED:

Linda Blevins
Committee Secretary

APPROVED BY:

Assemblyman Morse Arberry Jr., Chair

DATE: _____

<u>EXHIBITS</u>			
Committee Name: <u>Committee on Ways and Means</u>			
Date: <u>May 10, 2007</u>		Time of Meeting: <u>3:40 p.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A	-----	Agenda
	B	-----	Attendance Roster