

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

**Seventy-Fourth Session  
April 17, 2007**

The Committee on Ways and Means was called to order by Chair Morse Arberry Jr. at 9:26 a.m., on Tuesday, April 17, 2007, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 2450 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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/](http://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](mailto: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  
Assemblywoman Ellen Koivisto  
Assemblyman John W. Marvel  
Assemblywoman Kathy McClain  
Assemblyman David R. Parks  
Assemblywoman Debbie Smith  
Assemblywoman Valerie E. Weber

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Marilyn Kirkpatrick, Clark County Assembly District No. 1  
Assemblyman Harry Mortenson, Clark County Assembly District No. 42  
Assemblyman Lynn Stewart, Clark County Assembly District No. 22  
Assemblywoman Bonnie Parnell, Assembly District No. 40

**STAFF MEMBERS PRESENT:**

Mark W. Stevens, Assembly Fiscal Analyst  
Steve Abba, Principal Deputy Fiscal Analyst  
Julie Diggins, Program Analyst  
Christine Bashaw, Committee Secretary  
Patricia Adams, Committee Assistant



Chairman Arberry opened the hearing on Assembly Bill (A.B.) 288 and recognized Assemblywoman Marilyn Kirkpatrick.

**Assembly Bill 288: Makes an appropriation to the Division of State Lands of the State Department of Conservation and Natural Resources for the preservation of historical buildings at Floyd Lamb State Park. (BDR S-535)**

Assemblywoman Marilyn Kirkpatrick, Assembly District 1, testified in support of Assembly Bill 288. The bill was for the preservation of historical buildings at Floyd Lamb State Park. Mrs. Kirkpatrick provided information for the Committee with:

- Exhibit C—Historical pictures from the 1940's and 1950's of the Tule Springs Ranch.
- Exhibit D—The Southern Nevada Times, page 2, which identified Tule Springs Ranch Historic Areas.

Mrs. Kirkpatrick said there were over 20 historical buildings at Floyd Lamb State Park and 162,000 visitors. There was an effort to have community involvement because children do not know the history of the park. The most important issue was to keep the park intact, which was 656 acres.

Councilman Steve Ross, City of Las Vegas, Ward 6, stated this was a historic moment for Las Vegas and said that Senate Bill No. 444 of the 72nd Legislative Session and Assembly Bill No. 287 of the 72nd Legislative Session were passed. These bills authorized the Division of State Lands to negotiate the transfer of Floyd Lamb State Park from the state of Nevada to the City of Las Vegas. Councilman Ross continued that as a result of negotiations between the Division of State Lands and the City of Las Vegas, the Interim Finance Committee (IFC) approved the transfer agreement on September 15, 2005. The City Council, subsequently, approved the transfer agreement on October 19, 2005. Councilman Ross said the city and state staff members had worked on the details of the transfer agreement since 2005. A major condition of the transfer agreement was for the city and State to conduct a joint planning process to address the future development and preservation of Floyd Lamb State Park. Councilman Ross indicated that in June 2006, the City of Las Vegas commissioned Greenways Incorporated to prepare a master plan that would satisfy the transfer agreement and provide a forward look at programs for the park and surrounding lands. The City Council accepted the Floyd Lamb State Park master plan on April 4, 2007, thus fulfilling the obligation in the transfer agreement. The State would officially transfer ownership of the park on June 30, 2007.

Councilman Ross said the plan prepared by Greenways Incorporated included considerable public input which included three public workshops, three meetings of the Citizen Advisory Committee (CAC), and three meetings of the Technical Advisory Committee (TAC). Councilman Ross referred to the map in Exhibit E and stated an important goal was the preservation of the cultural resources. There were many historic Tule Springs Ranch buildings and facilities. Although the plan did not include an extensive structural and historic preservation survey of existing buildings, preliminary work conducted for the plan development suggested that needed improvements were threefold. Most of the buildings require cosmetic improvements. Several buildings require structural improvement. All structures and walkways would need to be professionally studied to comply with Americans with Disabilities Act (ADA) for public access.

Councilman Ross continued that the City of Las Vegas would determine which structures should be improved to enable park visitors to explore the interior and experience the ranch lifestyle. The funds allocated in A.B. 288 would be used to make the improvements to Floyd Lamb State Park per the transfer agreement.

Chairman Arberry asked whether there was a breakdown of how funds would be used. Councilman Ross answered he would provide the information to staff today. Chairman Arberry related a concern regarding the name of the park. Councilman Ross answered the name was going to be Floyd Lamb Park at Tule Springs. He had spoken with Floyd Lamb's widow and she was glad the name was to remain. The residents of southern Nevada were glad to have Tule Springs associated with the park.

Councilman Ross expected the attendance of the park to grow as the improvements continue.

There being no further comment, Chairman Arberry closed the hearing on A.B. 288 and commented that the Committee was going to move to budget closings.

## **DEPARTMENT OF CULTURAL AFFAIRS**

### **BUDGET CLOSINGS**

Mark Stevens, Assembly Fiscal Analyst, Legislative Counsel Bureau (LCB), stated that Julie Diggins, Program Analyst, LCB, was going to present the Cultural Affairs budget closings.

Ms. Diggins stated that approximately two weeks ago, staff received the Governor's recommended budget reductions for the Department of Cultural Affairs. Ms. Diggins told the Committee that yesterday staff received notification from the Budget Division of the restoration of a portion of these budget cuts. The restored budget cuts were being reviewed. Ms. Diggins noted that accounts closed today might need to be reconsidered for possible restoration of the budget cuts.

Mr. Stevens suggested that the Committee make their adjustments based on the Governor's original plan. If necessary, the Committee could return at a later date to review changes the Governor recommended. Mr. Stevens suggested strongly that regardless of the Executive Branch recommendations on budget reductions, the Committee needed to move forward.

## **CULTURAL AFFAIRS**

### **ADMINISTRATION**

#### **BA 2892**

Julie Diggins, Program Analyst, Legislative Counsel Bureau, stated there were no major closing issues. Staff recommended closing this budget account as recommended with technical adjustments. Ms. Diggins noted that the Governor recommended \$2.2 million as a one-time appropriation outside of the operating budget.

Ms. Diggins said another closing item was a position upgrade [E805] of an Information Technology (IT) technician to IT professional. Staff believed this recommendation appeared reasonable.

Ms. Diggins stated for the Committee's review, there was follow-up information pertaining to visitor attendance which was discussed during the budget hearings.

Ms. Diggins noted there was a technical adjustment as a result of fringe rate adjustments.

Chairman Arberry stated he would accept a motion.

ASSEMBLYWOMAN LESLIE MOVED TO CLOSE BA 2892 AS  
RECOMMENDED BY STAFF.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**NEVADA HUMANITIES**  
**BA 2894**

Julie Diggins, Program Analyst, Legislative Counsel Bureau, stated that the 73rd Legislative Session converted the one-time funding request to an ongoing appropriation. The Governor's recommended continued the funding of \$100,000 per fiscal year recommended over the 2007-09 biennium. Ms. Diggins concluded there were no major closing issues and staff recommend closing this budget as recommended.

ASSEMBLYMAN MARVEL MOVED TO CLOSE BA 2894 AS  
RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**MUSEUMS AND HISTORY**  
**BA 2941**

Julie Diggins, Program Analyst, Legislative Counsel Bureau, stated there were no major closing issues. One closing item was decision unit M750 for building maintenance. The Executive Budget recommended a General Fund appropriation of \$64,624 in fiscal year (FY) 2008 for building maintenance on the museum administration building on Curry Street. Ms. Diggins continued that, based on information provided to staff, this recommendation appeared reasonable.

Ms. Diggins said that staff noted there was a technical adjustment to the interdepartmental revenue transfer to the Cooperative Libraries Area Network (CLAN). This required an additional General Fund appropriation of \$1,272 in

FY 2009, beyond the Governor's recommended amounts, to correctly align the interdepartmental revenue transfer.

Chairman Arberry stated he would accept a motion.

ASSEMBLYMAN MARVEL MOVED TO CLOSE BA 2941 AS  
RECOMMENDED BY STAFF.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**LOST CITY MUSEUM**  
**BA 1350**

Julie Diggins, Program Analyst, Legislative Counsel Bureau, stated this account had no major issues. Staff recommended closing this budget as recommended with technical adjustments.

ASSEMBLYMAN HARDY MOVED TO CLOSE BA 1350 AS  
RECOMMENDED BY STAFF.

ASSEMBLYWOMAN WEBER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**NEVADA HISTORICAL SOCIETY**  
**BA 2870**

Julie Diggins, Program Analyst, Legislative Counsel Bureau (LCB), said this budget account included the impact of the Governor's recommended budget reductions. There were no major closing issues.

Ms. Diggins stated that among the closing items was building construction maintenance [M750]. The Executive Budget recommended \$141,740 for stucco maintenance on the Historical Society's building. Pursuant to the Governor's budget reduction recommendation, the agency proposed to reduce the \$141,750 by \$49,500. The balance of \$92,250 would remain for the Historical Society building stucco project. The Committee might wish to reduce the stucco maintenance on the Historical Society building addition by \$49,500 as proposed by the Governor's budget reduction and approve the remaining funding recommended by the Governor of \$92,250 for stucco maintenance on the main building.

Ms. Diggins addressed the second closing item which was the back issues of Nevada's newspapers [E325]. The Governor recommended a General Fund appropriation of \$13,018 in fiscal year (FY) 2008 and \$48,294 in FY 2009 to

purchase back issues of Nevada's newspapers on microfilm. However, because of the Governor's budget reduction recommendation, the agency proposed to reduce funding by \$35,276. The Committee might wish to reduce funding for the back issues of Nevada's newspapers on microfilm by \$35,276 as proposed by the Governor's budget reduction and approve the remaining funding of \$13,018 each fiscal year for the ongoing purchase of Nevada newspapers on microfilm.

Ms. Diggins concluded with the deferred maintenance [M425] for shelving repair. Staff reviewed the associated supporting documentation and believed this recommendation was reasonable. Staff made a technical adjustment to correct fund map errors.

Assemblywoman Buckley questioned whether the building construction maintenance [M750] could be funded out of capital one-shot money, which would save General Fund, and could staff amend it into a bill.

Mark Stevens, Assembly Fiscal Analyst, LCB, answered this could be done two different ways. The building construction maintenance could be amended into a one-shot bill or the Committee could recommend that this be reviewed by the Capital Improvement Project (CIP) Subcommittee and approved for funding through the General Fund or through bonds.

Chairman Arberry asked whether this would be an ongoing situation. Mr. Stevens answered that M750 was listed as a one-time cost, and funding was in the first year of the biennium only, so it was not an ongoing cost. Mr. Stevens felt there would be ongoing stucco repairs that were required, but there was no funding put into the budget each fiscal year for that purpose.

Chairman Arberry said a motion could be made to remove M750 and refer to CIP or one-shot, and Mr. Stevens said yes.

Assemblywoman Buckley said the Committee was still looking for General Fund money to improve the K-12 budget and thought if M750 could be classified as capital one-shot then it would free up ongoing and would not count against the cap.

Mr. Stevens interjected that there were other items that needed to be acted on, including the reduction in appropriation for purchasing back issues of newspapers and a technical adjustment.

Assemblyman Parks questioned whether there was a risk of losing the opportunity to receive the back issues of Nevada newspapers.

Chairman Arberry asked whether there was someone from the agency available to answer questions.

Scott Sisco, Deputy Director, Chief Fiscal and Administrative Officer, answered that the newspapers were on microfilm and the agency would not lose the opportunity to purchase the newspapers on microfilm, but the cost could increase.

Chairman Arberry asked for a motion.

ASSEMBLYWOMAN BUCKLEY MOVED THAT THE COMMITTEE:

1. MOVE M750 TO ONE-SHOT APPROPRIATIONS.

2. APPROVE E325 AS RECOMMENDED BY THE GOVERNOR.
3. APPROVE M425 AS RECOMMENDED BY THE GOVERNOR.
4. APPROVE TECHNICAL ADJUSTMENTS MADE BY STAFF.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**STATE MUSEUM, CARSON CITY**  
**BA 2940**

Julie Diggins, Program Analyst, Legislative Counsel Bureau, said there were no major closing issues in this budget, but one item for consideration was decision unit M750 for building maintenance for Nevada State Museum sites. After further review, staff noted that four seismic gas shut-off valve installations were also included in the Statewide Fire Life Safety Project [07-S03]. Ms. Diggins stated that staff made a technical adjustment to remove the duplicate funding of \$16,100 in fiscal year (FY) 2008.

Ms. Diggins noted that a second item for review was deferred maintenance projects [M425] for the Nevada State Museum in Carson City for heating, ventilating, and air conditioning (HVAC) balancing and emergency exit door hardware.

Continuing, Ms. Diggins had the Committee recall the discussion regarding the duplication of funding for connecting structure maintenance which was included in both decision unit E250 and in the Capital Improvement Project (CIP). Staff recommended a technical adjustment to eliminate the funding recommended in E250 of \$9,215 in FY 2008 and \$5,000 in FY 2009.

Ms. Diggins concluded that there was a technical adjustment required that added General Fund appropriations of \$19,451 in FY 2008 and \$17,044 in FY 2009 related to aligning the funding sources for five positions. This addition would correctly align the fund maps.

Chairman Arberry asked for a motion which:

1. Approved the Governor's recommendation for maintenance projects [M750] with the technical adjustments made by staff.
2. Approved funding of \$26,000 in FY 2008 for various maintenance projects [M425] as recommended by the Governor.
3. Approved elimination of one position [E251] as staff recommended.
4. Approved a reduction of \$9,215 in FY 2008 and \$5,000 in FY 2009 to eliminate funding for HVAC and other connecting structure maintenance items contained in E250.
5. Approve the addition of General Fund appropriations of \$19,451 in FY 2008 and \$17,044 in FY 2009 to correct the funding source contribution percentages for five positions.

ASSEMBLYWOMAN GANSERT MOVED THAT THE COMMITTEE ACCEPT THE CLOSING RECOMMENDATIONS OUTLINED BY THE CHAIRMAN.

ASSEMBLYMAN MARVEL SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**MUSEUM & HISTORICAL SOCIETY – LAS VEGAS**  
**BA 2943**

Julie Diggins, Program Analyst, Legislative Counsel Bureau (LCB), noted this was the budget account that included the new museum located at the Las Vegas Springs Preserve. The major budget issue was the 12.51 net new full-time equivalent (FTE) positions and operating costs for the new facility. Ms. Diggins continued that the Governor originally recommended funding of \$1.03 million in fiscal year (FY) 2009 to support increased utility costs and operating and other related costs, which included \$175,000 for a joint marketing and advertising program with the Las Vegas Springs Preserve, and personnel costs of \$587,621. Ms. Diggins said there was a delay in building permits and with the Governor's reduction request, the agency proposed to delay the opening of the museum from July 2008 to April 2009. This would result in personnel cost savings of \$418,995 and operating cost savings of \$178,491. Ms. Diggins continued that as justification for the additional staffing needs, the new facility was approximately 69,000 square feet, which would more than double the size of the existing facility. The agency intended to transfer all current 15.51 FTEs, including the custodial position recommended for elimination, to the new facility. The agency had submitted a more in-depth detail of the anticipated duties for each requested position. Ms. Diggins said staff had reviewed the information and believed there was adequate justification for the addition of the positions.

Ms. Diggins asked the Committee to recall discussions relating to the grants analyst position and the public information officer position. The agency provided additional information regarding the need for the public information officer. The agency currently had one public information officer located in the north and indicated there were more press releases in the north than the south for FY 2006. Ms. Diggins said that the division believed that by locating a public information officer in the south, the increased exposure would elevate attendance as well as promote the new Las Vegas Spring Preserve facility.

Ms. Diggins continued that the grants analyst position was needed to seek federal funds, corporate partnerships, and community partnerships to provide funding for the new facility.

Ms. Diggins concluded that there was technical adjustment that aligned position funding sources.

In response to a question from Chairman Arberry, Ms. Diggins disclosed that the agency was working on a fee structure for admission to the facility.

Scott Sisco, Deputy Director, Chief Fiscal and Administrative Officer, responded that the agency was entering into an operating agreement with Las Vegas Springs Preserve and explained the structure and pricing of tickets and noted that children would be admitted free. Chairman Arberry said the reason he asked was because the Governor recommended a budget reduction and asked when the museum could open if the approximately \$600,000 was added back



to the budget. Mr. Sisco answered that when the Cultural Affairs Department was asked to reduce its budgets by \$847,000, information was received that the building permits were not being issued until the end of April 2007. Mr. Sisco continued that 15 months were needed to build the museum and adding the time to collect and display the exhibits, the museum could open approximately January 1, 2009; however, January 1 was not an ideal opening date, so the agency decided on an opening date of April 1, 2009, which allows the museum time to be completed. In response to a question from Chairman Arberry, Mr. Sisco stated if restorations were completed on time, staff starting dates would be changed for training purposes. The current budget had staff starting on opening day, but there were some budget restorations that had the staff starting 30 to 90 days before the revised opening date of the museum for training.

Assemblywoman Buckley expressed concern and asked whether the Las Vegas Springs Preserve could help more with funding, such as funding for the joint marketing and advertising program.

Mr. Sisco responded that the agency was getting a great deal in this particular case; the joint marketing program was \$1.8 million dollars and the agency was only contributing \$175,000, plus the agency would have approximately 40 percent of the floor space at the Las Vegas Springs facility. The second thing the preserve was doing was the tier-schedule on the tickets. After the first 10,000 tickets were sold, the percentage the preserve received would be smaller so the preserve would have incentive for the museum to be successful.

Mr. Sisco reminded the Committee that there had been concern at the budget hearings with the decline in attendance at all the museums, but felt the reason was there were not enough funds to market the museums. This was the first museum to have a marketing budget.

Ms. Buckley asked where the \$1.8 million marketing budget came from. Mr. Sisco replied that this was the amount that the Las Vegas Springs Preserve had budgeted annually to market the entire springs preserve including the state museum. Ms. Buckley asked whether this was from the Southern Nevada Public Land Management Act. Mark Stevens, Assembly Fiscal Analyst, LCB, answered that the construction funds for the museum, which were approximately \$35 million, came from Question 1 and an additional \$11 million in state funds in the Capital Improvement Program (CIP) for this session provide for the construction cost of the museum. Ms. Buckley asked the source of the Question 1 funds, the year it was passed, and the eligible activities. Mr. Stevens answered the bonds were redeemed with statewide property tax, the legislation passed in 2001, and many activities were eligible for funds. Ms. Buckley asked whether the preserve was a line-item in Question 1. Mr. Sisco answered the preserve received some money from Question 1, and the museum cost was a \$35 million line-item.

ASSEMBLYWOMAN LESLIE MOVED THAT THE COMMITTEE:

1. NOT APPROVE THE GRANTS ANALYST POSITION AND THE PUBLIC INFORMATION OFFICER POSITION FOR THE NEW NEVADA STATE MUSEUM AND HISTORICAL SOCIETY LAS VEGAS AT THE SPRINGS PRESERVE.
2. APPROVE THE GOVERNOR'S RECOMMENDED REDUCTIONS OF \$597,486 IN FY 2009 FOR PERSONNEL AND OPERATING COSTS AS A RESULT OF THE DELAYED OPENING OF THE NEW NEVADA STATE MUSEUM AND

HISTORICAL SOCIETY LAS VEGAS AT THE SPRINGS  
PRESERVE SITE.

3. APPROVE THE REMAINING \$432,089 FOR THE REMAINING  
10.51 NEW POSITIONS AND OPERATING COSTS FOR THE  
NEW FACILITY.

Mr. Stevens reminded the Committee that the reductions mainly had to do with delay of hiring the new staff for the museum and reviewed the delayed timeline.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

Assemblywoman Gansert was concerned about the grants analyst position because there was always a need for grants, and she did not want to lose money in the future by not funding this position.

Ms. Leslie could appreciate the concern but federal grants were getting smaller and harder to receive and did not think the grants analyst position was a good investment.

Ms. Diggins noted that the two positions in question were not fully funded with General Fund appropriations and were partially funded with private funds and admission charge fees.

Assemblywoman Koivisto did not like the idea of eliminating the public information officer position since currently there was not a position in southern Nevada to perform this function.

Ms. Leslie said the Department of Education did not have a public information officer and felt there needed to be cuts and stood by her motion.

THE MOTION PASSED WITH ASSEMBLYMAN MARVEL,  
ASSEMBLYWOMAN GANSERT, ASSEMBLYWOMAN WEBER  
VOTING NO.

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**STATE RAILROAD MUSEUMS**  
**BA 4216**

Julie Diggins, Program Analyst, Legislative Counsel Bureau (LCB), stated this budget was affected by the Governor's recommended reductions. The major closing issue was the Carson City and Ely Railroad Museum Building construction maintenance [M750]. The Governor originally recommended General Fund appropriation of \$595,990 in fiscal year (FY) 2008. Ms. Diggins said that staff had reviewed the maintenance projects, which appeared reasonable. She reminded the Committee that the Railroad Museum's deferred maintenance projects as approved in the 2005-07 biennium were funded with a transfer of \$601,348 of room tax funds from the Commission on Tourism. Staff noted that until Tourism's budget closed, it would not be known whether there was any excess funding available for other projects the Committee might wish to consider funding.

Ms. Diggins continued that in response to the Governor's budget reduction recommendation, the agency proposed to reduce the recommended funding of \$595,990 for building maintenance by \$7,200 in FY 2008 by eliminating siding replacement on the V & T Interpretive Center.

Ms. Diggins said that the Governor recommended \$32,779 in ride fees each fiscal year to fund a marketing program for the Boulder City Railroad Museum. The agency projected the marketing program would increase ride-charge revenue to a level to cover the marketing program costs and estimated the revenue increase would also reduce General Fund support of other program costs by approximately \$12,105 in FY 2008 and \$24,686 in FY 2009. Ms. Diggins concluded that based on the division's testimony and information provided to staff, this recommendation appeared reasonable.

Ms. Diggins asked the Committee to note that there were two technical adjustments, one was renaming a category to more accurately describe the expenditures and the other was a nominal funding resource reallocation for a position.

In response to a question from Assemblywoman McClain, Mark Stevens, Assembly Fiscal Analyst, stated that M750 in BA 4216 requested a General Fund appropriation of \$595,990. In the current biennium, deferred maintenance was funded with room tax dollars, but there was not sufficient money in the Governor's budget to include room tax funding. Mr. Stevens said that fiscal staff would be reviewing the Tourism budget. Ms. McClain asked whether the Committee would like to review M750 from this budget in conjunction with the Tourism budget. Mr. Stevens said that M750 in a previous budget closed earlier was moved to either one-time appropriations or the Capital Improvement Program (CIP) bill, which could be done in this budget, if desired. Ms. McClain asked whether this could be done for the entire Cultural Affairs Budget. Assemblywoman Leslie thought this was a good idea, putting a bill together of M750s from the Cultural Affairs Budget and funding through one-shot appropriations to save money.

ASSEMBLYWOMAN MCCLAIN MOVED THAT THE COMMITTEE:

1. MOVE ALL CULTURAL AFFAIRS M750 DECISION UNITS TO A ONE-SHOT APPROPRIATIONS BILL.
2. APPROVE GOVERNOR'S RECOMMENDATION FOR E343.
3. APPROVE TECHNICAL ADJUSTMENTS MADE BY STAFF.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

Assemblywoman Gansert had a concern about moving items to one-shot and thought some maintenance projects needed to be completed and asked what the total cost would be.

Mr. Stevens said moving the M750s to one-shot would require the Committee to not approve one-shots recommended by the Governor in the budget to free-up funding.

Assemblywoman Buckley stated that sometime during the session, the Committee was going to have to decide as a policy matter whether to fund all the requested one-shot appropriations for the private charities or fund the competing demands for K-12 and crumbling state museums, which she believed was the Committee's first priority. Ms. Buckley felt Cultural Affairs programs were a priority and needed to be funded this session, but thought it was more

appropriate, because the expenditures were one-time, to put the projects on the one-shot list. Then, if there were disagreements on what should get funded, they could be addressed at that time. Ms. Buckley added that there would be plenty of time to discuss this, but felt Cultural Affairs maintenance projects should be the Committees' priority as well as equalizing the K-12 budget with enhancements in the other budgets.

Assemblywoman Smith agreed with Ms. Buckley and said the Committee was going to make some choices, and it would be easier if all the projects were in one place to review instead of in individual budgets that were being closed separately.

THE MOTION PASSED WITH ASSEMBLYWOMAN GANSERT AND  
ASSEMBLYWOMAN WEBER VOTING NO.

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**STATE HISTORIC PRESERVATION OFFICE**  
**BA 4205**

Julie Diggins, Program Analyst, Legislative Counsel Bureau (LCB), stated there were no major closing issues. Discussion items included replacement equipment [E710] and the Governor's budget reduction recommendation which proposed to eliminate \$15,774 in fiscal year (FY) 2009 for Historic Preservation and Archeological grant funding. There were technical adjustments related to funding source allocation for two positions. One position was the historic preservation specialist for the site stewardship program, which was funded by Tourism transfers, and the adjustment was \$2,766 in FY 2008 and \$6,137 in FY 2009 to fully fund the costs of that position. There other position was 100 percent supported by a transfer from Historic Preservation funds, and that position required an adjustment increase of \$2,701 in FY 2008 and \$5,993 in FY 2009.

Chairman Arberry questioned the \$15,774 that was a Governor's budget reduction. Scott Sisco, Deputy Director, Chief Fiscal and Administrative Officer, reminded the Committee the amount was requested to reduce the Cultural Affairs Department budget and stated the \$15,774 reduced funding for the grants program in the State Historic Preservation Office. Mr. Sisco added that this was on the budget restorations list, if there were restorations.

Chairman Arberry asked what the agency would do with the \$15,774 if it were restored. Mr. Sisco answered that the money was part of a 60/40 federal matching funds program and was used for grants for school projects.

ASSEMBLYMAN GRADY MOVED THAT THE COMMITTEE:

1. APPROVE THE STAFF RECOMMENDATION FOR E710.
2. RESTORE THE \$15,744 FOR THE HISTORIC PRESERVATION  
AND ARCHEOLOGICAL GRANT FUNDING.
3. APPROVE THE TECHNICAL ADJUSTMENTS MADE BY  
STAFF.

ASSEMBLYMAN MARVEL SECONDED THE MOTION.

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

BUDGET CLOSED.

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**CULTURAL AFFAIRS**  
**COMSTOCK HISTORIC DISTRICT**  
**BA 5030**

Julie Diggins, Program Analyst, Legislative Counsel Bureau (LCB), stated there were no major closing issues in this budget and staff recommended this account be closed as recommended by the Governor.

ASSEMBLYWOMAN MCCLAIN MOVED TO CLOSE BA 5030 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

BUDGET CLOSED.

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Chairman Arberry stated the Committee would resume hearing bills. Mark Stevens, Assembly Fiscal Analyst, stated the rest of Cultural Affairs budgets could be heard later.

Chairman Arberry opened the hearing on Assembly Bill 449.

**Assembly Bill 449**: **Makes an appropriation to Nevada Ballet Theatre, Inc., for expenses relating to a performing tour in northern and central Nevada. (BDR S-922)**

Assemblyman Harry Mortenson, Assembly District 42, testified in support of Assembly Bill 449. The bill was to make an appropriation to Nevada Ballet Theatre for expenses related to a performing tour in northern and central Nevada. Mr. Mortenson introduced Bruce Steivel, Artistic Director, Nevada Ballet Theater, who was an internationally recognized choreographer and teacher, and listed the different groups Mr. Steivel had worked with. Mr. Steivel was a sought after guest teacher and has taught for numerous ballet companies and was a former dancer under George Balanchine. Mr. Mortenson next introduced Beth Barbie, Executive Director, Nevada Ballet Theatre, who received her Masters in Performing Arts Administration from New York University, served as New York City Ballet company manager, and was the administrator of the George Balanchine Trust. Nevada Ballet Theatre had been in existence for 35 years, one of the oldest performing arts entities in the State and employs 43 dancers. Mr. Mortenson remarked that International Dance Magazine said that the Nevada Ballet Theatre was one of the ten best regional ballet companies in the United States.

Mr. Steivel stated that the Nevada Ballet Theatre had performed a northern Nevada tour several years ago which included two programs, an arts education

program in the afternoon and a basic program in the evenings. It was a successful tour, but costly. Mr. Steivel explained the different aspects of the previous tour. Mr. Steivel wanted to take the Nevada Ballet Theatre to the rest of the State and wanted to take dance to more students through the arts education program.

Ms. Barbie referred to the budget in [Exhibit F](#) and listed the costs of different items. Ms. Barbie then referred to the educational aspect of the tour and believed that over 3,000 school children could be reached who would not normally be exposed to the art form. Ms. Barbie stated she had heard the Committee refer to the budget for K-12, and arts was usually the first to be cut. Ms. Barbie concluded that support for the Nevada Ballet Theatre would expose northern Nevada children to dance.

Mr. Mortenson mentioned that the tour costs \$125,924, but [A.B. 449](#) was only asking for \$95,924, and the company would be responsible for \$30,000. Mr. Mortenson continued to explain the companies outreach into schools and thanked the Committee for its time.

Chairman Arberry closed the hearing on [A.B. 449](#) and opened the hearing on [A.B. 474](#).

**[Assembly Bill 474](#): Makes an appropriation to the State Public Works Board for construction of a nursing facility at Nevada State College. (BDR S-1290)**

Assemblyman Lynn Stewart, Assembly District 22, testified in support of [Assembly Bill 474](#), which asked for \$30 million to build a nursing facility at Nevada State College in Henderson. Mr. Stewart toured the college last summer and was appalled by the lack of facilities. The two key issues were the lack of facilities at Nevada State College and the lack of nurses in Nevada. Mr. Stewart said the facility would address both needs.

Fred Maryanski, President, Nevada State College, thanked Mr. Stewart and his 11 cosponsors for their support, which included Assemblyman Hardy and Assemblywoman Weber. Dr. Maryanski stated the college, which opened in 2002, was doing well and had 1,964 students enrolled. The largest program was nursing. By next commencement, over 200 nurses will have graduated, and most would be working in Nevada. Dr. Maryanski said the growth in the nursing program was funded by internal allocations of state resources through the state formula. This facility would be the second building on the permanent campus and would serve nursing and prenursing students with classrooms, facility offices, labs, and administrative offices.

Dr. Maryanski indicated the first building project, which was funded last session, had a lawsuit dismissed yesterday, and construction would start on Monday. The bids on the first building were approximately \$4 million underbudget, and the college planned to use that money to cover the furniture, fixtures and equipment (FF&E) for the Liberal Arts and Science building. Dr. Maryanski said the Governor's recommended budget included \$4 million for FF&E for the Liberal Arts and Science building and that \$4 million could be used toward the \$30 million that was requested to fund the nursing building.

Dr. Maryanski stated that the college was currently in leased facilities in Henderson, which would expire at the completion of construction of the nursing building. There should be approximately \$4.5 million in private money to augment construction. This project was the third on the Board of Regents

Capital Improvement Program (CIP) list. Dr. Maryanski hoped the Committee would support the next step in the development of Nevada State College.

Connie Carpenter, Dean of the Nursing Program, Nevada State College, stated the long range planning had the college admitting 24 nursing students every two years, in addition to the current students. There were 120 in the prelicensure program and 90 Registered Nurses (RN) continuing their education to receive Bachelor Degrees. Ms. Carpenter said that admitting the 24 new students created a lack of space. The college had to turn two classrooms into labs. Ms. Carpenter informed the Committee that no additional nursing students would be accepted in 2008 without more space. The new nursing building would allow the college to increase the enrollment every year.

Chairman Arberry asked about the time frame for the students graduating from the nursing program. Ms. Carpenter answered that there were three different tracks:

- The RN program to earn a Bachelor of Science in Nursing (BSN) was approximately one and a half years.
- The regular track takes two years after prerequisites.
- The accelerated track takes one year.

Charles Perry, Chairman, Henderson Chamber of Commerce, Legislative Committee, spoke in support of [A.B. 474](#) and introduced D. J. Allen, Chairman, Henderson Chamber of Commerce, Legislative Education Committee. Mr. Allen referred to [Exhibit G](#), which was a letter of support for [A.B. 474](#). Mr. Allen said Nevada needed to protect itself against the shortage of teachers and nurses. Nevada State College was an immediate and long-term solution to issues that were crucial to the State. Mr. Allen concluded that this bill was not about building a building, but about building a program.

Chairman Arberry noted for the record [Exhibit H](#) which was a letter of support for [A.B. 474](#) from the Nevada Hospital Association.

John Buehler-Garcia, resident of Henderson, testified in support of [A.B. 474](#).

Chairman Arberry interjected that the Las Vegas satellite connection was lost.

Jim Richardson, Nevada Faculty Alliance, said that [A.B. 474](#) was a worthy project and urged the Committee to support the bill.

Mr. Buehler-Garcia continued that higher education for nurses was needed sooner and testified that the nursing building was part of that need.

Antoinette Branson, Nevada State College student, testified in support of [A.B. 474](#) and identified the need to enroll more students in the nursing program. Ms. Branson concluded with asking the Committee to support this bill.

Chairman Arberry closed the hearing on [A.B. 474](#) and opened the hearing on [A.B. 568](#).

**[Assembly Bill 568](#): Revises provisions governing the compensation of educational personnel. (BDR 34-1369)**

Assemblywoman Bonnie Parnell testified in support of [Assembly Bill 568](#). The bill was important to students, teachers, and all licensed staff. Ms. Parnell explained that the bill requested an appropriation for approximately \$60 million

to retain teacher incentives. It was imperative that the money was kept for recruitment and retention purposes. Ms. Parnell said that it would be used to encourage teachers to teach in the most difficult schools and subjects.

Ms. Parnell stated that A.B. 568 would substitute the one-fifth retirement credit with a comparable cash stipend. The one-fifth retirement credit had not been productive as a recruitment incentive, and the school districts had requested this change. The bill allowed those teachers and school psychologists, who were in the one-fifth retirement program, to complete their five years to receive the one year towards retirement.

Ms. Parnell continued that students deserved to have qualified teachers in their classrooms, and this incentive pay assists in that endeavor.

Ms. Parnell stated that the second part of A.B. 568 requested a \$10 million appropriation to continue the pay-for-performance program established in A.B. No. 580 of the 73rd Legislative Session. The pay-for-performance program, adopted by local school districts, included:

- Skilled-based pay and related licensure.
- Career ladder steps.
- A program for the mentor teachers.
- Market-based pay.
- Bonuses based on the attainment of specified standards of achievement by pupils.

Ms. Parnell studied the pay-for-performance programs across the country and found that Nevada currently had one of the best pay-for-performances packages in the United States.

Dr. Mary Pierczynski, Superintendent of Schools for Carson City, President of Nevada Association of School Superintendents, supported A.B. 568 because it was aligned with Initiative 6 of iNVEST '07 (Investing in Nevada's Education, Students, and Teachers) that requested incentives for licensed education personnel. Dr. Pierczynski addressed the one-fifth retirement program and quoted Initiative 6:

"This initiative suggests the Legislature discontinue the retirement credit program and transfer the dollars currently used for this purpose to a Teacher Incentive Grant Fund. Districts would create incentive programs tailored to the needs of their counties, and the Nevada Department of Education would administer the distribution of the funds."

Dr. Pierczynski continued that the redirected one-fifth retirement funds could be given to highly qualified teachers through several methods. The iNVEST program suggested pay-for-performance incentives, tuition-free graduate courses, and loan-forgiveness programs.

Dr. Pierczynski said that A.B. 568 would provide a cash stipend for teachers, which created more flexibility.

Chairman Arberry asked whether more education meant more money for teachers. Dr. Pierczynski answered that higher education meant more money on the salary schedule.



Assemblywoman Gansert asked how much the class stipend was per teacher and whether it was a fixed amount or a percentage. Dr. Pierczynski stated that the amount varied because the cost for the one-fifth credit depended on the years of service, where teachers were on the pay scale, and their age. Mrs. Gansert asked whether the cash stipend would be the equivalent amount of the cost to purchase a one-fifth retirement credit. Dr. Pierczynski said, yes, that was the way the bill read.

Al Bellister, Nevada State Education Association (NSEA) testified in support of A.B. 568, but was concerned about the definition of teacher, which worked to the detriment of several specialist groups, such as counselors and librarians, who did not meet the definition of teacher.

Nat Lommori, Superintendent, Lyon County School District, supported what Mr. Bellister testified to regarding counselors and librarians. Mr. Lommori stated that Section 4 of the bill was critical. Mr. Lommori's schools used the adequate yearly progress (AYP) system and briefly explained how that system worked. Mr. Lommori referred to *Nevada Revised Statutes* (NRS) 386.650 and stated that the statute needed to be changed.

Anne Loring, representing Washoe County School District, testified in support of A.B. 568. Washoe County School District established a mentoring program and trained 10 district mentors and 300 sight trainer thanks to A.B. No. 580 of the 73rd Legislative Session.

Dana Bilyeu, Executive Officer, Public Employees' Retirement System of Nevada (PERS), read from Exhibit I which was recommending that PERS take a neutral position on A.B. 568.

In a response to a question from Mrs. Gansert, Ms. Bilyeu stated the average cost of the one-fifth credit that was cited for another bill was \$3,200 per teacher.

Dr. Craig Kadlub, Clark County School District, testified in support of A.B. 568, but suggested that line 20 on page 2 of the bill should be changed from two years to one to capture some additional teachers who would be highly qualified. Dr. Kadlub referred to line 23 and 24 on page 2, relating to schools demonstrating need for improvement, and thought that criterion should be deleted because not all of those schools were at-risk.

Ms. Parnell responded that currently there was incentive money being paid to teachers at schools in need of improvement, but the way the law read, if the schools improve, the incentive pay would stop. Ms. Parnell said she would welcome the deletion of that section.

Chairman Arberry closed the hearing on A.B. 568.

Chairman Arberry asked the Committee to consider introduction of the following Bill Draft Request:

- **BDR S-1259**—Makes an appropriation to the Division of Welfare and Supportive Services of the Department of Health and Human Services for a feasibility study of the NOMADS software application. (later introduced as Assembly Bill 609).

ASSEMBLYWOMAN MCCLAIN MOVED FOR COMMITTEE  
INTRODUCTION OF THE BILL DRAFT REQUEST.

ASSEMBLYMAN DENIS SECONDED THE MOTION.

THE MOTION CARRIED.

Chairman Arberry adjourned the meeting at 11:05 am.

RESPECTFULLY SUBMITTED:

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Christine Bashaw  
Committee Secretary

APPROVED BY:

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Assemblyman Morse Arberry Jr., Chair

DATE: \_\_\_\_\_

<u>EXHIBITS</u>			
<b>Committee Name:</b> <u>Committee on Ways and Means</u>			
<b>Date:</b> <u>April 17, 2007</u>		<b>Time of Meeting:</b> <u>9:26 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
AB 288	C	Assemblywoman Marilyn Kirkpatrick	Pictures of Floyd Lamb Park
AB 288	D	Assemblywoman Marilyn Kirkpatrick	Southern Nevada Times article
AB 288	E	Assemblywoman Marilyn Kirkpatrick	Las Vegas Review Journal article
AB 449	F	Beth Barbie, Nevada Ballet Theatre	Budget for tour
AB 474	G	Charles Perry and DJ Allen, Henderson Chamber of Commerce	Letter of Support
AB 474	H	Bill M. Welch, Nevada Hospital Association	Letter of Support
AB 568	I	Dana Bilyeu, PERS of Nevada	Prepared Statement