

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

**Seventy-Fifth Session
February 5, 2009**

The Committee on Ways and Means was called to order by Chair Morse Arberry Jr. at 8:07 a.m. on Thursday, February 5, 2009, 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/75th2009/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
Assemblyman Marcus Conklin
Assemblyman Mo Denis
Assemblywoman Heidi S. Gansert
Assemblyman Pete Goicoechea
Assemblyman Tom Grady
Assemblyman Joseph (Joe) P. Hardy
Assemblyman Joseph M. Hogan
Assemblywoman Ellen Koivisto
Assemblywoman Kathy McClain
Assemblyman John Ocegura
Assemblywoman Debbie Smith

COMMITTEE MEMBERS ABSENT:

Assemblywoman Barbara E. Buckley (excused)

STAFF MEMBERS PRESENT:

Mark W. Stevens, Assembly Fiscal Analyst
Steve Abba, Principal Deputy Fiscal Analyst
Tracy Raxter, Principal Deputy Fiscal Analyst
Linda Smith, Committee Secretary
Janice Wright, Committee Secretary

Chair Arberry explained this was the first meeting of the regular Assembly Committee on Ways and Means (Committee). He introduced the following staff that support and assist the Committee:

Patti Adams	Committee Manager
Connie Davis	Lead Secretary
Chris Bashaw	Committee Secretary
Linda Blevins	Committee Secretary
Anne Bowen	Committee Secretary

Linda Smith	Committee Secretary
Carol Thomsen	Committee Secretary
Janice Wright	Committee Secretary
Vickie Kieffer	Committee Assistant
Larry Peri	Proofreader
Ted Zuend	Proofreader

Fiscal Analysis Division Staff:

Mark W. Stevens	Assembly Fiscal Analyst
Steve Abba	Principal Deputy Fiscal Analyst
Tracy Raxter	Principal Deputy Fiscal Analyst

Chair Arberry welcomed the staff and said he looked forward to working with all of them.

Chair Arberry stated that some Committee members were new, and this would be a very different committee this session because of the budget crisis. He encouraged all of the members to provide their input. Even though Chair Arberry chaired this Committee, and appreciated the Speaker and the Majority Leader appointing him as Chair, it was not his role to ask all the questions.

Chair Arberry said that staff had provided the members with highlights of each budget and those highlights were confidential. The highlights must not be shared with anyone, including, but not limited to, agency representatives, lobbyists, and the public. The Fiscal staff worked hard on the issues and the highlights were created to educate the Committee members. Chair Arberry encouraged the members to review the highlights to learn about the issues and ask questions to ensure all the issues were carefully considered by the Committee.

Chair Arberry acknowledged that the Committee members represented a diversity of businesses and backgrounds. Some members may have expertise in a specific sector, and all the other Committee members could learn from that member. Any questions asked would have merit because one question may spark another idea for a different member. The diversity of the Committee members would improve the final decisions of the Committee.

Chair Arberry explained that this would be a very difficult session. The Committee would need to make some complex decisions. Some decisions would be made near the end of session, while others would be made earlier in the session. Chair Arberry respected the decisions made by the Committee members. However, if a member planned to change his or her Committee vote for an Assembly floor session, then Chair Arberry asked that the member let him know. He understood that sometimes circumstances change, and he would appreciate advance warning about any vote change by a member.

Chair Arberry stated that at times, the Committee could meet at the back of the bar during the floor session because of the lack of time or impending deadlines. The Fiscal staff worked hard to make sure all timeframes were met and the Committee stayed current with its work.

Chair Arberry explained that if a member was unable to attend a meeting, he would appreciate being informed. They would still be part of the Committee, and the Chair would want to make sure they were excused. Chair Arberry was committed to completing the business of the people of Nevada and serving all its citizens.

Chair Arberry stated that if a member wanted to speak on an issue, the Chair would acknowledge that member. There may be several members who want to speak all at one time on an important issue, and all would be permitted to speak in their turn.

Mark Stevens, Assembly Fiscal Analyst, said that there were a number of documents that had been handed out to the Committee members. He briefly reviewed the *Standing Rules of the Assembly Committee on Ways and Means for the Seventy-Fifth Session (2009)* ([Exhibit C](#)). The Chairman would ask for a vote on the rules later in the meeting. Mr. Stevens explained that he would be happy to respond to any questions about the rules.

Mr. Stevens said that some of the issues would be a refresher for the veteran members of the Committee but would be new to the more recent members of the Committee. Also, there are a number of new program analysts on the Fiscal Analysis Division staff who would be introduced to the Committee when the various budgets were presented.

Mr. Stevens explained that this would be the last legislative session for him and Steve Abba. Because of that, there would be one additional fiscal analyst to assist the Committee this session. Tracy Raxter was a long-time state employee who had worked in the Fiscal Analysis Division for many Legislative sessions. Mark, Steve, and Tracy would provide staff support to the Committee this session. Tracy would be able to take over when Mark and Steve were no longer present.

Mr. Stevens stated that the Committee would have two additional budget overview hearings later, which would include the Department of Cultural Affairs and the Department of Wildlife. There would be one or two overview hearings that would be heard separately by the Assembly Committee on Ways and Means and the Senate Committee on Finance rather than being heard jointly.

Mr. Stevens explained the budgets that had been heard jointly in overview hearings would be sent to the appropriate subcommittees for more detailed reviews. The subcommittees would begin their work Friday. The Joint Subcommittee on Human Services and Capital Improvements and the Joint Subcommittee on General Government and Accountability both had meetings scheduled. He had prepared a listing of the joint subcommittee assignments of all members for their review.

Mr. Stevens stated that a number of budgets were not included in an overview hearing by a joint committee. The Committee would begin to hear those budgets on Monday. Those include some of the Governor's Office accounts, the Office of Energy account, the Office for Consumer Health Assistance account, and the Office of the State Controller account.

Mr. Stevens stated that typically there would only be one hearing scheduled for most budgets that were reviewed by the full Committee. Therefore, there would only be one opportunity for Committee members to ask questions before those budgets were closed later in session. For those budgets that generated issues that could not be adequately addressed the day of the hearing, there might be the opportunity to schedule an additional hearing if that was warranted. However, that would be the exception, not the rule. Mr. Stevens recommended that members ask their questions during the first hearing if possible because there may not be an additional opportunity.

Mr. Stevens said that starting next week, at least three mornings each week would be scheduled for joint subcommittee hearings. Usually those joint subcommittees would be held on Tuesdays, Thursdays, and Fridays. For a couple of weeks in February, there would be four days a week scheduled for subcommittee hearings to work ahead and make progress in hearing all the budgets. Starting in March, Mondays would be primarily scheduled for bill hearings.

Mr. Stevens stated the Committee would start closing budgets in late March or early April. That closing process would not conclude until the Economic Forum met on May 1, 2009, to provide updated revenue projections.

Mr. Stevens explained that all members were provided an area in the bookcase behind them for their own use. Their budget books would be placed in the same bookcase area. Any materials or handouts received during the Committee hearing could be placed there. Binders had been delivered to the member's offices that might be used to organize the budget highlights.

Mr. Stevens said that expanded program narratives would be available in the next few days. A couple of sets of the expanded narratives would be placed in the Committee hearing room for use by the members. A complete copy of all the expanded program narratives would be provided to each new legislator. Expanded program narratives were created by each state agency for all their budget accounts. Those consisted of several pages of information for each budget account, which provided the statutory authority, the performance indicators, the workload measures, and any budget reductions pertaining to the account. The Executive Budget was large and lacked space to provide that amount of additional detail, and therefore additional detail was provided in the expanded program narrative.

Mr. Stevens stated that staff would provide a bill explanation for every bill that passed out of the Committee. The bill explanation would be placed in a binder located at each legislator's desk in the Assembly Chamber. Chair Arberry would assign a Committee member to discuss the bill during the Assembly floor session. That would be done after the Committee passed the bill. Those binders would not be used for a while, unless a bill had to get passed right away. The Committee generally would not hear many bills early in session because the Committee needed to get the budgets reviewed as soon as possible.

Mr. Stevens explained that *The Fiscal Report* would be available later in February. It contained a narrative description and tables which indicated the sources of revenue for each budget. It showed the Governor's Recommendation for all the major accounts within The Executive Budget. It also provided historical data on revenue projections, General Fund appropriations, schedules of one-shot appropriations, and restoration of fund balances that were recommended by the Governor in The Executive Budget.

Mr. Stevens said that the full budget detail was available in binders in the Committee hearing room so Fiscal Analysis Division staff may utilize the expanded detail in any budget discussions. All the detailed components were available to the members. Staff would assist them in the interpretation of any of that detail. If any member wanted more detail, that would be contained in those binders.

Mr. Stevens provided a listing of the budgets that staff recommended be closed in either the full Committee or a subcommittee. This document was provided

for review by the Committee members. If any member wished to change the listing from a "staff recommendation" to a "subcommittee recommendation," staff would make that switch. Staff would use that information for the future to determine which budgets would be heard by a subcommittee or the full Committee.

If the closing recommendation would be made by the subcommittee, then the budget would be heard by that subcommittee. If the closing recommendation would be made by staff, then that budget would not be heard by the subcommittee. The staff closing recommendations generally cover the minor budgets that were routine and traditionally had not presented difficulties or issues for the Committee. A member may request that a hearing be held on any budget. If the member would inform staff about that concern, then the listing would be changed in a few days.

Mr. Stevens explained that staff would prepare closing documents for any of the minor budgets. Those would be brought to the subcommittee for review. If there was any area which caused concern to any member, that budget would be pulled out and brought to a hearing of the subcommittee.

Mr. Stevens stated that any questions from the members for staff should be asked in a timely manner. The Legislative session would start to get busy, so it would not be good to hold questions because there might not be an opportunity to ask the question later. Mr. Stevens said he would be happy to answer any questions of the members.

Chair Arberry asked if the Committee had any questions. Hearing none, he asked for a motion on the standing rules.

ASSEMBLYWOMAN LESLIE MOVED TO ADOPT THE STANDING
RULES OF THE ASSEMBLY COMMITTEE ON WAYS AND MEANS
FOR THE SEVENTY-FIFTH SESSION.

ASSEMBLYMAN CONKLIN SECONDED THE MOTION.

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

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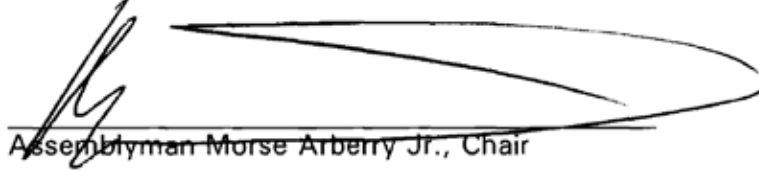
Mr. Stevens explained the Committee was scheduled Thursday at 9:00 a.m. in Room 4100 to hear overviews of some budgets. Friday morning at 8:00 a.m., the Joint Subcommittee on Human Services and Capital Improvements would meet in Room 3137. The Joint Subcommittee on General Government and Accountability would also meet in Room 2134 at 8:00 a.m.

There being no further business before the Committee, Chair Arberry adjourned the meeting at 8:26 a.m.

RESPECTFULLY SUBMITTED:

Janice Wright
Committee Secretary

APPROVED BY:



Assemblyman Morse Arberry Jr., Chair

DATE: _____

<u>EXHIBITS</u>			
Committee Name: <u>Committee on Ways and Means</u>			
Date: <u>February 5, 2009</u>		Time of Meeting: <u>8:07 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Mark Stevens, Assembly Fiscal Analyst	Standing Rules of the Assembly Committee on Ways and Means