

**MINUTES OF THE
JOINT MEETING OF THE ASSEMBLY COMMITTEE ON WAYS AND MEANS
AND THE
SENATE COMMITTEE ON FINANCE**

**Seventy-Fifth Session
May 16, 2009**

The Joint Assembly Committee on Ways and Means and the Senate Committee on Finance was called to order by Chair Morse Arberry Jr. at 9:55 a.m. on Saturday, May 16, 2009, in Room 4100 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).

ASSEMBLY COMMITTEE MEMBERS PRESENT:

Assemblyman Morse Arberry Jr., Chair
Assemblywoman Sheila Leslie, Vice Chair
Assemblywoman Barbara E. Buckley
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 Ocegüera
Assemblywoman Debbie Smith

SENATE COMMITTEE MEMBERS PRESENT:

Senator Bernice Mathews, Cochair
Senator Steven A. Horsford, Cochair
Senator Bob Coffin
Senator Joyce Woodhouse
Senator William J. Raggio
Senator Dean A. Rhoads
Senator Warren B. Hardy II

STAFF MEMBERS PRESENT:

Mark Stevens, Assembly Fiscal Analyst
Gary Ghiggeri, Senate Fiscal Analyst
Steve Abba, Principal Deputy Fiscal Analyst
Tracy Raxter, Principal Deputy Fiscal Analyst
Janice Wright, Committee Secretary
Vickie Kieffer, Committee Assistant

Chair Arberry said this was the Joint Committee work session to close budgets and resolve budget differences between the Senate Committee on Finance and the Assembly Committee on Ways and Means. He wanted to start with the budget for the Governor's Washington Office.

ELECTED OFFICIALS
GOVERNOR'S WASHINGTON OFFICE (101-1011)
BUDGET PAGE ELECTED-11

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the Senate Committee on Finance closed budget account (BA) 1011 as recommended by the Governor. The Assembly Committee on Ways and Means voted to eliminate the Office.

ASSEMBLYMAN OCEGUERA MOVED FOR THE ASSEMBLY TO
CONCUR WITH THE SENATE AND CLOSE BA 101-1011 AS
RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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ELECTED OFFICIALS
LIEUTENANT GOVERNOR (101-1020)
BUDGET PAGE ELECTED-42

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the Senate Committee on Finance closed budget account (BA) 1020 as recommended by the Governor. The Assembly Committee on Ways and Means voted to eliminate a replacement desk and credenza for an existing position.

ASSEMBLYMAN OCEGUERA MOVED FOR THE ASSEMBLY TO
CONCUR WITH THE SENATE AND CLOSE BA 101-1020 AS
RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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ELECTED OFFICIALS
CONTROLLER'S OFFICE (101-1130)
BUDGET PAGE ELECTED-120

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the Senate Committee on Finance closed budget account (BA) 1130 as recommended by the Governor. The Assembly Committee on Ways and Means included funding for an Extensible Business Reporting Language (XBRL) system, which consisted of hardware and software that would make the Controller's job of collecting delinquent accounts more efficient. The XBRL system would cost

approximately \$300,000 in FY 2010 and an additional \$25,000 in ongoing costs each year. The Assembly had much discussion and there was some agreement that Assembly Bill (A.B.) 87 should be amended to include an additional fee that would be charged to delinquent accounts to help offset the cost of the new system, and the system cost would be paid for by the fee over approximately five years. Assembly Bill 87 was passed out of the Senate Committee on Government Affairs with that amendment on May 11, 2009.

SENATOR RAGGIO MOVED FOR THE SENATE TO CONCUR WITH THE ASSEMBLY AND CLOSE BA 101-1130 AND INCLUDE FUNDING FOR THE COMPUTER DEBT COLLECTION SYSTEM AND USE FEES CHARGED TO DELINQUENT ACCOUNTS TO OFFSET THE COST OF THE SYSTEM.

SENATOR HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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ELECTED OFFICIALS

NEVADA COLLEGE SAVINGS TRUST (605-1092)

BUDGET PAGE ELECTED-185

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the Assembly Committee on Ways and Means closed budget account (BA) 1092 as recommended by the Governor. The Senate Committee on Finance closed BA 1092 and eliminated travel for one staff position to attend an out-of-state training opportunity. The Governor's recommendation was for two staff positions to travel out-of-state to attend the training opportunity.

Gary Ghiggeri, Senate Fiscal Analyst, Fiscal Analysis Division, confirmed decision unit Enhancement (E) 253 requested \$2,629 in each year of the 2009-2011 biennium to allow the Chief of Staff and the Senior Deputy Treasurer to travel annually to Boston to the office of Upromise. The Senate reduced the travel cost by one-half the amount.

ASSEMBLYWOMAN LESLIE MOVED FOR THE ASSEMBLY TO CONCUR WITH THE SENATE AND CLOSE BA 605-1092 AND REDUCE THE ANNUAL OUT-OF-STATE TRAVEL TO ALLOW ONE STAFF POSITION TO TRAVEL TO BOSTON.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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ELECTED OFFICIALS

ETHICS COMMISSION (101-1343)

BUDGET PAGE ELECTED-199

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the Governor's recommendation included decision unit Enhancement (E) 606 which eliminated some salary, operating, in-state travel, and investigative costs from the budget for the Ethics Commission to meet its budget reduction target for the 2009-2011 biennium. The Ethics Commission then requested additional funds through a budget amendment from the Budget Division for \$43,000 in each year of the 2009-2011 biennium. Budget amendment 161 provided about \$14,000 in fiscal year (FY) 2010 and \$9,000 in FY 2011. The Assembly Committee on Ways and Means closed budget account (BA) 1343 and included the additional amounts in budget amendment 161.

Mr. Stevens said the Ethics Commission approached the Senate Committee on Finance and the Assembly Committee on Ways and Means and indicated additional funds were required to properly fund the Commission and requested \$11,526 for in-state travel so the Commissioners could meet face-to-face instead of via videoconference, some additional operating costs of about \$1,500 over the 2009-2011 biennium, and an additional \$2,100 for court reporting services. The Senate Committee on Finance approved the additional funds totaling \$14,921 in FY 2010 and \$13,972 in FY 2011.

ASSEMBLYMAN DENIS MOVED FOR THE ASSEMBLY TO CONCUR WITH THE SENATE AND CLOSE BA 101-1343 AND APPROVE THE ADDITIONAL FUNDS AUTHORIZED TOTALING \$14,921 IN FY 2010 AND \$13,972 IN FY 2011.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED WITH ASSEMBLYMAN CONKLIN VOTING NO. (Senator Hardy abstained from the prior vote on the Senate side and wished to abstain from this vote as well but was advised by Chair Arberry this was only a vote on the Assembly side and Senator Hardy did not need to vote.)

BUDGET CLOSED.

JUDICIAL BRANCH

JUDICIAL DISCIPLINE (101-1497)

BUDGET PAGE COURTS-67

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the Assembly Committee on Ways and Means and the Senate Committee on Finance reduced training by \$2,480 in fiscal year (FY) 2010 and \$6,606 in FY 2011. The Assembly Committee on Ways and Means also approved an additional \$50,000 for investigative and legal counsel services. The Executive Budget included \$93,887 over the 2009-2011 biennium for private investigative services and outside legal counsel services. The Assembly Committee on Ways and Means agreed additional funds should be provided, but reduced the amount to \$50,000 instead of the \$93,887 recommended and authorized the Judicial Discipline Commission to split the \$50,000 between contract legal services and investigations as the Commission saw fit.

SENATOR RAGGIO MOVED TO CONCUR WITH THE ASSEMBLY
AND CLOSE BA 101-1497 AND APPROVE THE ADJUSTMENTS
MADE BY THE ASSEMBLY COMMITTEE ON WAYS AND MEANS.

SENATOR HORSFORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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DEPARTMENT OF CULTURAL AFFAIRS
DCA-NEVADA STATE LIBRARY-LITERACY (101-2893)
BUDGET PAGE CULTURAL AFFAIRS-75

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the Assembly Committee on Ways and Means voted to approve the Governor's recommendation to eliminate the Nevada Literacy Office, but the Senate Committee on Finance requested the Nevada Literacy Office be retained.

Gary Ghiggeri, Senate Fiscal Analyst, Fiscal Analysis Division, said the Senate Committee on Finance voted to retain the Literacy Office and the literacy coordinator position. The administrative assistant position had already been restored in the prior Subcommittee's actions.

ASSEMBLYMAN DENIS MOVED TO CONCUR WITH THE SENATE
AND CLOSE BA 101-2893 AND APPROVE THE ADJUSTMENTS
MADE BY THE SENATE COMMITTEE ON FINANCE.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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DEPARTMENT OF AGRICULTURE
AGRI-ADMINISTRATION (101-4554)
BUDGET PAGE AGRICULTURE-1

AGRI-GAS POLLUTION STANDARDS (101-4537)
BUDGET PAGE AGRICULTURE-12

AGRI-PLANT INDUSTRY (101-4540)
BUDGET PAGE AGRICULTURE-19

AGRI-LIVESTOCK INSPECTION (101-4546)
BUDGET PAGE AGRICULTURE-47

AGRI-VETERINARY MEDICAL SERVICES (101-4550)
BUDGET PAGE AGRICULTURE-55

AGRI-WEIGHTS & MEASURES (101-4551)
BUDGET PAGE AGRICULTURE-63

AGRI-PREDATORY ANIMAL & RODENT CONTROL (101-4600)
BUDGET PAGE AGRICULTURE-90

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, reviewed an issue affecting seven budget accounts within the Department of Agriculture that were interrelated on pages 4 through 7 of the Differences Closing Report, [Exhibit C](#). He said there were three major differences between how the accounts were closed by the Assembly Committee on Ways and Means and the Senate Committee on Finance.

Mr. Stevens said the Assembly Committee on Ways and Means restored two agricultural enforcement officers in the Plant Industry budget account and the Senate Committee on Finance did not approve that restoration. The Assembly Committee on Ways and Means eliminated one veterinarian position from the Veterinary Medical Services account and eliminated a budget amendment recommendation that approximately \$100,000 be restored in General Funds. The Senate Committee on Finance added the veterinarian position and adopted the budget amendment that was recommended by the Budget Division. In the Predatory Animal & Rodent Control budget account, the Assembly Committee on Ways and Means approved the Governor's recommendation, but the Senate Committee on Finance restored one field assistant position in that budget account.

Mr. Stevens summarized the three major budget differences. In the Plant Industry budget account, the Assembly added two agricultural enforcement officers and the Senate did not. In Veterinary Medical Services there was one veterinarian position eliminated by the Assembly, and the Senate retained that position in the budget. In the Predatory Animal and Rodent Control budget account, no additional positions were restored in the Assembly, and the Senate added one field assistant position. The remainder of the changes involved cost allocations that were amounts necessary based on each of the Committees' actions.

ASSEMBLYMAN GOICOECHEA MOVED TO CONCUR WITH THE SENATE AND CLOSE BUDGET ACCOUNT (BA) 101-4554, BA 101-4537, BA 101-4540, BA 101-4546, BA 101-4550, BA 101-4551, AND BA 101-4600 AND APPROVE THE ADJUSTMENTS MADE BY THE SENATE COMMITTEE ON FINANCE.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGETS CLOSED.

GAMING CONTROL BOARD
GAMING CONTROL BOARD (101-4061)
BUDGET PAGE GAMING CONTROL BOARD-1

GAMING COMMISSION (101-4067)
BUDGET PAGE GAMING CONTROL BOARD-12

GAMING CONTROL BOARD INVESTIGATION FUND (244-4063)
BUDGET PAGE GAMING CONTROL BOARD-16

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the next three budget accounts within the Gaming area involved the same issue. The Assembly Committee on Ways and Means voted to approve the Governor's recommendation to eliminate a credential pay program, but the Senate Committee on Finance wanted to restore that program in the budget.

ASSEMBLYWOMAN LESLIE MOVED TO CONCUR WITH THE SENATE AND CLOSE BA 101-4061, BA 101-4067, AND BA 244-4063 AND APPROVE THE ADJUSTMENTS MADE BY THE SENATE COMMITTEE ON FINANCE.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGETS CLOSED.

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DEPARTMENT OF BUSINESS AND INDUSTRY
B&I-TRANSPORTATION AUTHORITY (226-3922)
BUDGET PAGE B & I-57

B&I-MANUFACTURED HOUSING (271-3814)
BUDGET PAGE B & I-67

B&I-REAL ESTATE ADMINISTRATION (101-3823)
BUDGET PAGE B & I-111

B&I-REAL ESTATE EDUCATION AND RESEARCH (216-3826)
BUDGET PAGE B & I-119

B&I-FINANCIAL INSTITUTIONS (101-3835)
BUDGET PAGE B & I-136

B&I-FINANCIAL INSTITUTIONS AUDIT (101-3882)
BUDGET PAGE B & I-145

B&I-MORTGAGE LENDING (101-3910)
BUDGET PAGE B & I-172

B&I-TAXICAB AUTHORITY (245-4130)
BUDGET PAGE B & I-236

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the next eight budget accounts were in the Department of Business and Industry (B & I) shown on pages 8-10 of the Difference Closing Report, [Exhibit C](#). All the budget accounts involved the same issue and were related to cost allocation changes based on one decision unit. The Governor recommended that the Manufactured Housing Division be merged with the Housing Division. The Senate Committee on Finance approved the merger, but the Assembly Committee on Ways and Means did not approve the merger.

The decision made by the Joint Committee would affect all eight budget accounts.

SENATOR HARDY MOVED TO CONCUR WITH THE ASSEMBLY TO NOT APPROVE THE MERGER AND CLOSE BUDGET ACCOUNT (BA) 226-3922, BA 271-3814, BA 101-3823, BA 216-3826, BA 101-3835, BA 101-3882, BA 101-3910, AND BA 245-4130 AND APPROVE THE ADJUSTMENTS MADE BY THE ASSEMBLY COMMITTEE ON WAYS AND MEANS.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGETS CLOSED.

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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DCNR-FORESTRY (101-4195)
BUDGET PAGE DCNR-21

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained the Assembly Committee on Ways and Means voted to approve the Governor's recommendation to close the Forestry account. The Senate Committee on Finance added the southern regional forester position, which was recommended for elimination in The Executive Budget.

ASSEMBLYMAN GOICOECHEA MOVED TO CONCUR WITH THE SENATE AND CLOSE BA 101-4195 AND APPROVE THE ADJUSTMENTS MADE BY THE SENATE COMMITTEE ON FINANCE.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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Mr. Stevens explained all the differences in the budgets had been resolved. Fiscal Analysis Division staff would enter all the data into the computer program and the budgets were closed.

Senator Coffin said he had concerns about the Department of Cultural Affairs, and he thought other discussions should occur. He wondered whether there was a bill pending on the Assembly side or on the Senate side.

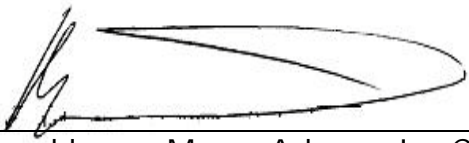
Mr. Stevens said the Fiscal Analysis Division staff would recommend if the members wanted to approve additional funding outside of the actions taken today by the Joint Committee, that the members recommend those actions via a bill. If the Fiscal Analysis Division staff could enter all the data on the actions taken today by the Joint Committee in the computer system, then the staff could prepare the Appropriations Act and the Authorizations Act. Whether there were any additional additions desired by the members, staff recommended the changes be accomplished through a bill.

Chair Arberry asked for public comment but there was none. There being no further business to be brought before the Joint Committee, Chair Arberry adjourned the meeting at 10:11 a.m.

RESPECTFULLY SUBMITTED:

Janice Wright
Committee Secretary

APPROVED BY:



Assemblyman Morse Arberry Jr., Chair

DATE: _____



Senator Bernice Mathews, Chair

DATE: _____

EXHIBITS			
Committee Name: <u>Assembly Committee on Ways and Means/Senate Committee on Finance</u>			
Date: <u>May 16, 2009</u>		Time of Meeting: <u>9:55 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Mark Stevens, LCB	Differences Closing Report