

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

Seventy-Fifth Session  
March 9, 2009

The Committee on Ways and Means was called to order by Vice Chair Sheila Leslie at 8:10 a.m. on Monday, March 9, 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/](http://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](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 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

**STAFF MEMBERS PRESENT:**

Mark Stevens, Assembly Fiscal Analyst  
Tracy Raxter, Principal Deputy Fiscal Analyst  
Eric King, Program Analyst  
Carol Thomsen, Committee Secretary  
Vickie Kieffer, Committee Assistant

Vice Chair Leslie indicated that the Committee would commence with discussion of Budget Account (BA) 1497, Judicial Discipline.

**JUDICIAL BRANCH**

**JUDICIAL DISCIPLINE – BA 101-1497**

**BUDGET PAGE COURTS-67**

David F. Sarnowski, General Counsel and Executive Director, Commission on Judicial Discipline and the Standing Committee on Judicial Ethics and Election Practices, introduced himself and Kathy Schultz to the Committee.

Mr. Sarnowski voiced appreciation for the assistance of Eric King, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB). He explained that Mr. King had worked with the Commission during the past two years when the Commission had experienced trying times because of budget-related issues. Mr. Sarnowski said that Mr. King, along with other LCB staff, had been of great assistance to the Commission.

According to Mr. Sarnowski, the Commission on Judicial Discipline was a constitutional entity required to operate with appointed part-time members: (1) Three lay members appointed by the Governor; (2) Two district judges appointed by the Supreme Court; and (3) Two attorneys appointed by the State Bar of Nevada. He explained that several alternate members were also available should members find themselves unable to serve.

Mr. Sarnowski believed it was critical for the Committee to understand that with the exception of the two judges who served on the Commission as part of their duties and who continued to retain their salaries, other members who attended to Commission business did so as volunteers. Those members received only per diem when the Commission assembled at certain locales.

Mr. Sarnowski stated that for the first few years he served as the General Counsel and Executive Director of the Commission, the Commission was able to revert funding in an accumulated total of approximately \$150,000. However, over the past two years some high profile matters had emanated in southern Nevada for which the Commission was required to conduct expensive investigations, with the ensuing public hearing by the Commission resulting in the removal of two judges. Those matters had created significant expenditures for the Commission, and Mr. Sarnowski explained that the Commission had approached the Board of Examiners and the Interim Finance Committee (IFC), who approved the additional monies required by the Commission to maintain a balanced budget.

Per Mr. Sarnowski, the current budget request contained one new legal research assistant position. The Commission had not requested a new position since 1995 when the present Commission was reformulated pursuant to a constitutional change. However, he stated that he was a realist and understood that state agencies were facing very difficult economic and budgetary times. Mr. Sarnowski said the Commission had advised LCB staff and the Budget Division that it would understand should it be necessary to excise the position. He hoped that the Legislature and the communities in Nevada would also understand that the Commission would accomplish what it could with the assets provided to it.

Mr. Sarnowski commented that the Commission did its best to husband its funding and to spend money wisely, but like most agencies the Commission could not do more with less. He stated that the Commission attempted to

reach economies of scale and met via telephone in an attempt to dispose of as many cases as possible. Mr. Sarnowski pointed out that it was necessary for the Commission to meet face-to-face to deliberate on some cases. In the more serious cases, it was mandated that judges be given their right to due process, to challenge the evidence that had been gathered, to cross examine the witnesses against them, and to present their own evidence before disciplinary action was imposed.

Vice Chair Leslie referred to the new legal research assistant position and asked about the duties that would be assigned to that position.

Mr. Sarnowski stated that the Commission did not maintain investigators on staff, which was one of its two major operating costs. The first was payment to investigators and the second was payment to outside attorneys when the point was reached where the Commission was either sued or had to present evidence during public hearings. Mr. Sarnowski believed that the requested paralegal position could perform some investigative duties. He stated he could not perform those duties because he could not be called as a witness in those matters and had to remain above the fray, even though he oversaw the investigations.

A more critical function that could be performed by the new position would be to assist Mr. Sarnowski with the screening of a great many matters that would ultimately be summarily dismissed. He spent a significant amount of time researching those matters because every case had to be screened and summarized. According to Mr. Sarnowski, only the Commission could determine the outcome of those cases.

Vice Chair Leslie commented that the number of complaints appeared to vary significantly from year-to-year. Mr. Sarnowski referred to [Exhibit C](#), "Nevada Commission on Judicial Discipline, Statistics, March 2009," which contained statistics for the past two years. He stated that the number of complaints filed in fiscal year (FY) 2007 was 168 and the number filed in FY 2008 was 130. Mr. Sarnowski agreed with Vice Chair Leslie that the number of complaints varied from year to year. It was critical to note that occasionally events beyond the control of the Commission, such as the seriousness of complaints, could significantly impact its budget. For example, said Mr. Sarnowski, beginning in April 2007 the matter regarding former Judge Elizabeth Halverson came to light and ultimately led to a seven-day hearing in August 2008, which ended in removal of the judge.

Vice Chair Leslie asked whether the exhibit contained information about the seriousness or complexity of the complaints and whether the trend appeared to lean toward more complex cases.

Mr. Sarnowski stated that the exhibit did not contain that information, and the Commission did not maintain such statistics. He said that during the first few years of its existence, the public hearings held by the Commission to address the more severe cases were concluded in no more than one or two days, and only a few of those cases required extensive investigation. The current two cases in question, those of former Judge Nicholas Del Vecchio and former Judge Elizabeth Halverson, were expensive and required extensive investigation because of the many allegations and the significant number of witnesses interviewed.

Vice Chair Leslie wanted to know whether the Commission was dealing with more cases that required extensive funding. Mr. Sarnowski explained that there were at least two additional complex cases that would create expenses for the Commission. He noted that the Commission could go for as long as two years without reviewing complex cases; there was simply no way to control the type of cases reviewed by the Commission.

Vice Chair Leslie disclosed that she worked for the Second Judicial District Court; however, her job was not involved with judicial discipline. She asked about the number of advisory opinions that were requested from the Commission and whether information was contained in [Exhibit C](#) regarding those opinions.

Mr. Sarnowski replied that the exhibit did not contain statistics regarding the Standing Committee on Judicial Ethics and Election Practices. For the record, he advised that the members of the Standing Committee consisted of a separate group of lawyers, judges, and laymen appointed by the same appointing authorities as that of the Commission. Mr. Sarnowski reported that the business of the Standing Committee was conducted almost entirely via telephone. While that incurred expenses for conference calls, most members served in a volunteer capacity and business was often conducted during the lunch hour. Mr. Sarnowski pointed out that the Standing Committee encouraged the judiciary to utilize its services.

According to Mr. Sarnowski, there were over 200 elected judges or judicial officers in Nevada with various titles, such as magistrates, commissioners, and hearing masters. In addition, there were a constantly changing number of pro tem judges in Nevada, currently numbering approximately 100, and any of those 300-plus people could request opinions, which was encouraged by the Standing Committee. Mr. Sarnowski stated that judges and judicial officers utilized that service for informal input and often called the chairman or vice chairman, who were attorneys practicing in northern and southern Nevada. The formal process was ongoing and the Standing Committee believed the process was working well. Mr. Sarnowski explained that on the day an opinion was issued and filed with the Nevada Supreme Court, the Standing Committee electronically distributed the decision to every judge in Nevada.

Vice Chair Leslie asked how many opinions had been issued by the Standing Committee in 2009. Mr. Sarnowski replied that there had been only one opinion rendered by the Standing Committee to date. A second opinion was under draft and a third would be considered within the week.

Mr. Sarnowski reported that during the first two-plus months of 2009, the Standing Committee was working on three opinions. He noted that opinions were cyclical, and more election-related opinions were requested during elections years along with complaints made by candidates against each other. Mr. Sarnowski explained that the Standing Committee had jurisdiction to hear complaints from candidates. The trend was downward for campaign complaints, and Mr. Sarnowski attributed that to the fact that candidates had learned over time what was and was not allowable during campaigns.

Vice Chair Leslie referred to the request for a new legal research assistant position and she asked whether the position would also work on the Commission's record-retention project.

Mr. Sarnowski replied that the new position would act as a "jack of all trades." The Commission was located in a small office and much of the space was taken up with boxes and storage containers that the Commission wanted to organize. He believed that would be a labor-intensive endeavor because those records could not simply be handed-off for archiving in permanent records. Mr. Sarnowski explained that the records of the Commission were sensitive, and because of the statute governing confidentiality, the Commission was very careful with its files.

Vice Chair Leslie asked what would occur if the position was not approved. Mr. Sarnowski stated that the Commission would use current staff to work on the record-retention project. He explained that there was no funding in the Commission's current budget to contract out the project.

Assemblyman Hardy asked about trends regarding campaign complaints in Nevada versus other states. He wondered whether the Commission had a "feel" whether the trend in Nevada was keeping pace with trends in similar states. Assemblyman Hardy said the concern centered on elected versus appointed judges, and he asked whether there was a difference in the trend regarding judicial discipline in states that appointed judges versus those that elected judges.

Mr. Sarnowski stated he had not seen statistics from other states regarding trends in judicial discipline. He explained that the Commission had not dealt with many disciplinary complaints regarding campaigns. Mr. Sarnowski said the Commission dealt with one matter that resulted in a public hearing a few years ago, which was related to how the former judge in question solicited campaign contributions. Complaints tended to be received by the Standing Committee, and that system was set up to complete a fairly quick informal disposition of the complaints between candidates. A few cases ended in written dispositions that stated a candidate had or had not violated the code of conduct in regard to a particular complaint.

According to Mr. Sarnowski, he received a weekly summary of judicial discipline cases from the American Judicature Society. When he read about cases from other states his reaction was always, "Boy, I am glad that did not happen here." Mr. Sarnowski stated that Nevada cases were occasionally included in the summary, but for the record, he believed the vast majority of Nevada judges conducted themselves appropriately and attempted to avoid the appearance of impropriety. However, dealing with the issue of campaign contributions solicited and expended by judges, when those judges then worked with litigants and lawyers who donated to their campaigns, was very difficult. Mr. Sarnowski opined that campaign contributions was perhaps the issue at the heart of the debate facing the Legislature regarding appointed versus elected judges.

Assemblyman Hardy asked whether there was any agency in the country that maintained records or statistics regarding judicial discipline. Mr. Sarnowski did not know of any agency that kept that type of statistics.

Vice Chair Leslie asked about the increase in funding for private investigators and outside legal counsel services. It appeared that the budget recommended, in each year of the 2009-2011 biennium, an increase of \$10,280 for investigations and an increase of \$83,607 for legal counsel services. Vice Chair Leslie said that represented an 8.5 percent increase over the base budget for investigations and a 125.9 percent increase for legal counsel services. She asked how the Commission determined the amount of the increases.

Mr. Sarnowski said the figures were an estimate on the part of the Commission that was based on two issues, the recent past history and the knowledge regarding which pending cases were likely to result in the need for an appointed special prosecutor. To clarify, Mr. Sarnowski explained that when a matter reached the point where the Commission on Judicial Discipline determined that there was reasonable cause that a violation of the Nevada Code of Judicial Conduct had occurred, the Commission required that Mr. Sarnowski hire a special prosecutor to present evidence and witnesses during the public hearing. Mr. Sarnowski stated the special prosecutor was hired so that he did not become an advocate before the body that he advised. He stated that when the Commission made a finding that there was reasonable cause to proceed, quite often the Commission concluded after the hearing, that certain counts had not been sustained.

Mr. Sarnowski explained that the Commission quite often hired outside special prosecutors who provided services at a very reasonable rate of \$150 per hour, which was below market rate for the two past attorney's hired by the Commission. Mr. Sarnowski stated he was aware of pending cases that would require hearings, and he also estimated that other matters would come to the public arena, at which time investigators and special prosecutors would be hired.

Vice Chair Leslie asked whether the use of outside legal services allowed Mr. Sarnowski to address other matters. Mr. Sarnowski explained that the duties of special prosecutors were those that he could not perform for the Commission. He said his duties included providing oversight for the investigation and gathering witness statements and documents, at which time the case would be handed off to the special prosecutor. Mr. Sarnowski reported that the special prosecutor might have a need to use the services of an investigator during pretrial or prehearing preparation, which also incurred expenses. He stated that he acted as the coordinating body, but he had once represented the Commission in a civil rights matter. Per Mr. Sarnowski, he might be called as a witness in some cases because he was aware of the actions of the Commission and had executed affidavits regarding those matters.

Vice Chair Leslie said it appeared to be a case of separation of duties, and Mr. Sarnowski replied that was correct. Vice Chair Leslie asked about the funding for investigators and whether the new legal research assistant position might conduct some investigations. Mr. Sarnowski said the Commission currently retained two private investigator firms on contract but predominately used only one firm. The Commission paid \$65 per hour for the service of private investigators. Mr. Sarnowski said if the Commission reached the point where it had expended the funding for investigators and there was legwork still to be done, he could foresee the new position assuming some investigative duties. Mr. Sarnowski emphasized that because of appearances, the Commission was very careful in assigning duties related to pending cases to in-house staff.

Vice Chair Leslie stated that it appeared the Commission's position would be that the new position could assist in investigations after the principal investigators had provided information. It appeared that the new position would assist during investigations when absolutely necessary.

Mr. Sarnowski stated that the decision had been made in 1995 by his predecessor when the *Nevada Constitution* was changed and the Commission was formed, that in-house state employees would not act as investigators. He explained that there tended to be an ebb and flow in cases, and it seemed

that recently the flow had increased, causing the Commission to use additional investigator services. The private investigator firm on contract with the Commission used very experienced investigators who were virtually all retired police officers, some with over 30 years of experience. Mr. Sarnowski stated that he had never received a complaint about the conduct of the investigators since he had joined the Commission.

Vice Chair Leslie stated that if the new legal research assistant position was approved, it would be interesting for Mr. Sarnowski to track how often that position was used in the investigation process.

Vice Chair Leslie noted that the Commission had approached the Interim Finance Committee (IFC) in April and September of 2008 with a contingency fund request, and she asked whether that funding had been expended. Mr. Sarnowski replied that the Commission had spent approximately \$120,000 of the \$153,368 contingency fund allocation approved by the IFC. He explained that when working with Legislative Counsel Bureau (LCB) Fiscal Analysis staff and the Budget Division to coordinate the budget for the 2009-2011 biennium, the Commission was instructed not to revert the remaining contingency fund dollars and to retain the amount in its budget. Mr. Sarnowski indicated that the Commission's budget was on track given the percentage of the year expended vis-à-vis the monies expended.

Vice Chair Leslie asked whether the Commission anticipated an additional allocation from the contingency fund during the current fiscal year. Mr. Sarnowski replied that at the current time it did not appear that the Commission would require additional funding. The Commission held seven days of hearings in August 2008, plus an additional day in October 2008; he noted that the Commission did have a scheduled hearing during the current month. According to Mr. Sarnowski, the Commission attempted to meet at a minimum of four times per year. The Commission had been criticized for not moving in a timely manner, and at times, that was caused by the inability to set dates that met with the approval of all members. Currently, said Mr. Sarnowski, the Commission was on track and hoped that no further requests would be forthcoming for contingency fund dollars.

Assemblyman Hogan said one of the greatest advantages and benefits of having a complaint system was that both the public and the individual whose behavior was being overseen were aware that a reasonably strict scrutiny was being applied, which was good reason to opt for proper conduct. Assemblyman Hogan said he was somewhat concerned about the statistics included in [Exhibit C](#) regarding the number of cases dismissed without investigation. He was aware that at times complaints were lodged that were not substantive, but he noted that during fiscal year (FY) 2008, a year in which the Commission received 130 complaints, 70 complaints were dismissed without investigation during the first quarter and 27 were dismissed during the second quarter, for a total of 97 dismissed complaints.

Assemblyman Hogan wondered what would occur if the Legislature was unable to approve the requested legal research assistant position. He asked whether that would create a situation where the Commission had so many cases that it moved to dismiss those cases that were viewed as less serious, thereby dismissing cases that might have merit if an investigation was conducted.

Mr. Sarnowski reported that the Commission attempted to err on the side of caution, and if a case appeared to require investigation, that was the action taken by the Commission. Unfortunately, said Mr. Sarnowski, the cases that

appeared less serious to the Commission often became backlogged awaiting investigative dollars.

As far as the summary dismissals, Mr. Sarnowski did not believe there would be a major change in that arena. He explained that not only in Nevada, but throughout the country, the great majority of summary dismissals occurred because people filed complaints about a decision handed down by a judge. That was not under the purview of the Commission, and persons who filed complaints about how a judge decided a case, who the judge found credible, or what testimony was admitted over objection, were instructed that those cases were adjudicated through the court system rather than the Commission. Many people misunderstood the function of the Commission, while others clearly understood the function, but did not like to be told that the Commission was not the appropriate forum for adjudication of those issues.

Mr. Sarnowski said even if the new position was not approved for the Commission, he did not foresee an increase in summary dismissals. What he saw was a slowdown of the cases that the Commission decided to investigate, simply because there would be only so many dollars available for investigations.

Vice Chair Leslie referred to the Commission's in-state travel budget, which included a 119 percent increase because of added Commission meetings in Las Vegas, and she asked why it was necessary to add meetings in southern Nevada.

Mr. Sarnowski explained that the Commission was anticipating additional meetings and would meet as often as the budget allowed. Some legislators were aware that the Article 6 Commission empanelled by the Nevada Supreme Court recently completed its work and issued a massive report. Mr. Sarnowski stated that bill draft request (BDR) 1-1110 had been sent to the Legislature, which would enact a number of changes to the *Nevada Revised Statutes* (NRS), including the rapidity with which the Commission must act. Since the Commission was required to act more quickly, Mr. Sarnowski believed that additional meetings would be required. The number of Commission meetings was a function of available resources and would also be governed by the requirements imposed by statute.

Vice Chair Leslie asked why the additional meetings would be held in Las Vegas rather than northern Nevada. Mr. Sarnowski reported that most cases that required judges to meet with the Commission, either privately or during public session, were initiated in southern Nevada. The law required that appointees to the Commission be from various areas of the state. Mr. Sarnowski indicated that in a case where a judge from the Eighth Judicial District was under investigation, the member of the Commission appointed from the Eighth Judicial Court could not sit on that case. The Commission attempted to meet in the locale where the witnesses and judges were located.

Vice Chair Leslie asked whether the Commission was anticipating more problems within the larger judicial districts. Mr. Sarnowski said that past numbers had proven that to be the case. He acknowledged that it was more costly for the Commission to meet in southern Nevada because many of the members were appointed from northern Nevada.

Vice Chair Leslie noted that there was a substantial increase in the base budget for training, and she asked Mr. Sarnowski to discuss that issue. Mr. Sarnowski explained that every year the Association of Judicial Disciplinary Counsel, of which the Commission and all other state commissions were members,



held its annual meeting. Mr. Sarnowski stated that he had not attended the annual meeting for the past two years because of budget restrictions. He anticipated attending the meeting in late July 2009, which would be held in Las Vegas. However, he recently received a message that the Association was considering cancellation of the meeting and asking states whether they were experiencing budget problems. The Association also wondered whether holding the meeting in Las Vegas would create the appearance of impropriety. Mr. Sarnowski said the results would be released toward the end of the current week.

Mr. Sarnowski explained that in even-numbered years, a college was held in Chicago, hosted by the American Judicature Society, whose coordinator was in Chicago. Some Commission members attended that college, with each member attending only once. Mr. Sarnowski explained that the Commission sent its laymen and attorneys, and the Administrative Office of the Courts (AOC) had been kind enough to fund attendance at the college for the judges who served as Commission members. Because of monetary restrictions or the scheduling problems of members, the Commission sent fewer members some years.

Vice Chair Leslie asked whether there were other questions from the Committee regarding BA 1497. She believed the Commission was doing a good job and thanked Mr. Sarnowski for his hard work. Vice Chair Leslie turned the Chair of the Committee over to Assemblyman Arberry.

Chair Arberry indicated that the Committee would consider the budgets for the Legislative Branch.

**LEGISLATIVE COUNSEL BUREAU – BA 327-2631**  
**NEVADA LEGISLATURE INTERIM – BA 327-2626**  
**PRINTING OFFICE – BA 741-1330**  
**BUDGET PAGE – LCB 1-12**

Lorne J. Malkiewich, Director, Legislative Counsel Bureau (LCB), introduced himself to the Committee and stated that he and his staff would present the budgets for the Legislative Branch of government. The first budget for consideration was budget account (BA) 2626, Nevada Legislature Interim. Mr. Malkiewich referenced [Exhibit D](#), which contained copies of the Legislative Branch budgets as depicted in The Executive Budget. He introduced the Chief Clerk of the Assembly, Susan Furlong Reil, who would present the budget.

Ms. Furlong Reil introduced herself and her counterpart in the Senate, Claire Jesse Clift, Secretary of the Senate, to the Committee and stated they would present the budget for the Legislature Interim, BA 2626.

Ms. Furlong Reil explained that the interim staff of the Nevada Legislature included six full-time equivalent (FTE) positions, three in the Assembly and three in the Senate. At the conclusion of each session, interim staff was responsible for finalizing the work of session. Ms. Furlong Reil stated that the interim staff evaluated what had worked and what had not worked during session and determined what improvements could be made for the next session regarding technology, the legislative processes, training, facilities, and public access. Ms. Furlong Reil indicated that interim staff then commenced working on ways to implement those changes.

Ms. Furlong Reil stated that interim staff also edited the proof index and published the official journals for each house; she noted that for the 2007 Legislature, the documents contained approximately 8,000 pages for each house. In addition, said Ms. Furlong Reil, interim staff published the final History, the Roll Call Record, and a variety of manuals, such as training manuals. The interim staff also worked with schools who asked to hold mock sessions to learn more about the legislative process, including Boys' State and Girls' State. Ms. Furlong Reil commented that one school travelled from Las Vegas every summer to hold a mock session in the Assembly Chamber.

According to Ms. Furlong Reil, when legislators were not in session, their telephones were forwarded to the office of the Chief Clerk of the Assembly and the office of the Secretary of the Senate. She explained that when a legislator's voice mailbox was full, persons often called the interim staff who would attempt to locate the legislator.

Ms. Furlong Reil stated that in preparation for session, interim staff developed skills tests to screen applicants for session positions and spent several months testing, scoring, and interviewing those applicants. Once session staff was in place, interim staff developed training for all session staff.

Also, said Ms. Furlong Reil, both she and Ms. Clift were active members of the American Society of Legislative Clerks and Secretaries (ASLCS), which was the oldest staff section of the National Conference of State Legislatures. According to Ms. Furlong Reil, both she and Ms. Clift received their continuing education and training through the ASLCS. Ms. Furlong Reil informed the Committee that Ms. Clift served as a principal elected member of the Executive Committee of the ASLCS, was a member of various standing committees, and also served as a member of the Mason's Manual Study Commission. During the past year, interim staff had hosted the annual ASLCS Professional Development Seminar in Reno, and Ms. Furlong Reil stated that 325 participants from around the United States attended that training session.

Ms. Furlong Reil explained that an error had been made by the Budget Division in the base total amount under "Governor Recommends" for fiscal year (FY) 2009-2010, listing the amount as \$608,286. That figure should be \$636,638, which constituted a difference of \$28,352.

According to Ms. Furlong Reil, decision unit Maintenance (M) 300 reflected the reduction in employee fringe benefit rates and decision unit Enhancement (E) 606 reflected staff and operating reductions that would be necessary to meet the 14.12 percent budget reduction goal. Ms. Furlong Reil explained that 22 percent had been cut from the operating budget because 93 percent of the budget was expended on salaries, and operating was the only category where budget cuts could be made.

Continuing her presentation, Ms. Furlong Reil explained that decision unit E670 implemented a temporary salary reduction of 6 percent, E672 addressed the suspension of longevity pay for employees over the biennium, and E673 addressed implementation of the recommendations from the Spending and Government Efficiency (SAGE) Commission.

Ms. Furlong Reil stated that under the Summary heading on budget page LCB-8, the figure under "Governor Recommends" for FY 2009-2010 was listed as \$494,152, and that figure should be increased to \$522,504 to address the aforementioned error of \$28,352. Ms. Furlong Reil explained that error would

also change the percentage reduction in the budget from 24.13 percent to 19.79 percent

Ms. Furlong Reil commented that it would be difficult for interim staff to continue performing the traditional duties that were carried out between sessions with a budget reduction of the size recommended in The Executive Budget. In the Assembly, said Ms. Furlong Reil, staff jokingly referred to the June 2008 Special Session of the Legislature as the "'99 reunion session." Ms. Furlong Reil explained that she had to search that far back in staff records to locate persons who had actually worked on the front desk of the Assembly, who were knowledgeable about the computer process, and who were available to work that special session. Ms. Furlong Reil believed those persons worked the front desk as a favor to legislators and staff of the Office of the Chief Clerk, rather than simply for the salary.

Ms. Furlong Reil said that Lucinda Benjamin, who worked as the History Clerk on the front desk during session, also worked full-time for the Research Division of the Legislative Counsel Bureau (LCB) during the interim. Ms. Furlong Reil stated that she asked Ms. Benjamin to work as the Media Clerk for the 2008 Special Legislative Session, and she was given only two days to learn the new computer interface. Ms. Furlong Reil stated it was difficult, if not impossible, to hire a person off the street who understood the process and was familiar with the in-house computer software.

Ms. Furlong Reil stated that completed her presentation and she would be happy to answer questions from the Committee.

Assemblywoman Buckley remarked that legislative staff made the job look effortless when, in reality, it was very difficult work, which legislators rarely realized because they were busy scrutinizing their bills. She said legislators barely noticed the effort it took to run session, but it took a great deal of effort and talent, and legislators were very fortunate to have that in its staff. The Legislature provided the checks and balances for the Executive and Judicial Branches of government, and legislators could not do their jobs without their staff. Assemblywoman Buckley thanked Ms. Furlong Reil and her staff and stated that the Committee would take her words to heart and very carefully review the budget for interim staff because it did not want to cripple legislators in conducting their work.

Mr. Malkiewicz advised the Committee that he would present the budget for the Legislative Counsel Bureau, BA 2631. He referenced [Exhibit D](#), which depicted the Legislative Counsel Bureau (LCB) budget as contained in The Executive Budget. Mr. Malkiewicz informed the Committee that he would present the budget for all divisions of the LCB because nothing had been added; however, he advised that division chiefs were present to address any questions that might arise.

According to Mr. Malkiewicz, the figures included in The Executive Budget did not necessarily reflect the actual work program agency requests because the LCB budget was built differently from that of the Executive Branch. He explained that the LCB budget was basically depicted in the columns entitled "2009-2010 Governor Recommends," and "2010-2011 Governor Recommends" columns.

Mr. Malkiewicz stated that the LCB was also instructed to meet the budget reduction target of 14.12 percent from the 2009 appropriation level. He explained that total funding for the entire Legislative Branch for 2009

was \$34,622,723 and the appropriation target was \$29,723,404. The appropriation for the LCB of \$33,959,344 was listed under the column entitled "2008-2009 Work Program" which would be reduced by approximately \$4.8 million to meet the 14.12 percent target.

Before addressing the budget for the LCB, Mr. Malkiewicz said he had conferred with the Committee to consult with the Director and the Legislative Commission to ascertain whether those budgets could be reduced. He had received agreements from both the Committee and the Commission to submit a budget that did not include such items as dues for national organizations. Mr. Malkiewicz reported that the budget for the LCB did not include those dues, which saved approximately \$350,000 in each year of the biennium.

Mr. Malkiewicz noted that the LCB also cut statutory committees, cut back on the use of contractors, and reduced out-of-state travel funding. He referred to the June 2008 Special Legislative Session and stated that one of the budget cuts was elimination of the contract money from the interim Legislative Committee on Health Care, and that funding was not included in The Executive Budget. Mr. Malkiewicz stated that the rules and policies of the LCB had been amended to restrict legislator travel, with reimbursement for only one trip per calendar year. The total savings from those cuts was approximately \$600,000 in the first year of the biennium and approximately \$400,000 in the second year.

According to Mr. Malkiewicz, he then reviewed the operating budgets and reduced expenses as much as possible in areas such as training, equipment, and travel. That review resulted in an additional reduction of approximately \$3 million over the biennium. Mr. Malkiewicz said the end results were the figures depicted in The Executive Budget under the heading "Governor Recommends."

Mr. Malkiewicz referred to decision unit Maintenance (M) 100, which reflected the formula adjustments made through the Nevada Executive Budget System (NEBS). He indicated that the LCB was working with the Budget Division regarding the adjustments. The total reduction of \$31,193 in FY2009-2010 was one-tenth of 1 percent of the budget for the LCB. Mr. Malkiewicz commended Cathy Gregg, Budget Analyst 3, Budget Division, for her patience in working with him to construct the LCB budget.

Continuing his presentation, Mr. Malkiewicz stated that decision unit M300 reflected the adjustment to fringe benefits, which represented additional changes in formula. He stated the decision unit reflected various changes in rates for benefits. Mr. Malkiewicz explained that the changes made by the Legislature to the rates would be automatically made by formula to the LCB budget, along with all other state budgets.

Mr. Malkiewicz indicated that the key reductions to the LCB budget were listed under decision unit E606, Staffing and Operating Reductions. After making the aforementioned budget cuts to reach the \$4.8 million reduction target, the LCB would need to cut an additional \$2,666,862 from the budget during FY 2009-2010 and \$3,003,151 during FY 2010-2011. Mr. Malkiewicz said that the LCB had cut \$2.1 million from non-personnel areas of the budget, which depicted how "lean" the operating budgets were.

Continuing his presentation, Mr. Malkiewich referenced decision units E670, E671, E672, and E673, which addressed the temporary 6 percent salary reductions, the suspension of merit salary increases, the suspension of longevity pay, and implementation of the recommendations from the SAGE Commission. He pointed out that those decision units were included in every agency budget and whatever recommendations were forthcoming from the Legislature regarding those decision units would automatically be adjusted in each agency's budget account.

Mr. Malkiewich reported that the only "plus" figure contained in the LCB budget was depicted in decision unit E888, One Shot Appropriations. Those figures pertained to computer technology, but were somewhat misleading. Mr. Malkiewich explained that the amount had been funded through a one-shot appropriation during the 2007 Legislative Session via a separate bill, Senate Bill No. 461 of the 74th Session. The bill appropriated \$1,531,000 for information technology (IT) and the figure included in The Executive Budget for the 2009-2011 biennium represented a 71.5 percent cut from the original amount.

Mr. Malkiewich explained that because no one-shot funding was currently available, the remaining amount had been included in the LCB budget. He referenced [Exhibit E](#) "Legislative Counsel Bureau, Information Technology Appropriation Request, Fiscal Years 2010 and 2011," which briefly summarized the IT projects. Mr. Malkiewich indicated that virtually all the funding would be used to address licensing and maintenance costs; the amount included almost no funding for major IT projects.

According to Mr. Malkiewich, the appropriation for the LCB budget for FY 2009-2010 was \$26,983,603, which represented a 20.54 percent reduction from the FY 2007-2008 amount. Removal of the one-shot appropriation funding would result in a total reduction of 21.83 percent. Mr. Malkiewich stated that the best comparison would be to add the amount appropriated for IT in S.B. No. 461 of the 74th Session to the LCB budget for FY 2007-2008 and compare that figure to the budget for the upcoming biennium. That comparison would show that the LCB budget had been cut by 23.97 percent. Mr. Malkiewich indicated that the appropriation total for FY 2010-2011 was \$26,192,876. Comparison of that appropriation to the FY 2007-2008 amount, would result in a budget reduction of 22.44 percent.

Mr. Malkiewich advised the Committee that he would provide an overview of budget account (BA) 1330, Printing Office. He stated there were no General Fund dollars included in the Printing Office budget, which was supported entirely through sales revenues. Mr. Malkiewich stated that the budget for the Printing Office remained at almost the same levels as the budget for the current 2007-2009 biennium. He did not expect to reach those levels, given the economy, although some funding had been generated as a result of the stimulus legislation. Because the Printing Office was fee-supported, Mr. Malkiewich explained that when business decreased the expenditures also decreased.

Mr. Malkiewich stated that was a brief overview of the LCB budgets, and because the budget contained no "plusses" with the exception of the IT appropriation, he did not believe a more detailed presentation was warranted. Mr. Malkiewich stated that he would, however, be happy to answer questions from the Committee.

Assemblyman Hardy asked about state savings generated by legislators not ordering new business cards and stationary. Mr. Malkiewicz believed that not ordering new cards and stationary would ultimately result in a savings to the state, but that savings would be depicted in the overall budget for the LCB. He reiterated that the Printing Office was fee-supported and did not create an expense for printing business cards and stationary or the revenue from those jobs.

Chair Arberry asked whether there were further questions from the Committee, and there being none, the Chair closed the hearing on the budgets for the Legislative Counsel Bureau and declared the Committee in recess at 8:58 a.m.

Chair Arberry called the Committee back to order at 9:07 a.m., and opened the hearing on Assembly Bill (A.B.) 185.

**Assembly Bill 185: Makes an appropriation for the Women's Research Institute of Nevada and the National Education for Women's Leadership program at the University of Nevada, Las Vegas. (BDR S-799)**

Assemblywoman Kathy McClain stated that she would highlight the reasons behind the bill, knowing that budget cuts were imminent, and that draconian cuts were recommended for the Nevada System of Higher Education (NSHE) in general. Assemblywoman McClain said she wanted to bring the women's study programs in the NSHE to the attention of the Committee, particularly the Women's Research Institute of Nevada (WRIN) located at the University of Nevada, Las Vegas (UNLV), and the National Education for Women's (NEW) Leadership of Nevada program.

Assemblywoman McClain explained that in 2002, she and her colleagues from Clark County Assembly District No. 14 were at a conference and spoke with a young woman who had recently learned about a program that was available in several states throughout the country. That conversation prompted Assemblywoman McClain and her colleagues to contact the Women's Research Institute to learn about the NEW Leadership program. Consequently, in 2003 the Institute began offering a week-long, intensive leadership training program on a statewide basis to college women at all levels, such as community colleges students, university students, or graduate-level students. Assemblywoman McClain stated that in 2003, WRIN began offering a one-week class every year that graduated 150 young women leaders for Nevada.

Assemblywoman McClain introduced Dr. Goodwin and Ms. Rhodes of WRIN, who would provide additional information regarding the program. She noted that there were several WRIN alumna in the audience who would also like to testify in support of A.B. 185.

Joanne Goodwin, Ph.D., Director, Women's Research Institute of Nevada, said she was grateful for the opportunity to testify before the Committee about one of the great success stories in higher education. Dr. Goodwin informed the Committee that WRIN operated on a statewide basis, although it was housed at the College of Liberal Arts located on the UNLV campus. She stated that WRIN was formed ten years ago and was not a new program, although it continued to struggle and was a "needy" Institute.

Dr. Goodwin stated that as women played a larger role in the economic, political, and social aspects of Nevada's communities, WRIN found that there was little data available to address many of the vital policy issues facing women in communities. The solution through WRIN was to support three research

projects, support the NEW Leadership Nevada program, and publish the Status of Women in Nevada report, which was WRIN's data-based analysis of variables that affected women's status. Dr. Goodwin reported that WRIN had also produced a variety of historical products. She indicated that she had four reasons for asking the Committee to continue to support the original research and programs of WRIN:

1. The research and programs through WRIN were not duplicated anywhere in the state. Examples of the value of the WRIN program could be seen by the number of graduates who were working as community leaders in business, politics, and education throughout the state.
2. WRIN had worked in collaboration with other institutions and organizations to produce two volumes regarding the status of women in Nevada. The WRIN was a member of the National Council for Research on Women, which brought a variety of resources to Nevada and brought Nevada to the attention of national organizations. The WRIN had completed 50 oral histories on community leaders.
3. The efficient management of WRIN. The WRIN conducted its work using a significant number of volunteers. The staff consisted of one professional staff member, one administrative staff member, the Director, and two graduate assistants from the UNLV that worked for WRIN. The WRIN was a model program because it was able to centralize resources and distribute them widely to each institute within the NSHE. The WRIN deliberately chose research agenda projects where it could collaborate with other entities to ensure greater efficiency.
4. Without sufficient financial support, WRIN would suffer a severe reduction in programs, and it would be a lost investment in fiscal and human terms that the state, as well as many private investors, had committed to WRIN over the ten years of its existence. A reduction in funding would also reduce the development of leadership.

Dr. Goodwin stated that completed her presentation and she introduced Ms. Rhodes to the Committee.

Diana Rhodes, Program Director for Educational Outreach, WRIN, stated that she was also an alumna of the NEW Leadership Nevada program, and one of her main duties was managing that program.

Ms. Rhodes said she would present some background regarding the NEW Leadership Nevada program. She stated that the National Education for Women's (NEW) Leadership program was an award-winning program to educate and empower the next generation of leaders. The Center for American Women in Politics at Rutgers developed the innovative program in 1991 and branched out to invite other universities into its development network. According to Ms. Rhodes, WRIN was chosen in 2003 and remained the only site in the southwest United States to offer the program, which was currently in its seventh year.

Ms. Rhodes said the question was often asked about the impact of the NEW Leadership Nevada program within the state. She explained that the program was the premiere leadership program for college students in Nevada. The program put students on the fast-track to becoming the next generation's leaders in Nevada by connecting them with current successful Nevada leaders and providing them with the resources and tools necessary to develop practical leadership skills.



Ms. Rhodes commented that the NEW Leadership Nevada program started with a nonpartisan six-day summer-residential institute at the UNLV. Students met with practicing leaders from around Nevada who shared stories, offered insight into the leadership processes, discussed issues currently facing Nevada, and acted as mentors to students. Ms. Rhodes pointed out that the program was offered at no cost to students to ensure the greatest diversity and was also offered to students without barriers to participation.

According to Ms. Rhodes, the alumna of the program reflected an increasingly diversified group of college women representing all campuses within the NSHE. She stated that the program included campuses throughout the state, not only the campuses in southern Nevada—the UNLV, the College of Southern Nevada, and Nevada State College—but also the college and university campuses in Carson City and Reno and the Great Basin College in Elko and its satellite campuses.

Ms. Rhodes explained that the NEW Leadership Nevada program was unique because it continued to provide students with developmental opportunities after the program ended. One example was demonstrated by the "Grassroots Lobby Days," which was taking place today at the Legislature. A number of NEW Leadership Nevada graduates were present to meet with their legislators to observe and participate in the political process.

Alumna of the program had already had a profound effect on their communities. Ms. Rhoads advised that many program graduates had worked in former Governor Kenny Guinn's office. Currently, graduates of the program were working as interns in Senator Harry Reid's offices, a number of state Assembly and Senate offices, and in other positions within the Nevada Legislature.

Ms. Rhodes noted that one NEW Leadership Nevada graduate currently sat on the Board of Education in Elko, and outside the political world, alumna of the program were in graduate school, medical schools, and law schools. She stated that one major private/public partnership, Harrah's Entertainment, offered four paid internships in government affairs, communications, and other departments, exclusively to NEW Leadership Nevada alumna. Ms. Rhodes advised that other alumna were making a difference in their communities by creating programs and working with local community organizations.

Ms. Rhodes reiterated that she was also an alumna of the program, having graduated in 2006 from the program and from the UNLV. After completing the program, Ms. Rhodes said she worked in the nonprofit sector in the field of education and was now privileged to manage the NEW Leadership Nevada program.

Ms. Rhodes stated she had been involved in every aspect of the program as a student, as a faculty member, and now as manager of the program. She said she had gained greatly from every role she had played in the program, and she believed wholeheartedly in the effectiveness and importance of the NEW Leadership Nevada program.

Assemblywoman McClain added that during the 2008 annual meeting of the National Conference of State Legislatures (NCSL) in New Orleans, Diana Rhodes and Julianna Ormsby, both alumna of the program, were asked to present a workshop. Assemblywoman McClain believed that being asked to present a workshop during the annual NCSL meeting was quite an achievement for the



program alumna. Their workshop was about their past and ongoing experiences with the NEW Leadership Nevada program.

Assemblywoman McClain said the program was currently available in 11 other states, and through the workshop presented by the Nevada alumna, four additional states expressed an interest in initiating a NEW Leadership Program. Assemblywoman McClain said that demonstrated the networking and leadership qualities of graduates of the NEW Leadership Nevada program, which she believed were important not only for Nevada, but for the entire country.

Assemblywoman McClain introduced Heather McCutcheon Ware, Julianna Ormsby, Alisha Nielson-Twitchell, Ella Trujillo, Karoline Khamis, and Amber Overholser, who wanted to present testimony in support of the NEW Leadership Nevada program and A.B. 185.

Heather McCutcheon Ware stated that she was an alumna of the 2003 class of the NEW Leadership Nevada program. Ms. Ware indicated that she was the current owner of Ware Consulting, Inc. a software, training, and development business located in Carson City. Ms. Ware said it was difficult for her to talk about the NEW Leadership Nevada program without becoming emotional.

According to Ms. Ware, her great, great, grandfather, Warren Miller, had settled in Churchill County. He was presented with the Nevada National Farm Loan Association award for being service director from 1929 to 1959 and president from 1947 to 1959. Ms. Ware said it was his son and her great grandfather, Frank Miller, who inspired her love of humanity.

During her sophomore year at Procter R. Hug High School, Ms. Ware stated she was the sophomore senator and was "bitten by the political bug." She saw the immediate difference she was able to make in her high school community, and she went on to become coeditor of the yearbook, then editor of the yearbook, and senior class president. She explained that she did not attend college, but rather entered the workforce. Ms. Ware stated that she became extremely successful very quickly in the field of software development. She relocated to California, where she was swept up in the "dotcom" boom and worked for 12 years in software development.

At age 30, Ms. Ware said she decided that she wanted to return to Nevada because Nevada was her home, and she was very proud of being a Nevada woman. Never in her life had Ms. Ware had anyone say to her, "You are a girl, you cannot do that." Ms. Ware stated that each time she had stepped up and proven herself there were several men and women who stood behind her and supported her.

Ms. Ware stated that when she decided to return to college, she quit her job and returned home to live with her father. She then entered Truckee Meadows Community College (TMCC), where she wrote a political paper for the class taught by Dr. Paul Davis, Professor of Political Science. After reading her paper, Dr. Davis told Ms. Ware about the NEW Leadership Nevada program. Ms. Ware said Dr. Davis had read her paper and recognized the "fire in her belly," which he understood, and he believed she should attend the NEW Leadership Nevada program.

Ms. Ware said she had no income and was living on her savings when she discovered that the program was free. By that time, Ms. Ware said that she felt somewhat beaten down and wondered why she thought she could ever run for office.

Ms. Ware stated that she then met a woman named Sue Wagner [former Lieutenant Governor and state Senator of Nevada]. She sat in a room with Sue Wagner and 25 other women and listened to someone who also had a "fire in her belly," and for the first time, Ms. Ware felt she was part of a group of people who understood her.

Ms. Ware said she had spent her entire life with people who constantly asked her why she was working for free when doing volunteer work when she was also working full-time and attending school at night. Ms. Ware said no one understood the commitment she had to her community until she stepped into the room at the NEW Leadership Nevada program. According to Ms. Ware, she had not spoken to Sue Wagner since that time.

Ms. Ware stated that she owned Ware Consulting, Inc., a new business in Carson City. Since opening her business, the Greater Nevada Credit Union had become one of her clients, and an intern from the Silver State Charter High School was interning with her business two days per week. Ms. Ware stated there was no high school intern program in Carson City, but she wanted to start such a program. Ms. Ware also offered free computer classes to senior citizens one day per week.

According to Ms. Ware, the *Carson Times* contacted her about an article, and her comments were printed by the *Carson Times*. Ms. Ware stated that she would read excerpts from the article into the record ([Exhibit F](#)):

Ware Consulting will also be offering computer classes at their new office at 300 South Curry Street, Suite 6.

As part of their community outreach program, they have taken on a student intern from Silver State Charter High School and are looking for another from Carson High School to learn about system development—the client side, the documentation, and the implementation.

This business also offers 'open mouse' sessions on Thursdays from 1-3 p.m. for senior citizens to be able to go online and keep in touch with their children and grandchildren.

Sue Wagner has asked young women like me, 'What are you doing for your community?' I am standing up and answering her call and that of hundreds of other women and men of Nevada who dedicated themselves to making this a better place to live.

Ware Consulting is a member of the Carson City Chamber of Commerce. She is also a member of the Downtown Business Association.

Ms. Ware informed the Committee that she also sat as a member of the Carson High School Vocational Committee, was the Chairman of Relay for Life, and was a member of Women Entrepreneurs of Nevada. Ms. Ware stated that she was putting her time and energy where the NEW Leadership Nevada program directed.

Ms. Ware indicated that when she returned to college she entered the field of city planning and focused on urban development. She then attended a "Grassroots Lobby Day" at the 2005 Legislature and sat with former State Senator Sandra Tiffany, who asked her what she wanted to do in politics.

Ms. Ware told her that she wanted to run for office one day and also wanted to enter into city planning. Senator Tiffany told Ms. Ware that if she entered city planning, she could not sit on committees and would have to abstain from votes and that it was not a wise choice.

Ms. Ware remarked that she was a stay-at-home mom for a period of time, and when she reentered the work force, she decided she could not go back to construction project management so she fell back on her roots of software development.

Ms. Ware said she had accomplished much during the past six months and was moving in the direction in which Sue Wagner and Senator Tiffany had sent her. Ms. Ware stated that she had worked on two campaigns after the NEW Leadership Nevada program.

Ms. Ware said she had listened to Dr. Carol Lucey, President of Western Nevada College, as she discussed the loss of program funding and wondered how to make a choice because the NEW Leadership Nevada program was reaching women throughout the state. As an alumna of the program, Ms. Ware asked the Committee to support A.B. 185.

Testifying next was Amber Overholser, who stated she was an alumna of the NEW Leadership Nevada program and had lived most her life in Elko County. She was a first generation student and none of her family had ever graduated from college. Ms. Overholser said there had never been any political action or awareness in her family, and she believed she was the only member of her family that had ever set foot in the Legislative Building.

Ms. Overholser indicated that she was present to support the NEW Leadership Nevada program. She stated she had learned many skills from the program, such as social skills, leadership skills, public speaking skills, and political awareness, which she believed were key skills imparted by the program. Ms. Overholser said that she also became aware that her inaction, complacency, or apathy was as much of a political statement as her actions.

According to Ms. Overholser, the NEW Leadership Nevada program forced her to recognize that she was also responsible for what took place in Nevada, along with the legislators. The NEW Leadership Nevada program also offered skills that helped Ms. Overholser improve herself economically. She stated that she worked in private business and appreciated the skills imparted by the NEW Leadership Nevada program.

Ms. Overholser opined that students in Nevada had a great deal of potential, and A.B. 185 would provide an opportunity to cultivate that potential and keep some students from "falling through the cracks." She encouraged the Committee to support the NEW Leadership Nevada program.

The next person to testify was Julianna Ormsby, who stated that she was not appearing before the Committee in the guise of lobbyist, but rather as the former Program Manager for the Women's Research Institute of Nevada (WRIN). Ms. Ormsby stated that as the Program Manager, she had witnessed the NEW Leadership Nevada program personally and was honored to have been a part of that program. Ms. Ormsby said that she continued to be inspired by the students who attended the program; she saw them in the halls and interning in legislator's offices.

Ms. Ormsby was aware that the Legislature was facing some of the most difficult decisions ever faced by the state, but if the Committee was able to locate some funding for the NEW Leadership Nevada program, she believed it would be a very worthwhile investment.

Testifying next was Alisha Nielson-Twitchell, who stated she was an alumna of the 2007 NEW Leadership Nevada program. She returned to the program in 2008 as faculty and served as the Northern Nevada Alumna Coordinator as an internship for WRIN.

Ms. Nielson-Twitchell stated that the NEW Leadership Nevada program helped her find her passion in life at a time when she felt lost about her future. Because of the program, Ms. Nielson-Twitchell had added a women's study major to her existing psychology major and had started an internship with the Nevada Network Against Domestic Violence.

As a first generation college student and a native Nevadan, Ms. Nielson-Twitchell stated that the NEW Leadership Nevada program helped her gain familiarity with the higher education system, as well as granted her resources that she desperately needed. The program showed Ms. Neilson-Twitchell the opportunities available in Nevada, whereas prior to entering the program, she had intended to leave Nevada upon completing her education. Ms. Neilson-Twitchell now realized that the opportunities available to her in Nevada were "thrilling."

In closing, Ms. Neilson-Twitchell stated that the NEW Leadership Nevada program offered women endless opportunities and surrounded participants with opportunities when they so often felt surrounded by challenges.

Karoline Khamis testified that she was a women's studies student at the University of Nevada, Las Vegas (UNLV), an alumna of the NEW Leadership Nevada program class of 2004, and a native from Las Vegas. Ms. Khamis stated she would give the Committee an idea of her experience in the program and an impression of how the program affected her life since 2004.

According to Ms. Khamis, the NEW Leadership Nevada program not only gave her additional skills, it expanded the skills and confidence she already had and made her own confidence more apparent to herself. As a former small business owner, the program gave Ms. Khamis the confidence to seek assistance in her business life, the opportunity to seek and pursue education, and the choice of law school over "no school."

Ms. Khamis reported that had it not been for the generous scholarship, she would not have been able to attend the program. She believed she would still be struggling as a small business owner, struggling to pay rent, and struggling to figure out how to pay for her education. Ms. Khamis said the program mined leaders from across the state.

Testifying next before the Committee was Ella Trujillo, a 2008 NEW Leadership Nevada alumna, who had just completed the program during the past summer. Ms. Trujillo said she was born and raised in Carlin, Nevada, where most women were given very little hope for their future. Traditional roles such as marriage and raising children were what most women from Carlin were limited to.

Ms. Trujillo explained that her parents had been very encouraging. She had pursued a Bachelor of Arts degree and was a recent graduate of Great Basin College with a degree in secondary education. Prior to her participation in the

NEW Leadership Nevada program, she was not sure what she would do with her future. Ms. Trujillo said she had always wanted to pursue a law degree and political career but had doubted her abilities and her future. After attending the program, Ms. Trujillo said she filled out every law school application she could find and would be entering law school in the fall of 2009.

Ms. Trujillo stated that the 24 other women with whom she attended the NEW Leadership Nevada program had encouraged her, inspired her, and made her confident of her own abilities. Ms. Trujillo encouraged the Committee to continue funding the NEW Leadership Nevada program.

Chair Arberry asked whether there was further testimony to come before the Committee regarding A.B. 185.

Luis Valera, Director, Government Relations, UNLV, said that the UNLV would like to go on record in support for A.B. 185. The bill not only supported, but enhanced, the research mission of the UNLV in very immediate and relevant ways. He pointed out that while Nevada ranked 7th in the nation in women elected officials, the state still ranked 50th in the nation in the percentage of minority women who held professional or managerial positions. Mr. Valera stated that Nevada ranked 21st in the area of women-owned businesses. According to Mr. Valera, while the state had made progress, the support provided by the Women's Research Institute of Nevada was very important.

On a personal note, Mr. Valera stated that he had a six-year-old daughter and he very much appreciated the road that was being paved by the NEW Leadership Nevada program. He reported that the UNLV looked forward to the program becoming part of its base budget in the future.

Jessica Ferrato, representing the Nevada System of Higher Education (NSHE), echoed the comments made by Mr. Valera, and stated that the NSHE supported A.B. 185 and would also eventually like to see the program become part of the base budget for the UNLV.

Chair Arberry asked whether there was further testimony to come before the Committee either for or against A.B. 185.

Assemblywoman Smith commented that she had been a faculty-in-residence during the first NEW Leadership Nevada program and had always advised the Committee about the value of the program. Assemblywoman Smith opined that the program was composed of a very nonpartisan group with very nonpartisan leadership, contrary to emails that were being sent to legislators.

As previously mentioned, Sue Wagner had been one of the presenters at the first class of the NEW Leadership Nevada program, which Assemblywoman Smith attended. Her comment was "you could hear a pin drop" while Ms. Wagner told her story, and at the end of her presentation, there was not a dry eye in the house.

Assemblywoman Smith said she had experienced the entire program and lived in the dormitory with the participants, one of whom was an older woman who was developing a second career. The support provided to the older woman by the program and the participants was very beneficial. Assemblywoman Smith noted that the program offered speakers from various parties, with various points of view, and from various walks of life, which provided a very solid experience for participants. Assemblywoman Smith believed that there was no

more worthy program for the Committee to support in promoting women in leadership.

Assemblyman Hogan commented that he had also been receiving detrimental emails regarding A.B. 185 that suggested the program was somewhat of an elitist program and was not bipartisan or nonpartisan. Assemblyman Hogan said he had spent many years enforcing federal equal employment opportunity regulations and was very interested in the continued success of opening job and business opportunities to all Americans, particularly for the specific groups that had, in various ways, been excluded from past participation.

Assemblyman Hogan believed that Americans should understand that there was a long process of recovery from exclusion and discrimination. He commented that attitudes had to change, not only male attitudes, but also female attitudes, and parents needed to encourage young women and racial minorities to take advantage of whatever efforts were available to make up for lost time and lost opportunities. Assemblyman Hogan said he absolutely could not see emphasis on helping women get ahead or helping African-Americans or Hispanic-Americans get ahead as one-sided; he rather looked at it as a very real and demonstrable problem throughout America.

Assemblyman Hogan said for a program such as the NEW Leadership Nevada program that could open opportunities for some remarkably talented persons who might not have been able to break through without that opportunity, the price tag was miniscule. He opined that the Legislature needed to find the funds to support the NEW Leadership Nevada program.

Chair Arberry stated that both he and the Committee commended Assemblywoman McClain on her bill. Assemblywoman McClain explained that the program actually sought out students from smaller schools along with those from the two universities. When students applied, the program researched the background of each student to ascertain whether the program would provide the impetus necessary for the students to become future leaders.

Assemblywoman McClain remarked that students who were already leaders in several student organizations within the larger Nevada universities were not candidates for the NEW Leadership Nevada program. The program was to assist students with budding leadership abilities. Those were the type of women who applied for the program, and Assemblywoman McClain believed that was why there were so many success stories from students who participated in the NEW Leadership Nevada program. Assemblywoman McClain voiced appreciation for the support of the Chair and the Committee.

Chair Arberry asked whether there were any additional questions or comments to come before the Committee regarding A.B. 185, and there being none, the Chair declared the hearing closed.

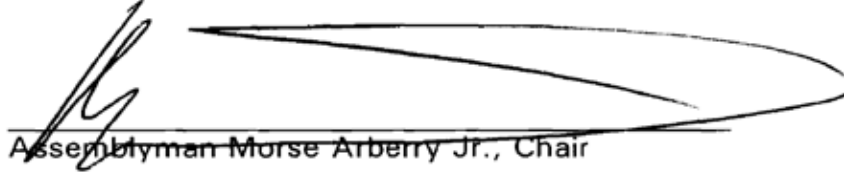
With no further business to come before the Committee, Chair Arberry adjourned the meeting at 9:42 a.m.

RESPECTFULLY SUBMITTED

---

Carol Thomsen  
Committee Secretary

APPROVED BY:



Assemblyman Morse Arberry Jr., Chair

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



Assemblywoman Sheila Leslie, Vice Chair

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

<u>EXHIBITS</u>			
Committee Name: <u>Committee on Ways and Means</u>			
Date: <u>March 9, 2009</u>		Time of Meeting: <u>8:10 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
***	A		Agenda
***	B		Attendance Roster
***	C	David Sarnowski, NV Commission on Judicial Discipline	Statistics
***	D	Lorne Malkiewich, Director, LCB	Budget Pages
***	E	Lorne Malkiewich, Director, LCB	Information Technology Appropriation Request
AB185	F	Heather McCutcheon Ware, Ware Consulting	Copy of newspaper article.