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

**Seventy-Fifth Session**
**March 23, 2009**

The Committee on Ways and Means was called to order by Chair Morse Arberry Jr. at 8:07 a.m. on Monday, March 23, 2009, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda (Exhibit A), the Attendance Roster (Exhibit B), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/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
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 Oceguera
Assemblywoman Debbie Smith

**GUEST LEGISLATORS PRESENT**:

Assemblywoman Bonnie Parnell, Assembly District No. 40

**STAFF MEMBERS PRESENT**:

Mark Stevens, Assembly Fiscal Analyst
Steve Abba, Principal Deputy Fiscal Analyst
Tracy Raxter, Principal Deputy Fiscal Analyst
Connie Davis, Committee Secretary
Vickie Kieffer, Committee Assistant

**ELECTED OFFICIALS - OFFICE OF THE GOVERNOR (101-1000) BUDGET PAGE ELECTED-1**

Andrew Clinger, Director, Department of Administration, advised that most decision units within the Governor's budget reflected the usual statewide recommendations, and therefore, he would refrain from discussing each decision unit separately with the exception of the following:

- o Decision unit Enhancement (E) 900 transferred office space from the Governor's Office, budget account 1000, to the High Level Nuclear Projects Office, budget account 1005.

- o Decision unit E710 requested funding for anti-virus software.

Chair Arberry asked Mr. Clinger to address the 1999 provision that removed the Governor's Office staff and the Mansion staff from the classified and unclassified service of the state and permitted the Governor to determine the salaries of those individuals, within the limit of funding availability.

Mr. Clinger confirmed that the 1999 legislation removed the Governor's Office and Mansion staff from the classified and unclassified service and that those positions were currently defined as non-classified. Mr. Clinger advised that the Governor's Office was appropriated a pool of salary dollars for which the Governor could use his discretion to hire the number of staff he wanted and pay them at a salary level that did not exceed the funding appropriation. Mr. Clinger pointed out that the non-classified staff provision was only available to the Office of the Governor, the Mansion, and the High Level Nuclear Projects Office budgets.

In response to questions Assemblyman Hardy asked concerning the ability of the director of High Level Nuclear Projects to control salaries, Mr. Clinger advised that only the Governor could determine salary levels and pay increases.

Assemblyman Conklin noted that salary increases were recommended for six positions within the Governor's Office, while other positions remained flat and vacant positions were eliminated. Assemblyman Conklin asked Mr. Clinger to discuss how the salary levels were determined.

Mr. Clinger advised that salary increases were recommended for staff that had been promoted to positions of greater responsibility within the Governor's Office.

Assemblyman Conklin provided the following comparisons between the budget approved by the 2007 Legislature and the Governor's recommendations for the 2009 Legislative Session:

- o There were 21.5 positions in the Governor's Office, excluding the Governor, in the budget approved by the Legislature in 2007 for total salary costs of $1,377,809.

- o There were 16.5 positions, excluding the Governor, totaling $1,132,872 in salary costs for the fiscal year 2010 recommended budget and only five fewer staff.

Assemblyman Conklin noted that the fiscal year 2010 recommended average salary per full-time equivalent (FTE), excluding the Governor, was $68,617, and the average per FTE, excluding the Governor, for the budget approved by the 2007 Legislature was $63,995, which was a 10 percent increase for fiscal year 2010.

Mr. Clinger referenced the summary of personnel expenditures on page 5 of the Office of the Governor budget and pointed out that in fiscal year 2008, the Governor's Office expended $1,678,104 for salary costs, and in fiscal year 2010, salary costs were budgeted at $1,579,386. Additionally, Mr. Clinger pointed out that fewer positions existed than in 2007 and that in many cases, job duties had been combined for the staff that received salary increases.

Assemblyman Oceguera indicated that the sentiment expressed in mail from constituents was one of "outrage." Assemblyman Oceguera pointed out that private and public-sector employees were facing salary, health benefit, and insurance reductions at the same time that some members of the Governor's Office staff were being paid more to take on additional responsibilities, which did not go over well with members of the public or legislators.

Josh Hicks, Chief of Staff, Governor's Office, said that it was important to remember that the overall recommendation for salary costs was reduced for fiscal year 2010 and that the Governor's Office had returned $173,000 from the salary account to the General Fund in fiscal year 2009 to make up for the budget shortfall.

Additionally, Mr. Hicks pointed out that in January 2007, the Governor's Office included a staff complement of 27, and currently the staff totaled 17.5 positions, which showed that the Governor's Office was actually reducing staff and accomplishing more with less. Mr. Hicks provided the following salary cost comparisons for the Governor's Office:

- Fiscal year 2002 salary costs for 21 staff totaled $1.5 million.
- Fiscal year 2003 salary costs for 21 staff totaled $1.7 million.
- Fiscal year 2004 salary costs for 23 staff totaled $1.8 million.
- Fiscal year 2005 salary costs for 23 staff totaled $1.7 million.
- Fiscal year 2006 salary costs for 23 staff totaled $1.7 million.
- Fiscal year 2009 salary costs for 21.53 staff totaled $1.4 million.

Assemblyman Oceguera commented that just because the Governor's Office had the ability to increase salaries did not "necessarily make it right."

Mr. Hicks indicated that it was important to keep in mind that the office structure had changed since January 2007, and while increases had been provided to staff whose positions were combined with duties from other positions, the Governor's Office salary costs had been significantly reduced.

In response to questions Assemblywoman Leslie asked concerning whether salary ranges existed for the Governor's Office staff, Mr. Hicks advised that *Nevada Revised Statutes* (NRS) provided the Governor the authority to determine salary levels within his office. Mr. Hicks further advised that salaries were established internally much the same as the Legislative Counsel Bureau established salaries for its employees.

Assemblywoman Leslie questioned whether the combination of duties for various positions was documented.

Mr. Hicks advised that some members of the Governor's staff began their employment in clerical positions and were promoted to positions of greater responsibility within the last 2.5 years.

Assemblywoman Leslie indicated that perhaps some thought should be given to amending the NRS provision since it appeared that a "cavalier" approach had been taken to increasing salaries in the Governor's Office at the same time state salaries were being reduced.

Mr. Hicks indicated that although there were certain traditional positions such as the chief of staff, deputy chief of staff, general counsel, and scheduler, the list of positions changed at the discretion of the Governor.

Assemblyman Conklin noting the elimination of positions, including some constituent-services staff, asked agency representatives to discuss whether they could prove they were "doing more with less."

Mr. Hicks advised that the Governor's Office staff had been reduced by ten positions or about one-third less staff than when the Governor took office. Mr. Hicks explained, however, that the Governor's Office employed a full-time constituent-services staff person in the Las Vegas Office, although titles had changed since the Governor took office in January 2007 when a list of positions was sent to the Legislature for the establishment of a base amount for salaries.

Chair Arberry, hearing no further questions, closed the hearing on the Governor's Office, budget account 101-1000 and opened the hearing on the Governor's Mansion Maintenance, budget account 101-1001.

**ELECTED OFFICIALS - GOVERNOR'S MANSION MAINTENANCE (101-1001) BUDGET PAGE ELECTED-7**

Andrew Clinger, Director, Department of Administration, advised that most decision units within the Mansion Maintenance budget reflected the usual statewide recommendations and that the budget's 3.5 non-classified positions would be continued for the 2009-11 biennium.

In response to questions Chair Arberry asked concerning the upkeep of the Mansion and upgrade of the surveillance camera and monitoring system, Mr. Clinger advised that staff from the Division of Buildings and Grounds provided the routine grounds maintenance, while Public Works Board staff provided ongoing maintenance for the buildings and the surveillance system.

Assemblywoman Buckley noted that narrative in The Executive Budget indicated a reduction in total funding available for salaries and benefits for the Governor's Mansion non-classified positions. Assemblywoman Buckley said, however, it appeared that funding would be removed that was added to the budget during the "adjusted base" budget process and did not reduce the funding below the actual expenditures that were incurred in the base year (fiscal year 2008). Assemblywoman Buckley questioned whether there were any additional savings adjustments that could be made in the Mansion Maintenance budget.

Mr. Clinger pointed out that the Mansion Maintenance budget, with a staff of three, was very small and that it would be difficult to make further reductions.

Chair Arberry hearing no further questions closed the hearing on the Governor's Mansion Maintenance, budget account 101-1001, and opened the hearing on the Governor's Washington Office, budget account 101-1011.

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

Ryan McGinness, Director, Governor's Washington Office, testified that his company, District Strategies, LLC, currently held the contract to operate the Washington Office that employed two full-time staff including the director and one policy advisor. He reported that the Washington Office acted as a primary lobbying entity for the State of Nevada in Washington, D.C. and functioned "as Nevada's point-of-contact for the Congressional delegation, key federal agencies, and the White House, in addition to representing Nevada's Governor with the National Governor's Association and the Western Governor's Association."

Mr. McGinness advised that the budget for the Washington Office had remained the same since 2003, but the Governor had recommended reducing the Washington Office budget by $20,000 in each fiscal year of the 2009-11 biennium. Mr. McGinness advised that in an effort to meet the Governor's recommendation, he would adjust his budget proportionally across the board but exempt accounts that reflected fixed costs such as rent.

Additionally, Mr. McGinness discussed a list of actions and policy initiatives undertaken by the Washington Office during the current biennium (*Highlighted Actions and Policy Initiatives, 2007-2009)* (Exhibit C), which included issues of importance to Nevada, such as economic recovery, neighborhood stabilization funding, the Real ID Act, and the annual appropriations process. Mr. McGinness advised that the first item on the list was a federal priority assessment that the Washington Office developed in 2007. The comprehensive assessment catalogued statewide federal priorities and was distributed to the Congressional delegation every January to serve as a source document for appropriations requests and as a reference for policy positions for what Mr. McGinness defined as "a wide array of federal programs."

Assemblywoman Leslie noted that although The Executive Budget recommended reducing the budget by $20,000 annually, the amount of General Fund support recommended increased from $20,000 to $119,942. Assemblywoman Leslie said that it appeared room tax funding was being replaced by a $100,000 transfer from the General Fund and asked Mr. Clinger for his comments.

Mr. Clinger advised that room tax revenue that had been transferred to the Commission on Tourism was being redirected to the General Fund, and the Commission on Tourism would receive a funding transfer through the General Fund.

Assemblywoman Leslie expressed concern that the Governor's Washington Office would be supported by a transfer of funds from the General Fund rather than a transfer of room tax when General Fund support was needed in so many other areas.

Mr. Clinger advised that the funding mechanism for the Washington Office was received through three sources, a transfer from the Commission on Economic Development, a transfer from the Commission on Tourism, and a transfer from the Department of Transportation, which was how funding had been historically provided and was recommended to continue into the future.

Assemblywoman Leslie indicated that she was not a "fan" of the Washington Office and did not endorse supporting the Office through a transfer from the General Fund rather than room tax. Additionally, Assemblywoman Leslie pointed out that the material distributed from the Washington Office was available through a variety of other sources and asked the director to tell the Committee what his office could provide that could not be easily provided from other sources.

Mr. McGinness indicated that one of the reasons his office had developed the Federal Priority Assessment was to address the concern expressed by Assemblywoman Leslie. Mr. McGinness indicated that the Federal Priority Assessment, as previously indicated, catalogued statewide federal priorities, surveying all state departments, agencies, and constitutional offices, and the document included information on needed projects, federal policy changes, and support for specific federal budget levels for critical programs. Mr. McGinness advised that critical information had not been communicated through regular channels to the Congressional Delegation in the past, and that during the current biennium, his office had identified $1.6 million in new funding that might otherwise not have been brought to the attention of the Congressional Delegation.

In response to questions Assemblywoman Leslie asked concerning accessibility to the Congressional Delegation, Mr. McGinness explained that small state agencies sometimes lacked the resources or experience to communicate with the Congressional Delegation but that the Washington Office was in a position to convey agency needs to the Delegation.

Assemblywoman Leslie expressed the opinion that Nevada's Congressional Delegation was so accessible that an intermediary was unnecessary.

Assemblywoman Buckley indicated that she also had questioned the need for the Washington Office in the past. She explained, however, that after listening to town hall meeting discussions concerning the low rate of return on Nevada taxpayer dollars sent to Washington D.C. (Nevada ranked 49$^{th}$ in receipt of federal aid to state and local governments per capita and 50$^{th}$ in federal spending per capita), Nevada needed to become more aggressive in discretionary spending. Assemblywoman Buckley indicated that perhaps the Washington Office might have a role in assisting the state to identify grant opportunities.

Mr. McGinness indicated that the Washington Office staff had reviewed the function of identifying grant opportunities and looked at models in Maryland and Indiana. Mr. McGinness explained that both states had grant offices that identified grant opportunities, provided a cost-benefit analysis, and managed and marshaled the availability of resources to assist agencies that lacked grant-writing support staff. Mr. McGinness advised that should a grant office be established in Nevada, the Washington Office was in a position to provide assistance.

Assemblywoman Buckley asked for information concerning the current level of expertise in state government for writing and applying for grants.

Mendy Elliot, Deputy Chief of Staff, Governor's Office, advised that she did not have the information with her but would provide it subsequent to the hearing. Ms. Elliot commented, however, that after reviewing the American Recovery and Reinvestment Act of 2009, the assistance of Mr. McGinness and his staff was invaluable in carrying messages concerning Nevada's needs to the Congressional Delegation.

Assemblywoman Smith expressed concern regarding the possible elimination of funding for the Office of Labor Commissioner's oversight of apprenticeship programs and said that she had learned, through representatives of the Department of Employment, Training and Rehabilitation (DETR), of the availability of grants that could provide needed funding. Assemblywoman Smith indicated she was "very interested" in having the Washington Office examine grant opportunities that could salvage oversight of the programs.

Chair Arberry questioned how the Washington Office would absorb the $20,000 reduction recommended by the Governor.

Mr. McGinness advised that discretionary expenditures would be reduced on a proportional basis across accounts and a way would be found to absorb the reductions and shift costs.

Chair Arberry hearing no further questions closed the hearing on the Governor's Washington Office, budget account 101-1011, and opened the hearing on Assembly Bill (A.B.) 69.

**Assembly Bill 69: Revises provisions governing the licensure of persons who sell nursery stock. (BDR 49-357)**

Peggy McKie, Agriculturist 4, Division of Plant Industry, Department of Agriculture, testifying in support of A.B. 69, said that the Department of Agriculture was required to license any business that sold nursery stock including traditional retail nurseries and wholesale growers, as well as Wal-Mart, K-Mart, Home Depot, and Lowes.

Ms. McKie advised that A.B. 69 revised provisions governing the licensing of plant nursery operators to eliminate the licensing exemption for florists, who sold indoor decorative plants, houseplants, and potted plants, such as chrysanthemums, poinsettias, and Easter lilies. Assembly Bill 69, sections 2 and 3, also provided definitions for "landscape contractor" and "landscape maintenance business" and requested the elimination of a waiver for businesses that sold a gross annual amount of less than $1,000 of nursery stock. Ms. McKie explained that the waiver was originally intended for small isolated businesses in the interior of the state; however, it was determined that the waiver provided a "loophole" for business operators who did not want to license their businesses.

In response to questions Chair Arberry asked concerning the $13,000 fiscal note, Ms. McKie advised that the current licensing fee was $130 and that it was anticipated between 75 and 100 businesses would qualify for the license.

Assemblyman Goicoechea advised that A.B. 69 was considered by the Assembly Committee on Natural Resources, Agriculture, and Mining and confirmed that the $13,000 fiscal note was the $130 fee multiplied by a projection of 100 businesses that would be licensed.

In response to questions Assemblywoman Buckley asked concerning the policy for licensing florists, Ms. McKie advised that *Nevada Revised Statutes* (NRS) required the licensing of nursery stock dealers if they sold plant material. Ms. McKie explained that the Division of Plant Industry staff discovered, in the past three to four years, that many invasive plant insects that she defined as "federal quarantine significant" were entering the state on indoor plant material. Ms. McKie advised that approximately 100 businesses that were selling the plants were not licensed, and when the Division's staff became aware of a potential problem, they lacked a mechanism to quickly contact those establishments and provide assistance to them. Ms. McKie advised that although there were listings for many florists, some were 800 numbers for out-of-state companies shipping into the state.

In response to Assemblyman Goicoechea, who asked for the number of businesses licensed to sell nursery stock, Ms. McKie advised that 1,200 businesses were currently licensed.

Hearing no response to a request for testimony in support of or in opposition to the bill, Chair Arberry closed the hearing on A.B. 69, and opened the hearing on Assembly Bill (A.B.) 254.

**Assembly Bill 254: Makes the Ombudsman of Consumer Affairs for Minorities a permanent position. (BDR 18-830)**

Assemblyman Moises Denis, representing Clark County Assembly District No. 28, introduced A.B. 254 and advised that after learning of consumer fraud abuses directed toward members of minority communities, he sponsored a bill during the 74th Session (2007) that created the Ombudsman of Consumer Affairs for Minorities as a temporary position for the 2007-09 biennium.

Assemblyman Denis advised that A.B. 254 proposed making the Ombudsman of Consumer Affairs for Minorities, within the Consumer Affairs Division of the Department of Business and Industry, a permanent position.

Assemblyman Denis introduced Leticia Bravo, the Ombudsman of Consumer Affairs for Minorities and Executive Secretary for the Commission on Minority Affairs, and Lonnie Feemster, Chairman of the Commission on Minority Affairs and President of the NAACP, Reno-Sparks Branch.

Ms. Bravo testified that she had served as the Ombudsman of Consumer Affairs for Minorities since creation of the position in October 2007. Her duties included providing educational outreach and service programs pertaining to consumer fraud for minority groups. Ms. Bravo indicated that she appeared regularly on radio and television discussing the resources available to "redress fraudulent business activity aimed at minorities, immigrants, and the non-English speaking community." Additionally, she granted interviews with the print media concerning trends in fraud. Ms. Bravo also appeared at weekly fairs and open houses to answer questions and to direct members of the public to sources of support and assistance. Additionally, she routinely worked with the Asian, Urban, and Latin Chambers of Commerce, as well as other non-profit community organizations, to reach their constituencies.

Ms. Bravo said that her most rewarding work was with consumers and that since October 2007 she had taken 1,121 consumer telephone calls, 183 in February alone. Ms. Bravo reported that consumers who called her office were in distress, lacked direction, and had difficulty gaining the attention of other assistance organizations because of language or cultural barriers. Ms. Bravo explained that consumer issues were often related to "relatively" small amounts of money but that to individuals struggling to pay rent or mortgages or having difficulty maintaining employment in the current job market, assistance from the Ombudsman's office made a vast difference.

Ms. Bravo said that her role was to help consumers navigate the options for assistance but that she often handled the complaints herself by contacting and mediating with other parties. At other times, she referred consumers to agencies, such as the Attorney General's Office or the Nevada State Bar Association for options that were better suited to help them. Ms. Bravo said, however, that in either event, the office of the Ombudsman was able to function as a first-stop assistance resource for people who might otherwise not know how to find the help they needed.

Ms. Bravo reported that since the creation of the Ombudsman's office, over $51,000 had been returned to consumers who were defrauded. Citing several examples, Ms. Bravo advised that she had assisted a consumer who had been defrauded of $6,500 in cash when he attempted to purchase a vehicle, and $5,695 was returned to another consumer for loan modification services that were never received.

Additionally, Ms. Bravo advised that over the past 12 months, she had spent most days assisting consumers who were victims of foreclosure fraud. Consumers were provided information about laws restricting "upfront" payments for foreclosure rescue services or directed to free government services concerning foreclosure problems.

Ms. Bravo advised that the Ombudsman also served as Executive Secretary to the Commission on Minority Affairs. The nine members of the Commission were appointed in April 2008 by the Legislature, and four meetings had taken place since that time. Additionally, the Commission sponsored an outreach event in December 2008 that included over forty agencies representing employment, health, housing, community, and financial services. The event served to establish "important" contact points for minority and low-income Nevadans.

Ms. Bravo thanked the Committee for allowing her the time to testify, expressed pride in serving as the Ombudsman, and asked for the Committee's favorable consideration of A.B. 254 that would make the office a permanent site for assistance to Nevada's minority communities.

Assemblywoman Buckley indicated that in her capacity as the director of a non-profit legal-aid organization, she had the opportunity of working with Ms. Bravo. Assemblywoman Buckley expressed her appreciation to Ms. Bravo for the work she was doing and to Assemblyman Denis for his efforts in establishing the Ombudsman position.

Lonnie Feemster, Chairman of the Commission on Minority Affairs, President of the NAACP, Reno-Sparks Branch, and real estate broker, spoke in support of A.B. 254. As Chairman of the Commission on Minority Affairs, Mr. Feemster said he relied on the Ombudsman for administrative support.

Additionally, Mr. Feemster discussed home ownership disparities among ethnic minorities in Nevada and advised that the NAACP had sued, in class-action lawsuits, 19 lenders in the United State for discriminatory practices targeted at African-Americans and said that the lawsuit could be broadened with additional research. Mr. Feemster advised the Committee that ethnic minorities were disproportionately hurt by subprime lending practices, excessive bank fees and unauthorized withdrawal of payments, foreclosure fraud, and a lack of understanding on how to register complaints against lenders.

Mr. Feemster pointed out that the Ombudsman position was critically important to ethnic minority and low-income groups, especially during the current economic crisis, and asked for the Committee's favorable consideration of A.B. 254.

Assemblyman Denis pointed out that, as previously reported by Ms. Bravo, the Commission on Minority Affairs met four times in 2008 and sponsored the community outreach event that took place in December 2008. Assemblyman Denis advised that the administrative support provided to the Commission by the Ombudsman was invaluable since the Commission was not funded.

Lucy Flores, a member of the Commission on Minority Affairs, spoke in support of A.B. 254 and the necessity of the Ombudsman position to the Commission.

As noted by Assemblyman Denis, Ms. Flores said that even though they had no budget, the Commission, with the assistance of the Ombudsman, raised $9,000 to sponsor the outreach event in Las Vegas bringing together over forty community and government organizations representative of employment, housing, education, and healthcare services for minorities and low-income people. Attendees were provided flu shots, and 500 free turkeys and 200 toys were distributed to needy families. Additionally, over 500 people were provided meals, courtesy of Nevada Partners, a community-based, non-profit organization.

Ms. Flores closed her remarks by reminding the Committee of the important duties performed by the Ombudsman in addition to the administrative support she provided the Commission. Ms. Flores asked for the Committee's favorable consideration of A.B. 254.

Jan Gilbert, representing Progressive Leadership Alliance of Nevada (PLAN), spoke in support of A.B. 254 and pointed out that the number of calls for assistance received by the Ombudsman had increased 400 percent from February 2008 to February 2009. Ms. Gilbert pointed out that the economic downturn placed a greater demand on the services of non-profit organizations, and in view of the economy, the Ombudsman position was essential to the minority and low-income communities.

There was no additional testimony either in support of or in opposition to the bill, and Chair Arberry closed the hearing on A.B. 254 and opened the hearing on Assembly Bill (A.B.) 334.

**Assembly Bill 334: Makes an appropriation to the Nevada Rural Counties RSVP Program, Inc. (BDR S-275)**

Assemblywoman Bonnie Parnell, representing Assembly District No. 40, introduced A.B. 334, which proposed a $1 million appropriation to the Nevada Rural Counties RSVP Program, Inc. Assemblywoman Parnell advised that the appropriation would be used to expand independent-living programs to keep seniors in their homes and out of nursing homes. Additionally, the funding would triple the number of seniors served by independent-living programs and would add, at a minimum, 100 additional lifeline emergency response systems that would allow seniors to feel safe enough to remain in their homes.

Assemblywoman Parnell pointed out that although the economy was in a state of flux, the legislation, if approved, would save the state millions of dollars by delaying or preventing the need for institutional care for seniors, which would be sound fiscal policy.

Assemblywoman Parnell disclosed that she served on the Board of Directors for the RSVP but that she would not be affected by passage of the legislation.

Janice Ayres, Executive Director, Nevada Rural Counties RSVP Program, testified that according to *USA Today* analysts, Nevada had the highest projected rate of increase in the nation for its percentage of persons 65 and older.

A 2006 Public Broadcasting Service production entitled, *'Living Old,'* reported that America was "on the threshold of the first ever mass geriatric society." Those aged 85 and older were the fastest growing segment of the population. Of the projected 71 million seniors age 65 and older, by 2030, nine million would be 85 and older. Between 1960 and 2003, the number of Americans age 65 and older doubled in population, an increase of 116 percent according to census data. That population was expected to nearly double again when the last of the "baby boomers" reached 65.

Nevada, more than any other state in the nation, would experience that senior population explosion. *USA Today* analysts reviewed census data, and in January 2007 reported that Nevada would have a 264 percent increase in persons age 65 and older between 2000 and 2030, the highest growth rate in the nation, and Nevada was not fiscally or programmatically prepared to meet the "tsunami" of aging.

Ms. Ayres reported that the Nevada Rural Counties RSVP Program had been serving seniors in the rural counties for 36 years and had been overwhelmed with the growth explosion since, in many instances, RSVP was the only service available in the rural counties.

Additionally, Ms. Ayres reported that the following RSVP programs were offered to low-income seniors in the rural counties at no charge:

- <u>Home Companion Program</u> - Homebound clients were provided a home companion volunteer who assisted with the basic needs necessary for low-income seniors to remain independent in their homes and away from costly institutions. The program maintained 858 indigent seniors in their homes. A minimum of $87,000 would have been expended for each senior in a nursing home, and the cost to the state, if institutionalized, would have been $74,646,000.

- <u>Lifeline Program</u> - The RSVP installed 500 Lifeline emergency telephone systems at a cost of $30 per month for homebound seniors. The cost to the state would have been $180,000.

- <u>Resistance Exercise Program</u> - The RSVP volunteers provided 2,500 seniors with about 80 sessions of resistance exercise training per month in senior centers, assisted living facilities, nursing homes, and, in some cases, one-on-one for the homebound. Each senior attended about 4 hours per month, which equaled approximately 120,000 of training. If provided by the state, the cost would have totaled $1,200,000.

- <u>RSVP Respite Care Program</u> – Thirty trained volunteers provided 13,500 hours of respite care to 127 caregivers. The state paid $18.50 an hour for caregivers, and if the state had provided the care, the cost would have totaled $249,750.

- o <u>RSVP Transportation Program</u> – Volunteer drivers, utilizing company vans and their personal vehicles, provided 7,500 rides covering 80,000 rural miles to transport low-income seniors to critical appointments. The state paid 58.5 cents a mile in 2008, and the 80,000 miles provided by RSVP volunteers would have cost the state $4,680,000.

- o <u>RSVP Care Law Program</u> – A pro bono attorney and paralegal provided legal assistance to seniors by appointment in senior centers, care facilities, and at home for homebound seniors. The attorney and paralegal traveled over 25,000 miles to provide 5,015 hours of legal aid to 4,500 low-income seniors. If the state had provided attorney services at a minimum "$300 an hour," the cost would have been $1,504,500 to the state.

- o <u>USDA Commodity Foods Distribution</u> – The RSVP distributed 240,000 pounds of USDA commodity foods to 12,000 needy families of all ages. The food was valued at $66,925.

- o <u>Senior Farmers' Market Nutrition Program</u> – Two thousand low-income seniors received 30,000, $2 coupons to purchase fresh produce from local farmers' markets. RSVP administered the program statewide in addition to $20,000 worth of bulk food provided by farmers. The food was valued at $153,500.

Ms. Ayres advised that the Aging Services Division provided Independent Living Grant funds to the RSVP in 2008 in the following amounts:

| | |
|---|---|
| $135,000 | Home Companion Program |
| $ 26,000 | Transportation Program |
| $116,753 | Lifeline Program |
| $ 18,525 | Resistance Training |
| $ 50,000 | Recruiting Volunteers Title IIIB |
| $ <u>20,000</u> | Senior Farmers' Market |
| $366,278 | |

Ms. Ayres pointed out that the total cost for the services, if provided by the state, would have been $82,680,675 and for every state dollar RSVP received, the state received $226 in services. Additionally, Ms. Ayres pointed out that the $366,278 in state funding would only have paid for four seniors in a rest home for one year, while the funding to RSVP maintained 858 seniors in their homes.

Ms. Ayres advised the RSVP had a budget of $1.3 million, of which $179,000 was derived from federal funds and $366,278 from state funds, while the remainder was provided through fundraising events and grants. Ms. Ayres asked for the Committee's favorable consideration of <u>A.B. 334</u> and said that the $1 million appropriation would expand services to underserved areas, such as Eureka, Ely, Esmeralda, and Lander Counties.

Assemblywoman Smith expressed her appreciation for the presentation and commented on the need to expand the use of volunteers, especially during the economic crisis. Additionally, Assemblywoman Smith agreed that even volunteerism required funding because someone had to train, deploy, and manage volunteers.

Ms. Ayres indicated that it cost over $1,000 to place a volunteer into service for one year in addition to insurance costs. Additionally, volunteers received a $20 a month reimbursement for out-of-pocket costs.

Assemblywoman McClain also expressed her appreciation for the presentation and pointed out that the services provided by RSVP were instrumental in the prevention of elder abuse.

Ms. Ayres advised that RSVP volunteers were trained to look for and report elder abuse to RSVP administrators.

Margaret Lowther, Vice Chair, RSVP Board of Directors and a Storey County resident, expressed her support for A.B. 334. Ms. Lowther told the Committee that in her 16 years as Recorder for Storey County, she saw a lot of elder needs that were met by RSVP.

There was no additional testimony either in support of or in opposition to the bill, and Chair Arberry closed the hearing on A.B. 334 and opened the hearing on Assembly Bill (A.B.) 446.

**Assembly Bill 446: Revises certain requirements for the proposed budget of the Executive Department of the State Government. (BDR 31-581)**

Assemblywoman Barbara E. Buckley, representing Clark County Assembly District No. 8, sponsored A.B. 446 and advised that the bill, if approved, would revise the proposed budget to include specific information in state agencies' mission statements and measurement indicators and would require posting that information on the Department of Administration website.

Assemblywoman Buckley advised that prior to the 2009 Legislative Session, she had conducted town hall meetings around the state asking Nevadans for their ideas on how to make Nevada a better state, and A.B. 446 incorporated some of those ideas.

Step 1 would determine what the ultimate goals of state government should be:

- The Governor and the Legislature had to articulate the core functions or mission for state government, such as:
    - Ensuring a high quality of education and health care for Nevadans.
    - Ensuring safe Nevada communities.
    - Ensuring a sustainable, healthy living and working environment.
- The Governor and the Legislature should specify which budget accounts were critical to the mission and fund them appropriately.

Step 2 would establish benchmarks to evaluate progress toward the goals.

- Each agency must determine its core mission and how it related to the state's priorities and establish measurement indicators (benchmarks) that gauged progress toward meeting those goals. The following examples were provided:
    - The Department of Employment, Training and Rehabilitation (DETR) should report the numbers of persons graduating from job training programs and the success rate in placing graduates in jobs since that affected the State of Nevada's unemployment rate.

- Ø The Department of Education must report on student proficiency test results, numbers of students receiving high school diplomas, certificates of attendance and dropout rates, and mechanisms to improve progress.

Step 3 would require that agency budgets contain benchmark information.

- o Each agency must report their goals, full-time equivalent (FTE) positions, performance highlights, and benchmarks for improvement in their budget requests to the Governor and to the Legislature.

- o Benchmark indicators should include historical data for the current and last four fiscal years, if available.

- o Benchmark indicator reports should include state rankings, where available, to measure Nevada's performance against other states.

Agency "report cards" on benchmarks would inform budget decisions.

- o In reviewing an agency's budget request, the Legislature could evaluate the budget by:

  - Ø Asking the agency to explain how the benchmarks being reported related to the state's ultimate goals and the agency's primary mission.

  - Ø Comparing the benchmark results achieved by the agency in the current and prior reporting periods and similar agencies in other states, if possible.

  - Ø Evaluating the processes and procedures that led to benchmark improvements and whether effective steps were being taken to remediate lagging benchmarks.

Benchmarks would help to prioritize competing budget requests.

- o In making budget decisions, the Executive Branch and the Legislature could prioritize spending by:

  - Ø Evaluating each agency's activities and how critical they were to achieving the state's ultimate goals.

  - Ø Evaluating each agency's actual job performance as measured by historical and current benchmark results.

  - Ø Prioritizing funding based upon the likelihood that funding to a particular agency would better foster the achievement of the state's ultimate goals.

The following would occur after goals and benchmarks were reported:

- o Agency performance reports would not only hold agencies accountable for improving their performance but would provide them the tools to monitor their costs and improve their efficiency over time:

- Ø It would become possible to evaluate the cost for each agency's services - the cost for a business license application or the cost to establish a child support order in Nevada's counties, and so on.

- Ø The agencies would have the tools to evaluate their efficiency: for example, the number of business license applications processed correctly and the time it took to establish the child support order in Nevada's counties.

The Executive Branch should publish the benchmarks on a public website.

- o Publication of the various agency goals and benchmarks would:

  - Ø Link government results to the state's goals and benchmarks.

  - Ø Report state government's results to any interested Nevada citizen.

  - Ø Encourage broader use of performance measures by city and county government agencies.

Assemblywoman Buckley noted that Assemblyman Denis had often commented on state agency performance indicators during the current session and had pointed out "some glaring deficiencies." Assemblywoman Buckley provided a document (Exhibit D) that included examples of Texas' budget and performance assessments and examples of Nevada performance indicators.

The examples from Texas included budget and performance assessments for the Board of Dental Examiners and the Optometry Board, which Assemblywoman Buckley pointed out were presented in an easily-understood uniform narrative format. The assessments included the number of full-time equivalent (FTE) positions, established goals, and how those goals were achieved. Additionally, Assemblywoman Buckley pointed out that the format provided the means for agency-to-agency comparisons, unlike Nevada's performance measures.

Assemblywoman Buckley said that the Nevada examples were typical of most agency performance indicators and pointed out that Nevada's Office of Energy listed two different sets of performance indicators for 2007 and 2009. The program description for 2007 identified that the mission of the Nevada Office of Energy was to implement a plan that ensured a reliable and affordable energy supply for Nevada. Assemblywoman Buckley pointed out that the first indicator, "new installed residential and commercial solar photovoltaic capacity in kilowatts," could perhaps be interpreted as the agency's goal to install solar cells. She said, however, that more relevant measures might have included:

- o The number of Department of Energy grant solicitations issued in the previous biennium.

- o The number of grants for which the agency applied.

- o The number of grant applications that were successful.

- o The number of sub-grants issued.

- o The percentage of sub-grants successfully completed.

Assemblywoman Buckley pointed out that the 2009 performance indicators for Nevada's Office of Energy, although slightly improved over 2007, could not determine the success rate in processing applications since there was no indicator of the number of applications processed. Additionally, she referenced the third performance indicator and questioned how performance could be measured against a 50 percent compliance with the percent of time quarterly grant progress and financial reports were submitted to grantors on or before the due date. Assemblywoman Buckley referenced the fourth indicator relative to the percent of time the *Status of Energy in the State of Nevada* report was prepared and submitted to the Governor annually and to the Legislature biennially, which she pointed out was not an optional performance indicator since every state agency was required to submit the budget and submit reports to the Legislature. Assemblywoman Buckley said that more meaningful performance indicators might have included setting goals to become a leader in renewable energy and reaching that goal by drawing renewable energy dollars to the state.

Assemblywoman Buckley said that state agencies were not doing "a good enough" job on performance indicators but that A.B. 446, if approved, would bring about a better method of setting priorities, reporting, and increasing budget transparency.

Assemblywoman Buckley identified the next example of performance indicators as the Office of Labor Commissioner's and pointed out the first item was a performance goal to complete 80 percent of all wage claims investigated within 60 days. However, she pointed out that performance could not be evaluated without knowing the number of claims received, and the number processed within 30 days, 60 days, and 90 days. Assemblywoman Buckley noted that positive indicators for the Labor Commissioner's office included the percent of agency determinations, decisions, and orders not reversed by the courts on judicial review and percent of prevailing wage rate determinations not reversed by the courts on judicial review.

Assemblywoman Buckley advised that the current performance indicator system did not provide a way to evaluate whether state agencies were achieving their benchmarks. She said, however, that passage of A.B. 446 would create a uniform system of streamlining goals and benchmarks, holding agencies accountable and making that accountability transparent to the public. Assemblywoman Buckley indicated that a fiscal note was attached to the bill, but said that since the agencies were already preparing performance indicators and the budget document was posted on the Department of Administration's website with a link to the Governor's website, additional funding to change the format should not be required.

Assemblywoman Gansert expressed her appreciation for the summary format in which the Texas budget and performance assessments were presented and questioned whether the Texas budget process was similar to Nevada's with line item budget details.

Assemblywoman Buckley advised that although Texas continued to use a "budget-account-by-budget-account method of budgeting," their performance indicators, in terms of strategic planning, mission, establishing goals, objectives, and evaluating performance, provided a uniform narrative format that allowed for agency-to-agency comparisons

In response to questions Assemblywoman Gansert asked concerning legislating performance indicators, Assemblywoman Buckley advised that although performance indicators were currently under *Nevada Revised Statutes (*NRS), she chose to amend the statute so that state agencies would be required, under NRS, to engage in long-term planning practices.

Assemblywoman Smith commented that the Legislature approved Education Accountability measures in the 1997 Legislative Session and that it made sense to require that all agencies were accountable in the same way required of the Department of Education. Additionally, Assemblywoman Smith commented that the Texas budgeting process was reviewed recently in the Assembly Committee on Elections, Procedures, and Ethics where Committee members learned that state agencies in Texas conducted public hearings prior to the convening of the Legislature, which she believed contributed to the success of their performance indicators.

Assemblyman Denis expressed his thanks to Assemblywoman Buckley for bringing A.B. 446 forward and commented that state agency performance indicators had proved frustrating because actual performance could not be measured in the current format in which indicators were presented.

Assemblywoman Buckley discussed a proposed amendment (Exhibit E) to A.B. 446, which clarified the language and stated, in part, that The Executive Budget had to identify long-term performance goals and provide an explanation of how The Executive Budget adequately funded those goals and services to meet objectives and make progress toward achieving the long-term performance goals.

George Ross, representing the Las Vegas Chamber of Commerce, testified in support of A.B. 446, which he defined as an, "absolutely superb bill." Mr. Ross indicated that during his career as a lobbyist he had believed that the government budgeting process was designed to "obfuscate rather than to elucidate." However, he said that A.B. 446 would bring transparency to the budget process but, even more importantly, would also provide the means to plan for, measure, and evaluate performance.

Jan Gilbert, representing Progressive Leadership Alliance of Nevada (PLAN), also testified in support of A.B. 446. As a member of the Grants Management Advisory Committee, supervising grants for Department of Health and Human Services' programs, Ms. Gilbert credited the Department with doing a good job of establishing performance measures and teaching the process to non-profit organizations without any additional money. Ms. Gilbert also questioned the need for a fiscal note since the Department of Health and Human Services taught the process without any additional funding. Ms. Gilbert pointed out that measurable performance indicators should be established by each state agency, which she indicated would build confidence in local communities rather than the current anti-government sentiment.

Assemblywoman Leslie testified in support of A.B. 446 and expressed appreciation for the uniform easy-to-understand format in which the Texas performance indicators were presented. Assemblywoman Leslie said that with adoption of a similar format, a better understanding of state agencies' performance would be gained.

Hearing no additional requests to speak for or in opposition to A.B. 446, Chair Arberry declared the hearing closed.

Chair Arberry indicated that the Committee would vote on the following bills:

**Assembly Bill 469: Revises provisions governing unemployment compensation. (BDR 53-1275)**

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, advised the Committee that A.B. 469, a bill that related to unemployment compensation under the provisions of federal stimulus funding, was previously considered in a joint hearing with the Senate Committee on Finance.

Assemblywoman Buckley indicated that during the previous hearings, questions arose concerning the actions the Department of Labor would take if a state legislature, at some point in the future, repealed the provisions that allowed the state to obtain Unemployment Insurance (UI) Modernization Payments under the American Recovery and Reinvestment Act of 2009 (ARRA). Assemblywoman Buckley indicated that during that hearing, she had expressed the opinion that the state could, at some point in the future, repeal or modify the provisions of the ARRA.

Assemblywoman Buckley referenced a letter (Exhibit F) from Douglas F. Small, Deputy Assistant Secretary, Employment and Training Administration, United States Department of Labor, which confirmed that if the state eventually decided to repeal or modify provisions of the ARRA, it could do so and would not be required to return any incentive payments.

Assemblywoman Gansert questioned whether, in adopting an alternate base period for determining eligibility for unemployment benefits, unemployed workers filing for benefits would be required to have worked for a full five quarters. Assemblywoman Gansert expressed reservations concerning expanded eligibility for an estimated 3,000 to 6,000 additional unemployed recipients and whether there would be an increase in cost to employers.

Assemblyman Conklin defined the base and the alternate base as the period by which an unemployed worker was evaluated to determine eligibility and the unemployment benefit. Assemblyman Conklin explained that approval of A.B. 469 would extend the benefit period from 72 weeks to 79 weeks. He pointed out, however, that if the bill was not approved, 13 weeks of the current 72-week benefit period would be funded from the state unemployment trust fund, in the amount of $95 million.

Assemblyman Conklin commented on eligibility and the one-quarter lag period and pointed out that unemployed workers would be eligible sooner under the alternate base plan than they would have been under the base plan. He said that, theoretically, the same number of unemployed workers would be eligible for benefits.

Assemblyman Conklin explained that the traditional base period contained five quarters in which the quarter nearest to being unemployed was not counted. He said, however, that using the alternate base period, the same five quarters would be captured, but only the four closest periods to being unemployed would be used. Assemblyman Conklin pointed out that the alternate base plan provided for shifting the evaluation period so that unemployed workers would not have to wait 13 weeks without an income benefit to qualify for eligibility.

Assemblywoman Gansert recalled that testimony in the previous joint hearing indicated the need to increase the average unemployment tax rate for contributory employers from 1.33 percent to 1.38 percent.

Assemblyman Conklin advised that if the program was implemented without funding from the federal government, it was estimated that a .05 percent increase to the State Unemployment Tax Act (SUTA) would be required to cover the cost of the program over the next ten years. However, Assemblyman Conklin pointed out that the additional unemployed recipients in Nevada would be covered by $77 million in federal money specifically dedicated to the program. Additionally, he said it was estimated that the first year program would cost approximately $8.7 million to $17.4 million and that the National Employment Law Project (NELP) had estimated 4,100 unemployed workers would receive the benefit at an approximate cost of $10 million.

Assemblyman Conklin pointed out that the stimulus funding would provide benefits for a minimum of four years and a maximum of eight or nine years and that the legislation could be re-evaluated during future legislative sessions.

Assemblywoman Buckley commented on Nevada's high unemployment rate, which had contributed to the faltering economy and pointed out that unemployed workers who received unemployment checks put that money back into the economy. Additionally Assemblywoman Buckley said that the legislation provided a way to extend assistance to unemployed workers without a negative business impact, and as confirmed by the U. S. Department of Labor letter, the state could repeal or modify the provisions of the ARRA without penalty. Assemblywoman Buckley also indicated that as testimony indicated in the previous joint hearing, Nevada's Unemployment Insurance (UI) Trust Fund, according to recent figures, was expected to be depleted by the end of 2009 and that if the situation did not improve by the end of 2010, Nevada would suffer a deficit of $750 million.

Assemblywoman Buckley also pointed out that the $77 million infusion into the Unemployment Insurance (UI) Trust Fund, as a result of the unemployment stimulus funding, would lengthen the time benefits could be provided without resorting to a loan from the federal government to finance a deficit and the 5 percent interest the federal government would charge for such a loan. Assemblywoman Buckley asked for the Committee's favorable consideration of the bill because she said it was the "right thing to do for our state."

Assemblyman Goicoechea indicated that before committing to a tax rate increase for contributory employers that exceeded 1.38 percent, the Committee should commit as a body to revisit and ultimately repeal the legislation.

Chair Arberry pointed out that future members of the Nevada Legislature could not be bound by the actions of current members of the Legislature.

Assemblyman Goicoechea referenced the letter from Deputy Assistant Secretary Small, which said in part that the states could change or repeal the provisions on which modernization payments were based and that the Department of Labor relied on states' good faith in adopting the eligibility criteria. Assemblyman Goicoechea reiterated that legislative members should have the option to repeal the legislation if the tax rate for employers exceeded 1.38 percent.

Assemblyman Hardy indicated that a commitment by the body to repeal the legislation could be problematic. He said, however, that he could support the plan after clarification that states were not prohibited from changing the law in the future and on the length of time benefits could be provided without a loan from the federal government at a 5 percent interest rate. Assemblyman Hardy indicated, however, that he reserved the right to change his vote on the Assembly Floor.

Assemblywoman Smith expressed her support for the legislation and discussed the "extreme difficulty" unemployed Nevada residents, particularly in the building trades, were facing and the fact that members of the business community had come forward to support the plan.

Assemblyman Grady expressed this thanks to Assemblyman Conklin for meeting with legislators prior to the hearing to provide information on the stimulus funding. Assemblyman Grady indicated he too would support the legislation but reserved the right to change his vote on the Assembly Floor.

In response to Assemblywoman Gansert who expressed concern over the increase from 72 weeks to 79 weeks of unemployment benefits, Assemblyman Conklin pointed out that under the provisions of *Nevada Revised Statutes* (NRS), unemployment benefits were 50 percent federally funded and 50 percent state-funded for an additional 13 weeks. However, by adopting A.B. 469, the federal government would cover the $95 million portion of the additional 13 weeks. Assemblyman Conklin indicated it was important to recognize that the expanded eligibility was required for Nevada to receive the $286.5 million in federal stimulus funding but that the funding would generate over $400 million in economic activity in the current year alone and that to turn the expanded eligibility down would be a "huge mistake" for the economy.

ASSEMBLYWOMAN LESLIE M0VED TO DO PASS A.B. 469.

ASSEMBLYMAN OCEGUERA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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**Assembly Concurrent Resolution 17: Accepts certain funds for unemployment compensation pursuant to the American Recovery and Reinvestment Act of 2009. (BDR R-1278)**

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, advised the members of the Committee that Assembly Concurrent Resolution (A.C.R.) 17 was a concurrent resolution between the Senate and the Assembly advising the federal government that Nevada would accept federal stimulus funding related to unemployment compensation whether or not the funding was accepted by the Governor. Additionally, Mr. Stevens said the measure certified that the state would utilize the funds to create jobs and promote economic growth.

ASSEMBLYWOMAN BUCKLEY M0VED THAT A.C.R. 17 BE ADOPTED.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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Chair Arberry requested Committee introduction of the following bill draft requests:

**BDR 33-1106: Transfers the Department of Cultural Affairs to the Office of the Secretary of State. (A.B. 507)**

ASSEMBLYWOMAN MCCLAIN MOVED FOR COMMITTEE INTRODUCTION OF BDR 33-1106.

ASSEMBLYMAN DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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**BDR 25-1113: Revises provisions governing the development of low-income housing. (A.B. 508)**

ASSEMBLYMAN CONKLIN MOVED FOR COMMITTEE INTRODUCTION OF BDR 25-1113.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

There being no further business before the Committee, Chair Arberry adjourned the hearing at 10:13 a.m.

RESPECTFULLY SUBMITTED:

______________________________
Connie Davis
Committee Secretary

APPROVED BY:

____________________________________________
Assemblyman Morse Arberry Jr., Chair

DATE:______________________________________

**EXHIBITS**

**Committee Name: Committee on Ways and Means**

**Date: March 23, 2009** **Time of Meeting: 8:07 a.m.**

| Bill | Exhibit | Witness / Agency | Description |
|---|---|---|---|
| | A | | Agenda |
| | B | | Guest List |
| | C | Ryan McGinness, Director, Governor's Washington Office | Highlighted Actions and Policy Initiatives, 2007-09 |
| A.B. 446 | D | Assemblywoman Buckley | Texas Budget and Performance Assessments Nevada Energy Conservation and Labor Commission Performance Indicators |
| A.B. 446 | E | Assemblywoman Buckley | Amendment 1 to A.B. 446 |
| A.B. 446 | F | Assemblywoman Buckley | Letter from Douglas F. Small, Deputy Assistant Secretary, Employment and Training Administration, U.S. Department of Labor |