

**MINUTES OF THE
SENATE COMMITTEE ON FINANCE**

**Seventy-sixth Session
May 12, 2011**

The Senate Committee on Finance was called to order by Chair Steven A. Horsford at 6:30 p.m. on Thursday, May 12, 2011, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Steven A. Horsford, Chair
Senator Sheila Leslie, Vice Chair
Senator David R. Parks
Senator Moises (Mo) Denis
Senator Dean A. Rhoads
Senator Barbara K. Cegavske
Senator Ben Kieckhefer

STAFF MEMBERS PRESENT:

Mark Krmpotic, Senate Fiscal Analyst
Rex Goodman, Principal Deputy Fiscal Analyst
Madison Piazza, Committee Secretary

OTHERS PRESENT:

Lynn O'Mara, Health Information Technology Coordinator, Office of Health Information Technology, Department of Health and Human Services
Diane J. Comeaux, Administrator, Division of Child and Family Services, Department of Health and Human Services
Frances Doherty, District Judge, Department 12, Family Division, District Courts of Nevada
Carey Stewart, Director, Washoe County Juvenile Services, President, Nevada Association of Juvenile Justice Administrators
Alex Ortiz, Clark County
Jeffrey Fontaine, Nevada Association of Counties

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Carol Sala, Administrator, Aging and Disability Services Division, Department of
Health and Human Services
Lisa Gianoli, Washoe County

CHAIR HORSFORD:
We will begin with Senate Bill (S.B.) 43.

SENATE BILL 43 (1st Reprint): Makes various changes relating to electronic
health records. (BDR 40-443)

LYNN O'MARA (Health Information Technology Coordinator, Office of Health
Information Technology, Department of Health of Human Services):
Senate Bill 43 enables the framework for us to meet the requirements of the
State Health Information Exchange Cooperative agreement which was part of
the director's office in the Department of Health and Human Services (DHHS),
budget account (B/A) 101-3150. The bill will meet the requirements, terms and
conditions of the funding we have. There is no General Fund appropriation
associated with this bill.

HUMAN SERVICES

HEALTH AND HUMAN SERVICES DIRECTOR'S OFFICE

HHS-DO – Administration — Budget Page DHHS DIRECTOR-1 (Volume II)
Budget Account 101-3150

CHAIR HORSFORD:
How is this fiscally related?

MS. O'MARA:
There are no General Funds associated with this bill. All the funding comes from
the stimulus funds we received for the Health Information Exchange Cooperative
Agreement.

MARK KRMPOTIC (Senate Fiscal Analyst, Fiscal Analysis Division, Legislative
Counsel Bureau):
The bill implements a budget decision in B/A 101-3150. The funding is included
in the Director's Office budget and provides federal funding to establish the
Health Information Exchange Cooperative Agreement. This budget decision was

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approved by the Senate Committee on Finance and the Assembly Ways and Means Committee, also known as the money committees, when the Director's Office budget was closed.

SENATOR CEGAVSKE:

Is this something that we have to put in because of the law that was passed?

SENATOR KIECKHEFER:

This creates the regulatory structure to create the Health Information Exchanges which was a component of the Health Information Technology for Economic and Clinical Health Act that was incorporated into the American Recovery and Reinvestment Act of 2009, not health care reform. It was unanimously passed out of the Joint Subcommittee on Human Services and Capital Improvements as amend and do pass.

SENATOR KIECKHEFER MOVED TO DO PASS AS AMENDED S.B. 43.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HORSFORD:

We will move on to S.B. 476.

SENATE BILL 476: Makes various changes concerning the juvenile justice system. (BDR 5-1216)

DIANE J. COMEAUX (Administrator, Division of Child and Family Services, Department of Health and Human Services):

Senate Bill 476 was submitted on behalf of the Department of Administration Division of Budget and Planning. It makes various changes concerning the juvenile justice system. These changes are necessary to implement the recommendations included in the Governor's proposed budget. Section 1 of the bill requires each county to pay an assessment for the activities of the Division of Child and Family Services (DCFS) Youth Parole Bureau which provides community supervision to youth upon their release from correctional facilities. The assessment would be based on student enrollment of Grade 7 through

Grade 12 in the preceding school year. Based on the elimination of the nonmedical expenses for children who are receiving community-based mental health treatment proposed in the Governor's budget, section 3 of the bill would remove the juvenile courts' ability to commit youth aged 8 to 12 to a State correctional facility.

Senate Bill 476 will also remove the courts' ability to commit youth to the State's custody through *Nevada Revised Statutes* (NRS) 62E.520 for the purpose of making mental health placements. The DCFS responsibility to provide correctional care to delinquent youth in the State facility would continue. Based on the reduction in the number of correctional beds available, section 4 of the bill would require the courts to confirm there is room allocated for the child in the State facility for the detention of children and there are adequate resources in the facility to provide the necessary care prior to commitment. The State will establish an equitable allocation methodology to be used to determine if there is adequate room and resources. This is calculated upon the number of beds available to each jurisdiction based on the percentage of the public school enrollment Grades 7 through 12.

Under current law, when a petition is filed requesting that the parole status of a youth be suspended, modified and/or revoked, the juvenile court may, pending a hearing, return the child to a State facility. Alternatively, with the permission of a local facility, they can hold the child in a local facility with the Youth Parole Bureau paying all actual and reasonable costs. Based on the reduction in the reimbursement for detention costs, section 5 removes the authority of the juvenile court to order the return of a child to the State facility. Section 5 also removes the requirement that the Youth Parole Bureau pay the cost of confinement for the child who is held, pending a hearing, in a local facility for detention of children.

Section 6 of S.B. 476 repeals NRS 62B.150 which requires certain counties to pay for the operation of regional facilities. The DCFS recommends that this section of the bill be amended out. Although the Governor's budget recommended the elimination of General Fund support to pay for the portion of the operation of the regional facilities, repealing this law would also eliminate the ability of the account to receive support from the counties. The intent of the Governor's proposed budget was not to cause the closure of the regional facilities, but rather to reduce the State support.

SENATOR LESLIE:

Section 3 of S.B. 476 takes away the right of the court to commit a delinquent child to your custody. Does the replacement language state that the court must call ahead and make sure a room is available?

MS. COMEAUX:

That is correct. The court would have to ensure there is a room available before committing the child due to the reduction in beds. As it currently is in the statute, our superintendent can make a determination that they do not have the resources or room available at the facility. This bill puts a process in place so that the bed can be allocated equally.

SENATOR LESLIE:

I would like to hear what District Judge Frances Doherty has to say. It seems wrong that we are changing the authority of the court based on our budget. It seems like we are taking budget cuts too far. Will the Youth Parole Bureau still be maintained in the State, but we will assess the counties?

MS. COMEAUX:

The Governor's budget recommends that DCFS continue to provide the service and there will be an assessment to the counties.

SENATOR LESLIE:

What will happen if the counties cannot pay the bill?

MS. COMEAUX:

I do not know.

FRANCES DOHERTY (District Judge, Department 12, Family Division, District Courts of Nevada:

Senate Bill 476 has been discussed in every corner of the State, from Ely to Minden. This bill is significant to how we do business in the juvenile justice system. It is not a question of a child being a part of a county, and why that county is not paying for them. That is not the issue and that is not what we are talking about. We entered into a relationship between the counties and the State and have perfected that relationship over four decades. We have created a relationship where children enter our system. We try to keep them at the lowest end of our spectrum of services and keep them out of the criminal justice system which is at the county level. We work with the majority of our children

in the juvenile justice system at the county level. Very few children go to the State system for care, commitment or placement. Those are unified philosophical views of how juvenile justice works. We keep children low, use services to divert, maintain community safety and we ensure the services are in place. We, as a State, recognize that we do those things at the county level.

The State has recognized there are few children whose criminal behavior is so serious and whose other challenges are beyond the ability of a single county. That can be any county, Clark County or Washoe County. We will have to work together on some children. It is the same in the adult system. Sometimes we have to work together to address their needs. In the juvenile justice system, it is the higher offending and longer term placement children. Our goal has never been to dump our children into State care. Our goal is to work with the State to reduce our children in every single county. If you look at our numbers, we have done just that: we have kept our children out of State care.

Some of those Washoe County kids are State of Nevada kids and Clark County kids are State of Nevada kids, they are not just county kids. We have perfected those services at the deep end of provision. Those children are closing in on 18 years old and above. Fifty-eight percent of children on youth parole are adults, so let us recognize that these systems have to be coordinated and complementary. Should Washoe County pay for Washoe County kids? We do, just as every other county pays for their children in county. We sentence them, we detain them, we put them on work crews and we provide mental health services to them. That is what every county does.

They are State of Nevada kids as well, they live in a larger system. When we integrated child welfare in the 1990s, the plan was not to come to the Legislative Session to make child welfare uniform at the county level. The Legislature created an integrated system that brought the State and county systems together. They did it with a period of planning and a level of intellectual thinking. With a component of resources that were transferred, none of that is contemplated in the same arena, children of Nevada, in this bill. I do not know of a judge who supports this bill and I have talked with virtually everyone who works with children. I know the counties' representatives are opposed.

I am okay with section 3, subsection 1, paragraph (a) which is the deletion of language regarding children 8 years old to 12 years old. We generally do not commit children who are 8 years old to 12 years old. It is consistent with our philosophy not to do that.

In regard to Senator Leslie's point about separation of powers, what district judge would be expected to call before entering a decision on consequence and commitment to place a child? It is a separation of powers issue and it is a constitutional issue. Problems are not solved that way. I recognize the courts that are committing children are decreasing those numbers, not increasing them, but there would be a constitutional issue.

In regard to the Youth Parole Bureau, it exists to provide services to the deep-end kids that the counties are not able to support. If there is a component of this plan that needs redevelopment, the counties will be the first to step up and redevelop with the State and Legislature to come up with a better plan for our children and community safety.

CHAIR HORSFORD:
Has there been any consultation regarding the various needs?

DISTRICT JUDGE DOHERTY:
The DCFS has provided the information we have requested. There was no consultation in drafting this plan. No one associated with juvenile justice would have ever created this bill, money or not.

SENATOR LESLIE:
Section 1 of S.B. 476 states the counties have to pay. In documentation provided by Fiscal Staff, it appears it is assessed to the judicial districts. The counties do provide funds for the judicial districts, but what is your understanding?

DISTRICT JUDGE DOHERTY:
That would be a mistake. That would not be consistent with what the expectations are.

SENATOR KIECKHEFER:
The bill says it is assessed to the counties not the courts.

DISTRICT JUDGE DOHERTY:
We have three different types of jurisdiction with regard to juvenile probation based on population. Juvenile probation's budget, with respect to Washoe County and the rural counties, is statutorily under the supervision of the court. The allocation of funds in that community, as well as in Clark County,

where it is not under the supervision of the court, is logically directed to the county for redirection to the courts.

MR. KRMPOTIC:

We will review the issue and clarify that before the Committee meets tomorrow.

SENATOR LESLIE:

Was it the intent of DCFS to assess the counties or the courts?

MS. COMEAUX:

Part of the confusion is in the way DCFS computed the impact to the counties, and listed it by judicial district. We listed it that way because certain allocations are done by judicial district which is tied to the block grant. In order to align them, we listed it within the judicial districts, each county and their amount. It was reflected by judicial district, but the intent was to assess the counties which is in the bill.

CHAIR HORSFORD:

Can you respond to why there was not more consultation on the proposal altogether?

MS. COMEAUX:

The decisions were made very late in the process. Once they were made, the Governor's budget, by law, is confidential so DCFS was not allowed to discuss that with them until the budget came out.

In regard to your concern about having the judges call ahead, that was a conversation we had with the counties very early on before we even came out with the Governor's recommended budget. That is why DCFS included that in the bill. There was a lot of concern when the number of beds allocated for children being committed to the State facilities was decreased. The percentage of commitments in Clark County is increasing. The smaller counties were concerned that as the number of beds are decreased, there would be no resources available when they have a child who needs to be committed. That is specifically why that piece of legislation is in there. The DCFS already has the authority to not take a child to either one of those facilities if we do not have room available.

SENATOR LESLIE:

I understand that, but as I read the bill you are taking away the right of a judge to place a child. I do not think we can do that in statute. There is a concern that these kids will be backed up in detention if the beds are not available. This takes away the judges' authority and I am shocked.

MS. COMEAUX:

The language we submitted looked very different from what came out in the bill itself. We worked with Legislative Counsel Bureau Legal Division through that.

SENATOR LESLIE:

I do not want to put that in the statute, I do not think we can do that.

SENATOR KIECKHEFER:

I understand the idea and the concerns regarding calling ahead to see if you can make your judicial determination or placement. I am trying to figure out how it would change the practice. If the beds are not available, they would still be committed and would be backed up in juvenile detention, just as Senator Leslie said. On the issue of the Youth Parole Bureau, how does changing who pays for it change the system? If the same services are being provided, but someone else is paying for it, it does not make sense to change the process.

DISTRICT JUDGE DOHERTY:

We have not delved into the issue of the Legislative Branch's control over judicial decision making. The reason for that is we have a fairly integrative, cooperative system of justice both on the legislative and judicial side. My opinion is the State does not have the authority to limit the commitment decision in any manner. The issue has not arisen under the statute as it is written because the judiciary leads the initiative to reduce commitments, not increase them.

There have been times when the State's inability to transport a child would result in court orders and tension, because the court order has to be effectuated. Those times are gone, we keep our commitments low because we are dedicated to that philosophy and only commit the worst. This is even a step beyond what is already questionable in existing law. It is absolutely a separation of powers.

Why should the county not pay for the service, and how does it disconnect the system? It disconnects the system in many ways. Foremost in my mind is the breach in trust and commitment. The county would be laying off the probation officers who are maintaining the county component of the juvenile justice system in order to pay for the State component over which it has no control. Proportionately, by the millions of dollars in each of the counties, we will have an immediate impact on the front end of children because we will be laying off employees at the front end to pay for the State employees at the back end. We might have a strong system for kids who are aging out, but out of necessity we will have an entirely ineffective system for the kids entering the system. This will have an impact on the entire system. That is why the delicacy of this balance is so critical to our success. Youth Parole can no more lose the support and strength of juvenile probation then juvenile probation can lose the support and strength of Youth Parole.

CHAIR HORSFORD:

Another issue is all the effort that has been occurring over the years to model effective juvenile justice service delivery. It is the Juvenile Detention Alternatives Initiative (JDAI). Please explain that to the Committee. I only have experience because I served on the Subcommittee on Juvenile Justice for the Advisory Commission on the Administration of Justice with Chief Justice Hardesty. Through that experience, I got to know about that effort and how it is a national best practice. We have been moving in that direction for a long time and this bill would basically dismantle that whole approach.

DISTRICT JUDGE DOHERTY:

That is absolutely correct. Nevada has come from a position of doing business as usual, to entering into the JDAI initiative. The JDAI is sponsored by the Annie E. Casey Foundation. Through this initiative, Nevada has become one of the most significant states in the Country for effectively reducing juvenile detention, unsuccessful terminations from probation and juvenile commitments. When we disempower the front end, we embolden, with numbers, the back end because JDAI is applied at the front end of the system.

CAREY STEWART (Director, Washoe County Juvenile Services, President, Nevada Association of Juvenile Justice Administrators):

The Juvenile Justice Administrators throughout the State are opposed to S.B. 476 for all the reasons District Judge Doherty has mentioned in her testimony.

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ALEX ORTIZ (Clark County):

I concur with the comments made before me by District Judge Doherty and Mr. Stewart.

CHAIR HORSFORD:

What is the impact to Clark County?

MR. ORTIZ:

We estimate it to be about \$8.6 million and the potential loss of approximately 92 positions at the Department of Juvenile Justice for Clark County.

JEFFREY FONTAINE (Nevada Association of Counties):

The Nevada Association of Counties is also opposed to S.B. 476 for the reasons that have already been mentioned. The statewide impact to counties is estimated to be around \$12 million.

I would like to thank Senator Leslie for her question. It was not long ago that I started carrying a copy of NRS 354.685 which addresses severe financial emergencies for local governments and the conditions under which you would start that process and have local governments taken over by the Department of Taxation, or at least their finances being administered by the Department of Taxation.

CHAIR HORSFORD:

We will close the hearing on S.B. 476.

We will open the hearing on S.B. 113.

[SENATE BILL 113 \(1st Reprint\)](#): Revises provisions relating to the care of certain children during disasters. (BDR 38-198)

SENATOR SHEILA LESLIE (Washoe County Senatorial District No. 1):

Senate Bill 113 was first heard in the Senate Committee on Health and Human Services. It revises provisions relating to the care of certain children during disasters. This bill came out of the interim committee that I chaired on child welfare and juvenile justice as a recommendation from that committee. I was also very interested in it because I just finished my national service as one of ten commissioners on the National Commission on Children and Disasters. These recommendations also came from the national level. The Committee on

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Health and Human Services worked on the bill, we have a first reprint and worked out all the issues. It passed unanimously.

As we did not send it to the Senate Committee on Finance, I was surprised to see it in this Committee. When I followed up, Staff thought something with the first reprint would cause a fiscal note. The issue that may have caused the concern is on page 4, section 6, subsection 2 which stipulates "any such training may include, without limitation, exercises to allow staff to practice carrying out their responsibilities during a disaster." Exercises in this context relate to emergency preparedness exercises. Staff thought that might cause the State to put a fiscal note on it.

MS. COMEAUX:

We have looked at the amendment and there will not be a fiscal impact to DCFS. We are currently working with the Department of Public Safety (DPS) Division of Emergency Management. We all have disaster plans in place, to varying degrees. They are first reviewing those plans for us and then they will help the State develop an overarching plan. From there they will help us to figure out how to implement low cost, or no cost, exercises to test the plan.

SENATOR CEGAVSKE MOVED TO DO PASS AS AMENDED S.B. 113.

SENATOR KIECKHEFER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HORSFORD:

We will open the hearing on S.B. 423.

SENATE BILL 423: Revises provisions concerning assistance to certain older persons and persons with physical disabilities. (BDR 38-1167)

CAROL SALA (Administrator, Aging and Disability Services Division, Department of Health and Human Services):

Senate Bill 423 makes several housekeeping changes regarding programs administered by the Aging and Disability Services Division and also eliminates the Senior Citizens Property Tax Assistance Program. First, the bill changes the

wording relating to our personal care assistance to persons with disabilities. Currently, the statute provides "financial assistance" and we are changing that to providing "services". That intent is to clarify the statute pertaining to the personal care assistance program.

Second, the bill expands the grounds on which the Division can deny, suspend or revoke a certificate issued to an intermediary service organization. It broadens it from just being able to suspend a certificate based on committing certain crimes against an older person, such as abuse, neglect, exploitation or isolation, and expands it to the conspiracy to commit certain crimes.

Third, the bill clarifies the definitions in statute pertaining to the Senior Rx program. It clarifies the definition of household income and income in relation to the tobacco settlement funds for the Senior Rx program.

Fourth, section 10 of the bill repeals the statutes relating to the Senior Citizens' Property Tax Assistance program, thereby eliminating it. It should be noted that the joint money committees closed the Agency's budget on May 7, 2011, and did not close the budget in accordance with the Governor's recommended budget which included the elimination of the program.

LISA GIANOLI (Washoe County):

I agree with how the budget was closed. The only issue we have is the way this is written the program would not be pushed down to us, it would just be eliminated. We do not want it pushed down to us and we agree with the way it was closed which kept the program in place.

MR. ORTIZ:

I agree with Ms. Gianoli.

CHAIR HORSFORD:

The way this bill is written eliminates the program. The way the budget was closed modified the program and it is not consistent. Would we need to amend and do pass without those provisions?

MR. KRMPOTIC:

That is correct. The end of the bill lists the text of repealed sections, including the Senior Citizens' Property Tax Assistance program account. The way the money committees closed the budget was to opt to continue the program, but

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to provide it to homeowners below the federal poverty level and for the Agency to continue to administer the program. The bill would need to be amended to reflect the changes made by the money committees in closing the budget for the Senior Citizens' Property Tax Assistance program.

CHAIR HORSFORD:

I will accept a motion to amend and do pass S.B. 423, striking out the section dealing with the elimination of the Senior Citizens' Property Tax Assistance program.

MR. KRMPOTIC:

The repealed lines are in section 10, but the leadlines will give you a better idea of the content of those sections. Page 8 continues the list. Section 427A.595 of the NRS, the Senior Citizens' Property Tax Assistance program, is listed on page 8. Staff recommends that an amendment be drawn up and reviewed by the Committee before it gets moved to the floor.

CHAIR HORSFORD:

I will accept a motion to amend and do pass S.B. 423.

SENATOR KIECKHEFER:

Because of the way the budget was closed, we have put some criteria into place as to who would be eligible for the program. Since some of that is in statute, we would have to come up with an amendment to the existing statute instead of just deleting it. We may not want to amend and do pass, but wait for an amendment to come back from Staff.

CHAIR HORSFORD:

We will process it as amend and do pass. The amendment will come back for the Committee to review based on how it was closed.

SENATOR LESLIE MOVED TO AMEND AND DO PASS S.B. 423.

SENATOR KIECKHEFER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

MR. KRMPOTIC:

Senate Bill 244 was referred to the Senate Committee on Finance based on an estimated fiscal impact. The bill was heard on April 29, 2011. It revises provisions governing special license plates and parking placards for persons with disabilities. The bill was do passed out of the Senate Committee on Transportation on April 4, 2011. It provides some enforcement provisions for situations where if a person with a placard is using it inappropriately on an ongoing basis it can be suspended. The Committee received testimony from the Agency that the fiscal impact can be absorbed by the Agency and, furthermore, Staff received an email reiterating the same point from the chair of the Senate Committee on Transportation. Staff sees no other issues related to this bill.

[SENATE BILL 244](#): Revises provisions governing special license plates and parking placards for persons with disabilities. (BDR 43-656)

SENATOR LESLIE MOVED TO DO PASS S.B. 244.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

MR. KRMPOTIC:

Senate Bill 421 was heard on April 27, 2011. This bill removes certain provisions in statute relating to the allocation of tobacco settlement funds which flow through the Healthy Nevada Fund. The bill also eliminates the Trust Fund for Public Health which previously received a 10 percent allocation of tobacco settlement funds. It will, therefore, increase the allocation to the Healthy Nevada Fund from 50 percent to 60 percent, reflecting the repeal of the direction of tobacco settlement proceeds to the Healthy Nevada Fund.

[SENATE BILL 421](#): Revises provisions relating to certain funds. (BDR 40-1170)

Senate Bill 421 also removes certain percentages of distribution to certain programs to which tobacco settlement funds are directed, such as the Senior Rx program, independent living program, programs to improve the health and well-being of persons with disabilities and the Disability Rx program. It requires DHHS to develop a plan every biennium to determine the percentage of available

money in the Healthy Nevada Fund. The DHHS will also need to develop a plan as part of the proposed budget for the distribution of those funds.

There were a couple of amendments that were submitted with this bill. One was from DHHS which clarified the use of funds. The existing language in the bill indicates that "subject to legislative appropriation, allocate, by contract or grant, money for expenditure" of programs and to improve health services for children. The amendment submitted by the Agency added language that stated for programs that improve the health and well-being of children and families. That was to allow the monies in this fund to be used for other purposes that were approved by the money committees in closing the budgets for the Grants Management Unit and other budgets throughout DHHS. That would specifically allow the money to be used for family resource centers, traumatic brain injury, family preservation program and differential response.

Another amendment, submitted by Bruce Arkell, attempted to enhance or emphasize the use of money for the aging. At this point in time, the bill is required to implement a budget decision that has already been approved by the money committees. If the Committee wishes to approve the bill, Staff recommends the amendment submitted by DHHS be incorporated in the bill.

SENATOR LESLIE:

I reviewed the amendment carefully and I like the way Mr. Willden drafted it because it provides sufficient input from the Nevada Commission on Services for Persons With Disabilities and the Nevada Commission on Aging. From a policy perspective, I wanted to make sure we got some parameters to make sure we received community input and I am satisfied this amendment does that.

SENATOR KIECKHEFER MOVED TO AMEND AND DO PASS S.B. 421.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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MR. KRMPOTIC:

Senate Bill 430 revises provisions governing certain child care facilities. This bill essentially implements the budget decision to transfer the Bureau of Services for

Child Care from DCFS to the Health Division. It changes the name of the Bureau to the Health Division throughout different sections of NRS. Staff does not suggest any amendments to the bill and suggests a do pass vote.

[SENATE BILL 430](#): Revises provisions governing certain child care facilities. (BDR 38-1162)

SENATOR LESLIE MOVED TO DO PASS S.B. 430.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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MR. KRMPOTIC:

Senate Bill 441 was heard on April 29, 2011. The bill revises provisions governing kiosks used by the Department of Motor Vehicles (DMV). The bill enables DMV to charge for transactions that are conducted using kiosks. The citizens who use the kiosk would be charged this fee. The budgets for DMV, particularly the director's office, were passed by the money committees and incorporated this concept. It also incorporated authorized revenues that reflect or represent the transaction fees paid to DMV would be used to support the cost of the kiosk program. Staff suggest a do pass vote on this bill.

[SENATE BILL 441](#): Revises provisions governing the processing at self-service terminals or kiosks of certain transactions with the Department of Motor Vehicles. (BDR 43-1184)

SENATOR RHOADS MOVED TO DO PASS S.B. 441.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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MR. KRMPOTIC:

Senate Bill 444 was heard on April 27, 2011. This bill eliminates the Administrative Services Division in DPS and transfers the duties of that Division to the Director's Office account within DPS. This implements a budget decision that the money committees have heard and have passed that consolidates the Administrative Services Division into the Director's Office account. Staff suggests a do pass vote.

SENATE BILL 444: Eliminates the Administrative Services Division of the Department of Public Safety. (BDR 43-1183)

SENATOR DENIS MOVED TO DO PASS S.B. 444.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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MR. KRMPOTIC:

Senate Bill 475 was heard on April 27, 2011. This bill transfers the bicyclist safety program from DPS to the Department of Transportation. The budget decisions to implement this transfer were approved in the money committees closure of the Department of Transportation budget. The money committees closed the bicyclist safety program and also approved the transfer from the DPS end. Staff recommends do pass on this bill.

SENATE BILL 475: Makes various changes relating to transportation. (BDR 35-1193)

SENATOR RHOADS MOVED TO DO PASS S.B. 475.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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MR. KRMPOTIC:

Senate Bill 483 was heard on April 29, 2011. This bill authorizes DMV to enter into certain agreements relating to advertising. The money committees approved the budget with the authorized revenues and expenditures to receive reimbursements from companies that provide advertizing in DMV offices. It allows DMV to pay for the cost of that advertising. Staff recommends a do pass on this bill since that budget decision was approved by the money committees.

[SENATE BILL 483 \(1st Reprint\)](#): Authorizes the Department of Motor Vehicles to enter into certain agreements relating to advertising. (BDR 43-1185)

SENATOR CEGAVSKE MOVED TO DO PASS AS AMENDED S.B. 483.

SENATOR KIECKHEFER SECONDED THE MOTION.

SENATOR PARKS:

The first reprint seems to require a two-thirds vote. Is it being regarded as an increased cost?

MR. KRMPOTIC:

That relates to the fact that it would authorize DMV to collect revenues from the advertising companies. It does not implement any sort of fee or tax. Depending on the agreement that is entered into by DMV, they would collect monies from this company to allow it to put advertising displays in its offices. In addition to certain products or services that are advertised, DMV testified that advertising would also include certain services that are provided by DMV as well, such as operating hours of the office. It is authority to receive revenue and pay for the expenses relating to the program.

SENATOR PARKS:

My concern was why the two-thirds was required, since it is a service versus a fee.

THE MOTION CARRIED UNANIMOUSLY.

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MR. KRMPOTIC:

Senate Bill 484 was heard on April 19, 2011. This bill contains a supplemental appropriation to DPS that was included in the *Executive Budget*. The appropriation was in the amount of \$61,348. It was to be allocated to the DPS' training division to align the allocation of General Funds and Highway Funds in this budget. The DPS cited actions taken by the Twenty-sixth Special Session that eliminated a position. They indicated at that time that the reduction in the General Fund appropriation was overstated in the actions taken by the Twenty-sixth Special Session. Staff has investigated this bill further and the allocation that Staff referenced was a 60:40 split, 40 percent General Fund, 60 percent Highway Fund. It was established about four years ago and carried forward into this biennium on that same basis. Based on the actual training costs performed by the Division, Staff has ascertained an agreement with DPS that the actual allocations from the General Fund appropriation and Highway Fund do not reflect the 60:40 split. Staff does not recommend processing this bill. The Committee may wish to indefinitely postpone this bill.

SENATE BILL 484: Makes a supplemental appropriation to the Department of Public Safety for an unanticipated shortfall in personnel services. (BDR S-1233)

SENATOR KIECKHEFER MOVED TO INDEFINITELY POSTPONE S.B. 484.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HORSFORD:
Seeing no further business, we will adjourn at 7:29 p.m.

RESPECTFULLY SUBMITTED:

Madison Piazza,
Committee Secretary

APPROVED BY:

Senator Steven A. Horsford, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster