

**MINUTES OF THE
JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT
OF THE SENATE COMMITTEE ON FINANCE
AND THE ASSEMBLY COMMITTEE ON WAYS AND MEANS
Seventy-sixth Session
March 10, 2011**

The Joint Subcommittee on General Government of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order by Chair Mo Denis at 8:04 a.m. on Thursday, March 10, 2011, in Room 2134 of the Legislative Building, Carson City, 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.

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator Moises (Mo) Denis, Chair
Senator David R. Parks
Senator Ben Kieckhefer

ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:

Assemblyman Marcus L. Conklin, Chair
Assemblyman Paul Aizley, Vice Chair
Assemblyman Kelvin D. Atkinson
Assemblyman Tom Grady
Assemblyman Randy Kirner
Assemblyman John Ocegüera

SUBCOMMITTEE MEMBERS ABSENT:

Senator Dean A. Rhoads (Excused)

STAFF MEMBERS PRESENT:

Rick Combs, Assembly Fiscal Analyst
Erica Eng, Program Analyst
Rex Goodman, Principal Deputy Fiscal Analyst
Cynthia Clampitt, Committee Secretary

OTHERS PRESENT:

Michael Fischer, D.D.S., Acting Director, Department of Cultural Affairs

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Mark Costa, Administrative Services Officer IV, Department of Cultural Affairs
Steve Woodbury, Chief Deputy Director, Division of Tourism, Commission on
Tourism
Andrew Clinger, Director, Department of Administration
Daphne DeLeon, Administrator, Nevada State Library and Archives, Department
of Cultural Affairs
Peter Barton, Acting Administrator, Division of Museums and History,
Department of Cultural Affairs
Katrina Nielsen, Budget Analyst, Budget Division, Department of Administration
Susan Boskoff, Executive Director, Nevada Arts Council, Department of Cultural
Affairs
Christina Barr, Executive Director, Nevada Humanities, Department of Cultural
Affairs
Ronald M. James, State Historic Preservation Officer, Office of Historic
Preservation, Department of Cultural Affairs
David LaPlante, Senior Vice President, One to One
Clark Demeritt, Holland Project
Emily Orellana, State Poetry Out Loud Champion
Ben Aleck, Collections Manager, Pyramid Lake Museum and Visitors Center
Sue Davis, Educator, Washoe County School District
Stephanie Hartman, Ph.D., State Social Studies Coordinator, Nevada
Department of Education
Martha Damon O'Neill, Grant Project Coordinator, Music and Fine Arts
Department, Washoe County School District
Thomas Fay, Executive Director, Henderson Libraries and the Nevada Library
Association
Nettie Oliverio, Chair, Arts and Culture Commission, City of Reno
Timothy Jones, Chair, Board of the Nevada Arts Council
Ron Allen, Friends of the Nevada State Railroad Museum
Carol Scott, Director, Wild Horse Children's Theater
Phyllis Patton, Library Trustee, Carson City Library Board
Lucy Bowden, Director, Storey County Public Library
Shaun Griffin, Volunteer, Nevada State Prison
Larry Wahrenbrock, Comstock Historic District Commission
Jill Berryman, Executive Director, Sierra Arts Foundation

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CHAIR DENIS:

We will open the hearing for the budgets of the Department of Cultural Affairs (DCA).

MICHAEL FISCHER, D.D.S. (Acting Director, Department of Cultural Affairs):

I have provided the Joint Subcommittee with a booklet titled, "Department of Cultural Affairs, Budget Presentation to the Joint Subcommittee on General Government, State Fiscal Years 2012 and 2013, March 10, 2011" ([Exhibit C](#)).

I will present a brief background as outlined in [Exhibit C](#). This budget is different from the historic budget in that it eliminates DCA, closes the Director's Office and moves the divisions into other departments. Leo Drozdoff, Director, Department of Conservation and Natural Resources (DCNR) is present and Andrew Clinger, Director of the Department of Administration, is expected to arrive soon. A representative from the Commission on Tourism (NCOT), Division of Tourism (NCOT) is also present.

The second paragraph of the statement of purpose reads, "The Department of Cultural Affairs (DCA) is unique in state government because people actively engage its programs and facilities for direct, positive cultural experiences." That is an important statement.

Page 3 of [Exhibit C](#) presents the Department's goals. Until October 1, 2011, the primary goal of the Director's Office and the Department is to implement the plans of the Governor's recommended budget and facilitate and expedite the movement of the various divisions into their new homes. That will be our main focus going forward.

The other goals are historic goals that will remain as divisions are moved into their new homes.

Page 5 of [Exhibit C](#) shows the legislatively approved funding from fiscal year (FY) 2005-2006 through FY 2012-2013. Both the funding and the number of positions over that time have faced constant erosion. The erosion has stabilized because of the movement of divisions into other departments.

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MARK COSTA (Administrative Services Officer IV, Department of Cultural Affairs):
Page 6 of [Exhibit C](#) reflects the legislatively approved positions from FY 2005-2006 through FY 2010-2011. Fiscal year 2011-2012 and FY 2012-2013 show the Governor's *Executive Budget* recommendations.

The *Executive Budget* includes various transfers of funding and assets recommended both in and out of what was formerly DCA. We have adjusted for those changes by retaining credit for positions and funding that are being moved to other departments. We do not wish to overstate the decline in revenue or full-time equivalent (FTE) positions.

With the disbanding of the Director's Office on October 1, 2011, there are still some FTE positions and funding for that office in the FY 2011-2012 budget requests to carry the Office through to its closing. Two positions and associated costs will be transferred to NCOT.

EDUCATION

CULTURAL AFFAIRS

DCA – Cultural Affairs Administration — Budget Page CULTURAL AFFAIRS-1
(Volume I)
Budget Account 101-2892

CHAIR DENIS:
Who selected the positions to be eliminated?

DR. FISCHER:
The two positions were placed in the *Executive Budget* in the manner they have been presented. There are good reasons to retain the positions that will remain. The positions are a public information officer (PIO) and a personnel analyst position.

CHAIR DENIS:
Are there also two information technology (IT) positions recommended for transfer?

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DR. FISCHER:

The IT positions are not recommended for transfer.

The NCOT has been located in one building. When divisions from DCA are added, including its multiple locations across the State, the Nevada Arts Council's multiple locations, three other locations in Carson City and inclusion of all museums, there is a need to discuss the IT positions going forward.

CHAIR DENIS:

The NCOT already has a PIO position. Why would a second PIO position be necessary?

DR. FISCHER:

I believe 90 percent of the work product of the existing PIO in DCA is for the Museums and History and the Arts Council. The two individuals in NCOT have very busy media responsibilities to stimulate visitation to Nevada. The PIO is being transferred, along with 90 percent of her duties. From a workload perspective, a case can be made that it will be symbiotic with NCOT positions and the positions will work well together.

ASSEMBLYMAN CONKLIN:

If a PIO position is being moved, I assume there was some synergy in transferring these particular positions to NCOT. If synergy exists and two individuals are already performing the duties, it seems to be an obvious area where budget savings could be found.

DR. FISCHER:

The workload for the existing PIO in Museums and History will not be eliminated. The PIO position in NCOT already has a busy workload and cannot absorb the additional workload of DCA's PIO without further assistance.

ASSEMBLYMAN CONKLIN:

Previous testimony indicated there would be a need for an IT position going forward. Is that correct?

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DR. FISCHER:

We described what DCA's IT staff has completed within the two divisions that will be transferred to NCOT and explained that to their administration in meetings with both agencies' IT personnel. We determined it would not be possible for the IT staff of NCOT to absorb the additional workload from DCA.

The NCOT has prepared, but not submitted, a budget amendment that would allow them to request an additional computer position. It has not yet been reviewed by the Governor's Office and is not contained within the *Executive Budget*.

CHAIR DENIS:

Will the current PIO position still be responsible for the marketing and Website functions of their present job description?

DR. FISCHER:

I cannot speak to what the delineation of duties will be. It is a process that is in ebb and flow at this time. The position of the individual who had maintained the DCA Website is being eliminated. Given that scenario, that workload will need to be either accepted by the NCOT position or spread out among the PIOs and the NCOT Website individual. However, I cannot speak for NCOT.

MR. COSTA:

The Website managers at NCOT would need to assume the responsibilities of the DCA Website. The DCA's PIO II position currently supervises the Webmaster and oversees the Website advertising and marketing efforts. It is a part of integrated marketing and Website situation.

CHAIR DENIS:

Does the PIO II position oversee or maintain the DCA Website?

MR. COSTA:

That individual oversees the Website and has input into the content of the Website. The Webmaster's duties include more technical responsibilities of the Website.

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CHAIR DENIS:

Is the Webmaster position being retained?

MR. COSTA:

The Webmaster is a program officer II position that is being eliminated.

CHAIR DENIS:

Will there no longer be a DCA programs Website or will NCOT staff assume those functions?

MR. COSTA:

The DCA Website will need to be integrated with the NCOT Website. Part of the larger issue is that the DCA Website has information about all divisions of the DCA and the Director's Office as a whole. If this proposal goes forward, the Websites must be split among the three departments among which the DCA divisions will be reassigned.

CHAIR DENIS:

The Joint Subcommittee is trying to ensure that if these transitions do occur, that Cultural Affairs' Website presence is not lost in the shuffle.

STEVE WOODBURY (Chief Deputy Director, Division of Tourism, Commission on Tourism):

We have a full-time Webmaster and a systems administrator. If our request for an IT technician III position is approved, we would integrate, combine and link the different Websites. We have reviewed the Websites of the Division of Museums and History and the Nevada Arts Council. They appear fairly static and NCOT feels most of the activity surrounding the additional content can be accomplished by NCOT's IT technician III and existing resources.

CHAIR DENIS:

Do you feel the extra PIO officer is an important position to be transferred and will that PIO be coordinating with NCOT's IT staff?

MR. WOODBURY:

I am not sure the PIO position would be involved in the Website functions.

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CHAIR DENIS:

Normally, the PIO officers develop the content that is provided to the Webmasters for inclusion on Websites.

MR. WOODBURY:

The NCOT has compared the functions of the PIO positions for both agencies and found their media relations functions are dissimilar. We are hopeful there will be opportunities for collaboration to strengthen the overall mission.

The NCOT's PIO position works closely with the media, conducts familiarization tours and has a full workload at this time. Although I am not as familiar with DCA's PIO functions, it appears to be related to promotion of museums. At some point, another DCA position was requested but was not filled approved to funding concerns. That indicates their PIO staff also has a full workload. The majority of DCA's PIO functions will move to NCOT because very little of the workload involved the other divisions which are moving to other departments.

CHAIR DENIS:

The Joint Subcommittee has noted a request by NCOT for a new IT position.

MR. WOODBURY:

That request is awaiting approval from the Governor's Office. The Nevada Personnel Department No. 19 form has been completed and everything is in place pending approval.

CHAIR DENIS:

If only one new position is approved, would NCOT rather have the PIO position or the IT position?

MR. WOODBURY:

The functions of those positions are completely different. We need them both. Most of the complexity within DCA is being eliminated. That is why their two IT positions are not needed. The complex hardware will no longer be necessary. However, in support of the added number of users of the Website and remote access locations across the State, the new IT position is necessary. There will be synergies and opportunities to collaborate, but the primary functions are not the same.

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CHAIR DENIS:

Will the positions be physically moved to the Paul Laxalt State Building?

MR. WOODBURY:

That is still to be determined. Currently, there is space for seven additional positions. From the NCOT standpoint, a large cost savings will not result from moving the positions. The Arts Council has space and a long-term lease. The facility was designed and built to suit their needs and we plan for them to remain at their current location.

The Division of Museums and History is in a State-owned building and is not paying rent, so whether they are moved or not is not an issue.

DR. FISCHER:

The two positions the Joint Subcommittee is addressing will move to the Laxalt Building.

MR. WOODBURY:

That is correct.

CHAIR DENIS:

No moving costs and computer costs have been included in the proposed budget. Will that be submitted later?

MR. WOODBURY:

The NCOT already has workstations established that were left when positions were eliminated during the 2009 Legislative Session. The actual moving costs are minimal and could be absorbed by NCOT's budget.

DR. FISCHER:

We will continue with the priority and critical issues section of [Exhibit C](#) (pages 7 through 13). The first item is the new Nevada State Museum at the Las Vegas Springs Preserve (LVSP). There are a number of questions, moving forward. The proposed budget keeps the Lorenzi Park location open and the museum at LVSP unopened. However, DCA has negotiated with individuals at LVSP and are considering all opportunities for cost-sharing that would allow presentation of a special budget item to open the museum.

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That opens another issue with the lease at Lorenzi Park. The lease at Lorenzi Park specifies if the location is not operated as a museum after 90 days, it potentially reverts to the City of Las Vegas. Because of the facility size, additional staffing is needed for the LVSP location. The LVSP budget contains a shift from bond revenue to General Fund allocations to pay utilities and operating costs. There are a number of budgetary issues with LVSP.

ASSEMBLYMAN CONKLIN:

There are savings in this budget account. I am trying to understand what those are. Does DCA consist of five major divisions, Library and Archives, Museums and History, Nevada Arts Council, Historic Preservation and the Comstock District?

DR. FISCHER:

That is correct.

ASSEMBLYMAN CONKLIN:

All those divisions are being moved to new departments. What is the rationale and what is gained by these moves? Was DCA administration consulted in the decision-making process?

DR. FISCHER:

Yes, we were.

ASSEMBLYMAN CONKLIN:

Do you believe there is enough synergy with NCOT that there will be a preservation of the State's museums, history and Arts Council efforts? Can that be preserved in this process?

DR. FISCHER:

Yes; however, when DCA submitted its original budget requests, four museums were going to be closed and the Arts Council funding was to be decreased. By moving those divisions to NCOT, and splitting the revenue stream approximately 50:50 between NCOT and General Fund appropriations, and with admission fees, and private funding for certain positions, no museums will be closed. The Arts Council budget will remain static at approximately a 10 percent reduction. Given the current economic situation, this proposal is better for the divisions.

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The Agency proposal was problematic and diminished the programming and ability to serve the public.

It is a difficult situation for me because I love what I do. It is much like a family who cannot afford to feed all their children. The parent is responsible for finding places where they can be fed, clothed and housed. I believe this budget does that.

ASSEMBLYMAN CONKLIN:

We are discussing the preservation of certain programs. However, those efforts come at a cost and the cost is a reserve, add back or additional expenditure from NCOT's room tax revenue. This is 0.375 percent of the 1 percent room tax which is currently earmarked for NCOT.

We heard testimony at the beginning of this Legislative Session about how effective NCOT is in using those funds to drive traffic to Nevada. There is a serious return on investment surrounding those funds. When they are transferred to the DCA divisions there are potential opportunity costs. Some individuals will not come to Nevada because NCOT did not spend the money to entice them. Is that correct?

MR. WOODBURY:

That is correct.

ASSEMBLYMAN CONKLIN:

What amount of room tax revenue will not be spent on historic NCOT processes?

MR. WOODBURY:

That has not been calculated. There are diminishing returns. The NCOT generates approximately \$31 in revenue return for every \$1 spent through its advertising purchases. In a perfect world, we have 0.375 percent of the 1 percent room tax revenue dedicated to promoting tourism in the State. That is important; however, we are not currently in a perfect world.

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ASSEMBLYMAN CONKLIN:

I am not asking if we are in a perfect world. What is it really costing to move DCA divisions into NCOT? A worthwhile division is being moved and there is a cost associated with moving that revenue. If NCOT were still allocated that amount of revenue, would it be spent?

MR. WOODBURY:

Yes, it would.

ASSEMBLYMAN CONKLIN:

Expenditure of that revenue would yield results. I would guess those results would be largely felt in Clark County, which has one of the highest rates of unemployment in the Nation, and in Washoe County where many tourists typically attend events. I am not stating tourists do not visit the rural areas as well. What are the costs to tourism? How much will our growth in tourism be decreased?

MR. WOODBURY:

The NCOT has a strong return on its investment funding influencing individuals to come to Nevada. However, museums are part of the tourism product. The NCOT sees this merger as having certain positive effects in terms of retaining some of the tourism product. It is difficult to quantify the difference in the revenue directed to support cultural affairs and cultural tourism versus efforts of direct advertising and marketing of Nevada.

ASSEMBLYMAN CONKLIN:

If that analysis has not been done, it was not a part of the decision-making process.

MR. WOODBURY:

It was considered in discussing the pros, cons and benefits. It was not an in-depth comparison of revenue and expenditures. It is easy to determine the additional revenue generated if it were spent on direct-advertising investments. The value of cultural tourism to the overall tourism industry in Nevada has not been deeply analyzed.

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DR. FISCHER:

Although NCOT has a major marketing role in Clark County, the Las Vegas Convention and Visitors Authority, and the Reno-Sparks Convention & Visitors Authority, have larger budgets and more revenue to spend. The most difficult part of the analysis is at what point in time do we saturate the market with funding? For NCOT's room tax revenue, a large portion is spent in rural marketing because those areas do not have similar umbrella organizations. We are doing everything we can with the small amount of revenue available, but the marketing impact in both Clark and Washoe Counties is smaller than the rural impact.

The next priority, shown on page 9 of [Exhibit C](#), is for a records center in southern Nevada. Certain strategic planning items are necessary. We must select a site, and there will eventually be a Capital Improvement Project for the facility. The benefit for the State is that records would not be inefficiently shifted from the south to north.

The State Historic Preservation Office has a significant issue. The Commission on Cultural Affairs bond funding in FY 2009-2010 was diminished. Of the 17 to 20 projects approved, only 3 projects were completed. This has a chilling effect in smaller communities, but it has affected every county in the State.

The loss of the State Register of Historic Places Program is another significant issue.

State museums continue at 0.8 FTE funding. That has resulted in limiting operations to four days a week. Those four-day-a-week schedules mean museums are not open three-days-a-week and tourists cannot visit. That decreases sales tax and transient occupancy tax which has a small revenue effect, but significant effects in rural areas. At 0.8 FTE, the State runs the risk of losing some dedicated employees who have stepped up to the plate over the last two years and worked hard to keep programs and museums open. They are irreplaceable. They come with backgrounds of 20 to 30 years experience.

The Nevada State Library and Archives (NSLA) have diminished General Fund support which has made the maintenance of effort (MOE) decrease. That results

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in a ratable reduction in the Library Services and Technology Act (LSTA) grant. That touches every library system throughout the State.

Collection development reductions were one proposal to balance the budget because we could not withstand further staff reductions. The rural bookmobile program is decreased. Those are significant issues for all libraries and will touch many citizens.

The loss of General Funds will eliminate some services and programs. When your heart does not work as well as it used to, it only pumps so much blood.

CHAIR DENIS:

Are six positions being eliminated in the Director's Office?

DR. FISCHER:

Six positions are being eliminated in the Director's Office and two are being eliminated in the Arts Council.

CHAIR DENIS:

What functions will be lost with the elimination of six positions in the Director's Office?

DR. FISCHER:

My position is eliminated as is Mr. Costa's position. Those are clearly oversight and promotional positions. Mr. Costa's duties include ensuring internal controls are followed.

CHAIR DENIS:

Are those functions being moved elsewhere?

DR. FISCHER:

They were described as being redundant to the movement of the various divisions. The functions will be covered by existing staff in the new accepting departments.

The Webmaster position is eliminated which has already been discussed, as well as an executive assistant.

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The two IT professional positions are also eliminated within the Director's Office.

The Arts Council is losing the cultural resource specialist and an administrative assistant. That means professional individuals will be performing administrative level functions. Those two positions represent 18 percent of the total workforce within the Arts Council. It was the only way the budget could be balanced.

ASSEMBLYMAN CONKLIN:

Are there eight or six total positions being eliminated?

DR. FISCHER:

Six positions will be eliminated within the Director's Office and two in the Arts Council.

MR. COSTA:

Those eight positions are proposed for elimination. There were three filled positions and one vacant imaging and preservation services program position proposed for elimination, but that proposal is being revisited. There are discussions concerning keeping that program open, at least through the biennium, depending on the feasibility of it becoming self-funded.

ASSEMBLYMAN CONKLIN:

Of the eight eliminated positions, are any of those individuals eligible for retirement?

MR. COSTA:

One position is possibly eligible for retirement. She has not yet made her decision. Others could retire with a buyout, but the prepayment penalty for retiring at an earlier age would probably preclude them from doing so.

ASSEMBLYMAN CONKLIN:

In other words, the penalty is not worth the risk for those positions. Of the eight eliminated positions, seven are likely to be unemployed. The State does not pay into unemployment. Somewhere in this budget, or others, are the direct costs for the expected increase in unemployment payments included?

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MR. COSTA:

It is my understanding DOA was addressing that issue separately.

ANDREW CLINGER (Director, Department of Administration):

Unemployment insurance fund calculations are included in the Department of Personnel (DOP) budget. They are calculated every biennia to determine the costs for unemployment over the next two years. The unemployment rates are set using those calculations.

I was not directly involved in the rate setting discussions. Therefore, I am not aware whether the impacts of State position layoffs were discussed.

ASSEMBLYMAN CONKLIN:

Please provide me with that information. This is not the only department that is proposing position eliminations. The number of individuals filing for unemployment will add up throughout all the budgets. If only one-tenth are layoffs, many individuals will add to those costs.

CHAIR DENIS:

Many of these questions will reoccur when individual budgets are heard as well. Please explain the proposal to add authority for interagency transfers which is not included in the *Executive Budget*.

DR. FISCHER:

That is specific to decreasing the need to appear before the Interim Finance Committee (IFC) to move funds from one budget account to another.

MR. COSTA:

This provision was identified to avoid applications for allocations from the Contingency Fund. Particularly in the larger divisions, a specific budget account may run short of funding or revenue through a change in the economy or additional, unanticipated costs. There have been cases where funds are available in one budget account within the same division that could be utilized in another budget needing additional funds. That would only be done with the approval and review of the Budget Division.

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A primary example is the Nevada State Museum in Carson City. A glass annex was added to the complex which resulted in increased utility costs. The DCA applied to the Contingency Fund to cover the additional expenses. It is likely we will need to appear before IFC to request an allocation from the Contingency Fund for that same issue and perhaps other issues as well.

With approval or oversight by the Budget Division, if the DCA divisions had the flexibility to move funding among budget accounts within the same division these funding shortfalls could be addressed internally.

CHAIR DENIS:

That request was included in the 2011-2013 agency request budget, but the provision is not included in the *Executive Budget*. Does that provision need to be added to the *Executive Budget*?

MR. COSTA:

I was told this stipulation is contained within the General Appropriations Act allowing departments or divisions to move funding where needed. The Welfare and Supportive Services Division is one that is currently authorized for that provision. I recommend the agencies to which the DCA divisions will be moved be granted that capability. It is particularly needed for the Division of Museums and History.

DR. FISCHER:

Pages 14 through 45 of [Exhibit C](#) list specific decision unit items contained in the various DCA budgets. Those will be discussed in the division budget presentations.

Two items in the Director's Office have not yet been discussed. A number of services or products will be transferred to the accepting divisions, providing the DCA staff with furnishing and other needs.

The Nevada Humanities budget, which had been under the Director's Office budget, will be transferred to the Arts Council.

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CHAIR DENIS:

We will now close the hearing on B/A 101-2892 and open the hearing on B/A 101-2891, Administration, NSLA.

Administration – NSLA – Nevada State Library — Budget Page ADMIN-188
(Volume I)
Budget Account 101-2891

DAPHNE DELEON (Administrator, Nevada State Library and Archives, Department of Cultural Affairs):

Pages 53 through 66 of [Exhibit C](#) contain the presentation of the NSLA budget. The NSLA is unique in that it has both an internal mission to ensure that State government runs efficiently and an external mission through its work with the State Council on Libraries and Literacy and the State Records Committee to ensure the public has access to all government actions.

I will address each budget highlight. Because NSLA was directed to prepare a budget including a 10 percent budget reduction, and many staffing reductions have occurred since 2007, NSLA elected to shrink its footprint in Carson City. We are reducing approximately one-third of our space in the NSLA building and condensing our offices to the north end of the building. The public floors will be preserved for the research collections of NSLA. Those requests are found in enhancement decision unit E-600.

E-600 Budget Reductions — Page ADMIN-191

CHAIR DENIS:

Will the transfer of the NSLA Division to the DOA and space consolidation affect services?

Ms. DELEON:

Those actions will not affect the NSLA services. The physical consolidation was planned before the consolidation with the DOA was considered.

CHAIR DENIS:

How will the moving costs be funded?

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Ms. DELEON:

We propose to condense our space prior to May 1, 2011. The Division of Buildings and Grounds has agreed to credit NSLA's rent for the last two months of FY 2010-2011. Those funds will be utilized to accomplish the physical move.

CHAIR DENIS:

What would happen if the proposed building consolidation in the *Executive Budget* is not approved by the Legislature?

Ms. DELEON:

That would create budgetary problems for NSLA.

CHAIR DENIS:

The NSLA move would occur before the 2011-2013 budget process is completed.

Ms. DELEON:

This was the only manner in which NSLA could see to accomplish the move. The proposed move is a part of the Governor's budget recommendations. If the Legislature's decision is different, budgetary adjustments would be necessary.

MR. CLINGER:

If the consolidations of the departments are not approved, the physical moves of the agencies still make sense. The north end of the NSLA building would be vacant.

Ms. DELEON:

The next decision unit is E-660, the proposed reduction in collection development funds. Collection development revenue is State funding that is distributed through a formula to all public library districts in the State. The formula is established within *Nevada Revised Statutes* (NRS). This funding helps each of the public libraries ensure their collections are relevant and up-to-date for their constituencies. Especially in these times of economic recession and stress, more Nevada residents are using the services of their libraries. Visitation statistics have risen consistently from 2007. This is one of the reasons the NSLA's Broadband competitive application to the U.S. Department of Commerce was funded. There is a definite need for materials and public computer access.

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E-660 Program Reductions/Reductions to Services — Page ADMIN-191

The reductions have ramifications for LSTA funding. The LSTA funding is an annual award from the Institute of Museums and Library Services. The NSLA distributes those funds as pass-through funding to all libraries, both public and private in the State, through a competitive grant process each year.

There are two annual requirements for eligibility. A full award requires a 66 percent State match of the total funds awarded. The second requirement is MOE. The MOE consists strictly of the State-funded activities of NSLA which have traditionally been funded in B/A 101-2891 and B/A 101-2893. That consists of an average of the last three years of funding. Because there was a large budget reduction beginning in 2007, NSLA has fallen below the MOE requirements. In December 2010, when we reported NSLA was below its MOE requirement, we were required to submit a waiver request. The waiver was not approved at the federal level. Therefore, the LSTA award will likely be reduced once the federal budget for federal fiscal year 2010-2011 is approved.

CHAIR DENIS:

In my first term as a Legislator, I sponsored a bill for about \$2.1 million in matching LSTA funding. Now we are talking about funding of \$198,900. That is a big difference. That represents a lot of books, especially for children. What MOE threshold would be needed to avoid a waiver request? If a waiver is not approved, how much will be lost under the proposed reductions because MOE was not met?

MS. DELEON:

Our projections for the December 2011 report are that we would be under the MOE cap by approximately \$300,000. That is a difference of approximately 17.5 percent. The award would be reduced accordingly.

CHAIR DENIS:

What amount of award will be lost?

MS. DELEON:

The award reduction is projected to be \$265,000.

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CHAIR DENIS:

If the Legislature approves a \$300,000 allocation, does that mean the State would receive an additional \$265,000 in the annual award?

Ms. DELEON:

It is a little more complicated than that. Match is calculated on expenditures in collection development and bookmobile services. It is a situation of "you make it or you don't." If we fall under match there will be no award at all. With the proposed reductions, Nevada is getting close to not making match in FY 2011-2012. If we do not reach that level, no award will be received. The MOE includes salaries and operating funds in the Base Budget, category 4 under B/A 101-2891. It is not a dollar-for-dollar match. The salary ratio is \$2 of State funding with \$1 of federal funding. The operating ratio is \$3 for the State's portion and \$1 in federal funding.

CHAIR DENIS:

If greater State funding is approved, will the federal amount increase? If we drop below the MOE, does Nevada receive no funding unless a waiver is approved?

Ms. DELEON:

The match requirement must be met to qualify for any amount of award.

CHAIR DENIS:

Do the current budget requests allow Nevada to qualify for an award?

Ms. DELEON:

Based on projections, Nevada will meet the match within 2 percent of the minimum. The federal level award is based on a base population. We do know exactly what our award will be. The match is based on 34 percent of the total award amount. The award may vary. We must be careful we do not get too close to the minimum LSTA match in our projections.

CHAIR DENIS:

Is Nevada at the minimum with current budget requests?

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Ms. DELEON:

That is correct. Even without the minimum requirement, the impact this reduction has made, and will continue to make to the public libraries, is significant.

In terms of circulation, usage needs for collection materials, including e-books and electronic media, are continuing to increase according to library statistics. As Nevada's unemployment rate continues to soar, individuals are turning toward public libraries for resources.

The funding allocated to each library district is leveraged to meet match requirements.

CHAIR DENIS:

So, not only do local libraries receive State money, but each library can individually use that to leverage additional funding?

Ms. DELEON:

For internal leveraging of funds, each public library must be eligible for State or federal funding from NSLA. One criterion for local libraries is that 10 percent of their budget needs to be spent on collection development in order for them to receive a State grant.

CHAIR DENIS:

Which libraries are the most impacted with the collection development reductions? Are the rural libraries impacted more than the urban areas?

Ms. DELEON:

It is hard to say, because we do not know the individual needs of every public library. The rural libraries have far more shallow budgets to work with, so they feel the impact slightly more when collection development funds are decreased.

One of the library directors in a rural area close to Carson City has told me that if collection development funds are reduced as proposed, that library will have hardly any funding to purchase the materials its patrons are likely to request in the next biennium.

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CHAIR DENIS:

All education budget discussions must include discussions on literacy. My biggest concern is there are many individuals in Nevada who cannot go to a book store and buy a book. If we want them to read, they must have access to libraries, but library budgets are being decreased. Libraries have already needed to decrease their hours. Therefore, by the time families arrive home from work and have dinner most libraries are already closed for the day. The local libraries are also suffering in getting additional books.

Sacrifices must be made, but at what cost? If we are able to obtain additional funding for this, I know it will go directly to purchase more materials.

ASSEMBLYMAN AIZLEY:

What is NSLA's experience with large print and talking books? Has there been an increase in those requests due to the aging population?

MS. DELEON:

The talking books program is housed at NSLA and serves the statewide population. Statistics indicate the number of patrons is flat because there are as many individuals added to the aging population as leave the program in the same year. There is a move to e-books versus books on cassette. The talking book program is currently meeting statewide needs. I do not have the large print book section statistics at this time.

The next decision unit is E-662 in B/A 101-2891, a proposed reduction to the rural bookmobile funding.

E-662 Program Reductions/Reductions to Services — Page ADMIN-192

The NSLA program provides funding to the rural bookmobile in Elko, Lander, Humboldt, Lincoln and Eureka Counties and a portion of White Pine County. The funding is distributed through an established formula. It was increased a few years ago due to rising fuel costs. The impact of this reduction is significant. It could potentially limit or eliminate rural Nevada's access to library services.

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The NSLA requested the library directors who receive this funding to ask their patrons to comment on the impact these bookmobile services. I have several quotes from those sources.

In Winnemucca, many of their patrons for the bookmobiles come from ranching families. In fact, two ranching family brothers who had used the services have become successful. One brother is the Justice Court Judge in Winnemucca and the other is the managing editor for the Center for Basque Studies at the University of Nevada, Reno (UNR). They both cite access to the bookmobile services in their youth as one of the factors in their success.

In Elko County, a first-grade teacher had advocated to her school district for high school and middle school teachers to encourage their students to utilize bookmobile services.

Another patron from the same area said if the bookmobile did not serve that area she would have to drive 100 miles to access library services.

ASSEMBLYMAN AIZLEY:

Are the bookmobiles equipped with Wi-Fi access so the local patrons have access to government documents they can complete online?

Ms. DELEON:

I will provide that information to the Joint Subcommittee.

CHAIR DENIS:

Where are the bookmobile services used?

Ms. DELEON:

I have a listing of the bookmobile stops that I will provide to the Joint Subcommittee members.

CHAIR DENIS:

Are there match requirements for bookmobile funding?

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Ms. DELEON:

Bookmobile funding is a part of match because each of the public libraries must meet all of their minimum public library standard criteria to be eligible for State funding to. It would include the 10 percent collection development match.

Even though significant decision units such as E-600 affect all the NSLA programs, there are one or two decision units in the other budgets that are also going to be significant.

The first is decision unit E-905 in B/A 101-2891 is the transfer of library funds into the NSLA from the Department of Education (DOE). This is an existing program encompassing the Statewide Library Database funding. It allows NSLA to negotiate at a greatly reduced rate for access to statewide databases. It is a licensed contract available to academic and special libraries throughout the State. This has traditionally been funded by a sub-grant from DOE. The proposal is to streamline this workflow and place the funding into the NSLA budget.

E-905 Transfer from Library Funds to Library & Archives — Page ADMIN-195

CHAIR DENIS:

This proposal was heard before the Commission on Education Technology. It allows a statewide license. Who is using the database?

Ms. DELEON:

Each of the schools and public libraries access and add input to the core set of databases. The NSLA is developing a report showing the per capita usage across the State and a listing of the specific databases that have been purchased in the 2009-2011 biennium. I will provide that information for the Joint Subcommittee members.

CHAIR DENIS:

That will be good information to have. Does the license allow access to the databases by every individual in the State?

The databases can be accessed from library or academic sites. If an individual gains access at a school, they can then go to any library later and access the same information.

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The Database program was originally under DOE because education funding was allocated for that purpose. If the funds are moved, they will no longer be under the auspices of education. Does the Governor's budget include provisions to allow NSLA to use the allocation of \$421,165 in each year of the biennium?

MS. DELEON:

The language specifies any unexpended funding in the first year of the biennium will roll to the second year for expenditure.

CHAIR DENIS:

Our staff indicates there is no provision in the budget for that purpose.

MS. DELEON:

Decision unit E-905 states, "This funding will also allow for the balance forward of remaining funding from State FY 2011-2012 to State FY 2012-2013 to be expended over the biennium."

CHAIR DENIS:

Does that provision need to be included in the Appropriations Act?

MR. COSTA:

That provision could be made. There is not currently a line item for this grant in the budget. If funding remains from the grant, we would submit a work program, as was our previous practice, to add the line item into the FY 2011-2012 budget.

CHAIR DENIS:

We are discussing an allocation from the General Fund which does not follow that practice. The provision will be needed in the Appropriations Act.

The funding from DOE is utilized in part to qualify for LSTA grants. Would the NSLA still meet match requirements without the DOE funds?

MS. DELEON:

If NSLA were not to receive any funding for the statewide database program, we would be in danger of not making the LSTA match requirement.

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CHAIR DENIS:
Please explain the content of these databases.

MS. DELEON:
The databases are selected from a request for proposal process. They are used for general periodical materials and kindergarten through Grade 12 (K-12) curricula materials. The K-12 curriculum is used in school libraries and public libraries. Many of the students go to libraries after their school day to do their homework or to continue their learning process.

The general periodicals are also used by the public libraries for their patrons and by academics for undergraduate classes. Both are supplemented by purchases at individual institutions. The statewide license allows all these Nevadans to have access to the licensed content without their institutions having to pay directly for the services.

CHAIR DENIS:
Is a greater percentage being used by the school districts than the libraries?

MS. DELEON:
That is difficult to determine because many libraries offer the databases and homework assistance. In other words, students access the same databases from school and their local libraries.

CHAIR DENIS:
Funding is proposed to move from the education budget to the NSLA budget. From a budget standpoint, that is simply a movement of funds, but the overall picture means we are taking funding away from education. More importantly, when reports on education funding in Nevada are generated, this would appear as a further funding reduction from education.

MS. DELEON:
The next two decision units, E- 805 and E-911, propose the transfer of NSLA to Administrative Services and transfer of two fiscal positions from NSLA as a result of the consolidation into the DOA.

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E-911 Transfer from NSLA to Admin Svcs — Page ADMIN-196

One method to achieve efficiencies with the proposed consolidation of NSLA and the DOA is to centralize the provision of fiscal services. Therefore, the two fiscal positions in NSLA, an administrative services officer I (ASO) and the account technician II, would be transferred to the Administrative Services Division of DOA and the centralized unit would provide fiscal support to agencies under DOA. Once the transfer is complete, the ASO I will be reclassified to a budget analyst.

CHAIR DENIS:

Does this include a physical move of locations?

Ms. DELEON:

The two staff will physically move from the NSLA facility to the Blasdel Building.

CHAIR DENIS:

What are the moving costs for that portion of the proposal?

Ms. DELEON:

I do not have the specific moving costs. However, the overall consolidation which includes moving costs, projects to save approximately \$1.8 million. This is not just NSLA's consolidation, but the entire consolidation under DOA.

CHAIR DENIS:

Does the transfer include any travel, contract or operating costs associated with the two positions?

Ms. DELEON:

Assessments will be transferred with the positions. These positions do not traditionally travel. They are internal support positions.

CHAIR DENIS:

Will the two positions retain the same fiscal oversight for the remaining NSLA accounts?

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Ms. DELEON:

Our understanding is, because these positions will be moved into a fiscal pool within DOA, the need is for a budget analyst function rather than an ASO. The fiscal accounting functions of NSLA will be distributed among the appropriate staff within the pool.

CHAIR DENIS:

Will the transferred positions be assigned additional duties?

Ms. DELEON:

I am unsure how duties will be split.

Mr. CLINGER:

As part of the consolidation of all agencies to DOA, the most cost savings was achieved in fiscal services changes. As part of the consolidation, certain positions were eliminated where there was overlap and duplication of effort. I cannot speak to the reassignments at this time. There will be a reorganization of DOA, Administrative Services Division. That administrator has been working on the details. I will provide specific duty alignments at a later time.

SENATOR KIECKHEFER:

Regarding the \$3 million one-shot appropriation request for Broadband service, I understand there are large costs to initialize the infrastructure to provide those services. What will the NSLA receive for the \$3 million expenditure?

Ms. DELEON:

The Broadband Task Force and Connect Nevada have had initial discussions of the expenditure of funds to enhance Broadband infrastructure in the rural counties. It is focusing on the last-mile piece of the plan, knowing the middle-mile piece of laying the fiber optics is expensive and cannot be done at this time. This is a point of leverage in coordination with other federal awardees in the next 36 months which may fund the fiber optic nodes and Nevada would add a last-mile connection for a relatively small amount of funds.

Pages 64 through 66 of [Exhibit C](#) list the accomplishments and challenges of the NSLA. The credit for accomplishments is due to my staff; their abilities and their commitment to their mission. The challenges going forward will grow with

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the need for NSLA to manage government's further transition to the electronic age.

CHAIR DENIS:

We will now close the hearing on B/A 101-2891 and open the hearing on B/A 101-1052, Archives and Records.

Administration – NSLA – Archives and Records — Budget Page ADMIN-199
(Volume I)
Budget Account 101-1052

Explain which positions are currently performing the duties of the vacant State archives manager position. Why does NSLA need that position if the agency has managed for more than one and one-half years without the position?

MS. DELEON:

Currently, the State archives manager position duties are partially filled by the assistant administrator for Archives and Records. Those duties do not include the full scope of the position because staffing resources are not available.

One challenge moving forward is to ensure the electronic records for government agencies are preserved and made accessible to the same extent as printed records. The State archives manager is needed as the point person on a daily basis to manage the digital preservation initiatives.

We have maintained functions through back-filling the position, but if we want to truly manage e-records preservation and access, this manager position must be filled.

CHAIR DENIS:

We will now close the hearing on B/A 101-1052 and open the hearing on B/A 101-2893.

MS. DELEON:

The program was eliminated on July 1, 2010, as a result of Assembly Bill (A.B.) No. 6 of the 26th Special Session.

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ASSEMBLYMAN CONKLIN:

Which staff in the NSLA account will be supporting the reading and clearinghouse programs?

Ms. DELEON:

When B/A 101-2893 was eliminated, the administrative assistant position responsible for program support was transferred to B/A 101-2891. She will continue to support literacy services in conjunction with the assistant administrator for Library and Development Services.

ASSEMBLYMAN CONKLIN:

Do grant funds in the NSLA account support any activities previously provided by the Literacy Program?

Ms. DELEON:

Yes, it does. Not all of previously supported programs have been continued. Financial and Health Literacy has been discontinued. The focus has been on Family Literacy and Reading Literacy. These include the statewide reading programs, El Día De Los Niños and Nevada Reading Week.

ASSEMBLYMAN CONKLIN:

Are any of the grants at risk from these transfers?

Ms. DELEON:

The LSTA grants are not at risk with this action.

CHAIR DENIS:

Literacy discussions are being held in the Senate and Assembly Education Committees. Do the literacy programs also assist adults?

Ms. DELEON:

There have been studies that indicate school-age children who participate in summer reading programs have markedly increased percentages of retention when they enter the next school year.

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CHAIR DENIS:

We will now close the hearing on B/A 101-2893 and open the hearing on B/A 101-1055, Micrographics and Imaging.

Administration – NSLA – Micrographics and Imaging — Budget Page
ADMIN-213 (Volume I)
Budget Account 101-1055

MS. DELEON:

Micrographics and Imaging (MIP) is also known as Imaging and Preservation Services. The original recommendation was to close that program and require agencies to utilize an outside vendor to provide their record conversion services. Since that time, agencies have provided information concerning their needs, the costs in staff time and security issues. That is causing the discussion of MIP's elimination to be revisited with the Budget Division to determine if options are available to continue the program at minimum levels over the next biennium.

MR. CLINGER:

A meeting was held on March 9, 2011; based on the recommendation included in the *Executive Budget*, several State agencies came forward with additional cost concerns. Those included DOP, the Division of Parole and Probation and Department of Public Safety. Based on agency needs, a conclusion was reached that MIP needs to remain open. The current billing method will not generate sufficient funding during the 2011-2013 biennium.

We are exploring a cost allocation for the agency's billing methodology to ensure billing is done up front. We will provide further information to the Joint Subcommittee as soon as possible.

CHAIR DENIS:

The sooner we receive that information, the sooner we can close these budgets. That changes our questions about this account which were based on the closure of MIP.

We will now close the hearing on B/A 101-1055 and open the hearing on B/A 101-2941.

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COMMERCE AND INDUSTRY

ECONOMIC DEVELOPMENT AND TOURISM

Tourism – Museums & History — Budget Page ECON DEV & TOURISM-48
(Volume II)
Budget Account 101-2941

PETER BARTON (Acting Administrator, Division of Museums and History,
Department of Cultural Affairs):

Today is Museum Education Day at the Legislature. There are displays at locations in both Houses of the Legislature. Abe Curry's gold pocket watch and the third oldest pair of footwear known to exist in the world are on display.

Pages 67 through 70 of [Exhibit C](#) contain the Division's mission and strategic priority statements.

The Division is proposed to move under NCOT. I see that as a positive outcome. The agency budget request had considered closure of four museums across the State. The alignment with NCOT, for the first time, allows a tourism product to be aligned with the entity that conducts its marketing efforts.

Staffing levels at museums are proposed to be static through the next biennium. Services were reduced from seven-day-a-week to four-day-a-week services in the 2009-2011 biennium. That is a 43 percent reduction in public service hours. A consequence of that action is a 28 percent reduction in attendance at museums statewide. Complaints are received regularly from the public regarding trips planned to museums, only to find the museum closed. Some of those individuals will likely never return.

The *Executive Budget* keeps the new 70,000-square-foot museum at the Las Vegas Springs Preserve closed through the next biennium. The last phase of construction is approximately 85 percent complete. That phase is the fabrication and installation of the permanent exhibits. We expect that phase to be completed in the next 60 to 90 days.

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The administrative budget for this Division is B/A 101-2941. The four staff in the Division administrator's office would all migrate to NCOT. The ASO II position will be reclassified as a budget analyst II. The Division and NCOT are working together on the impacts of that change concerning internal controls of fiscal and budget management and workflows.

CHAIR DENIS:

Six positions are proposed to move from the agency-owned Museum and History Administrative Building to the Laxalt Building. What becomes of the agency-owned Museum and History Building?

MR. BARTON:

This is currently being addressed with NCOT. There is a possibility that *Nevada Magazine* would be redeployed into the agency-owned building or it is possible the six staff would remain in the agency-owned facility. No final decision has been made. It is a cost- and revenue-neutral decision. Both buildings are owned by the State.

CHAIR DENIS:

What about the relocation costs?

MR. BARTON:

The Budget Division has placed \$2,000 for relocation costs in B/A 101-2941 for FY 2011-2012. Those may or may not be necessary. The intent is to make the move using our own personnel and vehicles.

CHAIR DENIS:

If the positions are not physically moved, please explain the supervision procedure.

MR. BARTON:

Supervision should not be an issue because the Laxalt Building is close enough so staff can travel across the street to hold meetings as needed. Current supervision is successful for seven remotely located museums.

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CHAIR DENIS:

Will the Museums and History and Arts Council division administrators retain their current titles?

MR. BARTON:

I am not aware of any change in those titles.

CHAIR DENIS:

Will the two divisions remain as divisions of NCOT?

MR. BARTON:

That is the plan.

ASSEMBLYMAN CONKLIN:

Approximately \$820,000 in allocations are spread throughout all budget accounts for museums. Are those General Fund allocations or total budget funding sources?

CHAIR DENIS:

Those are the Museum Dedicated Trust Funds.

ASSEMBLYMAN CONKLIN:

There are many museums, but we are making decisions about where funding should be allocated. Education budget accounts have been reduced by more than \$660 million. I am looking for places to find additional money to fund future education in Nevada.

Did the administration consider mothballing certain entities until better economic times and placing more funds into education?

DR. FISCHER:

Nevada's Museums are an important component of education. Nevada History is no longer a specific subject in schools except in certain years. Provisions for numerous school tours and educational outreach institutions are contained in museums' budgets. In addition, the Agency generates money for the State through cultural tourism which will be enhanced by the transfer under NCOT. That will ultimately increase sales tax and room tax collections. This Division is

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important to education and would be the wrong budget to reduce further funding.

ASSEMBLYMAN CONKLIN:

I am not suggesting Museums and History are not important. With about \$660 million in reduced education funding, will our schools have the ability to send students to the museums? At some point in the budget process the Legislature will need to narrow or redefine exactly what is important because budgets are being reduced "beyond thin."

ASSEMBLYMAN AIZLEY:

Is the Division familiar with the development of the Ice Age Museum in southern Nevada?

MR. BARTON:

I have not yet heard of that museum.

DR. FISCHER:

We have worked with the Mortenson family and tried to support their efforts. If the family can find funding, a time will come when they showcase the mastodon in the foyer of the Clark County Building. We work with all museums in the State, regardless of whether they are private or public entities. The Ice Age Museum is a significant paleontological site.

ASSEMBLYMAN AIZLEY:

That could bring many tourists to Nevada.

DR. FISCHER:

Absolutely, cultural tourism is the reason people will come to Nevada. There is stiff competition on our borders and we must be aware of all opportunities to draw more visitors into Nevada. The NCOT has statistics that show the numbers of visitors who go to museums also participate in the gaming industry.

ASSEMBLYMAN CONKLIN:

Please provide the Joint Subcommittee with statistics on the number of out-of-state tourists that visit Nevada museums and in which locations they visit.

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DR. FISCHER:

Those statistics are an internal NCOT process. They have collected certain data. I am sure NCOT will provide those statistics.

CHAIR DENIS:

What was the rationale used to determine 50 percent of the General Fund needs in the museum accounts should be funded by room tax revenues? Why is that appropriate?

KATRINA NIELSEN (Budget Analyst, Budget Division, Department of Administration):

The Division considered the amount of funding necessary to restore museum operations. Four museums were to be closed under the Agency request budget. We determined that it would take approximately 50 percent General Fund allocations and 50 percent from tourism funding to restore those museums.

CHAIR DENIS:

Please explain the salary restorations to the 0.8 FTE staff and not to other part-time staff of the Museums and History Division. Five percent salary reductions have been applied throughout State budgets, but in this Division there is a restoration that applies only to the 0.8 FTE positions.

MR. COSTA:

That was a mechanism of funding for the staff in all museums who are working 80 percent or 32 hours a week. We did not want to impose an additional 5 percent salary reduction on those staff members. This was a hold-harmless mechanism.

CHAIR DENIS:

Is there an equity problem between the 0.8 FTE staff and the other part-time staff who will receive a 5 percent salary reduction?

MR. BARTON:

There is one employee who is authorized as a full-time employee. It is a privately-funded position at the Nevada State Railroad Museum. That person is only working 0.8 FTE because the Museum is only open four days a week. There is no inequity.

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CHAIR DENIS:

Is there a more recent analysis of the shortfall in admission fee revenues? Please provide our Staff with a statement of anticipated revenues for the Museum Dedicated Trust Fund and expenditures for the upcoming biennium as required by NRS 381.0033.

MR. BARTON:

We will provide that information to your staff. The Trust Fund budgets are prepared annually. We are now commencing the FY 2011-2012 budgets and they will be acted upon by the Board of Museums and History in June 2011. We will provide the interim projections.

We have a recent report resulting from A.B. 6 of the 26th Special Session. Section 6 of the bill reduced General Fund appropriations by \$195,000 for the Museums and History Division in FY 2010-2011. The Board has statutory authority to set rates for admissions and train ride fees. The same day the Governor signed the Legislation, the Board moved to raise the admission rates and train ride fees in most locations by a factor of 25 percent to 50 percent. The recent analysis anticipates a shortfall of \$151,000 in those fees for the current fiscal year.

CHAIR DENIS:

Do the Museum Dedicated Trust Fund accounts contain sufficient revenue over the biennium to provide the transfer of \$820,314 to the museum accounts?

MR. COSTA:

We have identified amounts for which the private trust funds have been overcommitted to museums by \$30,770 in FY 2011-2012 and by \$22,213 in FY 2012-2013. Those amounts are a concern. Otherwise, budgets as proposed for those funds in the *Executive Budget* should be covered.

CHAIR DENIS:

If the total revenue of \$820,314 is not met, additional General Funds will be needed.

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MR. COSTA:

We have discussed methods to cover the gap in funding. Expenses from category 4 and other expenditure line items that were not previously funded from the Trust Fund that are now included in the *Executive Budget* as being funded from the Trust Fund.

That is an unresolved issue.

CHAIR DENIS:

Please provide our Staff with a report of which categories have an anticipated revenue shortfall.

MR. COSTA:

We will provide the information to your Staff.

CHAIR DENIS:

How were the Trust Fund transfers determined? Specifically, identify the rationale for the greater-than-100 percent increase in transfers to the Lost City Museum and the Nevada State Museum in Las Vegas.

DR. FISCHER:

Meetings are being held with the Budget Division and the Governor's Office in an attempt to resolve how that situation will be addressed.

CHAIR DENIS:

Provide information on the progress or resolution to our Staff.

We will close the hearing on B/A 101-2941 and open the hearing on B/A 101-1350, Lost City Museum. Please discuss how the proposed organizational changes will affect this museum.

Tourism – Museums & Hist – Lost City Museum — Budget Page ECON DEV &
TOURISM-53 (Volume II)
Budget Account 101-1350

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MR. BARTON:

The proposed organizational changes should have no impact on any of the museums in various locations. The administration will still have the same organizational structure.

CHAIR DENIS:

We will now close the hearing on B/A 101-1350 and open the hearing on B/A 101-2870, the Nevada Historical Society.

Tourism – Museums & Hist – Nevada Historical Society — Budget Page ECON
DEV & TOURISM-59 (Volume II)
Budget Account 101-2870

Why does the vacant curator III position need to be filled, if the position has been vacant for one and one-half years?

MR. BARTON:

Action to fill the position was suspended when the Agency was preparing its budgets and it appeared the Nevada Historical Society might be forced to close. When the Appropriations Act is passed, if the facility remains open, the position will be filled. A curator I staff member is serving as acting director and filling in for the vacant curator III duties. We have experienced a growing backlog of unanswered research requests because of the vacant position.

CHAIR DENIS:

We will now close the hearing on B/A 101-2870 and open the hearing on B/A 101-2940.

Tourism – Museums & Hist – Nevada State Museum, CC — Budget Page ECON
DEV & TOURISM-64 (Volume II)
Budget Account 101-2940

There are no questions for B/A 101-2940, the Nevada State Museum in Carson City.

We will now open the hearing on B/A 101-2943, the Nevada State Museum in Las Vegas.

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Tourism – Museums & Hist – Nevada State Museum LV, — Budget Page ECON
DEV & TOURISM-70 (Volume II)
Budget Account 101-2943

Please explain the current plans for use of the Lorenzi Park facility if the LVSP Museum were to open.

DR. FISCHER:

There is a potential that the LVSP Museum will open although the *Executive Budget* does not include opening that facility. Our intent is to enter into discussions with the City of Las Vegas to determine the potential for joint usage or another use for the Lorenzi Park facility. The lease contains a clause specifying if the facility is not being used as a museum for a 90-day period, the property reverts to the City of Las Vegas. Those discussions will go forward to discern if a mutually acceptable decision can be reached.

MR. BARTON:

If we deployed to the LVSP Museum, there is no budget provision for other than abandoning the facility.

CHAIR DENIS:

When is the anticipated LVSP opening?

MR. BARTON:

We are exploring options that would allow the new museum to open and have a public benefit. It is possible it could open in late summer 2011. We are performing an analysis based on an opening of September 1, 2011. The building will be ready to accommodate visitors at that time. We are discussing innovative partnerships and shared services with the Las Vegas Valley Water District that would enable opening the new facility on a limited basis.

CHAIR DENIS:

Have any funds been budgeted for that purpose?

MR. BARTON:

There is a working decision unit which we continue to update. However, no funding is included in the *Executive Budget*.

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CHAIR DENIS:

What happens if you are unable to open the facility?

MR. BARTON:

That creates a serious problem. Many of the artifacts in the existing museum are being redeployed into new exhibits at the LVSP Museum. That work is under way at this time. The existing Lorenzi Park Museum is having decreasing attractiveness and less public benefit. The ability to renew the Lorenzi Park exhibits is limited at this time.

CHAIR DENIS:

Are fee revenues decreasing at Lorenzi Park because it is becoming a less attractive facility?

MR. BARTON:

That is true. Also, our ability to host school groups is less effective as museum tours are diminishing.

CHAIR DENIS:

It was mentioned that events are being held at the LVSP facility. Has that generated any fee revenue?

MR. BARTON:

We met this week with DOA and will provide supplemental information concerning what we believe the revenue stream may be during the upcoming biennium.

CHAIR DENIS:

Are weddings or other events being held at the LVSP facility?

MR. BARTON:

A couple of weddings have been held there as well as a few other events. It is an attractive venue for those functions.

CHAIR DENIS:

Could we anticipate future revenues from that source?

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MR. BARTON:

Some revenue can be anticipated from that source.

CHAIR DENIS:

Please meet with our Staff concerning activities and plans for those facilities.

MR. BARTON:

We will provide the information.

CHAIR DENIS:

Is a new revenue ledger needed to reflect the special event revenue from that facility?

MR. BARTON:

Yes, a new ledger would be necessary.

CHAIR DENIS:

How will the organizational changes affect the Nevada State Museum in Las Vegas?

MR. BARTON:

The Division will continue to operate as it has in the past. I foresee no particular changes in organizational structure or administration.

CHAIR DENIS:

It seems like we are missing out on an opportunity. Hopefully, revenue can be provided to open the facility.

We will now close the hearing on B/A 101-2943 and open the hearing on B/A 101-4216, State Railroad Museums.

Tourism – Museums & Hist – State Railroad Museums — Budget Page ECON
DEV & TOURISM-75 (Volume II)

Budget Account 101-4216

Explain the progress in discussions concerning sharing an admission fee with the White Pine County Railroad Heritage Foundation.

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MR. BARTON:

An admission fee was charged for the first time at the East Ely State facility during the 2009-2011 biennium. The public has resisted the fee requirement because the operator of the larger, White Pine County Railroad Heritage Foundation charges a fee for access to their site. When visitors go upstairs to the State museum, they are charged another fee giving the appearance of double dipping. We began negotiations with the Foundation in White Pine County last year to explore the possibility for a joint venture ticket system. Those negotiations have moved forward in a positive manner. The negotiations were suspended in September 2010, as it appeared the State facility would not be supported in the next biennial budget. It was one of the museums proposed for closure in the agency budget requests. We are ready, willing and able to restart the negotiations if it appears the Museum will remain open as proposed in the *Executive Budget*.

CHAIR DENIS:

A joint venture ticket system makes a lot of sense. The biggest part of the Museum is the private facility. It would be a benefit to pursue negotiations.

What portion of the State Museum budget is dedicated to the East Ely Railroad Museum?

MR. BARTON:

The East Ely Railroad Museum has an annual budget of approximately \$90,000. There is a single employee at the facility working on a part-time basis. The operations are enhanced by a good volunteer group and program support from the American Association of Retired Persons and other volunteers that enables us to provide visitor services throughout the week.

CHAIR DENIS:

Is there a possibility of negotiating an agreement with the private foundation to operate the State portion of the facility?

MR. BARTON:

Shared services were a part of previous negotiations.

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Saturday, May 14, 2011, has been designated Nevada Railroad Heritage Day for Legislators. The day will begin at the Nevada State Railroad Museum with a ride on the McKeen Motor Car that is fully restored and celebrated its 100th birthday in 2010. Legislators will then be bused to East Gate and be given a ride to Virginia City on the Virginia and Truckee Railroad.

DR. FISCHER:

A joint ticket venture is also being considered for the LVSP Museum. We do not want to repeat the East Ely ticketing experience.

CHAIR DENIS:

That is a good plan.

We will now close the hearing on B/A 101-4216 and open B/A 101-2979, the Nevada Arts Council.

Tourism – Nevada Arts Council — Budget Page ECON DEV & TOURISM-81
(Volume II)
Budget Account 101-2979

SUSAN BOSKOFF (Executive Director, Nevada Arts Council, Department of Cultural Affairs):

I have provided the Joint Subcommittee with a document titled “Nevada Arts Council, Grants and Services 2010” ([Exhibit D](#)). This is the abbreviated annual report for the Arts Council. No report was completed for 2009. [Exhibit D](#) contains a brief description of programs and all grants awarded through the Arts Council are identified by county, state and organizations. It includes a description of all services provided by the Arts Council. The services include professional development, site visits, workshops and packaged programs. We consider our staff a “museum without walls” because we create programs that require curatorial preparation, development, planning and writing. The packaged programs are then sent out to rural communities. These include the traveling exhibition program, residency programs and folklife education components.

Sixteen of Nevada’s seventeen counties have been served by the Arts Council. No services were provided in Esmeralda County; however, we intend to provide certain services to Silver Peak and Fish Lake.

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I have also provided a document listing the advocacy platform of the Arts Council ([Exhibit E](#)).

Page 83 of [Exhibit C](#) describes the mission of the Arts Council. Many Legislators are familiar with our Agency.

Page 84 of [Exhibit C](#) describes the delivery of our mission. The Arts Council is divided into six program areas that serve the needs of our diverse constituency. If an artist calls, we refer them to Artist Services. Community groups are directed to the Community Arts Development program. Cultural or ethnic communities will be directed to the Folklife Arts Program. The various program areas make it easy to communicate with our constituencies.

I am sure there will be a question about whether the Arts Council will be meeting our match requirements. We have consulted with the National Endowment for the Arts (NEA). We apply for a partnership grant every three years which consists of several required components. One of those is the statewide Poetry Out Loud competition. Emily Orellana, the Nevada State Champion for two years in a row, is present and prepared to recite a portion of a poem or the "Star Spangled Banner" for the Joint Subcommittee. Ms. Orellana ranked ninth nationally in 2010.

At this time the NEA will accept a combination of General Funds and room tax revenue to meet match funding. However, a new federal proposal would require limiting match to dollars directly controlled and managed by the State. This proposal will be subject to the chair of the NEA's interpretation. We cannot say at this time whether that will effect the Nevada match using room tax revenue.

Page 86 of [Exhibit C](#) lists the three strategic priorities for the Arts Council. These requests follow the requests and requirements of the Priorities of Budget proposal that was developed. Other strategic priorities are included in our strategic plan required by the NEA.

Pages 88 through 93 of [Exhibit C](#) describe each of the Arts Council programs.

Page 87 of [Exhibit C](#) contains highlights of the *Executive Budget* proposals. It lists the measures that were taken as a result of the 43 percent reduction in this

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budget for the 2009-2011 biennium. At this time the Arts Council is processing 502 grant applications and grants that were already accepted. Approximately 129 grants were awarded in 2010 for FY 2011-2012. The remaining grants are grants awarded during FY 2011-2012, and grant requests are being received for FY 2012-2013. Another several hundred applications are anticipated by the end of this fiscal year. The grant requests are increasing as revenue decreases.

Page 87 of [Exhibit C](#) shows the *Executive Budget* eliminates 2 FTE positions. Those are a cultural resource specialist and an administrative assistant. A move of the Las Vegas office is proposed to reduce rent costs.

CHAIR DENIS:

What is the rationale for reclassification of the Arts Council ASO I position?

Ms. BOSKOFF:

That was not a department directive. It is a part of the merger with NCOT. The merger is a work in progress. We will meet with NCOT staff on March 18, 2011. At this point the Arts Council is being moved as a distinct division within NCOT. We do not have the answers prepared today for other questions you may have.

CHAIR DENIS:

Are you staying in the same location?

Ms. BOSKOFF:

Both offices are staying in the same location. The NCOT does not have room to accommodate the Arts Council in The Grant Sawyer State Office Building in Las Vegas. There is a possibility we may sublease space at the Division of Economic Development in the State building.

CHAIR DENIS:

The budget indicates space can be rented for \$1 per square foot. Please explain.

Ms. BOSKOFF:

That was one of the elements the Agency proposed that was accepted by the Governor's Office as we were adjusting to the 10 percent budget reductions.

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CHAIR DENIS:

Is there such rentable space available?

Ms. BOSKOFF:

The Division of Buildings and Grounds is the real estate manager for State agencies. However, the challenge of the 10 percent budget reduction, coupled with the budget reductions as a result of the 2009 Legislative Session, is listed under challenges for the Arts Council in [Exhibit C](#). The Agency will have an overall General Fund budget reduction of 53 percent. Two positions will be eliminated. Major changes will be necessary. It is like trying to cover a California King mattress with a double-size quilt at this point.

CHAIR DENIS:

How has the ASO I been affected by the two vacant positions?

Ms. BOSKOFF:

Two employees' positions were in jeopardy during the 2009 Legislative Session. Both left their positions and the vacant positions have been frozen. All the professional and administrative services staff have been shouldering those responsibilities. Individuals have been hired through the Manpower Development and Training Program because those positions are involved in grants management and working with the Board. There is the only one administrative assistant within the Division. I do not have a secretary. The ASO acts as deputy administrator. There are offices in both Las Vegas and in Carson City. Federal funds and American Recovery and Reinvestment Act of 2009 (ARRA) funds were used to engage in a variety of manpower contractors to keep the office open and the process flowing.

CHAIR DENIS:

Did the individuals who left do so because of turmoil surrounding their positions and whether they would continue to be funded?

Ms. BOSKOFF:

The stress of having their positions discussed in public hearings over a period of time led at least one individual to seek a position in DOP. The other individual decided to return to school to obtain a master's degree in art and teaching and now resides in Arizona.

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CHAIR DENIS:

Did she go to school in Nevada?

Ms. BOSKOFF:

She graduated from UNR and moved to Arizona.

ASSEMBLYMAN CONKLIN:

You may wish to share that story with DOP as I have had similar discussions over the last few days.

Ms. BOSKOFF:

For the record, "I have been a public servant for nearly 30 years in 2 different states, and I want to publicly acknowledge the remarkable staff that has kept the Agency moving along during this period of time."

Page 95 of [Exhibit C](#) lists the Agency's challenges. There is concern about serving, without bias, all populations and communities throughout the State. As an administrator, I am challenged to review the Governor's budget and the merger with NCOT. Serious decisions will need to be made by the end of the 2011 Legislative Session. Those decisions may include closure of the Las Vegas Office if my ASO is blended into a pool of administrators and secretaries and the other position remains vacant. As a supervisor, it is important that staffing levels be returned to Carson City. It is difficult to supervise two offices and act as office manager as well.

We are considering elimination or suspension of a number of personnel-intensive outreach programs that serve the rural communities. It takes considerable time to create the programs. Otherwise, the number of grants must be reduced to retain funding.

CHAIR DENIS:

That request would require a budget amendment if the ASO I is not eliminated.

Work with our Staff to explain the NEA grant authority recommended in the Base Budget and why particular positions that support related grant programs are not being mapped to the grant as reflected in the 2011 grant budget.

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Ms. BOSKOFF:

The NEA grant only pays for a portion of one staff position that is mapped to the grant.

CHAIR DENIS:

Can you confirm that all ARRA and NEA grant authority has been expended or will be expended in FY 2010-2011?

Ms. BOSKOFF:

An award of \$250,000 was made. The grants were awarded in FY 2009-2010. Contract positions were supported by \$50,000 within the agency. Those funds are either expended now, or will be shortly.

CHAIR DENIS:

We will now close the hearing on B/A 101-2979 and open the hearing on B/A 101-2894, Nevada Humanities. Can you explain how the Governor's recommendation to reduce funding to \$10,000 each year will affect the two positions and other services provided by Nevada Humanities?

DCA – Nevada Humanities — Budget Page CULTURAL AFFAIRS-9 (Volume I)
Budget Account 101-2894

CHRISTINA BARR (Executive Director, Nevada Humanities, Department of Cultural Affairs):

The Nevada Humanities budget was reduced 90 percent in the 2009 Legislative Session, leaving us with \$10,000 of funding. We are grateful for the \$10,000 because we consider it a placeholder for our budget line item.

The reduction of \$40,000 from our previous funding would mean funding must be redirected from funding earmarked for other parts of the State and placed in the Las Vegas budget. It will mean a loss of services throughout the State.

CHAIR DENIS:

Will the two positions be retained?

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Ms. BARR:

We have one position in Las Vegas. That position is currently vacant and we have not filled the position pending the budget outcome. We are also waiting for the federal budget outcome because that is in jeopardy as well.

CHAIR DENIS:

That is not a very bright outlook. Are you seeing a need to take funds from other areas to fund the Las Vegas Office?

Ms. BARR:

We are committed to maintaining an office in Las Vegas if possible. It is a priority to fully serve that part of our State. Keeping a position is important. We are aware the position may be jeopardized.

CHAIR DENIS:

There are no performance indicators listed for this budget, if it is continued throughout the 2011-2013 biennium. Will those be provided?

Ms. BARR:

We will provide any indicators requested by the Joint Subcommittee. Those can be based on the previous model.

CHAIR DENIS:

Please work with our Staff on that matter. Report actual and projected budget amounts for each of the performance indicators in the *Executive Budget*.

We will now close B/A 101-2894 and open the hearing on B/A 101-4205, the Historic Preservation Office.

INFRASTRUCTURE

CONSERVATION AND NATURAL RESOURCES

DCNR – State Historic Preservation Office — Budget Page DCNR-159
(Volume III)
Budget Account 101-4205

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RONALD M. JAMES (State Historic Preservation Officer, State Historic Preservation Office, Department of Cultural Affairs):

My agency is mandated to encourage the preservation of Nevada's cultural resources including historic buildings and archeology scattered throughout the State. We were created in 1977 because the National Park Service refused to continue funds allocated to the State unless the State created an autonomous division that was originally within DCNR. Nevada was the last State to create a historic preservation office. I have been assured we will be given the same status as a division with the same autonomy when we transfer back to DCNR.

At the time the Division was created, it had 8 FTE. We currently have 10 FTE. We are a tightly bound, efficient agency that has experienced only a small amount of growth over the past 34 years. There are only a few IFC meetings where we do not attend seeking authority for additional federal funds for the State. We can do that because we work well together as a unit.

One question that keeps appearing is how the ASO I positions are being demoted to a budget analyst classification. I am fearful it will affect the amount of funding we can attract. I must be supportive of the budget as presented. I hope the \$1,200 General Fund allocation savings as a result of the demotion will not be a budget buster.

ASSEMBLYMAN CONKLIN:

Please provide our Staff with the grant documents or projection methodologies used to determine the grant levels for the upcoming biennium. It will allow the Legislature to better understand the revenue stream.

MR. JAMES:

That can easily be provided.

ASSEMBLYMAN CONKLIN:

Have General Fund appropriations replaced transfers from Historic Preservation and Nevada Department of Transportation (NDOT) funds?

MR. JAMES:

Our office has experienced a dramatic decrease in our General Fund match, which is necessary to receive Historic Preservation funds from the National Park

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Service. The match was reduced and supplemented with interest from the Commission for Cultural Affairs. With the elimination of most of the bond sales for the Commission, and the decrease in interest due to a general national decline in interest rates, those funds were no longer available to provide match for the Historic Preservation Fund grant. Therefore, the General Fund request needed to be increased closer to historic funding levels.

ASSEMBLYMAN CONKLIN:

Do NDOT transfers partially fund some of the State Historic Preservation Office (SHPO) positions?

MR. JAMES:

Two positions were transferred to NDOT. The NDOT has assisted SHPO with the Historic Marker Program. The SHPO was sacrificed a long time ago as budgets were reduced. We no longer have a historic marker program except that which is funded by a transfer from NDOT to ensure markers do not become an eyesore. We are grateful for NDOT's support. It is one of many agencies that provide SHPO with funding to assist in the review of its projects. Enormous NDOT projects must be cleared for construction expeditiously, so SHPO bills for hourly wages.

It is a good relationship and it keeps the State moving. One of the accomplishments is that Nevada returned no ARRA funding to the federal government as a result of our inability to review projects. Other states returned hundreds of millions of dollars to the federal government because their SHPO agency could not review projects in sufficient time. Nevada SHPO completed its reviews within the time spans necessary. The NDOT fund transfers ensure that federal Department of Transportation funding is used efficiently and quickly.

CHAIR DENIS:

A recommendation has been made to eliminate the historic preservation specialist II position. If that position is eliminated, is SHPO confident it will receive approximately \$57,000 in annual NDOT revenues? The NDOT revenues have also been decreasing.

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MR. JAMES:

The position was vacant and we did not have a revenue stream at that time to fill the position. The funding map has been changed to utilize that funding for other positions. That helps reduce the overall burden to the Historic Preservation Fund grant and keeps things balanced. We would like to have the position, which helps to keep federal programs moving forward.

CHAIR DENIS:

Were NDOT allocations to SHPO decreased because the position was vacant?

MR. JAMES:

No, they were not.

ASSEMBLYMAN CONKLIN:

There is a proposed change of location as part of the reorganization in the budget. Equipment funding of about \$36,000 is requested for additional equipment. Those requests include five work stations and two servers needed at the new location. Why can the old equipment not be moved to the new location?

MR. JAMES:

A great deal of equipment is being moved. Many workstations are served by shared virtual servers. The virtual servers would be broken up and create the need to rebuild servers at the new location to maintain the level of function.

DR. FISCHER:

Servers in DCA mutually serve the divisions. If the divisions are split up, the huge database requires a secure server because of the information retained.

ASSEMBLYMAN CONKLIN:

Is the database on a shared server in a location with other divisions? Are the other divisions being moved? To summarize, the current server needs to stay at the current location and an additional server is needed at the new location.

DR. FISCHER:

That is the situation in essence. Virtual servers have been built to reside in many locations and once those are broken up, new virtual servers must be built.

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ASSEMBLYMAN CONKLIN:

What about the office furniture and workstations?

DR. FISCHER:

There are workstations in the current location which must be left behind because some of it belongs to the State Library and Archives account.

CHAIR DENIS:

Does that mean new workstations for the new location are necessary?

MR. COSTA:

I would like to provide your Staff with a list of positions that are eliminated, vacant or filled. Some positions were eliminated or frozen as a result of the 26th Special Session. Those eliminations have been carried forward into the *Executive Budget*. I want to ensure we have a common understanding of the results.

ASSEMBLYMAN KIRNER:

Is there any value or issue in consolidating servers through the Department of Information Technology (DoIT), instead of agency-specific servers?

DR. FISCHER:

We worked closely with DoIT to establish our current server system. If DoIT felt the situation would be better served from their location, they would have suggested it. We have a discrete database that must be safeguarded. The server system works well as it is currently configured.

CHAIR DENIS:

There are no questions on B/A 101-5030, the Comstock Historic District.

DCNR – Historic Pres – Comstock Historic District — Budget Page DCNR-166
(Volume III)

Budget Account 101-5030

We will now open the hearing to public testimony.

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DAVID LAPLANTE (Senior Vice President, One to One):

I have presented the Joint Subcommittee with my written testimony ([Exhibit F](#)). My company, Twelve Horses, was acquired by One to One in 2009. I am also founder and current chairman of Nevada's Center of Entrepreneurship and Technology and a University of Nevada alumnus. I have served on other boards such as the Holland Project and Artown.

Our company's success is centered on a blend of creativity, cultural intelligence, social psychology and neuroscience.

I am present to urge the Joint Subcommittee to make no further budget reductions to the Nevada Arts Council budget. It is an increasing facet of economic development.

My company must compete for employees against cultural center cities such as San Francisco, Portland, Los Angeles, and Seattle.

CLARK DEMERITT (Holland Project):

I have provided my written testimony ([Exhibit G](#)) to the Joint Subcommittee. The Holland Project has spent the last five years providing creative outlets to teens and young people in Northern Nevada.

The Arts Council's support of the Holland Project and countless other arts organizations has been crucial.

With broke schools, out-of-control statewide youth and teen statistics in nearly every depressing category and hugely diminishing support for the arts, young people are given very little chance to succeed in Nevada.

Who better than the youth to set a new direction as the Governor specified in his State of the State address?

EMILY ORELLANA (State Poetry Out Loud Champion):

I have been the Nevada Poetry Out Loud Champion for two years, so it is obvious the arts have affected my life. Without this influence, I would probably not be continuing my education. The arts have given me an amazing outlet to express myself and become involved in my community. If it were not for

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programs like the Holland Project and their tireless effort to provide activities for young people in their hometowns, activities for young people under 21 years of age would be lacking.

With a growing lack of support for education and the arts, we are sending out a message to Nevada's youth that we do not care about what they want most. When people are bored, they often turn to counterproductive activities. Our youth is our future.

This cannot happen if organizations like the Holland Project no longer exist, or if our State cares less and less about its young artists, musicians, writers and poets.

Speaking from a personal stance, the State funding for the arts thus far has given me an idea of what I want to do with the rest of my life.

CHAIR DENIS:

Please share a poem with the Joint Subcommittee.

MS. ORELLANA:

The State finals for Poetry Out Loud are next week. I will recite a portion of one of the poems I am learning. It is called *Epilogue*, by Robert Browning.

In the silence of the sleep time.
When you set your fancies free.
Will they pass to where —by death, fools think, imprisoned —
Low he lies who once so loved you, whom you loved so.
— Pity me?

Oh to love so, be so loved, yet so mistaken!
What had I on earth to do
With the slothful, with the mawkish, the unmanly?
Like the aimless, helpless, hopeless did I drivel
— Being —who?

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BEN ALECK (Collections Manager, Pyramid Lake Museum and Visitors Center):

I am present to support the Arts Council and some of the other programs others have discussed. Ours is the only museum controlled by a tribe in Nevada. We do not have a large budget. It is fully funded by the tribe. Therefore, we build partnerships. One of our partners is the Arts Council.

A travelling exhibit depicting the Powwow Tradition is being sent throughout the State. Rural communities need some of these programs. We have also partnered with NSLA on the Under One Sky Exhibit running continuously since its inception in 2002. We have worked with the Nevada Oral History Department on the same project. We will be partnering with the Nevada Museum of Art in Reno, which is not State funded.

When we begin to cut art programs it diminishes the State's credibility. I am a part of the Northern Nevada International Visitor's Center on the campus of UNR. People from all over the world come to Pyramid Lake. We do not have a big marketing budget. We work with the State on tourism efforts. The individuals who come to Pyramid Lake are interested in State history and culture. The Native American community is a large part of Nevada's history. The State needs to focus more on diversity than on gaming and some of the other funding sources. Tribal gaming in California and throughout the Country has had an effect on Las Vegas and Reno. There is a large international base at Pyramid Lake.

I have provided a document in support of the Nevada Arts Council ([Exhibit H](#)).

SUE DAVIS (Educator, Washoe County School District):

I am present to discuss the importance of museums in the education system. Currently, I am the director of Teaching American History through a federal grant. Washoe County School District has received five of these three-year grants at \$1 million each. One requirement is that we partner with local museums. We take teachers to museums and show them the treasures and artifacts. We instruct teachers on how to use the museums in teaching of Nevada and American history. I have provided my written testimony for the Joint Subcommittee ([Exhibit I](#)).

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These museums are integral for funding of the grant. If the museums are not open, federal funding may be lost. This is the only funding for professional development training for social studies teachers.

We continue to take teachers to the Nevada Historical Society to learn how to conduct research and use the primary source documents. They, in turn, write lessons. Photographs of artifacts have been incorporated into classrooms.

In addition, when teachers go to the museums through this program, they have an "aha moment." They, in turn, take their students to those facilities.

It is true that funding for field trips is being eliminated. However, most of these museums are creative. They use grant funds to bring school children to their facilities. The Nevada Museum of Art has a grant program.

A group of 25 teachers attended a seminar in Elko, where they visited the new California Trails Museum and the Northeastern Museum.

STEPHANIE HARTMAN, PH.D. (State Social Studies Coordinator, Nevada Department of Education):

Valuable programs have been provided for teachers and students as a result of our partnerships with the different cultural affairs entities. In the fall of 2009, because of a grant from Nevada Humanities, a Holocaust survivor was engaged to speak at an assembly at one of the area high schools. That assembly and the story of this woman's survival story was broadcast statewide, reaching more than 4,000 students. In addition, we provided an evening program, where members of the community could hear her speak.

I am responsible for the State National History Day Program. In the Program, students utilize the museums for their research. Volunteers from the museums assist me in administration of the Program. The winners of this Program have an opportunity to compete nationally, in College Park, Maryland. Most recently, Nevada was only the second State to be given access to the George Washington Teaching Ambassador Program. One of the reasons we received funding to provide professional development for teachers and programs for students is because of the strong connections I have with the Division of

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Museums and History and Archives, Nevada Humanities, Nevada Historical Society and others.

ASSEMBLYMAN CONKLIN:

We do not wish to be discourteous. However, several members of this Joint Subcommittee need to leave for our own bit of history today. The Chair is committed to continuing this hearing. We certainly want all testimony on the record.

MARTHA DAMON O'NEILL (Grant Project Coordinator, Music and Fine Arts Department, Washoe County School District):

I have submitted my written testimony for the record ([Exhibit J](#)). We have a long-time partnership with the Arts Council. Arts and cultural funding must not suffer any further cuts for any reasons. Arts programs are decreasing and the potential for dramatic cuts in the months ahead pose serious risks to the complete education of every child in the State of Nevada.

The potential termination of the U.S. Department of Education's funding for arts and education programs will remove a critical form of federal leadership for the arts as a core academic learning subject. Therefore, more than ever, the arts education funding from the Nevada Arts Council and other State art agencies is more vital to the maintenance of basic creative connections for young people.

Without this funding, programs such as statewide honors music concerts will be lost. Teachers for the Better Education through the Arts (BETA) grants for professional development opportunities will be unable to participate in these training programs.

A grant program such as a BETA grant from the Arts Council makes a difference in the classroom and in the lives of children. Janine Hoskins is a fifth-grade teacher from Bennett Elementary School in Sun Valley, Nevada, a school with over 64 percent of its students participating in the Free and Reduced Lunch Program. She told me one of her most difficult students, a fifth-grade boy with a very difficult home life and behavioral issues stemming from that, has been awakened through his arts program provided by a federal grant. Prior to this experience, he rarely participated, worked or even spoke in his class. Now he is participating, is rarely disruptive, and completes the projects at hand.

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Ms. Hoskins cited many shy students who struggled with discussion on a regular basis. When they do art projects they come out of their shells and are eager to discuss their learning and art work. She asked that her voice be heard today. Please do not take away these programs.

THOMAS FAY (Executive Director, Henderson Libraries and the Nevada Library Association):

The collection development funds are so important to public libraries. It is helping libraries with their education role. Libraries play a role from womb to death. We have story times for expectant mothers where we read to their unborn children. Often, when an individual passes away, libraries often receive the deceased's reading material from loved ones.

The collection development funds place thousands of media productions into our libraries that help with pre-kindergarten and kindergarten through Grade 3 reading as well as adult reading.

We have similar concerns for the database funding. It is another area where information, including several million full-text articles, becomes available to every resident of Nevada from home, work or school. It not just limited to schools or libraries.

As the director of a library district, I am concerned with the MOE. The potential loss of from \$250,000 to \$260,000 of federal funding will further stifle development in all libraries in the State.

I have provided the Joint Subcommittee with a letter as Executive Director of the Henderson Libraries ([Exhibit K](#)). I have also provided a letter of support from Jeanette M. Hammons, Director, Elko-Lander-Eureka County Library System ([Exhibit L](#)). My last exhibit is a funding map of collection development funds to Nevada public libraries ([Exhibit M](#)).

NETTIE OLIVERIO (Chair, Arts and Culture Commission, City of Reno):

I am reading from my prepared testimony ([Exhibit N](#)). The Nevada State arts agency is one of the Nation's best bang-for-the-buck institutions.

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Operating on a slim budget, the Arts Council is creative and nimble. It reorganized to minimize funding cuts to Nevada's arts industry. It is critical to continue the current Art Council funding. Any further reductions will erode the organization's ability to serve rural communities, which have no other resource in the State and endanger the continuance of the Las Vegas office.

Nationally, the nonprofit arts and culture industry generates approximately \$166.2 billion in economic activity annually. That amount is greater than the gross domestic product of most countries. Our industry also generates nearly \$30 billion in revenue to local, State and federal governments annually.

Yesterday, the Reno fire chief told me about his home community, Corpus Christi, Texas. Despite an attractive corporate tax structure, easy transportation and other beguiling factors, large industries passed them by because the community was short on education, arts and culture.

TIMOTHY JONES (Chair, Board of the Nevada Arts Council):

I am testifying in support of the Board's 2011 platform in [Exhibit E](#). It addresses the budget reductions that have been made and has been signed by approximately 30 individuals from southern Nevada. They are members of the arts industry, organizations, artists and educators.

It acknowledges the 43 percent budget reductions and requests stable funding for the Nevada Arts Council to avoid the additional 10 percent reduction now being proposed. The 10 percent reduction will not provide maintenance or a static situation for the Arts Council.

There will be further reductions or eliminations of grants and programs that have existed for decades in the State. Closure of the Las Vegas Office is a possibility. Therefore, with the 10 percent reduction, there is a very real possibility that the Arts Council will no longer have the ability to fulfill its mission to serve the entire State.

RON ALLEN (Friends of the Nevada State Railroad Museum):

I grew up in Carson City and participated in numerous programs sponsored by the Nevada State Museum, the only museum in town at that time. I built a reputation with the staff. I hope nothing more is cut from the museum budgets.

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They have taken a larger budget reduction in the last three Legislative Sessions and Special Sessions than any other agency. All staff have been reduced to part-time positions.

When the closure of the Nevada State Railroad Museum first came to light, we started a petition drive to see the public's perception of the proposal to close four museums. In a matter of three weeks we gathered over 7,000 signatures, both in Nevada and outside the State, reflecting concerns about the proposed museum closures. Hopefully, with the new realignment, the facilities will not close and those opportunities to view Nevada's history for the public will remain.

There are a number of people who travel for the purpose of viewing a state's heritage and history. That cannot be done if the facilities are closed or understaffed and underfunded.

I realize all agencies are hurting, but please consider the museums for their educational value and importance to the State.

CAROL SCOTT (Director, Wild Horse Children's Theater):

We are a small, nonprofit, 501(c)(3) theater company in Carson City. I am representing the 4,000 to 5,000 that we touch every year through the theater company and its programs, educational programs and outreach programs in Carson City and Douglas County.

Our program is in existence because of the Arts Council. All staff members are volunteers. Our grants are what keep us going and allow us to go to the schools, free of charge, to talk about the magic of theater.

The elimination of numerous art programs in the schools, leave a huge void in education filled by nonprofit organizations such as ours. Children learn public speaking, reading, writing, math, critical thinking, decision making and constructive learning skills in theater programs.

Further budget reductions will, in essence, close our doors. As we struggle to reinvent the State's economy, one thing we know for sure. Whatever the future

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of the economy, it will be based on creativity and innovation and on human capital.

I ask you to imagine a world where:

- Writers put down their pens.
- Artists put down their paints.
- Architects stop designing our cities.
- Poets, dancers, actors and sculptors stop teaching our children.
- National landmarks fall into decay.
- Debate is no longer fostered in our universities or on radio stations.
- Symphony halls fall silent.
- Libraries go dark.
- Collective history is left unmade and unwritten.

Is this the future we want for our children and our grandchildren? Please cut no more funds for the arts. It is essential for Nevada's children.

PHYLLIS PATTON (Library Trustee, Carson City Library Board):

I have provided my written testimony ([Exhibit O](#)) to the Joint Subcommittee. I have been a member of the Board of Trustees for the past eight years and chair of the Board for the past five years. I have seen, firsthand, the profound difference the statewide development funds have made to Carson City residents.

Since its inception in 1995, the State collection funding support for the Carson City Library has totaled \$352,218. Annual funding has ranged from a high of \$50,000, or 30 percent of book expenditures, to the current funding of \$9,258, or 10 percent of book expenditures. Every dollar has made a difference in someone's life.

Funds from the 2009-2011 biennium provided approximately 500 books. Seriously difficult decisions must be made and we appreciate the enormous responsibility on your shoulders. Consider areas that give Nevadans the greatest bang for their buck. This is one of those programs. Every dollar buys library materials.

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The NSLA is vastly important to local libraries. They have offered invaluable assistance to the Carson City Library. Our partnership brought significant Broadband ARRA funding to Carson City. The LSTA funding is critical to our success.

The Carson City Library would not have its new radio frequency identification technology, which expanded our service hours, without the NSLA.

As a citizen, not a librarian, I am asking you to do all you can to preserve such a valued and important resource to our State.

LUCY BOWDEN (Director, Storey County Public Library):

On behalf of the Storey County Public Library and all Nevada libraries, I request the LSTA funds be maintained at their present level and, if possible, increased.

SHAUN GRIFFIN (Volunteer, Nevada State Prison):

I have volunteered as a teacher of poetry at the Nevada State Prison (NSP) for 22 years. In that time, not one of the men in the class have returned to prison. This is on a prison yard that has a 70 percent recidivism rate. The reason is art, in that environment, saved their lives. I could not have operated without the support of the Arts Council. They are essential to what we do and have in this culture.

One week ago, many of the Joint Subcommittee members attended the arts awards. That was a celebration of the best we have in this State. The day after, a large statewide arts conference convened. The Arts Council is their life blood, the reason they can continue their efforts.

There are tough choices to be made. We do not need to cut the hand that feeds us. We need to maintain what we have.

LARRY WAHRENBROCK (Comstock Historic District Commission):

I am a resident of Silver City, Nevada, and my home is in the Comstock Historic District. I support libraries, museums, history and the Comstock Historic District Commission. Their funding is extremely limited. They have a regulatory authority. As a resident, I need the best people and programs available as they have authority of law over what I can do with my private property.

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The District faces challenges with the loss of integrity of historic buildings and certain mining activities. This agency needs support to the greatest extent possible to meet these challenges. Otherwise our history will be lost. If you do not know where you came from, how can you figure out where you are going to go?

JILL BERRYMAN (Executive Director, Sierra Arts Foundation):

I am also the President of the Nevada Alliance for Arts Education, an affiliate of the Kennedy Center in Washington, D.C. I am a second generation, native Nevadan.

I want to tell you about the public investment in the arts through a story about Marvin.

I met Marvin about 14 years ago when my colleagues and I developed a program called Youth Art Works. Marvin was a tagger who was frequently arrested and in the juvenile justice system. He had just turned 18 and was a high school dropout. Marvin was destined for NSP because he did not care and he did not think anyone cared about him. We invested \$1,000 in him. He completed a seven-week program where he was paid as an apprentice in the mural arts.

Marvin is now over 30 years old. He is married with a young daughter. He owns a three-bedroom, two-bath house and a dog. He has paid his taxes since the time he was 18. He achieved his high school education with a general education diploma. He won a scholarship to the Phoenix Art Institute where he graduated with honors and won the portfolio contest. For a time, he worked for International Gaming Technology. Now he has his own business designing video games. That is what \$1,000 can do. It can take Marvin off the street, make him a reliable, tax-paying citizen and keep him out of prison. The investment in Marvin was economic development. If we do not invest in the Marvins of the world, many more prisons will be needed.

Other written submissions were received from Karen Abowd, Carson City Supervisor ([Exhibit P](#)); Rosine Bena, Artistic Director, The Sierra Nevada Ballet Board ([Exhibit Q](#)); David Bugli, Music Director, Carson City Symphony ([Exhibit R](#)); Elinor Bugli, Past President, Brewery Arts Center ([Exhibit S](#));

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John A. Kleppe, Ph.D., P.E., Reno Baroque Ensemble ([Exhibit T](#));
Jordan Lamoreaux, Miss Carson City Outstanding Teen 2011 ([Exhibit U](#));
Pioneer Center for the Performing Arts ([Exhibit V](#)); Sharon Rosse, Executive
Director, Capital City Arts Initiative ([Exhibit W](#)) and John M. Shelton, Executive
Director, Brewery Arts Center ([Exhibit X](#)).

CHAIR DENIS:

This is an important issue for the Joint Subcommittee. The meeting is adjourned
at 11:19 a.m.

RESPECTFULLY SUBMITTED:

Cynthia Clampitt,
Committee Secretary

APPROVED BY:

Senator Mo Denis, Chair

DATE: _____

Assemblyman Marcus Conklin, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Dr. Michael Fischer, Department of Cultural Affairs	Cultural Affairs Budget Presentation
	D	Susan Boskoff, Nevada Arts Council	Nevada Arts Council, Grants and Services, FY 2010
	E	Susan Boskoff, Nevada Arts Council	Nevada Arts Council, Advocacy Program
	F	David LaPlante, One to One	Written testimony
	G	Clark Demeritt, Holland Project	Written testimony
	H	Ben Aleck, Pyramid Lake Museum and Visitors Center	Support document for Nevada Arts Council
	I	Sue Davis, Teaching American History Project	Written testimony
	J	Martha Damon O'Neill, Washoe County School District	Written Testimony
	K	Thomas Fay, Henderson Libraries	Letter of support for the Arts
	L	Thomas Fay, Henderson Libraries	Letter of support from Jeanette M. Hammons
	M	Thomas Fay, Henderson Libraries	Funding map for collection development funds
	N	Nettie Oliverio, Arts and Culture Commission	Written testimony
	O	Phyllis Patton, Carson City Library Board	Written testimony
	P	Karen Abowd, Carson City Supervisor	Written submission
	Q	Rosine Bena, Sierra Nevada Ballet	Written submission

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	R	David Bugli, Carson City Symphony	Written submission
	S	Elinor Bugli, Brewery Arts Center	Written submission
	T	John A. Kleppe, Ph.D, P.E., Reno Baroque Ensemble	Written submission
	U	Jordan Lamoreaux, Miss Carson City Outstanding Teen 2011	Written submission
	V	Pioneer Center for the Performing Arts	Written submission
	W	Sharon Rosse, Capital City Arts Initiative	Written submission
	X	John M. Shelton, Brewery Arts Center	Written submission