

THE EIGHTY-NINTH DAY

CARSON CITY (Friday), May 6, 2011

Assembly called to order at 11:27 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Goedhart and Woodbury, who were excused.

Prayer by the Chaplain, Father Chuck Durante.

Great and Gracious God, Author of all that is good.

We thank You for the beauty of this day and for the gift of life within and all around us.

As we dedicate this day to You, help us to use it to the fullest, so that at day's end we may rest in the assurance that this, our home, is just a little bit better than when the day began.

We lift up to You both our successes and our failures this day, trusting that You can bring forth good even from bad, wheat even from our weeds.

Bless the Nevada Assembly this day and all their deliberations and all their work. May they be strengthened in their leadership and in doing good for all whom they serve. May obstacles in their work this day not be overwhelming, but challenge them to new possibilities.

And, as the week comes to a close, may they, and all Your people, find some rest in the Sabbath days ahead and some time to praise and give thanks. We make this prayer as Your instruments of peace.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Conklin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 286, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARILYN K. KIRKPATRICK, *Chair*

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 130, 248, 406, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARILYN DONDERO LOOP, *Chair*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 475, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Ways and Means, to which was referred Assembly Bill No. 481, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Ways and Means has had under consideration the various budgets for the Division of Child and Family Services of the Department of Health and Human Services, and begs leave to report back that the following accounts have been closed by the Committee:

- Child Care Services (101-3149)
- Victims of Domestic Violence (101-3181)
- UNITY/SACWIS (101-3143)
- Child Welfare Trust (645-3242)
- Transition from Foster Care (606-3250)
- Review of Death of Children (101-3251)
- Juvenile Correctional Facility (101-3148)
- Caliente Youth Center (101-3179)
- Wraparound in Nevada (101-3278)
- Northern Nevada Child & Adolescent Services (101-3281)
- Southern Nevada Child & Adolescent Services (101-3646)

Also, your Committee on Ways and Means has had under consideration the various budgets for the Director's Office of the Department of Health and Human Services, and begs leave to report back that the following accounts have been closed by the Committee:

- Governor's Office of Consumer Health Assistance (101-1003)
- Administration (101-3150)
- Grants Management Unit (101-3195)
- Problem Gambling (101-3200)
- Children's Trust Account (101-3201)
- Healthy Nevada Fund (262-3261)
- Public Defender (101-1499)

Also, your Committee on Ways and Means has had under consideration the various budgets for the Judicial Branch, and begs leave to report back that the following accounts have been closed by the Committee:

- Supreme Court (101-1494)
- State Judicial Elected Officials (101-1490)
- Judicial Selection (101-1498)
- Senior Justice and Senior Judge Program (101-1496)
- Law Library (101-2889)
- Administrative Office of the Courts (101-1483)
- Judicial Programs and Services Division (101-1484)
- Uniform System of Judicial Records (101-1486)
- Judicial Education (101-1487)
- Specialty Court (101-1495)
- Foreclosure Mediation Program (101-1492)
- Judicial Support, Governance and Special Events (101-1493)
- Judicial Retirement System State Share (101-1491)

Also, your Committee on Ways and Means has had under consideration the various budgets for the Department of Business and Industry, and begs leave to report back that the following accounts have been closed by the Committee:

Consumer Affairs (101-3811)
 Consumer Affairs Recovery Fund (101-3807)
 Dairy Commission (233-4470)
 Employee Management Relations Board (101-1374)
 Athletic Commission (101-3952)
 Labor Commissioner (101-3900)
 Nevada Attorney for Injured Workers (101-1013)
 Real Estate Administration (101-3823)
 Real Estate Education and Research (216-3826)
 Real Estate Recovery Account (216-3827)
 Common Interest Communities (101-3820)
 Financial Institutions (101-3835)
 Financial Institutions Investigations (101-3805)
 Financial Institutions Audit (101-3882)
 Mortgage Lending (101-3910)
 Taxicab Authority (245-4130)
 Transportation Authority (226-3922)
 Transportation Authority Administrative Fines (226-3923)

Also, your Committee on Ways and Means has had under consideration the various budgets for the Department of Administration and the Deferred Compensation Committee, and begs leave to report back that the following accounts have been closed by the Committee:

Deferred Compensation Committee (101-1017)
 Purchasing (718-1358)
 Human Resource Management (717-1363)
 Judicial College and College of Juvenile and Family Justice (101-1302)
 Merit Award Board (101-1345)
 Human Resource Management Unemployment Compensation (101-1339)
 Commodity Food Program (101-1362)

DEBBIE SMITH, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Conklin moved that the following budget closure remarks be entered in the Journal.

Motion carried.

REMARKS FROM THE FLOOR

ASSEMBLYWOMAN SMITH:

I want to let all the members know that we are starting a new process today where we are going to be reporting out to the Floor, the budgets as we close them. We have not done that before, but this will be an informational item for you. When the reports from standing committees come from the policy committees, you will see them coming from Ways and Means, as well. Then our subcommittee chairmen are going to give you a brief overview of those budgets as we close them.

You can also find the full document on NELIS. The documents are tied to today's Ways and Means afternoon meeting. I will always let you know where you can find those documents. If you were to go on NELIS to today's Ways and Means meeting, which is this afternoon, and go

to exhibits, you will see all five budgets that we are reporting out today. This is something to help all of our members become more familiar with what we are doing in the budget committee and how we are closing budgets.

ASSEMBLYMAN CONKLIN:

The Assembly Committee on Ways and Means developed recommendations for the Deferred Compensation Committee and the following budgets of the Department of Administration: Judicial College and College of Juvenile and Family Justice, Merit Award Board, State Purchasing, and the Division of Human Resource Management. While many of the accounts of the Department of Administration are funded through fees or assessments, the Committee's recommendations result in a General Fund savings of \$132,808 in FY 2012 and \$132,809 in FY 2013 for the Department of Administration.

Deferred compensation committee deferred (101-1017) Comp-1: The Committee approved the Deferred Compensation Committee budget as recommended by the Governor, with approval to make technical adjustments to correct the classification of the budget's revenues as well as the closing actions approved for the other accounts supported by the Department of Administration's internal cost allocations.

Administration – Purchasing (718-1358) Admin-56: The Committee eliminated one vacant Purchasing Technician position (PCN 24), as recommended by the Governor, resulting in a reduction of purchasing assessment revenue of \$61,188 in FY 2012 and \$62,143 in FY 2013, and approved the remainder of the account be closed as recommended by the Governor.

Administration – HRM – Human Resource Management (717-1363) Admin-171: The Committee concurred with the Governor's recommendation to reorganize the Department of Personnel as a Division within the Department of Administration and to rename the Department the Division of Human Resource Management. As part of the reorganization, the Committee voted to approve the elimination of 3 positions, and the transfer out of 12 positions, including 8 Information Technology positions and 4 Administrative positions.

The Committee also concurred with the Governor's recommendation to create a new Centralized Personnel Section to assume the personnel responsibilities of the Department of Administration, the Department of Taxation, the Department of Business and Industry, the Department of Education and the Department of Agriculture. In return, the participating departments will fund the new section through a cost allocation assessment. Seven positions from the participating departments are recommended to transfer to the Division of Human Resource Management to operate this new section.

The Committee approved the Governor's recommendation to eliminate seven other positions, including two Administrative Assistants, four Personnel Analysts, and one Division Administrator. These position eliminations primarily result from attrition and the consolidation of divisions within the agency.

Lastly, the Committee approved the Governor's recommendation to outsource the Employee Assistance Program, which eliminates two vacant Mental Health Counselor positions.

Judicial Coll and Coll of Juvenile & Family Justice (101-1302) Admin-229: Since 1989, the National Judicial College (NJC) and the National Council of Juvenile and Family Court Judges (NCJFCJ), nonprofit organizations, have received varying levels of state support to assist the entities with the mission of providing judicial education and training. During the State's economic downturn in FY 2003, the Legislature suspended state support for the NJC and NCJFCJ for the 2003-05 biennium. Recognizing the benefits both the NJC and NCJFCJ provide to the State, while at the same time recognizing the fiscal crisis facing the State, the Committee approved reducing the level of General Fund support recommended by the Governor of \$260,860 each year of the 2011-13 biennium to \$130,430 each fiscal year, resulting in a General Fund savings of \$260,860 over the 2011-13 biennium.

The Committee also recommended introducing legislation to repeal Sections 1.470 and 1.480 of *Nevada Revised Statutes* that create the trust funds for the NJC and the National College of

Juvenile and Family Law. The trust funds were originally established in 1989 to provide the entities with annual revenue from interest earnings on the corpus of the trust. However, during the State's economic downturn in FY 2003, the trust funds were eliminated.

Merit Award Board (101-1345) Admin-231: The Committee approved reducing General Fund support for the Merit Award program to \$1,100 each fiscal year based on a 12-year average of awards paid from the program, resulting in a General Fund savings of \$4,757 over the 2011-13 biennium.

Other Department of Administration budget accounts: The Committee also reviewed the budgets for the following accounts: Human Resource Management – Unemployment Compensation (101-1339) ADMIN-186 and the Purchasing Division's Commodity Food Program (101-1362) ADMIN-62. The Committee recommends that these accounts close as recommended by the Governor, with authority for staff to make technical adjustments.

ASSEMBLYWOMAN MASTROLUCA:

The Assembly Committee on Ways and Means has developed the following recommendations for the Director's Office of the Department of Health and Human Services. The recommendations decrease General Fund appropriations for the Department by \$90,849 in FY 2012 and \$4,187 in FY 2013.

Office of Consumer Health Assistance (101-1003) Elected-14:

The Committee supported the Governor's recommendation to merge the Office of Consumer Health Assistance administered by the Governor's Office with the Office of Minority Health administered by the Health Division, and transfer the combined budget accounts to the Department of Health and Human Services Director's Office. The Committee also supported the Governor's recommendation for a new Ombudsman position to assist injured workers. Additionally, the Committee recommends a letter of intent directing the State Department of Personnel to perform a study on the unclassified Ombudsman positions in this account to determine where in the State's classification system the positions would be placed based on the duties of the positions.

Administration (101-3150) DHHS Director-1:

The Committee supported the Governor's recommendation to fund the Nevada 2-1-1 system with \$31,000 in General Funds each year and transfer the program from the Administration account to the Consumer Health Assistance account. The Committee also recommends the addition of \$67,447 in United Health Settlement funds each year to support the Nevada 2-1-1 system.

The Committee supported the Governor's recommendation to increase travel and training expenditures for staff to attend out-of-state conferences in the amount of \$13,145 each year as adjusted by staff. The adjustments result in General Fund savings of \$2,177 in each year of the 2011-13 biennium.

Grants Management Unit (101-3195) DHHS Director-16:

The Committee supported the Governor's recommendation to eliminate approximately \$2.5 million in General Funds for the Family-to-Family program and to use \$471,149 of those savings in each year to restore funding for the Family Resource Centers and the Differential Response program. However, the Committee placed the restoration of the Family-to-Family program on a potential add-back list should funds become available.

The Committee supported the Governor's recommendation to eliminate tobacco cessation grants, and redirect approximately \$2.6 million in Tobacco Settlement funds to offset General Fund for the Family Resource Centers and Differential Response program in FY 2013. Additionally, the Committee recommends using \$86,569 in available Tobacco Settlement funds to offset General Fund for the Differential Response program in FY 2012.

Healthy Nevada Fund (262-3261) DHHS Director-41:

The Committee supported the Governor's recommendation to eliminate the Trust Fund for Public Health and to use Tobacco Settlement funds totaling \$3.8 million in FY 2013 to offset

General Fund for the Autism and Traumatic Brain Injury programs administered by the Aging and Disability Services Division, and the Family Preservation program administered by the Division of Mental Health and Developmental Services.

Public Defender (101-1499) DHHS Director-43:

The Committee recommends closing the Public Defender's Office budget account as recommended by the Governor with staff adjustments due to Lincoln County opting out of the services provided by the Office. The adjusted budget includes the elimination of one vacant attorney position and operating costs, resulting in net General Fund savings of \$2,103 in FY 2012 and \$2,010 in FY 2013.

The Problem Gambling account (101-3200) and the Children's Trust account (101-3201) were closed by the Committee as recommended by the Governor with technical adjustments only.

ASSEMBLYWOMAN MASTROLUCA:

The Assembly Committee on Ways and Means completed its review of 11 budgets of the Division of Child and Family Services. The Committee approved authority for staff to make technical adjustments in several of the accounts to reflect increases in the Federal Medical Assistance Percentage (FMAP) rate that is projected to increase in FY 2013 to levels higher than anticipated in The Executive Budget, producing General Fund savings of approximately \$351,641. The other significant recommendations of the Committee are described in the following comments:

Child Care Services (101-3149) DHHS Health-7:

The Committee approved the Governor's recommendation to transfer the Child Care Services Bureau to the Health Division to gain efficiencies through placing the program with other programs that perform similar, regulatory functions. The Committee also approved the Governor's recommendation to fund a portion of this account with General Funds due to increased costs resulting from the transfer of licensing functions back to the State from Clark County in September 2010. The Committee also recommended a letter of intent be issued to the Health Division instructing it to review the fees charged for licenses in this program to determine whether fees should be increased to eliminate the need for General Funds to support program activities.

UNITY/SACWIS (101-3143) DHHS DCFS-18:

The Committee approved a technology investment project totaling \$3.9 million over the 2011-13 biennium to enhance the management tools of the Division's information technology system, UNITY. Funding for the project would be split evenly between General Funds and federal funding, with the Committee recommending issuing a letter of intent to direct the Division to only expend General Funds for the project if the approved amount of federal funding for the project is also received.

Juvenile Correctional Facility (101-3148) DHHS DCFS-68:

The Committee approved the Governor's recommendation to continue the closure of the Summit View Youth Correctional Facility and maintain operational costs of approximately \$1.5 million in General Funds each year of the 2011-13 biennium. The \$1.5 million includes annual position and operating costs for a part-time Facility Supervisor, utilities, debt service expense and operational/maintenance expenses.

Wraparound in Nevada (101-3278) DHHS DCFS-95:

The Committee approved the Governor's recommendation to merge the Wraparound in Nevada program into the Northern and Southern Child & Adolescent Services accounts and eliminate this account. The services of the program would not change with the merger, but General Fund savings of \$379,210 would be realized due to greater federal reimbursement for program expenses through the allocation costs.

Northern NV Child & Adolescent Services (101-3281) DHHS DCFS-101:

The Committee approved the transfer of only one Mental Health Counselor position to the Division's Administration account to support the creation of a Children's Behavioral Health

Policy and Accountability Board. The Governor had recommended the transfer of two positions, but the Committee did not agree with transferring a position to support the Board, which would have resulted in the reduction of direct services to children. The Committee approved the adjustments to this budget based on the understanding that the adjustments would be cost-neutral to the General Fund and additions in this account would be offset by reductions in the Administration account. The Committee also did not approve the reclassification of the Mental Health Counselor position that was not approved to transfer to the Administration account.

Southern Nv Child & Adolescent Services (101-3646) DHHS DCFS-112:

Similar to the previous account, the Committee did not approve the transfer of two of four positions recommended to support the new Children's Behavioral Health Policy and Accountability Board. The Committee instead maintained two Public Service Intern positions in this account and reinstated funding for the Western Day Treatment program and a Child Care Worker position that were recommended for elimination. The Committee also did not approve increasing one of the Public Service Intern positions from part-time to full-time.

Other accounts with no major closing issues:

The following accounts were closed by the Committee as recommended by the Governor with staff authority to make technical adjustments that may be needed based on the closing of other Division accounts:

- Victims of Domestic Violence (101-3181) DHHS DCFS-15
- Child Welfare Trust (645-3242) DHHS DCFS-50
- Transition from Foster Care (606-3250) DHHS DCFS-52
- Review of Death of Children (101-3251) DHHS DCFS-54
- Caliente Youth Center (101-3179) DHHS DCFS-75

ASSEMBLYMAN CONKLIN:

The Assembly Committee on Ways and Means, meeting jointly with the Senate Committee on Finance, has completed its review of the Judicial Branch budget request for the 2011-13 biennium. The closing recommendations of the Committee resulted in General Fund savings of \$365,375 in FY 2012 and \$425,769 in FY 2013.

Pursuant to NRS 353.246, the Judicial Branch budgets are included in The Executive Budget, but are not subject to review by the Governor. Therefore, the recommendations presented in The Executive Budget represent the Judicial Branch's budget request.

Issues affecting multiple accounts:

Including only those accounts for which the Judicial Branch has control over expenditures, the budget submitted by the Judicial Branch includes General Fund appropriations of \$13.7 million over the 2011-13 biennium, which represents a 19.1 percent decrease from the amount approved by the 2009 Legislature for the 2009-11 biennium. However, after accounting for adjustments related to budget recommendations included by the Judicial Branch in The Executive Budget, the Judicial Branch's General Fund appropriation request for the 2011-13 biennium is 11.5 percent less than the amount that was approved by the 2009 Legislature.

Based on information provided to the Committee regarding the current trend of administrative assessments, the Committee did not approve the Judicial Branch's administrative assessment revenue projections in The Executive Budget of \$14.9 million in each year of the 2011-13 biennium. Instead, the Committee approved administrative assessment revenue of \$14.6 million for each year of the biennium, as revised by the Judicial Branch, which represents a 2 percent decrease from the amounts included in The Executive Budget, or 7 percent below the actual FY 2010 level. Because the Supreme Court and the Senior Justice and Senior Judge Program utilize General Funds for expenditures in excess of administrative assessment collections, this recommendation increases combined General Fund appropriations for these two accounts by \$161,935 in each year of the 2011-13 biennium.

To be consistent with the salary reductions recommended for Executive Branch employees, the Committee recommends the inclusion of the 5 percent salary reduction, suspension of merit

pay increases, and the suspension of longevity payments for all Judicial Branch employees except Supreme Court Justices and District Court Judges. In total, these recommendations provide General Fund savings of \$483,201 in FY 2012 and \$552,303 in FY 2013.

Supreme Court (101-1494) Judicial-1:

The Committee approved transferring the seven Supreme Court Justice positions from the Supreme Court account to the District Judges' Salary account, and renaming the District Judges Salary account "State Judicial Elected Officials" as recommended in The Executive Budget. This recommendation transfers General Funds of \$1.83 million in FY 2012 and \$1.86 million in FY 2013 that are required to pay the Justices' salaries and benefits to the District Judges' Salary account. The Committee approved the drafting of a bill to amend statutory language in NRS 3.030 to account for the change of the District Judges' Salary account name.

State judicial elected officials (101-1490) Judicial-5:

The Committee approved a budget amendment submitted by the Judicial Branch, which reduces the salary of a District Court Judge in the 5th Judicial District due to an unexpected vacancy and makes a technical correction. In total, the budget amendment provides General Fund savings of \$44,109 in FY 2012 and \$42,957 in FY 2013.

Judicial selection (101-1498) Judicial-8:

The Committee approved the Judicial Branch's recommendation to reduce expenditures in the Judicial Selection account by 10 percent, providing General Fund savings of \$1,798 in each year of the 2011-13 biennium.

Administrative Office of the Courts (101-1483) Judicial-17:

The Committee approved the Judicial Branch's recommendation for reserve reductions totaling \$188,766 over the 2011-13 biennium for five information technology related enhancements, including: (1) \$104,348 in FY 2013 to provide off-site virtualization of application servers; (2) \$29,530 in FY 2012 to upgrade to Judicial Branch's human resources and employee management software; (3) \$10,000 in each year to purchase web security and filtering software; (4) \$9,000 over the biennium to replace the Judicial Branch's employee evaluation software; and (5) \$25,888 in FY 2012 to purchase Microsoft SharePoint collaboration software.

Uniform System of Judicial Records (101-1486) Judicial-27:

The Committee approved the Judicial Branch's recommendation for reserve reductions totaling \$596,533 over the 2011-13 biennium for six information technology related enhancements, including: (1) \$25,000 in each year to develop Phase II of a system to provide mandatory statistical reports; (2) \$469,329 over the biennium to develop system requirements for the new case management system and to reserve funding for the new system to be used in the 2013-15 biennium; (3) \$8,214 in FY 2012 to upgrade the current case management system; (4) \$15,000 in each year to provide technology grants to trial courts; (5) \$16,995 in each year to convert action codes in the case management system from *Nevada Revised Statutes* to Nevada Offense Codes; and (6) \$5,000 in FY 2012 to fund the conversion to Microsoft Access 2007.

Foreclosure Mediation Program (101-1492) Judicial-43:

The Committee voted to request legislation that would allow the Judicial Branch to transfer not more than \$600,000 of the reserve balance in the Foreclosure Mediation Program account to other accounts within the Judicial Branch over the 2011-13 biennium. For the upcoming biennium, the Judicial Branch recommends excess Notice of Default fee revenue of \$3.1 million in FY 2012 and \$3.5 million in FY 2013, enough to fund approximately one and a half years worth of operations of the Foreclosure Mediation Program. The Committee authorized staff to work with the Judicial Branch to determine the amount of funding to be transferred in each fiscal year of the biennium, as well as the Judicial Branch accounts that will receive the transfers. This information will be included in the legislation for consideration by the Legislature.

The Committee recommends closing the following Judicial Branch accounts as recommended in The Executive Budget, with minor or technical adjustments:

- Senior Justice and Senior Judge Program (101-1496) JUDICIAL-10

- Law Library (101-2889) JUDICIAL-14
- Judicial Programs and Services Division (101-1484) JUDICIAL-23
- Judicial Education (101-1487) JUDICIAL-34
- Specialty Court (101-1495) JUDICIAL-40
- Judicial Support, Governance and Special Events (101-1493) JUDICIAL-47
- Judicial Retirement System State Share (101-1491) JUDICIAL-50

ASSEMBLYMAN CONKLIN:

The Assembly Committee on Ways and Means has reviewed the following budgets for the Department of Business and Industry for the 2011-13 biennium. In addition, the Committee recommends the transfer of various fiscal and licensing positions from the Nevada Attorney for Injured Workers, Division of Real Estate, Financial Institutions Division, Mortgage Lending Division, Taxicab Authority, and the Nevada Transportation Authority, contingent upon the closing actions to consolidate the licensing, fiscal and technology function within the Director's Office.

Consumer Affairs (101-3811) B&I-22:

The Committee approved the Governor's recommendation to permanently eliminate the Consumer Affairs Division, including the Ombudsman for Minority Affairs position. Senate Bill 473, as introduced, would effectuate the elimination of the Consumer Affairs Division and permanently transfer the powers and duties of the Consumer Affairs Division and the Commissioner of Consumer Affairs to the Office of the Attorney General, and eliminate the Ombudsman for Minority Affairs position. The Committee authorized Fiscal staff to make adjustments to this account based on the final actions taken on Senate Bill 473.

Dairy Commission (233-4470) B&I-27:

The Committee approved issuing of a letter of intent instructing the Dairy Commission to monitor its reserves and adjust assessments in order to maintain reasonable reserves. The reserves recommended by the Governor would have been approximately 190 days of operating expenditures for the Commission. The Committee approved the elimination of an Administrative Assistant position for total savings of \$84,027 during the 2011-13 biennium.

NV Attorney for Injured Workers (101-1013) B&I-49:

The Committee did not support the Governor's recommendation to add one new Deputy Attorney position to this account based on the current caseload levels at this time, and the current economic condition of the State.

Real Estate Administration (101-3823) B&I-141:

The Committee approved the Governor's recommendation to eliminate nine positions, including eight Administrative Assistant positions and one Compliance/Audit Investigator position, and reduce three positions from full-time to part-time, providing General Fund savings of \$443,017 in FY 2012 and \$535,264 in FY 2013. The Committee also approved the Governor's recommendation to transfer one Administrative Aid to the Real Estate Education and Research account, providing General Fund savings of \$41,359 in FY 2012 and \$42,279 in FY 2013, as well as transferring an Accounting Assistant and an Administrative Services Officer to the Business and Industry Administration account as part the Governor's plan to consolidate administrative and fiscal functions within the Director's Office.

Taxicab Authority (245-4130) B&I-241:

The Committee approved the Governor's recommendation to eliminate five of the nine remaining Airport Control Officer positions, as staffing needs by the Taxicab Authority at McCarran International Airport have declined.

The Committee approved the Governor's recommendation to reclassify the four remaining Airport Control Officer positions. Two of the positions are recommended to be reclassified to Compliance/Enforcement Investigator I, and two are recommended to be reclassified to Compliance/Enforcement Investigator II.

The Committee approved the Governor's recommendation to transfer increased reserve funding of \$276,422 in the 2011-13 biennium to the Division of Aging and Disability Services to support two additional positions in order to add an income eligibility component to the Senior Ride Program.

The Committee approved the transfer of an Administrative Services Officer position to the Department of Business and Industry Administration account as part of the Department's plan to centralize fiscal, information technology and licensing functions.

Transportation Authority (226-3922) B&I-251: The Committee approved the Governor's recommendation to eliminate a Supervisory Compliance/Enforcement Investigator and a Program Officer, for Highway Fund savings of \$154,197 in FY 2012 and \$156,346 in FY 2013.

The Committee also approved transferring the Transportation Manager (also known as the Deputy Commissioner) position to the Department of Business and Industry Administration account as part of the Department's plan to centralize fiscal, information technology and licensing functions.

Funding for an unclassified salary increase is recommended for the Chief Transportation Inspector position funded with Highway Funds for a net increase of \$22,295 in FY 2012 and \$22,411 in FY 2013. The Committee authorized Fiscal staff to make technical adjustments based on approval of the recommendation by the Unclassified Pay Committee.

The following budgets were closed by the Committee as recommended by the Governor with authority for Fiscal staff to make technical adjustments based on departmental cost allocations, and the closing of the Department of Business and Industry Administration account regarding the centralization of fiscal and licensing functions within the Department:

- Consumer Affairs Recovery Fund (101-3807) B&I-26
- Employee Management Relations Board (101-1374) B&I-34
- Athletic Commission (101-3952) B&I-39
- Labor Commissioner (101-3900) B&I-44
- Real Estate Education and Research (216-3826) B&I-151
- Real Estate Recovery Account (216-3827) B&I-158
- Common Interest Communities (101-3820) B&I-160
- Financial Institutions (101-3835) B&I-216
- Financial Institutions Investigations (101-3805) B&I-224
- Financial Institutions Audit (101-3882) B&I-226
- Mortgage Lending (101-3910) B&I-231
- Transportation Authority Admin Fines (226-3923) B&I-258

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:50 a.m.

ASSEMBLY IN SESSION

At 11:53 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 2, 2011

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 12, 18, 83, 97, 111, 125, 142, 147, 156, 166, 168, 174, 217, 250, 261, 262, 348, and 464.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 9.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 4, 2011

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 33, 55, 121.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Conklin moved that Senate Bill No. 230 be withdrawn from the Committee on Ways and Means and rereferred to the Committee on Education.

Motion carried.

Assemblyman Conklin moved that Senate Bill No. 432 be withdrawn from the Committee on Ways and Means and rereferred to the Committee on Government Affairs.

Motion carried.

Assemblyman Conklin moved that Senate Bill No. 135 be withdrawn from the Committee on Judiciary and rereferred to the Committee on Commerce and Labor.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 566—AN ACT relating to elections; revising the legislative districts from which the members of the Senate and Assembly are elected; revising the districts from which Representatives in the Congress of the United States are elected; and providing other matters properly relating thereto.

Assemblyman Segerblom moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 567—AN ACT relating to elections; revising the legislative districts from which the members of the Senate and Assembly are elected; revising the districts from which Representatives in the Congress of the United States are elected; and providing other matters properly relating thereto.

Assemblyman Segerblom moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 490.

Bill read second time and ordered to third reading.

Assembly Bill No. 492.

Bill read second time and ordered to third reading.

Assembly Bill No. 500.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 167.

Bill read third time.

Remarks by Assemblymen Bustamante Adams, Hansen, Carlton, Bobzien, and Ohrenschall.

Roll call on Assembly Bill No. 167:

YEAS—32.

NAYS—Ellison, Hammond, Hansen, Kite, Livermore, McArthur, Munford, Sherwood—8.

EXCUSED—Goedhart, Woodbury—2.

Assembly Bill No. 167 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 363.

Bill read third time.

Roll call on Assembly Bill No. 363:

YEAS—40.

NAYS—None.

EXCUSED—Goedhart, Woodbury—2.

Assembly Bill No. 363 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 480.

Bill read third time.

Remarks by Assemblyman Hardy.

Roll call on Assembly Bill No. 480:

YEAS—40.

NAYS—None.

EXCUSED—Goedhart, Woodbury—2.

Assembly Bill No. 480 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 498.

Bill read third time.

Remarks by Assemblyman Hambrick.

Roll call on Assembly Bill No. 498:

YEAS—40.

NAYS—None.

EXCUSED—Goedhart, Woodbury—2.

Assembly Bill No. 498 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 534.

Bill read third time.

Remarks by Assemblywoman Kirkpatrick.

Roll call on Assembly Bill No. 534:

YEAS—40.

NAYS—None.

EXCUSED—Goedhart, Woodbury—2.

Assembly Bill No. 534 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate
Concurrent Resolution No. 8.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Atkinson, the privilege of the floor of the
Assembly Chamber for this day was extended to Lynne Hansen.

On request of Assemblywoman Benitez-Thompson, the privilege of the
floor of the Assembly Chamber for this day was extended to Kyle Edgerton.

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Benjamin Scholl, Cynthia Leigh Scholl, and Margaret Leigh Scholl.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to the following students and chaperones from Elise Wolf Elementary School: Christian Belen, Kyleigh Cemensky, Jacob Edgington, Brandon Kuptz, Isabelle Mangubat, Haley Morton, Dean Nguyen, Max O'Hala, Mary Elizabeth Ortiz, Josilynn Rasaminmanana, Caitlin Shannon, Lily Tait, Leonard Versola, Kimberly Tait, Dan Edgington, Teresa Morton, Victor Belen, Tim Kuptz, Nina Lawson, Eleanor Williams, Roxana Pistalu, Laurie Nighswonger, Karry Hoff, Piper Hernandez, Charles Planteen, Frances Holt, David Gorski, Samantha Sinowitz, Theresa Branham, Derek Hyer, Andrew Waldrop, Grace Taggart, Davia Sullivan, Jared Sinowitz, Kylee Quist, Brooke Pohlman, Sidney Planteen, Antonio Pizzo, Justin Llacuna, Jacob Littmann, Campbell Holt, Sonia Gorski, Elyssa Fair, Sanaai Edwards, Tristan Cooper, Kyle Branham, Morgan Basile, Brandon Banuelos, Daniel Wartenberg, Jennifer Sena, Johanna Gurr, Elizabeth Dunmire, Jackson Yates, Ryan Welsh, Alexis Weiss, Savannah Wartenberg, Kailey Torres, Abigail Sena, Jacob Schroeder, Luis Rosales, Isaac Rettig, Desiree Ozols, Tristen O'Neal, Annabel Noel, Alexa Mahoney, Sydney Ly, Alexandra Gurr, Sydney Fairchild, Zachary Dunmire, Francine Deborja, Molly Carey, Jennifer Ammerman, Erica Bozarth, Julie Downey, Stephanie Reynoso, Robb Weinstock, Tamara Brandonisio, Shabnam Vott, Silva Bikarian, Myrna Obregon, Ashlynn Ammerman, Rylie Bozarth, Joel Castro, Barbra Downey, Kiana Farizandy, Lauren Hirsch, Martin Huerta, Angelina Knox, Nichole King, Ruby Martinez, Maricella McDaniel, Christian Mixson, Haley Montalbano, Trinity Reynoso, Alex Rooney, Nathan Weinstock, Lindsay Best, Zahra Amini-Lari, Rhianon Simon, Nick Floratos, Jason Vott, Brendan Brandonisio, Tristan Selzak, Cali Javellan, Ethan Safier, Micah Bowens, Drew Carter, Alyssa Martino, Monet Griffin, Blake Benson, and Michael Noel.

Assemblyman Conklin moved that the Assembly adjourn and do so in honor of all mothers until Monday, May 9, 2011, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:27 p.m.

Approved:

JOHN OCEGUERA
Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly