

**MINUTES OF THE  
JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT  
OF THE SENATE COMMITTEE ON FINANCE  
AND THE ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**Seventy-third SessionA  
April 29, 2005**

The Joint Subcommittee on General Government of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order at 8:04 a.m. on Friday, April 29, 2005. Chair Bob Beers presided 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 at the Research Library of the Legislative Counsel Bureau.

**SENATE COMMITTEE MEMBERS PRESENT:**

Senator Bob Beers, Chair  
Senator Dean A. Rhoads  
Senator Bob Coffin

**ASSEMBLY COMMITTEE MEMBERS PRESENT:**

Mr. Morse Arberry Jr., Acting Chair  
Mr. Lynn C. Hettrick  
Mr. Joseph M. Hogan  
Ms. Ellen M. Koivisto  
Mr. Bob Seale

**COMMITTEE MEMBERS ABSENT:**

Ms. Kathy A. McClain (Excused)

**STAFF MEMBERS PRESENT:**

Laura Freed, Program Analyst  
Joyce Garrett, Program Analyst  
Bob Guernsey, Principal Deputy Fiscal Analyst  
Leslie Johnstone, Program Analyst  
Mark W. Stevens, Assembly Fiscal Analyst  
Lora Nay, Committee Secretary

**OTHERS PRESENT:**

Keith Wells, Administrator, State Motor Pool  
Gail J. Anderson, Administrator, Real Estate Division, Department of Business and Industry

**CHAIR BEERS:**

The first order of business is the recommended budget closing for Veterinary Medical Services, budget account 101-4550, ([Exhibit C](#)). Apparently, we did not move to close that budget previously.

**AGRICULTURE**

Agri, Veterinary Medical Services — Budget Page AGRI-49 (Volume I)

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 2

Budget Account 101-4550

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE BUDGET ACCOUNT 101-4550 WITH STAFF RECOMMENDATIONS.

ASSEMBLYMAN HETTRICK SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR COFFIN AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

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CHAIR BEERS:

Our remaining recommended budget closings are found in the Joint Subcommittee on General Government Closing List #6 ([Exhibit D](#), original is on file at the Research Library). We will begin with Insurance and Loss Prevention.

ADMINISTRATION

Insurance & Loss Prevention — Budget Page ADMINISTRATION-45 (Volume 1)  
Budget Account 715-1352

LESLIE JOHNSTONE (Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

The budget account (B/A) 715-1352 contains no real changes in how insurance is provided. The major insurance lines include workers' compensation, property and contents, aviation, employee fidelity and excess liability. There are no major closing issues and staff seeks approval to make any technical adjustments that may be necessary for cost allocations as a result of closure of those budgets.

ASSEMBLYMAN HETTRICK MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE BUDGET ACCOUNT 715-1352 WITH STAFF RECOMMENDATIONS AND WITH THE AUTHORITY OF STAFF TO MAKE TECHNICAL ADJUSTMENTS THAT MAY BE NECESSARY UPON CLOSURE OF THIS BUDGET.

ASSEMBLYMAN ARBERRY SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR COFFIN AND ASSEMBLYWOMAN MCCLAIN WERE ABSENT FOR THE VOTE.)

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Motor Pool — Budget Page ADMINISTRATION-59 (Volume I)  
Budget Account 711-1354

LAURA FREED (Program Analyst, fiscal Analysis Division, Legislative Counsel Bureau):

Staff recommends reductions in the cost allocation to the Administrative Services Division. Staff recommends increasing the statewide cost allocation,

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 3

based on information from the Budget Division, as well as a reduction in the Attorney General cost allocation paid by this budget.

There is one closing issue which is the relocation of the Las Vegas Motor Pool. The Subcommittee will recall discussion of the budget hearing of possible sites for relocation. There is no recommendation available from the Budget Division about an official first-choice site. Clark County Aviation has indicated the State Motor Pool may be able to stay through the first year of the upcoming biennium. Staff recommends budgeting for the usual rent to Clark County Aviation for the land on Rent-A-Car Road for fiscal year (FY) 2006. Staff recommends approval of demolition funds budgeted in FY 2007, which is approximately \$60,000. Since no recommendation is available from the Department of Administration about a new site, staff recommends the money committees issue a Letter of Intent instructing Motor Pool to approach the Interim Finance Committee (IFC) to request authority for any additional funds needed, for a lease or lease-purchase, as well as any construction funds necessary.

CHAIR BEERS:

Now that the airport has to auction off the land they take over, what will happen to the space we now occupy? They are not so anxious to see us leave.

KEITH WELLS (Administrator, State Motor Pool):

I am not sure what the intent of the airport is, but they are going to make a parking lot out of the location we currently occupy.

CHAIR BEERS:

Are you still looking at three sites? Were you looking at a fourth by the Bradley Building near the Nevada Highway Patrol (NHP) facility?

MR. WELLS:

We are considering a site near the Bradley Building. The complex, currently occupied by the NHP maintenance facility, will be considered only as a backup plan. We are currently reviewing three valid proposals. Currently the Division of State Lands is verifying the property ownership of one of the proposals. I am meeting with the State Public Works Board next Wednesday. They are going to review the construction guidelines to see if everything sounds reasonable. We will then proceed with a proposal.

CHAIR BEERS:

Will you provide a Letter of Intent to the IFC when you get the project defined?

MR. WELLS:

Yes.

ASSEMBLYMAN ARBERRY MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE BUDGET ACCOUNT 711-1354 WITH STAFF RECOMMENDATIONS AND PROVIDE A LETTER OF INTENT TO THE IFC PROVIDING INFORMATIONAL ITEMS AS APPROPRIATE AND WITH THE AUTHORITY FOR STAFF TO MAKE TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN SEALE SECONDED THE MOTION.

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 4

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS  
ABSENT FOR THE VOTE.)

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MS. FREED:

The next budget concerns the purchase of Motor Pool vehicles.

Motor Pool Vehicle Purchase — Budget Page ADMINISTRATION-67 (Volume I)  
Budget Account 711-1356

MS. FREED:

There are no major closing issues in the budget, and staff recommends this account be closed as adjusted. There are no technical adjustments. Staff seeks approval to adjust the prices and numbers of additional vehicles pending the closure of other projects.

ASSEMBLYMAN SEALE MOVED TO RECOMMEND TO THE FULL  
COMMITTEE TO CLOSE BUDGET ACCOUNT 711-1356 WITH  
STAFF RECOMMENDATIONS AND TO MAKE TECHNICAL  
ADJUSTMENTS AS NEEDED.

SENATOR RHOADS SECONDED THE MOTION.

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS  
ABSENT FOR THE VOTE.)

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CHAIR BEERS:

The next budget is from the Real Estate Administration.

BUSINESS AND INDUSTRY

B&I, Real Estate Administration — Budget Page B&I-68 (Volume II)  
Budget Account 101-3823

E-325 Services at Level Closest to People — Page B&I-72

E-330 Services at level Closest to People — Page B&I-72

E-805 Classified Position Reclassifications — Page B&I-75

E-334 Services at Level Closest to People — Page B&I-73

E-275 Maximize Internet and Technology — Page B&I-124

JOYCE GARRETT (Program Analyst, Fiscal Analysis Division, Legislative Counsel  
Bureau):

You will find the information for this account on page 11 of the Closing List #6, [Exhibit D](#). Two of the items under other closing items recommend two and one-half new positions as recommended by the Governor. The first one is in decision unit E-325 for a full-time administrative assistant I position for the licensing section in Las Vegas. There is also a second new position in decision unit E-330 which is a full-time administrative assistant III position. This position would serve as a coordinator for the Real Estate Commission, the Commission

of Appraisers of Real Estate and the Commission on Common-Interest Communities. In item 3, on page 14, there is a position reclassification in decision unit E-805. I want to bring to your attention the part-time administrative assistant I position in the Project Section that will be reclassified to a full-time position to provide additional support. This position was approved by the 2003 Legislature as a half-time position and now it is being requested to increase to a full-time position.

There are three closing issues. Senator Dennis Nolan provided testimony concerning the need for additional customer service staff in the Las Vegas office. In response to his testimony, the Joint Subcommittee on General Government asked the Fiscal Analysis Division to provide a list of the items needed to provide increased customer service support in the Las Vegas office. Requested are three positions, operating expenses, remodeling expenses to add two new customer windows, office furnishings and computer equipment. In the first year of the biennium, there is approximately \$25,000 that represents onetime expenditures.

Staff has worked with the agency in addressing the three positions identified in this response to the Subcommittee's request. In consideration of the position in decision unit E-325, the agency is in agreement that the three administrative assistant II positions requested could be reduced to two positions with the third to be picked up in decision unit E-325.

Senator Randolph J. Townsend requested information concerning additional staffing and support costs needed to meet the division's statewide workload demands ([Exhibit E](#), original is on file at the Research Library). A summary of the agency's response to the Senator's request is on page 16 of [Exhibit D](#) with the full response included in [Exhibit E](#). In [Exhibit D](#), page 16, the first two columns represent the response submitted to the Joint Subcommittee's request for the Las Vegas office. The second two columns represent the response to Senator Townsend. The primary differences are Senator Townsend's request has an additional three positions over and above that which was provided to the Joint Subcommittee. There is funding for in-state travel for commissioners, moving expenses, additional computer hardware for the new positions, software and credit card fees for the payment of e-mail or online transactions.

Page 13 of [Exhibit D](#), item 3, lists pending legislation. [Senate Bill 163](#) was passed out of the Senate and was not referred to the Senate Committee on Finance. The bill is currently in the Assembly Committee on Commerce and Labor. This legislation has an unsolicited fiscal note, provided by the agency, and it includes the addition of one administrative assistant I position for the Carson City office. The agency has indicated this position is not going to be needed if the proposal presented to Senator Townsend is recommended by the Joint Subcommittee.

**[SENATE BILL 163](#)**: Makes changes relating to certain regulatory bodies which administer occupational licensing. (BDR 54-22)

[Senate Bill 315](#) includes a half-time position and is currently in the Senate Committee on Finance. This position is not needed if the administrative assistant II positions, included in both proposals, are funded.

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 6

**SENATE BILL 315**: Provides for regulation of certain business brokers and revises provisions governing disclosures in certain real estate transactions. (BDR 54-1135)

Senate Bill 325 has been referred out of the Senate. It was not referred to the Senate Committee on Finance and is currently in the Assembly where it was referred to the Committee on Judiciary. This position is not needed if the administrative assistant II position, identified in both proposals, crossing over, is approved.

**SENATE BILL 325**: Makes various changes concerning common-interest communities. (BDR 10-20)

Senate Bill 332 does not have much of an impact; it would be a budget adjustment. This bill is currently in the Assembly Committee on Commerce and Labor.

**SENATE BILL 332**: Revises provisions relating to real estate. (BDR 54-230)

Senate Bill 315 includes a half-time position and is currently in the Senate Committee on Finance. This position is not needed if the administrative assistant II positions, in both proposals, are funded.

ASSEMBLYWOMAN KOIVISTO:

Is there space available in the Bradley Building?

GAIL ANDERSON (Administrator, Real Estate Division, Department of Business and Industry):

Not at this time. I have been working with the Department of Business and Industry and there is an agency in a suite willing to be relocated if accommodations can be found.

ASSEMBLYMAN HETTRICK:

Would we put this money into the IFC based on the space becoming available? Would we have to make everything contingent on this because where would the people go if we do not have the space? Would we still pass the bills on the list?

CHAIR BEERS:

We do not know if the bills are going to pass or not. They got out of the Senate without being referred to the Senate Committee on Finance. Chair Arberry is going to ensure these bills get pulled into the Assembly Committee on Ways and Means if they get out of policy committees.

ASSEMBLYMAN HETTRICK:

If we decide to change the law, there would be no money. If we approved this budget with the additional people, they would be included within the proposal.

CHAIR BEERS:

Would there be no physical effect?

ASSEMBLYMAN HETTRICK:

There would be no physical effect.

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 7

Ms. ANDERSON:

In regard to the building space, the other agency involved is a self-funded agency. Moving would not be an issue. If we are funded to move, it will happen.

ASSEMBLYMAN HETTRICK:

How quickly could that happen?

Ms. ANDERSON:

It would probably take a few months to complete.

ACTING CHAIR ARBERRY:

We had not seen Senator Townsend's proposal. This is our first exposure and, without prior information, we cannot accept the concept the six positions are warranted. It is not fair to our side of the House.

SENATOR COFFIN:

The guide I usually use with agencies is if they want something, and if they can guarantee to us that is what the people paying the bills want, generally it is because there is a real need.

CHAIR BEERS:

This budget is similar to gaming and is somewhat unusual as they both are self-funded and contribute out of their licensing fees.

The remaining budgets we have today are based around this. Licensing is essentially Senator Nolan's issue.

MARK STEVENS (Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

I have one question on the new positions. If you go to page 12, of [Exhibit D](#), there is currently one position recommended in the Governor's budget. We need to make sure we account for that position correctly. Do we want to approve the Governor's position, as recommended in the *Executive Budget* plus three, or do we want to have a net of three? Do we want four or three positions?

CHAIR BEERS:

The Governor's budget is currently recommending two and one-half new positions overall.

Ms. GARRETT:

The three positions, included in the motion, were the three positions referred to in the agency's response to the Subcommittee's request.

Staff would like clarification on the three positions referred to in the agency's response to the Subcommittee's request. Clarification is needed on whether or not the Subcommittee wants to include the administrative assistant I position in decision unit E-325. The administrative assistant II positions could be reduced by one if decision unit E-325 is approved.

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 8

ACTING CHAIR ARBERRY:

I suggest we accept one and one-half of the two and one-half positions recommended in the *Executive Budget* plus three or Governor's recommendation plus two.

MS. GARRETT:

There are other issues in this budget. There is a reclassification in item 3, page 14 of [Exhibit D](#), in the second paragraph. There is the Governor's recommendation of a reclassification of two program officer positions, from program officer I to program officer II and program officer II to program officer III respectively. The agency indicates that the program officer II position manages the licensing section and the diversity of the statutes. The number of licensing categories has increased the responsibilities of this position.

In reference to the program officer I position, this is the legal administrative officer for the Real Estate Division. The agency indicated the workload for this position has increased significantly with the addition of a third commission titled the Commission on Common-Interest Communities. If this decision unit, as a whole, is approved by the Subcommittee, technical adjustments would be made to increase expenditure authority in the personnel category by \$5,136 in FY 2006 to reflect a correction to the Governor's recommended budget.

The position start dates were entered incorrectly into the budgeting system as starting in October. Since these are existing positions, that start date would not have funded their benefits through October. We changed the start date and added another \$5,000 so their benefits would be covered.

In item 5, of [Exhibit D](#), Information Technology, decision unit E-334, staff is recommending a \$6,717 decrease in expenditure authority in the second year with a corresponding decrease to the General Fund. This would eliminate overlapping information technology costs that are also recommended in the Division of Mortgage Lending budget, in decision unit E-275, that will be closing next week. If the Mortgage Lending budget is approved, then staff recommends the elimination of the \$6,700 in the second year of the biennium. Finally, on page 15 of [Exhibit D](#), there is a technical adjustment in item 1 representing a cost allocation inadvertently funded with a General Fund appropriation. The cost allocation to support the Director's office in addition to the General Fund that is supporting the Director's office was an incorrect funding source. Staff requests authority to make the appropriate adjustment after all the budgets close and the cost allocations are recalculated.

ASSEMBLYWOMAN KOIVISTO:

Concerning these program officer position upgrades, did you complete the State Personnel form NPD-19 to help bring the money in line?

MS. ANDERSON:

Yes, we have completed the NPD-19s.

ASSEMBLYMAN ARBERRY MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE BUDGET ACCOUNT 101-3823; TO ACCEPT STAFF RECOMMENDATIONS ON THE FRONT COUNTER LICENSING ISSUE; TO ADD TWO POSITIONS IN ADDITION TO



Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 9

THE NUMBER OF POSITIONS REQUESTED BY THE GOVERNOR;  
AND TO APPROVE THE COSTS OF REMODELING THE BRADLEY  
BUILDING COUNTERS.

SENATOR COFFIN SECONDED THE MOTION

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS  
ABSENT FOR THE VOTE.)

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Ms. ANDERSON:

The next budget for your consideration is located on page 17 of [Exhibit D](#).

B&I, Real Estate Education and Research — Budget Page B&I-78 (Volume II)  
Budget Account 216-3826

The Subcommittee did not receive testimony on this budget because it was identified as a staff closing. Staff information on this B/A is found on pages 17 and 18 of Closing List #6, [Exhibit D](#). The agency prioritized the items listed in this budget and has identified the fax machine as their first priority and the administrative assistant II position as their second priority. A second position, administrative assistant II, would be responsible for the clerical work related to the audit of continuing education courses and course evaluations. Audits are conducted by industry subject-matter experts to evaluate the continuing education-course requirements for licensing. The duties and responsibilities are currently borne by a program officer III who oversees the continuing education program. This position would be integral in tracking the evaluations of the continuing education courses. It is estimated there is a minimum of 500 evaluations each month that would be completed and compiled into summary reports.

CHAIR BEERS:

Have you been able to identify any transportation costs that could be eliminated with the addition of the fax machine?

Ms. ANDERSON:

No, I have not.

CHAIR BEERS:

Has your commission considered these positions and determined them to be within the statutory authority of the education and research fund?

Ms. ANDERSON:

Yes, all of the budget proposals are reviewed with the commission for their concurrence, and they have reviewed these proposals and supported them.

ASSEMBLYMAN HETRICK MOVED TO RECOMMEND TO THE  
FULL COMMITTEE TO CLOSE BUDGET ACCOUNT 216-3826 WITH  
THE GOVERNOR'S RECOMMENDATION AND WITH THE  
AUTHORITY OF STAFF TO MAKE TECHNICAL ADJUSTMENTS.

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 10

ASSEMBLYMAN SEALE SECONDED THE MOTION.

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS  
ABSENT FOR THE VOTE.)

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Ms. GARRETT:

The next budget, for your consideration, is located on page 19 of [Exhibit D](#).

B&I, Real Estate Recovery Fund — Budget Page B&I-78 (Volume II)  
Budget Account 216-3826

The only closing issue in this budget is Assembly Bill (A.B.) 114, currently in the Senate Committee on Commerce and Labor and referred to the Assembly Committee on Ways and Means. The proposed legislation would increase the minimum balance that must be maintained in this budget's reserve category from \$50,000 to \$300,000 and provides that only balances over \$300,000 remaining in the fund at the end of the year may be used for the real estate education and research budget. All funding for the real estate education and research budget comes from this year-end transfer of excess-reserve funds as identified in statute. Less money would ultimately go into B/A 3826. If this legislation is approved, staff is requesting authority to make the budgetary adjustments to the reserve category. There are no technical adjustments.

ASSEMBLY BILL 114: Revises provisions governing manufactured homes, mobile homes, and Real Estate Education, Research and Recovery Fund. (BDR 43-1162)

ASSEMBLYMAN HETTRICK:

As I understand this, the real estate education and research budget would receive less money until the reserve increased to \$300,000. Then, it would return where it was. It would be a onetime shot to build up the \$250,000 additional reserve funds. I do not know how long that might take. Ultimately, the funding would be a onetime shot to build up the additional reserves.

ASSEMBLYMAN HETTRICK MOVED TO ACCEPT THE GOVERNOR'S RECOMMENDATION AND GIVE STAFF THE ABILITY TO MAKE ADJUSTMENTS DEPENDING ON THE OUTCOME OF A.B. 114.

ASSEMBLYWOMAN KOIVISTO SECONDED THE MOTION.

CHAIR BEERS:

If you look at the work program, it would appear the revenue they have is probably low for 2005. It would appear the 2004 actual is much larger than the work program to cover this difference. We have received some late information from the Division indicating the number of licensees continues to climb significantly, and they have a flat revenue budgeted for 2006 and 2007.

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 11

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS  
ABSENT FOR THE VOTE.)

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Ms. GARRETT:

The last budget report for the Real Estate Division is described beginning on page 20 of [Exhibit D](#).

B&I, Common-Interest Communities — Budget Page-87 (Volume II)  
Budget Account 101-3820

There is one closing issue discussed on page 21. The Subcommittee requested the agency provide revised revenue estimates for the 2005-2007 biennium to align with revenue projected by an 8-percent growth in the number of home owner association units registered. The agency has provided that information and it is demonstrated in the table. Shown in the table are home owner association fees, as recommended by the Governor, in 2006 and 2007. The line below shows home owner association fees revised to reflect the percentage of growth. The increase results in additional revenue of \$196,997 in the first year and \$200,619 in the second year over and above the Governor's recommended revenue. In the corresponding adjustment to the increased revenue authority, if the Subcommittee chooses to approve this, would be an increase to the reserve category.

Under the other closing items there is a new position recommended by the Governor. It is a training officer II position. This position would conduct educational training for unit owners in common-interest communities, association board members and officers. This position was requested by the Commission for Common-Interest Communities. Currently, these duties are being handled by other staff members within this agency whose duties are prohibiting them from taking care of both sides of their responsibilities. The remainder are technical adjustments.

ASSEMBLYMAN SEALE:

Is staff comfortable with those numbers and the increases on the revenue side?

Ms. GARRETT:

Yes, sir, staff has reviewed those numbers and they represent the intent of the Subcommittee's request.

ASSEMBLYMAN SEALE MOVED TO RECOMMEND TO THE FULL COMMITTEE TO CLOSE BUDGET ACCOUNT 101-3820; TO ACCEPT THE INCREASED REVENUE AND THE CORRESPONDING INCREASE IN THE RESERVE CATEGORY; AND INCLUDE ALL OF THE STAFF RECOMMENDATIONS ON THE OTHER CLOSING ITEMS WITH THE AUTHORITY OF STAFF TO MAKE TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN HETTRICK SECONDED THE MOTION.

Joint Subcommittee on General Government  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
April 29, 2005  
Page 12

THE MOTION CARRIED. (ASSEMBLYWOMAN MCCLAIN WAS  
ABSENT FOR THE VOTE.)

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CHAIR BEERS:

There being no further business, the meeting is adjourned at 8:55 a.m.

RESPECTFULLY SUBMITTED:

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Lora Nay,  
Committee Secretary

APPROVED BY:

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Senator Bob Beers, Chair

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

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Assemblyman Morse Arberry Jr., Acting Chair

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