

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON WAYS AND MEANS  
AND THE  
SENATE COMMITTEE ON FINANCE  
JOINT SUBCOMMITTEE ON PUBLIC SAFETY/NATURAL  
RESOURCES/TRANSPORTATION**

**Seventy-Fourth Session  
May 15, 2007**

The Assembly Committee on Ways and Means and the Senate Committee on Finance, Joint Subcommittee on Public Safety/Natural Resources/Transportation was called to order by Chair David R. Parks at 8:29 a.m., on Tuesday, May 15, 2007, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/74th/committees/](http://www.leg.state.nv.us/74th/committees/). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**ASSEMBLY COMMITTEE MEMBERS PRESENT:**

Assemblyman David R. Parks, Chair  
Assemblyman Tom Grady  
Assemblyman Joseph Hogan  
Assemblywoman Ellen Koivisto  
Assemblywoman Kathy McClain  
Assemblywoman Valerie E. Weber

**SENATE COMMITTEE MEMBERS PRESENT:**

Senator Dean A. Rhoads, Chair  
Senator Bob Beers  
Senator Dina Titus

**STAFF MEMBERS PRESENT:**

Gary Ghiggeri, Senate Fiscal Analyst  
Steve Abba, Principal Deputy Fiscal Analyst  
Mark Krmpotic, Senior Program Analyst  
Robin Hager, Program Analyst  
Anne Bowen, Committee Secretary  
Patricia Adams, Committee Assistant

Chairman Parks called the meeting to order.

Chairman Parks requested the Subcommittee revisit Budget Account 4740, enhancement unit 251 (E251) and asked Mark Krmpotic, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), to comment on a request for reconsideration.

Mr. Krmpotic said the Subcommittee had previously closed BA 4740, the Compliance and Enforcement Account. Within that account, decision unit E251, proposed the addition of two compliance enforcement investigators



recommended by the Governor to address workload equity. Mr. Krmpotic said the situation was that the two compliance enforcement investigators included in BA 4722, Pollution Control, had been used out of budget to address compliance enforcement issues with the Compliance Enforcement Account which was Highway Funded. Mr. Krmpotic said BA 4722 was funded with fees collected on smog certificates and other miscellaneous fees, which were restricted in their use by statute, and to be used strictly for pollution control issues. The agency had attempted to correct the situation with the new positions recommended by the Governor. Mr. Krmpotic said the Subcommittee had closed BA 4740 by eliminating the two requested positions in E251. The agency had requested that the Subcommittee reconsider the positions.

Mr. Krmpotic explained that should the Subcommittee wish to reconsider decision unit E251, it would result in an addition of Highway Funds to the Compliance and Enforcement Account of \$231,357 in FY 2008, and \$216,481 in FY 2009.

SENATOR RHOADS MOVED THAT BUDGET ACCOUNT 4740 BE REOPENED AND DECISION UNIT E251 BE RECONSIDERED BY THE SUBCOMMITTEE.

SENATOR BEERS SECONDED THE MOTION.

THE MOTION PASSED.

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SENATOR RHOADS MOVED APPROVAL OF DECISION UNIT E251 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

In response to a question by Assemblywoman McClain, Mr. Krmpotic stated there were two new compliance enforcement investigator positions in decision unit E251 which would be funded by Highway Fund appropriations and would work solely in the Compliance Enforcement Account.

THE MOTION PASSED.

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Chairman Parks opened the hearing on Budget Account (BA) 4746.

**DEPARTMENT OF MOTOR VEHICLES**  
**REAL ID (201-4746)**  
**EXECUTIVE BUDGET PAGE DMV-10**

Robin Hager, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an explanation of BA 4746.

Ms. Hager stated the REAL ID Act was signed into law by President Bush on May 11, 2005, and was scheduled to take effect on May 11, 2008, unless Nevada requested an extension from the U.S. Department of Homeland Security. The extension could be granted up to December 2009.

According to Ms. Hager, the agency had indicated the State would request an extension and begin to issue REAL IDs in October 2008.

Ms. Hager explained that the Governor recommended Highway Funds of \$30.1 million over the 2007-09 biennium to implement REAL ID. The Budget Division had submitted four budget amendments that had reduced the REAL ID budget to \$26.5 million over the biennium.

Budget amendment No. 19 reduced the reserve in the REAL ID budget by \$73,278 to fund a statewide fiber loop for three months in FY 2008. Ms. Hager stated funding was not included in decision unit E279.

Budget amendment No. 55, based on the delay in the implementation date from May 11, 2008, to October 1, 2008, eliminated the funding for the electronic system verification queries. Ms. Hager said the decreased funding totaled \$206,603.

Ms. Hager explained that budget amendment No. 81 concerned draft regulations that provided the State with some guidance on the physical security features required on a REAL ID compliant card. This resulted in a reduction of \$2.3 million over the 2007-09 biennium, based on a reduced cost to produce the REAL ID card from \$7 to \$3.33.

The Budget Division submitted budget amendment No. 117 to move seven positions to the Compliance Enforcement Division and eliminate one investigator in REAL ID budget. Ms. Hager said the budget amendment resulted in a reduction of approximately \$1.1 million over the 2007-09 biennium in the REAL ID budget. Staff noted that the Subcommittee had not approved the transfer but had decided to eliminate the seven positions in the Compliance Enforcement Division.

Ms. Hager said the draft federal regulations allowed states to use up to 20 percent, less administrative expenses of up to 5 percent, of the State Homeland Security Grant Program funds to implement REAL ID. This would begin in the federal fiscal year 2007 grant cycle. Ms. Hager noted that currently the State Homeland Security Grant Program funds supported the Terrorism Early Warning Centers, the Citizen Core Program, and interoperable communication efforts.

Chairman Parks asked whether all of the Homeland Security Grant funds were appropriated. Ms. Hager responded that those funds had not been received, and the Department of Emergency Management would not be notified of the funding grant levels until July 2007. When the Department submitted the application it had not requested funds specifically for REAL ID. Ms. Hager explained the funds would be taken from a different program to use for REAL ID. Chairman Parks summarized that the application had been submitted, and it did not include a request for REAL ID funds. Ms. Hager said that was correct.

Ms. Hager said Assembly Bill 547 had been introduced to exclude funding for the implementation of REAL ID from the 22 percent cap required for the Department of Motor Vehicles (DMV) under *Nevada Revised Statutes* 408.235. Based on the Subcommittee's actions of the Department's budget closings to date, staff estimated the agency is under the 22 percent cap by approximately \$11.3 million in each year of the 2007-09 biennium. Ms. Hager said the Subcommittee might wish to consider including the funding for the

implementation of REAL ID above the minimum requirements identified under the agency's 22 percent cap requirement.

Ms. Hager presented three budget options for funding REAL ID. The first budget was the Governor's Recommended Budget with amendments, totaling \$26,452,554. The second was the budget with staff reductions, where staff had estimated reductions in decision units for an estimated total budget of \$18,759,369. The third budget proposal was for minimum estimated requirements provided by the DMV in the amount of \$8,879,202. Ms. Hager noted that the budget comprised of staff reductions could be decreased based on policy issues decided by the Subcommittee.

Senator Rhoads inquired as to what cuts could be made to the budget proposed by staff. Ms. Hager referred to decision unit E282, the driver's license ID card security requirements, and noted that approximately eight physical security features were required in REAL ID for the identification card. In the current budget, the security requirements were funded with Highway Funds as recommended by the Governor. In statute the cost would be required to be passed on to the applicant. Ms. Hager said A.B. 582 had been introduced to change language in statute that would allow the Department to use either Highway Funds to support the increase or pass the cost onto the customer.

Assemblywoman McClain asked why the Department was not requesting an extension to December 2009.

Ginny Lewis, Director, Department of Motor Vehicles, explained that the Department believed it was not a good idea to request an extension until December 2009 because Nevada had a four-year renewal cycle for drivers' licenses. Ms. Lewis said she considered the last date for implementation of REAL ID, which was May 2013. If that date was backed up four years, it would bring implementation to May 2009, allowing for everyone to procure their REAL ID on the date of their driver's license renewal. She said it would be chaotic to require customers to go to a DMV office outside of their renewal cycle. Condensing four years into three years to meet the 2013 deadline would have a larger impact on the Department, according to Ms. Lewis.

Ms. McClain opined that the REAL ID requirements would have a chaotic impact on Nevada residents no matter how it was handled. She said that both the Assembly and the Senate had issued resolutions objecting to the REAL ID Act because it was an imposition on state government by the federal government. Ms. McClain said if the federal government wanted REAL ID implemented, it should pay for it. Ms. McClain said the DMV should request an extension for as long as allowed, and perhaps the REAL ID Act would be repealed.

Chairman Parks stated that there was also the possibility of significant revisions between now and the required implementation date, and Ms. McClain concurred.

Senator Beers remarked that it would be less costly to take a true "bare bones" budget approach and, if necessary, return for a special session of the Legislature if the REAL ID Act was ultimately implemented. He said it was not prudent to ignore the mandate and hope it went away, although he had read a very encouraging letter from Senator Harry Reid regarding the REAL ID Act. Senator Beers commented that the State had an exceptionally professional and prudent Department of Motor Vehicles that had covered the known requirements to the best of its ability. His suggestion was to set aside funding

in the Highway Fund for the time being, and either approve something at the Interim Finance Committee (IFC) or, if it became necessary, convene a special session.

Chairman Parks asked about the contract manager requested in decision unit E276.

Ms. Hager explained that decision unit E276 requested an implementation team for REAL ID. The Executive Budget recommended a total of \$1.1 million over the biennium for the salary and operating costs of a project manager, who would be on contract. The decision unit included funding of \$310,000 each year of the 2007-09 biennium for the project manager's contract. The decision unit also included two management analysts and an administrative assistant. The three state positions were budgeted to begin July 1, 2007.

Chairman Parks asked whether the Subcommittee wanted more information from staff or wanted to follow the recommendation of any of the three proposed budgets.

Assemblywoman McClain asked what Senator Beers believed an appropriate amount of money would be to set aside in the Highway Fund.

Senator Beers said he was in favor of funding the project manager position before the October 2007 deadline, but no more. He said he was hesitant to set aside funding in the Highway Fund with only one-third of the Legislative body making the final decision. He said the amount of the funding was such that it might make sense to spend \$50,000 on a special session, rather than spend amounts in the millions immediately on a program so undefined.

ASSEMBLYWOMAN McCLAIN MOVED TO APPROVE THE HIRING  
OF A PROJECT MANAGER FOR REAL ID ON A CONTRACT BASIS  
WITH AN APPROPRIATION OF \$200,000 FOR EACH YEAR OF  
THE 2007-09 BIENNIUM.

SENATOR BEERS SECONDED THE MOTION.

Chairman Parks requested clarification regarding the amount of the appropriation, and Ms. McClain replied that it was \$200,000 for each year of the biennium. Chairman Parks noted that the figure presented in decision unit E276 had been \$310,000 for each year of the biennium. Ms. McClain reiterated that the motion approved \$200,000 for each year of the biennium.

Mr. Krmpotic said that if the Subcommittee chose, it could place the \$200,000 for the second year of the biennium in reserve and have the DMV appear before the IFC to have it moved out of reserve depending on the status of REAL ID.

Ms. McClain stated for clarification that her motion included placing \$200,000 for the contract project manager in the second year of the biennium in reserve and requiring the DMV to appear before the IFC to have the funding moved out of reserve.

Assemblyman Hogan wondered whether there was a possibility of saving funds by delaying the hiring of the project manager.

Senator Beers said his recollection was that there were deadlines that had to be met, and there was a possibility of saving the citizens of Nevada time by hiring a project manager to meet those deadlines.

Ms. Hager pointed out that under the REAL ID Act states were required to issue compliant REAL IDs by May 11, 2008. When the draft regulations were issued, the states were allowed to extend the compliance deadline until December 31, 2008. Extension requests were required to be submitted by October 2007. Ms. Hager said states that received an extension were required to submit a plan detailing milestones, schedules, and budgets meeting the requirements of the final regulations by February 10, 2008. The first deadline was October 2007 for the extension request and by February 10, 2008, the Department of Homeland Security needed a plan from Nevada.

Senator Beers commented that the plan could be as simple as suggesting that Nevada's citizens procure a passport.

Assemblyman Hogan commented that the question was whether additional funds could be saved by delaying the start date for the project manager and requiring DMV staff to make the application for the extension. He also wondered whether the project manager could formulate a plan by February 10, 2008, with the help of the DMV staff, if the position was hired for January 1, 2008. Mr. Hogan said if that plan was feasible, there would be a gain of six months without the expense of a project manager.

Senator Beers commented that given the small state nature of Nevada, it appeared reasonable to look to other, larger states to determine the most expedient way to comply with the REAL ID Act. He said it might not make sense for Nevada to "blaze this trail" and commented that Assemblyman Hogan had suggested a sensible alternative.

Assemblywoman McClain incorporated into her original motion that the hiring of a project manager for REAL ID would be delayed until January 2008, and the existing DMV staff would be responsible for applying for an extension by the deadline of October 2007.

Ms. Hager confirmed that in January 2008, funding would be provided in the amount of \$100,000 for the project manager position, and \$200,000 would be held in reserve for the second year of the biennium with the DMV appearing before the IFC to request those funds.

THE MOTION PASSED UNANIMOUSLY.

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Chairman Parks recessed the meeting at 9:05 a.m. and reconvened the meeting at 9:07 a.m.

Chairman Parks opened the hearing on BA 4733.

**PUBLIC SAFETY**  
**PUBLIC SAFETY TECHNOLOGY DIVISION (201-4733)**  
**EXECUTIVE BUDGET PAGE PUBLIC SAFETY-22**

Mark Krmpotic, Senior Program Analyst, Fiscal Analysis Division, LCB, stated there were a number of closing issues in BA 4733. He reminded the

Subcommittee that funding for the Technology Division was derived from a Department-wide cost allocation.

Mr. Krmpotic said the first issue dealt with the disaster recovery infrastructure upgrade in decision unit E586. The Department was vulnerable and did not have adequate hardware and software to provide for backup of its critical Nevada Criminal Justice Information System (NCJIS) application, which included criminal history records and the wants and warrants database. Mr. Krmpotic said staff had been concerned about flooding at the Department's Carson City facility. The agency had informed staff that the Department of Information Technology (DoIT) would be appearing at the June 2007 IFC meeting to request funding to rectify the flooding issue in the Carson City data center.

Mr. Krmpotic explained that the disaster recovery backup center was planned for the FAST Building in Las Vegas. Staff had reviewed the recommendation and it appeared reasonable.

Mr. Krmpotic explained that decision unit E278 dealt with a request for two new positions, an information services specialist and a security officer. The information services specialist provided for a second position to support the Department's Justice Link System. The Justice Link System represented software that allowed access to systems such as national and state wanted persons, criminal history records, parole and probation offender data, and protection orders. Mr. Krmpotic said staff had no concerns with the position. The security officer position would perform audits of agencies that accessed the NCJIS system to ensure those agencies had adequate firewall and security protection.

Mr. Krmpotic referred to decision unit E285, which requested two new information systems specialist positions for the records and technology projects. The agency had identified three projects that those positions would be working on immediately. One project concerned the electronic transmittal of court dispositions. Mr. Krmpotic said the Subcommittee had heard testimony that the Department had a pilot program with some courts in Nevada and was attempting to enlarge the program. Recently the agency had reported the backlog of court dispositions to be approximately 113,000.

The positions were also needed to support a GANG Net application which would provide for information and intelligence on gang activity throughout the State. Mr. Krmpotic said the information would be provided by law enforcement agencies throughout the State and then shared among those agencies. The positions would also provide application support and development for Nevada's access to the National Data Exchange incident-tracking application.

In decision unit E288, a new database administrator position was recommended to provide backup to the existing database administrators. Mr. Krmpotic said the agency cited an increased workload associated with new applications. Additionally, the Department was undergoing a transition from a mainframe environment to a server-based system, and the migration would increase the workload for the positions.

Mr. Krmpotic referred to decision unit E282 in which an administrative assistant position was requested to perform routine day-to-day fiscal and administrative functions for the Technology Division. The agency used an accountant technician to perform those functions, but the agency requested to reclassify that position to a management analyst in decision unit E805. The objective of

the agency was to have the management analyst position involved in Department-wide cost allocation and budget development, according to Mr. Krmpotic.

Decision unit E254 recommended funding of \$261,798 in FY 2008 and \$96,747 in FY 2009 to move technology staff from the state-owned computer facility building adjacent to Department headquarters to nonstate-owned space. Mr. Krmpotic said the agency had informed staff that it did not have enough space to accommodate employees and as a result some employees worked out of their homes. The requested move was motivated in part by a request from the DMV to occupy the entire computer facility to centralize its staff. Mr. Krmpotic said the Department of Public Safety, in moving the positions, planned on combining the positions with staff from the Criminal History Repository.

Mr. Krmpotic stated the following decision units were all recommended for approval by staff:

- Decision unit E275 recommended funding of \$28,440 in FY 2008 and \$56,880 in FY 2009 to replace six agency-owned vehicles and add three additional vehicles.
- Decision unit E279 recommended funding of \$19,445 in FY 2008 and \$19,275 in FY 2009 to provide for additional training for technology staff.
- Decision unit E281 recommended funding of \$4,700 each year of the biennium to provide for additional out-of-state travel for staff to attend a .net conference.
- Decision unit E283 recommended funding of \$80,174 each year of the biennium for maintenance of software and hardware purchased in FY 2006.
- Decision unit E284 recommended funding of \$63,990 in FY 2008 and \$35,842 in FY 2009 to provide for a second DS3 line to provide communications capability to connect additional criminal justice agencies to the Department's network.
- Decision unit E287 recommended funding of \$22,552 in FY 2008 and \$12,306 in FY 2009 to provide for a direct connection to the California Law Enforcement Telecommunications System (CLETS).
- Decision unit E587 recommended approximately \$120,000 over the biennium to fund implementation of a document imaging system.
- Decision unit E710 recommended funding of \$103,651 in FY 2008 and \$101,645 in FY 2009 to provide for replacement equipment.
- Decision unit E711 recommended funding of \$93,972 in FY 2008 and \$51,645 in FY 2009 to fund replacement equipment.
- Decision unit E805 recommended funding to reclassify an accountant technician 1 to a management analyst 2.
- Decision unit E807 recommended the reclassification of a computer network technician 2 to a computer network technician 3 and an information systems specialist 3 to an information systems specialist 4.

Assemblyman Hogan observed that not many budgets presented to the Subcommittee had virtually every decision unit approved by staff.

Chairman Parks said he was concerned about the backlog of 113,000 electronic court dispositions. He asked the agency whether approval of the budget would significantly reduce the backlog.



Captain P.K. O'Neill, Chief, Records and Technology Division, Department of Public Safety, responded that the Division had a Nevada Criminal History Improvement Project (NCHIP) grant with which it had hired four temporary staff members to perform data entries of court dispositions. Captain O'Neill said the grant would be effective through September 2007, and at that time, the Division would reassess the backlog. Captain O'Neill said that while it was a poor excuse, approximately 50 percent of the states were in worse shape regarding the backlog of court dispositions than Nevada. Captain O'Neill said he was confident that in the 2009 session there would be a better resolution to the problem.

Senator Beers asked whether staff had made any changes in BA 4733. Mr. Krmpotic explained that staff had made reductions in funding to decrease maintenance costs for mainframe software and hardware maintenance based on the elimination of a mainframe in FY 2008. That adjustment to expenditures would reduce the budget by \$158,382 in FY 2008 and \$23,804 in FY 2009.

SENATOR BEERS MADE A MOTION TO CLOSE BUDGET  
ACCOUNT 4733 AS RECOMMENDED BY STAFF.

ASSEMBLYWOMAN McCLAIN SECONDED THE MOTION.

THE MOTION PASSED.

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Chairman Parks closed the hearing on BA 4733 and opened the hearing on BA 4709.

**PUBLIC SAFETY**  
**CRIMINAL HISTORY REPOSITORY (101-4709)**  
**EXECUTIVE BUDGET PAGE PUBLIC SAFETY-55**

Mark Krmpotic, Senior Program Analyst, Fiscal Analysis Division, LCB, stated the first major closing issue in BA 4709 was the new bureau manager position. This proposed position related to the reorganization the Criminal History Repository (CHR) had put in place to combine records and the technology function under one division, the Records and Technology Division. Mr. Krmpotic said under that structure the agency proposed the establishment of the technology budget as a bureau under the Records and Technology Division, as well as the Criminal History Repository as a Records Bureau under that Division. Previously, the CHR had a civilian manager position that had been reclassified to a sworn captain position during the previous interim. Decision unit E251 would add a manager to be solely responsible for managing day-to-day activities over the Records Bureau of the Division. Mr. Krmpotic said the Technology Division currently had a manager responsible for management and day-to-day activities in that bureau. The Captain within BA 4709 oversaw both the Records Bureau and the overall Division and cited difficulties in assuming the duties of the Division manager because of the activities requiring his attention within the Records Bureau. Mr. Krmpotic said those duties as division manager included, strategic planning, interfacing with other divisions of the Department to determine needs, and devoting enough management attention and time to the Technology Division.

The records bureau manager would allow the division captain to assume a division chief role. Mr. Krmpotic pointed out there was a recommendation in

BA 4709 to reclassify the captain to a division administrator. Staff did not have any issues with the Records Bureau manager position.

Decision unit E253 recommended three new positions for the Sex Offender Unit including a program officer 2 that would provide a second supervisor. Mr. Krmpotic said the supervisor positions in the Unit not only supervised staff, but also reviewed all tier-level risk assessments. Currently, the agency indicated it was able to perform those tier assessment reviews with the reassignment of one staff position to a supervisor, and the additional 5 percent pay differential to compensate that position for its duties. The addition of a program officer would allow the current staff position to reassume its role in the Sex Offender Unit and perform tier assessments. Mr. Krmpotic stated that the requested position appeared to be reasonable, but if approved, staff would recommend removal of the 5 percent pay differential, saving approximately \$2,700 each year.

Mr. Krmpotic said decision unit E253 also requested an administrative assistant position to address increased growth in the Sex Offender Unit at approximately 8.5 percent each year as projected by the agency. The agency indicated it anticipated additional growth in the Sex Offender Unit and that it was attempting to stay within the 90-day timeframe for completing tier reviews. Staff stated that the requested position appeared to be reasonable.

Decision unit E253 requested an administrative assistant for reconsideration hearings. Mr. Krmpotic noted that NRS 179D.740 allowed for reconsideration of tier assessments performed by the Sex Offender Unit within the Criminal History Repository. The reconsideration hearings were conducted by the Parole Board chairman and the administrator of the Division of Mental Health and Developmental Services. The meetings were open to the public and required staff support. The agency indicated the number of reconsideration hearings had increased from 85 in FY 2006 to 90 through March of FY 2007. Mr. Krmpotic said the agency had identified other duties the position would perform in addition to reconsideration hearings. The position appeared reasonable to staff.

Decision unit E255 requested two new administrative assistant positions for the Brady Unit. Mr. Krmpotic explained that the Brady Unit performed background investigations on prospective buyers of firearms throughout the State. The agency cited caseload growth and a 90-day timeframe in which it attempted to verify information. Mr. Krmpotic stated that staff did not have any issues with the two new positions.

Mr. Krmpotic explained that decision unit E256 requested eight new positions for the Fingerprint Unit, which included three fingerprint technicians, one program officer, and four administrative assistants. Three fingerprint technicians were recommended by the Governor. Based on staff review it appeared that one fingerprint technician was not included in the Department's calculations for its need for new fingerprint technicians. Staff recommended the elimination of one of the requested three fingerprint technicians, bringing the total recommended to two.

Five additional positions were recommended for the Fingerprint Support Unit, which performed data entry and various clerical duties. Mr. Krmpotic noted that one of the fingerprint technicians assigned to the Unit had been assigned to supervise the Support Unit staff and had received a 5 percent pay differential. If the additional program officer position and fingerprint technician positions

were approved, staff recommended removal of the 5 percent pay differential, resulting in savings of \$2,500 per year.

Decision unit E259 recommended funding of \$300,000 from the CHR reserve to fund the relocation of the CHR to an alternate location. Mr. Krmpotic said the agency indicated its current location was not adequate to accommodate additional positions. The agency had identified space near its current location for the relocation. The decision unit appeared reasonable to staff.

Decision unit E258 recommended funding to provide an annual physical and uniform allowance for the captain and funding for a T1 line to enhance the automation of the civil applicant process. Mr. Krmpotic noted that A.B. 89 (R1) would amend NRS 617.135 by including the administrator position in the definition of a police officer for heart and lung physicals. Staff sought authority from the Subcommittee to remove funding for the employee physical totaling \$1,177 each year if A.B. 89 (R1) was not approved. Staff further recommended removal of employee uniform expenses of \$2,253 in FY 2008 and \$399 in FY 2009, because the administrator captain was not required to wear a uniform in the course of his duties.

Mr. Krmpotic said that under decision unit E250, the Governor recommended five motor pool vehicles to replace existing agency-owned vehicles. Staff recommended approval of the decision unit but removal of gasoline expenses of \$723 in FY 2008 and \$1,447 in FY 2009, as the expense was included in the monthly motor pool rate.

Staff recommended approval of decision units E710, E720, and E730.

Mr. Krmpotic said staff sought approval under decision units M801, E801, M802, and E802 to make adjustments for both the administrative and technology cost allocations.

Chairman Parks called for questions from the Subcommittee.

SENATOR RHOADS MOVED TO APPROVE BUDGET  
ACCOUNT 4709 AS APPROVED BY STAFF.

ASSEMBLYWOMAN McCLAIN SECONDED THE MOTION.

THE MOTION PASSED.

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Chairman Parks closed the hearing on BA 4709 and opened the hearing on BA 4713.

**PUBLIC SAFETY**  
**HIGHWAY PATROL (201-4713)**  
**EXECUTIVE BUDGET PAGE PUBLIC SAFETY-73**

Mark Krmpotic, Senior Program Analyst, Fiscal Analysis Division, LCB, stated that BA 4713 contained one major issue dealing with additional staffing. The Executive Budget recommended Highway Funds of \$2.9 million in FY 2008 and \$9.7 million in FY 2009 to add 78 total positions over the biennium. Mr. Krmpotic said the addition of positions was based on a manpower allocation study that had been conducted in 2006. Funding for the study was provided by

the 2005 Legislature. The study recommended 93 new officers for the Highway Patrol, according to Mr. Krmpotic, based on the training capacity for the agency. The Governor recommended 60 officer positions with accompanying sworn management and supervisory positions, as well as civilian support positions. Staff had received information from the agency regarding deployment of the recommended sworn positions which identified officers by command. Mr. Krmpotic noted that the Central Command primarily comprised rural Nevada and was headquartered in Elko. The Northern Command primarily encompassed Carson City, Washoe County, and a portion of the rural area in northwestern Nevada. The deployment of the positions closely identified with the manpower allocation study recommendations, which identified the greatest workload need in the Southern Command in Las Vegas.

Mr. Krmpotic said some of the workload indicators that were identified in the manpower allocation study included crashes in southern Nevada, numbers of registered vehicles, and information obtained from the Nevada Department of Transportation (NDOT) regarding speed limit violators on certain segments of the highways. Mr. Krmpotic stated that 54 of the sworn positions would be assigned to the Southern Command, 11 to the Northern Command, and 6 to the Central Command. Staff pointed out that based on extensive discussions with the agency, some of the officer assignments were based on particular trouble spots identified by the Highway Patrol. For example, six traffic officers assigned to Primm would address a heavy traffic area on I-15 at the California and Nevada border.

Mr. Krmpotic commented regarding the Northern Command and the two officers recommended for Fernley. The agency indicated those positions would help address an area of Highway 50 between Carson City and Silver Springs where a number of fatalities had occurred over the previous years.

Under the Central Command, commercial officers would be assigned in remote rural areas of Nevada. The agency had indicated that it had information that additional truckers, possibly unlicensed, were entering Nevada through some remote areas such as Montgomery Pass.

Mr. Krmpotic said the Subcommittee had previously heard concerns from staff about the request. One of the concerns was overtime, and Mr. Krmpotic noted that overtime was included in the request which totaled approximately \$400,000 in FY 2008 and \$1.2 million in FY 2009. The agency indicated that overtime was incurred by officers in situations such as an accident at the end of a shift or when an officer was required in court on a day off. Mr. Krmpotic said staff had ascertained that the overtime amounts included in the recommendation appeared to be excessive. Staff had also reviewed overtime expenses for FY 2007, and based upon more recent information obtained by staff, it appeared that the agency was reducing overtime as of calendar year 2007. Staff had noted some considerable reduction in overtime expenses. Mr. Krmpotic said staff had recalculated overtime with the agency and had determined that overtime could be reduced by \$313,643 in FY 2008 and by \$792,329 in FY 2009.

Mr. Krmpotic said staff had reviewed the new supervisory and command positions requested, as it had been previously noted that a number of reclassifications had occurred in the past, with officers being reclassified to either lieutenants or sergeants. Mr. Krmpotic said the Subcommittee should note that a captain position to be assigned to Las Vegas was included in the request.

After reviewing the agency's deployment of existing staff, Mr. Krmpotic said two captain positions were assigned to each command throughout the State, including two captains assigned to the Central Command in Elko. The Central Command had 70 to 80 assigned officers, while the Southern Command had 100 to 150 officers with two captain positions. Based upon discussions with the agency, Mr. Krmpotic said it appeared that a captain position in Central Command could be reassigned to the Southern Command, and the new captain position requested could be eliminated. Elimination of the position would result in a Highway Fund savings of approximately \$180,000 in FY 2009.

Mr. Krmpotic said the sergeant-to-officer ratios were reviewed for the Highway Patrol for each of the three commands. The Highway Patrol targets approximately seven to eight officers per sergeant, who was the first-line supervisor. Based on review of each of the commands, it appeared that the Central Command had a more improved ratio over the seven to eight officers per sergeant than other commands, if new positions were approved. Staff recommended the elimination of a sergeant position, resulting in savings of approximately \$135,000 in FY 2009.

Staff also examined administrative assignments. Mr. Krmpotic said two sworn positions were currently assigned to administrative duties that could be performed by civilian positions. The first was an officer position assigned to the Division's headquarters in Carson City. That sworn position was supporting an information technology function dealing with the agency's application for completing accident reports. Mr. Krmpotic said it appeared that the person in the sworn position became an expert on the software and was reassigned to provide support for the agency. Based upon further review, one of the new officer positions requested could be eliminated and an information systems specialist added in lieu of the officer to provide the same amount of support for the agency.

The second position was a sworn officer position which performed a court and warrants function in the Elko office. In other commands the agency assigned administrative assistants to perform those functions, according to Mr. Krmpotic. Staff recommended the addition of an administrative assistant in lieu of a sworn officer position, which would reduce Highway Funds by approximately \$70,000 in FY 2008 and approximately \$30,000 in FY 2009.

Mr. Krmpotic stated staff also reviewed vacant positions. There had been eight officer positions and one dispatch position that had been vacant for eight months or longer. Staff noted that vacancy savings were included in the base budget, totaling approximately \$3.4 million for each year. Mr. Krmpotic said it appeared that through the reduction of salary expense for vacancy savings the effect of those vacant positions had been removed from the budget. Therefore, staff would not recommend the elimination of any positions based upon long-term vacancies that had occurred in the past.

Mr. Krmpotic summarized that staff's recommendations, if approved, would reduce Highway Funds by approximately \$430,000 in FY 2008 and approximately \$1.1 million in FY 2009. Staff had also identified additional technical adjustments totaling approximately \$13,000 in FY 2008 and approximately \$70,000 in FY 2009 to correct the cost of uniforms for new officers, eliminate nonworker driven expenses in the operating category, correct the quantity of equipment required for commercial officers, increase vehicle purchases to include SUVs in lieu of sedans for commercial officers, and reduce computer hardware and software based on corrected quantities.

Mr. Krmpotic said staff would recommend approval of the new positions based upon staff adjustments.

Chairman Parks thanked Mr. Krmpotic for his presentation and called for questions.

Assemblyman Hogan commented that there was some substantial hiring that would be done in BA 4713 and requested that someone from the Department comment on its plan regarding diversity.

Colonel Chris Perry, Chief, Nevada Highway Patrol, stated that the Department was very aware of diversity and where the Department needed to be recruiting. He said the Department was targeting qualified female and minority candidates, and it would be part of the plan to recruit with a goal toward diversity over the next biennium.

Chairman Parks observed that of the 78 requested positions, 54 would be deployed in southern Nevada, amounting to approximately 70 percent of the additional staffing.

Senator Rhoads asked if the Central Command was comfortable with the elimination of positions for the Elko office. Colonel Perry stated the Central Command was fully consulted regarding the changes and had no problem with them.

ASSEMBLYWOMAN McCLAIN MOVED APPROVAL OF NEW  
POSITIONS IN BA 4713 AS RECOMMENDED BY THE GOVERNOR  
WITH ADJUSTMENTS AS RECOMMENDED BY STAFF.

SENATOR RHOADS SECONDED THE MOTION.

THE MOTION PASSED.

\* \* \* \* \*

Chairman Parks asked Colonel Perry whether he felt confident all of the approved additional positions could be filled and the officers trained during the next biennium.

Colonel Perry replied that the Highway Patrol had performed an extensive study regarding the large influx of new positions, and he was confident the training could be accomplished.

Senator Titus asked how the Highway Patrol planned to work with the ten new methamphetamine officers in rural Nevada.

Colonel Perry said the Highway Patrol's major function was highway safety, but occasionally resident officers could be called upon to provide additional assistance to the methamphetamine teams. Colonel Perry said the Department was prepared to render assistance as it currently did for combined narcotics taskforces around the State.

Senator Titus said she would like to see the taskforces coordinate efforts with the Highway Patrol as the Highway Patrol was a constant presence. Colonel Perry said the Department had been working closely with the Director, and the lines of communication were open and fully functional.

Assemblywoman Weber said she was anticipating the deployment plan for southern Nevada becoming more visible. Colonel Perry commented that he was aware of the difficulties in southern Nevada and that was why southern Nevada was being targeted. According to Colonel Perry, there had not been such a large staffing increase in at least 25 years, and it was long overdue.

Mr. Krmpotic explained that The Executive Budget recommended a supplemental appropriation from the Highway Fund of approximately \$1.0 million for additional fuel costs. Based on calculations by staff, it appeared that funds in BA 4713 were insufficient to meet the expenses required for increased gasoline costs. Mr. Krmpotic said staff would recommend an increase of \$217,971 in each year of the biennium to provide for increased gasoline expenses over the 2007-09 biennium.

Mr. Krmpotic noted that in decision unit E427 a reduction of \$9,311 in each year of the biennium was recommended based on duplicate funding included in the base budget.

Staff sought approval to make any changes to the cost allocations under decision units M801, E801, M802, and E802 based on the final approval of the budget.

SENATOR RHOADS MOVED TO APPROVE BUDGET  
ACCOUNT 4713 AS RECOMMENDED BY STAFF.

ASSEMBLYWOMAN McCLAIN SECONDED THE MOTION.

THE MOTION PASSED.

\* \* \* \* \*

Chairman Parks adjourned the meeting at 9:54 a.m.

RESPECTFULLY SUBMITTED:

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Anne Bowen  
Committee Secretary

APPROVED BY:

  
\_\_\_\_\_  
Assemblyman David R. Parks, Chair

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

\_\_\_\_\_  
Senator Dean A. Rhoads, Chair

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

EXHIBITS			
Committee Name: <u>Assembly Committee on Ways and Means/Senate Committee on Finance Joint Subcommittee on Public Safety/Natural Resources/Transportation</u>			
Date: <u>May 15, 2007</u>		Time of Meeting: <u>8:29 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Guest Sign-in Sheet