

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

**Seventy-fourth Session  
April 26, 2007**

The Joint Subcommittee on Public Safety/Natural Resources/Transportation of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order at 8:11 a.m. on Thursday, April 26, 2007. Chair David R. Parks 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 in the Research Library of the Legislative Counsel Bureau.

**SENATE SUBCOMMITTEE MEMBERS PRESENT:**

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

**ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:**

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

**STAFF MEMBERS PRESENT:**

Steven J. Abba, Principal Deputy Fiscal Analyst  
Jeffrey A. Ferguson, Program Analyst  
Larry L. Peri, Principal Deputy Fiscal Analyst  
Tracy Raxter, Senior Program Analyst  
Sandra K. Small, Committee Secretary

**OTHERS PRESENT:**

Greg Cox, Deputy Director, Operations, Department of Corrections  
Darrel Rexwinkel, Deputy Director, Support Services, Department of Corrections  
Howard Skolnik, Director, Department of Corrections  
Frederick Schlottman, Administrator, Offender Management Division,  
Department of Corrections  
Johnny R. McCuin, Acting Deputy Director for Industrial Programs, Department  
of Corrections  
David K. Morrow, Administrator, Division of State Parks, Division of State Lands  
Pete Anderson, State Forester Firewarden, Division of Forestry, State  
Department of Conservation and Natural Resources  
Kay Scherer, Deputy Director, State Department of Conservation and Natural  
Resources

CHAIR PARKS:

The Subcommittee will be looking at budgets of the Department of Corrections and the Department of Conservation and Natural Resources (DCNR). The Subcommittee has received a copy of Closing List #5 ([Exhibit C](#), original is on file in the Research Library). We will begin with the Department of Corrections budget account (B/A) 101-3716.

PUBLIC SAFETY

CORRECTIONS

NDOC - Warm Springs Correctional Center – Budget Page CORRECTIONS-69  
(Volume III)

Budget Account 101-3716

TRACY RAXTER, Senior Program Analyst (Fiscal Analysis Division, Legislative Counsel Bureau):

The closing issues for the Warm Springs Correctional Center, B/A101-3716, are contained on pages 1 and 2 of [Exhibit C](#). In decision unit M-200, the Governor recommends funding \$14,339 in each year of the biennium for inmate-driven costs to reflect the increase in the average inmate population from 489 in fiscal year (FY) 2005-2006 to 501 in each year of the 2007-2009 biennium. Updated inmate population projections were received in March 2007 from JFA Associates. Based on these projections and information provided by the State Public Works Board (SPWB) regarding the construction timeline for new facilities, the Department prepared Biennium Plan 2007-02 reflecting an average inmate population of 583 in FY 2007-2008 and 515 in FY 2008-2009. The inmate-driven costs for the additional inmates above the Governor's recommendation for this facility total \$84,628 in FY 2007-2008 and \$14,450 in FY 2008-2009. There was an error in the calculation of the inmate-driven rate for inmate supplies. The recalculation results in a reduction in General Fund support of \$9,093 in each year of the biennium. Staff recommends approval of this decision unit, as adjusted, and authority to make changes to inmate-driven revenues and expenditures based on final approval of the inmate population counts for each year of the 2007-2009 biennium.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-70

In decision unit M-750, the Governor has recommended funding of \$279,314 in FY 2007-2008 for various building maintenance projects. This includes replacement of walk-in refrigerators, housing-unit flooring, culinary-building flooring and countertops, water softener systems and repaving. The replacement of flooring and water softener systems was identified as critical in the facility condition analysis report prepared by the SPWB in May 2006 with implementation within two years advisable. The Department indicates the walk-in refrigerators need to be replaced due to age, deteriorating condition and maintenance problems. The culinary countertop replacement is a health and safety issue. The Department has prioritized these projects as follows: replacing and adding water softener systems, replacement of walk-in refrigerators, culinary-building flooring, culinary countertops and housing-unit flooring. The recommended funding of \$24,570 for repaving the parking lot and perimeter roads duplicates funding recommended in the 2007 Capital Improvement

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Program (CIP) statewide paving project. Decision unit M-750 appears reasonable with adjustments to eliminate the duplicate funding for paving.

M-750 Building Construction Outside Cap – Page CORRECTIONS-71

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3716; TO INCLUDE M-200 WITH ADJUSTMENTS FOR INMATE POPULATION CHANGES; TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS; AND TO ELIMINATE THE DUPLICATE PAVING PROJECT EXPENSE.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The Subcommittee will move to B/A 101-3724.

NDOC - Northern Nevada Restitution Center – Budget Page CORRECTIONS-85  
(Volume III)  
Budget Account 101-3724

MR. RAXTER:

The closing items for the Northern Nevada Restitution Center, B/A 101-3724, are on pages 3 and 4 of [Exhibit C](#). In decision unit M-200, the Governor recommends funding of \$1,835 in each year of the biennium for inmate-driven costs to reflect the increase in the average inmate population to 88 inmates in each year of the biennium. Staff recommends approval of this decision unit with authority for staff to make changes based upon the final inmate population counts.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-86

In decision unit E-710, the Governor recommends funding \$250 in each year of the biennium for replacement of telephone sets as necessary to ensure there is no loss of communication within or out of the facility. Staff recommends approval.

E-710 Replacement Equipment – Page CORRECTIONS-87

Staff has made a technical adjustment reducing the bus pass expense by \$2,900 in each year of the biennium.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3724; TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO

INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS; AND TO MAKE TECHNICAL ADJUSTMENTS REDUCING BUS PASS EXPENSE.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The Subcommittee will move to B/A 101-3722.

NDOC - Stewart Conservation Camp – Budget Page CORRECTIONS-90  
(Volume III)  
Budget Account 101-3722

MR. RAXTER:

The closing items for the Stewart Conservation Camp, B/A 101-3722, are on pages 5 and 6 of [Exhibit C](#). There are no major closing issues in this account. The Governor has recommended funding in M-200 of \$6,516 in each year of the biennium for inmate-driven costs to reflect the increase in the average inmate population. The inmate-driven costs for the additional inmates above the Governor's recommendation total \$36,922 in FY 2007-2008. Staff recommends approval of this decision unit as adjusted and requests authority to make changes based upon final approval of inmate population counts.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-91

There is one technical adjustment to the Base Budget for utility expenses for a reduction of \$40,299 in FY 2007-2008 and \$42,504 in FY 2008-2009 due to the operation of the new biomass energy plant at the Northern Nevada Correctional Center. The plant is projected to become operational in June 2007.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3722; TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS; AND TO MAKE TECHNICAL ADJUSTMENTS FOR UTILITY EXPENSE.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

CHAIR PARKS:

Is the biomass energy plant on target? I am getting an affirmative nod from the audience.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

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SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:  
The Subcommittee will move to B/A 101-3723.

NDOC - Pioche Conservation Camp – Budget Page CORRECTIONS-94  
(Volume III)  
Budget Account 101-3723

MR. RAXTER:  
The closing items for the Pioche Conservation Camp, B/A 101-3723, are on pages 7 and 8 of **Exhibit C**. In Decision unit M-200, the Governor recommends funding of \$16,496 in each year of the biennium for inmate-driven costs to reflect the increase in the inmate population from 179 in FY 2005-2006 to 194 for the 2007-2009 biennium. The updated inmate population projections are expected to be at 218 in FY 2007-2008 and 194 in FY 2008-2009. The additional inmate costs above the Governor's recommendation total \$26,395 in FY 2007-2008. Staff recommends approval of this decision unit, as adjusted, and requests authority to make changes based upon the final approval of the inmate population.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-95

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3723; AND TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLYWOMAN MCCLAIN:  
What will we do if the pre-engineered housing units are not approved? This camp is above capacity.

SENATOR BEERS:  
We have no choice but to approve the modular units.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:  
The Subcommittee will move to B/A 101-3739.

NDOC - Wells Conservation Camp – Budget Page CORRECTIONS-103  
(Volume III)  
Budget Account 101-3739

MR. RAXTER:

The closing items for the Wells Conservation Camp, B/A 101-3739, are on pages 9 and 10 of [Exhibit C](#). In decision unit M-200, the Governor recommends funding of \$27,021 in each year of the biennium for inmate-driven costs to reflect the increase in the inmate population. There are no changes based upon the updated population projections. Staff recommends approval and requests authority to make changes based upon the final approval of inmate population.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-104

In decision unit M-750, the Governor recommends funding of \$60,000 for paving projects. Other paving projects for the Department are recommended in the 2007 CIP statewide paving program. Staff recommends this paving project also be included in the statewide paving program.

M-750 Building Construction Outside Cap – Page CORRECTIONS-105

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3739; TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS; AND TO MOVE THE PAVING PROJECT TO THE STATEWIDE PAVING PROGRAM AS RECOMMENDED BY STAFF.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The Subcommittee will move to B/A 101-3741.

NDOC - Humboldt Conservation Camp – Budget Page CORRECTIONS-108

(Volume III)

Budget Account 101-3741

MR. RAXTER:

The closing items for the Humboldt Conservation Camp, B/A 101-3741, are on pages 11 and 12 of [Exhibit C](#). There are no major closing issues in this account. The Governor has recommended funding in M-200 of \$12,098 in each year of the biennium for inmate-driven costs. Staff recommends approval of this decision unit and requests authority to make changes based upon final approval of inmate population counts.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-109

In decision unit M-425, the Governor recommends funding of \$37,434 in FY 2007-2008 for replacement of interior building lighting. This duplicates funding included in decision unit M-750. Staff recommends elimination of

M-425. In decision unit M-750, the Governor recommends funding of \$736,214 in FY 2007-2008 for various building maintenance projects including replacing exterior doors, building flooring, building lighting, installation of exterior pole lighting and replacement of the facility's water tank. All of these items were identified in the Facility Condition Analysis Report prepared by the SPWB in September 2005 with the exception of replacement of the water tank which the report indicated should be refurbished. In the report, the other maintenance items were considered necessary with implementation within two to four years advisable. The refurbishment of the water tank was recommended within four to ten years. The Department indicates the water tank cannot be successfully refurbished and should be replaced due to rust behind the seams of the bolted panels which will continue to corrode. In response to the need to reduce General Fund appropriations, the Governor reduced this decision unit by \$126,000 to delete the installation of additional exterior pole lighting. The Governor recommends eliminating an additional \$28,000 since the Department indicates the exterior doors at this facility were replaced in FY 2006-2007. Staff recommends approval of M-750 with adjustments eliminating the installation of the pole lighting and exterior doors.

M-425 Deferred Facilities Maintenance – Page CORRECTIONS-110  
M-750 Building Construction Outside Cap – Page CORRECTIONS-110

There is one technical adjustment to the Base Budget to reduce the maintenance contract expense by \$5,135 in each year of the biennium for monitoring and testing the water and sewer systems.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3741; TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS; TO ELIMINATE DECISION UNIT M-425; TO APPROVE THE GOVERNOR'S REDUCTIONS TO M-750; AND TO ALLOW STAFF TO MAKE TECHNICAL ADJUSTMENTS.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The Subcommittee will move to B/A 101-3747.

NDOC - Ely Conservation Camp – Budget Page CORRECTIONS-113 (Volume III)  
Budget Account 101-3747

MR. RAXTER:

The closing items for the Ely Conservation Camp, B/A 101-3747, are on pages 13 and 14 of [Exhibit C](#). There are no major closing issues in this account. The Governor has recommended funding in decision unit M-200 of \$7,698 in each



year of the biennium for inmate-driven costs. Staff recommends approval of this decision and requests authority to make changes based upon final approval of inmate population counts.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-114

In decision unit M-750, the Governor recommends funding of \$21,336 in FY 2007-2008 for replacement of windows and window frames. The existing windows and frames were installed 23 years ago and are in a state of disrepair. This maintenance item was identified in the Facility Condition Analysis Report prepared by the SPWB in August 2000 which recommended implementation within six to ten years. Staff recommends approval.

M-750 Building Construction Outside Cap – Page CORRECTIONS-71

The Governor recommends funding of \$250 in each year of the biennium for replacement of four telephone sets, in decision unit E-710, to ensure there is no loss of communications.

E-710 Replacement Equipment – Page CORRECTIONS-116

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3747; AND TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The Subcommittee will move to B/A 101-3748.

NDOC - Jean Conservation Camp – Budget Page CORRECTIONS-118  
(Volume III)

Budget Account 101-3748

MR. RAXTER:

The closing items for the Jean Conservation Camp, B/A 101-3748, are on pages 15 and 16 of [Exhibit C](#). There is one major closing issue in this account regarding correctional caseworker staffing. In decision unit M-201, the Governor recommends funding of \$49,619 in FY 2007-2008 and \$67,102 in FY 2008-2009 for the addition of one new correctional caseworker. This will increase the correctional caseworker staff to three positions. The Department is Legislatively approved for staffing of correctional caseworker positions department wide at a ratio of one position for every 125 inmates. The inmate population at this facility is projected to average 270 over the biennium; the



appropriate staffing level would be two positions. The correctional caseworker staffing at other facilities has been reviewed by the Department in light of the March 2007 population projections; as a result, six additional correctional caseworkers have been requested in other budget accounts. Staff agrees with the Governor's recommended elimination of this decision unit as part of the budget reduction.

#### M-201 Demographics/Caseload Changes – Page CORRECTIONS-120

In decision unit M-200, the Governor recommends a reduction in funding of \$28,235 in FY 2007-2008 and \$42,351 in FY 2008-2009 to reflect an average inmate population of 253 in FY 2007-2008 and 240 in FY 2008-2009. Based upon updated population projections, the population is expected to be 280 in FY 2007-2008 and 260 in FY 2008-2009 which results in additional inmate-driven costs of \$29,321 in FY 2007-2008 and \$21,717 in FY 2008-2009. Staff recommends approval of this decision unit as adjusted for inmate population changes and requests authority to make changes based upon final approval of inmate population counts.

#### M-200 Demographics/Caseload Changes – Page CORRECTIONS-119

In decision unit E-710, the Governor recommends funding of \$1,393 in FY 2007-2008 for replacement of telephone sets as necessary to ensure there is no loss of communications. Staff recommends approval.

#### E-710 Replacement Equipment – Page CORRECTIONS-121

ASSEMBLYWOMAN MCCLAIN:

Does the average inmate population of 279 include the inmates next door at the male facility? Would the caseworker be working with the women? Who works with the women?

GREG COX (Deputy Director, Operations, Department of Corrections):

The caseworkers at Southern Nevada Correctional Center (SNCC), a male institution, cover Unit 7 which houses female inmates. There is a female population of 86 at SNCC; the total population is 590 inmates. There are six caseworkers at SNCC, including a supervisor.

CHAIR PARKS:

That does not include the three positions at the Jean Conservation Camp?

MR. COX:

There are two positions at the Jean Conservation Camp; we are requesting a third caseworker.

DARREL REXWINKEL (Deputy Director, Support Services, Department of Corrections):

There are two caseworkers at the Jean Camp. The third caseworker was requested in the budget, but was eliminated due to the budget shortfall. We increased a different budget to add a caseworker.

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CHAIR PARKS:

The Department is using a ratio of 1:125. Does that ratio apply to male and female inmates? Should we have a separate ratio for each gender?

MR. COX:

Requests for additional staff usually regard intake units. The SNCC and the Jean Camp are not intake units. The 1:125 ratio is appropriate. The Department has moved a pre-engineered unit from SNCC to Southern Desert Correctional Center.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3748; TO INCLUDE THE ELIMINATION OF DECISION UNIT 201; AND TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The Subcommittee will move to B/A 101-3749.

NDOC - Silver Springs Conservation Camp – Budget Page CORRECTIONS-123  
(Volume III)  
Budget Account 101-3749

MR. RAXTER:

The closing items for the Silver Springs Conservation Camp, B/A 101-3749, are on pages 17 and 18 of [Exhibit C](#). There are no major closing issues in this account. In decision unit M-200, the Governor recommends funding of \$9,899 in FY 2007-2008 and a funding reduction of \$4,399 in FY 2008-2009 for inmate-driven costs based on the average inmate population. With the updated population projections, the inmate-driven costs for additional inmates above the Governor's recommendation total \$29,692 in 2007-2008 and \$21,996 in FY 2008-2009. Staff recommends approval of this decision unit as adjusted for inmate population changes and requests authority to make changes based upon final approval of inmate population counts.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-124

In decision unit E-710, the Governor recommends funding for additional telephone truck lines, telephone service and sets. Staff recommends approval.

E-710 Replacement Equipment – Page CORRECTIONS-125

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3749 AS ADJUSTED FOR INMATE POPULATION AND TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLYWOMAN MCCLAIN:

This camp is overcapacity. Where are the inmates housed? Will conditions remain the same until January 2009?

MR. COX:

We have added beds; they are double bunked, and single beds have been added under windows.

CHAIR PARKS:

There is a large increase at this camp. The women's facilities are overcrowded.

ASSEMBLYWOMAN MCCLAIN:

We are looking at ways to alleviate crowding. Are we looking at releasing the nonviolent women offenders?

HOWARD SKOLNIK (Director, Department of Corrections):

There are bills this Session for population reduction. The Department does not have the ability to release people. The State Board of Pardons' process is looking at nonviolent illegal aliens to be immediately released to Immigration and Customs Enforcement holds then deported. We have requested the Pardons Board look at the female population first. Given our current numbers, we are going to be absolutely out of bed space by August. We are considering pre-engineered buildings and tents until the new units are built. Sending people out of state is prohibitively expensive. We have asked the Office of the Governor and the Attorney General to look at the legality of what we are proposing.

ASSEMBLYWOMAN MCCLAIN:

My question should be directed to the State Board of Pardons or the Division of Parole and Probation. I would like to know how priorities are set to look at individual cases.

CHAIR RHOADS:

It is less expensive to put an inmate in an honor camp than in a prison. We are building more units in prisons. Is there any thought of building more honor camps in the rural areas?

FREDERICK SCHLOTTMAN (Administrator, Offender Management Division, Department of Corrections):

The current population projection is under-forecasting the inmate population. We are four to five months ahead for females and two months ahead for males. We anticipate expanding capacity across the system to include tents at the Warm Springs Correctional Center within a month and expanding capacity in the rural camp system as well.

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SENATOR BEERS:

We have had discussions about changing the law regarding qualifications for the halfway house in Las Vegas. Is there a bill?

MR. SCHLOTTMAN:

Yes; Assembly Bill 510 changes the halfway house qualifications. It also changes the qualifications for residential confinement. The net effect of both of these changes will be significant for the minimum population. The bill has a potential candidate pool of 700 males and 200 females either affected by residential confinement or eligible for the Casa Grande Center.

**ASSEMBLY BILL 510:** Makes various changes concerning credits earned by offenders and the incarceration and supervision of offenders.  
(BDR 16-1377)

SENATOR BEERS:

Could we fill the Casa Grande Center?

MR. SCHLOTTMAN:

Yes, we can.

SENATOR TITUS:

The problem with the halfway houses is one of my favorite subjects. If you put more people into halfway houses, which I know we are going to have to do, you have to get a handle on the licensing. It has not happened; it is a problem; if you do not get a handle on the problem, there will be war in the neighborhoods because people are concerned.

MR. SKOLNIK:

The individuals we are looking at will not be going to traditional neighborhood halfway houses. We are speaking of expanding the criteria for our transitional centers which currently have almost 200 empty beds due to the current criteria. The requirements today are five-years violence-free and no sex offenders. The no-sex-offender requirement remains in the bill.

MR. SCHLOTTMAN:

The new classification criteria for Casa Grande is minimum custody within a year of release.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The Subcommittee will move to B/A 101-3752.

NDOC - Carlin Conservation Camp – Budget Page CORRECTIONS-128  
(Volume III)

Budget Account 101-3752

MR. RAXTER:

The closing items for the Carlin Conservation Camp, B/A 101-3752, are on pages 19 and 20 of [Exhibit C](#). There are no major closing issues in this account. In decision unit M-200, the Governor recommends funding of \$17,597 in each year of the biennium for inmate-driven costs for the increase in the average inmate population. Staff recommends approval of this decision based upon final approval of inmate population counts.

#### M-200 Demographics/Caseload Changes – Page CORRECTIONS-129

In decision unit M-425, the Governor recommends funding of \$107,931 in FY 2007-2008 for the replacement of interior-building lighting and refurbishment of the facility's water tank. These maintenance items were identified by the SPWB in their Facility Condition Analysis Report in September 2005. To reduce the General Fund appropriations, the Governor has recommended a reduction to this decision unit of \$57,931 to eliminate the building lighting upgrades. The Department indicates the deferred items could be completed in the future through an energy retrofit program contract with funding provided from the energy savings. The SPWB's recommendation indicates the refurbishment of the water tank is not necessary until FY 2009-2010. Staff recommends elimination of decision unit M-425.

#### M-425 Deferred Facilities Maintenance – Page CORRECTIONS-130

The Governor recommends funding, in decision unit M-750, of \$224,770 in FY 2007-2008 for additional pole lighting in the parking area, installation of a fire-suppression system and upgrade to the existing fire-alarm system. These maintenance items were identified by the SPWB in their September 2005 report. The pole lighting was considered necessary with completion within two to four years advisable. The fire-alarm system upgrade was considered critical with implementation within two years advisable. In response to the need to reduce the General Fund appropriation, \$90,000 has been eliminated for pole lighting in the parking area. This recommendation appears reasonable.

#### M-750 Building Construction Outside Cap – Page CORRECTIONS-130

In decision unit E-710, the Governor recommends funding for additional telephone sets as necessary. Staff recommends approval.

#### E-710 Replacement Equipment – Page CORRECTIONS-131

CHAIR PARKS:

The Subcommittee has heard a number of requests for pole lighting which are being removed from various budgets. The water tank requests being removed from the budgets concern me. The Humboldt Conservation Camp tank must be replaced. If we defer refurbishment of the water tank in this budget, will we eventually be required to replace the tank? If we do not have a water tank, are we still able to house the inmates?

MR. REXWINKEL:

We have had discussions with staff, have queried the maintenance people responsible for the Carlin Conservation Camp, looked at pictures of the tank,

and looked at the Facility Condition Analysis Report done two years ago. The refurbishment of the water tank was classified as a priority three which means from four to nine years to complete the work. Based upon our review of the tank, the refurbishment could wait two more years. The Humboldt tank needs to be replaced.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3752; WITH THE ELIMINATION OF DECISION UNIT M-425; AND TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The Subcommittee will move to B/A 101-3754.

NDOC - Tonopah Conservation Camp – Budget Page CORRECTIONS-133  
(Volume III)  
Budget Account 101-3754

MR. RAXTER:

The closing items for the Tonopah Conservation Camp, B/A 101-3754, are on pages 21 and 22 of [Exhibit C](#). There are no major closing issues in this account. In decision unit M-200, the Governor recommends funding of \$16,496 in each year of the biennium for inmate-driven costs for the increase in the average inmate population. Staff recommends approval of this decision unit based upon final approval of inmate population counts.

M-200 Demographics/Caseload Changes – Page CORRECTIONS-134

In decision unit M-425, the Governor recommends funding of \$50,460 in FY 2007-2008 for the replacement of interior building lighting and interior and exterior painting. These maintenance items were identified by the State Public Works Board in their Facility Condition Analysis Report in September 2000. In the report, these items were considered critical with implementation within two to four years for the building lighting and within four to six years for the painting. To reduce the General Fund appropriations, the Governor has recommended a reduction to this decision unit of \$10,570 to remove a portion of the building lighting upgrades. The Department indicates the deferred items could be completed in the future through an energy retrofit contract with funding provided from the energy savings. Staff recommends approval as adjusted by the Governor.

M-425 Deferred Facilities Maintenance – Page CORRECTIONS-135

The Governor recommends funding, in decision unit M-750, of \$65,345 in FY 2007-2008 for the upgrade of the fire-alarm system, emergency exit signage and the replacement of exterior doors, floor coverings, water softeners, drinking fountains and sink cabinets. The upgrade of the fire-alarm system, the exit signage and the replacement of floor coverings and sink cabinets was identified by the SPWB in their September 2000 report. These items were considered either critical or necessary with completion within four years advisable. The Department indicates the replacement of exterior doors, water softeners and drinking fountains are recommended for funding due to age, deteriorated condition and maintenance problems. This recommendation appears reasonable.

M-750 Building Construction Outside Cap – Page CORRECTIONS-135

In decision unit E-710, the Governor recommends funding for additional telephone sets as necessary. The recommendation appears reasonable to staff.

E-710 Replacement Equipment – Page CORRECTIONS-136

CHAIR PARKS:

You indicated the SPWB report was prepared in September of 2000.

MR. RAXTER:

That is correct. The SPWB's facility condition analysis group prepares these reports. This group was created in the late 1990s. There was a six-year turnaround to review all buildings.

CHAIR PARKS:

The emergency exit signage for \$6,100 appears high.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE GOVERNOR RECOMMENDED B/A 101-3754; AND TO GIVE STAFF AUTHORITY TO MAKE CHANGES AND CORRECTIONS TO INMATE-DRIVEN COSTS BASED UPON FINAL APPROVED POPULATION COUNTS.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

SENATOR TITUS:

I have a question regarding the rural area differential pay; the amount people are paid who commute to the facilities like High Desert, Indian Springs and Jean. Is that pay in the budget? If the amount has not been raised, should we look at it? The last time it was increased was 1999. Gas has probably tripled during that time.

CHAIR PARKS:

The differential pay is a fixed amount rather than a per mile rate.



SENATOR TITUS:

That is true. It went from \$6 to \$7.50 in 1999. The pay is meant to cover travel.

MR. SKOLNIK:

You are correct; differential pay was increased to \$7.50 in 1999. Our staff car pools or pays the difference. It would not be a bad idea to look at the rate if there are funds available to increase the pay.

SENATOR TITUS:

I have heard rumors of that pay being eliminated. Does the amount continue to be in the same budget?

MR. SKOLNIK:

That is correct.

SENATOR TITUS:

This is something we should keep in mind.

CHAIR PARKS:

The Internal Revenue Service has significantly adjusted the per mile rate. The Department has numerous employees who work the five eight-hour schedule and the four ten-hour work schedule. Has an analysis been done regarding the advantage of either shift schedule?

MR. SKOLNIK:

We are looking at schedules now but not because of the cost. We feel there is a safety issue with 12-hour shifts. After ten hours, employees make bad decisions and mistakes. Our incident rates go up during the final two to four hours of a shift. We have asked our employees' associations to look at the possibility of modifying shift schedules to allow increased staff safety. The differential pay is paid on a daily basis. The differential pay is not as significant an issue as the safety of our staff.

SENATOR TITUS:

The Senate just passed a bill to raise travel to the federal level for State employees. Mr. Skolnik, could you give us an estimate of what it would cost to raise the differential pay?

MR. SKOLNIK:

Yes, I will.

CHAIR PARKS:

Due to the remoteness of some of the prison locations, it does require significant travel time. Can you provide the amount of time spent in travel on that fifth workday versus a four-day week? Is there a morale factor to be considered?

MR. SKOLNIK:

We are concerned about the coverage of our facilities. We are a 24 hours a day, seven days a week operation. Many of our staff, if we put everyone on a four ten-hour schedule, would be providing programming and other activities

four out of seven days. We are looking at the possibility of trading four ten-hour schedule with some staff in return for changing their work hours so we can utilize our program space beyond the traditional eight- to ten-hour day. We could provide the kind of coverage we need for some programming for sixteen hours a day. If we could get that programming expanded, I would be amenable to changing some shift times. I would not do it without getting something for the Department in return.

CHAIR PARKS:

The Subcommittee will move to B/A 525-3719.

NDOC - Prison Industry – Budget Page CORRECTIONS-153 (Volume III)  
Budget Account 525-3719

ASSEMBLYWOMAN MCCLAIN:

Can you provide some information regarding work for women prisoners?

JOHNNY R. MCCUIN (Acting Deputy Director for Industrial Programs, Department of Corrections):

The Department has a program at the Jean Conservation Camp. The employer drives to Jean and brings a crew of about ten female inmates to his facility in Las Vegas. The Silver Springs Conservation Camp women's wing recently opened a card-sorting program.

MR. SKOLNIK:

The incoming director of Prison Industry has experience with women's prison industry programs. He also has experience with re-entry programs.

MR. RAXTER:

The closing items for the Prison Industry, B/A 525-3719, are on pages 23 and 24 of [Exhibit C](#). There are no major closing issues in this account. In decision unit E-710 the Governor recommends funding from retained earnings of \$11,626 in FY 2007-2008 and \$9,901 in FY 2008-2009 for the replacement of two desktop computers and two laptop computers for administration, two welding machines for the metal shop and a bindery stitcher and vacuum exposure unit for the print shop. The equipment is recommended for replacement due to age and condition. The level of retained earnings appears reasonable to meet the needs of the agency. Staff recommends approval of this decision unit.

E-710 Replacement Equipment – Page CORRECTIONS-156

The Governor recommends funding from retained earnings, in decision unit E-720, of \$50,756 in FY 2007-2008 and \$40,400 in FY 2008-2009, for a cargo van for product deliveries, a computer server and graphic software for the print shop and various equipment for the garment factory at the Lovelock Correctional Center. The retained earnings in this budget account appear reasonable. Staff recommends approval of this decision unit.

E-720 New Equipment – Page CORRECTIONS-156

In decision unit E-813, the Governor recommends funding from retained earnings for an unclassified staff salary adjustment for the deputy director of Prison Industries. The Unclassified Salary Subcommittee will review the recommended salary of this position.

E-813 Unclassified Step Adjustment – Page CORRECTIONS-157

The Governor recommends funding of \$93,175 in each year of the biennium to reimburse institutions for a prorata share of utility costs. The Budget Division has tentatively recommended an inflation adjustment of 5 percent for electricity and 2.5 percent for natural gas and heating oil. Staff recommends the inflationary increases be applied to the Prison Industry reimbursement of utility costs for the institutions. This results in a General Fund reduction of \$4,109 in FY 2007-2008 and \$8,415 in FY 2008-2009.

Staff has made several technical adjustments to the Base Budget and decision unit M-100.

M-100 Inflation - Statewide – Page CORRECTIONS-154

SENATOR RHOADS MOVED TO APPROVE B/A 525-3719 AS RECOMMENDED BY THE GOVERNOR; TO MAKE ADJUSTMENTS IF REQUIRED BY THE UNCLASSIFIED SALARY SUBCOMMITTEE; TO REIMBURSE UTILITY COSTS ADJUSTED FOR INFLATION; AND AUTHORIZE TECHNICAL ADJUSTMENTS REQUESTED BY STAFF.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

CHAIR PARKS:

The Subcommittee will hear B/A 525-3727.

NDOC - Prison Dairy – Budget Page CORRECTIONS-159 (Volume III)  
Budget Account 525-3727

MR. RAXTER:

The closing items for the Prison Dairy, B/A 525-3727, are on pages 25 and 26 of **Exhibit C**. There are no major closing issues in this account. Decision unit E-710 recommends funding from retained earnings of \$16,500 in FY 2007-2008 and \$51,500 in FY 2008-2009 for the replacement of vehicles, irrigation equipment, a cream separator and a refrigeration unit for a delivery truck. These replacements are recommended due to the aging condition of the existing equipment. The level of retained earnings appears adequate to meet cash flow needs of the agency. Staff recommends approval of this decision unit.

E-710 Replacement Equipment – Page CORRECTIONS-161

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Decision unit E-720 recommends funding from retained earnings of \$45,000 in FY 2008-2009 for three pieces of equipment. This equipment will improve the operational efficiency and safety of the various dairy functions. Staff recommends approval.

#### E-720 New Equipment – Page CORRECTIONS-161

This budget reimburses the Northern Nevada Correctional Center (NNCC) for utility costs. The inflationary increases applied for General Fund and Highway Fund agencies should also be applied to the utility reimbursement from this account. That would reduce the General fund support cost in the NNCC budget by \$540 in FY 2007-2008 and \$1,108 in FY 2008-2009. Staff has made a technical adjustment for the Statewide Cost Allocation Plan assessment.

SENATOR RHOADS MOVED TO APPROVE B/A 525-3727 AS RECOMMENDED BY THE GOVERNOR; TO REIMBURSE UTILITY COSTS ADJUSTED FOR INFLATION; AND TO AUTHORIZE TECHNICAL ADJUSTMENTS REQUESTED BY STAFF.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:  
The Subcommittee will discuss B/A 101-4162.

#### INFRASTRUCTURE

#### CONSERVATION AND NATURAL RESOURCES

DCNR - State Parks – Budget Page DCNR-43 (Volume III)  
Budget Account 101-4162

JEFFREY A. FERGUSON (Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

The closing items for State Parks, B/A 101-4162, are on pages 27 through 37 of [Exhibit C](#). Previously, the Subcommittee closed about half of the State Parks' budgets and voted to place deferred maintenance in a separate bill.

In decision unit E-334, page 31 of [Exhibit C](#), the Governor recommended one administrative assistant I for Spring Mountain Ranch to assist with the permit processing. Additional user charges would fund this position. This position will be eliminated if the additional fees collected are insufficient to fully support the position. This recommendation appears reasonable to staff.

#### E-334 Services at Level Closest to People – Page DCNR-52

SENATOR BEERS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF DECISION UNIT E-334 IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN KOIVISTO SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)

SENATE: THE MOTION CARRIED. (SENATOR TITUS WAS ABSENT FOR THE VOTE.)

\* \* \* \* \*

The *Executive Budget* recommends eliminating expenses and revenues, including three positions and seasonal salary costs, associated with the Floyd Lamb State Park (FLSP) in E-600, page 31 of [Exhibit C](#). The eliminated revenues include General Funds of \$219,257 in FY 2007-2008 and \$232,909 in FY 2008-2009 and user charges of \$188,444 in each year of the biennium. In decision unit E-350, page 31 of [Exhibit C](#), the Governor recommends General Funds of \$339,667 in FY 2007-2008 and \$353,415 in FY 2008-2009 to reestablish the three positions and seasonal salary costs. A description of each of these positions is included on pages 32 and 33 of [Exhibit C](#). The park supervisor III position would be transferred to the Las Vegas region and eventually reclassified to a conservation staff specialist I. However, the Governor eliminated the transfer and retention of this position in the recent budget reductions. The agency prioritized the positions transferred from FLSP. This position has the lowest priority; therefore, elimination of the position appears reasonable. Cutting this position provides General Fund savings of \$87,571 in FY 2007-2008 and \$91,822 in FY 2008-2009.

E-600 Budget Reductions – Page DCNR-53

E-350 Environmental Policies and Programs – Page DCNR-53

The park ranger II position would transfer to the Valley of Fire State Park to assist with backcountry patrol, law enforcement, monitoring the concession for off-highway vehicles (OHV) and routine visitor services. This is a commissioned park ranger. There is a continuing problem with OHVs entering the park, tearing up pictographs, sensitive soils, turning hiking trails into OHV trails. The current park staffing provides random controls of these areas. The General Fund cost for this position is \$84,035 in FY 2007-2008 and \$88,140 in FY 2008-2009. This position is not involved in fee collection. This position transfer is State Parks' first priority within this decision unit.

The maintenance repair specialist I position would be transferred to the Big Bend of the Colorado State Recreation Area in Laughlin. This state park is undergoing an expansion. There will be 24 self-contained units in the campground scheduled to open by October 27, 2007. This position is needed to monitor and manage the related water and power systems. Other parks within the system with similar campgrounds have a maintenance repair specialist I position. This recommendation appears reasonable to staff as it would allow better management and maintenance of the larger park facility.

Decision unit 350 also provides General Funds of \$109,843 in FY 2007-2008 and \$109,939 in FY 2008-2009 to provide seasonal salary costs to retain one park technician I and three park aids located at the FLSP. The park technician would transfer to Spring Mountain Ranch. The annual cost of this position is \$34,876. For the park aids, one would transfer to the Valley of Fire, one to Big Bend of the Colorado State Park and one to Old Las Vegas Mormon Fort. The park aids help with daily park cleaning, routine maintenance, collection of fees, and provide visitor information. The aid at Old Las Vegas Mormon Fort would also assist with tours. Each of the three positions has an annual cost of \$25,505. In another decision module, the agency is requesting \$151,553 in each year of the biennium to extend a number of existing seasonal positions.

If all of the seasonal positions in this decision unit remained at the FLSP, they would have been funded with General Funds in the amount of \$219,257 in FY 2007-2008 and \$232,909 in FY 2008-2009 and with user fees of \$188,444 in each year of the biennium. If the Subcommittee wishes to reduce the General Fund support in decision unit E-350, staff recommends providing the same level of General Fund support as would have been provided if the positions had remained at the FLSP. The result would reduce the recommended funding for seasonal positions from \$109,843 to \$78,206 in FY 2007-2008 and from \$109,930 to \$82,497 in FY 2008-2009. These amounts assume the approval of the transfer of two of the three positions from the FLSP. The General Fund savings of this action would be \$31,637 in FY 2007-2008 and \$27,433 FY 2008-2009. The total General Fund savings would be \$119,208 in FY 2007-2008 and \$119,255 in FY 2008-2009.

CHAIR PARKS:

We are all aware that the FLSP will be transferred to the City of Las Vegas at the end of FY 2006-2007. The question is what to do with the State employees at the FLSP. We are aware there is tremendous need in other State parks. Will the park supervisor III position be reclassified to a conservation staff specialist I? Is this position filled?

MR. FERGUSON:

Yes, to both questions.

SENATOR RHOADS:

Why is the City taking this park?

CHAIR PARKS:

I was the budget director at the City of Las Vegas when the City decided to give the FLSP to the State because it was too large. Now the City wants the FLSP back. I wanted the City to keep the water rights.

DAVID K. MORROW (Administrator, Division of State Parks, Division of State Lands):

The FLSP has become urbanized. Development has occurred all around the FLSP. The constituency was more Las Vegas than statewide. Since the City has access to Southern Nevada Land Management planning funds, it might be able to do a better job of developing the park than the State. Both entities have collaborated to keep the FLSP going. This has been a cooperative effort

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between both agencies for the betterment of the FLSP and the City of Las Vegas.

SENATOR RHOADS:  
Who owns the land?

MR. MORROW:  
The City will have ownership of the land and water rights.

CHAIR PARKS:  
There are numerous parcels of land, some owned by the State. There are also a number of leases. There are archeological areas surrounding the FLSP worth protecting.

ASSEMBLYWOMAN McCLAIN MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF ELIMINATING THE PARK SUPERVISOR III POSITION IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR.

SENATOR RHOADS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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ASSEMBLYWOMAN McCLAIN MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL TRANSFERRING THE PARK RANGER II POSITION TO THE VALLEY OF FIRE STATE PARK IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR.

SENATOR RHOADS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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ASSEMBLYWOMAN McCLAIN MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL TRANSFERRING THE MAINTENANCE REPAIR SPECIALIST I POSITION TO BIG BEND OF THE COLORADO STATE PARK IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR.

SENATOR RHOADS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)



SENATE: THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF TRANSFERRING THE PARK RANGER TECHNICIAN AND THREE PARK AID II POSITIONS IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN McCLAIN SECONDED THE MOTION.

MR. FERGUSON:

Does the motion include all four positions being transferred or only the ones covered by the same amount of General Funds as were provided in the last biennium? The amount would be \$78,206 in FY 2007-2008 and \$82,497 in FY 2008-2009 if the Subcommittee wants to reduce the General Fund. If the Subcommittee wants to approve all of the positions, the cost would be almost \$110,000 each year of the biennium.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF TRANSFERRING THE FOUR SEASONAL POSITIONS AT A COST OF \$109,843 IN FY 2007-2008 AND \$109,930 IN FY 2008-2009 IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. FERGUSON:

There was a budget amendment to correct an error which eliminated the annual payment from Nevada Power for an easement located on the Tule Springs Archaeological Site. The correction of this error represents a General Fund savings of \$32,155 in each year of the biennium.

In decision module E-332, on page 33 of [Exhibit C](#), the Governor recommends General Funds of \$151,553 in FY 2007-2008 and \$154,643 in FY 2008-2009 to allow certain seasonal positions to extend their employment from the current number of months to up to nine months of service. Some State parks have busy seasons which begin earlier in the year and extend later in the year than others. For example, extending lifeguard coverage at Lake Tahoe State Park, coverage earlier and later in the season for campground maintenance and restroom operation at South Fork, a second seasonal worker from March through November to meet demand at Cave Lake, coverage for June and July at the Valley of Fire and coverage from October through January at Wild Horse. A prioritized list of all seasonal positions is shown on pages of 36 and 37 of [Exhibit C](#). Does the Subcommittee wish to approve the extension of existing

seasonal positions as recommended by the Governor? If the Subcommittee wishes to reduce the extension of seasonal positions, it could elect to eliminate one-third or one-half of the prioritized seasonal position extensions. The elimination of the last five positions (one-third of the positions) would provide General Fund savings of \$26,279 in each year of the biennium, a 17-percent reduction. Elimination of the last eight positions (one-half) would provide General Fund savings of \$49,535 in FY 2007-2008 and \$52,625 in FY 2008-2009, a 34-percent reduction.

E-332 Services at Level Closest to People – Page DCNR-51

ASSEMBLYWOMAN McCLAIN MOVED TO RECOMMEND TO THE FULL COMMITTEE DENIAL OF ALL EXTENSIONS OF SEASONAL POSITIONS IN B/A 101-4162 WHICH WERE RECOMMENDED BY THE GOVERNOR.

CHAIR RHOADS:

Whenever there is a budget dilemma, we cut libraries and parks. I think we should approve all of the extensions.

CHAIR PARKS:

Assemblywoman McClain's motion dies for lack of a second.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF ALL EXTENSIONS OF SEASONAL POSITIONS IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR.

SENATOR BEERS SECONDED THE MOTION.

CHAIR PARKS:

Staff has offered a middle-ground option.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN McCLAIN VOTED NO; ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. FERGUSON:

In decision unit M-505, the Governor recommends General Funds of \$229,153 in FY 2007-2008 and \$106,905 in FY 2008-2009 to establish a weed management program for three regions: Carson, Panaca and Las Vegas. A number of local governments support the State involvement in eradicating noxious weeds on State Park lands. Contracting for these services is more expensive than if provided by State Parks. The decision unit includes three one-ton flatbed four-wheel-drive trucks fitted with skid-mount spray tanks, various chemicals, operating supplies and seasonal salary costs. Scheduling crews throughout the State, to reduce the number of vehicles, is not a practical option due to the physiology of the plants involved as well as fuel costs. If the Subcommittee wishes to reduce this recommendation, staff suggests eliminating the equipment and crew associated with the Las Vegas region for a General Fund savings of \$76,384 in FY 2007-2008 and \$35,335 in

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FY 2008-2009. The deletion of this portion of the request would have the least negative effect as the weed problem in Las Vegas is confined to a relatively small area.

M-505 Mandates – Page DCNR-47

ASSEMBLYWOMAN MCCLAIN:

What is the U.S. Department of Agriculture (USDA) doing with noxious weeds? There is a program at the University of Nevada on noxious weeds. Why are we creating another one?

MR. MORROW:

One of the letters we received supporting our program is from the USDA which does not provide a noxious weed service on public lands. The only way we can administer and address the weed program across the State is to do it ourselves or contract to have it done.

ASSEMBLYWOMAN MCCLAIN:

What is the reason the USDA does not provide the service?

MR. MORROW:

I cannot answer that question.

ASSEMBLYWOMAN MCCLAIN:

I do not see the point in creating another noxious weed program.

CHAIR PARKS:

This is maintenance of the physical park sites.

ASSEMBLYWOMAN MCCLAIN:

I understand that; we have maintenance people who can pull weeds.

MR. MORROW:

We have 132,000 acres; many of the properties we administer are adjacent to private lands and other public lands. It is a huge and growing problem. We estimate an increase of 5 to 15 percent annually. Even though we have said the Las Vegas region is a smaller-contained area that is without doing an adequate analysis of the 35,000 acres we have at the Valley of Fire. Both State and federal public lands have an obligation to landowners to treat for noxious weed spread. It is not a matter of pulling weeds. It requires spraying and reseeding the areas for native plants to reduce the recurrence of noxious weeds. This is one of the State's most critical problems. It is a problem that causes us to be in a continuous fire regime and causes a number of problems associated with public and private lands.

ASSEMBLYWOMAN KOIVISTO:

It seems as though there is a duplication of effort; if the agencies would work together and cooperate, it probably would not cost as much and might get more done.

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SENATOR RHOADS:

During the last Legislative Session, we saw a program on noxious weeds. There are lands in Montana and Utah which have been taken off the tax rolls because weeds had taken over. Where I ranch, we spray for weeds every year. We are finally getting a handle on them. Any effort by any agency to take care of the noxious weeds will get my support. The weeds eliminate the value of the land.

SENATOR BEERS:

Why is this an "M" decision unit?

MR. MORROW:

There is a *Nevada Revised Statute* (NRS) which requires landowners to maintain and control the spread of noxious weeds. If the weed spreads throughout your property and adjacent property, you are in violation of the law.

SENATOR TITUS:

Can the noxious weeds be used for a biomass project?

MR. MORROW:

I do not know of any case where this can be done.

SENATOR TITUS:

Ethanol is made out of sugarcane and corn; someone suggested cheat grass might be used.

ASSEMBLYMAN GRADY:

There are laws to require farmers and ranchers to get rid of noxious weeds such as white top and yet we do not want to do it. We are misguided if we do not take care of the noxious weeds. Not only are they disastrous for the rivers and streams, they can get into crops. If white top is found, for example, in a load of hay, California will reject the entire load. California does not want white top which is where most of ours originated. If we have regulations requiring an individual to take care of weeds, the State should follow suit.

ASSEMBLYWOMAN McCLAIN:

I need clarification on this proposed program. Will the program be strictly on State lands?

MR. MORROW:

Yes, this is designed to take care of the weed problem on State Parks' land. I did get a clarification on the USDA. The USDA funds come from federal grants for use on private lands only.

ASSEMBLYWOMAN McCLAIN:

Who enforces this NRS?

MR. MORROW:

Enforcement comes from the UDSA and local county ordinances.

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ASSEMBLYWOMAN KOIVISTO:

The USDA uses federal dollars to control weeds on private land; the agency wants funds for State Parks' land; who takes care of the noxious weeds on federal lands?

MR. MORROW:

That is one of the big problems; not enough is being done to take care of noxious weeds across the State. It is an enormous problem spreading on an annual basis and threatening to affect private agriculture and the natural species on all lands. We are in a position to do something on State Parks' lands which, hopefully, will encourage others to take care of their problems.

ASSEMBLYMAN GRADY:

In some counties, we actually have weed abatement districts where funds are added to federal funds. If work is being done, for instance along the Walker River, and white top is found, a request may be made to the weed abatement district to spray the weeds. It is a big job.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE WEED MANAGEMENT PROGRAM IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

CHAIR PARKS:

Will the three trucks requested in this decision unit be used for other activities?

MR. MORROW:

We could use them for some other activities. Essentially, the trucks will be used for weed abatement. The problem is large enough it will take most of the time and energy. They could be used to haul seed after we have sprayed the weeds.

CHAIR PARKS:

Spraying for weeds is not a year-round activity; it is a seasonal activity.

MR. MORROW:

That is correct.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN McCLAIN VOTED NO; ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

MR. FERGUSON:

There are a few other closing items on pages 34 and 35 of [Exhibit C](#). Technical adjustments have been made due to the scaled-back improvements for Big Bend of the Colorado State Recreation Area. Training funds for first aid and CPR, vaccinations for employees with the potential for exposure to bloodborne pathogens and replacement body armor are recommended by the Governor. Decision unit E-750 recommends General Funds of \$8,000 in FY 2008-2009 to

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install landscaping and an irrigation system for the group ramada at Rye Patch State Park. These recommendations appear reasonable.

E-750 Building Construction Outside Cap – Page DCNR-54

SENATOR TITUS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF THE OTHER CLOSING ITEMS IN B/A 101-4162 AS RECOMMENDED BY THE GOVERNOR AND TO GIVE STAFF AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS AS REQUESTED.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

CHAIR PARKS:

That concludes the State Parks' budget. We will move to B/A 101-4171.

DCNR - Water Resources – Budget Page DCNR-59 (Volume III)  
Budget Account 101-4171

MR. FERGUSON:

Closing items for Water Resources, B/A 101-4171, are on pages 38 and 39 of [Exhibit C](#). There are no major closing issues in this budget. The closing sheets reflect a technical adjustment to M-800.

M-800 Cost Allocation – Page DCNR-63

Decision unit M-101 recommends General Fund appropriations of \$10,596 in FY 2007-2008 and \$17,821 in FY 2008-2009 for a 4-percent inflationary adjustment to joint funding agreements with the U.S. Geological Survey which provide for the collection of basic flow data in rivers and streams. As part of the Governor's initiative to reduce General Fund appropriations, the agency originally proposed reducing this decision unit by \$9,326 in FY 2007-2008 and \$15,626 in FY 2008-2009. However, as part of the Governor's revised final budget reductions, this reduction is recommended to be restored.

M-101 Inflation - Agency specific – Page DCNR-61

The Governor has recommended funding for the installation of a stage gauge at the Wildhorse Reservoir as required pursuant to the Owyhee Adjudication Settlement Agreement; increased maintenance at South Fork Dam; and replacement equipment. These recommendations appear reasonable.

Decision unit E-900 transfers the Cooperative Snow Survey from the Director's Office of the DCNR to the Division of Water Resources. This decision unit was approved in the Director's Office budget.

E-900 Transfer of Coop Snow Survey to B/A 4171 – Page DCNR-65

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
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Page 29

The budget has been amended to transfer decision unit E-350 from the Desert Research Institute B/A 101-3010 to the Division of Water Resources budget. This would provide \$1 million in each year of the biennium for a collaborative process to study Nevada's available groundwater. This request is included in the *Executive Budget*. If the Joint Subcommittee on Higher Education and Capital Improvement Projects wishes to approve this request and recommend it be transferred to the Division of Water Resources, staff will make the adjustment to this budget.

## EDUCATION

### NSHE

NSHE - Desert Research Institute – Budget Page NSHE-77 (Volume I)  
Budget Account 101-3010

E-350 Environmental Policies and Programs – Page NSHE-81

#### CHAIR PARKS:

There are a number of items in this budget for the Subcommittee to review. Decision unit M-800 corrects an error and decision unit M-101 could be approved as the Governor recommended or as subsequently reduced. The Subcommittee should discuss M-101.

#### MR. FERGUSON:

General Fund savings of \$24,952 will occur over the biennium if the reduced budget is approved. If that occurs, the agency would drop one of the gauging stations it operates.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE APPROVAL OF B/A 101-4171 AS RECOMMENDED BY THE GOVERNOR WITH TECHNICAL ADJUSTMENTS AS REQUESTED BY STAFF.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN WEBER WAS ABSENT FOR THE VOTE.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

#### CHAIR PARKS:

The Subcommittee will hear B/A 101-4195.

## CONSERVATION AND NATURAL RESOURCES

DCNR - Forestry – Budget Page DCNR-148 (Volume III)  
Budget Account 101-4195



MR. FERGUSON:

Closing items for Forestry, B/A 101-4195, are on pages 40 through 43 of [Exhibit C](#). There are three major issues in this budget. The Governor recommends transferring two fire management officers (FMO) and associated operating costs from the Inter-Governmental Agreements budget to this budget. That would transfer revenue in the amount of \$184,455 in FY 2007-2008 and \$195,351 in FY 2008-2009.

These positions have been funded with receipts from Carson City, Storey, Clark, and Douglas Counties. However, the Governor recommends supplanting county funding for these positions with General Funds. The agency currently has three FMOs and three resource management officers. One of each is located in the western, northern and southern regions. The three resource management officers and the northern FMO are in this budget and funded with General Funds. The western and southern region FMO positions are included in the Inter-Governmental Agreements budget and funded with county receipts. The southern FMO is funded through transfers from Clark County and the western region FMO is funded through transfers from Counties within the region: Carson City, Washoe, Douglas and Storey. The agency recently transferred oversight of the Sierra Forest Fire Protection District to Washoe County. Washoe County has agreed to continue to provide 77 percent of the funding for the western FMO position through the end of this biennium. The FMO positions are the lead positions providing incident command for the suppression of wildfires, including the deployment of seasonal firefighters, as well as administering the fire management program. The Division has indicated 10 percent of the duties assigned to the FMO positions are directly associated with county-related activities. The reasons for using General Funds for these positions and moving the positions to this account are on page 41 of [Exhibit C](#).

If the recommendation to provide General Funds to support the western region FMO is not approved, the position will be eliminated or another position within the agency would need to be eliminated. If the Subcommittee decides to transfer these two positions, it is staff's opinion the Counties (Clark, Storey, Carson City and Douglas) continue to benefit and receive assistance through these positions. Therefore, the Counties should continue to pay, at a minimum, a portion of the salary costs. If the Subcommittee wishes to further reduce the recommended State support of these positions, staff has presented options A, B, C and D, outlined on pages 41 and 42 of [Exhibit C](#). Providing General Fund support for any of these positions would be a departure from the current status.

SENATOR TITUS:

I do not think we need to depart from the way we have been funding. Why would we allow Washoe County to pull out while Clark County continues to pay? Washoe County still needs State assistance. Option C provides General Funds to support 77 percent of the cost of only the western region FMO and requires Clark County to continue funding the southern region position. This seems too high.

MR. FERGUSON:

I do not believe that would be possible. The counties have signed agreements with the State for these services. Washoe County has assumed the cost of their

operation; there is no longer a contract in effect; we have no way to force Washoe County to fund this. Washoe County is funding its own operation.

SENATOR TITUS:

If Washoe County is funding their operation and the State is not doing anything in Washoe County, why is it so expensive to fund the other counties?

PETE ANDERSON (State Forester Firewarden, Division of Forestry, State Department of Conservation and Natural Resources):

We are confusing a fire district with county boundaries. We have a sliver of a fire district between the federal lands along the Sierra front and the counties; the urban development piece where a typical city fire department would suppress fire. It is our hope to look at the fire problem on a county-by-county basis. The 77 percent, Option C, is tied to the sliver in Washoe County. We have such a problem with wildland fire. Because of the way the funding system has been, we cannot get the FMOs to Pershing, Mineral or Esmeralda Counties. These counties are in desperate need of guidance, leadership and coordination.

SENATOR TITUS:

Now that you do not have that sliver in Washoe County, can the people be redirected to the rural counties?

MR. ANDERSON:

Forty-three personnel went to Washoe County with the transition. Their focus is structural fire protection.

SENATOR TITUS:

I still do not understand. If you do not have to be responsible for Washoe County, why do you need 77 percent to cover what you will be responsible for? Why not look at the new responsibility and what it will cost as opposed to requesting the 77 percent Washoe was paying?

MR. ANDERSON:

The challenge is the FMOs, when funded by a county fire district, are restricted geographically to only working in that district. The rest of the county remains unassisted. We only have fire districts in eight counties. Does the Subcommittee want the Division of Forestry to work with local government, private landowners and State Lands in the management of wildland fire? Or, do you want us to work only where the counties fund us in a restricted geographical area?

SENATOR TITUS:

I do not want that. The State can pick up some of the financial burden lost when Washoe County pulls out, but why should it be the 77 percent Washoe was paying if you are not responsible for Washoe County?

KAY SCHERER (Deputy Director, State Department of Conservation and Natural Resources):

We are discussing three FMOs: one each in the north, west and south. We struggle with the questions you are asking. It has been a priority of the DCNR for four biennia to recognize this as the mission and responsibility of the Division of Forestry. At one time, all three FMOs were General Funded. We do

not know why the change was made to local government funding. These positions are the three linchpins of fire management command and control in the State. These three positions are key fire positions and are the responsibility of the State. Our greatest fear is the combination of funding will cause a situation where one or more of the positions could be removed. The northern region is currently General Funded. Someone could turn to the poor rural counties and say, to make this fair, you also need to pay. We believe the equitable and correct funding should be the General Fund. This is the DCNR's first priority.

CHAIR PARKS:

The Subcommittee is looking for some degree of consistency and not to establish a policy by virtue of an approved recommendation.

ASSEMBLYMAN GRADY:

Fires do not have boundaries. When a fire is moving, someone needs to be in control. I believe these three positions are vitally important.

SENATOR RHOADS MOVED TO RECOMMEND TO THE FULL COMMITTEE TO APPROVE OPTION D; TO SUPPORT 90 PERCENT OF THE COSTS FOR TWO FMO POSITIONS; AND TO REQUIRE THE COUNTIES PROVIDE FUNDING FOR THE REMAINING 10 PERCENT IN B/A 101-4195.

SENATOR BEERS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

MR. FERGUSON:

The second major issue in B/A 101-4195 is to provide General Fund savings in response to the Budget Division's Two-Times Rule. One position will be eliminated. Staff recommends the elimination of the administrative assistant position and allowing the seasonal salary costs to continue as recommended by the Governor.

The third issue is deferred maintenance in decision unit M-750. The Governor recommended the reduction of deferred maintenance by \$40,500 in FY 2007-2008.

M-750 Building Construction Outside Cap – Page DCNR-154

The agency plans to sell a fixed-wing aircraft. Staff requests authority to make adjustments to this budget to remove the insurance after the aircraft is sold.

ASSEMBLYWOMAN McCLAIN MOVED TO RECOMMEND TO THE FULL COMMITTEE TO APPROVE THE REMAINING PORTION OF B/A 101-4195 AS RECOMMENDED BY THE GOVERNOR WITH THE EXCEPTION OF DECISION UNIT M-750 WHICH SHOULD BE PLACED IN A BILL BY ITSELF; AND TO AUTHORIZE TECHNICAL ADJUSTMENTS RECOMMENDED BY STAFF.

ASSEMBLYWOMAN KOIVISTO SECONDED THE MOTION.

SENATOR TITUS:  
I hate to see the one thing we will cut in this budget is something for southern Nevada. There are fires in southern Nevada. We have been concerned about fires in rural Nevada which is appropriate. Now we are going to shortchange the southern Nevada office for a little bit of savings on deferred maintenance. Why take that out?

CHAIR PARKS:  
Does the maker of the motion wish to include the \$40,500?

ASSEMBLYWOMAN MCCLAIN:  
No, I do not.

ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYMAN GRADY VOTED NO.)

SENATE: THE MOTION FAILED. (SENATORS RHOADS AND TITUS VOTED NO.)

\* \* \* \* \*

CHAIR PARKS:  
The Subcommittee will hear B/As 101-4196, 101-4227 and 257-4235 at a later date. This meeting is adjourned at 10:47 a.m.

RESPECTFULLY SUBMITTED:

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Sandra K. Small,  
Committee Secretary

APPROVED BY:

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

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

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

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