

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-Fifth Session
February 19, 2009

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 Kathy McClain at 8:07 a.m. on Thursday, February 19, 2009, in Room 2134 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/75th2009/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; telephone: 775-684-6835).

ASSEMBLY COMMITTEE MEMBERS PRESENT:

Assemblywoman Kathy McClain, Chair
Assemblyman Joseph M. Hogan, Vice Chair
Assemblyman Marcus Conklin
Assemblyman Pete Goicoechea
Assemblywoman Ellen Koivisto
Assemblywoman Sheila Leslie

SENATE COMMITTEE MEMBERS PRESENT:

Senator Joyce Woodhouse, Chair
Senator Bob Coffin
Senator Dean A. Rhoads

STAFF MEMBERS PRESENT:

Gary Ghiggeri, Senate Fiscal Analyst
Steve Abba, Principal Deputy Fiscal Analyst
Tracy Raxter, Principal Deputy Fiscal Analyst
Linda Blevins, Committee Secretary
Connie Davis, Committee Assistant

Chair McClain recognized Howard Skolnik, Director for the Department of Corrections (NDOC), and requested an overview of the Department.

Mr. Skolnik addressed the inmate population noting it was 725 less than projected in the budget. Of those inmates, 383 were male and 342 were female. In addition, two units would come on line in September 2009 at High Desert State Prison, which would add 600 beds to the capacity.

Recently, a bed count was performed which revealed 16,153 beds in the facilities statewide. Mr. Skolnik noted that under the "population" tab of the Nevada Department of Corrections Facilities binder ([Exhibit C](#)) there was a

breakdown of the available beds. The institution beds were broken down into categories of maximum, medium, and camps and restitution centers.

There were a total of 1,305 total maximum security beds; however, it was not recommended to use all of the beds as it would require double-celling in some areas where the risk was greater than the benefit to the state. Mr. Skolnik advised there were currently 83 vacant beds in the system, all at Ely State Prison.

Mr. Skolnik stated there were 12,341 medium security beds. Of those, 818 male beds were vacant. There were 732 combined male and 312 female beds under construction. Additionally, there were 113 vacant female beds.

In terms of the camps and restitution centers, there were a total of 2,507 beds. There were 330 male and 141 female beds vacant, including 72 female beds under renovation.

Mr. Skolnik explained that the charts included in the exhibit contained a breakdown of the types of beds: specifically, available housing, housing under construction, short-term emergency management housing, medical housing, mental health housing, special housing, and second bed in single house. The second bed in a single house section was defined as maximum security beds used when double-celling inmates.

Responding to an inquiry from Chair McClain, Mr. Skolnik noted the actual population as of February 16, 2009, was 11,739 male and 950 female inmates. That did not include individuals in the hospital, in county jails, under house arrest, or in escape status. The numbers had been relatively flat during the past year with a population hovering at 680 below budget to the current 725 below budget.

Mr. Skolnik said he had met with the assistant sheriff and assistant chief in charge of the Clark County Detention Center. Both indicated the crime rates had leveled off in Clark County, and the jail population had not been increasing.

Mr. Skolnik received weekly reports from Washoe County that also showed a stable jail incarceration rate. It was anticipated that when JFA Institute (JFA), the contract organization that produced population projections for Nevada, published the new numbers for the state in March 2009, there would be a level projection for the next biennium.

Senator Rhoads requested information on the honor camp populations.

In response, Mr. Skolnik noted there were approximately 300 vacant male beds and 270 vacant female beds. That was primarily attributed to Assembly Bill (A.B.) No. 510 of the 74th Session. The bill targeted category C, D, and E offenders, the primary camp-eligible inmates, and gave them retroactive time credits and additional ongoing credits. The category previously identified for the camps was decimated by the bill.

According to Mr. Skolnik, JFA Institute had been requested to review the classification. It was hoped this might expand the number of inmates that would be camp-eligible without creating severe risk to the communities. He was anxious to share the report with the Legislature when received.

Assemblyman Goicoechea asked when the review would be completed.

Mr. Skolnik answered that the report should be available in March 2009 and that he had requested the report be expedited. He pointed out that by statute the report was the driver for budgetary and construction projections.

It appeared to Assemblyman Goicoechea that the numbers showed an approximate vacancy rate of 20 percent.

Mr. Skolnik confirmed that figure. There was the ability to take on additional inmates but the issue was where the vacant beds were located. It was possible to place minimum security inmates in medium or maximum security beds, but they could not put maximum security inmates in medium or minimum security beds. Part of the current vacancy number was dependent on the type of inmates received in the future.

Chair McClain inquired whether waiting for the JFA report would hold up the final projection report and review of classifications.

Mr. Skolnik stated that was a separate issue.

Addressing a question from Chair McClain, Mr. Skolnik acknowledged there was legislation proposed that increased penalties, which would affect the inmate population. Additionally, there was legislation proposed for alternatives to incarceration and other aspects of diversion which would reduce the inmate population. The NDOC was tracking the legislation, but he did not know what the impacts of passage would be on the inmate population.

Chair McClain asked about the status of inmate transfers from the Clark County Detention Center.

Mr. Skolnik responded there were 172 inmates in the Clark County Detention Center who were sentenced but had not yet received the judgment of conviction. Inmates could not be accepted until the judgment of conviction was received.

Assemblyman Hogan inquired whether 172 inmates were within the normal limits of pending transfers.

Mr. Skolnik informed the Subcommittee that the number was slightly lower than in the past. Clark County had added additional staff to the processing of the judgments of conviction which sped the process, although it was not automated and still produced some delays. He anticipated this level would be maintained.

Senator Coffin asked whether adjustments to the statutes would help repopulate some of the camps.

In the opinion of Mr. Skolnik, it was preferable to review the JFA report prior to making any recommendations. He believed that adjustments could be made administratively within the NDOC, but the statutes did not eliminate violent offenders from camps. The NDOC had expanded the definition of who would be eligible for camp based on how long it had been since the last act of violence had occurred.

Assemblyman Goicoechea believed with the economic downturn there would be an increase of non-violent crimes, including burglary, grand theft auto, and

others. He thought that after the initial 30-days "inside the walls," the offenders would be placed in the camps.

Mr. Skolnik expressed surprise that an increase in non-violent crimes had not occurred. He believed that additional police officers in some of the counties averted the non-violent crimes. Additionally, he suspected, because of the economic downturn, people were not out on the streets (as much), and it was more difficult for them to become victims. The population in Clark County had dropped by approximately 10,000 people. It appeared people were leaving the state when jobs were lost rather than turning to crime.

Chair McClain requested Mr. Skolnik next discuss the long-range capital improvement program.

Mr. Skolnik directed the Subcommittee's attention to [Exhibit C](#) and the section entitled "Plans." The long-term plan was based on the last population projections received; however, the inmate population was less than the projection.

He recommended the addition of two units at the Southern Nevada Correctional Center and reopening the facility as a female institution. The female population would be moved to the Jean Conservation Camp. The existing female facility would be converted to an intake facility for the southern part of the state and a facility to house the aging and handicapped inmates.

The Northern Nevada Correctional Center presently housed the aging and handicapped inmates. Mr. Skolnik explained a program called "True Grit" had been developed primarily for the aging population. It was housed in one of the new 240 bed pre-engineered buildings. The program was very successful, but the facility was not large enough to house the anticipated population.

Additionally, Mr. Skolnik explained that Prison 9 was on the books, as well as three housing units scheduled for the Warm Springs Correctional Center. These were part of the long-term plan, but until the updated population projections were received from JFA, the plans could not be finalized.

Chair McClain expressed concerns regarding movement of inmates and the opening and closing of prisons. She suggested postponing the construction of Prison 8 given the severity of the budget situation.

Mr. Skolnik explained that the closure of the Nevada State Prison was a result of budget cuts. The NDOC was directed to reduce the budget by 14.5 percent or \$41 million to \$42 million for the upcoming biennium.

It was determined facilities must be closed to meet the budget mandate. He noted that the Florence McClure Women's Correctional Center could not be closed because it was the only women's facility. Ely State Prison could not be closed because it was the only maximum security facility. Warm Springs Correctional Center was too small to impact the proposed budget cuts. The remaining facilities were too large and the other institutions could not absorb the inmate population.

That left only Nevada State Prison (NSP) for consideration. The fact that NSP was the oldest and one of the most expensive facilities per bed to operate, led to the recommendation to close NSP.

Mr. Skolnik continued to explain that to meet the \$41 million to \$42 million reduction requirement, it was necessary to add the closure of the Tonopah Conservation Camp. Because most of the staff did not live in Tonopah, and there were many overtime issues when calling someone back, it was deemed prudent to close the facility.

After considerable review, Mr. Skolnik recommended closure of the two facilities to be included in the budget recommendation. The recommendation was accepted by the Governor for inclusion in The Executive Budget.

Mr. Skolnik continued to explain the planning money for Prison 8 was funded in the 2007 Legislative Session. The plans for it were developed, the prison was designed, and the project was ready to be put out to bid. The prison had three components: the prison, the regional medical facility, and the execution chamber. The medical facility and execution chamber were designed to be "stand-alone" operations.

Mr. Skolnik explained there was a major concern with the bonding capacity of the state and whether or not that bonding capacity would be available in the future when the beds would be needed.

According to Mr. Skolnik, the Prison 8 construction and the NSP closure were independent. Prison 8 was not scheduled to open during this biennium. The monies in the budget for Prison 8 were not part of the General Fund appropriation and could not be cut to meet the budgetary requirements.

Until the projections were received from JFA, Mr. Skolnik was unable to make recommendations or consider other options.

Chair McClain noted the budget process was on a fast track. She suggested JFA be encouraged to complete the projections as quickly as possible.

Mr. Skolnik pointed out the contract with JFA was through the Department of Administration and not with NDOC; therefore, he was unable to force JFA to complete the projections sooner.

Assemblyman Goicoechea recalled the cost-per-bed issue. He was interested to know what the cost per bed was for incarceration in a camp versus incarceration in an institution.

Ms. Lori Bagwell, Deputy Director, Support Services, stated that the costs were \$7,264 [Governor Recommends for (fiscal year) FY 2010] for camp costs versus \$14,332 (Governor Recommends for FY 2010) for major institution incarceration. This excluded medical costs.

It appeared to Assemblyman Goicoechea the question of closing the Tonopah Conservation Camp was an issue of staffing.

According to Mr. Skolnik, the Tonopah Conservation Camp was selected for closure because of staffing issues. The decision to close a camp was made because of the dollars needed to meet budget cuts.

Because the cost of incarceration in a camp was half the cost of institution incarceration, Assemblyman Goicoechea was uncertain how that could be considered a cost savings.

Chair McClain further stated there would be a large gap as the Tonopah Conservation Camp was scheduled for closure July 1, 2009, but Three Lakes Valley Conservation Camp expansion was not scheduled to open until April 2010.

Mr. Skolnik clarified there were 300 vacant beds in the camps as a result of A.B. No. 510 of the 74th Session.

Chair McClain expressed concern for wildfire coverage for the middle of the state, if the Tonopah Conservation Camp was closed.

Mr. Skolnik understood the problem and was willing to review the budget to try to avoid closure of the Tonopah Conservation Camp.

Assemblywoman Leslie was relieved to hear Mr. Skolnik was willing to work with the Subcommittee on alternatives to closing the camp. It was clear from Mr. Skolnik's presentation that many of the decisions made by NDOC were artificial and were only about targeting the budget reduction. She asked whether Mr. Skolnik had prepared a narrative on the long-range plan of NDOC.

She noted that an assumption under the "Plans" tab of [Exhibit C](#) stated, "The in-house male prison population is expected to grow at an average rate of 3.39 percent per calendar year from January 2008 through December 2018." However, according to Mr. Skolnik's testimony, that appeared untrue.

Mr. Skolnik responded that the assumption was correct; however, the statutes stated the JFA population projections must be used when plans were prepared.

Assemblywoman Leslie was concerned the plans NDOC was developing were based on a false assumption. She requested Mr. Skolnik prepare a narrative which addressed the assumption and updated the information.

Mr. Skolnik explained that NDOC had developed a strategic plan which was in draft form. Staff who had completed the certified public manager and supervisor programs had been identified and requested to review the strategic plan. Responses had been received, and Mr. Skolnik offered to send the draft plan to the Subcommittee.

Assemblywoman Leslie was especially interested in alternatives to closing the Tonopah Conservation Camp and keeping NSP open. She believed delaying Prison 8 should also be considered.

Mr. Skolnik agreed to provide the information requested.

Chair McClain agreed with Assemblywoman Leslie and expressed concern about when the projections would be received from JFA.

Mr. Skolnik anticipated receipt of the projections about March 3, 2009, but advised he would need time to review the numbers and prepare a plan. He would provide the information to the Subcommittee as quickly as possible.

Chair McClain questioned whether the Eagles Nest Restitution Center was scheduled to open in March 2011.

Ms. Bagwell explained it was a closure of the Northern Nevada Restitution Center and an exchange into the Eagles Nest Restitution Center. There was no cost for the transition.

Assemblyman Hogan requested additional information on the \$2,373,220 supplemental appropriation requested for projected correctional facility utility expenses for FY 2009.

Ms. Bagwell apprised the Subcommittee that previously the Legislature had established a fund all agencies could access for utility needs. The NDOC received money from the fund in 2008. The requested \$2,373,220 was consistent with shortfalls. The fund was eliminated to help with budget shortfalls, and NDOC was told to request the funds as a supplemental appropriation.

Chair McClain moved to the issue of the closure of the Nevada State Prison (NSP). It was her understanding, the state owned property in Carson City which was available for building a new prison. She was unclear why NDOC chose to build a new prison in southern Nevada instead.

In response Mr. Skolnik explained the land in Carson City was being used as a dairy farm which provided milk and other products to NDOC. The property was close to the Carson River, and construction would create problems with the Environmental Protection Agency requirements. Other land available in Carson City would require a large investment in the land preparation to make it suitable for building.

Additionally, 70 percent of the inmate population was from Clark County. The construction of Prison 8 would bring the bed count in Clark County to approximately 70 percent of the total. It appeared wiser to build the prison close to the largest population.

Mr. Skolnik noted that included in the plan was the construction of three additional units at the Warm Springs Correctional Center which would add nearly 1,000 beds in the Carson City area.

Addressing a question from Chair McClain, Mr. Skolnik advised the planning for the first addition was included in the 2009-2011 biennium and the next two units were planned for the second biennium. The Prison 8 project could be fast-tracked if the Legislature was amenable.

The opening of two units at Warm Springs Correctional Center was scheduled for September 2015. The first unit at Warm Springs Correctional Center in the current plan was scheduled for opening September 2011.

Mr. Skolnik advised that Units 5 and 8 at NSP remained closed. Staff recruitments had been opened for the Carson City area and one class was currently in pre-service training. A second class would begin soon. Units 5 and 8 could be reopened if the Legislature chose.

In Mr. Skolnik's opinion, since the beds were not needed at this time, it would be better to maintain the institution as it was currently operating. Physical plant improvements were required for Unit 8. The units would be reopened when the beds were needed.

Chair McClain believed problems with closing NSP included the license plate factory, the mattress factory, and the book bindery.

Mr. Skolnik explained that if the facility was closed, officials were considering the construction of a fence with a sally port funded by Prison Industries between the Warm Springs Correctional Center and NSP. This would allow the movement of inmates to the book bindery and the license tag plant. The Prison Industries capital improvement fund, which was funded by inmate deductions, could fund a new facility at the Warm Springs Correctional Center.

Mr. Skolnik proposed the closure of the mattress factory irrespective of the future of NSP. The mattress factory was only operating two days per week. The supervisor at the mattress factory also supervised the garment factory at Lovelock. In his opinion, it would be good business practice to combine the mattress factory and the garment factory into one facility in Lovelock.

In response to Chair McClain's inquiries about the customer base for the mattress factory, Mr. Skolnik noted most mattresses were manufactured for NDOC; however, residential mattresses were also produced at the factory. Periodically, the factory had contracted for hotel mattresses.

Chair McClain questioned whether NDOC was able to meet the mattress requirements of the Department with a two-day per week production schedule.

Mr. Skolnik explained the factory could produce 100 mattresses per day. That was sufficient for NDOC needs.

Additionally, Chair McClain asked whether NDOC included the cost for keeping the license tag plant and book bindery open.

Mr. Skolnik stated those costs would be assumed by Prison Industries. Prison Industries would also incur the costs for the sally port and guards needed for prisoner movement.

Chair McClain raised the question of how many employees would be laid off with the NSP closing. She understood some would be transferred to other facilities, but was curious to know the number of employees who would not be able to transfer.

Mr. Skolnik had not been informed of the number of employees who would be laid off. If all employees eligible for buyout accepted, he estimated the cost would be approximately \$3.5 million. He did not know how many of the staff would accept a buyout.

Assemblyman Goicoechea was struggling with the issue of the \$80,000 turnaround in the mattress facilities. It appeared there was a \$60,861 net profit in FY 2005-2006, but a \$20,530 net loss in FY 2007-2008.

Mr. Skolnik explained the opening of the 940-beds in the pre-engineered housing units and the High Desert State Prison in FY 2005-2006 accounted for the increase. In FY 2007-2008 the NDOC only purchased replacement mattresses. This resulted in a net loss to the factory.

Assemblyman Goicoechea understood, but stated that if the mattress factory was shutdown, the result would be a loss to the budget.

Mr. Skolnik clarified that the mattress factory would not be shutdown, but relocated to Lovelock and combined with the existing garment factory.

In response to Chair McClain, Mr. Skolnik stated that Prison Industries was planning on relocating the mattress factory irrespective of the future of NSP. If the decision was made to keep NSP open, moving the mattress factory would provide program space not currently available at NSP.

Chair McClain requested additional input regarding the threshold for replacement of NSP.

Mr. Skolnik explained that the State Public Works Board (SPWB) recently reevaluated NSP and would soon release a report on their findings. The comments made, which were not on the record, indicated the facility was in better condition now than the last time it was inspected.

Chair McClain asked whether NDOC had considered the recommendations of the Spending and Government Efficiency (SAGE) Commission and the incorporation of the NSP Upper Yard and Warm Springs Correctional Center.

Mr. Skolnik had looked into the recommendations, but he preferred to build new units at the Warm Springs Correctional Center rather than the NSP Upper Yard. The new design would be safer for inmates and staff.

Chair McClain inquired whether Mr. Skolnik understood the logic behind the SAGE Commission recommendations.

Mr. Skolnik believed the recommendation at the time was to save jobs and beds by closing the older section of NSP, eliminating the administration, and incorporating the Upper Yard into the Warm Springs Correctional Center. This would result in a reduction of staff by closing Unit 3 and eliminating all of the administrative staff in the institution. The infirmary and the "Seven Post" were in the Lower Yard which would create a problem.

Chair McClain noted that the book bindery and the license tag plant would need to remain open.

Chair McClain postponed further budget review and opened the floor for public comments.

Daniel R. Sweeney, Town Manager and Fire Chief for Round Mountain, Nevada, was encouraged with the information presented. He believed it was important to rural Nevada to keep the Tonopah Conservation Camp open. Mr. Sweeney provided the Subcommittee with two letters of support, [Exhibit D](#) and [Exhibit E](#).

Richard Siegel, President of the American Civil Liberties Union (ACLU) of Nevada, commented regarding the overall presentation of Mr. Skolnik. Dr. Siegel had been appointed by Governor Gibbons to the interim Advisory Commission on the Administration of Justice (ACAJ) and was recently asked to become a task force member of the SAGE Commission.

He noted that the ACAJ had worked closely with the JFA Institute (JFA) and the Grant Sawyer Center for Justice Studies at the University of Nevada, Reno. A report detailing ACAJ findings was being prepared for presentation to the Legislature.

Dr. Siegel pointed out the ACAJ had taken a position that it was looking for ways to moderate the prison population and to build on A.B. No. 510 of the 74th Session. With the assistance of JFA, the ACAJ had targeted certain elements of the prison population, such as category E felons, who could be diverted from the prison population.

The ACAJ had also identified category B crimes which they believed could be reclassified as category C and category D crimes and made eligible for A.B. No. 510 of the 74th Session assistance.

In the opinion of Dr. Siegel, it was obvious that Nevada did not have a need to accommodate growth in the prison population. As discussed earlier, there was a vacancy rate of approximately 20 percent. This was partially because of the passage of A.B. No. 510 of the 74th Session, but also because the Parole Board had been more proactive than in the past.

According to Dr. Siegel, JFA reported that Nevada parolees had a low risk of reoffending. This was, in part, because Nevada over-incarcerated, which meant many parolees should never have been incarcerated.

Dr. Siegel was optimistic that the prison population could be maintained at the current level by expanding A.B. No. 510 of the 74th Legislative Session and looking at category E felons. More resources were needed for alternatives to incarceration and probation to reduce the prison population.

Although the outlook for the prison system was optimistic, Dr. Siegel noted there was growth in the area of category B felonies. These felons were receiving longer sentences which could produce an increase in the prison population in two to four years.

Dr. Siegel requested funding of the medical facility at Prison 8, but believed the construction of the other units at the prison should be postponed.

The ACLU had a lawsuit pending with Ely State Prison on medical and mental health issues which might have been avoided with adequate medical care. These problems appeared to be system wide. He believed the prison system was horribly underfunded for medical programs.

He did not have a strong opinion about the closure of NSP or the Tonopah Conservation Camp. He was hopeful the closure of NSP was on the "medium-term" agenda. The Warm Springs Correctional Center plan appeared to be a reasonable approach.

Dr. Siegel requested the Subcommittee also consider that Nevada underfunded food for the inmates. The food budget had not been increased for nearly a decade. People should be fed decently and for the Legislature to continue denying an increase in the food budget was "mean."

According to Dr. Siegel, the reason the ACLU filed federal lawsuits dealing with medical and mental health issues was because that part of the prison budget was mandated constitutionally. It was possible that in the future a federal lawsuit could be filed on the issue of poor food.

Steve Barr, American Federation of State, County and Municipal Employees (AFSCME) Local 4041, voiced opposition to the closing of NSP and the Tonopah Conservation Camp. He believed NSP was a vital part of the economic

well-being of the Carson City, Dayton, and Gardnerville areas. The officers and staff working at NSP were hardworking and dedicated to protecting the citizens.

Moving to the issue of Prison 8, Mr. Barr concurred with Dr. Siegel that the medical facility was needed and would be most appropriately built inside the High Desert State Prison complex. He believed Prison 8 should be constructed on state-owned land rather than Bureau of Land Management (BLM) leased land. His reasoning was that in southern Nevada, the NDOC had a problem with attrition rates. Staffing in the south tended to be double the attrition rate of the northern area of the state. Staffing to man the new facility would cost approximately \$1 million per year in additional training and another \$1 million per year in rural area differential.

In his opinion, the land available in the Carson City area could be better used for prison construction rather than as a dairy farm. The infrastructure existed in northern Nevada with the Northern Nevada Correctional Center.

The units at NSP on the hill were constructed in the early 1980s and were, therefore, newer than most of the units at both the Southern and Northern Nevada Correctional Centers. Mr. Barr believed after thorough review, the Subcommittee could find a solution other than closing NSP and the Tonopah Conservation Camp.

Mr. Barr was in agreement with Mr. Skolnik's intention to utilize a facility rather than lease it to a private corporation. There appeared to be an influx of private correctional companies into the state. The private companies were not under the control of the Nevada Legislature. He was concerned how the inmates brought in from other states would be regulated. He believed this was an unsafe practice for the citizens of the state.

Chair McClain also expressed her concern regarding regulation of private correctional facilities.

Mr. Barr stated he had discussed the issue with Assemblyman Horne.

Chair McClain encouraged further discussion with Assemblyman Horne on the issue.

Dennis Mallory, American Federation of State, County and Municipal Employees (AFSCME) Local 4041, supported the presentation made by Mr. Barr. Mr. Mallory added that when the total projected savings of closing NSP was reviewed carefully, he believed the staff would "bump" lower staff. This would produce a significantly lower salary savings than anticipated.

Denise Nelson, Director for the Tonopah Chamber of Commerce, presented the Subcommittee with [Exhibit F](#), a petition to keep the Tonopah Conservation Camp open. She was happy to hear that Mr. Skolnik supported reviewing options other than closing the Tonopah Conservation Camp. She noted that it cost approximately \$1.2 million per year for NDOC to operate the Tonopah Conservation Camp. The money that the Nevada Division of Forestry generated was put into the General Fund. The prisoners housed at the Camp would have to be housed elsewhere, so she was unable to see the cost savings.

Andrew List, Executive Director with the Nevada Fire Safe Council, expressed concern regarding the possible closure of the Tonopah Conservation Camp. He presented [Exhibit G](#), a letter of support (for keeping the facility open), to the

Subcommittee for consideration. The volunteer members from Austin, Kingston, Belmont, and Manhattan, Nevada were very concerned about the prospect of closing the Tonopah Conservation Camp.

According to Mr. List, the concern regarding the closure was two-fold. The first concern was that the Fire Safe Council, some of the communities, and the Nevada Division of Forestry had used the Camp crews to do brush clearing and tree thinning around these communities. The second issue was that if a wildfire occurred in these rural areas, often the Camp crews were used for suppression. It was extremely important to the volunteers in the rural communities to keep the Camp open.

Horace H. Carlyle, a member of the Tonopah Town Board, expressed awe at the diligence and interest of the Legislature. He expressed concern about the possible closure of the Tonopah Conservation Camp. Mr. Carlyle suggested the Subcommittee consider increasing contract fees to generate additional revenue for all of the conservation camps.

James T. Eason, Tonopah Town Manager, requested the Subcommittee consider all alternatives to the NDOC budget. He opposed the closure of the Tonopah Conservation Camp.

Pat Hines, Advocate for Criminal Justice Reform, spoke on behalf of five inmates opposed to the closure of the camps. She stated a change to the statute was required to keep the conservation camps open. The statutory requirements should be changed for inmates to be eligible to go to the camps. According to Ms. Hines, research showed that in Nevada there were more persons in maximum security than the national average and fewer persons in minimum security. She believed it was time for the Legislature to review the issue.

Ms. Hines agreed with Dr. Siegel's comments regarding a review of the felony categories. She believed the category A felons should be given parole consideration.

Chair McClain advised Ms. Hines that the JFA Institute was reviewing camp eligibility.

Ms. Hines noted it was not only the categories, but also the level. These were regulated by statute. She also suggested conversion of camps to transition centers, especially in urban areas where parolees could obtain employment.

Chair McClain suggested Ms. Hines discuss the issue with Assemblyman Horne.

Bob Bottom, Supervisor of the Tonopah Conservation Camp, opposed closure of the Camp.

Chuck Fox, private citizen, opposed the closure of the Tonopah Conservation Camp. Mr. Fox also expressed concern regarding the Three Lakes Valley "Super" Conservation Camp. Five hundred inmates would be housed in the minimum security honor camp, but testimony showed 300 vacant honor camp beds.

Arlen Hirsch, private citizen, opposed the closure of the Tonopah Conservation Camp.

There being no further public comments or questions, Chair McClain closed the hearing for public comments and reopened the hearing on the NDOC budgets.

DEPARTMENT OF CORRECTIONS
DIRECTOR'S OFFICE (101-3710)
BUDGET PAGE CORRECTIONS-1

Lori Bagwell, Deputy Director, Support Services, Department of Corrections (NDOC), presented an overview of the major issues for Budget Account (BA) 3710. Ms. Bagwell read prepared testimony as follows:

Budget Account 3710 is our Director's Office budget. This account is responsible for the overall administration of the Department and houses our personnel, inspector general, fiscal, offender management division, and support services.

In this budget we have decision unit Maintenance (M) 160, which is the continuation of our reduction in staff from the FY 2008-2009 reductions of a budget analyst 2 and a purchasing tech. We are able to maintain that reduction as long as we continue to have the Southern Nevada Correctional Center and the Silver Springs Conservation Camp closed.

Decision unit Enhancement (E) 680 is the huge revenue impact to the Department. It includes the process of leasing of the Southern Nevada Correctional Center. We base that on a \$25 per day, 600 bed projection model to generate \$10,950,000.

Chair McClain requested an update on the status of the lease contract for Southern Nevada Correctional Center.

Howard Skolnik, Director, Department of Corrections, explained the negotiations with U.S. Immigration and Customs Enforcement (ICE) had been halted because they required the state to fund \$2 million for renovations of the institution. The NDOC did not believe that was a reasonable request or a wise investment. The lease of the facility had been put out to bid and significant interest from private corporations had been received. Although this would create revenue, it would not create positions for state employees.

Chair McClain asked whether NDOC had received interest in the bed rental from other than private corporations.

Mr. Skolnik advised that Alaska had inquired about the possibility of providing beds for its inmates. The inquiry was just recently received, and there had been no time for follow-up. The population would probably be made up of only Alaska inmates but would use Nevada staff. The initial transfer would consist of 1,050 inmates with a declining number in the future.

Chair McClain questioned whether the revenue stream for this type of contract would be better than contracting with ICE.

Mr. Skolnik thought that was a possibility. The projections given were based on revenue streams from other states that had been gauged on renting beds. Because the rent charged by other states ran between \$15 and \$30 per bed, NDOC believed the \$25 per bed charge was reasonable.

In response to Chair McClain's question, Mr. Skolnik indicated he did not know the cost per bed in Alaska, but stated Alaska was one of the states not facing budget cuts in corrections.

With respect to the Request for Proposal (RFP), Mr. Skolnik indicated it would be released in approximately one week, and NDOC would request a two-week turnaround.

In the meantime, Chair McClain noted the projections could not be assumed to be correct.

Mr. Skolnik agreed, but would try to get information to the Subcommittee prior to the March 6, 2009, hearing.

Moving to the issue of replacement of footlockers for inmates (decision unit E710), Chair McClain asked the disposition of the lockers used in the closed facilities.

Ms. Bagwell explained that under decision unit E710, NDOC was requesting the establishment of a caseload schedule for the replacement of footlockers. The footlockers used at the closed facilities were transferred with the inmates. During transfers the footlockers were often damaged and could no longer be used.

Chair McClain noted NDOC was requesting \$284,481 per year, and wondered how many lockers were being replaced.

In response, Ms. Bagwell noted the \$284,481 was to establish a five-year replacement schedule. She was uncertain how many would be replaced immediately, but the cost was \$109.50 each. They could not be manufactured by Prison Industries because they were specially constructed from "correctional plastic," which was a special plastic that could not be melted or broken and reshaped into weapons.

DEPARTMENT OF CORRECTIONS
PRISON MEDICAL CARE (101-3706)
BUDGET PAGE CORRECTIONS-10

Lori Bagwell, Deputy Director, Support Services, Department of Corrections (NDOC), presented an overview of the major issues for Budget Account (BA) 3706. Ms. Bagwell read prepared testimony as follows:

Budget Account 3706 is our Prison Medical Care account. This account is responsible for all medical services for all institutions. The major decision unit was M101, Medical Inflation. That account is for \$3.2 million in General Fund over the biennium.

We have several areas that receive inflation. We have Prescription Drugs, which is 5.1 percent inflation, Dental Supplies which is 5.0 percent inflation, Over-the-counter Medical Supplies at 0.8 percent, Medical Prosthetics at 0.8 percent, and Third-Party Medical Services at 6.4 percent.

Chair McClain commented on the level of medical inflationary increases recommended, as the total medical inmate driven costs only increased by 1.5 percent from FY 2006-2007 to FY 2007-2008.

Ms. Bagwell responded that medical care was difficult to project as it fluctuated from year-to-year. She believed the inflation would occur, but the numbers of claims or care to an inmate was difficult to estimate.

Chair McClain wondered whether there were projections based on age or illnesses that could justify the inflationary increases.

Howard Skolnik, Director, Department of Corrections, explained that part of the problem was the unpredictability of health care situations. For instance, NDOC was requested to accept a prisoner as a "safe-keeper" until sentencing. The individual had attempted suicide and was on life support, which cost tens of thousands of dollars per day. If the individual had not died and had been sentenced to the state for incarceration, it would have cost NDOC millions of dollars per year.

Chair McClain understood the situation but believed by looking at ages, chronic illnesses, and other anticipated healthcare issues, a better justification could be prepared.

Turning to the elimination of the full-time equivalent (FTE) positions based on the closure of Nevada State Prison (NSP), Chair McClain requested an explanation of why only ten FTE positions were recommended to be eliminated when 12 FTE positions were approved for the Medical Unit at NSP in the 2007-2009 biennium budget.

According to Ms. Bagwell, decision unit E606 dealt with the elimination of 10 of the 12 assigned positions at NSP. Two of the nursing positions were recommended to transfer to Warm Springs Correctional Center (WSCC). During the past year WSCC was converted to a medium facility. One issue with nursing care at WSCC was that some of the units were designated as "do not leave" and had requested nursing care be delivered to the unit. Therefore, the two positions plus one position from Silver Springs Conservation Camp (SSCC) were recommended for transfer to WSCC.

Ms. Bagwell clarified that the SSCC nurse was transferred to WSCC when SSCC closed. The NSP nurses could not be moved until NSP was closed.

Mr. Skolnik further explained that NDOC had utilized WSCC as a facility for debriefed gang members who required more protection than the average inmate. These inmates could not be a part of the general population and must receive nursing services inside the unit.

DEPARTMENT OF CORRECTIONS
CORRECTIONAL PROGRAMS (101-3711)
BUDGET PAGE CORRECTIONS-16

Lori Bagwell, Deputy Director, Support Services, Department of Corrections (NDOC), presented an overview of the major issues for Budget Account (BA) 3711. Ms. Bagwell read prepared testimony as follows:

Budget Account 3711 is the Department's account that handles programming Department-wide. We have in this budget one major decision unit, E660.

We currently have a program for DUI (Driving Under the Influence) at Three Lakes Valley Conservation Camp. It is \$188,416 per year. We are recommending that for elimination due to section 3 of Assembly Bill No. 510 of the 74th Session. That legislation last session removed the requirement for those offenders to have a treatment program prior to release.

When we looked at this, we currently had only 11 inmates that would be eligible for the program and, based on the dollars, did not think that was a prudent choice and would help us meet our elimination requirement to reduce our budget.

Chair McClain was unclear whether the program was the contracted treatment programs for individuals incarcerated for DUI.

Ms. Bagwell advised that was the program NDOC was recommending to eliminate.

Howard Skolnik, Director, Department of Corrections, explained the contract was put out for bid and no bids were received for the dollar amount available. Additionally, there were only 11 inmates in the system who qualified for the program. Most people eligible for the treatment were released immediately to the 305 Program.

Chair McClain asked how NDOC could address compliance with existing statutory requirements for DUI treatment if the program was eliminated.

Tracy Raxter, Principal Deputy Fiscal Analyst, stated that *Nevada Revised Statutes* (NRS) 209.425 required the NDOC to have a DUI program. He inquired whether NDOC would request a statutory change if the program was eliminated.

Mr. Skolnik advised NDOC would be recommending a change to the statute. The only other option available would be to expand the prison drug rehabilitation program (OASIS) to include DUI which would bring the Department into compliance with the statute. If the Legislature desired NDOC to retain the \$188,416, Mr. Skolnik preferred to redirect the funds to a reentry program rather than DUI.

Assemblywoman Leslie pointed out that it was difficult to convince people to enter the felony DUI program because it was a three-year intensive program. Some people would rather take the felony conviction, go to prison, and be released to the 305 Program. She inquired whether Mr. Skolnik had an average of time served and reoffender rates for inmates released to the 305 Program. She had been told time served was approximately three months.

Mr. Skolnik would provide the information to the Subcommittee. To the best of his knowledge, none of the individuals released to the 305 Program had reoffended while in the Program.

Chair McClain suggested Mr. Skolnik prepare a bill draft request to eliminate the DUI program. She asked what the cost would be to include the DUI program in the OASIS program.

Mr. Skolnik indicated there would be no cost as it would only require a name change for compliance with the language in the statute. The program would

not change as it was for treatment of all substance abuse issues, not specifically drugs or alcohol.

Assemblyman Hogan questioned the availability of OASIS services at the various institutions, particularly Three Lakes Valley Conservation Camp.

Mr. Skolnik replied he could provide a listing of all programs available at the facilities. There were substance abuse programs in most of the medium security facilities but not in the camps. The camps were not program-oriented, but were used more for response to fires and other community services. The original DUI program was set up at the Indian Springs Camp, specifically as a program separate from the rest of the operation of the conservation camp.

Assemblyman Hogan asked whether any of the camps were set up to deliver an OASIS program variation if the Legislature modified the conservation camp qualification requirements to increase populations.

Mr. Skolnik believed that could be done at Three Lakes Valley Conservation Camp with the existing staff. Part of the issue was that under the current statute, NDOC was not keeping the inmates long enough to treat them.

Turning to the next item, the Legislative Counsel Bureau (LCB) audit of inmate programs, Chair McClain requested clarification on the 16 recommendations to improve correctional programs, in particular the lack of department-wide policies.

In response, Mr. Skolnik explained NDOC was addressing the lack of department-wide policies through administrative regulations. During the 2007 Legislative Session, NDOC requested approval to eliminate the deputy director for programs and create one deputy director in the north and one deputy director in the south to be responsible for all activities within their regions. The reason for the request was to eliminate "finger pointing" and the necessity for problems between custody staff members and programs staff members to be resolved by the director.

The NDOC was working with the Department of Personnel to modify the associate wardens. By revising the titles "associate warden of programs" and the "associate warden of operations" to "associate warden," it allowed the distribution of areas of the institution so that the wardens would be accountable and responsible for everything within their span of control.

In response to Chair McClain's comments, Mr. Skolnik detailed the plan. The NDOC had divided the state into north and south. A deputy director was put in charge for each region. Each deputy director was responsible for management of the institutions in his respective region, including programs and operations. Prior to implementation of the plan, there was no accountability.

Chair McClain was concerned that without establishment of guidelines the deputy directors would have differing methods of managing the programs.

Mr. Skolnik advised that guidelines would be established through administrative regulation department-wide. It was his responsibility to develop and institute the guidelines. The first issue was to address the administrative regulations established in 2006 and submitted to the Board of State Prison Commissioners. The regulations had expired before being voted on and had to be re-established.

He would provide the Subcommittee copies of the guidelines when they were established.

Chair McClain requested information on the status of pre-release and reentry services as they related to the recidivism rate.

Mr. Skolnik stated that one of the areas frozen as part of the budget reduction was staff associated with the Going Home Prepared program. The result was difficulty in gathering data. The NDOC had been reviewing the reentry area in conjunction with the Department of Employment, Training and Rehabilitation (DETR). Director Larry Mosley was interested in assisting the NDOC in establishing a continuum from inside training to outside employment utilizing federal funding the DETR received. Additionally, there was a functional statewide coalition on reentry that met monthly, as well as many faith-based and community organizations to assist with the reentry programs. The DETR had requested NDOC to provide a list of needs.

In response to Chair McClain, Mr. Skolnik explained that the DETR could provide:

- Job training inside of the institutions related to outside employment
- A continuum from inside to outside in terms of job placement
- Funding of positions for NDOC to assist with coordination of training programs

Mr. Skolnik did not have a date of completion for the project with the DETR.

Chair McClain asked whether the Going Home Prepared program was a part of the reentry program.

Mr. Skolnik replied that the Going Home Prepared program would not be phased out but would be a part of the new project being created with the DETR. One of the things the state did not have was intermediate sanctions for both parole and probation. Mr. Skolnik had looked into identifying offenders with a military background and establishing a group at Casa Grande Transitional Housing to use as an intermediate sanction for veterans. There was some federal funding available for this purpose, and there would be an increasing need for a veterans' group as soldiers returned from combat.

Mr. Skolnik noted that when he became director, there were three areas he personally committed to not reducing unless there were no other alternatives: staff training, programming, and reentry. He believed if the state did not provide transitional programs for everyone, the recidivism rates would increase.

Chair McClain agreed and understood the concern with the veteran population. She pointed out that Assemblywoman Buckley had introduced a bill for the veterans' court, which might help the situation.

Assemblywoman Leslie asked whether Mr. Skolnik's suggestions for the reentry program would be included in the strategic plan.

Mr. Skolnik stated they had not been included but they could be.

Assemblywoman Leslie believed that inclusion of the reentry plan into the strategic plan would be a good step. She requested a narrative from Mr. Skolnik explaining the best way to go forward with the reentry council.

DEPARTMENT OF CORRECTIONS
PRISON INDUSTRY (525-3719)
BUDGET PAGE CORRECTIONS-147

Howard Skolnik, Director, Department of Corrections, presented a brief overview of Prison Industries for the Subcommittee, noting that it was created by the 1987 Legislature to centralize the industrial programs.

Nevada had been in the forefront of teaming with private industry. The Northern Nevada Correctional Center (NNCC) had the oldest continuously operating private sector industry program in the United States. The program had done well.

In 1987 the annual depreciation of all of the equipment owned by Prison Industries was \$5,000 and had since increased substantially. The entire inventory of raw materials in Prison Industries was under \$10,000, and now it totaled over \$1 million. Open orders stood at approximately \$1 million.

Unfortunately in 1989, Prison Industries teamed with a stained glass company that recently went bankrupt and left the program. The embroidery company at the High Desert State Prison moved the operation to Kansas and left the program. There was a water truck manufacturing company with home offices in New Zealand, but because construction was down and the trucks could not be sold to cover the overhead, the operation was shut down. The NDOC had been working with the Department of Employment, Training and Rehabilitation (DETR) to find training money to cover a portion of the overhead and possibly reopen the manufacturing program.

According to Mr. Skolnik, some of the projections for Prison Industries had been reduced. The state had not been purchasing furniture because there were fewer new state employees. The book bindery was actively marketing and had expanded to embroidery. The drapery factory at Ely was losing money after the program was modified because of an escape several years ago.

Much of the funding for Prison Industries came from fees collected by the license tag plant. Mr. Skolnik believed maintaining the license tag plant was critical to maintaining the program at Prison Industries. Without the fees received from the license tag plant in FY 2008, Prison Industries would have shown a net loss of \$34,000. In the month of January 2009, nearly 70 jobs were lost at Prison Industries because of the poor economy.

Mr. Skolnik anticipated Prison Industries to continue operations with the possibility of providing fewer jobs. There was the possibility of running split shifts to double the workforce. Unfortunately, the inmate time credits could not be given if shifts were split. By statute the inmates must work eight hours per day to receive the credits.

In response to Chair McClain, Mr. Skolnik explained that the Ford Mustang Shelby hood contract was proceeding well. The upgraded hoods were being manufactured at the Southern Desert Correctional Center. The Harley-Davidson motorcycle contract was temporarily on hold. There was a customized motorcycle on display at the Harley-Davidson Café on Las Vegas Boulevard, and Prison Industries was hopeful the display would result in increased business.

Chair McClain asked for an update on the status of the Industrial Park in Indian Springs, Nevada.

Mr. Skolnik presented a brief overview of the project. Prison Industries purchased 22.5 acres of land from the Bureau of Land Management so the property could be developed commercially. An RFP was put out and one company bid for the contract but ultimately backed out. Another company had raised the capital and teamed up with Nigro Development of Las Vegas who was in the final design stages for the project. Zoning for the property allowed up to 75 percent coverage, which meant building between 700,000 to 800,000 square feet of industrial space. The capital was private, and the development would be privately managed and privately leased. The NDOC would receive approximately \$0.25 per hour reimbursement for every inmate hour worked in the facility. The development would be responsible for reimbursing the state for all security, which would be a part of the assessment to tenants. In spite of the economic situation, Nigro Development was optimistic the project would be completed in about two years. Mr. Skolnik expressed excitement at the prospect of completing this unprecedented project.

Chair McClain asked how many inmates would be working at the facility.

Mr. Skolnik was not able to estimate that at this time. He noted there was interest from regional laundry services, warehousing interest, and manufacturing interest; however, it had been a six-year process, and he was unable to predict the type or number of tenants at this time. Tenants would be required to hire medium security inmate labor. The property would be zoned as a prison, not as an industrial park.

Assemblyman Hogan asked whether there was a role for the state Division of Economic Development to assist the developer.

Mr. Skolnik believed that was an excellent idea. He had not looked into that prospect but was willing to pursue the idea with the developer.

Assemblyman Goicoechea voiced his understanding of the project as the facility would be built to prison standards by a private sector developer. He was curious to know the tax benefit for Clark County.

Mr. Skolnik stated that Assemblyman Goicoechea was correct in his assumption; however, he did not believe Clark County would receive a tax benefit. The developer would be paying "fair value lease" to the state for the land on a long-term lease. Mr. Skolnik had reviewed the plan with the Attorney General, but he did not know the tax requirements for Clark County.

Assemblyman Goicoechea believed the improvements on Nevada land would have to be taxed as personal property, but he was not certain. He also wondered what wages would be paid to the inmates.

In response, Mr. Skolnik noted the wages would be at least minimum wage. All of the Prison Industries operations that were engaged in private sector activities were governed by the federal government standards. It was required that at least minimum wage be paid to anyone working in a private prison industry. Additionally, there was federal legislation regarding work release. In the future, NDOC would request an opinion whether federal or state statutes, would govern the operation.

There would be deductions to the inmate paychecks: 24.5 percent of the wages would be returned to the General Fund as a room and board payment, 5 percent of the wages would be put into a fund administered by the Department of Administration for victims, and 5 percent of the wages would be put into a fund for capital improvement for the expansion of Prison Industries.

Assemblyman Goicoechea noted that with careful placement, the inmate could provide restitution.

Chair McClain asked what Prison Industries was providing for the women inmates.

Mr. Skolnik replied that NDOC was in the process of determining the best way to expand the women's program. Jacobs Trading Company, a private sector industry program in the women's facility, wanted to expand. This was a repackaging operation and one of the few industries benefiting from the economic downturn. The company needed more space, and NDOC was working to comply with the request. Prison Industries had put in a 60,000 square-foot concrete slab to allow the company to move much of the product from inside to outside to increase the workforce.

One of the LCB audit findings was that the women were receiving equal or greater programming than the male population.

Chair McClain had concerns about what the women were learning and whether they were taught job skills which would help them when released.

Mr. Skolnik thought that training should come from DETR. The women were being taught warehousing, which was a large industry in Las Vegas. They learned skills such as forklift operation.

Assemblyman Hogan expressed an interest in this area, and wondered whether there would be additional funding in the Department of Labor for non-traditional employment opportunities for women. He was aware that many in the construction apprenticeship programs were looking for ways to meet federal goals to include women, and this might be a good source.

Mr. Skolnik noted that one of the things that had come out of the reentry programming was a partnership with the teamsters who had been doing training inside the institutions for inmates at no cost to the NDOC. It had been a very successful program and deserved expansion. A problem at the women's facility was the physical plant. Space was extremely limited as the facility was not constructed with an area for Prison Industries.

DEPARTMENT OF CORRECTIONS
OFFENDERS' STORE FUND (240-3708)
BUDGET PAGE CORRECTIONS-130

Lori Bagwell, Deputy Director, Support Services, Department of Corrections (NDOC), presented an overview of the major issues for Budget Account (BA) 3708.

In response to Chair McClain, Ms. Bagwell explained that two full-time equivalent (FTE) positions were eliminated because the positions were vacant, and the NDOC had been able to process paperwork without the positions. She

believed this was because the NDOC had worked to streamline processes and increase efficiency.

There had been a problem with reconciliation in the past, but NDOC was now able to reconcile in approximately three days.

Chair McClain requested an update on the Nevada Offender Tracking Information System (NOTIS) which replaced the previous inmate banking system.

Mr. Bagwell expressed her excitement for the updated system. The NDOC had previously implemented the offender side of the NOTIS project and was now in the process of integrating the store component within the NOTIS system. This streamlined the process so that one computer system was able to handle all transactions. She indicated the system was in the testing mode. Individual module testing had been completed, and they were prepared to begin system testing. The anticipated "go live" date was June 19, 2009.

Assemblyman Hogan asked whether the two FTE positions were irrelevant to completing the NOTIS project.

Ms. Bagwell replied that was correct.

Howard Skolnik, Director of the Department of Corrections, pointed out that all equipment had been eliminated from the General Fund budget request for the next biennium.

DEPARTMENT OF CORRECTIONS
INMATE WELFARE ACCOUNT (240-3763)
BUDGET PAGE CORRECTIONS-138

Lori Bagwell, Deputy Director, Support Services, Department of Corrections (NDOC), presented an overview of the major issues for Budget Account (BA) 3763. Ms. Bagwell read prepared testimony as follows:

Budget Account 3763 receives its revenue from a transfer from the store account. It handles all of our law library and recreational activities and is a small portion of the match for funding in our OASIS Programs.

In this budget account, we have the reduction of one position, the athletic and recreation specialist 1 position, due to the closure of the Southern Nevada Correctional Center, in decision unit M160.

Chair McClain inquired whether the athletic and recreation specialist 1 position was a part of the staff at every facility.

Ms. Bagwell noted the position was at all institutions but not at the camps.

Ms. Bagwell continued the overview with decision unit E606. If Nevada State Prison (NSP) was closed, funding would not be necessary for the support of the law library and the decision unit could be eliminated.

The law library position was not eliminated in the budget request as the NDOC was requesting to move the position to Warm Springs Correctional Center. If NSP was not closed, Ms. Bagwell requested the opportunity to put in a position

for the law library at Warm Springs Correctional Center. This was not a General Fund position, and there were sufficient funds in this budget account to cover the cost.

Responding to Chair McClain, Ms. Bagwell explained the law library no longer used books but instead used standalone CDs. There was a piece of legislation requested to allow the NDOC to update the library without having to insert the CDs into each computer.

Assemblyman Hogan recalled the issue of the quality and quantity of food for the inmates and how expensive it could be for litigation on the matter. He noticed there was no focus on that issue in the budget. He requested an overview of the subject and what could be done to improve the quality of food.

Howard Skolnik, Director for Nevada Department of Corrections (NDOC), responded that the food budget was generated by the base of the previous biennium. The problem was that the current system punished for success. If NDOC was able to make "opportunity buys" and keep the prices down in the base budget year, that reduced the food budget for the following biennium. The cost was currently about \$0.20 per day per inmate over budget to provide the quality of food required.

He further explained that the menu was approved by a dietician. Other than for emergency situations, the menu could not be changed without approval of the dietician. Mr. Skolnik noted that he regularly ate the same food as the inmates.

Chair McClain believed the meals were nutritious, but there were no frills.

There being no further comments or questions, Chair McClain adjourned the meeting at 10:33 a.m.

RESPECTFULLY SUBMITTED:

Linda Blevins
Committee Secretary

APPROVED BY:

Assemblywoman Kathy McClain, Chair

DATE: _____

Senator Joyce Woodhouse, 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>February 19, 2009</u>		Time of Meeting: <u>8:07 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance roster
	C	Howard Skolnik, Director, Dept. of Corrections	NDOC facilities guide
	D	Daniel Sweeney, Round Mountain	Letter of support
	E	Daniel Sweeney, Round Mountain	Letter of support
	F	Denise Nelson, Tonopah Chamber of Commerce	Newspaper article and petition
	G	Andrew List, Nevada Fire Safe Council	Letter of support