

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
March 31, 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 8:04 a.m. on Tuesday, March 31, 2009, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/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:

Tracy Raxter, Principal Deputy Fiscal Analyst
Brian Burke, Principal Deputy Fiscal Analyst
Jeffrey Ferguson, Program Analyst
Christine Bashaw, Committee Secretary
Vickie Kieffer, Committee Assistant
Carol Thomsen, Committee Assistant

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
ADMINISTRATION (101-4150)
BUDGET PAGE DCNR – 1

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said he would start with budget account (BA) 4150, which had a major issue with the reorganization of the director's office resulting in the elimination of two positions and the reclassification of two other positions.

Mr. Ferguson stated that decision unit Maintenance (M) 160 eliminated an accounting assistant 3 position. This was a continuation of the budget reductions in fiscal year (FY) 2009 and provided a General Fund savings of \$57,887 in FY 2010 and \$58,391 in FY 2011. The incumbent in this position had retired and the duties were reassigned to other members of the staff.

Mr. Ferguson said in decision unit Enhancement (E) 618, the budget recommended elimination of an unclassified executive assistant. This provided a General Fund savings of \$67,647 in FY 2010 and \$68,073 in FY 2011. Historically, this position had not been an executive assistant but assisted the director with information and communication efforts. The agency planned to transfer the incumbent in this position to a new public information officer position.

Mr. Ferguson reminded the Subcommittee that there was an omission in the budget to reclassify the position. The Budget Division indicated an amendment would be submitted; however, staff had worked with the Budget Division, and the agency elected to reclassify this position through the Interim Finance Committee (IFC) process. That would be cost-neutral as both positions were the same pay grade, and the request would be submitted for consideration at the April 20, 2009, IFC meeting.

Mr. Ferguson said there was also the reclassification of an existing administrative services officer (ASO) 4 to an ASO 2. This would provide a General Fund savings of \$26,025 in FY 2010 and \$25,907 in FY 2011. The agency had decentralized the director's operations.

Mr. Ferguson stated that agency staff testified they supported the recommendations. The recommendation to reorganize the State Department of Conservation and Natural Resources (DCNR) Director's Office appeared reasonable to staff.

Mr. Ferguson asked the Subcommittee whether they wanted to approve the Governor's recommendation to reorganize the DCNR Administration Office including the elimination of the accounting assistant and executive assistant; and the reclassification of the two other positions, an ASO 2 and a public information officer.

ASSEMBLYWOMAN LESLIE MOVED TO APPROVE AS
RECOMMENDED BY THE GOVERNOR THE POSITION PORTION OF
BA 4150.

ASSEMBLYMAN CONKLIN SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Goicoechea and
Assemblywoman Koivisto were not present for the vote.)

Mr. Ferguson continued with the other items in BA 4150. Decision unit E710 recommended General Funds of \$10,250 in FY 2010 for replacement equipment. This recommendation appeared reasonable to staff. In E720, the Governor recommended General Funds of \$3,017 in FY 2010 to purchase a new digital camera, lens, and software. This recommendation appeared reasonable to staff. The Budget Division submitted budget amendment 62, which made minor cost allocation transfer adjustments and staff made the changes.

Mr. Ferguson asked whether the Subcommittee wished to close the other items as recommended by the Governor.

Mr. Ferguson also stated that Fiscal staff requested authority to make adjustments to salary and fringe benefits based on actions taken by the 2009 Legislature, as well as to make technical adjustments for final assessments for the Department of Information Technology, the Attorney General, the Statewide Cost Allocation Plan, and similar items.

SENATOR RHOADS MOVED TO CLOSE THE REMAINDER OF
BA 4150 AS RECOMMENDED BY THE GOVERNOR.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Goicoechea and
Assemblywoman Koivisto were not present for the vote.)

Mr. Ferguson asked the Committee to allow Fiscal Analysis Division staff to make necessary budget adjustments.

SENATOR WOODHOUSE MOVED TO ALLOW FISCAL STAFF TO
MAKE THE NECESSARY ADJUSTMENTS.

ASSEMBLYMAN CONKLIN SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Goicoechea and
Assemblywoman Koivisto were not present for the vote.)

BUDGET CLOSED.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
HEIL WILD HORSE BEQUEST (607-4156)
BUDGET PAGE DCNR – 9

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said that the Governor recommended that budget account (BA) 4156 sunset at the end of fiscal year (FY) 2010 because funds would expire at that time.

Mr. Ferguson said testimony during the budget hearings indicated that one of the major accomplishments of the Commission for the Preservation of Wild Horses was the creation of the Mustang Heritage Foundation. The Foundation would continue. Testimony also indicated the agency had tried to find other funding but was unable to do so. The recommendation was to allow this program to sunset at the end of FY 2010.

SENATOR RHOADS MOVED TO CLOSE BA 4156 AS
RECOMMENDED BY THE GOVERNOR.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Goicoechea and
Assemblywoman Koivisto were not present for the vote.)

BUDGET CLOSED.

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Senator Coffin asked when both Houses agree at the Subcommittee level, how the budget would appear to the full Committees and whether it would simply be a report from the Subcommittee.

Chair McClain said that in the Senate, the staff usually presents the Subcommittee closing reports, but in the Assembly, the Subcommittee Chairs present the closing reports.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
STATE ENVIRONMENTAL COMMISSION (101-4149)
BUDGET PAGE DCNR – 13

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said budget account (BA) 4149 was a staff closing so the Subcommittee had not heard this budget. Fiscal staff was bringing its closing recommendations for the Subcommittee's consideration.

Mr. Ferguson said the State Environmental Commission was an 11-member panel charged with carrying out statutory mandates concerning the adoption and management of acceptable air and water quality standards, along with solid and hazardous waste management systems. There were no General Funds in this budget and no major closing issues.

Mr. Ferguson said The Executive Budget recommended revenues and expenditures of \$50,582 in FY 2010 and \$50,585 in FY 2011 in support of the State Environmental Commission budget. Except for a small increase in the purchasing assessment of \$65, there were no decision units in this budget. Staff stated that budget amendment 62 restored \$8,994 of Department of Motor Vehicles (DMV) pollution controls funds in each year of the biennium, which were inadvertently eliminated during the budget process. This was a technical adjustment made by staff.

Staff recommended closing this budget as recommended by the Governor including budget amendment 62. Fiscal staff requested authority to make technical adjustments for final assessments for the Department of Information Technology (DoIT), the Attorney General, the Statewide Cost Allocation Plan, and similar items.

SENATOR COFFIN MOVED TO CLOSE BA 4149 AS
RECOMMENDED BY THE GOVERNOR.

SENATOR RHOADS SECONDED THE MOTION.

Assemblywoman Leslie said that last session a conservationist was added to the State Environmental Commission and questioned whether someone had been appointed.

Leo Drozdoff, Administrator, Division of Environmental Protection, State Department of Conservation and Natural Resources (DCNR), said the current incumbent's term ends June 30, 2009, and the position would then be filled.

Assemblywoman Leslie asked whether there had been a two-year wait for an opening. Mr. Drozdoff said that was correct.

THE MOTION CARRIED. (Assemblyman Goicoechea and Assemblywoman Koivisto were not present for the vote.)

BUDGET CLOSED.

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Chair McClain asked for clarification on whether the Senate and Assembly needed separate votes if the vote was unanimous.

Brian Burke, Principal Deputy Fiscal Analyst, LCB, stated the Senate and Assembly could vote together unless there were separate actions taken.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
FORESTRY (101-4195)
BUDGET PAGE DCNR – 21

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said next was Forestry, budget account (BA) 4195. The major issue was the Governor's recommendation to eliminate three positions.

Mr. Ferguson said in decision unit Maintenance (M) 160, the Governor recommended eliminating the southern Nevada regional manager. This provided General Fund savings of \$64,760 in fiscal year (FY) 2010 and \$65,227 in FY 2011. This position was responsible for the Division's overall operation and statutory responsibilities in Clark, Nye, Esmeralda, and Lincoln Counties. The southern region was composed of the regional headquarters, a fire supplies and equipment warehouse, the Plant Materials Nursery in Las Vegas, and four conservation camps: Pioche, Tonopah, Jean, and Three Lakes Valley. The region also included a fire protection district and two fire stations located on Mount Charleston.

Mr. Ferguson said in response to the Subcommittee's questions, the Division provided information on the effects of the position loss. The effects were as follows:

- a. Loss of the regional spokesman and reduced state representation during incident response periods.
- b. Loss of key point-of-contact for many federal, state, and local programs and activities specifically related to southern Nevada issues.
- c. Loss of representative for the State Forester on regional committees and boards.
- d. Increased need for supervision of regional staff from Carson City supervisors and managers, which could result in increased travel costs for the Division.

Mr. Ferguson said staff provided two options for the Subcommittee's consideration.

1. Approve the Governor's recommendation to eliminate the position and provide General Fund savings of \$64,760 in FY 2010 and \$65,227 in FY 2011.
2. Consider restoring the position at the General Fund cost.

Mr. Ferguson said that based on the Division's response, it appeared the elimination of the position required remote management and supervision of staff and loss of on-site representation.

Chair McClain asked that a Division representative come forward.

Pete Anderson, State Forester, Division of Forestry, said with the loss of the position, the Division would take a programmatic approach rather than a geographical approach. The fire program manager in Carson City would be responsible for the fire program in southern Nevada and Mount Charleston. The resource program manager in the state office would be directly responsible for the resource programs.

Chair McClain asked what jobs would not get done with the position elimination.

Mr. Anderson said he believed the responsibilities would be covered. If there were multiple fires, then staff would be moved for supervision and oversight of wildland fires. Meetings, which required a higher level of participation, would have Mr. Anderson or his deputy traveling to Las Vegas to cover.

Chair McClain asked how much the traveling back and forth to Las Vegas would cost.

Mr. Anderson said he could develop an estimate but did not feel that the amount would be significant. The position which was to be eliminated was vacant for approximately a year since the incumbent retired.

SENATOR COFFIN MOVED TO RESTORE THE DELETED
SOUTHERN REGIONAL FORESTER POSITION (OPTION 2).

SENATOR RHOADS SECONDED THE MOTION.

Assemblywoman Leslie said that she could not support restoring the deleted position.

Assemblyman Hogan agreed with Assemblywoman Leslie. The operation would run smoother with an onsite supervisor, but there were other crucial positions needed. Assemblyman Hogan said the Governor's recommendation needed to be accepted.

Senator Coffin said that it was more than just attending meetings and being a point of reference. This position managed millions of dollars worth of assets.

Chair McClain asked Mr. Anderson whether there had been difficulties covering for the position in the past year.

Mr. Anderson said there had not been any difficulties. [Because of differences between Senate and Assembly members on this issue, separate actions were taken by members of the respective Houses.]

SENATOR COFFIN MOVED THAT THE SENATE RESTORE THE DELETED SOUTHERN REGIONAL FORESTER POSITION (OPTION 2).

SENATOR RHOADS SECONDED THE MOTION.

THE MOTION CARRIED WITH SENATOR WOODHOUSE VOTING NO.

ASSEMBLYWOMAN LESLIE MOVED THAT THE ASSEMBLY APPROVE THE GOVERNOR'S RECOMMENDATION AND ELIMINATE THE SOUTHERN REGIONAL FORESTER POSITION (OPTION 1).

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY BY THE ASSEMBLY.

Mr. Ferguson said the next major issue in BA 4195 was decision unit E608 which would eliminate the equipment mechanic 2 position in the northern regional office. This would provide a General Fund savings of \$12,009 in FY 2010 and \$12,440 in FY 2011. As noted in the closing for the Inter-Governmental Agreements budget, Douglas County and White Pine County withdrew from the program and had provided most of the funding for this position. The Division supported this recommendation, and it appeared reasonable to staff.

SENATOR RHOADS MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION TO ELIMINATE THE EQUIPMENT MECHANIC 2 POSITION IN THE NORTHERN REGIONAL OFFICE.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said the third major issue was decision unit E660 which eliminated a conservation staff specialist 2 position in the Division's Central Reporting Unit (CRU) located in Carson City. The position was funded with CRU assessment fees. This decision unit would take the assessment fees from the conservation staff specialist 2 position and fund the CRU coordinator position. This would provide General Fund savings of \$57,689 in FY 2010 and \$55,702 in FY 2011. The Division indicated it could absorb the elimination of this conservation staff specialist 2 position without significantly affecting operations. Mr. Ferguson noted that in the CRU, the coordinator position was the only position which was funded with General Funds; all others were funded with assessment fees.

Senator Coffin asked whether the mutual aid coordinator position was staffed. This was a critical position.

Mr. Anderson said the program was to sunset effective at the end June 2009. He had been working with the Division of Emergency Management (DEM) regarding the program. The statewide mutual aid coordinator position was

initiated to build a program to manage local resources for wildland fires. The incumbent built a very effective computer software program that was able to track resources in Nevada.

Mr. Anderson said he did not have a confirmed agreement with the DEM or funding to continue the program.

Senator Coffin questioned who would maintain the software if the incumbent left and asked whether the incumbent would be laid off.

Mr. Anderson said the individual would shift to a different position; no personnel would be laid off. The concern was how to maintain statewide mutual aid coordination. Mr. Anderson still hoped to hear from the DEM.

Senator Coffin asked whether there was someone from the DEM available.

Chair McClain asked how close the Division was to an agreement with the DEM. Mr. Ferguson said the agreement had been discussed with the DEM for several months. Chair McClain asked whether the DEM was waiting to find out the results of their budget. Mr. Ferguson said he would have to defer to Frank Siracusa, Chief, DEM.

Allen Biaggi, Director, DCNR, said hard work had gone into getting an agreement into place but said he would contact Jerry Hafen, Director, Department of Public Safety, to see whether the agreement could be signed.

Senator Coffin asked whether decision unit E660 could be held. Chair McClain agreed that E660 could be held until the Subcommittee heard the conservation budget in a few days.

Mr. Ferguson said he would continue with the other items in BA 4195. The Governor recommended deferred Maintenance (M) 425, which included \$110,000 in FY 2010. It was for deferred maintenance projects that were identified in the State Public Works Board's Facility Condition Analysis report and were considered to be priority projects. The projects included the removal and replacement of concrete, installation of a fire door and emergency lighting, installation of roof snow stops, relocation of electrical services, and repairs to fire sprinkler systems. The deferred maintenance request appeared reasonable to staff.

Mr. Ferguson said in decision unit E900, The Executive Budget recommended the transfer of three seasonal helitak positions and their associated General Funds from the Forestry Conservation Camps' budget to the Forestry budget. Currently, the helitak program was in the Forestry budget, and this would bring the seasonal positions under the same Forestry budget. This recommendation appeared reasonable to staff.

Mr. Ferguson said in E710, the Governor recommended General Funds of \$49,779 in FY 2010 and \$8,003 in FY 2011 for replacement equipment which included 23 desktop personal computers (PCs), 8 laptop PCs, 32 copies of Microsoft Office, and other software. This recommendation appeared reasonable to staff.

Mr. Ferguson said that in decision unit E607, the Governor recommended reducing General Funds for physical examinations for members of volunteer fire departments by \$10,131 in each year of the biennium. The Division testified

that only a few eligible volunteer firefighters elected to receive the physical exams and it appeared this recommendation would not have an adverse effect on the volunteer fire departments or on counties. This recommendation appeared reasonable to staff.

Mr. Ferguson said that in E609, the Governor recommended eliminating 69 older vehicles owned by the Division. These were typically very old and had high-mileage, and many were obtained as excess vehicles from the federal government. The Division testified that the vehicles were retained for parts. The General Fund savings from insurance costs would be \$16,910 in each year of the biennium. This recommendation appeared reasonable to staff.

SENATOR RHOADS MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION ON DECISION UNITS M425, E900, E710, E607, AND E609.

SENATOR WOODHOUSE SECONDED THE MOTION.

Senator Coffin had a question regarding decision unit E607 and asked whether volunteer firefighters were covered by workers compensation.

Mr. Anderson said in the fire districts in Elko and in the northeast fire districts the volunteers were covered, and other counties had also chosen to cover their volunteers.

Senator Coffin said he worried about being responsible for the volunteer's disability should an accident occur. He thought the volunteers should have to take a physical. The consequences should be considered and decision unit E607 restored.

Chair McClain said the funding for physicals was not eliminated, just reduced.

Mr. Ferguson said the physicals were voluntary, but he had tried to build into the budget the amount required if everyone elected to have a physical. Historically, this had not been the case. By eliminating the \$10,131 in each year of the biennium, there would still be approximately \$80,000 in each fiscal year remaining for physicals. Mr. Ferguson said the Division believed this reduction would not exclude or preclude anyone from getting a physical.

Senator Coffin said the information helped but revealed a weakness in the system. If the physicals for firefighters were voluntary, someone with a heart or lung problem was not going to want to take a physical.

Chair McClain said short of mandating the volunteers to take a physical, she did not know what could be done.

Senator Coffin said that was his point.

Assemblyman Goicoechea said he had served as a Nevada Division of Forestry volunteer for over 30 years. He said if the physicals were offered and the volunteer opted to not take it, the volunteer became a liability of the county volunteer fire department where they worked.

Mr. Anderson said that was correct.

THE MOTION CARRIED UNANIMOUSLY.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
FOREST FIRE SUPPRESSION (101-4196)
BUDGET PAGE DCNR 35

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said budget account (BA) 4196 had no major issues. The Governor recommended continuing General Fund appropriations of \$2.5 million in each year of the biennium in support of fire suppression activities. The General Fund appropriation was raised from \$1 million by the 2007 Legislature.

Mr. Ferguson said decision unit Enhancement (E) 660 was the same one that was being held in BA 4195. Since there were no major issues, it would not be a problem to hold this entire budget account.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
FORESTRY INTER-GOVERNMENTAL AGREEMENTS (101-4227)
BUDGET PAGE DCNR - 50

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said that budget account (BA) 4227 had no major closing issues.

Mr. Ferguson said that decision unit Enhancement (E) 226 eliminated a battalion chief position because White Pine County withdrew from the state fire protection program. This recommendation appeared reasonable to staff.

Mr. Ferguson said decision unit E225 recommended reallocating a portion of the costs for a battalion chief position from Douglas County which was withdrawing from the state program. Storey County and Carson City had agreed to make up the difference. This recommendation appeared reasonable to staff.

Mr. Ferguson said that E710 was replacement equipment, and the Governor recommended \$7,905 in fiscal year (FY) 2010 for five replacement personal computers (PCs) and software. This recommendation appeared reasonable to staff.

Mr. Ferguson asked whether the Subcommittee wished to close BA 4227 as recommended by the Governor.

Senator Rhoads asked why the counties were withdrawing.

Pete Anderson, State Forester, Division of Forestry (NDF), said in the case of Douglas County, there were now curbs and gutters and fire hydrants in areas that were historically prone to wildland fires. The county made the decision to incorporate the work into their existing fire suppression efforts. White Pine County had a small percentage of private land. There were also personnel issues in the management of the district that ended with White Pine County making the decision to form its own fire district.

SENATOR RHOADS MOVED TO CLOSE BA 4227 AS
RECOMMENDED BY THE GOVERNOR.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
FORESTRY NURSERIES (257-4235)
BUDGET PAGE – 58

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said the Subcommittee had not heard budget account (BA) 4235. The Forestry Nursery and Seedbank programs provide low-cost plant material to assist the public and other government agencies with the protection and enhancement of watersheds, forestland, and open spaces. There was a seed bank in Washoe Valley and Las Vegas. Mr. Ferguson said this was an enterprise fund. There were no major closing issues. The Governor recommended revenues and expenditures of \$1.93 million in fiscal year (FY) 2010 and \$1.96 million in FY 2011. The Executive Budget continued the General Fund payback of \$26,250 in each year of the biennium to repay a Las Vegas Nursery Capital Improvement Program (CIP) project approved by the 2005 Legislature.

Mr. Ferguson said staff recommended closing BA 4235 as recommended by the Governor.

Senator Coffin asked whether the agency had the ability to prepay more on the General Fund loan.

Mr. Ferguson said he believed it did not. The agency had struggled to pay the \$26,250 each year and asking them to accelerate the payments would be difficult.

In response to a question from Chair McClain, Mr. Ferguson said he did not know how much the agency still owed.

Pete Anderson, State Forester, Division of Forestry (NDF), said there were 18 payments left, which was close to \$300,000.

SENATOR WOODHOUSE MOVED TO CLOSE BA 4235 AS
RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF CONSERVATION DISTRICTS (101-4151)
BUDGET PAGE DCNR – 107

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said budget account (BA) 4151 was next. The first major issue was decision unit Enhancement (E) 606 which reduced an existing administrative assistant 2 position from full-time to half-time, providing General Fund savings of approximately \$17,000 in each year of the biennium. The Division testified that this reduction would have a minimal effect on its operations. This recommendation appeared reasonable to staff.

Chair McClain asked whether someone currently filled the position.

James R. Lawrence, Administrator, Division of Conservation Districts, State Department of Conservation and Natural Resources (DCNR), answered that the position was currently vacant and had been for a couple of months.

SENATOR RHOADS MOVED TO APPROVE THE GOVERNOR'S
RECOMMENDATION ON E606.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said the next major issue was decision unit E607. The Governor recommended reducing the grants made to the 28 conservation districts from \$5,000 annually to \$4,200 annually, which was a 16 percent reduction. This would provide a General Fund savings of \$22,400 in each year of the biennium. During the budget hearing there was testimony that the conservation districts used these funds to leverage other funds. There was no opposition during the budget hearing to this recommendation, and the Division indicated that it had not heard any opposition.

Mr. Ferguson said there were two options for the Subcommittee to consider.

1. Approve the Governor's recommendation to reduce grants to the 28 conservation districts from \$5,000 annually to \$4,200 annually, providing General Fund savings of \$22,400 in each year of the biennium.
2. Consider restoring grants to the 28 conservation districts at a General Fund cost of \$22,400 in each year of the biennium.

Chair McClain asked whether this reduction would affect any of the conservation districts.

Mr. Lawrence said it was difficult to say, but the districts had been successful in utilizing these funds and matching them with other federal programs. He did not anticipate changes.

Chair McClain asked whether the funds were equal match. Mr. Lawrence said that depended on the different programs and funding sources.

Chair McClain asked whether there was any stimulus money.

Allen Biaggi, Director, DCNR, said that at this time there were no indications that stimulus money would be available to conservation districts.

Assemblyman Goicoechea said that through the United States Department of Agriculture (USDA), it seemed the Districts would be able to access some of the funds.

Mr. Biaggi said that funds through the USDA could be a possibility, but he could not address that issue because he was not familiar with that process.

ASSEMBLYMAN HOGAN MOVED TO APPROVE THE GOVERNOR'S
RECOMMENDATION FOR E607.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said in the other items, the Governor recommended some reductions in training and travel. Decision unit Enhancement (E) 608 reduced out-of-state travel by \$5,037 in each year of the biennium; E609 reduced in-state travel by \$2,060 in each year of the biennium; E610 reduced registration fees to attend national conferences by \$2,200 in each of the biennium; E611 reduced General Funds for training costs by \$995 in each year of the biennium. The Division testified the training and travel reductions would not adversely affect the Division's ability to assist the state's conservation districts. This recommendation appeared reasonable to staff.

Mr. Ferguson said in decision unit E350, The Executive Budget recommended establishing authority to collect \$10,000 in each year of the biennium in gifts and donations. In the base year there were no gifts or donations received by this budget account; however, the agency indicated with the hard economic times it would focus its efforts and try to secure gifts and donations, which would be placed into a special category and used for operating costs. If revenues were not collected, the operating costs would not be incurred. This recommendation appeared reasonable to staff.

Mr. Ferguson said that decision unit E710 recommended \$85 in each year of the biennium in General Funds for replacement software. This recommendation appeared reasonable to staff.

Mr. Ferguson asked whether the Subcommittee wished to approve the remainder of BA 4151 as recommended by the Governor.

SENATOR RHOADS MOVED THE REMAINDER OF BA 4151 BE
CLOSED AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN CONKLIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
NEVADA NATURAL HERITAGE (101-4101)
BUDGET PAGE DCNR – 115

Jeff Ferguson, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said that budget account (BA) 4101 had two major closing issues. The first was decision unit Maintenance (M) 160. The Governor recommended eliminating an environmental scientist 3 position, which would provide a General Fund savings of \$42,593 in fiscal year (FY) 2010 and \$42,843 in FY 2011. Mr. Ferguson said this position was funded with half General Funds and half federal funds. This position had been vacant since the FY 2009 budget reductions. The primary responsibilities of this position were to provide wetland planning, prioritizing wetland projects, and overseeing a springs conservation plan. The requirements of this position have been fulfilled. The federal funds in support of this position were scheduled to end in August 2009. The agency supported this recommendation. This elimination appeared reasonable to staff.

ASSEMBLYWOMAN LESLIE MOVED TO APPROVE
DECISION UNIT M160 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN KOIVISTO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said the final major issue in BA 4101 was the Governor's recommendation increasing transfers from the Nevada Department of Transportation (NDOT) by \$12,904 in each year of the biennium to fully fund a biologist 3 position, which is currently funded with a combination of transfers from NDOT, less the amount from database run sales. Mr. Ferguson explained that this position was primarily involved in providing sensitive species information to NDOT whenever there was a project. However, there were occasions when a private developer might approach the agency and request the same kind of information and a fee would be charged.

Mr. Ferguson said that the issue was the agency was unsure how much revenue they would receive from the database run sales fees. Currently, the position was primarily mostly funded from NDOT and with \$12,904 in each year of the biennium from fees. If no fees were collected, the budget would be short and would be difficult to cover.

Mr. Ferguson said the recommendation was comprised of two decision units Enhancement (E) 350 and E351. The NDOT would supply funding upfront for the position and any database run sales fees would revert back to NDOT at the end of the fiscal year.

Mr. Ferguson said that NDOT supported this and wanted the position to stay full-time. This recommendation appeared reasonable to staff. If the Subcommittee wished to approve this recommendation, staff suggested issuing a letter of intent to memorialize the funding for this position and to direct the two agencies to enter into a formal agreement, a memorandum of understanding (MOU), or an interagency agreement.

ASSEMBLYMAN GOICOECHEA MOVED THAT E350 AND E351 BE APPROVED AS RECOMMENDED BY THE GOVERNOR AND THAT A LETTER OF INTENT AS PROPOSED BE ISSUED.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said that minor technical adjustments were made to this budget to align federal grants with revenues, resulting in a General Fund reduction of \$2 in FY 2010.

In response to a question from Chair McClain, Mr. Ferguson said the technical adjustment needed to be approved.

SENATOR WOODHOUSE MOVED TO APPROVE THE TECHNICAL ADJUSTMENT FOR \$2 IN FISCAL YEAR 2011.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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Assemblyman Goicoechea said that he still had a problem with BA 4196, Forest Fire Suppression. The \$2.5 million would not last if there was a bad fire year.

Chair McClain said that BA 4196 had not been closed, and the Subcommittee shared Assemblyman Goicoechea's concern.

Chair McClain adjourned the meeting at 9:06 a.m.

RESPECTFULLY SUBMITTED:

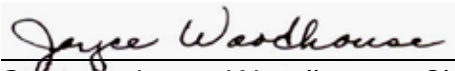
Christine Bashaw
Committee Secretary

APPROVED BY:



Assemblywoman Kathy McClain, Chair

DATE: _____



Senator Joyce Woodhouse, Chair

DATE: _____

<div><div><div>EXHIBITS</div></div></div>			
<div><div>Committee Name: <u>Assembly Committee on Ways and Means/Senate Committee on Finance Joint Subcommittee on Public Safety/Natural Resources/Transportation</u></div></div>			
<div><div><div>Date: <u>March 31, 2009</u></div><div>Time of Meeting: <u>8:04 a.m.</u></div></div></div>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster