

**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-Sixth Session
April 15, 2011**

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 Joseph M. Hogan at 8:37 a.m. on Friday, April 15, 2011, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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/76th2011/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 SUBCOMMITTEE MEMBERS PRESENT:

Assemblyman Joseph M. Hogan, Chair
Assemblywoman Maggie Carlton, Vice Chair
Assemblyman Kelvin Atkinson
Assemblyman David P. Bobzien
Assemblyman Pete Goicoechea
Assemblyman John Hambrick

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator David R. Parks, Chair
Senator Sheila Leslie
Senator Dean A. Rhoads

STAFF MEMBERS PRESENT:

Rick Combs, Assembly Fiscal Analyst

Mark Krmpotic, Senate Fiscal Analyst
Eric King, Program Analyst
Catherine Crocket, Program Analyst
Anne Bowen, Committee Secretary
Cynthia Wyatt, Committee Assistant

DEPARTMENT OF PUBLIC SAFETY
DPS-ADMINISTRATIVE SERVICES (201-4714)
BUDGET PAGE PUBLIC SAFETY-28

Eric King, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4714, the Administrative Services Division.

Mr. King said there were two major closing issues in BA 4714. The first closing issue was a consolidation of administrative services within the Director's Office and the second item was budget reductions.

According to Mr. King, the consolidation that was proposed was a two-step process. For the first step, the Governor recommended the transfer of five positions from other operating divisions, including a program officer from the Highway Patrol account, a management analyst from the Capitol Police account, a grants and projects analyst from the Justice Grant account, and an accounting assistant and an administrative assistant from the Investigations Division.

The Governor recommended that the five positions be transferred into the Administrative Services account as a first step. As a second step, those five positions, plus the 25.53 full-time equivalent (FTE) positions that were in the Administrative Services account would all be transferred to the Director's Office account for the consolidation.

Mr. King reminded the Subcommittee that the agency had been asked why only certain positions were recommended for consolidation. The agency said that only the smaller divisions were being recommended for consolidation at this time to reduce the duplication of effort that would be needed to reanalyze work that was submitted by the smaller divisions. The agency also indicated that, at this point, it was evaluating additional efficiencies for more consolidations, perhaps even the larger divisions.

Chair Hogan called for discussion and hearing none said he would consider a motion.

SENATOR LESLIE MOVED TO APPROVE THE TRANSFER OF FIVE POSITIONS FROM THE HIGHWAY PATROL, CAPITOL POLICE, JUSTICE GRANT, AND INVESTIGATION DIVISION ACCOUNTS TO THE ADMINISTRATIVE SERVICES ACCOUNT.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Parks was not present for the vote.)

Mr. King said the second step of the consolidation was the Governor's proposal to transfer all positions to the Director's Office and eliminate the Administrative Services account.

Chair Hogan called for discussion and hearing none said he would consider a motion.

SENATOR LESLIE MOVED TO APPROVE THE CONSOLIDATION OF THE ADMINISTRATIVE SERVICES ACCOUNT WITH THE DIRECTOR'S OFFICE ACCOUNT, INCLUDING THE TRANSFER OF FIVE POSITIONS FROM THE DEPARTMENT OF PUBLIC SAFETY OPERATING DIVISIONS.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. King explained that the second major closing issue in budget account 4714 was budget reductions and position eliminations. The Governor recommended the elimination of an administrative assistant 1 and an accounting assistant 2 for savings of \$179,471 over the biennium. The agency stated that the positions could be eliminated because the document scanning program was being discontinued. Mr. King said the operating divisions within the Department of Public Safety (DPS) that were supposed to send those

documents to be scanned were keeping duplicate copies of the documents. Additionally, the scanned documents were not considered a legal document.

Mr. King noted that prorating the recommended funding for operating supplies equated to \$380 per position for operating supplies. Mr. King said that one of the two positions that were recommended for elimination was filled during the base budget year, and Fiscal staff recommended reducing authority for operating supplies by \$380 in each year of the biennium.

Chair Hogan called for discussion and hearing none said he would consider a motion.

ASSEMBLYMAN GOICOECHEA MOVED TO APPROVE THE ELIMINATION OF AN ADMINISTRATIVE ASSISTANT 1 AND AN ACCOUNTING ASSISTANT 2 FOR TOTAL SAVINGS OF \$179,741, AS RECOMMENDED BY THE GOVERNOR, AND A TECHNICAL ADJUSTMENT AS RECOMMENDED BY STAFF, TO REDUCE FUNDING FOR OPERATING SUPPLIES BY \$760 DURING THE 2011-2013 BIENNIUM IN BUDGET ACCOUNT 4714.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Mr. King said the first closing item under other closing items was a base budget item. The base budget included \$800 each year for miscellaneous equipment, but because documentation supporting that funding was not provided by the agency, Fiscal staff had removed \$800 in each year of the biennium for undocumented, miscellaneous equipment purchases.

The other closing item had to do with a number of funding transfers related to the evidence vault space that had formerly been used by divisions for their evidence vault storage. Mr. King said Fiscal staff had questioned the transfer and was advised that the space would be occupied by the Background Investigations Unit within the Administrative Services account. The transfers for the evidence vault space appeared reasonable to staff.

Chair Hogan called for discussion and hearing none said he would consider a motion.

SENATOR PARKS MOVED THAT THE SUBCOMMITTEE CLOSE BUDGET ACCOUNT 4714, INCLUDING APPROVAL OF OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR WITH THE TECHNICAL ADJUSTMENT RECOMMENDED BY STAFF.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Atkinson was not present for the vote.)

BUDGET CLOSED.

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DEPARTMENT OF PUBLIC SAFETY
DPS-DIRECTOR'S OFFICE (201-4706)
BUDGET PAGE PUBLIC SAFETY-1

Eric King, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), referred to budget account (BA) 4706, the Director's Office account. He noted there were three major closing issues as follows:

1. Consolidation of Administrative Services within the Director's Office.
2. Elimination of executive officer to the director position.
3. Transfer of breathalyzer testing interlocal agreement costs to the Highway Patrol account.

Mr. King noted that a decision needed to be made by the Subcommittee regarding the cost allocation change methodology that was recommended by the Governor for certain personnel services provided by the Administrative Services Division.

Currently, the costs for the Director's Office Administrative Services account were allocated by full-time equivalent (FTE) positions, but the Governor was recommending that certain personnel functions be charged based on output transaction counts. Mr. King said employee status maintenance transaction processing, recruiting, and labor relations were three areas that would count the number of transactions and divide the costs by division per transaction to allocate the costs, if the Governor's recommendation was approved. Mr. King said that an output transaction based methodology was currently used to

allocate costs for other fiscal and personnel services functions and the recommendation appeared reasonable.

Chair Hogan called for a motion.

SENATOR PARKS MOVED TO APPROVE THE ELIMINATION OF THE ADMINISTRATIVE SERVICES BUDGET ACCOUNT AND CONSOLIDATE THE ADMINISTRATIVE SERVICES DIVISION WITHIN THE DIRECTOR'S OFFICE ACCOUNT AND CHANGE THE METHODOLOGY TO ALLOCATE COSTS FOR CERTAIN HUMAN RESOURCE FUNCTIONS TO A METHODOLOGY THAT WOULD ALLOCATE COSTS BASED UPON OUTPUT TRANSACTION COUNTS AS RECOMMENDED BY THE GOVERNOR.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Mr. King said the second major closing issue was the elimination of the executive officer to the director position, for savings of allocated costs of \$226,880 over the biennium. The agency stated that the existing division administrator position that was recommended for reclassification in decision unit Enhancement (E) 811 would absorb the duties of the executive officer position and that the largest efficiency for the consolidation was the elimination of the executive officer position.

Chair Hogan said he would entertain a motion.

ASSEMBLYMAN HAMBRICK MOVED TO APPROVE THE ELIMINATION OF THE EXECUTIVE OFFICER TO THE DIRECTOR POSITION FOR ALLOCATED COST REDUCTIONS TOTALING \$226,880 IN THE 2011-2013 BIENNIUM IN BUDGET ACCOUNT 4706 AS RECOMMENDED BY THE GOVERNOR.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Mr. King said the third major closing issue in budget account (BA) 4706 was the transfer of the breathalyzer testing interlocal agreement costs to the Highway Patrol account. The Governor was recommending the transfer of \$962,487 during the 2011-2013 biennium that had previously been cost allocated from the Director's Office to the Division of Parole and Probation and the Nevada Highway Patrol (NHP) Division. The recommendation was to charge the Highway Patrol by transferring those costs to the Highway Patrol account. Mr. King pointed out that the agency did not provide data indicating the proportion of Highway Patrol versus Parole and Probation officers that used the breathalyzers. Mr. King said this issue would be addressed in the Highway Patrol budget account 4713.

Mr. King said there were four other closing items. The first one was a base budget item. There was \$856 in each year of the biennium in miscellaneous equipment that was undocumented. Fiscal staff had removed that funding, totaling \$1,712 for the 2011-2013 biennium for unsupported miscellaneous equipment costs.

The next item, decision unit Enhancement (E) 606, concerned the Governor's recommendation to reduce honor guard training for fiscal year (FY) 2012. The reduction was \$1,908 and appeared to be reasonable.

Decision unit E710 recommended approximately \$3,800 over the biennium for replacement computer equipment. Mr. King said the recommendation appeared reasonable to staff.

Other closing item number 4 was the evidence vault space recommendation that would be transferred from the Division of Administrative Services to the Director's Office. That space would be used by the Background Investigations Unit within the Administrative Services Division, now the Director's Office.

Mr. King said because the Subcommittee chose to approve the consolidation of the Administrative Services Division within the Director's Office, the recommendations should be approved, including decision units E917, E920, and E926. Staff requested the authority to make the adjustments for the breathalyzer contracts that would be closed or decided upon in the Highway Patrol account. Staff also requested authority to make technical adjustments for internal cost allocations based on the closing actions approved for the Department's accounts that were supported by allocations.

SENATOR PARKS MOVED THAT THE SUBCOMMITTEE:

1. ALLOW FISCAL STAFF TO REMOVE FUNDING TOTALING \$1,712 FOR THE 2011-2013 BIENNIUM FOR UNSUPPORTED MISCELLANEOUS EQUIPMENT PURCHASES.
2. APPROVE DECISION UNIT E606 REDUCING ALLOCATED COSTS BY \$1,908 FOR HONOR GUARD TRAINING IN FISCAL YEAR 2012.
3. APPROVE DECISION UNIT E710 RECOMMENDING \$3,753 FOR THE 2011-2013 BIENNIUM TO REPLACE THREE DESKTOP COMPUTERS AND MONITORS.
4. APPROVE DECISION UNITS E917, E920, AND E926.
5. APPROVE AUTHORITY FOR FISCAL STAFF TO MAKE ADJUSTMENTS BASED UPON THE SUBCOMMITTEE'S ACTIONS WITH REGARD TO TRANSFERRING THE COST OF THE BREATHALYZER TESTING AND INTERLOCAL AGREEMENTS COSTS TO THE HIGHWAY PATROL ACCOUNT.
6. APPROVE AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS TO INTERNAL COST ALLOCATIONS BASED UPON THE CLOSING ACTIONS APPROVED FOR THE DEPARTMENT'S ACCOUNTS THAT ARE SUPPORTED BY THE ALLOCATIONS.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF PUBLIC SAFETY
DPS-OFFICE OF PROFESSIONAL RESPONSIBILITY (201-4707)
BUDGET PAGE PUBLIC SAFETY-13

Eric King, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4707, the Office of Professional Responsibility (OPR).

Mr. King said there was only one major closing issue in this account, a recommendation to change the allocation methodology for the Office of Professional Responsibility (OPR). Currently, the OPR costs were allocated to each of the divisions based on the number of sworn full-time equivalent (FTE) positions that were in each of the divisions. According to Mr. King, the Nevada Highway Patrol (NHP) Division and the Division of Parole and Probation paid the largest share of the allocated costs for OPR.

The methodology change being proposed would result in the Division of Parole and Probation's share of General Fund decreasing by approximately \$93,000 annually. The Highway Fund share for NHP would increase by approximately \$110,000 annually for the recommended change in allocation.

Staff noted OPR had historically conducted investigations of the civilian staff. The change in recommended cost allocation methodology more accurately allocated costs based upon the actual work generated by each division. The recommendation appeared reasonable to staff.

ASSEMBLYMAN GOICOECHEA MOVED TO CHANGE THE METHODOLOGY USED TO ALLOCATE THE OFFICE OF PROFESSIONAL RESPONSIBILITY'S OPERATING COSTS TO A METHOD THAT INCLUDED CIVILIAN PERSONNEL CASES AND THAT WOULD DECREASE ALLOCATED COSTS PAID BY GENERAL FUNDS BY APPROXIMATELY \$93,000 ANNUALLY AND INCREASE ALLOCATED COSTS PAID BY THE HIGHWAY FUND BY APPROXIMATELY \$110,000 ANNUALLY IN BUDGET ACCOUNT 4707 AS RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. King said there were two technical adjustments in budget account (BA) 4707 and both were base budget adjustments. The Governor recommended an increase of \$1,293 for office rent for the account. However, Fiscal staff noted that the leases governing those costs had not been signed to reflect an increase. As there were no new lease agreements that stipulated what the cost was going forward, Fiscal staff had removed funding not supported by a contract.

The second item was equipment purchases of approximately \$1,100 over the biennium that were not documented. Mr. King said Fiscal staff had removed \$1,122 for the biennium for unsupported miscellaneous equipment for purchases.

SENATOR PARKS MOVED TO APPROVE TECHNICAL
ADJUSTMENTS AS RECOMMENDED BY STAFF IN BUDGET
ACCOUNT 4707.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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DEPARTMENT OF PUBLIC SAFETY
DPS-CHILD VOLUNTEER BACKGROUND CHECKS TRUST
ACCOUNT (101-4710)
BUDGET PAGE PUBLIC SAFETY-162

Eric King, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), reviewed the Child Volunteer Background Checks Trust account.

Mr. King explained the Subcommittee had not heard this account before, and Fiscal staff was responsible for developing closing recommendations for the account. Under other closing items, the Governor recommended General Fund appropriations of \$15,087 in each year of the biennium, a reduction of \$3,805 from the amount that was approved in each year of the 2009-2011 biennium.

According to Mr. King, this account had exhausted all the appropriations made for the 2009-2011 biennium. In addition, to maximize the use of funds approved for this account, Fiscal staff recommended that the Appropriations Act include language that allowed for the transfer of General Fund appropriations between fiscal years to address shortfalls in either fiscal year.

ASSEMBLYMAN HAMBRICK MOVED TO APPROVE BUDGET
ACCOUNT 4710 AS RECOMMENDED BY THE GOVERNOR WITH

AUTHORITY FOR STAFF TO MAKE TECHNICAL ADJUSTMENTS
AS NECESSARY.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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DEPARTMENT OF PUBLIC SAFETY
DPS-EVIDENCE VAULT (101-4701)
BUDGET PAGE PUBLIC SAFETY-17

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated the first account was the Evidence Vault account, budget account (BA) 4701. The major closing issue for this account was its creation.

The Governor recommended the newly created budget account for an Evidence Vault, which would be directed by the Department of Public Safety Director's Office. The agency stated that Evidence Vault operation should be separated from the sworn chain of command. Ms. Crocket said placing the evidence program under the Director's Office would create the needed segregation between sworn officers and Evidence Vault staff who processed and safeguarded the evidence.

According to Ms. Crocket, the Evidence Vault stored more than 60,000 items of evidence for the Department of Public Safety. The Evidence Vault account was established with transfers from three Department of Public Safety (DPS) divisions, including the Highway Patrol.

Decision unit Enhancement (E) 901 transferred Highway Funds of approximately \$817,000 from the Highway Patrol account (BA 4713) over the upcoming biennium. Five positions, including one program officer and four administrative assistants as well as rent and operating expenses would be transferred to the new account.

Decision unit E906 transferred Highway Funds of \$8,210 in fiscal year (FY) 2013 for replacement equipment.

Decision unit E501 replaced Highway Funds transferred from the Highway Patrol with internal cost allocation reimbursements from the Investigation Division.

Decision unit E902 transferred General Funds of \$135,396 over the upcoming biennium from the Division of Investigations. One administrative assistant and related operating costs would be transferred to the new account.

Decision unit E903 transferred in General Funds of \$861 in each year of the upcoming biennium for vault space rental costs.

Decision unit E502 replaced General Funds transferred from the Division of Investigations and the Division of Parole and Probation with cost allocation reimbursements.

Ms. Crocket explained that the agency currently operated five property rooms throughout the state. As part of the consolidation, the Headquarters and the Fallon property rooms would be closed with those locations replaced by a new Northern Command Evidence Vault. The Interim Finance Committee (IFC) approved funding for this evidence vault at its December 2010 meeting. The lease for the new location had been signed, and the agency anticipated moving into the space before the end of FY 2011.

Ms. Crocket said in decision unit E325 the Governor recommended additional cost allocation reimbursements of \$156,029 over the upcoming biennium to fund overtime pay, call-back pay, travel for evidence vault audits, additional vault rental lease costs, lease of a Highway Patrol truck, and other related operating expenses. The Evidence Vault account would be funded by a cost allocation from DPS divisions that used evidence vaults, including the Nevada Highway Patrol Division, Investigation Division, Division of Parole and Probation, and the State Fire Marshal Division.

ASSEMBLYMAN GOICOECHEA MOVED TO APPROVE THE
CREATION OF A NEW EVIDENCE VAULT ACCOUNT (BA 4701) AS
RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR PARKS MOVED TO APPROVE GIVING FISCAL STAFF AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS IN DECISION UNIT E325, BA 4701.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

DEPARTMENT OF PUBLIC SAFETY
DPS-FORFEITURES-LAW ENFORCEMENT (101-4703)
BUDGET PAGE PUBLIC SAFETY-43

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented the Forfeitures-Law Enforcement account to the Subcommittee. She said there were two major closing issues in budget account (BA) 4703.

The first major issue in BA 4703 was officer training. Decision unit Enhancement (E) 250 recommended forfeiture funds of \$411,654 over the upcoming biennium to provide additional training. Ms. Crocket said 12 officers in each year would attend the Northwestern University School of Police Staff and Command training course. The agency indicated that the training benefited the Department of Public Safety (DPS) by providing law enforcement specific management training. Approximately 60 DPS staff had attended the training course over the last ten fiscal years.

Ms. Crocket noted that the Department currently submitted work programs to the Interim Finance Committee (IFC) for this training. She said it appeared that the enhancement was designed to save DPS from processing work programs, and while that provided administrative efficiency, it also assumed that forfeiture funds would consistently be available to support training expenses.

Assemblyman Goicoechea said he assumed that if the forfeitures were not adequate then the program would be cut back. He said he would be comfortable with approving decision unit E250.

Assemblywoman Carlton said she would not be able to support this item. While she supported the training program wholeheartedly, in the interest of equity, many other employees had been asked to hold back on training.

ASSEMBLYMAN GOICOECHEA MOVED TO APPROVE ESTABLISHING THE NORTHWESTERN UNIVERSITY SCHOOL OF POLICE STAFF AND COMMAND TRAINING AS AN ONGOING EXPENSE FOR THE DEPARTMENT OF PUBLIC SAFETY.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Carlton voted no.)

BUDGET CLOSED.

Ms. Crocket said the second major issue in this account was the purchase of training uniforms. The Governor recommended forfeiture funds of \$16,384 over the upcoming biennium to purchase uniforms for Training Division academy cadets. The recommended funding would pay for uniforms for cadets through four academies, although the March 2011 training academy had been cancelled. Testimony by the agency indicated that it anticipated all four academies would take place.

SENATOR LESLIE MOVED TO APPROVE THE USE OF FORFEITURE FUNDS TO PURCHASE TRAINING UNIFORMS FOR THE FOUR ACADEMIES OVER THE 2011-2013 BIENNIUM AS RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Crocket said Fiscal staff had completed technical adjustments to transfer additional forfeiture funds to the K-9 Program account to align funding in that account with expenditures. Fiscal staff further requested authority to make adjustments based on actions taken by the Subcommittee.

SENATOR PARKS MOVED TO APPROVE TECHNICAL ADJUSTMENTS IN BUDGET ACCOUNT 4703 AS REQUESTED BY FISCAL STAFF.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Atkinson was not present for the vote.)

BUDGET CLOSED.

DEPARTMENT OF PUBLIC SAFETY
DPS-HIGHWAY PATROL (201-4713)
BUDGET PAGE PUBLIC SAFETY-47

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4713, Highway Patrol.

Ms. Crocket said there were two major issues in this account.

The first issue was position reclassification. The Governor recommended additional Highway Funds of \$4,123 over the upcoming biennium to reclassify a classified major position to an unclassified lieutenant colonel position. The lieutenant colonel would report to the Chief of the Highway Patrol and act as the second in command of that Division. The lieutenant colonel would be stationed at Headquarters in Carson City. Ms. Crocket said the position would be responsible for developing and overseeing operational and administrative planning, identifying risk assessments systems, forecasting staffing issues, and creating divisional long-range plans. The Chief stated the position would allow him to focus more on high-level issues rather than day-to-day operational concerns. Ms. Crocket noted that a classified Department of Public Safety lieutenant colonel existed in the Department of Personnel's class specifications. It appeared that all duties outlined for the lieutenant colonel position by the agency were included in that class specification document. Total position costs for a classified lieutenant colonel would amount to \$313,211 over the upcoming biennium as compared with \$300,021 for the unclassified position. Therefore, additional Highway Funds of \$13,190 would be required to replace the recommended unclassified lieutenant colonel position with a classified lieutenant colonel. Ms. Crocket said the Subcommittee might wish to consider one of the following options.

1. Approve the Governor's recommendation to reclassify a classified major to an unclassified lieutenant colonel.
2. Approve the reclassification of the major position to a classified lieutenant colonel with an additional Highway Fund cost of \$13,190 over the 2011-2013 biennium.
3. Disapprove the reclassification of the major position.

Chair Hogan called for discussion.

Assemblywoman Carlton noted that when the reclassification had been discussed before there was some concern about creating another level of command. Because there was some confusion about what was going to happen, Assemblywoman Carlton said she wanted to make sure that it was very clear that an existing position would be moved up creating another level of command. There would be a cost increase for that position, but the position behind it would not be filled and would be left vacant.

Ms. Crocket explained that the position reclassification would elevate the position of major to a lieutenant colonel, and the position of major would no longer exist.

Assemblywoman Carlton said while she realized this was a needed position, she had problems with the timing because of the budget.

Assemblyman Goicoechea said it seemed like the major difference was option A would create an unclassified position and option B would create a classified lieutenant colonel with an additional \$13,190 to be expended. Ms. Crocket said that was correct.

In response to a question from Senator Parks, Ms. Crocket said the increase of \$4,000 for the salary for the lieutenant colonel position would make the salary \$97,607. The major's salary was approximately \$97,000 a year. Ms. Crocket said the difference was Medicare costs. The position of major was previously filled by an employee who had been with the Division prior to 1985, and the Department was not paying Medicare costs for that individual.

Assemblyman Goicoechea said, in the interest of saving money, he would move to approve option A.

ASSEMBLYMAN GOICOECHEA MOVED TO APPROVE DECISION
UNIT E805, THE RECLASSIFICATION OF A CLASSIFIED MAJOR

POSITION TO AN UNCLASSIFIED LIEUTENANT COLONEL
POSITION, IN BUDGET ACCOUNT 4713.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Carlton voted no.)

Ms. Crocket said the next major issue in this account involved transfers. The Governor recommended transferring several positions to other Department of Public Safety (DPS) accounts as follows:

In decision unit Enhancement (E) 903 the Governor recommended transferring out two information technology (IT) professional positions to the Technology Division account. The agency indicated the positions would become part of the Technology Division's pool of staff. The recommendation would replace Highway Funds of \$260,875 currently supporting the positions with cost allocation charges to other DPS agencies over the upcoming biennium.

ASSEMBLYMAN BOBZIEN MOVED TO TRANSFER
TWO INFORMATION TECHNOLOGY PROFESSIONALS TO THE
TECHNOLOGY DIVISION ACCOUNT, BA 4733, AS
RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Crocket said the next transfer was decision unit Enhancement (E) 904, which recommended transferring out one program officer to the Administrative Services account (BA 4714). The program officer was assigned to the Background Investigations Unit and performed duties that supported all DPS positions. Ms. Crocket explained the agency believed it would be more appropriate to cost allocate this position. This would replace \$119,559 in Highway Funds supporting the position with cost allocation reimbursements from other DPS agencies over the upcoming biennium.

SENATOR LESLIE MOVED TO TRANSFER THE PROGRAM OFFICER TO THE ADMINISTRATIVE SERVICES ACCOUNT, BUDGET ACCOUNT 4714, AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Crocket said the next set of transfers was to the new Evidence Vault account, budget account (BA) 4701. The Governor recommended transferring several items to the newly created Evidence Vault account and decision unit Enhancement (E) 901 transferred out five positions. Decision unit E717 transferred funding for five replacement computers. Decision unit E900 transferred evidence vault space rental costs. Ms. Crocket noted the decision units appeared reasonable to staff.

SENATOR PARKS MOVED TO APPROVE TRANSFERS REQUESTED IN DECISION UNIT E901, E717, AND E900 TO THE EVIDENCE VAULT ACCOUNT, BA 4701, AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Crocket said the next transfer was decision unit E902 to the Dignitary Protection account, BA 4738. The Governor recommended transferring out General Funds of \$6,062 over the upcoming biennium to the Dignitary Protection account. General Fund was used to compensate Highway Funded personnel for providing dignitary protection services to visiting dignitaries within the Highway Patrol account. The agency had indicated that Highway Patrol personnel would provide security to visiting dignitaries in limited circumstances. Providing security to visiting dignitaries was properly a General Fund expense, and the General Fund transferred out was the only General Fund within the Highway Patrol account. Therefore, Fiscal staff recommended that General Funds should remain in the Highway Patrol account to ensure that visiting dignitary protection expenditures were not supported by Highway

Funds. Ms. Crocket said Fiscal staff did not recommend approval of this decision unit.

SENATOR PARKS MOVED TO DENY APPROVAL OF DECISION UNIT E902 IN BUDGET ACCOUNT (BA) 4713 AS RECOMMENDED BY STAFF.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Hambrick voted no.)

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Ms. Crocket said the Governor recommended transferring Highway Funds of \$7,902 to the Highway Safety Grants account, budget account (BA) 4721, over the upcoming biennium for office space rental costs in the Wright Way office in Carson City. The space was currently used by positions within the Highway Safety Grants account, and the costs were reimbursable under a federal grant. Ms. Crocket noted Fiscal staff had no issues with this decision unit.

SENATOR PARKS MOVED TO APPROVE DECISION UNIT E907 IN BUDGET ACCOUNT (BA) 4713 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket explained that under other closing items, decision units E501 and E908 transferred in \$962,487 in cost allocation reimbursements from the Director's Office to transfer breathalyzer calibration contracts to the Highway Patrol account. Decision unit E501 realigned revenues for this transfer. Testimony indicated that the Division of Parole and Probation also used breathalyzers; however, the agency was not able to provide the Fiscal Analysis Division any data to substantiate this. Ms. Crocket said the agency did not appear to provide a reasonable basis for allocating the entire cost of the breathalyzers to the Highway Patrol. She further said, without a reasonable basis upon which to determine whether the Highway Fund should pay all of the

expenses for a breathalyzer calibration, Fiscal staff could not recommend approval of this decision unit.

Assemblywoman Carlton stated, in reviewing this matter, she had asked a few questions and was told that staff had not received any documentation. She said she had done a little more investigating and discovered that, currently, most breathalyzers were used by the Nevada Highway Patrol (NHP). Assemblywoman Carlton said she would like some clarification on this issue, if possible.

Christopher Perry, Director, Department of Public Safety (DPS) explained there was existing documentation, but it would take some time to provide it. The documentation was in the form of logs that were kept at the jail. The logs were filled out by each officer who administered a breath test. Mr. Perry said those logs could probably be provided, but it would be a sampling of how many each jail had.

Assemblywoman Carlton asked whether it would be safe to assume that NHP performed at least 90 percent of the breathalyzer tests.

Mr. Perry replied that was correct and said he believed it would be more than 95 percent Highway Patrol usage. The majority of the breath alcohol tests that were performed by the Division of Parole and Probation (P&P) were preliminary breath tests.

Assemblywoman Carlton said she was not sure what the appropriate motion would be to allow staff to get the information. She suggested billing for 100 percent NHP, but have it on the record that should the Division of Parole and Probation (P&P) need to use breathalyzers it would reimburse the Nevada Highway Patrol.

Mark Krmpotic, Senate Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated there was no mechanism in the budget for P&P to reimburse the Highway Patrol for the service to calibrate the breathalyzers. In the past, a certain portion of General Funds had been allocated to support this cost, representing what was estimated to be P&P's usage. Mr. Krmpotic said it was possible that the agency could get some information back to staff, and staff could report back to the Subcommittee, or the Subcommittee could hold this particular item open until later or approve it as recommended with staff reporting back the information.

Senator Parks said he had noticed from testimony received that it was a fairly small amount of funds that would be billed to Parole and Probation. He suggested that the item be closed with instructions to the agency to develop a methodology for cost allocation of the breathalyzer calibration contracts.

SENATOR PARKS MOVED TO APPROVE DECISION UNITS E501 AND E908 IN BUDGET ACCOUNT (BA) 4713 WITH ADDITIONAL INSTRUCTIONS TO THE AGENCY TO DEVELOP A METHODOLOGY FOR COST ALLOCATING THE BREATHALYZER CALIBRATION CONTRACTS BASED UPON USAGE BY DEPARTMENT OF PUBLIC SAFETY DIVISIONS AS RECOMMENDED BY STAFF.

SENATOR LESLIE SECONDED THE MOTION.

Assemblywoman Carlton requested further clarification of the motion.

Senator Parks reiterated his recommendation to transfer \$962,487 and for the agency to develop the methodology for cost allocation and, using that calculation, charge back associated charges to the Division of Parole and Probation.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket said there were a number of other closing items in budget account (BA) 4713.

Decision unit Enhancement (E) 712 recommended Highway Funds of \$78,372 over the 2011-2013 biennium to replace 21 computer-aided dispatch computers. Ms. Crocket said the recommendation appeared reasonable to staff.

Decision unit E713 recommended Highway Funds of \$584,856 over the 2011-2013 biennium to replace 244 citation writer and printer units. The recommendation appeared reasonable to staff.

Decision unit E714 recommended Highway Funds of \$141,866 over the upcoming biennium to replace computer equipment, laptop computers, desktop computers, and printers. The recommendation appeared reasonable to staff.

Decision unit E735 recommended Highway Funds of \$71,549 in fiscal year (FY) 2012 for an engine overhaul for the Division's Cessna aircraft. The agency's backup information showed the aircraft would reach the overhaul threshold in 2013, rather than 2012, and the agency had requested that funding be moved to 2013. Ms. Crocket noted Fiscal staff had completed a technical adjustment to move the funding from 2012 to 2013. The recommendation appeared reasonable to staff with the noted technical adjustment.

Decision unit E905 recommended transferring in Motor Carrier Safety Assistance Program (MCSAP) grant funding of \$62,780 over the upcoming biennium to pay for the Highway Safety Grants Account's cost allocation. Decision unit E500 reclassified revenue for decision unit E905 as Highway Funds.

Decision unit E905 was intended to fund Department of Public Safety (DPS) cost allocations for the Highway Safety Grants Account which were not reimbursable under a federal grant at the time the budget was prepared. However, the agency had recently received federal certification to pay for certain cost-allocated items. Therefore, DPS had asked Fiscal staff to adjust the Division cost allocation for these decision units. The transfer from the Highway Safety Grants Account could be reduced by \$27,750 over the upcoming biennium. The remaining MCSAP funding of \$35,030 over the 2011-2013 biennium would still be transferred to the Highway Patrol account to pay for the Technology Division's cost allocation that was not yet reimbursable under the federal grant. Staff had reduced transfers from the Highway Safety Grants Account by \$27,750 over the upcoming biennium. Staff recommended approval of this decision unit with technical adjustments as noted.

Ms. Crocket informed the Subcommittee there was a one-shot appropriation included in The Executive Budget. A total of 123 vehicles would be replaced at a cost of approximately \$5.3 million. She also noted the agency had submitted a request to the Interim Finance Committee (IFC) to accept a donation of a 2010 F-150 Ford pickup truck valued at \$24,479 from the U.S. Marshals Service.

Fiscal staff recommended a technical base budget adjustment to reduce transfers from the Office of Traffic Safety by \$504,734 over the upcoming biennium to align grant revenues with actual grant authority in the Traffic Safety account (BA 4687).

Fiscal staff also recommended an additional technical adjustment to reduce Evidence Vault cost allocation expenses by \$2,671 over the 2011-2013 in decision unit E800. Ms. Crocket said staff sought authority to make changes to the amounts allocated under the internal cost allocation for DPS accounts based on the Subcommittee's actions.

SENATOR PARKS MOVED THAT THE SUBCOMMITTEE:

1. APPROVE DECISION UNIT E712 AS RECOMMENDED BY STAFF.
2. APPROVE DECISION UNIT E713 AS RECOMMENDED BY STAFF.
3. APPROVE DECISION UNIT E714 AS RECOMMENDED BY STAFF.
4. APPROVE DECISION UNIT E735 AS RECOMMENDED BY STAFF WITH THE TECHNICAL ADJUSTMENT OF MOVING \$71,549 IN HIGHWAY FUNDS FROM FY 2012 TO FY 2013 TO ALIGN EXPENDITURE AUTHORITY WITH THE ANTICIPATED TIMING FOR THE AIRPLANE ENGINE OVERHAUL.
5. APPROVE DECISION UNITS E500 AND E905 AS RECOMMENDED BY STAFF WITH THE TECHNICAL ADJUSTMENT OF REDUCING TRANSFERS FROM THE HIGHWAY SAFETY GRANTS ACCOUNT, BA 4721, BY \$27,750 OVER THE 2011-2013 BIENNIUM.
6. APPROVE A ONE-SHOT APPROPRIATION FOR REPLACEMENT VEHICLES AS RECOMMENDED BY THE GOVERNOR.
7. APPROVE AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said the next account was the K-9 program, budget account (BA) 4705.

According to Ms. Crocket, there was one major closing issue in the account, K-9 vehicles and equipment. Decision unit Enhancement (E) 325 recommended forfeiture funds of \$34,329 in fiscal year (FY) 2013 to equip three replacement vehicles with specialty K-9 equipment. The decision unit would only fund equipment to be added to the vehicles. Funding for the three replacement vehicles was recommended in a one-shot Highway Fund appropriation. Fiscal staff had asked the agency whether the specialty equipment for the K-9 vehicles could be removed from the existing vehicles and be placed in new vehicles. The agency responded that because of minor variances in vehicle dimensions and configurations the items could not be moved, therefore, the additional specialized equipment was necessary.

ASSEMBLYMAN GOICOECHEA MOVED TO APPROVE
SPECIALIZED EQUIPMENT FOR THREE REPLACEMENT
K-9 VEHICLES AS RECOMMENDED BY THE GOVERNOR.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket said the Subcommittee had requested the street value for narcotics seized by the K-9 program since the program's inception in 2008. She said the amount was approximately \$9.7 million.

Under closing item number 2, the agency had informally advised staff that one of the programs' nine canines had developed issues that necessitated replacing the animal. The agency indicated it will likely submit a work program to the Interim Finance Committee (IFC) at a later date to obtain a new canine. Staff requested authority to reduce K-9 supplies in the base budget to align with eight canines rather than nine and adjust transfers from the Forfeitures account, BA 4703, as well.

ASSEMBLYMAN GOICOECHEA MOVED TO GRANT FISCAL STAFF
AUTHORITY TO REDUCE K-9 SUPPLIES IN THE BASE BUDGET, AS
WELL AS TRANSFERS FROM THE FORFEITURES ACCOUNT,

BA 4703, TO ALLOW FOR ONE LESS CANINE IN THE PROGRAM
AS RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

DEPARTMENT OF PUBLIC SAFETY
DPS-HIGHWAY SAFETY GRANTS ACCOUNT (201-4721)
BUDGET PAGE PUBLIC SAFETY-65

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of the Highway Safety Grants Account, budget account (BA) 4721.

Ms. Crocket said there was one major issue in BA 4721, which was a position reclassification. The Governor recommended additional federal grant funding of \$19,281 over the 2011-2013 biennium to reclassify one Department of Public Safety (DPS) commercial vehicle safety inspector 2 position to a DPS training officer 2 position. Testimony by the agency indicated that the commercial vehicle safety inspector 2 was to be reclassified as a commercial vehicle safety inspector 3, rather than a training officer 2. The agency indicated that the Department of Personnel had determined that creating a new commercial vehicle safety inspector 3 (grade 35) classification would be more appropriate than reclassifying the existing position to a training officer 2, grade 36. Changing the reclassified position from a grade 36 to a grade 35 would result in federal funds savings of \$6,777 over the 2011-2013 biennium.

SENATOR LESLIE MOVED TO APPROVE THE RECLASSIFICATION
OF ONE COMMERCIAL VEHICLE SAFETY INSPECTOR 2 POSITION
TO A COMMERCIAL VEHICLE SAFETY INSPECTOR 3 IN
BA 4721 AS RECOMMENDED BY STAFF.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Bobzien was not present
for the vote.)

Ms. Crocket said under other closing items, decision units Enhancement (E) 500 and E907 recommended transferring Highway Funds of \$7,902 over the 2011-2013 biennium, for rental costs for Carson City Wright Way office space, from the Highway Patrol account. The recommendation appeared reasonable to staff.

Decision unit E710 recommended \$170,106 in federal grant funding to replace computer equipment as well as one vehicle. The funding to replace one vehicle indicated that the vehicle would be replaced after 125,000 miles. The current mileage for the vehicle was approximately 104,000 miles and the agency indicated it was unlikely the vehicle would reach the 125,000 mile threshold in fiscal year (FY) 2012. Staff recommended moving funding for the replacement vehicle from FY 2012 to FY 2013 resulting in additional federal funding costs of \$702 in FY 2013 attributable to inflation. The decision unit appeared reasonable to staff with the noted technical adjustment.

The third closing item was decision unit E905 which recommended transferring federal funds of \$62,780 over the 2011-2013 biennium to the Highway Patrol account, BA 4713, to pay the Highway Safety Grants Account's cost allocation as discussed in the Highway Patrol budget account. The recommendation appeared reasonable to staff with the noted technical adjustment.

Ms. Crocket said staff sought authority to make changes to amounts allocated under the Department's internal cost allocations based upon final approval of the budget accounts of the Department.

SENATOR PARKS MOVED TO APPROVE DECISION UNITS E500, E907, E710, AND E905 AS RECOMMENDED BY STAFF WITH TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Bobzien was not present for the vote.)

BUDGET CLOSED.

DEPARTMENT OF PUBLIC SAFETY
DPS-DIGNITARY PROTECTION (101-4738)
BUDGET PAGE PUBLIC SAFETY-73

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4738.

Ms. Crocket said budget account 4738, Dignitary Protection, contained two major issues.

The Governor recommended transferring \$951,024 in General Funds to the Capitol Police account to reallocate funding for the Governor's Mansion security to the Capitol Police account. The funding supported five Department of Public Safety (DPS) officers within the Capitol Police account who provided security for the Governor's Mansion. The agency indicated that the transfer would reduce unnecessary administrative processes for the agency. Fiscal staff noted that the Capitol Police account did not currently receive any General Funds directly. Additionally, the program narrative for Dignitary Protection indicated that one of the missions of the Dignitary Protection detail was to provide 24 hour, 7-day-a-week security to the Governor's Mansion. Two of the five performance indicators for the Dignitary Protection detail related to providing security to the Governor's Mansion as well. Currently, the Department processed four accounting transactions a year to transfer the funding to the Capitol Police, and it appeared to staff this did not place an undue burden on the Administrative Services Division of DPS. Fiscal staff met with the agency and it concurred that the accounting efficiency gained was not such that it would insist the enhancement was necessary.

Staff requested authority to make adjustments related to the amount transferred to the Capitol Police account for mansion security based upon the Legislature's actions on global salary decision units. As noted in the Capitol Police budget closing, Fiscal staff did not recommend approval of the decision unit.

Assemblyman Hambrick commented that the Subcommittee had already voted not to approve certain funding on Dignitary Protection and wondered whether there would be a connection.

Ms. Crocket replied that those two decision units were not related. She said decision unit Enhancement (E) 900 related to transferring funding to the Capitol Police. Fiscal staff believed that providing security to the

Governor's Mansion was properly a Dignitary Protection function, and therefore it should be funded within that account and transferred to the Capitol Police, rather than being funded directly in the Capitol Police account.

ASSEMBLYWOMAN CARLTON MOVED THAT THE SUBCOMMITTEE NOT APPROVE DECISION UNIT E900 IN BA 4738 AS RECOMMENDED BY STAFF, INCLUDING PERMISSION TO MAKE THE NECESSARY TECHNICAL ADJUSTMENTS.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Crocket informed the Subcommittee that the second major closing issue in budget account (BA) 4738 was visiting Dignitary Protection as discussed in the Highway Patrol account. The Governor recommended transferring General Funds of \$6,062 over the 2011-2013 biennium to provide funding for visiting Dignitary Protection. It appeared to staff that the mission of the Dignitary Protection detail was to provide security to the Governor and his family and not visiting dignitaries. Fiscal staff did not recommend approval of E902 as noted in the Highway Patrol account.

Mark Krmpotic, Senate Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), responding to a question from Assemblyman Goicoechea, said the \$6,062 was indeed General Fund. It was the amount of General Funds appropriated to pay for overtime costs in the Highway Patrol account when officers were called upon to protect visiting dignitaries. Mr. Krmpotic said it had been included in the Highway Patrol account since 1997. The funding had not been included in the Dignitary Protection account in the past, although the agency had attempted to have it included. Mr. Krmpotic said, for transparency, General Funds were shown in the Highway Patrol account where they were incurring the costs that were non-Highway Fund related.

SENATOR PARKS MOVED TO DENY APPROVAL OF DECISION UNIT E902 AS RECOMMENDED BY STAFF.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket said Fiscal staff had completed technical adjustments downgrading a lieutenant to a Department of Public Safety (DPS) officer 2. The agency indicated the lieutenant was downgraded to a DPS officer 2 at the direction of the Governor because of budget constraints. This reclassification resulted in General Fund savings of \$85,423 over the 2011-2013 biennium. Fiscal staff requested authority to make changes to internal cost allocations for DPS budget accounts.

SENATOR LESLIE MOVED TO APPROVE GRANTING FISCAL STAFF AUTHORITY TO MAKE CHANGES TO THE AMOUNTS ALLOCATED UNDER THE INTERNAL COST ALLOCATIONS BASED UPON FINAL APPROVAL OF THE BUDGET ACCOUNTS OF THE DEPARTMENT.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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DEPARTMENT OF PUBLIC SAFETY
DPS-HOME DISASTER ASSISTANCE PROGRAM (101-3672)
BUDGET PAGE PUBLIC SAFETY-120

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 3672.

Ms. Crocket noted this account had not been reviewed by the Subcommittee, and the major closing issue in this account was the elimination of the Homeowner's Disaster Assistance Program. The Governor recommended discontinuing the Program and reverting the remaining \$531,052 to the General Fund. Fiscal staff noted that in the past three special sessions funding had been taken from this account and transferred to the General Fund. Payments to homeowners amounted to \$5,464 in fiscal year (FY) 2010, and no

payments had been dispersed in FY 2011. Ms. Crocket said there were no pending claims on this account. Given the limited claims payments and the Legislature's recent use of the funds to offset budget shortfalls, it appeared reasonable to Fiscal staff to eliminate budget account 3672.

SENATOR PARKS MOVED TO APPROVE THE ELIMINATION OF THE HOMEOWNER'S DISASTER ASSISTANCE PROGRAM IN BA 3672 AS RECOMMENDED BY THE GOVERNOR.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF PUBLIC SAFETY
DPS-STATE EMERGENCY RESPONSE COMMISSION (201-4729)
BUDGET PAGE PUBLIC SAFETY-122

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4729.

Ms. Crocket said the Subcommittee had not previously reviewed the State Emergency Response Commission (SERC) budget account. There was one major closing issue, the elimination of one vacant grants and projects analyst 1 position for a Highway Funds savings of \$135,594 over the 2011-2013 biennium. The agency indicated that the State Fire Marshal Division's staff would provide additional support to SERC as needed. Accordingly, the agency anticipated minimal operational problems from eliminating the position.

SENATOR RHOADS MOVED TO ELIMINATE ONE VACANT GRANTS AND PROJECTS ANALYST 1 FROM BA 4729 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket stated there were four other closing items in BA 4729. Decision unit Enhancement (E) 250 recommended Highway Funds of \$4,092 over the 2011-2013 biennium for training expenses. The recommendation appeared reasonable to staff.

Decision unit E251 recommended Highway Funds of \$3,364 over the 2011-2013 biennium for in-state travel. Fiscal staff had no issues with decision unit E251.

Decision unit E901 transferred \$5,531 in each year of the upcoming biennium from the State Fire Marshal Division account for SERC's share of the rent at the State Fire Marshal Division's office. The SERC would move from its current Northgate Lane office to the Jacobsen Way State Fire Marshal Division's office in Carson City. This recommendation appeared reasonable to staff.

Decision unit E710 recommended Highway Funds of \$27,421 over the upcoming biennium to replace computer equipment. The recommendation appeared reasonable to staff.

Ms. Crocket said Fiscal staff had analyzed the funding support for interdepartmental cost allocations for budget account (BA) 4729 and believed the Highway Fund was paying an excessive share of the State Emergency Response Commission's (SERC) indirect costs. Fiscal staff requested authority to reduce Highway Funds and support the SERC's indirect cost assessment with fee funds and federal funds, where appropriate.

Staff sought authority to make adjustments to amounts allocated under the Division's internal cost allocations based upon final approval of the budget accounts of the Department.

SENATOR LESLIE MOVED TO APPROVE DECISION UNITS E250, E251, E901, AND E710 IN BA 4729, AS RECOMMENDED BY THE GOVERNOR. FURTHER, FISCAL STAFF IS GRANTED AUTHORITY TO REDUCE HIGHWAY FUNDS AND SUPPORT THE STATE EMERGENCY RESPONSE COMMISSION'S INDIRECT COST ASSESSMENT WITH FEE FUNDS AND FEDERAL FUNDS WHERE APPROPRIATE. STAFF IS ALSO GRANTED AUTHORITY TO MAKE CHANGES TO THE AMOUNTS ALLOCATED UNDER THE

INTERNAL COST ALLOCATIONS BASED UPON FINAL APPROVAL
OF THE BUDGET ACCOUNTS OF THE DEPARTMENT.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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DEPARTMENT OF PUBLIC SAFETY
DPS-CAPITOL POLICE (710-4727)
BUDGET PAGE PUBLIC SAFETY-164

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4727, Capitol Police.

Ms. Crocket noted there were two major closing issues in BA 4727. The first was the transfer of Governor's Mansion security funding. As was discussed in the Dignitary Protection detail, Fiscal staff did not recommend approval of decision units Enhancement (E) 900 and E500.

SENATOR PARKS MOVED TO DENY APPROVAL FOR DECISION
UNITS E900 AND E500 IN BUDGET ACCOUNT 4727 AS
RECOMMENDED BY STAFF.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket said the second major issue in BA 4727 was a position transfer. The Governor recommended transferring Building and Grounds transfer revenues and expenses of approximately \$128,828 over the 2011-2013 biennium to relocate one management analyst to the Administrative Services account (BA 4714) as part of the Department of Public Safety's (DPS's) consolidation of fiscal positions within the Administrative Services account. The approval of this

decision unit was contingent upon the Subcommittee's decision on the larger consolidation plan.

SENATOR PARKS MOVED TO APPROVE DECISION UNIT E907 IN
BA 4727 AS RECOMMENDED BY THE GOVERNOR.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Assemblyman Goicoechea commented that he was struggling with the money being shifted between General Fund and the Dignitary Protection account. He wondered how BA 4727 was being funded and whether another \$1 million in General Fund would be required.

Mark Krmpotic, Senate Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), explained that the Governor's recommendation was to transfer \$6,605 in General Funds from the Highway Patrol to the Dignitary Protection account. The actions the Subcommittee had just taken were to reverse that action and move General Funds back to the Highway Patrol account. Mr. Krmpotic said there was no reduction in funding; it kept \$6,605 of General Funds in the Highway Patrol. The five officers in the Capitol Police account dedicated to protecting the mansion were funded through a General Fund transfer from the Dignitary Protection account. Mr. Krmpotic emphasized it was just a transfer of funds. The Governor's recommendation was to move the General Fund appropriation from Dignitary Protection to the Capitol Police with no change in the funding level.

Assemblyman Goicoechea asked whether his understanding was correct that it was a General Fund appropriation no matter where it was coming from, Highway Patrol or Dignitary Protection.

Mr. Krmpotic responded that was correct. There was no change in the source of funding that had been approved; it was where the General Funds were placed.

Ms. Crocket referred to decision units E502 and E902, where the Governor recommended adding \$237,526 in transfers from the Buildings and Grounds Division to transfer in costs associated with security for the Bradley Building and

the Belrose Building in Las Vegas. Security at the buildings was provided by contracted security staff and would continue to be provided by the contractor if the transfer was approved. Ms. Crocket noted that the contracted services would be funded with transfers from the Buildings and Grounds Division. The agency indicated that the Capitol Police had law enforcement expertise that the Buildings and Grounds Division did not have, which would allow for improved contract oversight. The decision unit appeared reasonable to Fiscal staff.

In decision unit E251, the Governor recommended additional transfers from the Buildings and Grounds Division of \$3,932 to fund additional training and supplies for the Capitol Police. The recommended training costs included training in both years of the 2011-2013 biennium for the management analyst position that was recommended to be transferred to Administrative Services. Fiscal staff had completed a technical adjustment to remove training for that position in 2013. Ms. Crocket said the recommendation appeared reasonable with the noted technical adjustment.

Decision unit E710 recommended \$6,213, including \$160 in General Funds over the 2011-2013 biennium, to replace computer equipment and batteries. Ms. Crocket noted that the \$160 in General Fund for the purchase of batteries was included in the funding transferred from the Dignitary Protection account to fund Governor's Mansion security. Staff had completed technical adjustments to remove the \$160 in General Fund from the decision unit. The recommendation appeared reasonable to staff with the noted technical adjustment.

Decision unit E750 recommended transferring \$2,414 from the Buildings and Grounds Division to restore travel reduced during the current biennium. The recommendation appeared reasonable to staff.

Ms. Crocket explained that under technical adjustments staff sought authority to make changes to interdepartmental cost allocations based on the Legislature's actions on closing other DPS accounts. Further, Fiscal staff sought authority to make changes to decision units E670, E671, and E674 based upon the disapproval of the transfer of Governor's Mansion security funding. The decision units currently included General Fund reductions related to the Governor's recommendation to reduce salaries; however, the salaries would now be funded in this account with transfers from the Dignitary Protection account.

SENATOR PARKS MOVED TO APPROVE DECISION UNITS E502, E902, E251, E710, AND E750 AND GRANT AUTHORITY TO FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

Assemblywoman Carlton asked whether the Buildings and Grounds Division oversaw contracted service for security in any other place in the state or whether the oversight was unique to the Las Vegas area.

Ms. Crocket said it was her understanding that the situation was unique to these buildings in particular.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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DEPARTMENT OF PUBLIC SAFETY
DPS-HIGHWAY SAFETY PLAN AND ADMINISTRATION (101-4688)
BUDGET PAGE PUBLIC SAFETY-173

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4688.

Ms. Crocket said the Highway Safety Plan and Administration account had not been reviewed by the Subcommittee. There was one major closing issue, a position elimination. The Governor recommended eliminating one filled management analyst 2 position for a total savings of \$131,063 over the upcoming biennium, including \$65,531 in Highway Fund. The position was recommended for elimination as part of the centralization of fiscal positions within the Director's Office account. The agency indicated the duties of the eliminated position would be absorbed by the centralized Fiscal staff.

SENATOR PARKS MOVED TO ELIMINATE THE MANAGEMENT ANALYST 2 POSITION IN BUDGET ACCOUNT 4688 AS RECOMMENDED BY THE GOVERNOR.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket said decision unit Enhancement (E) 900 recommended transferring \$8,310 in reserves from the Bicycle Safety Program (BA 4689) to transfer in rental costs for office space. Decision unit E500 replaced reserve funding with Highway Funds and federal funds. The recommendation appeared reasonable to staff.

Decision unit E710 recommended federal funds of \$7,640 in fiscal year (FY) 2013 to replace computers, which appeared reasonable to staff.

Ms. Crocket said staff had completed technical adjustments to align revenues and expenditures in this account with actual grant funding available. Fiscal staff also believed that grant funding might be paying a disproportionate share of the agency's indirect cost recovery plan and sought authority to make adjustments to account expenditures to properly allocate the total share of cost allocations among revenue sources. Staff also sought authority to make changes to the amounts allocated under the Division's internal cost allocation plan based upon final closing of Department of Public Safety budgets.

SENATOR PARKS MOVED TO APPROVE DECISION UNITS E500, E900, AND E710 AS RECOMMENDED BY THE GOVERNOR AND GRANT FISCAL STAFF AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS IN BUDGET ACCOUNT (BA) 4688 AS NECESSARY.

SENATOR CARLTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

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Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4687.

Ms. Crocket said the Subcommittee had not previously reviewed BA 4687. There were no major closing issues and there were no maintenance or enhancement decision units for this account. Staff recommended that this account be closed as recommended by the Governor.

SENATOR LESLIE MOVED TO APPROVE BUDGET ACCOUNT
(BA) 4687 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Parks was not present for the vote.)

BUDGET CLOSED.

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DEPARTMENT OF PUBLIC SAFETY
DPS-BICYCLE SAFETY PROGRAM (201-4689)
BUDGET PAGE PUBLIC SAFETY-183

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4689.

Ms. Crocket said there was one major closing issue in BA 4689, the transfer of the Bicycle Safety Program to the Department of Transportation (NDOT). The Governor recommended transferring the Bicycle Safety Program from the Department of Public Safety (DPS) to NDOT. The DPS Bicycle Safety Program would be combined with NDOT's Bicycle and Pedestrian Program. One filled education and information officer position would be transferred to NDOT. Ms. Crocket noted that both programs were funded by the same funding source, a 50-cent fee added to each driver's license issued or renewed. The agency had indicated that combining the two state programs would allow them to better leverage their limited resources. The agency stated that both DPS and NDOT positions would be necessary within the combined program. The focus of the DPS program was on education, whereas the focus of the NDOT program was more on engineering-related functions. Additionally, DPS provided grant funding to other entities, and the NDOT program did not currently administer grant funding, so the DPS position would provide expertise in this area.

Eliminating either position would result in loss of knowledge to conduct functions of the respective programs.

ASSEMBLYMAN BOBZIEN MOVED TO APPROVE THE TRANSFER OF THE BICYCLE SAFETY PROGRAM IN BUDGET ACCOUNT 4689 TO THE DEPARTMENT OF TRANSPORTATION AS RECOMMENDED BY THE GOVERNOR.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Parks was not present for the vote.)

Ms. Crocket stated decision unit Enhancement (E) 900, recommended transferring reserves of \$8,310 over the 2011-2013 biennium to the Highway Safety Plan and Administration account for rental costs for the Carson City Jacobsen Way office. The recommendation appeared reasonable to staff. Staff requested authority to make adjustments to the Division's internal cost allocations based upon the Subcommittee's closing actions for other DPS accounts.

SENATOR LESLIE MOVED TO APPROVE DECISION UNIT E900 AS RECOMMENDED BY THE GOVERNOR AND GRANT AUTHORITY TO FISCAL STAFF TO MAKE ADJUSTMENTS TO DIVISION COST ALLOCATIONS BASED UPON SUBCOMMITTEE CLOSING ACTIONS IN OTHER DEPARTMENT OF PUBLIC SAFETY ACCOUNTS.

SENATOR RHOADS SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Parks was not present for the vote.)

BUDGET CLOSED.

DEPARTMENT OF PUBLIC SAFETY
DPS-MOTORCYCLE SAFETY PROGRAM (201-4691)
BUDGET PAGE PUBLIC SAFETY-188

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 4691.

Ms. Crocket said there was one major closing issue in this account. In decision unit Enhancement (E) 250, the Governor recommended increased reserve funds of \$5,703 over the 2011-2013 biennium to replace the current contracted program director with a program officer 3. The agency stated it had been unable to successfully recruit a program officer to the Motorcycle Safety Program in the past, but it anticipated a larger pool of applicants at this time.

Ms. Crocket noted the Motorcycle Safety Program had experienced declining reserves in recent years. The program had a statutorily fixed income, and it appeared to Fiscal staff that the agency might need to reexamine whether its revenue levels could sustain the Motorcycle Safety Program in the future.

ASSEMBLYMAN HAMBRICK MOVED TO APPROVE DECISION UNIT E250 TO REPLACE THE CONTRACTED PROGRAM DIRECTOR WITH A STATE PROGRAM OFFICER POSITION AS RECOMMENDED BY THE GOVERNOR.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Parks was not present for the vote.)

Ms. Crocket said decision unit Enhancement (E) 710 recommended reserve funding of \$121,500 over the 2011-2013 biennium for replacement of training motorcycles. Fifteen motorcycles would be replaced in each year of the biennium, and the recommendation appeared reasonable to staff.

Under technical adjustments, the Governor recommended \$72,000 in motorcycle registration fees revenue over the upcoming biennium; however, because of actual receipts in FY 2010 and year-to-date receipts in FY 2011, staff had reduced registration fee revenue from \$36,000 to \$30,000 in each year to more closely align with actual anticipated revenues. Additionally, the

revenue for motorcycle registrations transferred from the Department of Motor Vehicles (DMV) did not match the projection provided by DMV. Staff had corrected projections to the DMV projected amount; however, staff requested authority to make additional technical adjustments should DMV provide updated revenue projections. Staff also sought authority to make changes to internal cost allocations based on closings of other Department of Public Safety budget accounts.

SENATOR LESLIE MOVED TO APPROVE DECISION UNIT E710 AS RECOMMENDED BY THE GOVERNOR AND GRANT AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Parks was not present for the vote.)

BUDGET CLOSED.

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DEPARTMENT OF PUBLIC SAFETY
DPS-PAROLE BOARD (101-3800)
BUDGET PAGE PUBLIC SAFETY-209

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 3800.

Ms. Crocket said there were two major closing issues in BA 3800. The first was position elimination. The Governor recommended eliminating three vacant positions in decision unit Enhancement (E) 600, two administrative assistants and one management analyst, for General Fund savings of \$321,069 over the upcoming biennium. It appeared that the duties of the three positions had been absorbed by other members of the State Board of Parole Commissioners (Parole Board) staff. The agency indicated that eliminating the three positions would not affect the Board's ability to conduct parole release hearings; however, it appeared that it would affect the ability to conduct State Board of Pardons Commissioners (Pardons Board) hearings.

Senator Leslie requested that decision unit E600 be held and the Subcommittee discuss the second major closing issue, the Pardons Board.

Ms. Crocket stated the second major closing issue was the Pardons Board. The Subcommittee expressed an interest in knowing the cost to hold four Pardons Board hearings in each year of the upcoming biennium. The agency had indicated that operational expenses of \$3,764 were associated with each Pardons Board hearing. During fiscal year (FY) 2010, three Pardons Board meetings were held at a total cost of \$11,292. The agency also received a grant of \$4,000 in FY 2010, resulting in total costs of \$7,292 included in the agency's base budget for Pardons Board hearings. The agency asserted that no funding was included in the agency's base budget for operations of the Pardons Board, and no base budget expenditure should be allocated to the Pardons Board. Fiscal staff did not agree with this assessment because three meetings had been held and expenses were incurred to conduct those meetings. Ms. Crocket said the agency would require additional General Funds of \$15,528 to hold four Pardons Board meetings in each year of the 2011-2013 biennium.

Ms. Crocket remarked that should the Subcommittee wish to approve four Pardons Board meetings per year, staff would recommend moving both the base budget amount and the additional funding to a specialized Pardons Board category rather than general Operating category. One management analyst position would be required to support four Pardons Board meetings in each year because of the additional administrative work associated with holding the hearings. The additional General Fund cost would be \$96,229 over the upcoming biennium. The total General Fund add-back to support eight Pardons Board hearings, four in each year, would be \$111,757, including \$96,229 in personnel costs.

Senator Leslie stated she was still trying to figure out the Pardons Board. Associate Justice James Hardesty of the Supreme Court recommended that the Pardons Board meet four times a year. She said it appeared, according to the NAC (*Nevada Administrative Code*), the Board would meet twice a year, but what was in the budget was for once a year.

Ms. Crocket said the Pardons Board held three meetings in 2010. The NAC stated that the Pardons Board would meet semiannually; however, it could meet whenever the Governor called a meeting.

Senator Leslie asked what number of meetings the money in the budget would support for a year.

Ms. Crocket said the budget included three meetings, but the Board received a grant that would no longer be available in the future, making it closer to two meetings included in its base budget.

Senator Leslie noted the Pardons Board was maintaining that if it met four times a year as Justice Hardesty suggested, it would need a full-time position.

Ms. Crocket said the Pardons Board indicated it had received over 1,500 pardons applications from correctional inmates alone for the upcoming June meeting, which placed a large burden on the Parole Board staff.

Senator Leslie asked how many pardons the Board typically approved and whether the pardons paid for themselves. She asked if the Pardons Board met more often, whether the Board pardoned more people and whether that resulted in savings in the Department of Corrections' budget. She said Justice James Hardesty made a statement that he thought the Board should meet four times a year, which did not seem unreasonable to Senator Leslie.

Connie Bisbee, Chair, Nevada State Board of Parole Commissioners explained how many pardons the Pardons Board had issued in the last five meetings. In December of 2008, there were 15 inmate cases, 5 were granted, 9 were denied, and 1 was continued or had no action. In 2009, there were 25 community cases, 17 were granted, 5 were denied, and 3 were continued or withdrawn. There were 4 inmate cases, 2 were granted and 2 were denied. At the second Pardons Board hearing in 2009, there were 16 inmate cases, 9 were granted, 6 denied, and 1 continued. In April of 2010, the Board heard two community cases, and both were denied. The Board also heard ten inmate cases, five were granted, four were denied, and one was continued. In November of 2010, the Board heard 24 community cases, 20 were granted and 4 were denied.

Senator Leslie asked whether the community cases would affect the Department of Corrections' budget.

According to Ms. Bisbee, the investigations and reports for the community cases were provided to the Board through the Department of Public Safety. For the inmate cases, the investigations were reported through the Department of Corrections. Ms. Bisbee noted that community cases were not supervised.

Those applicants were petitioning for the restoration of their rights. She did not believe there was any fiscal gain to the state from the community cases.

Senator Leslie said she assumed there would be savings on the corrections side.

Ms. Bisbee explained the grants would either be to the street or would be access to parole. There were a total of 21 granted some sort of action between 2008 and November 2010. Typically, the action was to give inmates parole access, and then the Parole Board decided whether to grant parole to the community or not.

Ms. Bisbee said the Governor was the chair of the Pardons Commission and was responsible for scheduling meetings. She said one meeting was currently scheduled for June 29, 2011, for inmates and one was tentatively scheduled in November 2011 for community cases.

SENATOR PARKS MOVED TO APPROVE THE GENERAL FUND
ADD-BACK OF \$125,498 OVER THE 2011-2013 BIENNIUM IN
BUDGET ACCOUNT (BA) 3800.

Ms. Crocket interjected that \$125,498 was an error; the correct add-back amount was \$111,757.

SENATOR PARKS MOVED TO AMEND THE MOTION TO APPROVE
A GENERAL FUND ADD-BACK OF \$111,757 OVER THE
2011-2013 BIENNIUM IN BUDGET ACCOUNT (BA) 3800.

Senator Leslie stated that while she appreciated the motion, there was still no money. She said while she believed there should be four Pardons Board meetings a year, she was not prepared today to add that amount back.

SENATOR PARKS MOVED TO WITHDRAW THE MOTION TO
APPROVE A GENERAL FUND ADD-BACK OF \$111,757 OVER THE
2011-2013 BIENNIUM IN BUDGET ACCOUNT (BA) 3800 IN
FAVOR OF HOLDING THE DECISION FOR FURTHER
CONSIDERATION.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket referred to major closing issue number 1, the position eliminations. She reiterated that, as discussed before, the Governor recommended eliminating three vacant positions.

ASSEMBLYMAN GOICOECHEA MOVED TO APPROVE THE ELIMINATION OF TWO ADMINISTRATIVE ASSISTANT POSITIONS AND ONE MANAGEMENT ANALYST POSITION IN BUDGET ACCOUNT (BA) 3800.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket said Fiscal staff requested authority to make changes to internal cost allocations based upon the Subcommittee's closings of the remainder of the Department of Public Safety (DPS) accounts.

SENATOR LESLIE MOVED TO GRANT AUTHORITY TO FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS TO THE AMOUNTS ALLOCATED UNDER THE INTERNAL COST ALLOCATIONS BASED UPON FINAL APPROVAL OF THE BUDGET ACCOUNTS OF THE DEPARTMENT OF PUBLIC SAFETY IN BUDGET ACCOUNT 3800.

SENATOR RHOADS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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DEPARTMENT OF PUBLIC SAFETY
DPS-HOMELAND SECURITY (101-3675)
BUDGET PAGE PUBLIC SAFETY-215

Catherine Crocket, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), presented an overview of budget account (BA) 3675.

Ms. Crocket stated the final account was Homeland Security. There were two major closing issues in the account. The first was a position elimination. The Governor recommended the elimination of one filled grants and projects analyst 3 position for a General Fund savings of \$139,216 over the upcoming biennium. The elimination of the position will result in the loss of a dedicated staff liaison between the State Emergency Operations Center in the Division of Emergency Management and the Nevada Threat Analysis Center in the Investigation Division. The agency had indicated it had identified other positions within the Homeland Security and the Division of Emergency Management to fill this gap.

SENATOR RHOADS MOVED TO ELIMINATE THE GRANTS AND PROJECTS ANALYST 3 POSITION IN BUDGET ACCOUNT 3675 AS RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket said the second major closing issue in budget account (BA) 3675 was funding changes in decision units Enhancement (E) 250, E252, E253, E254, E255, E256, and E691. The Governor recommended using federal funding sources to replace \$269,857 in General Fund over the upcoming biennium. In response to Fiscal staff inquiries, the agency indicated three of the federal grant programs which were going to replace General Funds required no matching funds. Ms. Crocket said one grant program required a match, but the match was provided by in-kind contributions from the Las Vegas Metropolitan Police Department. It also appeared that none of the four grant programs required maintenance of effort, and no supplanting issues would exist related to replacing General Funds.

SENATOR RHOADS MOVED TO APPROVE DECISION UNITS E250, E252, E253, E254, E255, E256, and E691 IN BUDGET ACCOUNT (BA) 3675 AS RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Ms. Crocket explained that under technical adjustments, Fiscal staff had analyzed the internal cost allocation for the Department of Public Safety (DPS) for the account, and it appeared that the General Fund was paying too large a share of the total indirect cost payment. Fiscal staff requested authority to make adjustments to the revenue sources paying the DPS indirect cost assessment in this account. Ms. Crocket said Fiscal staff also requested authority to make changes to the amount allocated through internal cost allocations based upon final approval of the rest of DPS's budget accounts.

SENATOR LESLIE MOVED TO GRANT AUTHORITY TO FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS TO THE AMOUNTS ALLOCATED THROUGH THE INTERNAL COST ALLOCATIONS BASED UPON FINAL APPROVAL OF THE BUDGET ACCOUNTS OF THE DEPARTMENT.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hogan requested public comment.

Tonya Brown, an Advocate for Inmates, argued for the replacement of the State Board of Pardons Commissioners by a committee and that the State Board of Parole Commissioners was violating inmate rights that would cost the taxpayers money, and that Board should be disbanded to free up money for other governmental services.

The meeting adjourned at 10:45 a.m.

RESPECTFULLY SUBMITTED:

Anne Bowen
Committee Secretary

APPROVED BY:



Assemblyman Joseph M. Hogan, Chair

DATE: _____

Senator David R. Parks, Chair

DATE: _____

EXHIBITS

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

Date: April 15, 2011

Time of Meeting: 8:37 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Guest sign-in sheets