

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

**Seventy-Seventh Session  
May 2, 2013**

The joint meeting of the Assembly Committee on Ways and Means' Subcommittee on Public Safety, Natural Resources, and Transportation and the Senate Committee on Finance's Subcommittee on Natural Resources and Transportation was called to order by Chairman David P. Bobzien at 8:08 a.m. on Thursday, May 2, 2013, in Room 2134 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 [nelis.leg.state.nv.us/77th2013](http://nelis.leg.state.nv.us/77th2013). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**ASSEMBLY COMMITTEE MEMBERS PRESENT:**

Assemblyman David P. Bobzien, Chairman  
Assemblyman Tom Grady  
Assemblyman John Hambrick  
Assemblyman Michael Sprinkle

**SENATE COMMITTEE MEMBERS PRESENT:**

Senator Pete Goicoechea, Chair  
Senator David R. Parks  
Senator Joyce Woodhouse



**COMMITTEE MEMBERS EXCUSED:**

Assemblywoman Marilyn K. Kirkpatrick

**STAFF MEMBERS PRESENT:**

Michael J. Chapman, Principal Deputy Fiscal Analyst  
Alex Haartz, Principal Deputy Fiscal Analyst  
Julie Waller, Senior Program Analyst  
Kristen Kolbe, Program Analyst  
Wayne Thorley, Program Analyst  
Anne Bowen, Committee Secretary  
Cynthia Wyett, Committee Assistant

**INFRASTRUCTURE**

**COLORADO RIVER COMMISSION**

**COLORADO RIVER COMMISSION (296-4490)**

**BUDGET PAGE COLORADO RIVER COMM-4**

Michael J. Chapman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the first four accounts in closing list #6, [Exhibit C](#), dealt with the Colorado River Commission (CRC). Referring to pages 2 and 3 of [Exhibit C](#), Mr. Chapman said the CRC's main account was where 38 positions were located. The main closing item in the account was the addition of three new positions: a natural resource specialist, a power facilities communication technician, and an administrative assistant 2. The agency indicated the positions were needed to provide additional staffing resources in response to the passage of the Hoover Power Allocation Act of 2011, which amended the Hoover Power Plant Act of 1987. Under the new act, there was a reallocation of existing power to a power pool of approximately 103 megawatts (MW). Of that 103 MW, approximately 33 or 34 MW were appropriated to Nevada, California, and Arizona and the remaining 69 MW were allocated to a resource pool for new eligible customers to be administered by the Western Area Power Administration (WAPA). Mr. Chapman said, given the new reallocation, the agency anticipated a significant increase in its workload because of public meetings, regulation rewrites, and new contracts, not only with existing customers whose contracts expire in 2017, but with any new customers that came on line.

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SENATOR GOICOECHEA MOVED TO APPROVE THE NEW NATURAL RESOURCE SPECIALIST, POWER FACILITIES COMMUNICATION TECHNICIAN, AND ADMINISTRATIVE ASSISTANT 2 POSITIONS IN BUDGET ACCOUNT (BA) 4490 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Chapman said that under other closing items there were two: one eliminated the special assistant position that had been vacant for a number of years and the second provided replacement equipment that contained standard items. There was a budget amendment to remove antivirus software specific to single desktop computers, which Mr. Chapman noted had been discussed often in the past few weeks. Fiscal Analysis Division staff recommended closing the remainder of budget account (BA) 4490 as recommended by the Governor.

SENATOR PARKS MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 4490 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE**

**COLORADO RIVER COMMISSION**

**RESEARCH AND DEVELOPMENT (296-4497)**

**BUDGET PAGE COLORADO RIVER COMM-10**

Michael J. Chapman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the next three accounts for the Colorado River Commission of Nevada (CRC) were not heard by the Subcommittees. He noted the accounts had no positions or General Funds. Mr. Chapman referred to budget account (BA) 4497, Research and Development, on pages 5 and 6 of [Exhibit C](#). The account was currently used to administer the Lower Colorado River Multi-Species Conservation Program to comply with the Endangered Species Act of 1973 along the lower Colorado River corridor, through a consortia of federal and state partners. Funding was provided from the various water and power users, which were customers of CRC. The only recommendation in the budget was a cost-share expenditure authority of \$500,000 each year of the biennium as the CRC's contribution pursuant to the agreement.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE BUDGET ACCOUNT (BA) 4497 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

SENATOR PARKS SECONDED THE MOTION.

In response to a question from Senator Goicoechea, Mr. Chapman said the program began in 2006, which made the 50-year program approximately 6 or 7 years old. The program used federal money that was available to cover various projects and programs, but there was a holdback by the state allowing the reserves to build for future payments and allow the account to earn a small amount of interest.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE**  
**COLORADO RIVER COMMISSION**  
**POWER DELIVERY SYSTEM (502-4501)**  
**BUDGET PAGE COLORADO RIVER COMM-12**

Michael J. Chapman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated the next Colorado River Commission (CRC) account was budget account (BA) 4501, Power Delivery System. The account covered all the costs associated with the high-voltage power delivery system for the southern Nevada water delivery project. Mr. Chapman said the account covered the power transmission lines that served the pumping stations as well as the water treatment facility. The account was primarily a pass-through account whereby the Southern Nevada Water Authority paid for the use of the power and the CRC paid the cost of generating that power. The only item in the account was increased travel associated with anticipated changes to the electric balancing transfer from NV Energy to the Western Area Power Administration.

SENATOR GOICOECHEA MOVED TO APPROVE BUDGET  
ACCOUNT (BA) 4501 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not  
present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE**  
**COLORADO RIVER COMMISSION**  
**POWER MARKETING FUND (505-4502)**  
**BUDGET PAGE COLORADO RIVER COMM-15**

Michael J. Chapman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated the last Colorado River Commission (CRC) account was budget account (BA) 4502, Power Marketing Fund. The account recorded power sales and purchases of power for all the other customers of the CRC except for the Southern Nevada Water Authority. Mr. Chapman said the

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account primarily provided hydropower to the various power users noted at the bottom of page 9 of [Exhibit C](#): the CRC paid for its purchases of power out of the account.

ASSEMBLYMAN GRADY MOVED TO APPROVE BUDGET ACCOUNT (BA) 4502 AS RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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## **INFRASTRUCTURE**

### **STATE DEPARTMENT OF CONSERVATION & NATURAL RESOURCES**

#### **ADMINISTRATION (101-4150)**

#### **BUDGET PAGE DCNR-30**

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the first account for the State Department of Conservation and Natural Resources (DCNR) was budget account (BA) 4150, Administration. The Director's office provided administrative and technical support to divisions and bureaus within the Department. Ms. Waller said there were two major closing issues in the budget account. The first was the transfer of Sagebrush Ecosystem Technical Team positions. In October 2012, the Interim Finance Committee (IFC) approved five new positions to establish a Sagebrush Ecosystem Technical Team to coordinate and maximize Nevada's efforts to avoid the listing of the Greater Sage-grouse as an endangered species. The five recommended positions were originally approved in the Director's office with the understanding that in the Governor's 2013-2015 biennial budget, those position costs would be transferred to the home budget accounts. Additionally, the IFC approved funding for a nine-member Sagebrush Ecosystem Council, and those costs were also contained in the Director's office budget.

Ms. Waller said several decision units were included in the Director's office budget to transfer the five positions to their various budget accounts including two positions to the Division of State Lands, one position to the Division of

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Forestry, one position to the Department of Wildlife, and one position to the State Department of Agriculture. As originally recommended by the Governor, there were various funding sources for the positions, including a transfer from the State Department of Agriculture, reserve funding from the Division of Minerals, a transfer from the Department of Wildlife (NDOW), and proceeds from the Ruby Pipeline settlement, as well as General Funds.

On April 3, 2013, the Fiscal Analysis Division received budget amendment A130024150, which revised the various funding sources supporting the five positions. The budget amendment replaced the Ruby Pipeline settlement proceeds with a transfer from NDOW mining mitigation fees. The budget amendment was submitted to adjust concerns by the Bureau of Land Management over the level of proposed Ruby Pipeline settlement proceeds being used for the sagebrush ecosystem programs and also to reduce the proposed level of federal funding.

Ms. Waller referred the Subcommittees to the table on page 13 of [Exhibit C](#), which showed that the Ruby Pipeline settlement proceeds had been eliminated as a funding source for the five proposed positions, although funding continued to support some of the operating costs. Fiscal Analysis Division staff noted that the total overall funding for the five positions had not changed, just the funding mix for some of the positions.

The NDOW confirmed that it could provide a transfer of up to approximately \$200,000 in mining mitigation fees, but it was believed the fees would be available for the biennium only. It was Fiscal Analysis Division staff's understanding that the Office of the Governor and the Budget Division believed the mining mitigation fees funding was a sustainable funding source. The NDOW also confirmed the transfer of sportsmen fees, although it indicated NDOW planned to fund that position on the Sagebrush Ecosystem Technical Team with 75 percent federal Wildlife Restoration grant funds and 25 percent sportsmen fees.

Ms. Waller commented that prior to taking action on the Sagebrush Ecosystem Technical Team position transfers, the Subcommittees might want to ask DCNR and NDOW representatives to provide additional information regarding the amended recommendation to use NDOW mining mitigation fees as a viable sustainable funding source for position and operating costs of the Sagebrush Ecosystem Technical Team.

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Chairman Bobzien said that was an excellent suggestion and asked what the problems were for NDOW with the use of the mining mitigation money.

Tony Wasley, Director, Department of Wildlife (NDOW), suggested that perhaps the term, mining mitigation, was a misnomer. It was a mining assessment fee that allowed NDOW to provide comment and interact with the industry to mitigate some of its actions. Mr. Wasley said he believed the state could be more effective and efficient in providing input and getting measures in place for sage grouse and sagebrush that would help industry as well as the Department.

Senator Goicoechea said his concern was the way the funding evolved in both budget accounts: NDOW was being charged almost \$1 million and there was over \$4 million in the Ruby Pipeline settlement. He said that was money that clearly had to be allocated because it had a sunset on it, and yet a significant piece of revenue had been shifted from NDOW. While Senator Goicoechea agreed that the mining mitigation was probably an appropriate use, he wondered where and how the Ruby Pipeline settlement money was going to be used.

Kay A. Scherer, Deputy Director, State Department of Conservation and Natural Resources, said for funding for the conservation district and the Sagebrush Ecosystem Technical Team and Sagebrush Ecosystem Council, the Ruby Pipeline settlement contributed \$300,000, mining mitigation fees contributed \$200,000, sportsmen fees contributed \$187,000, the Department of Agriculture contributed \$84,000, and the Division of Minerals contributed \$284,000. Ms. Scherer said the Ruby Pipeline was still carrying its weight overall. She said funding was a negotiation between the Office of the Governor and the Bureau of Land Management to identify the comfort level for the funding. Ms. Scherer noted that when the program was approved by the Interim Finance Committee (IFC) in October 2012 for fiscal year (FY) 2013, it was funded with General Funds. The IFC had directed all agencies involved to return for the 2013-2015 biennium with the best patchwork quilt for funding that could be compiled to ensure the effort moved forward. Ms. Scherer said the various groups would be talking as partners with the Legislature and the Office of the Governor to make it happen, and the program was the best that could be coordinated after all the agency budgets were submitted.

Chairman Bobzien inquired about the \$187,000 in sportsmen fees and asked about the funding source.



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Patrick Cates, Deputy Director, Administrative Services, Department of Wildlife, said the \$187,000 funded the NDOW member of the technical team. The funding was originally identified as 100 percent sportsmen license dollars, but after having a position transferred into the Department, it should be able to use 75 percent of Pittman-Robertson Act funding [federal Wildlife Restoration grant].

Chairman Bobzien asked about the Bureau of Land Management (BLM) concerns in the sagebrush ecosystem.

Ms. Scherer said that part of the BLM concern was where the monies were going to be used. A geographic nexus was important and that was the reason there were specialists assigned to the actual Ruby Pipeline area for the conservation districts in Winnemucca and Elko.

Leo M. Drozdoff, P.E., Director, State Department of Conservation and Natural Resources (DCNR), said Ms. Scherer was correct, the biggest concern of the BLM was that funding was used in the Ruby Pipeline areas. The BLM representatives were emphatic that after two years, the Ruby Pipeline settlement funding would not be a revenue source. Mr. Drozdoff said the BLM wanted a precise plan for spending.

Chairman Bobzien asked about the sustainability of using the mining mitigation funds.

Mr. Wasley commented that the program was not necessarily a cost recovery-based program and was not presently paying for itself. He said because of recent changes the program was probably less sustainable. However, the NDOW planned to assess how the program was set up and explore making it more sustainable.

Chairman Bobzien said that Assembly Bill No. 307 of the 76th Session (2011) could possibly be expanded on the cost recovery side.

Mr. Cates said for the next biennium NDOW should be able to allocate all the mining assessment fees to the mining biologist and still be able to fund the Sagebrush Ecosystem Council and allocate money to on-the-ground projects using the mining fee as match. According to Mr. Cates, some of that money would be pushed over to the Council, which was also going to direct

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on-the-ground projects. There were other funding sources that NDOW was considering to ensure other projects still went forward.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE DECISION UNITS ENHANCEMENT (E) 902, E-903, E-904, AND E-905 IN BUDGET ACCOUNT (BA) 4150, INCLUDING A PORTION OF BUDGET AMENDMENT A130024150, AS RECOMMENDED BY THE GOVERNOR.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the second major issue in budget account (BA) 4150 was the recommendation to reclassify two positions. The Governor recommended a combination of cost-allocation reimbursement revenue and a transfer from the Division of Environmental Protection of \$34,920 in fiscal year (FY) 2014 and \$36,935 in FY 2015 to reclassify a vacant accounting assistant 2 position to a public information officer 1 position and to reclassify an accounting assistant 2 recommended to be transferred in from the Division of Environmental Protection to an information technology (IT) technician 4 position.

The agency indicated that during the economic downturn it had to eliminate its public information officer 2 position, and with an agency as large as the State Department of Conservation and Natural Resources (DCNR), it was important to have the capacity to educate and communicate with the stakeholders in regulated communities. The agency said duties to be assigned included providing public information programs, media releases, newsletters, content for websites, responses to media inquiries, and arrangements for news events as needed.

Ms. Waller referred to the proposed IT technician 4 position and said The Executive Budget recommended the transfer of the vacant accounting assistant 2 position into the Director's office from the Division of Environmental Protection. The IT technician 4 position was needed to provide network and desktop support for users in the Director's office and other divisions with the State Department of Conservation and Natural Resources (DCNR). The Department further noted that it lacked sufficient IT

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support to serve its needs, primarily in the divisions that were supported with General Funds, which had experienced significant budget reductions over the past two biennia. The cost of the two position reclassifications would be cost allocated among the divisions supported by the Director's office.

SENATOR GOICOECHEA MOVED TO APPROVE THE TRANSFER OF A VACANT ACCOUNTING ASSISTANT 2 POSITION FROM THE DIVISION OF ENVIRONMENTAL PROTECTION ADMINISTRATION'S ACCOUNT AND RECLASSIFY THE POSITION TO AN IT TECHNICIAN 4 POSITION, AS WELL AS RECLASSIFY A VACANT ACCOUNTING ASSISTANT 2 POSITION TO A PUBLIC INFORMATION OFFICER 2 POSITION, AT A TOTAL ADDITIONAL COST OF \$34,920 IN FISCAL YEAR (FY) 2014 AND \$36,935 IN FY 2015 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said that under other closing items in budget account (BA) 4150, there were two recommendations. The first recommendation was for increased travel funding. The Governor recommended General Funds of \$18,500 in each fiscal year of the 2013-2015 biennium to support increased travel needs for the Director and his staff. The agency indicated additional funding for travel was needed to support the agency's increased responsibilities and activities, including the new sagebrush ecosystem protection initiative, the Division of Environmental Protection's increased regulatory activities, and increased activities with the state's conservation districts and increasing water issues. The recommendation appeared reasonable to Fiscal Analysis Division staff.

The second other closing item was a general equipment request. The Governor recommended General Fund appropriations totaling \$11,193 over the 2013-2015 biennium for computer replacements. The recommendation appeared reasonable to Fiscal Analysis Division staff.

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ASSEMBLYMAN SPRINKLE MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 4150 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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## **INFRASTRUCTURE**

### **STATE DEPARTMENT OF CONSERVATION & NATURAL RESOURCES**

#### **DIVISION OF CONSERVATION DISTRICTS (101-4151)**

#### **BUDGET PAGE DCNR-41**

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, referred to the budget account on page 17 of [Exhibit C](#), the Division of Conservation Districts. Staff noted that pursuant to Senate Bill No. 446 of the 76th Session (2011), the Division of Conservation Districts within the State Department of Conservation and Natural Resources (DCNR) was modified to a program within the Director's office of DCNR.

Ms. Waller said there were four closing items to be discussed. The first item was the Governor's sage grouse initiative. She said in October, the Interim Finance Committee (IFC) approved three new regional conservation staff specialist 2 positions. The positions would work with the 28 conservation districts to promote managing and restoring landscapes across boundaries to achieve sage grouse conservation objectives. As previously discussed in the Director's office budget account, funding for several sources of the sage grouse programs had been revised, and on April 5, 2013, a budget amendment was submitted which increased funding from the Ruby Pipeline settlement proceeds over the biennium by \$42,765 and, in addition, added a transfer of NDOW mining mitigation fees of \$100,000 over the biennium as a partial replacement of the federal funding originally recommended in the funding mix.

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On the top of page 19 in [Exhibit C](#) was a table which compared the funding sources originally recommended by the Governor and the funding sources as amended.

SENATOR GOICOECHEA MOVED TO APPROVE GENERAL FUND APPROPRIATIONS OF \$117,011 AND TRANSFERS OF OTHER FUNDING SOURCES TOTALING \$351,031 OVER THE 2013-2015 BIENNIUM TO CONTINUE THREE REGIONAL CONSERVATION STAFF SPECIALIST 2 POSITIONS AND OPERATING COSTS, AS AMENDED BY A PORTION OF BUDGET AMENDMENT A130024151 IN BUDGET ACCOUNT 4151, AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the second major closing item was the Governor's recommendation for a \$40,000 General Fund appropriation in each fiscal year of the 2013-2015 biennium to establish a new competitive grant pool, which would aid the conservation districts in funding projects to benefit the sage grouse habitat. Regulation-based guidelines and criteria used to determine grant awards would be developed by the State Conservation Commission upon approval of funding by the Legislature.

The broad concept, according to the agency, was for the Commission to provide conservation districts funding for specific approved projects that were ground-ready. A conservation district that received a grant award would enter into a contract with the Commission that would include specific requirements and performance measures. In response to follow-up questions from Fiscal Analysis Division staff regarding why the Commission had not yet developed the details and guidelines for the proposed new competitive grant, the agency indicated that because the program manager position had been vacant, there was currently no one available to get the information ready and coordinate those activities with the Commission.

Ms. Waller noted that while a broad conceptual overview of the new competitive grant pool had been provided, it was difficult for staff to fully

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evaluate the Governor's recommendation for the new competitive grant program. She also said that existing conservation district grant funding could be used for projects to benefit the sage grouse habitat. The conservation districts were eligible to apply for other federal nongovernmental organization funding that could assist with projects to benefit the sage grouse habitat.

In response to a question from Assemblyman Grady, Ms. Waller explained the funding recommendation would be a competitive grant award. All conservation districts would be welcome to apply, and based on the proposed projects, could be awarded the grant funding.

Assemblyman Sprinkle asked whether staff knew exactly what the grant funding would be used for or which districts would be applying for it.

Ms. Waller said the agency stated that it had provided broad guidelines, and she believed all 28 conservation districts would be eligible to apply for the grant award, and based on the projects proposed, the Commission would then award the funding. Ms. Waller said there were no available details about the amount of the grant.

Senator Goicoechea said he was supportive of the \$40,000 grant pool. He believed the small conservation districts could provide some very good projects.

SENATOR GOICOECHEA MOVED TO APPROVE A GENERAL FUND APPROPRIATION OF \$40,000 IN EACH YEAR OF THE 2013-2015 BIENNIUM TO ESTABLISH A NEW COMPETITIVE GRANT POOL IN BUDGET ACCOUNT (BA) 4151 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the third item for discussion was increased grant funding for conservation districts. The Governor recommended a General Fund appropriation of \$28,000 in each year of the 2013-2015 biennium to increase grant awards to each of the 28 conservation districts by \$1,000, which would

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bring the total annual grant award to \$3,500 per district. Conservation districts typically used the grant funds for operating costs and to leverage other grant funding. Ms. Waller said that prior to and including fiscal year (FY) 2009, each of the 28 conservation districts received an annual grant award of \$5,000. However, because of the budget reductions over the last two biennia, the annual grants had been reduced to \$2,500 in each year.

ASSEMBLYMAN GRADY MOVED TO APPROVE A GENERAL FUND APPROPRIATION OF \$28,000 IN EACH YEAR OF THE 2013-2015 BIENNIUM TO INCREASE GRANT AWARDS TO EACH OF THE 28 CONSERVATION DISTRICTS BY \$1,000, WHICH WOULD BRING THE TOTAL ANNUAL GRANT AWARD PER DISTRICT TO \$3,500 AS RECOMMENDED BY THE GOVERNOR.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said major closing item number four was a recommendation for increased travel and operating costs. The Governor recommended General Fund appropriations of \$17,023 in fiscal year (FY) 2014 and \$14,700 in FY 2015 to fund out-of-state travel costs for the program manager to attend the National Association of State Conservation Agencies (NASCA) national meeting and to increase in-state travel and dues and registration costs.

Fiscal Analysis Division staff noted that the funding in the base budget for in-state travel was \$9,880 in each fiscal year. With the Governor's recommended funding increase for in-state travel of \$12,923 in FY 2014 and \$10,600 in FY 2015, total funding included in The Executive Budget for in-state travel for one staff member was \$22,803 in FY 2014 and \$20,480 in FY 2015. Ms. Waller said the recommendation represented a 113 percent increase in FY 2014 and a 91 percent increase in 2015 over the FY 2012 actual in-state travel expenditures of \$10,703. For comparison purposes, since FY 1999, the highest level of funding approved for in-state travel was \$14,081 in FY 2008 and FY 2009, at a time when the agency had three staff positions.

Fiscal Analysis Division staff had calculated that to restore the in-state travel budget to prerecession levels of \$14,000 per year, a General Fund increase of

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\$4,120 in each fiscal year would be required: combining that amount with the \$2,000 increase for out-of-state travel and \$2,100 increase for dues and registration would require \$8,220 of General Fund appropriation in each fiscal year of the biennium. Ms. Waller said that change would produce General Fund savings of \$8,803 in FY 2014 and \$6,480 in FY 2015 when compared to the Governor's recommended funding level.

Ms. Waller noted that the total annual travel and operating costs of \$40,000 for the three new regional conservation staff specialist positions associated with the Governor's sage grouse initiative were accounted for separately and were not included in the recommended funding increase for in-state travel and operating expenditures in decision unit E-225.

Staff provided options for consideration as followed:

1. Approve the Governor's recommended General Fund appropriations of \$17,023 in FY 2014 and \$14,700 in FY 2015 to increase funding for in-state travel, registrations, membership dues, and out-of-state travel.
2. Approve a reduced General Fund appropriation of \$8,220 in each fiscal year to increase funding for in-state travel by \$4,120 each fiscal year and to increase funding for registrations, membership dues, and out-of-state travel. This option would result in a General Fund savings of \$8,803 in FY 2014 and \$6,480 in FY 2015.
3. Do not approve the Governor's recommended General Fund appropriations of \$17,023 in FY 2014 and \$14,700 in FY 2015 to increase funding for in-state travel, registrations, membership dues, and out-of-state travel.

Senator Goicoechea stated some justification was needed for the significant increase in travel, because the budget did not include the three regional conservation staff specialists.

Kay A. Scherer, Deputy Director, State Department of Conservation and Natural Resources, stated that Tim Rubald who had been the program manager for conservation districts, but now led the Sagebrush Ecosystem Technical Team, was at the table with her. She said the new program manager had been hired and would start work with the agency on Monday. The regional specialist



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positions had also been interviewed, and the positions were going to be offered sometime in the next couple of days.

Ms. Scherer complimented Ms. Waller on a fantastic job and said she was correct that historically the travel budget was for three people. She said it was important to note that one of the three positions was clerical and rarely, if ever, traveled, so it would have been two employees available to travel at that time. When the program had been considered for elimination last session and then was put in at the last moment, minimal funding for travel was added. The Department considered the kind of travel it took for the program manager to get out and do the work, and that was the basis for the request. Ms. Scherer said the Department tried to determine the amount of funds the program manager would need to travel in-state, to the national meeting, and to pay the dues.

Senator Goicoechea thanked Ms. Scherer and said he appreciated her candor.

SENATOR GOICOECHEA MOVED TO APPROVE GENERAL FUND APPROPRIATIONS OF \$17,023 IN FISCAL YEAR (FY) 2014 AND \$14,700 IN FY 2015 TO INCREASE FUNDING FOR IN-STATE TRAVEL, REGISTRATIONS, MEMBERSHIP DUES, AND OUT-OF-STATE TRAVEL.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION FAILED ON THE SENATE SIDE. (Senators Parks and Woodhouse voted no. Assemblywoman Kirkpatrick was not present for the vote.)

Chairman Bobzien called for an alternate motion.

SENATOR WOODHOUSE MOVED TO APPROVE A REDUCED GENERAL FUND APPROPRIATION OF \$8,220 IN EACH FISCAL YEAR TO INCREASE FUNDING FOR IN-STATE TRAVEL BY \$4,120 EACH FISCAL YEAR AND TO INCREASE FUNDING FOR REGISTRATIONS, MEMBERSHIP DUES, AND OUT-OF-STATE TRAVEL.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION FAILED ON THE ASSEMBLY SIDE. (Senator Goicoechea and Assemblymen Grady and Hambrick voted no. Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

\* \* \* \* \*

**INFRASTRUCTURE**  
**STATE DEPARTMENT OF CONSERVATION & NATURAL RESOURCES**  
**WATER RESOURCES (101-4171)**  
**BUDGET PAGE DCNR-69**

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the next discussion concerned budget account (BA) 4171, Water Resources, on page 23 of [Exhibit C](#). There were five major closing items in the budget account.

The first discussion concerned the Governor's recommendation to increase existing fees. The Governor recommended that several existing fees assessed by the Division of Water Resources, State Department of Conservation and Natural Resources be increased to more closely reflect the cost of providing services. The aggregate dollar value of the increase to the existing fees was \$3,311,548 each fiscal year. Ms. Waller said it should be noted that the Division's idea was to incrementally increase the fees by not more than 20 percent based on a detailed analysis conducted by the Division of Water Resources which revealed that the current fees no longer covered the actual cost of performing many services. Senate Bill 468 outlined several proposed increases to the existing fees as well as several new proposed fees. Additionally, S.B. 468 would redirect the fees from deposit into the General Fund to the Water Distribution Revolving Account. The removal of General Fund appropriations would be \$1,236,973 in fiscal year (FY) 2014 and \$3,206,303 in FY 2015.

General Fund appropriations were not fully offset by the proposed redirection of fees, which was because the Governor proposed to establish a reserve in the budget account totaling approximately \$1.2 million by the end of FY 2015. Ms. Waller said the establishment of a reserve in the budget account was intended to assist the Division in stabilizing fluctuations of funding that had occurred during economic downturns. During the budget hearing there were

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discussions regarding what core functions would continue to be funded with General Funds, and the Division acknowledged that because it performed a core function of government, the Division would not seek to become fully fee-funded and would continue to receive some level of General Fund support.

Ms. Waller stated the Division had identified core functions such as the management, enhancement, and protection of the state's water resources, as well as protection of water quality. Furthermore, the Division indicated it played a very important role in the health, safety and welfare of citizens, infrastructure, and the economies located downstream of dams and reservoirs.

SENATOR GOICOECHEA MOVED TO APPROVE THE PORTION OF DECISION UNIT ENHANCEMENT (E) 226 THAT ADDED FEE REVENUE OF \$3,311,548 IN EACH FISCAL YEAR, REMOVED GENERAL FUND APPROPRIATIONS TOTALING \$1,236,973 IN FY 2014 AND \$3,206,303 IN FY 2015, AND ESTABLISHED A RESERVE FUNDING OF \$1,580,215 IN FY 2014 AND \$1,185,384 IN FY 2015, CONTINGENT UPON THE APPROVAL OF SENATE BILL 468, AS RECOMMENDED BY THE GOVERNOR, AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO REVISE THE REVENUE SOURCE IN THE DECISION UNIT IN ACCORDANCE WITH PROVISIONS CONTAINED IN S.B. 468.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Ms. Waller said the second item for discussion in BA 4171 was the Governor's recommendation to add five new positions to the water adjudication section. The proposal would be funded by fee revenue of \$494,360 in fiscal year (FY) 2014 and \$500,076 in FY 2015. The Division noted that it currently had two positions assigned to the water adjudication section. The table on page 25 of [Exhibit C](#) identified the five positions and their primary responsibilities. Fiscal Analysis Division staff noted that the 2011 Legislature eliminated five positions, including two associate engineers and two engineering technicians. The Division indicated that the five new positions would assist the Division in working through its backlog and provide the resources to accept new adjudication cases. According to Ms. Waller, if the existing fee increase and new fees were not approved, the Division did not have an alternative funding

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plan for the five new positions. The Division advised that the five positions, as recommended, would provide the most effective approach to managing the pending adjudications and building an effective team.

Lastly, the Division stated that should the five positions not be approved, the Division's ability to provide customer service related to the core function of water adjudication would be negatively affected.

On the top of page 26 of [Exhibit C](#), staff provided options for consideration as follows:

1. Approve the Governor's recommendation to expand the adjudication section by five positions, funded with fee revenue of \$494,360 and \$500,076 in FY 2014 and FY 2015, respectively, from the proposed new fees and existing fee increases.
2. Approve fewer than five new positions for the adjudication section, the number of which would need to be determined by the Subcommittees, with consideration given to the prioritization of positions provided by the Division. Cost savings could be redirected to the General Fund.
3. Do not approve fee revenue of \$494,360 and \$500,076 in FY 2014 and FY 2015, respectively, from the proposed new and existing fee increases to expand the adjudication section by five positions and redirect the cost savings to the General Fund.

Senator Goicoechea commented that everyone disliked increasing fees, but the increase in the value of water rights in Nevada and the demand on those water rights was clearly recognized. He said that if the state was not prepared for the adjudication process, especially in groundwater basins that were marginal, there would be trouble. Senator Goicoechea said he believed adjudication, although it was a lengthy and expensive process, would ultimately avoid some long-term litigation.

Senator Woodhouse stated that she agreed with Senator Goicoechea. She was concerned about the backlog and the need to address it.

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SENATOR GOICOECHEA MOVED TO APPROVE THE EXPANSION OF THE ADJUDICATION SECTION BY FIVE POSITIONS, FUNDED WITH FEE REVENUE OF \$494,360 IN FY 2014 AND \$500,076 IN FY 2015 FROM THE PROPOSED NEW FEES AND EXISTING FEE INCREASES AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated the third item for discussion was the Governor's recommendation for the State Engineer to develop a new fee structure for water services that had not previously been charged. Ms. Waller reiterated that Senate Bill 468 was the bill that included those new fees. There were three new fees proposed as outlined on page 26 of [Exhibit C](#). The Governor recommended the projected additional revenue of \$361,348 in each year of the biennium be placed in reserve.

Ms. Waller said that during the budget hearing there was some discussion about the stakeholder feedback. The Division said that it provided outreach to citizens and stakeholders who would be paying the new or increased fees, and the Division advised that it sent an email bulletin to over 1,000 water professionals and related individuals and, in addition, placed that same information on their website with instructions to contact the Division with any questions or concerns. The Division related that only minimal feedback had been received to date.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE THE ADDITIONAL NEW FEE REVENUE OF \$361,348 IN EACH YEAR OF THE 2013-2015 BIENNIUM, CONTINGENT UPON THE APPROVAL OF SENATE BILL 468 AS RECOMMENDED BY THE GOVERNOR, AND TO AUTHORIZE FISCAL ANALYSIS DIVISION TO REVISE THE REVENUE SOURCE IN DECISION UNIT ENHANCEMENT (E) 225 IN BUDGET ACCOUNT 4171 IN ACCORDANCE WITH PROVISIONS CONTAINED IN S.B. 468 TO REFLECT THE FEE REVENUE FROM A TRANSFER FROM THE WATER DISTRIBUTION REVOLVING ACCOUNT.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the fourth item in budget account (BA) 4171 was a budget amendment that the Fiscal Analysis Division received for deferred maintenance. On April 19, 2013, the Budget Division submitted budget amendment A13A0109 to add General Fund appropriations of \$279,754 in fiscal year (FY) 2014 and \$90,000 in FY 2015 for the cost of deferred maintenance at the South Fork Dam. Narrative included with the budget amendment stated that originally the funding was going to be incorporated into a bill; however, in later discussions it was decided that it should be included in the Division's 2013-2015 biennial budget. Justification in support of the deferred maintenance costs indicated that because of budget constraints over the past few biennia, certain maintenance issues had been deferred, which had resulted in costly emergency maintenance actions. The Division believed that by providing deferred maintenance funding, it could more cost effectively and efficiently mitigate those emergency situations. Anticipated deferred maintenance projects included \$250,000 in FY 2014 to inspect and replace coal-tar epoxy in conduits and \$70,000 in FY 2015 for underwater services as well as other mechanical and electrical repair projects. Fiscal Analysis Division staff noted that the ongoing funding included in The Executive Budget included \$52,677 in each fiscal year of the 2013-2015 biennium. Ms. Waller said the recommendation appeared to be reasonable.

SENATOR GOICOECHEA MOVED TO APPROVE BUDGET AMENDMENT A13A0109 TO ADD GENERAL FUND APPROPRIATIONS OF \$279,754 IN FISCAL YEAR (FY) 2014 AND \$90,000 IN FY 2015 FOR THE COST OF DEFERRED MAINTENANCE ON THE SOUTH FORK DAM.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the last major item in budget account (BA) 4171 was the

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Governor's recommendation to provide a General Fund appropriation in the amount of \$30,000 in fiscal year (FY) 2014 to provide the State Engineer funding to develop and adopt regulations that defined some of the terms in Nevada water law that were considered in addressing statutory criteria. The funding would be used to conduct workshops and hearings throughout the state and obtain public feedback on proposed regulations, as well as fund the cost of review and codification by the Legislative Counsel Bureau. The work would commence at the beginning of FY 2014 and would be completed by the end of the year. The funding level reflected the best estimate of the State Engineer for the cost based on past experience developing regulations.

The options for consideration are as follows:

1. Approve a General Fund appropriation of \$30,000 in FY 2014 for the costs of the State Engineer to develop and adopt regulations, as recommended by the Governor.
2. If the Subcommittees approved the addition of fees to the budget account as recommended in decision units Enhancement (E) 226 and E-227, the Subcommittees could approve \$30,000 in FY 2014 for the costs of the State Engineer to develop and adopt regulations funded with a reduction to reserves rather than a General Fund appropriation.

Senator Goicoechea said because fees had been increased, enough of a reserve had been created to fund the regulation process without a General Fund appropriation.

SENATOR GOICOECHEA MOVED TO APPROVE FUNDING IN THE AMOUNT OF \$30,000 IN FY 2014 FOR THE COSTS OF THE STATE ENGINEER TO DEVELOP AND ADOPT REGULATIONS FUNDED WITH A REDUCTION TO RESERVES IN BUDGET ACCOUNT 4171.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated there were two other closing items in budget account

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(BA) 4171: standard computer equipment replacement in decision units Enhancement (E) 710 and E-711. Fiscal Analysis Division staff believed the recommendations were reasonable.

ASSEMBLYMAN GRADY MOVED TO APPROVE DECISION UNITS ENHANCEMENT (E) 710 AND E-711 IN BUDGET ACCOUNT 4171 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE THE FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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## **INFRASTRUCTURE**

### **STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

#### **STATE LANDS (101-4173)**

#### **BUDGET PAGE DCNR-124**

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that budget account (BA) 4173, as shown on page 29 of [Exhibit C](#), contained one major closing issue: the transfer of the two Sagebrush Ecosystem Technical Team positions. As already discussed, the Governor submitted a budget amendment to revise the funding sources of the two positions being transferred from the Director's office to the Division of State Lands. Ms. Waller said the amendment would replace the 25 percent Ruby Pipeline settlement proceeds with the transfer of Department of Wildlife (NDOW) mining mitigation fees for the 25 percent portion of the positions. The two positions that were recommended to transfer to the Division of State Lands budget were a management analyst 4 position, which would serve as the Sagebrush Ecosystem Technical Team manager, and one environmental scientist 3 position, which would function as the watershed restoration specialist.



Page 31 of [Exhibit C](#) contained a table that illustrated the funding sources for the two positions as originally recommended in the Governor's budget and as amended.

SENATOR GOICOECHEA MOVED TO APPROVE THE TRANSFER OF TWO SAGEBRUSH ECOSYSTEM TECHNICAL TEAM POSITIONS FROM THE STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES DIRECTOR'S OFFICE TO THE DIVISION OF STATE LANDS WITH THE REVISION TO THE POSITIONS' FUNDING SOURCES INCLUDED IN A PORTION OF BUDGET AMENDMENT A130024173, AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Julie Waller, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the other closing item in budget account 4173 was replacement equipment and antivirus software updates. Ms. Waller noted that a statewide budget amendment was submitted to eliminate the funding for antivirus software, which would instead be provided through the Division of Enterprise Information Technology Services (EITS), Department of Administration. Fiscal Analysis Division staff recommended that the other closing item be approved including the elimination of the funding for antivirus software pursuant to the statewide budget amendment.

SENATOR WOODHOUSE MOVED TO APPROVE DECISION UNIT ENHANCEMENT (E) 710 IN BUDGET ACCOUNT (BA) 4173 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS, INCLUDING ELIMINATION OF THE FUNDING FOR ANTIVIRUS SOFTWARE PURSUANT TO BUDGET AMENDMENT A130014173.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

\* \* \* \* \*

**INFRASTRUCTURE**  
**STATE DEPARTMENT OF CONSERVATION & NATURAL RESOURCES**  
**TAHOE REGIONAL PLANNING AGENCY (101-4204)**  
**BUDGET PAGE DCNR-9**

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, referred to page 32 of [Exhibit C](#), which showed budget account (BA) 4204. Mr. Thorley said the first major closing item concerned the funding split between California and Nevada. The total Tahoe Regional Planning Agency (TRPA) budget request from California/Nevada in each year of the biennium was \$6.18 million. The TRPA requested funding of one-third from Nevada at \$2.06 million in each year of the biennium and two-thirds from California at \$4.12 million in each year of the biennium. The Governor's budget recommended General Fund appropriations and also Department of Motor Vehicles (DMV) pollution control funding totaling approximately \$1.53 million in each year of the 2013-2015 biennium, which would make Nevada's share 25 percent instead of the recommended 33 percent by the TRPA.

Mr. Thorley commented that though the 2007-2009 biennium, the Nevada Legislature had historically approved funding at the one-third level; however, because of budget reductions beginning with the 2009 Legislative Session, that amount was reduced to 30 percent from 33 percent. Nevada's share was reduced even further to 24 percent instead of the 33.3 percent requested from the agency by the 2011 Legislative Session. Mr. Thorley said that if the Subcommittees desired to add funding to the Governor's recommended budget to reach the one-third funding request from the TRPA, it would require additional funding of approximately \$530,000 in each year of the biennium: that could be accomplished through additional General Funds or DMV pollution control funding.

Fiscal Analysis Division staff developed two options for the Subcommittees to consider as follows:

1. Approve General Fund appropriations of \$1.12 million in FY 2014 and \$1.11 million in FY 2015 as recommended by the Governor. Together with the recommended transfer from the DMV Pollution Control account

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and the additional General Fund appropriations in decision unit Enhancement (E) 860, Nevada's support for TRPA would equal 25 percent of the total relative to California's apportionment.

2. Approve Nevada funding for TRPA at a one-third level relative to California's share. The option would require the addition of General Fund appropriations of \$523,447 in FY 2014 and \$534,447 in FY 2015, DMV pollution control funding, or a combination of both.

Chairman Bobzien commented that, for now, moving the funding to 25 percent would be prudent.

Senator Woodhouse said she agreed with Chairman Bobzien regarding the 25 percent funding, although she would prefer that the state could pay its one-third share.

Senator Goicoechea said he would also prefer to pay the regular share, but unfortunately the state was not in a position to do so.

SENATOR GOICOECHEA MOVED TO APPROVE GENERAL FUND APPROPRIATIONS OF \$1,118,532 IN FISCAL YEAR (FY) 2014 AND \$1,107,532 IN FY 2015 AS RECOMMENDED BY THE GOVERNOR TOGETHER WITH THE RECOMMENDED TRANSFER FROM THE DMV POLLUTION CONTROL ACCOUNT AND THE ADDITIONAL GENERAL FUND APPROPRIATIONS IN DECISION UNIT ENHANCEMENT (E) 860 IN BUDGET ACCOUNT 4204. NEVADA'S SUPPORT FOR THE TAHOE REGIONAL PLANNING AGENCY (TRPA) WOULD EQUAL 25 PERCENT OF THE TOTAL RELATIVE TO CALIFORNIA'S APPORTIONMENT.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Parks and Assemblywoman Kirkpatrick were not present for the vote.)

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the Governor recommended \$258,266 in fiscal year (FY) 2014 and \$247,266 in FY 2015 to be allocated to three separate enhancements in decision unit Enhancement (E) 860.

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Mr. Thorley said the first enhancement would be a new senior environmental specialist position to serve as the manager over the aquatic invasive species (AIS) program, recommended at \$69,141 in each year of the 2013-2015 biennium.

The second item was a contract with the Division of State Parks for \$81,000 in each year of the 2013-2015 biennium. Mr. Thorley said the contract was ongoing and currently funded by fees and federal funds, and the recommendation would shift that funding to General Fund.

Mr. Thorley said the third item in decision unit E-860 was a software update to the agency's permitting software, which would cost \$90,840 in FY 2014 and \$79,840 in FY 2015.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE FUNDING ENHANCEMENTS OF \$258,266 IN FISCAL YEAR (FY) 2014 AND \$247,266 IN FY 2015 IN DECISION UNIT ENHANCEMENT (E) 860 IN BUDGET ACCOUNT 4204 AS RECOMMENDED BY THE GOVERNOR.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the third major closing item concerned decision unit Enhancement (E) 225, the Governor's recommendation to shift the Tahoe Regional Planning Agency's (TRPA) budget in The Executive Budget from the traditional budget with expenditure categories for the different expenditures associated with the agency to a single line-item budget. The new type of budget would have one expenditure category that contained all of the funding that the Legislature approved for the agency. According to the Budget Division, the recommendation was an effort to simplify the way the TRPA budget was presented to the Legislature to allow for greater focus on the decisions regarding the funding levels.

Mr. Thorley noted that the TRPA was not a state agency, and therefore did not use the state's accounting and budgeting system. The TRPA had acknowledged previously some of the difficulties of inputting its budget and some of the

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concerns and problems that were driving the recommendation. In conjunction with the recommendation, the Department of Administration requested the introduction of Assembly Bill 480 which would add reporting requirements to Nevada statutes.

Some of the reports that would be requested from the TRPA if the bill was approved was the copy of the most recently completed independent audit report for the TRPA: a written report containing an accounting of the expenditures of the TRPA during the previous year from the funds appropriated by Nevada and a discussion of the progress that TRPA was making on the performance measures and benchmarks included in its current budget. Fiscal Analysis Division staff noted that the benchmarks did not currently exist; however, the TRPA had developed 14 benchmarks that would be proposed to its governing board for approval. Mr. Thorley said that if A.B. 480 was approved, the Subcommittees might wish to have some or all of those benchmarks included as part of the performance benchmarks required by the Nevada Legislature.

Mr. Thorley said that at the Subcommittees joint budget hearing, the agency testified that the shift in the budgeting process would contribute to increased accountability for the TRPA.

Chairman Bobzien said that he and Assemblywoman Kirkpatrick met with the TRPA staff and appreciated the time staff had taken to explain everything and to advocate for the changes. He said he was sympathetic to what changes the TRPA was trying to make, but he wanted to take another look at A.B. 480 to ensure the bill was as complete as it could be. He believed there would be an opportunity to bring the budget back to a future meeting of a subcommittee, although it might not be the natural resources subcommittees, but a Public Safety closing would be satisfactory.

Senator Parks said holding the closing of the decision unit appeared to be the appropriate way to proceed because there were a number of unanswered questions to be resolved.

## **INFRASTRUCTURE**

### **STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

**DEP ADMINISTRATION (101-3173)**

**BUDGET PAGE DCNR-158**

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Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the next series of budget accounts were from the Division of Environmental Protection (DEP). The first account was shown on page 36 of [Exhibit C](#), the Administration account, which supported the administrative needs of the Division of Environmental Protection, including personnel, information technology, accounting, and the Division's fiscal staff. Mr. Thorley said the account was funded by indirect cost assessments to the various Division budget accounts.

Mr. Thorley explained that of the three major closing items in budget account (BA) 3173, the first one was the Governor's recommendation for in-state travel and training increases with reserve reductions of \$22,068 in each year of the 2013-2015 biennium. The Governor recommended reserve reductions of \$8,423 in each year of the biennium to increase funding for in-state travel, per diem, and airfare expenditures.

Mr. Thorley said the other increase related to professional development and training. The Governor recommended reserve reductions of \$11,085 in each year of the biennium to purchase online training courses and reserve reductions of \$2,560 in each year of the biennium to purchase training courses for the Division's information technology staff.

ASSEMBLYMAN HAMBRICK MOVED TO APPROVE A RESERVE REDUCTION OF \$22,068 IN EACH YEAR OF THE 2013-2015 BIENNIUM TO FUND ADDITIONAL IN-STATE TRAVEL AND PROFESSIONAL DEVELOPMENT FOR MANAGEMENT AND ADMINISTRATION SUPPORT STAFF AS RECOMMENDED BY THE GOVERNOR.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley said the second major closing item was decision unit Enhancement (E) 350. The Governor recommended reserve reductions of \$60,000 in each year of the 2013-2015 biennium for two new contracts. The first contract would require \$15,000 in each year of the biennium for ongoing maintenance of the Division's information exchange network that was used to transfer data to the United States Environmental Protection Agency. The

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network was built with federal grant funds; however, those funds could not be used for the ongoing maintenance of the system, so the Governor recommended the contract. The second contract would be a \$45,000 contract in each year of the biennium to assist with the agency's conversion to a web content management system.

Currently, the Division offered an e-payment system that allowed permittees to make electronic payments of fees; an e-permitting system that allowed permittees to enter and submit applications electronically to the Bureau of Water Pollution Control; and an electronic system for the submittal of various reports, forms, and laboratory data. Mr. Thorley said the agency maintained that with the transition to the web content management system, it would be able to improve and increase the number of online services it provided to the regulated industry. The Division hoped to add e-permitting systems to the other bureaus within the Division as well as an increased ability for the regulated community to submit reports.

SENATOR PARKS MOVED TO APPROVE RESERVE REDUCTIONS OF \$60,000 IN EACH YEAR OF THE 2013-2015 BIENNIUM IN BUDGET ACCOUNT 3173 FOR TWO NEW CONTRACTS FOR THE MAINTENANCE OF THE ENVIRONMENTAL INFORMATION EXCHANGE NETWORK AND THE CONVERSION TO A WEB CONTENT MANAGEMENT SYSTEM AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley said the last major closing issue in budget account (BA) 3173 was the Governor's recommendation for a reserve reduction of \$43,948 over the 2013-2015 biennium to reclassify two positions.

The Governor recommended reclassifying a budget analyst 2 position to a budget analyst 3 and a vacant administrative assistant 2 position to an information technology professional 2. According to the Division, the reclassification of the budget analyst from a 2 to a 3 would align the position's supervisory duties with the position classification. The administrative assistant 2 position had been vacant for 14 months, and the agency maintained

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the position was no longer needed because of automation of the current systems within the Division; the information technology professional 2 position would support its conversion to the web content management system and support the development of the new online services.

SENATOR GOICOECHEA MOVED TO APPROVE A RESERVE REDUCTION OF \$43,948 OVER THE 2013-2015 BIENNIUM TO RECLASSIFY A BUDGET ANALYST 2 POSITION TO A BUDGET ANALYST 3 POSITION AND A VACANT ADMINISTRATIVE ASSISTANT 2 POSITION TO AN INFORMATION TECHNOLOGY PROFESSIONAL 2 POSITION IN BUDGET ACCOUNT 3173 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley said there were a number of other closing items in budget account (BA) 3173. The first item was a reserve reduction of \$167,297 over the biennium to purchase replacement computer and videoconferencing equipment. The recommendation appeared reasonable to Fiscal Analysis Division staff.

In item number two, the Governor recommended transferring a vacant accounting assistant 2 position and associated operating costs from the State Department of Environmental Protection (DEP) Administration account to the Department of Conservation and Natural Resources (DCNR) Director's office [BA 4150] and then reclassifying to an information technology technician 4 position. Mr. Thorley said the reclassification was recently approved by the Subcommittees. Fiscal Analysis Division staff recommended approval, and no technical adjustment was necessary based on the Subcommittees' prior actions.

Mr. Thorley said in item number three, the Governor recommended transferring 14,030 square feet of state-owned building rent from the DEP Administration account to the DEP Air Quality account. Mr. Thorley said the recommendation related to the Governor's recommendation that Mr. Thorley would discuss shortly to add new positions in the air quality account. Fiscal Analysis Division staff requested authority to make a technical adjustment as the square footage allocation appeared to be based on an incorrect number of positions that the Governor recommended.



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In item number four, the Governor recommended transferring an administrative assistant 1 position from the DEP Water Pollution Control account to budget account (BA) 3173, which would result in reserve reductions of \$95,448 over the 2013-2015 biennium.

Mr. Thorley said there had been some discussion regarding the reserve balance in the account. Based on total fiscal year (FY) 2015 recommended expenditures, not including past due funding, the reserve balance recommended by the Governor at the end of the biennium would be sufficient to support approximately nine days of operating expenditures. However, there had been concern by the Subcommittees about the low reserve level. In response, the agency indicated that a reserve balance totaling 10 percent of operating expenditures would be appropriate. Fiscal Analysis Division staff calculated that a reserve would need to be approximately \$420,000 in FY 2014 and approximately \$440,000 in FY 2015 to meet that requirement.

Mr. Thorley said it appeared that the decrease in reserve was being driven by an increase in the Attorney General cost assessment to the agency. Fiscal Analysis Division staff had looked into the matter, and there appeared to be some inconsistencies with how that assessment was being applied. Fiscal Analysis Division staff requested authority to make a technical adjustment to the Attorney General cost-allocation plan based on what staff analysis discovered.

Fiscal Analysis Division staff also noted that a budget amendment was submitted—part of the statewide budget amendments—that would reduce the Attorney General cost assessment to the account and would increase the projected reserve level to about 23 days of operating expenditures at the end of FY 2015.

SENATOR GOICOECHEA MOVED TO APPROVE ALL OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 3173 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS, BASED ON CLOSING ACTIONS IN THE DEP AIR QUALITY ACCOUNT AND ADJUSTMENTS TO THE ATTORNEY GENERAL COST ALLOCATION PLAN.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE  
STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DEP AIR QUALITY (101-3185)  
BUDGET PAGE DCNR-166**

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, referred to budget account (BA) 3185, Division of Environmental Protection (DEP) Air Quality, which supported both the Bureau of Air Pollution Control and the Bureau of Air Quality Planning, which implemented the provisions of the federal Clean Air Act in lieu of the United States Environmental Protection Agency. Mr. Thorley said funding for BA 3185 was primarily derived from permit and licensing fees, as well as federal grant revenue.

Mr. Thorley said the first major closing item on page 42 of [Exhibit C](#) concerned the Governor's recommendation of a transfer of fee revenue from the Air Quality Management account, totaling \$531,456 in fiscal year (FY) 2014 and \$613,626 FY 2015 to fund six new positions: four professional engineer positions and two environmental scientist 3 positions and associated operating costs, as well as a vehicle. According to the agency, the new positions would conduct air monitoring, permitting, and inspections to satisfy new federal Clean Air Act requirements from the U.S. Environmental Protection Agency (USEPA). Mr. Thorley said the agency maintained the new requirements would significantly increase the number of permitted sources and permit-related workload within the two bureaus, including air modeling and monitoring, compliance enforcement, and the development of new state implementation plans.

Mr. Thorley referred to a table on page 42 of [Exhibit C](#) that listed all six positions the Governor recommended and the primary responsibility of each position. The two environmental scientist 3 positions were recommended to perform air quality monitoring work in association with the tightening of the thresholds of various ambient air quality standards. The four professional engineer positions would be involved in permitting of new sources that would

fall under the purview of the new USEPA regulations and also compliance enforcement associated with the new permitted sources.

In response to follow-up questions, the agency stated that once the standard was established, it had three years to designate areas of the state as either in attainment or nonattainment and to develop a state implementation plan that demonstrated how the state would attain compliance in those areas that were not compliant.

Mr. Thorley said the agency also indicated that if the state failed to meet the requirements of the new federal regulations, new controls could be issued. The federal government could develop a plan for the state in lieu of the state plan. There could also be other sanctions, including the loss of federal highway funds. All of those sanctions would negatively affect economic development within the state.

At the Subcommittees' joint budget hearing on February 12, 2013, the agency testified that additional permit fee revenue of approximately \$1.08 million in each year of the 2013-2015 biennium was anticipated as a result of the new regulations. Mr. Thorley said the revenue would be used to support the six new positions. He referred to a table on page 43 of [Exhibit C](#) that illustrated the agency's projected number of new and revised permits based on its regulatory programs and the amount of fee revenue that each one of those permits was recommended to bring into the agency. Mr. Thorley noted that those were not new fees or permits but were based on existing regulations in the *Nevada Administrative Code* (NAC). He explained that what the new environmental regulations accomplished was to bring more sources under the purview of the Division so there were more sources that would be required to seek a permit or a revised permit.

Lastly, Fiscal Analysis Division staff noted that the agency's budget request that was submitted in September 2012 included a recommendation for 11 positions to support the new environmental regulations. However, only six of the positions were included in The Executive Budget. Mr. Thorley said the total recommended cost for the 11 positions in the agency's budget in each year of the biennium that was recommended to come from the fee revenue was less than the \$1.08 million. The agency testified at the budget hearing that six positions were what were needed based on the currently approved and implemented federal programs. However, the agency was anticipating new federal programs being adopted in the upcoming biennium by the USEPA and, if

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needed, it would return to an Interim Finance Committee (IFC) meeting to request additional positions.

Chairman Bobzien stated that it concerned him that the agency requested 11 positions, but the Governor was only recommending 6 positions. He believed Fiscal Analysis Division staff had outlined some of the concerns regarding compliance, the potential for sanctions, and loss of federal funds. Chairman Bobzien said he would reluctantly support the Governor's recommendation, but would like a letter of intent to be issued to the Division for some periodic updates to the IFC about its progress.

SENATOR WOODHOUSE MOVED TO APPROVE A TRANSFER OF FEE REVENUE FROM THE NONEXECUTIVE AIR QUALITY MANAGEMENT ACCOUNT TOTALING \$531,456 IN FISCAL YEAR (FY) 2014 AND \$613,626 IN FY 2015 TO FUND SIX NEW POSITIONS AND ASSOCIATED OPERATING COSTS, AS WELL AS ONE NEW FOUR-WHEEL DRIVE PICKUP TRUCK, AS RECOMMENDED BY THE GOVERNOR. FURTHER, THE FISCAL ANALYSIS DIVISION STAFF SHALL ISSUE A LETTER OF INTENT TO THE DIVISION OF ENVIRONMENTAL PROTECTION TO APPEAR BEFORE THE INTERIM FINANCE COMMITTEE SEMIANNUALLY TO REPORT ON THE STATUS OF ITS STAFFING NEEDS.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley said the last major item in budget account (BA) 3185 was the Governor's recommendation for reserve reductions of \$18,687 in each year of the 2013-2015 biennium to increase out-of-state travel expenditures in the training category. The recommendation would increase the budgeted amount to match the actual FY 2012 expenditures for training.

SENATOR GOICOECHEA MOVED TO APPROVE RESERVE REDUCTIONS OF \$18,687 IN EACH YEAR OF THE 2013-2015 BIENNIUM TO INCREASE OUT-OF-STATE TRAVEL EXPENDITURES IN THE TRAINING CATEGORY AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Chairman Bobzien recommended that all other closing items in budget account (BA) 3185 be approved without review if there were no questions from the members of the Subcommittees.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE ALL OTHER CLOSING ITEMS IN BUDGET ACCOUNT 3185 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE  
STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DEP WATER POLLUTION CONTROL (101-3186)  
BUDGET PAGE DCNR-173**

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, reviewed the Division of Environmental Protection (DEP) budget account (BA) 3186, DEP Water Pollution Control. Mr. Thorley said there were no major closing items identified by Fiscal Analysis Division staff in the account. There were four other closing items, and Fiscal Analysis Division staff recommended that they all be closed as recommended by the Governor with authority for technical adjustments.

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SENATOR GOICOECHEA MOVED TO APPROVE BUDGET ACCOUNT (BA) 3186 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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## **INFRASTRUCTURE**

### **STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

#### **DEP WASTE MGMT AND FEDERAL FACILITIES (101-3187)**

#### **BUDGET PAGE DCNR-179**

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 3187, the Division of Environmental Protection (DEP) Waste Management and Federal Facilities account, which contained three major closing items.

In the first major closing item, the Governor recommended a new environmental scientist 3 position. Mr. Thorley said the work was currently being performed by a contract position. The Governor recommended moving that work to an in-house permanent position because the work was ongoing. Mr. Thorley said there were no identified cost savings, as the contract was part of a larger \$2 million umbrella contract.

SENATOR GOICOECHEA MOVED TO APPROVE TRANSFERS OF FEE REVENUE FROM THE HAZARDOUS WASTE MANAGEMENT ACCOUNT TOTALING \$130,287 OVER THE 2013-2015 BIENNIUM TO FUND A NEW ENVIRONMENTAL SCIENTIST 3 POSITION IN THE BUREAU OF CORRECTIVE ACTIONS AND ASSOCIATED OPERATING EXPENSES AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

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THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley related that the Governor recommended reserve reductions, federal grant funding, and transfers totaling \$102,382 in each year of the biennium for increased travel and training in BA 3187. The increased travel recommendation of \$146,716 was detailed on page 50 of [Exhibit C](#) and was contained in decision unit Enhancement (E) 225. A second recommendation [E-351] for the balance of the additional funding was related to new air compliance and permitting that was in the Air Quality Management account. The agency indicated that the Bureau of Federal Facilities would now be performing the air pollution compliance and permitting at the U.S. Department of Energy facilities in Nevada which required training by that bureau's staff.

SENATOR GOICOECHEA MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION FOR A COMBINATION OF RESERVE REDUCTIONS, FEDERAL DEPARTMENT OF ENERGY GRANT FUNDING, AND TRANSFERS OF FEE REVENUE FROM THE HAZARDOUS WASTE MANAGEMENT ACCOUNT TOTALING \$102,382 IN EACH YEAR OF THE 2013-2015 BIENNIUM FOR ADDITIONAL TRAVEL AND TRAINING AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley said the last major closing item in budget account (BA) 3187 was decision unit Enhancement (E) 352. The Governor recommended two new contracts, each one at \$100,000 in each year of the 2013-2015 biennium. Both contracts would relate to oversight and review of activities at the Nevada National Security Site. One related to performance assessments and profiles and the other related to work at the underground test area. In both instances, the agency stated that the work was complex and required a level of expertise that was not supported by the current staff at the Division.

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SENATOR GOICOECHEA MOVED TO APPROVE FEDERAL DEPARTMENT OF ENERGY GRANT FUNDING AND TRANSFERS OF FEE REVENUE FROM THE HAZARDOUS WASTE MANAGEMENT ACCOUNT TOTALING \$200,000 IN EACH YEAR OF THE 2013-2015 BIENNIUM FOR TWO NEW CONTRACTS TO ASSIST THE AGENCY WITH OVERSIGHT AND REVIEW OF FEDERAL DEPARTMENT OF ENERGY ACTIVITIES IN NEVADA AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley said the last items in budget account (BA) 3187 were other closing items. All three items related to replacement equipment in the three bureaus supported by the budget. Fiscal Analysis Division staff recommended that all three items be closed as recommended by the Governor.

SENATOR WOODHOUSE MOVED TO APPROVE ALL OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 3187 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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## **INFRASTRUCTURE**

### **STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

#### **DEP MINING REGULATION/RECLAMATION (101-3188)**

#### **BUDGET PAGE DCNR-188**

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the next account for hearing was budget account (BA) 3188, DEP Mining Regulation/Reclamation. According to Mr. Thorley, there was one major closing item in the account. The Governor recommended a reserve reduction of \$5,419 in each year of the 2013-2015 biennium for staff to attend three additional conferences. Fiscal Analysis Division staff noted that part of the Governor's recommendation in 2014 was for out-of-state funding to attend a conference that would be held in-state. After working with the agency, Fiscal Analysis Division staff recommended a technical adjustment to reduce the amount by \$1,224 in FY 2014 to account for the fact that it would be an in-state conference.

SENATOR GOICOECHEA MOVED TO APPROVE THE ELIMINATION OF OUT-OF-STATE TRAVEL OF \$1,224 IN FISCAL YEAR (FY) 2014, FOR A REVISED RESERVE REDUCTION OF \$4,195 IN FY 2014 AND \$5,419 IN FY 2015 FOR BUREAU OF MINING REGULATION AND RECLAMATION STAFF TO TRAVEL TO THREE OUT-OF-STATE ANNUAL CONFERENCES THAT WERE NOT FUNDED IN THE CURRENT BIENNIUM AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there was one other closing item regarding replacement computer equipment, and Fiscal Analysis Division staff recommended the item be closed as recommended by the Governor with authority to make technical adjustments.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE DECISION UNIT ENHANCEMENT (E) 710 IN BUDGET ACCOUNT (BA) 3188 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE  
CONSERVATION & NATURAL RESOURCES  
DEP STATE REVOLVING FUND - ADMIN (746-3189)  
BUDGET PAGE DCNR-193**

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 3189, DEP State Revolving Fund, and said there were no major closing items. Fiscal Analysis Division staff recommended all other closing items be approved as recommended by the Governor with authority to make a technical adjustment based on the position transfer to align expenditures and revenues.

SENATOR GOICOECHEA MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 3189 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE**  
**STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**  
**DEP SAFE DRINKING WATER REGULATORY PROGRAM (101-3197)**  
**BUDGET PAGE DCNR-205**

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that in the DEP Safe Drinking Water Regulatory Program, budget account (BA) 3197, the Governor recommended a new environmental scientist 3 position that would work as part of the laboratory certification program. The agency indicated it saw increased activity and requests for certification from that program. Mr. Thorley said the request would also fund a temporary employment contract position that would perform data entry related to the program while the agency recruited and filled the environmental scientist 3 position.

SENATOR GOICOECHEA MOVED TO APPROVE LABORATORY CERTIFICATION FEES OF \$77,866 IN FISCAL YEAR (FY) 2014 AND \$77,933 IN FY 2015 FOR A NEW ENVIRONMENTAL SCIENTIST 3 POSITION AND A 24-WEEK TEMPORARY CONTRACT POSITION IN BUDGET ACCOUNT (BA) 3197 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley stated that under other closing items in budget account 3197, Fiscal Analysis Division Staff recommended they all be closed as recommended by the Governor with authority to make technical adjustments.

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SENATOR PARKS MOVED TO APPROVE ALL OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 3197 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS, INCLUDING ALIGNING THE REVENUE AND EXPENDITURE TOTALS IN DECISION UNITS ENHANCEMENT (E) 504 AND E-904 IN OTHER CLOSING ITEM 2.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

\* \* \* \* \*

## **INFRASTRUCTURE**

### **STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

#### **DEP WATER PLANNING CAP IMPROVEMENT (101-4155)**

#### **BUDGET PAGE DCNR-213**

Wayne Thorley, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the last budget under the Division of Environmental Protection was the DEP Water Planning Capital Improvement program, budget account (BA) 4155. There was one major closing item regarding the reserve level. According to Mr. Thorley, there was no funding available for grants because bond sales had been suspended. The reserve level appeared excessively high. Fiscal Analysis Division staff worked with the Division of Environmental Protection and in response to that work, the agency indicated that reduction of transfers from the Grants to Water Purveyors account could be used to bring the reserve level down to a more appropriate amount.

SENATOR GOICOECHEA MOVED TO APPROVE A REDUCTION IN TRANSFERS FROM THE GRANTS TO WATER PURVEYORS ACCOUNT OF \$19,548 IN FISCAL YEAR (FY) 2014 AND \$8,193 IN FY 2015.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

Mr. Thorley stated there was a position transfer to budget account (BA) 3189 that was previously approved by the Subcommittees, and the action would approve the transfer-out of that position. Fiscal Analysis Division staff recommended approval.

SENATOR WOODHOUSE MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 4155 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Kirkpatrick was not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE  
DEPARTMENT OF WILDLIFE  
DIRECTOR'S OFFICE (101-4460)  
BUDGET PAGE WILDLIFE-11**

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated the first account for the Department of Wildlife (NDOW) was the Director's Office, budget account (BA) 4460. The account had no major closing issues, but had three other closing items. Ms. Kolbe noted there was a technical adjustment needed to add vehicle insurance that was inadvertently excluded from The Executive Budget. Fiscal Analysis Division staff recommended the account be closed as recommended by the Governor, and sought authority to make technical adjustments to the account and the seven other NDOW operating accounts as necessary.

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ASSEMBLYMAN SPRINKLE MOVED TO APPROVE ALL CLOSING ITEMS IN BUDGET ACCOUNT (BA) 4460 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

BUDGET CLOSED.

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## **INFRASTRUCTURE**

### **DEPARTMENT OF WILDLIFE**

#### **OPERATIONS (101-4461)**

#### **BUDGET PAGE WILDLIFE-18**

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented the second account, Operations, budget account (BA) 4461.

Ms. Kolbe said BA 4461 had one major closing issue, the reclassification and transfer of duties to align three positions. The Governor recommended net funding of \$23,654 over the 2013-2015 biennium to reclassify three positions to facilitate the management of the Nevada Wildlife Data System (NWDS) and the Application Hunt System (AHS). Page 65 of [Exhibit C](#) included a table identifying the three positions. The first position was a program officer 3 that currently oversaw the AHS and had limited licensing duties related to the NWDS: it would be reclassified to a management analyst 3 and be the manager for both applications.

The second position was a business process analyst 2 position that would be reclassified as a program officer 3: the position would be the supervisor for both of the systems. Fiscal Analysis Division staff noted that the *Nevada Administrative Code* (NAC) 284.290 entitled an employee who was reclassified downward to a retained rate of pay for two years. During the March 21, 2013, budget hearing, the NDOW stated the retained rate of pay costs would be covered through anticipated salary savings from vacant positions.

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The third position to be reclassified was the administrative aid that would be reclassified to an information technology technician 2 and would support both the NDOW and the licensing agents.

SENATOR GOICOECHEA MOVED TO APPROVE RECLASSIFYING THREE POSITIONS IN THE RENO OFFICE TO ADJUST THE MANAGEMENT OF PROGRAMS IN BUDGET ACCOUNT (BA) 4461 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Ms. Kolbe said budget account (BA) 4461 had seven other closing items. Fiscal Analysis Division staff noted in closing item number 1, the Governor recommended \$46 over the 2013-2015 biennium to centralize costs related to two positions requested in the Habitat [BA 4467] account. Subsequently, the Budget Division submitted budget amendment A13A0042 to correct a coding error in the quantity of email, voice mail, and state phone lines. The other closing items appeared reasonable to Fiscal Analysis Division staff, and staff recommended the other closing items in the account, including the amendment for other closing item 1, be closed as recommended by the Governor, with authority for staff to make technical adjustments.

ASSEMBLYMAN HAMBRICK MOVED TO APPROVE ALL OTHER CLOSING ITEMS, INCLUDING THE AMENDMENT FOR OTHER CLOSING ITEM 1 IN BUDGET ACCOUNT (BA) 4461 AS RECOMMENDED BY THE GOVERNOR, AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE**

**DEPARTMENT OF WILDLIFE**

**CONSERVATION EDUCATION (101-4462)**

**BUDGET PAGE WILDLIFE-27**

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated budget account (BA) 4462, Conservation Education, had two major closing items. The first was a new position for the archery and bow hunting programs. The agency had a position in the Las Vegas area that was transferred to the Reno office: the new position would carry on the duties in the Las Vegas area and allow for expansion of both the archery and the bow hunting programs. The agency indicated it was on target to implement bow hunting classes in conjunction with the Clark County Parks and Recreation area in May 2013.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE FEDERAL WILDLIFE RESTORATION FUNDS OF \$91,695 OVER THE 2013-2015 BIENNIUM TO SUPPORT A CONSERVATION EDUCATOR 1 POSITION AND ASSOCIATED COSTS TO MAINTAIN AND EXPAND ARCHERY EDUCATION AND BOW HUNTING PROGRAMS IN SOUTHERN NEVADA.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Ms. Kolbe said the second major closing item was the marketing coordinator position elimination in budget account (BA) 4462. The Executive Budget reduced funding by \$134,234 over the 2013-2015 biennium to eliminate a vacant marketing coordinator position because of lack of funding. The position had been vacant since March 2010, and the NDOW stated the duties had been taken over by a team within the Department, and elimination of the position would not materially affect the NDOW's ongoing marketing efforts.

SENATOR GOICOECHEA MOVED TO APPROVE THE ELIMINATION OF A MARKETING COORDINATOR POSITION IN BUDGET ACCOUNT (BA) 4462.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.



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THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Ms. Kolbe said there were two other closing items in budget account (BA) 4462, and both appeared reasonable to Fiscal Analysis Division staff.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 4462 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

BUDGET CLOSED.

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**INFRASTRUCTURE  
DEPARTMENT OF WILDLIFE  
LAW ENFORCEMENT (101-4463)  
BUDGET PAGE WILDLIFE-34**

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 4463, Law Enforcement, which had two major closing items. The first major closing item was a game warden position funding change. Ms. Kolbe said the change would be an increase in aquatic invasive species (AIS) fees of \$293,000 and a reduction to Boating Reserve funds of the same amount to promote the "Clean, Drain and Dry" campaign. The funding would partially support all of the 42 game warden positions in the account or approximately 5 percent of their time. As a reminder, Assembly Bill No. 167 of the 76th Session (2011) authorized the Department to establish vessel inspection stations for the detection of AIS.

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ASSEMBLYMAN HAMBRICK MOVED TO APPROVE AQUATIC INVASIVE SPECIES (AIS) FEES OF \$293,000 AND THE REDUCTION OF BOATING RESERVE FUNDS OF \$293,000 OVER THE 2013-2015 BIENNIUM TO ADJUST FUNDING FOR GAME WARDEN POSITIONS TO PROMOTE THE "CLEAN, DRAIN AND DRY" CAMPAIGN AND EDUCATE WATERCRAFT USERS ABOUT THE AIS PROGRAM AS RECOMMENDED BY THE GOVERNOR.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Ms. Kolbe said the second major closing item was the elimination of a game warden position in budget account (BA) 4463, decision unit Enhancement (E) 600. The position had been vacant since July 2011 because of decline in revenue as illustrated in the chart on page 72 of [Exhibit C](#). Ms. Kolbe said current funding was no longer able to support the position. During the March 21, 2013, budget hearing, the Nevada Department of Wildlife (NDOW) testified there had been a shift in focus from boating enforcement to boating safety. While acknowledging its concern over the shift in focus, NDOW cited the lack of funding as the deciding factor in eliminating the vacant position.

SENATOR GOICOECHEA MOVED TO APPROVE THE ELIMINATION OF ONE GAME WARDEN POSITION IN BUDGET ACCOUNT 4463 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Ms. Kolbe stated budget account (BA) 4463 had six other closing items, and each appeared reasonable to Fiscal Analysis Division staff, and staff recommended the other closing items in the account be closed as recommended by the Governor with authority for staff to make technical adjustments.

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ASSEMBLYMAN SPRINKLE MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 4463 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

BUDGET CLOSED.

\* \* \* \* \*

## **INFRASTRUCTURE**

### **DEPARTMENT OF WILDLIFE**

#### **GAME MANAGEMENT (101-4464)**

#### **BUDGET PAGE WILDLIFE-43**

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated budget account (BA) 4464, Game Management, had one major closing item: a new biologist 3 position for the wildlife health program. The new position was needed because of workload increases and would assist the existing Nevada Department of Wildlife (NDOW) veterinarian in the wildlife health program. The position was currently a seasonal position and would be converted to a full-time position. Fiscal Analysis Division staff made an adjustment to eliminate the funding for the seasonal position.

SENATOR GOICOECHEA MOVED TO APPROVE A BIOLOGIST POSITION AND ASSOCIATED OPERATING COSTS FOR THE WILDLIFE HEALTH PROGRAM IN BUDGET ACCOUNT 4464 AS RECOMMENDED BY THE GOVERNOR, INCLUDING THE ADJUSTMENT BY FISCAL ANALYSIS DIVISION STAFF TO REDUCE SEASONAL POSITION COSTS BY \$63,070 OVER THE 2013-2015 BIENNIUM.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

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THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Ms. Kolbe said budget account (BA) 4464 had three other closing items, each appearing reasonable to staff.

SENATOR PARKS MOVED TO APPROVE THE OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 4464 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

BUDGET CLOSED.

\* \* \* \* \*

**INFRASTRUCTURE  
DEPARTMENT OF WILDLIFE  
FISHERIES MANAGEMENT (101-4465)  
BUDGET PAGE WILDLIFE-53**

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said budget account (BA) 4465, Fisheries Management, had two major closing items. The first major item was the prevention and spread of aquatic invasive species (AIS). The Governor recommended net funding of approximately \$1.6 million consisting of federal sport fish and small grant funds over the 2013-2015 biennium to align funding sources for the AIS and include seasonal positions and other equipment items as necessary. Additionally, the funding would include signage, radio spots, and the production of a documentary to support the efforts to prevent the introduction and spread of AIS in Nevada's waterways. The agency stated AIS funding was being received as originally estimated. During the March 21, 2013, budget hearing, the Department of Wildlife (NDOW) testified that although the AIS program was new, and the agency had not collected a lot of data, most boaters had been receptive to the "Clean, Drain and Dry" message. The NDOW related that the

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decontamination stations were anticipated to be operational at the Lahontan, Rye Patch, and Wild Horse reservoirs by early to mid-May 2013.

ASSEMBLYMAN HAMBRICK MOVED TO APPROVE ALIGNMENT OF FUNDING SOURCES TO SUPPORT SEASONAL POSITION COSTS AND EQUIPMENT ITEMS FOR THE AQUATIC INVASIVE SPECIES (AIS) PROGRAM IN BUDGET ACCOUNT (BA) 4465 AS RECOMMENDED BY THE GOVERNOR.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Ms. Kolbe said the second major closing item was the addition of a wildlife staff specialist position. The agency previously had the position; however, because of budget reductions the position was eliminated. The addition of a wildlife staff specialist would restore that position in the Reno area to complement a position in the Las Vegas area and would be specific to the native aquatics program.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE THE ADDITION OF ONE WILDLIFE STAFF SPECIALIST POSITION AND ASSOCIATED OPERATING COSTS FOR THE NATIVE AQUATICS PROGRAM IN BUDGET ACCOUNT (BA) 4465 AS RECOMMENDED BY THE GOVERNOR.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Ms. Kolbe said budget account 4465 had three other closing items, and each appeared reasonable to Fiscal Analysis Division staff.

SENATOR PARKS MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT 4465 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

BUDGET CLOSED.

\* \* \* \* \*

**INFRASTRUCTURE  
DEPARTMENT OF WILDLIFE  
DIVERSITY (101-4466)  
BUDGET PAGE WILDLIFE-63**

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that budget account 4466, Diversity, had one major item, the new geographic information system (GIS) biologist position. The biologist would be stationed in the Reno area and assist an existing GIS coordinator. The Department of Wildlife (NDOW) stated it was working with the GIS data mapping tools online to provide access for the public and estimated online tools would be available in early 2014 if the GIS biologist position was approved.

SENATOR GOICOECHEA MOVED TO APPROVE THE ADDITION OF ONE BIOLOGIST 3 POSITION AND RELATED COSTS FOR THE GEOGRAPHIC INFORMATION SYSTEM (GIS) IN BUDGET ACCOUNT (BA) 4466 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated budget account (BA) 4466 had three other closing items, and each appeared reasonable to Fiscal Analysis Division staff.

SENATOR PARKS MOVED TO APPROVE ALL OTHER CLOSING ITEMS IN BUDGET ACCOUNT (BA) 4466 AS RECOMMENDED BY THE GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS

DIVISION STAFF TO MAKE NECESSARY TECHNICAL  
ADJUSTMENTS.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick  
were not present for the vote.)

BUDGET CLOSED.

\* \* \* \* \*

**INFRASTRUCTURE  
DEPARTMENT OF WILDLIFE  
HABITAT (101-4467)  
BUDGET PAGE WILDLIFE-73**

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 4467, Habitat, which had three major closing items.

According to Ms. Kolbe, the first item was a transfer of a wildlife staff specialist position for the Sagebrush Ecosystem Technical Team.

SENATOR GOICOECHEA MOVED TO APPROVE DECISION UNITS  
ENHANCEMENT (E) 504 AND E-904 IN BUDGET ACCOUNT  
(BA) 4467 AS RECOMMENDED BY THE GOVERNOR AND TO  
AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE  
NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick  
were not present for the vote.)

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the next major closing issue in budget account (BA) 4467 was a new wildlife staff specialist position for project management. The Governor recommended Ruby Pipeline settlement funds and mitigation funds transferred from Habitat Enhancement to fund the position over the 2013-2015 biennium.

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The Department of Wildlife (NDOW) indicated that the loss of wildlife habitat because of wildfires, invasion of noxious and invasive weeds, and industrial development was driving the need for the additional position. The new wildlife staff specialist position would manage projects funded with regulated fee income accounts and facilitate on-the-ground projects to improve habitat for a wide array of wildlife. The Department further testified during the March 21, 2013, budget hearing that although the decision unit recommended a funding mix of Ruby Pipeline settlement funds and mitigation funds, the position's activities would be tracked and the appropriate funding sources would be applied to the related costs.

SENATOR GOICOECHEA MOVED TO APPROVE THE ADDITION OF ONE WILDLIFE STAFF SPECIALIST POSITION AND ASSOCIATED COSTS TO PROVIDE PROJECT MANAGEMENT IN BUDGET ACCOUNT (BA) 4467 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick were not present for the vote.)

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated the last major issue for budget account (BA) 4467 was the new biologist position for energy development and mining projects. The Governor recommended total funding of \$122,257 over the 2013-2015 biennium to support a new biologist 3 position in the Ely area. The Department of Wildlife (NDOW) indicated the biologist position would focus on and provide scientific expertise specific to the conservation of wildlife species.

Chairman Bobzien asked whether Assembly Bill No. 307 of the 76th Session (2011) was part of the funding source for the Biologist 3 position.

Patrick Cates, Deputy Director, Administrative Services, Department of Wildlife, responded that if the new position worked on energy projects, A.B. No. 307 would aid with the funding.

SENATOR GOICOECHEA MOVED TO APPROVE A NEW BIOLOGIST 3 POSITION AND RELATED COSTS FOR ENERGY DEVELOPMENT AND MINING PROJECTS IN THE ELY AREA FOR



ON-THE-GROUND HABITAT PROJECTS IN BUDGET  
ACCOUNT 4467 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick  
were not present for the vote.)

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel  
Bureau, stated budget account (BA) 4467 had four other closing items, and  
each appeared reasonable to Fiscal Analysis Division staff.

SENATOR PARKS MOVED TO APPROVE OTHER CLOSING ITEMS  
IN BUDGET ACCOUNT (BA) 4467 AS RECOMMENDED BY THE  
GOVERNOR AND TO AUTHORIZE FISCAL ANALYSIS DIVISION  
STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Grady and Kirkpatrick  
were not present for the vote.)

BUDGET CLOSED.

\* \* \* \* \*

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Chairman Bobzien called for public comment and seeing none adjourned the meeting at 10:14 a.m.

RESPECTFULLY SUBMITTED:

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Anne Bowen  
Committee Secretary

APPROVED BY:

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Assemblyman David P. Bobzien, Chairman

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

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Senator Pete Goicoechea, Chair

DATE:

\_\_\_\_\_

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**EXHIBITS**

**Committee Name:** Assembly Committee on Ways and Means

**Date:** May 2, 2013

**Time of Meeting:** 8:08 a.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
	C	Fiscal Analysis Division, Legislative Counsel Bureau	Closing List #6 May 2, 2013