

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

**Seventy-Ninth Session
May 18, 2017**

The joint meeting of the Assembly Committee on Ways and Means and Senate Committee on Finance Subcommittees on Public Safety, Natural Resources, and Transportation was called to order by Chair Jason Frierson at 8:08 a.m. on Thursday, May 18, 2017, in Room 2134 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant S6 awyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/79th2017.

ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:

Assemblyman Jason Frierson, Chair
Assemblyman Michael C. Sprinkle, Vice Chair
Assemblywoman Irene Bustamante Adams
Assemblyman Chris Edwards
Assemblywoman Heidi Swank
Assemblywoman Robin L. Titus

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator David R. Parks, Chair
Senator Aaron D. Ford
Senator Pete Goicoechea

STAFF MEMBERS PRESENT:

Cindy Jones, Assembly Fiscal Analyst
Sarah Coffman, Principal Deputy Fiscal Analyst
Kristina Shea, Program Analyst
Mark Krmpotic, Senate Fiscal Analyst
Kristen Kolbe, Program Analyst
Jeff Ferguson, Senior Program Analyst
Michelle Hamilton, Committee Secretary

Minutes ID: 1137



Lisa McAlister, Committee Assistant

Chair Frierson opened the meeting for public comment and hearing none, started the meeting with budget closings for the Department of Corrections.

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the Subcommittees would discuss closing budget accounts for the Department of Corrections, starting with an overview of the three major closing issues that affected the entire Department.

Ms. Shea said the first major closing issue related to the revised inmate population forecast. The inmate population forecast developed by the JFA Institute in October 2016 was used to develop the Governor's recommended budget. However, in February 2017, an updated inmate population projection was received from the JFA Institute, which reflected a lower number of inmates who needed to be housed in the Department's facilities over the 2017-2019 biennium.

The Executive Budget recommended General Fund appropriations of \$1.5 million in fiscal year (FY) 2018 and \$2.1 million in FY 2019 for additional inmate-driven expenditures. At that time, the projected population for the 2017-2019 biennium would be 14,006 inmates in FY 2018 and 14,247 in FY 2019 based on the JFA Institute projections provided in October 2016. The revised projections from the February 2017 report showed inmate populations of 13,998 in FY 2018 and 14,231 in FY 2019, or 8 fewer inmates in FY 2018 and 16 fewer inmates in FY 2019 compared with the prior projections. As a result, a technical adjustment had been included in all of the Department's facility and institution budgets reflecting a net decrease in inmate-driven expenditures of \$84,033 over the 2017-2019 biennium, which included a reduction to General Fund appropriations of \$1.1 million over the 2017-2019 biennium and an increase in room and board revenues of \$967,044.

Fiscal staff noted there were a number of errors in the calculation of the room and board reimbursement revenue, and it appeared the majority of the changes were offset with General Fund appropriations during the building of the Governor's recommended budget; however, the room and board revenues had increased. Ms. Shea said the technical adjustment revised the M-200 decision unit based on the recent JFA Institute reports and corrected the room and board revenue calculation.

Ms. Shea asked whether the Subcommittees wished to approve the revised inmate population projections reflected in the February 2017 inmate population projection developed by the JFA Institute.

Chair Frierson thanked all the Fiscal staff and the Department of Corrections for the hard work they provided for the Subcommittees. He asked for a motion.

ASSEMBLYMAN EDWARDS MOVED TO APPROVE THE REVISED INMATE POPULATION PROJECTIONS REFLECTED IN THE FEBRUARY 2017 INMATE POPULATION PROJECTION DEVELOPED BY THE JFA INSTITUTE.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Shea said the second major closing issue was the bed capacity. Historically, the Department developed a capacity analysis biennium plan and a ten-year housing plan for both male and female inmates, each biennium, based upon the JFA Institute projections. The information from this report was included in the biennium plan and ten-year housing plan models to assist the Department develop its long-range capital improvement projects, as well as address immediate inmate capacity needs. The Department capacity was functionally dependent on the size of the building and the number of beds that could be accommodated in each cell or dormitory with considerations regarding current laws and standards and operational efficiencies, as well as custody distributions for the inmate population. The major density considerations and guidelines the Department historically used for capacity analysis were:

1. Base structure at 100 percent of design (one bed per cell).
2. Operating capacity at 150 percent of design (every other cell is double-bunked).
3. Emergency capacity at 168 percent of design (more than every other cell double-bunked).
4. Above emergency threshold, which was more than 168 percent of design.

Facilities that were operating over the 168 percent could potentially put a strain on the physical components of the facilities and have the potential to create unsafe conditions for staff and inmates operating over emergency capacity.

The Department delivered several renditions of the capacity analysis report for the 2017-2019 biennium, which differed from the methodology used to build its reports in the past. The reports lacked the four density components listed above, and as a result, the true emergency capacity of each institution was indeterminate.

Fiscal staff met with the State Public Works Division, Department of Administration; the Office of Finance, Office of the Governor; and the Department of Corrections regarding the original design of base structure capacity using the assumption of one bed per cell or 100 percent capacity. The Department's base structure capacity included 8,442 male cell dorms across its institutions and facilities with 11,941 available beds if each institution were operating at the recommended 168 percent emergency threshold capacity. Based on the revised February 2017 JFA Institute projections, which reflected an average of 12,711 male

inmates in FY 2018 and 12,929 male inmates in FY 2019, the Department would experience a bed shortage of 770 beds in FY 2018 and 1,200 in FY 2019. This shortage included the temporary closure of Housing Unit 8 at Southern Desert Correctional Center to complete renovations, which was part of the Governor's recommended 2017 Capital Improvement Program (CIP), and would result in a loss of 212 useable beds in November 2018.

The Department submitted an updated capacity analysis report (201704-CA-63) which included the base structure of 8,442 male beds with 12,799 beds available at operating capacity. Fiscal staff noted that the available beds at operating capacity included 412 overflow beds, which exist in day rooms or other nontraditional housing areas. Fiscal staff noted that on the current capacity analysis report, the Department was currently operating its major institutions on average at 183 percent emergency capacity, which exceeded the recommended emergency capacity of 168 percent.

Ms. Shea continued that based on the revised February 2017 JFA Institute projections, the Department would experience a bed shortage of 324 beds in FY 2018 and 754 beds in FY 2019 at its current operating capacity. The shortage was calculated by taking the updated male operating capacity identified by the Department, less the 412 overflow beds listed in each fiscal year of the 2017-2019 biennium, and less the 212 beds that would be temporarily closed beginning in November 2018, if Housing Unit 8 were brought off-line.

Fiscal Analysis Division staff noted that the main differences between the bed shortages at the 168 percent emergency capacity and the current Department operating capacity were due to the inclusion of infirmary beds, regional medical facility beds, and overflow beds in the Department's operating capacity analysis report.

Fiscal staff noted that the Division of Parole and Probation (P&P), Department of Public Safety, had several initiatives in the Governor's recommended budget over the 2017-2019 biennium that might affect the Department of Correction's prison population. These initiatives included Day Reporting Centers, the Pilot Re-entry Program, the Residential Confinement Program expansion, and a Supervised Additional Paroled Offenders program. The Department of Corrections and the Department of Public Safety had indicated the estimated reduction of the inmate population would be 131 inmates in FY 2018 and 375 in FY 2019 if those P&P initiatives were approved as recommended by the Governor in the P&P budget. Fiscal staff noted the bed shortage would be reduced to an average 193 beds in FY 2018 and 379 beds in FY 2019 if the measures were approved and the population reductions realized.

Ms. Shea asked whether the Subcommittees wished to reduce inmate populations in the M-200 decision unit by 131 inmates in FY 2018 and 375 inmates in FY 2019, contingent upon the approval of the initiatives and budget proposed by the Division of Parole and Probation, Department of Public Safety. If approved, Fiscal staff sought authority to make technical adjustments necessary to reflect the reduction in the inmate-driven expenditures.

Chair Frierson asked for a motion and stated the Subcommittees, the Department of Corrections, and Fiscal staff had already researched the data presented.

ASSEMBLYMAN SPRINKLE MOVED TO REDUCE INMATE POPULATIONS IN THE M-200 DECISION UNIT, CONTINGENT UPON APPROVAL OF THE INITIATIVES AND BUDGET PROPOSED BY THE DIVISION OF PAROLE AND PROBATION, DEPARTMENT OF PUBLIC SAFETY, WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS NECESSARY TO REFLECT THE REDUCTION IN INMATE-DRIVEN EXPENDITURES.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Shea said the third major closing issue was the transfer of inmates out of state. The Executive Budget recommended General Fund appropriations of \$12.4 million over the 2017-2019 biennium to fund the transfer of 200 inmates out of state to contracted facilities. The Department of Corrections said the relocation of the 200 inmates to an out-of-state facility would assist addressing the increasing inmate population, as well as allow the Department to address deferred maintenance that was needed at the Southern Desert Correctional Center Housing Unit 8. Fiscal staff noted, if the 200 inmates were approved to be transferred out of state, a technical adjustment would be needed to reflect the inmates transferring out as of October 2017 compared with July 2017, which was used to build the Governor's recommended budget. That would result in a General Fund savings of \$1.6 million in FY 2018. The change of the effective date would be necessary because it would take the Department time to issue a request for proposal (RFP) and go through the necessary steps before a contract could be finalized.

Ms. Shea explained, based on the Department's capacity issues discussed under the second major issue, the Department of Corrections, in consultation with the Office of Finance, Office of the Governor, and the Fiscal Analysis Division, Legislative Counsel Bureau, was requesting 400 inmates to be transferred out of state, which were 200 more inmates than the Governor's recommended budget. The capacity analysis and revised inmate population projections indicated that transferring only 200 inmates out of state would be insufficient to address the Department's capacity issues. The Department estimated the cost would decrease from \$31,755 per inmate to \$29,091 per inmate, which would include medical, housing, programming, and food costs, which would require total General Fund appropriations of \$21 million over the 2017-2019 biennium or an increase of \$8 million in General Fund appropriations compared with the Governor's recommended budget.

The Department asserted that its current plan to transfer inmates out of state starting in October 2017 from various institutions would involve high-risk inmates, thereby reducing

violence and gang activities and increasing safety and security across the institutions. The Department had included this decision unit in the Southern Desert Correctional Center (SDCC), which included \$12.4 million to fund the initial 200 inmates identified to be sent out of state. Ms. Shea said if the decision unit to transfer inmates out of state was approved, based on the Department's plan to transfer inmates out of state to multiple institutions, the Subcommittees may wish to consider approving the funding from the out-of-state contract in the Director's Office budget rather than the SDCC. This special-use category would restrict the Department from transferring any contract savings or shortfalls to or from other expenditure categories or budget accounts. However, given the time frame to finalize such a contract and the unknown approval of the Division of Parole and Probation (P&P) initiatives discussed in major closing issue 2, the Subcommittees might wish to allow the Department of Corrections to transfer budgeted funds from the out-of-state contract between fiscal years within the Director's Office budget over the 2017-2019 biennium. She said if this option were considered, the Subcommittees should recommend that language be included in the Appropriations Act to restrict such transfers.

Ms. Shea said that Assembly Bill (A.B.) 303 (1st Reprint) as amended would require that core correctional services be performed by employees of the state or local government, with an exception for the Department of Corrections, which would allow a contract with a private entity until June 30, 2022, to perform core correctional services to reduce overcrowding at the Department. The bill included language that required non-Nevada residents be given first priority to transfer, and those prisoners must be provided the ability to conduct visits by videoconferencing. The bill also required reporting by the Department to the Legislature, on or before December 31 of each year, regarding certain information pertaining to the inmates housed out of state. The bill also required yearly audits of the contracted facilities by the Department staff. Assembly Bill 303 (1st Reprint) had been referred to the Assembly Committee on Ways and Means.

Fiscal staff noted that if the transfer of 200 inmates or 400 inmates out of state was approved, technical adjustments would need to be made to the M-200 caseload-driven and prison medical inmate-driven expenditures.

The Subcommittees may wish to consider one of the following:

- A. Approve the Governor's recommendation to transfer 200 inmates out of state with General Fund appropriations of \$12.4 million over the 2017-2019 biennium, with authority for Fiscal staff to make technical adjustments as necessary.
- B. Approve the transfer of 400 inmates out of state with General Fund appropriations of \$21 million over the 2017-2019 biennium, based on the information provided under major closing issue 2 related to the lack of sufficient capacity within the Department facilities and institutions.

- C. Not approve the Governor's recommendation to transfer 200 inmates out of state, thus reducing General Fund appropriations by \$12.4 million over the 2017-2019 biennium.

Chair Frierson asked for discussion by the members.

Assemblyman Edwards said option B, transferring the 400 inmates, seemed to be the best option to him given the capacity and shortfalls, and he was ready to make a motion. Chair Frierson said he was not ready for a motion.

Assemblyman Sprinkle said he disagreed with option B and felt he understood the capacity issue. There was concern, which created the Governor's recommendation to begin with, but the Subcommittees were also considering an additional \$8 million in General Fund appropriations. He felt that needed to be part of the consideration. The Department of Corrections, while not ideal, had done a phenomenal job of managing the capacity challenges and he believed it was better to stay with the original proposal for 200 inmates.

Chair Frierson maintained the Subcommittees consider the original number that was submitted at 200. The Subcommittees had learned there were other challenges to the Department, and while those challenges were real, they needed to keep in mind those challenges required additional funding.

Senator Goicoechea said he felt the same way, but unfortunately, it might be a wise expenditure to transfer 400 inmates and have the Department make the necessary repairs to its facilities. He said the option of sending 200 inmates out of state would require the Department to continue to double bunk while trying to upgrade its facilities, and that could be difficult. As a rancher, he knew that once he ran out of pasture, it was better to rent some pasture for a couple years while he worked to get his own pasture back in shape.

Chair Frierson thanked him and said he had to repeat his original statement that in the business of the Legislature, it had to pay for these decisions. The Legislature would need to pass measures to be able to pay for this issue.

Senator Goicoechea said the problem with this issue was if the Legislature did not appropriate enough funding, then it faced the possibility of lawsuits, and that got expensive quickly.

Senator Ford said he made no secret that he was adamantly opposed to the use of private prisons. He would prefer not to send any inmates to an out-of-state private prison. The responsible thing to do was to gradually reduce the number of inmates sent out of state. While he understood A.B. 303 (R1) had a large fiscal note, and might not pass, there were other ways to deal with this. His advice to anyone listening would be to anticipate budgetary decisions made without allocating funds for private prisons. While he supported the points Assemblyman Sprinkle made, he did not intend to continue to support paying private

out-of-state prisons to house Nevada inmates. The Subcommittees needed to weigh the moral thing to do, relative to private prisons versus public prisons, and what was the financially feasible thing to do. He believed that the Legislature was handling the state's responsibilities and should not send inmates to private prisons.

Chair Frierson stated that rather than looking at this as a matter of shorting the Department by 200 inmates, the Subcommittees were considering helping the Department by funding the costs of an additional 200 inmates. The Subcommittees were providing the relief originally requested in the Governor's recommended budget, and there were measures being considered this session that could decrease the prison population. He said the first option would not require the Legislature to spend money that it had not come to an agreement to raise, and he would entertain a motion with option A. Before he entertained a motion, he asked whether there were further considerations from the Subcommittees.

Ms. Shea said if either option A or option B were approved, the Subcommittees may wish to consider one or more of the following:

1. Budget the expenditures associated with the out-of-state contract in the Director's Office budget in a new and distinct expenditure category.
2. Direct Fiscal staff to include language in the 2017 Appropriations Act to restrict the Department from transferring any contract savings or shortfalls to or from other expenditure categories or budget accounts.
3. Provide the Department with authority to transfer budgeted funds from the out-of-state contract between fiscal years within the Director's Office budget over the 2017-2019 biennium.
4. Require the Department to report to the Interim Finance Committee on a quarterly basis regarding updates on the Department's capacity issues and updates detailing the transfer of inmates out of state.

Chair Frierson said he would consider option A with all four of the other considerations.

Senator Goicoechea asked about the accuracy of the actual number of inmates.

Chair Frierson said when the discussion began, the Department indicated that it had accommodated the inmate population, and he did not want to punish it for doing so.

Senator Goicoechea said the inmate population numbers seemed significant.

Ms. Shea said it really depended on the approval of the P&P initiatives. If approved, the reduction in the population would leave a 193-bed shortage in FY 2018, so the transfer of

200 inmates would address the shortage, and 379-bed shortage in FY 2019 would mean there would be a reduction of a 179-bed shortage if the Parole and Probation initiatives resulted in the anticipated reduction in the inmate population.

Chair Frierson said the Legislature typically estimated over 100 percent capacity when looking at the funding numbers for the Department of Corrections. The capacity numbers were above what the Legislature would prefer.

ASSEMBLYMAN SPRINKLE MOVED TO ACCEPT OPTION A WITH
ITEMS 1, 2, 3, AND 4.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Goicoechea and Assemblyman Edwards
voted no.)

Ms. Shea said there was one final closing item related to a one-grade salary increase for correctional officers. The full money committees approved this recommendation at their joint meeting on May 15, 2017.

PUBLIC SAFETY
DEPARTMENT OF CORRECTIONS
NDOC - ELY STATE PRISON (101-3751)
BUDGET PAGE CORRECTIONS-35

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said Fiscal staff was responsible for developing closing recommendations for budget account 3751, Ely State Prison. The Subcommittees had not previously reviewed this budget, and there were no major closing issues. Fiscal staff would note under other closing items 1 and 3, there were technical adjustments relating to inmate population and updated caseload from the JFA Institute projections, and all other closing items appeared reasonable. Fiscal Analysis Division staff requested authority to make technical adjustments based on the Subcommittees' decision related to the revised inmate populations and other closing items 1 and 4 and recommended approving other closing items 2, 3, 5, and 6 through 10 as recommended by the Governor, with authority for Fiscal staff to make other technical adjustments as necessary, including those associated with the departmentwide and statewide issues.

Chair Frierson asked for a motion.

ASSEMBLYMAN SPRINKLE MOVED TO ACCEPT OTHER CLOSING ITEMS 1 AND 4 BASED ON THE DECISIONS RELATED TO THE REVISED INMATE POPULATIONS AND APPROVE OTHER CLOSING ITEMS 2, 3, 5, AND 6 THROUGH 10 AS RECOMMENDED BY THE GOVERNOR, WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY, INCLUDING THOSE ASSOCIATED WITH DEPARTMENTWIDE AND STATEWIDE ISSUES.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF CORRECTIONS
NDOC - HIGH DESERT STATE PRISON (101-3762)
BUDGET PAGE CORRECTIONS-43

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there was one major closing issue for budget account 3762, High Desert State Prison, related to new positions. The Governor recommended 11 new correctional officers and 5 new correctional assistant positions based on the 2014 Association of State Correctional Administrators (ASCA) staffing study. One new correctional officer and 5 new correctional assistants would start in January 2018; 5 new correctional officers would start in January 2019; and the remaining 5 new correctional officers would start in April 2019. The 16 new positions were based on the Governor-recommended changes to existing posts that were approved by the 2015 Legislature. Those staffing changes were to key areas of the institution where correctional officers were stationed to ensure the safety of the institution. The new positions were recommended to be funded with General Fund appropriations of \$161,840 in fiscal year (FY) 2018 and \$612,121 in FY 2019.

The Department of Corrections identified work posts through its post charts, which were submitted with its agency-request budget each session and included post charts for each institution that were needed to operate the institution. These charts reflected the number of posts needed during the day, swing, and night shift based on 8-hour shifts. A shift relief was then applied to those posts that required 5- and 7-day per-week protective service posts to determine the proper number of staff for each facility. The Executive Budget deviated from the legislatively approved budgeting methodology used for the post charts by using a calculation for alternative workweeks. The recommendation was built upon an alternative workweek, which was a change in the methodology used in the past.

Ms. Shea continued that High Desert State Prison currently had five correctional officers assigned to 4, 8-hour days, 5 days a week posts with shift relief in the mailroom. The

Governor recommended replacing these correctional officer positions with five nonsworn correctional assistants. The replacement was based on the job duties, which did not require sworn officers, and the reduced cost of hiring civilian staff versus sworn staff.

The Governor also recommended one correctional officer for a new property sergeant, eight hours a day, seven days a week post with shift relief because of high volumes of intake and releases at High Desert State Prison. The recommendation also included six new correctional officer posts for the Community Hospital with shift relief. The Community Hospital posts would oversee inmates who were admitted to the hospital in North Las Vegas.

The Department used a shift-relief factor to determine how many positions it would take to fill a protective service job post. Fiscal staff noted that based on the 2014 ASCA study, the 2015 Legislature approved new Department shift-relief factors and, as a result, approved 100 new correctional officer positions agencywide to meet optimal operations. The ASCA study also had staffing recommendations on best practices that would result in 399 additional positions departmentwide. However, the methodology used to develop the recommendations deviated from the legislatively approved budget methodology that the Department used for its current post charts. The ASCA recommendations included changes to reflect alternative workweeks for various posts throughout the Department's facilities, which differed from the existing budget methodology using post charts built on an 8-hour-a-day post working 5 to 7 days a week. The ASCA study, which was not approved by the Legislature, contained a number of recommendations, including additional shift-relief factors for alternative workweeks that had not been properly vetted and reviewed by the Legislature.

The High Desert State Prison was approved for 27 new correctional officer positions as part of the 2015 Legislature's decision to add 100 new positions. Fiscal staff would note that as of May 12, 2017, High Desert State Prison currently had 24 vacant correctional officer positions, which represented 5 percent of the legislatively approved correctional officer positions. Fiscal staff was concerned with High Desert State Prison's ability to fill its current positions, in addition to the 16 positions being requested in this decision unit.

The Subcommittee may wish to approve one of the following options:

- A. Approve the Governor's recommendation to add 10 new correctional officers assigned to the Community Hospital, a new property sergeant, and 5 new correctional assistant positions, assigned to mail room posts, to be funded with General Fund appropriations of \$161,840 in fiscal year (FY) 2018 and \$612,121 in FY 2019.
- B. Approve the five new nonsworn correctional assistant positions, but not approve any other post changes recommended by the Governor. This option would eliminate the current sworn officer mailroom post and five full-time correctional officer positions.

This option would reduce General Fund appropriations in this decision unit by \$203,548 in FY 2018 and \$691,545 in FY 2019.

- C. Not approve the Governor's recommendation of 11 new corrections officers, 5 new nonsworn correctional assistant positions, and associated post chart changes.

Chair Frierson asked whether there was any discussion prior to a vote.

Assemblyman Sprinkle recognized the importance of correctional officers, the needs of the Department; however, the Legislature allotted over 100 positions two years ago, and the Department was having difficulties filling those positions. He was also not convinced the methodology was necessarily a reliable predictor of the various shift coverages. He did not feel comfortable awarding even more positions, and option B was the better option. He understood the need for the nonsworn correctional assistant positions.

Assemblyman Edwards said he had the opportunity to work with the inmates and the prison guards at four different facilities in Nevada. He felt the biggest problem was the lack of pay, and that was why those positions went to other entities, such as the city, municipality or somewhere else. He also knew the Legislature was considering raising the pay by one grade, which could alleviate some of the temptation to leave. He felt the Legislature needed to appropriate as much as it could to help the Department fill all the positions that it needed, so it could do its job correctly. He would prefer option A.

Chair Frierson felt that option B offered a good middle ground: the Legislature could address some problems. He felt it would be good to wait and see if the pay raise was passed and the Department filled its current vacancies before approving funds for positions that may not be filled.

Senator Ford said he appreciated a call for more pay and stood ready to increase funds. He agreed with the Chair that option B was best and was ready to make a motion.

SENATOR FORD MOVED TO ACCEPT OPTION B.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Edwards and Titus voted no.)

Ms. Shea said items 1 and 4 were similar to the other budgets needing technical adjustments for caseload decision unit Maintenance (M) 200 adjustments. All other closing items appeared reasonable. Fiscal Analysis Division staff requested authority to make technical adjustments based upon the Subcommittees' decision regarding the revised inmate populations for other closing items 1 and 4 and approve other closing items 2, 3, and 5 through 12 as recommended by the Governor with authority for Fiscal staff to make

technical adjustments as necessary, including those associated with the departmentwide and statewide issues.

SENATOR PARKS MADE A MOTION TO APPROVE TECHNICAL ADJUSTMENTS BASED UPON THE SUBCOMMITTEES' DECISION REGARDING THE REVISED INMATE POPULATIONS FOR OTHER CLOSING ITEMS 1 AND 4, AND APPROVE OTHER CLOSING ITEMS 2, 3, AND 5 THROUGH 12 AS RECOMMENDED BY THE GOVERNOR, WITH AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY, INCLUDING THOSE ASSOCIATED WITH DEPARTMENTWIDE AND STATEWIDE ISSUES.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF CORRECTIONS
NDOC - NORTHERN NEVADA CORRECTIONAL CENTER (101-3717)
BUDGET PAGE CORRECTIONS-53

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there was one major closing issue in budget account (BA) 3717, Northern Nevada Correctional Center (NNCC), similar to BA 3762 relating to new positions. The Governor recommended one new correctional officer and two new nonsworn correctional assistant positions. The new correctional assistant positions would replace a sworn officer currently performing tasks in the mailroom, and the correctional officer position would be added to provide additional supervision of inmates taken to outside medical facilities. The three new positions were based on the Governor recommending changes to existing post positions that were approved by the 2015 Legislature. Fiscal staff noted that there was a deviation from the legislatively approved budgeting methodology for post charts being built on an eight-hour day, working either 5 or 7 days a week, by using a calculation for alternative workweeks within the post charts. The three new positions were recommended to be funded with General Fund appropriations of \$126,940 in fiscal year (FY) 2018 and \$168,834 in FY 2019.

Currently the Northern Nevada Correctional Center (NNCC) had one correctional officer assigned to the mailroom. The Governor recommended replacing that correctional officer position with two nonsworn correctional assistants. The Governor recommended the addition of one mailroom clerk, as the population had increased in size and additional support was needed to process the mail. According to the Department of Corrections, the duties of this position did not necessitate a sworn officer.

Fiscal Analysis Division staff noted that the methodology used to develop the recommendations deviated from the legislatively approved budgeting methodology for the Department's current post charts. The Association of State Correctional Administrators (ASCA) recommendation included changes to reflect alternative workweeks for various posts throughout the Department's facilities and institutions, which deviated from the current budgeting methodology based on post charts built on 8 hours a day, either 5 or 7 days a week. The ASCA study, as previously noted in the prior budget, contained a number of recommendations, including additional shift relief factors for alternative workweeks that had not been properly vetted by the Legislature.

The NNCC was approved for 13 new correctional officer positions as part of the 2015 Legislative Session shift relief factor recommendation. Fiscal staff noted that as of May 12, 2017, the NNCC had 21 vacant correctional officer positions, or 8.5 percent of current legislatively approved correctional officer positions for this institution. Fiscal staff was concerned with NNCC's ability to fill its current positions, in addition to the new positions requested in this decision unit. f

The Subcommittees might wish to approve one of the following options:

- A. Approve the Governor's recommendation for one new correctional officer assigned to an outside medical post and two new nonsworn correctional assistant positions assigned to the new mailroom posts, to be funded with General Fund appropriations of \$126,940 in FY 2018 and \$168,834 in FY 2019.
- B. Approve two new nonsworn correctional assistant positions, but not approve any other post changes recommended by the Governor. This option would eliminate the current mailroom correctional officer post and associated full-time position. This option would reduce General Fund appropriations in this decision unit by approximately \$117,294 in FY 2018 and \$137,101 in FY 2019.
- C. Not approve the Governor's recommendation of one new correctional officer, two new nonsworn correctional assistant positions, and associated post chart changes.

Chair Frierson said this seemed to be a similar situation with respect to the methodology and concern over the hesitation or unwillingness to adjust the typical 8-hour shift and the costs associated with that decision. He would be inclined to consider option B.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO ACCEPT
OPTION B.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Shea said the other closing items were similar to those in other budgets. Fiscal staff requested technical adjustments to the Subcommittees' decision regarding inmate population for items 1 and 4, and all other closing items appeared reasonable. Fiscal staff requested authority to make technical adjustments based on the Subcommittee's decision on the revised inmate populations and other closing items 1 and 4 and recommended approval of other closing item 12 in a manner consistent with the Subcommittees' action on decision unit Enhancement (E) 231, and approve other closing items 2, 3, 5, and 6 through 11 as recommended by the Governor, with authority for Fiscal staff to make technical adjustments as necessary, including those associated with departmentwide and statewide issues.

Chair Frierson asked whether there was a motion to approve.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE OTHER CLOSING ITEMS AS RECOMMENDED BY FISCAL STAFF WITH THE NOTED TECHNICAL ADJUSTMENTS AND WITH AUTHORITY TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY, INCLUDING THOSE ASSOCIATED WITH DEPARTMENTWIDE AND STATEWIDE ISSUES.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

**PUBLIC SAFETY
DEPARTMENT OF CORRECTIONS
NDOC - NEVADA STATE PRISON (101-3718)
BUDGET PAGE CORRECTIONS-63**

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said Fiscal staff was responsible for developing closing recommendations for budget account (BA) 3718, Nevada State Prison. The Subcommittees had not previously reviewed this budget. There were no major closing issues. Fiscal staff recommended that the Nevada State Prison budget be closed as recommended by the Governor with authority for staff to make technical adjustments as necessary.

Chair Frierson asked for a motion to approve closing budget account 3718 with technical adjustments.

ASSEMBLYMAN SPRINKLE MOVED TO CLOSE BUDGET ACCOUNT 3718 AS RECOMMENDED BY THE GOVERNOR WITH AUTHORITY FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

**PUBLIC SAFETY
DEPARTMENT OF CORRECTIONS
NDOC - SOUTHERN DESERT CORRECTIONAL CENTER (101-3738)
BUDGET PAGE CORRECTIONS-65**

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there was one major closing issue related to budget account 3738, Southern Desert Correctional Center, which was the transfer of 200 inmates out of state. Fiscal staff requested authority to make technical adjustments to this decision unit based on the Subcommittees' decision on this issue as part of the Departmentwide overview. This decision unit was discussed and voted on during the overview for the Department of Corrections.

Chair Frierson requested a motion to approve.

SENATOR GOICOECHEA MOVED TO APPROVE A MAJOR CLOSING ISSUE RELATED TO TRANSFERRING 200 INMATES OUT OF STATE BASED UPON THE SUBCOMMITTEES' DECISION ON THIS ISSUE DURING THE DEPARTMENT OF CORRECTIONS OVERVIEW AND AUTHORIZE FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Shea said the other closing items were similar to those in the other budget accounts. Fiscal staff requested authority to make technical adjustments based on the Subcommittees' decision related to the revised inmate population projections in other closing items 1 and 3 and recommended approval of other closing items 2, 4, and 5 through 9 as recommended by the Governor with authority for staff to make technical adjustments as necessary, including those associated with Departmentwide and statewide issues.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE OTHER CLOSING ITEMS 1 AND 3 WITH AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS BASED ON THE SUBCOMMITTEES' DECISION RELATED TO THE REVISED INMATE POPULATION IN OTHER CLOSING ITEMS 1 AND 3, APPROVE OTHER CLOSING ITEMS 2, 4, AND 5 THROUGH 9 AS RECOMMENDED BY THE

GOVERNOR, AND AUTHORIZE FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY, INCLUDING THOSE ASSOCIATED WITH DEPARTMENTWIDE AND STATEWIDE ISSUES.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF CORRECTIONS
NDOC - LOVELOCK CORRECTIONAL CENTER (101-3759)
BUDGET PAGE CORRECTIONS-73

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said Fiscal staff was responsible for developing closing recommendations for budget account 3759, Lovelock Correctional Center, which had not been previously heard by the Subcommittees. There were no major closing issues for this budget. Similar to other budget accounts, other closing items 1 and 4 required caseload adjustments, and all the other closing items appeared reasonable. Fiscal staff requested authority to make technical adjustments based on the Subcommittees' decision related to the revised inmate population in other closing items 1 and 4 and recommended approval of other closing items 2, 3, 5, and 6 through 11 as recommended by the Governor with authority for staff to make technical adjustments as necessary, including those associated with Departmentwide and statewide issues.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE OTHER CLOSING ITEMS 1 AND 4 WITH AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS BASED ON THE SUBCOMMITTEES' DECISION RELATED TO THE REVISED INMATE POPULATION IN OTHER CLOSING ITEMS 1 AND 4, APPROVE OTHER CLOSING ITEMS 2, 3, 5, AND 6 THROUGH 11 AS RECOMMENDED BY THE GOVERNOR, AND AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY, INCLUDING THOSE ASSOCIATED WITH DEPARTMENTWIDE AND STATEWIDE ISSUES.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF CORRECTIONS
NDOC - SOUTHERN NEVADA CORRECTIONAL CENTER (101-3715)
BUDGET PAGE CORRECTIONS-81

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there were no major closing items with budget account 3715, Southern Nevada Correctional Center. Fiscal staff recommended the Southern Nevada Correctional Center budget be closed as recommended by the Governor and requested authority to make any technical adjustments as necessary.

ASSEMBLYMAN SPRINKLE MOVED TO CLOSE BUDGET ACCOUNT
3715 AS RECOMMENDED BY THE GOVERNOR WITH AUTHORITY
FOR FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF CORRECTIONS
NDOC - WARM SPRINGS CORRECTIONAL CENTER (101-3716)
BUDGET PAGE CORRECTIONS-84

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said budget account 3716, Warm Springs Correctional Center, was not previously heard by the Subcommittees. Fiscal staff was responsible for producing closing recommendations for this budget. There were no major closing issues for this budget account. Other closing items 1 and 3 needed technical adjustments based on revised caseload projections from JFA Institute, and all other closing items appeared reasonable. Fiscal Analysis Division staff requested authority to make technical adjustments based on the Subcommittees' decisions related to the revised inmate populations in other closing items 1 and 3 and recommended approving other closing items 2, 4, and 5 through 9 as recommended by the Governor with authority for staff to make other technical adjustments as necessary, including those associated with Departmentwide and statewide issues.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO APPROVE
OTHER CLOSING ITEMS 1 AND 3 WITH AUTHORITY TO MAKE
TECHNICAL ADJUSTMENTS BASED ON THE SUBCOMMITTEES'
DECISIONS RELATED TO THE REVISED INMATE POPULATION IN
OTHER CLOSING ITEMS 1 AND 3, APPROVE OTHER CLOSING
ITEMS 2, 4, AND 5 THROUGH 9 AS RECOMMENDED BY THE
GOVERNOR, AND AUTHORIZE FISCAL STAFF TO MAKE OTHER

TECHNICAL ADJUSTMENTS AS NECESSARY, INCLUDING THOSE ASSOCIATED WITH DEPARTMENTWIDE AND STATEWIDE ISSUES.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY

DEPARTMENT OF CORRECTIONS

**NDOC-FLORENCE MCCLURE WOMEN'S CORRECTIONAL CENTER (101-3761)
BUDGET PAGE CORRECTIONS-91**

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there was one major closing item with budget account 3761, Florence McClure Women's Correctional Center, and it related to new positions to open Housing Unit 10. The Governor recommended General Fund appropriations of \$946,627 in fiscal year (FY) 2019 to fund 10 new correctional officers and 1 new correctional casework specialist and associated costs to open Housing Unit 10. The Department indicated that because of JFA Institute projections, opening Housing Unit 10 at Florence McClure Women's Correctional Center (FMWCC) would be needed to accommodate the continued population growth of female offenders. In the past five years, Nevada's overall female inmate population had increased 31.4 percent from the actual population of 936 at the end of FY 2012 to the 1,230 reported on December 31, 2016. The last forecast that was received in February 2017 indicated that the projected growth rate for the female inmate population would be 2.3 percent in FY 2018 and 1.2 percent in FY 2019. The projected female inmate population in The Executive Budget was 1,270 in FY 2018 and 1,281 in FY 2019.

Fiscal staff noted that the FMWCC was the Department's only female medium/maximum institution in Nevada. Because of the growing female inmate population, the Interim Finance Committee (IFC) approved the opening of Housing Unit 8 in June 2016, which expanded total capacity by 98 beds. As indicated by the Department, and noted in the overview, FMWCC's emergency capacity was 955 beds. The JFA Institute female inmate projections for the 2017-2019 biennium were an average inmate population of 999 during FY 2018 and 1,011 in FY 2019. The facility would have to operate at emergency capacity to accommodate the female population. Currently, the Department was managing the existing population at FMWCC by double bunking more units, which was less than ideal for the safety of the Department staff and inmates, and was using overflow areas to provide beds. To address the projected growth in the upcoming biennium, the opening of Housing Unit 10 would increase FMWCC's available bed capacity by 98 beds.

The Department had indicated during the budget hearing that the long-term plan to house the growing female inmate population was to build additional dorm units at FMWCC within the existing fenced perimeter. The Department projected that available capacity at the facility

over the 2017-2019 biennium would be sufficient to address the growing population if the opening of Housing Unit 10 were approved. Fiscal staff would note that when new positions were recommended, a corresponding decision unit typically included a transfer of associated costs for staff physicals to the Director's Office budget because those costs were accounted for in the Director's Office budget. If the Subcommittees approved decision unit Maintenance (M) 201, a technical adjustment was recommended to transfer \$24,178 in General Fund appropriations for the cost of staff physicals from this budget to the Director's Office budget.

Ms. Shea asked whether the Subcommittees wished to approve the Governor's recommendation of General Fund appropriations of \$946,627 in FY 2019 to fund 10 new correctional officers and 1 new correctional casework specialist and associated costs to open Housing Unit 10 and approve the technical adjustment noted by Fiscal staff to transfer the associated costs for staff physicals from this budget to the Director's Office budget.

Assemblywoman Titus asked whether any of the 200 proposed inmates who were being sent out of state were women. Ms. Shea said it was her understanding all 200 proposed inmates would be male. Assemblywoman Titus said her second question related to the math of having 48 cells double bunked, but 98 additional beds, and she wondered where the other two women were sleeping. Ms. Shea said she believed that those two beds were not occupied.

ASSEMBLYMAN EDWARDS MOVED TO APPROVE THE ADDITION OF TEN NEW CORRECTIONAL OFFICERS AND ONE NEW CORRECTIONAL CASEWORK SPECIALIST AND ASSOCIATED COSTS TO OPEN HOUSING UNIT 10 AND APPROVE THE TECHNICAL ADJUSTMENTS NOTED BY FISCAL ANALYSIS DIVISION STAFF TO TRANSFER THE ASSOCIATED COSTS FOR STAFF PHYSICALS FROM THIS BUDGET TO THE DIRECTOR'S OFFICE BUDGET.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Shea said other closing items 1 and 3 contained M-200 caseload adjustments and all other closing items appeared reasonable. Fiscal staff requested authority to make technical adjustments based on the Subcommittees' decision related to revised inmate populations in other closing items 1 and 3 and recommended approval of other closing items 2, 4, and 5 through 9 as recommended by the Governor with authority for staff to make technical adjustments as necessary, including those associated with Departmentwide and statewide issues.

ASSEMBLYMAN EDWARDS MOVED TO APPROVE OTHER CLOSING ITEMS 1 AND 3 WITH AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS BASED ON THE SUBCOMMITTEES' DECISIONS RELATED TO THE REVISED INMATE POPULATION IN OTHER CLOSING ITEMS 1 AND 3, APPROVE OTHER CLOSING ITEMS 2, 4, AND 5 THROUGH 9 AS RECOMMENDED BY THE GOVERNOR, AND AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY, INCLUDING THOSE ASSOCIATED WITH DEPARTMENTWIDE AND STATEWIDE ISSUES.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Shea noted that the remainder of the Department's budget did not contain any major closing issues; however, they included technical adjustments previously noted by staff regarding changes to inmate population caseloads and associated expenditures and other minor technical adjustments. If the Chair approved, Fiscal Analysis Division staff recommended asking for one motion to approve the remaining budgets, or if the Subcommittees preferred, Fiscal staff would go through each budget individually.

Chair Frierson asked for any further discussion and hearing none, indicated that Ms. Shea could request one motion to approve the remaining budgets.

Ms. Shea stated that Fiscal staff recommended that the following budgets be closed as recommended by the Governor and requested authority to make technical adjustments related to the Subcommittees' decisions concerning the revised inmate population and other technical adjustments as necessary to:

- Casa Grande Transitional Housing budget account (101-3760)
- Northern Nevada Transitional Housing budget account (101-3724)
- Stewart Conservation Camp budget account (101-3722)
- Pioche Conservation Camp budget account (101-3723)
- Three Lakes Valley Conservation Camp budget account (101-3725)
- Wells Conservation Camp budget account (101-3739)
- Humboldt Conservation Camp budget account (101-3741)
- Ely Conservation Camp budget account (101-3747)
- Jean Conservation Camp budget account (101-3748)
- Silver Springs Conservation Camp budget account (101-3749)
- Carlin Conservation Camp budget account (101-3752)
- Tonopah Conservation Camp budget account (101-3754)

ASSEMBLYMAN EDWARDS MADE A MOTION TO APPROVE THE FOLLOWING BUDGET ACCOUNTS AS RECOMMENDED BY THE GOVERNOR: CASA GRANDE TRANSITIONAL HOUSING, NORTHERN NEVADA TRANSITIONAL HOUSING, STEWART CONSERVATION CAMP, PIOCHE CONSERVATION CAMP, THREE LAKES VALLEY CONSERVATION CAMP, WELLS CONSERVATION CAMP, HUMBOLDT CONSERVATION CAMP, ELY CONSERVATION CAMP, JEAN CONSERVATION CAMP, SILVER SPRINGS CONSERVATION CAMP, CARLIN CONSERVATION CAMP, AND TONOPAH CONSERVATION CAMP. THE FISCAL ANALYSIS DIVISION WAS AUTHORIZED TO MAKE TECHNICAL ADJUSTMENTS RELATED TO THE SUBCOMMITTEES' DECISIONS CONCERNING REVISED INMATE POPULATION AND TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - PAROLE AND PROBATION (101-3740)
BUDGET PAGE PUBLIC SAFETY-71

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said that budget account (BA) 3740, Parole and Probation, had four major closing issues.

The first major closing issue was the maintenance (M) staffing and caseload adjustments:

- M-200 adjusted sworn positions.
- M-201 through M-204 adjusted nonsworn positions.

The M-200 adjustment recommended elimination of 11 full-time officer positions and 1 full-time sergeant position and related costs. However, updated JFA Institute caseload projections that were received in March 2017 indicated officer positions should be reduced from 11 to 9. Additionally after the last budget hearing, Fiscal staff met with the Division of Parole and Probation (P&P), Department of Public Safety, and the Office of Finance, Office of the Governor, to look at the budget from a holistic staffing viewpoint. During that meeting, it was discovered that eight positions did not carry an offender caseload, but instead were assigned a workload.

The titles of those positions were as follows:

- United States Marshal Task Force (2)
- Repeat Offender Program (1)
- Digital Investigation Officer (1)
- Range Master (1)
- Parole Board Hearing Officer (1)
- Extradition/Transport/Parole Board Hearing Officer (2)

Given that the eight positions did not contribute to the P&P's offender supervision caseload, Fiscal staff recommended excluding those positions from the caseload reductions recommended in decision unit M-200 and reducing General Fund savings by \$1.1 million over the 2017-2019 biennium.

Ms. Kolbe asked whether the Subcommittees wished to approve the elimination of nine sworn officer positions and one sergeant position based on updated JFA Institute caseload projections and allow P&P to repurpose those eight existing officer positions that did not carry an offender supervision caseload, but were necessary to meet other workload demands.

If the Subcommittees approved the reinstatement of eight of the nine positions recommended for elimination, those eight positions would need to be added to the budget because they were considered to have carried a caseload in The Executive Budget. If the Subcommittees approved the reinstatement of the eight positions, General Funds of \$1.1 million should be added back to the budget account.

Chair Frierson opened the meeting for discussion.

Assemblyman Sprinkle said he felt the noted changes made sense.

Senator Goicoechea wanted to clarify that if the Subcommittees agreed with the staff recommendation, it meant an additional \$1.1 million in General Funds, but those eight positions would technically not be P&P positions.

Ms. Kolbe said the positions were actively engaged with P&P, but they did not carry an offender caseload, but rather a workload.

Chair Frierson requested a motion.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE THE STAFF RECOMMENDATION RELATED TO STAFFING AND CASELOAD PROJECTIONS AND AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe presented the nonsworn decision units M-201, M-202, and M-203. Fiscal Analysis Division staff noted that after the JFA Institute revised projections, the Subcommittees should not approve decision unit M-202: the updated numbers did not support the position requested. Decision unit M-201 adjusted nonsworn postconviction investigations and would add 2 specialist positions. Decision unit M-203 adjusted transfers of offenders to and from Nevada and added 1 specialist position. The combined effects of M-201, adjusted M-202, and M-203 would increase General Fund appropriations by \$329,284 over the 2017-2019 biennium.

Ms. Kolbe asked whether the Subcommittees wished to approve the M-201 and M-203 decision units as recommended by the Governor and not approve the M-202 decision unit, as adjusted by the updated JFA Institute projections, supported with additional General Fund appropriations of \$329,284 over the 2017-2019 biennium.

SENATOR GOICOECHEA MOVED TO APPROVE DECISION UNITS M-201 AND M-203 AS RECOMMENDED BY THE GOVERNOR AND NOT APPROVE DECISION UNIT M-202, AS ADJUSTED BY THE UPDATED JFA INSTITUTE PROJECTIONS.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe explained the next major closing issue, decision unit M-204, provided new staffing and supervision ratios. The Governor recommended adding 31 full-time positions to provide court-related services and presentence investigations. As background for the Subcommittees, P&P approached the Interim Finance Committee (IFC) on February 6, 2014, to address resource issues being experienced during the 2013-2014 interim and had been approved for an additional 21 specialist positions. Additionally, the 2015 Legislature approved a General Fund appropriation of \$75,000 for FY 2016 to support a work-study related to the presentence investigation (PSI) reports.

Assembly Bill (A.B.) 11 of the 78th Session (2015) had decreased the time limitation for the disclosure of factual content within a PSI report to a prosecuting attorney, a counsel for the defendant, the defendant, and the court from 21 working days to 14 calendar days.

Currently, P&P used a mixed staffing ratio depending on the location of the specialist position. The proposed staffing ratio resulted in the addition of 5 specialist positions and 1 supervisor position. According to the Division, the additional specialist positions would

assist with the timely delivery of PSI reports to courts by increasing the production capability and review processes. The updated JFA Institute projections supported one additional position and an accelerated start date for another specialist position.

As adjusted, decision unit M-204 would be supported with General Fund appropriations of \$1.2 million and county reimbursements of \$2.7 million over the 2017-2019 biennium. If the Subcommittees did not wish to approve the new staffing ratio for the P&P specialist positions related to PSI reports, but instead wished to retain the current staffing ratio mix, six positions would be removed from the decision unit, including four specialist 3 positions, one specialist 4 position, and one supervisor position supported with General Fund appropriations of \$204,313 and county reimbursements of \$476,727 over the 2017-2019 biennium.

There were two options for the Subcommittees' consideration:

1. Approve the Governor's recommendation for General Fund appropriations of \$1.2 million and county reimbursements of \$2.7 million over the 2017-2019 biennium, based on updated JFA Institute projections, to provide court-related services and presentence investigations, which included the addition of 31 nonsworn positions in FY 2018 and one additional nonsworn position in FY 2019 to effectuate the proposed P&P specialist 3 position to PSI report staffing at a 1:12 ratio and P&P specialist 4 position staffing at a 1:8 ratio.
2. Approve General Fund appropriations of \$951,877 and county reimbursements of \$2.2 million over the 2017-2019 biennium based on updated JFA Institute projections to provide court-related services and presentencing investigations. This required the addition of 23 nonsworn positions in FY 2018 and 25 nonsworn positions in FY 2019 to retain the current P&P specialist 3 positions to PSI report staffing at a 1:18 ratio for Las Vegas and a 1:16 ratio for all other locations and the P&P specialist 4 position staffing at a 1:13 ratio for Las Vegas and a 1:16 ratio for all other locations. This option would result in a General Fund savings of \$204,313 and a reduction in county reimbursements of \$476,727 over the 2017-2019 biennium.

Fiscal Analysis Division staff noted that there was a Letter of Intent approved during the 2015 Legislature, and the Subcommittees might request to continue that Letter of Intent.

Chair Frierson said it was no secret over the years that he had concerns about PSI report generation and the Legislature funding support for PSI reporting and seeing nothing come of that support. He was frustrated, but the Subcommittees could not afford to hold up the judicial process, because if the resources were not there to get a PSI completed, it stopped everyone: the court, the prosecutor, and the defense. He was happy over the past years to see a different approach and attitude, and he was willing to provide the support for the greater

good. He ended by saying he would be mindful that this support translated into a faster turnaround for PSI reporting.

Senator Goicoechea said he agreed the Legislature needed to support option 1.

Assemblyman Sprinkle said he agreed and he supported option 1, but the Legislature still needed the Letter of Intent approved in 2015, and that should be part of the motion.

SENATOR GOICOECHEA MOVED TO ACCEPT OPTION 1
SUPPORTING NEW STAFFING RATIOS FOR THE P&P SPECIALIST
TO PSI REPORTS AND TO INCLUDE THE LETTER OF INTENT THAT
WAS ISSUED DURING THE 2015 LEGISLATIVE SESSION.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe said the next decision unit was Enhancement (E) 351, new supervision ratios for the Parole and Probation (P&P) sworn positions. The Governor proposed new offender supervision ratios to support a recommendation by the U.S. Department of Justice (DOJ). According to the Division of Parole and Probation, Department of Public Safety, Nevada had one of the highest caseload ratios in the United States. The P&P proposed the creation of a new Low-Risk Supervision Unit (LRSU) with supervisory staffing at a 1:150 ratio as P&P transitioned to intervention techniques and explored alternatives to incarceration. Parole and Probation would be able to focus its attention on high-risk offenders if this decision unit were approved.

The Administrative Banks were eliminated in November 2014, and the new LRSU was established as a temporary solution. The LRSU was designed around a team concept and had a proposed staff-to-caseload ratio of 1:160. Currently, the LRSU was staffed at a 1:250 ratio because of staffing shortages. After the March 14, 2017, budget hearing, Fiscal staff worked with P&P and the Office of Finance, Office of the Governor, to review the caseload staffing requirements of P&P's budget based on the proposed staffing ratios. After reviewing the caseload, it was determined that the proposed sworn positions to effectuate the new offender supervision caseload would be insufficient.

Based on the caseload ratios, the Division would require an additional 11 sworn staff in FY 2018 and additional 3 in FY 2019. However, staff would point out that generally three sergeants reported to a lieutenant position, which would suggest that the addition of the lieutenant position may not be needed. The additional staffing was not included in The Executive Budget.

Ms. Kolbe asked whether the Subcommittees wished to approve the Governor's recommendation to add 11 full-time officer positions, 1 full-time sergeant position, and related costs supported with General Fund appropriations of \$2.4 million over the 2017-2019 biennium to reduce the P&P offender supervision staffing ratios and:

- A. Approve 11 additional sworn positions in FY 2018 supported with additional General Fund appropriations of \$1.4 million and 3 additional sworn positions in FY 2019 supported with additional General Fund appropriations of \$2 million to reflect the staffing needs associated with the reduced staffing ratios proposed by the Governor.
- B. Approve ten additional sworn positions, which removes the lieutenant position, in FY 2018 supported with additional General Fund appropriations of \$1.3 million and three additional sworn positions in FY 2019 supported with General Fund appropriations of \$1.8 million to properly reflect the staffing needs associated with the reduced staffing ratios proposed by the Governor.

Chair Frierson opened discussion of a motion.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION CONCERNING DECISION UNIT E-351 AS ADJUSTED BY OPTION B.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe said the next major closing issue was decision unit E-350, intervention and alternatives to incarceration. To focus on the intervention and provide alternatives to incarceration, this recommendation included the addition of full-time positions. The recommendation included a reduction in offender-to-officer caseload size, officer training to improve relationships with offenders and develop problem-solving skill sets, and the use of day-reporting centers to provide high-risk offenders with rehabilitative services. The P&P Division indicated that each of the following three steps, which were included in The Executive Budget, were necessary to accomplish this objective.

Step one would reduce the offender-to-officer caseload. To better assess the offender's level of supervision and have greater success at predicting recidivism, the agency indicated it would use the Ohio Risk Assessment System (ORAS), an evidence-based assessment tool. The P&P Division would rename its assessment tool the Nevada Risk Assessment System (NRAS).

Step two funded the effective intervention principles. This would provide the Effective Practices in Community Supervision (EPICS) training. The University of Cincinnati (UC) would provide the EPICS training for the officers. The EPICS training would teach officers how to use structured social learning and cognitive behavioral therapy techniques during their interactions with offenders.

Step three funded Day Reporting Centers (DRCs). A DRC was a nonresidential facility, and P&P would focus on those offenders who were not engaging in programming or were self-sabotaging. Assembly Bill 23 was submitted on behalf of P&P to support this recommendation and was referred to the Assembly Committee on Ways and Means on March 15, 2017, and heard on April 10, 2017. The P&P Division indicated that two DRCs in Nevada would provide an alternative to incarceration for up to 250 offenders at any given time, at a cost of approximately \$15 a day. According to P&P, the participation of an offender at a DRC lasted approximately 90 days. Nationally, the stay for each offender depended upon that offender's specific needs, so the time could be anywhere from a couple weeks to eight months. The goal of the proposal was to reduce inmate population at the Department of Corrections by 150 inmates by FY 2019. The actual outcomes from use of the DRCs might not be known until the 2019-2021 biennium.

Ms. Kolbe asked whether the Subcommittees wished to approve General Fund appropriations of \$2.7 million over the 2017-2019 biennium to add eight full-time positions, including one sergeant, five officers, and two specialist positions and related costs for offender intervention and incarceration alternatives, as recommended by the Governor, which included the new risk assessment tool, providing EPICS training to staff, and establishing DRCs contingent upon the passage and approval of the Assembly Bill (A.B.) 23.

If DRCs were approved, Fiscal staff recommended a letter of intent be issued directing P&P to provide semiannual reports to the Interim Finance Committee (IFC) that would include the number of offenders participating in a DRC per month, the offenders' duration of participation, the average costs per participant, the number of offenders successfully exiting DRC programming, and the number of offender recidivists within one year of participation.

Senator Parks said he toured the Utah Day Reporting Center and was highly impressed with the way it operated and thought this was a good move and fully supported it.

SENATOR FORD MOVED TO APPROVE DECISION UNIT E-350
OFFENDER INTERVENTION AND INCARCERATION ALTERNATIVES
AS RECOMMENDED BY THE GOVERNOR AND INCLUDE FISCAL
STAFF'S RECOMMENDED LETTER OF INTENT.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe continued to the next major closing issue, decision units E-353, E-354, and E-356, to improve and expedite inmate release. The Executive Budget included General Fund appropriations of \$3.4 million over the 2017-2019 biennium to improve and expedite the release of inmates who had been paroled.

Decision unit E-353 would embed P&P specialist positions at the Department of Corrections' institutions to assist inmates in developing a viable release plan and a back-up plan, communicating with inmate sponsors and family, and connecting inmates to housing or programming within the community. According to Ms. Kolbe, residential confinement could be an alternative to continued incarceration.

Decision unit E-354 would provide funding to support the contract costs associated with the electronic ankle-monitoring equipment, which tracked offenders released to residential confinement.

The E-356 and E-900 decision units would provide inmates with a means to obtain temporary housing through the allocation of \$150,000 for transitional housing. Ms. Kolbe said once the inmates were released, additional P&P officers would be required to supervise the offenders.

Decision unit E-355 would fund eight additional officers to ensure released inmates were sufficiently supervised.

Currently, P&P had two specialists embedded at the Casa Grande facility since October 2015. By June 2016, there were 124 successful offenders, and from July 2016 to February 2017, there were an additional 151 successful offenders.

The Governor recommended General Fund appropriations of \$699,575 over the 2017-2019 biennium to the Office of Finance, Office of the Governor, for special appropriations to P&P if required. Fiscal staff noted that The Executive Budget incorrectly indicated that the P&P specialist positions would provide supervision to offenders. However, the P&P specialist positions would provide inmate release processes. At the meeting of April 28, 2017, the Subcommittees on General Government recommended approval of this decision unit by placing funding in the Interim Finance Committee Contingency Account for access by P&P as needed and justified. This recommendation would also provide state support for the contract costs associated with ankle-monitoring equipment as previously indicated.

The P&P Division anticipated providing transitional housing funds to service providers for 275 offenders at an average of \$545 per offender in each year of the 2017-2019 biennium. According to the Legal Division, Legislative Counsel Bureau, statutory language would be required to enable the Division of Parole and Probation (P&P), Department of Public Safety, to provide transitional funding for indigent inmates.

Ms. Kolbe reiterated that if the P&P caseworkers were embedded at the Department of Corrections' facilities, the Division anticipated that 56 additional offenders in FY 2018 and 225 additional offenders in FY 2019 would be released. To respond to the projected increase in P&P caseload, The Executive Budget recommended eight new sworn positions.

If the Subcommittees wished to approve the recommendation to provide transitional housing funds for indigent inmates, the Subcommittees should authorize a bill draft request (BDR) to provide enabling language to support this recommendation.

Ms. Kolbe asked whether the Subcommittees wished to approve the Governor's recommendation to provide General Fund appropriations of \$3.4 million over the 2017-2019 biennium to support a pilot reentry program, a state funded electronic monitoring program, and a state funded transitional housing program; and add seven officers, two sergeants, six specialists and one administrative assistant position, and reclassify the two specialist positions, currently at the Casa Grande Transitional Housing facility, for the pilot reentry program, and to supervise the projected additional paroled offenders.

If approved, Fiscal Analysis Division staff recommended a letter of intent to be issued directing P&P to provide semiannual reports to the Interim Finance Committee (IFC) that included the number of inmates released, the number of inmates remaining in a Nevada correctional facility past their parole eligibility date, the reasons those inmates remained in custody, and any difficulties experienced by P&P in regard to improving and expediting inmate releases. The Subcommittees might also wish to include in the letter of intent the number of offenders supervised in the residential confinement program, the average payment for transitional housing, and the number of offenders benefiting from transitional housing funding.

Assemblywoman Titus asked what the process was to put together a BDR, because conceptually she felt this decision unit was appropriate. She felt if Nevada really wanted to decrease its prison population and prevent the offenders from returning to prison, but the offender did not have a home to go to, this program would fail. The entire package needed to be approved.

Chair Frierson asked whether the request for a BDR should be included in the Subcommittees' motion. Mark Krmpotic, Senate Fiscal Analyst, suggested the Subcommittees make that motion when the budget was closed at full committee on May 20, 2017.

Chair Frierson requested the Subcommittee move with what was before them today.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION TO PROVIDE GENERAL FUND APPROPRIATIONS OF \$3.4 MILLION OVER THE 2017-2019 BIENNIUM TO SUPPORT A PILOT REENTRY PROGRAM, A STATE-FUNDED ELECTRONIC MONITORING PROGRAM, AND A STATE-FUNDED TRANSITIONAL HOUSING PROGRAM AND INCLUDE FISCAL STAFF'S RECOMMENDED LETTER OF INTENT.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe said the other closing items appeared reasonable. Fiscal staff would draw attention to item 3, which was a base-funding amendment. Budget amendment A171373740 properly aligned the funding for the presentence investigation (PSI) reports, and Fiscal staff recommended a technical adjustment to properly align the funding for PSI reports.

Fiscal staff recommended the other closing items be closed as recommended by the Governor, with the noted technical adjustment, and requested authority for staff to make other technical adjustments as necessary.

SENATOR FORD MOVED TO APPROVE OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR WITH THE ADJUSTMENT NOTED BY STAFF AND AUTHORIZE FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

**INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - DIRECTOR'S OFFICE (101-4460)
BUDGET PAGE WILDLIFE-6**

Jeff Ferguson, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there were no major closing issues for budget account 4460. Staff recommended approval of the other closing items as recommended by the Governor and requested authority to make technical adjustments to this budget as necessary.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR AND AUTHORIZE FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

**INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - OPERATIONS (101-4461)
BUDGET PAGE WILDLIFE-10**

Jeff Ferguson, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there were two major closing issues for budget account 4461. The first one was decision unit Enhancement (E) 550 to implement license simplification. This decision unit resulted from a study of the Department of Wildlife's current license structure and processes. The Governor recommended sportsmen revenue of \$72,450 in fiscal year (FY) 2018 to fund necessary modifications to the associated information systems used by the Department. The Department contracted in November 2015 for a study of the attitudes and beliefs of Nevadans who purchased hunting, fishing, angling, or combination licenses. That study was completed in January 2017, and based on the outcomes of the consultant's licensing structure study, the Department had determined the specific measures it needed to simplify the licensing process. These license simplification measures were included in Senate Bill (S.B.) 511, which had passed out to the Senate Committee on Natural Resources on April 6, 2017, and was heard in the Senate Finance Committee on May 10, 2017.

Decision unit E-550 funded the information technology (IT) costs that were associated with the license simplification. Fiscal staff noted that passage of S.B. 511 would require a two-thirds majority approval to pass because it contained an increase in fees. Mr. Ferguson said if the Subcommittees voted to approve the Governor's recommendation for license simplification, but S.B. 511 or other enabling legislation was not approved, Fiscal staff would request authority to remove this decision unit.

Mr. Ferguson asked whether the Subcommittees wished to approve the Governor's recommendation to provide sportsmen revenue of \$72,450 in FY 2018 to fund modifications to the Department's information systems to simplify the licensing process, contingent upon passage of S.B. 511 or other enabling legislation.

SENATOR GOICOECHEA MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION TO PROVIDE SPORTSMEN REVENUE OF \$72,450 IN FY 2018 TO FUND MODIFICATIONS TO THE DEPARTMENT'S INFORMATION SYSTEMS TO SIMPLIFY THE LICENSING PROCESS, CONTINGENT UPON PASSAGE OF SENATE BILL (S.B.) 511 OR OTHER ENABLING LEGISLATION.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Titus voted no.)

Mr. Ferguson said the second major closing issue was decision unit E-231, which converted an administrative assistant position in Winnemucca from part-time to full-time. The Governor recommended sportsmen revenue funding of \$23,897 in FY 2018 and \$24,495 in FY 2019. The Department indicated the position was currently responsible for hunting and fishing license sales; boat registration and titling; customer service inquiries via phone; email or walk-ins; and administrative support to office staff. The Department indicated that this would be the only employee in the building to assist the public once they entered the building because the building layout did not allow other Winnemucca staff to be aware of customers needing assistance. Fiscal staff noted that the Winnemucca office had recently relocated from a smaller office to this larger office, and the layout of the larger office would require someone to be in the front for customer service.

Mr. Ferguson said the effective date was July 1, 2017, as recommended in the budget; however, the Department had some difficulty in getting the building modification completed, and the modification would not be completed until fall of 2017. Accordingly, Fiscal staff made an adjustment to change the effective date from July 1, 2017, to October 1, 2017. That reduced sportsmen revenue funding by \$5,892.

Mr. Ferguson asked whether the Subcommittees wished to approve the Governor's recommendation to convert the current part-time administrative assistant position at the Winnemucca office to full-time, including the adjustment by staff to move the start date from July 1, 2017, to October 1, 2017.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION TO CONVERT THE CURRENT PART-TIME ADMINISTRATIVE ASSISTANT POSITION AT THE WINNEMUCCA OFFICE TO FULL-TIME, INCLUDING THE ADJUSTMENT BY FISCAL STAFF TO MOVE THE POSITION START DATE FROM JULY 1, 2017, TO OCTOBER 1, 2017.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said there were a number of other closing items, all of which appeared reasonable to Fiscal Analysis Division staff. Fiscal staff recommended approval of other closing items 1 through 4 and 6 through 12 as recommended by the Governor, with the technical adjustments noted by staff. Other closing item 5 was approved by the full committees on May 15, 2017, with other statewide decision units. Staff requested authority to make technical adjustments to this budget as necessary.

ASSEMBLYMAN EDWARDS MOVED TO APPROVE OTHER CLOSING ITEMS 1 THROUGH 4 AND 6 THROUGH 12 AS RECOMMENDED BY THE GOVERNOR, WITH THE TECHNICAL ADJUSTMENTS NOTED BY FISCAL ANALYSIS DIVISION STAFF AND AUTHORITY FOR FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - CONSERVATION EDUCATION (101-4462)
BUDGET PAGE WILDLIFE-21

Jeff Ferguson, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said there was one major closing issue for budget account 4462. That was the outreach and email marketing system. The Governor recommended sportsmen revenue of \$42,785 in fiscal year (FY) 2018 and \$26,350 in FY 2019 to purchase GovDelivery, which was an outreach, email marketing, and web-based communications system to replace the Department of Wildlife's current Campaigner system. The Department indicated that it had successfully used the Campaigner system to send over 150,000 outreach emails a year to over 95,000 subscribers, enabling it to discontinue several traditional mail pieces. However, the current Campaigner system was becoming obsolete, and it did not have advanced tools for market list segmentation, which meant sometimes the messages the Department sent out were identified as spam and did not reach the reader. The Department indicated it would issue a request for proposal (RFP) for a new outreach and email marketing system, and the system selected for purchase might not be GovDelivery.

Mr. Ferguson said that in earlier hearings, the Subcommittees had asked what other options the Department had considered. The Department had considered Mail Chimp, Constant Contact, Exact Target, among others; however, the limiting factor with these other options was the price. These options charged by the size of the email list, whereas

GovDelivery was based on a flat fee and did not charge by the list size and had a higher trust threshold with the public than other service providers.

Mr. Ferguson asked whether the Subcommittees wished to approve the Governor's recommendation to use sportsmen revenue of \$42,785 in FY 2018 and \$26,350 in FY 2019 to replace the Department's current email outreach and marketing system.

SENATOR PARKS MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION TO USE SPORTSMEN REVENUE OF \$42,785 IN FY 2018 AND \$26,360 IN FY 2019 TO REPLACE THE DEPARTMENT'S CURRENT EMAIL OUTREACH AND MARKETING SYSTEM.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said there were some other closing items, all of which appeared reasonable to Fiscal Analysis Division staff. Fiscal staff recommended approval of all other closing items as recommended by the Governor with authority to make technical adjustments as necessary.

ASSEMBLYMAN EDWARDS MADE A MOTION TO APPROVE ALL OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR WITH AUTHORITY FOR FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - LAW ENFORCEMENT (101-4463)
BUDGET PAGE WILDLIFE-27

Jeff Ferguson, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau said the next budget account was budget account 4463, Wildlife Law Enforcement. There were no major closing issues in this budget. Fiscal staff recommended approval of other closing items 2 and 3 as recommended by the Governor. Staff requested authority to make adjustments to other closing item 1 as appropriate, based on the Subcommittees' closing decisions in the Game Management budget. Fiscal staff requested authority to make other technical adjustments to this budget as necessary.

ASSEMBLYMAN EDWARDS MOVED TO APPROVE OTHER CLOSING ITEMS 2 AND 3 AS RECOMMENDED BY THE GOVERNOR AND OTHER CLOSING ITEM 1 WITH APPROPRIATE ADJUSTMENTS BASED ON CLOSING DECISIONS IN THE GAME MANAGEMENT BUDGET, AND AUTHORIZE FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - GAME MANAGEMENT (101-4464)
BUDGET PAGE WILDLIFE-32

Jeff Ferguson, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau said the next budget account was Game Management, budget account 4464. There were three major closing issues for this budget account. The first major closing issue was the Governor-recommended sportsmen revenue of \$30,972 in fiscal year (FY) 2018 and \$3,000 in FY 2019 for equipment, travel, and training to establish a Wildlife Human Attack Response Team (WHART). During the budget hearing and written follow-up with Subcommittees' questions, the Department of Wildlife indicated that while there had not been instances in which humans had been injured by wildlife in Nevada, there had been a number of instances where humans could have been injured. The frequency of these reports had been increasing across the state; in addition, there were a number of other western states that were pursuing this training. The Department said Montana, Arizona, and British Columbia, Canada, had adopted this approach, and Florida was currently sponsoring the training. The costs would consist of a professional instructor to train department employees in FY 2018, and the rest would be to purchase three trailers—one in Reno, one in Las Vegas, and one in Elko. Those trailers would be outfitted with the appropriate equipment, much like a crime scene investigation unit.

Fiscal Analysis Division staff noted that in addition to this recommendation, the Governor recommended \$6,000 in each year of the biennium in the Law Enforcement account budget to provide travel costs for eight game wardens to attend two training classes in Reno. The professional training would be provided once in the first half of 2018, and future training would consist of semiannual, scenario-based refresher training. The responsibility for the refresher training would be the lead team within the Department.

Mr. Ferguson asked whether the Subcommittees wished to approve the Governor's recommendation for sportsmen revenue of \$30,972 in FY 2018 and \$3,000 in FY 2019 for equipment, travel, and training to establish a Wildlife Human Attack Response Team (WHART) within the Department.

Chair Frierson asked for discussion.

Assemblywoman Titus expressed concerns about the \$3,000 each year for in-state travel for four biologists to travel to Reno and receive this training twice a year. She wondered how often the concepts and training changed and whether the Department really needed such training twice a year.

Mr. Ferguson said according to the Department, the routine refresher training was needed to maintain consistency and updated practices, similar to law enforcement agencies that routinely provided refresher training for its officers.

Assemblywoman Titus said she did not believe that animal behavior changed on a six-month basis. She could support training once, but not twice a year, every year. She supported the concept because the urban areas pushed out into the native habitat for wildlife and there would be more interaction. She felt citizens needed more training than the biologists did.

Chair Frierson said that he knew of people who had bears climb through their windows, and he did not question this recommendation.

ASSEMBLYWOMAN SWANK MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION FOR SPORTSMEN REVENUE OF \$30,972 IN FY 2018 AND \$3,000 IN FY 2019 FOR EQUIPMENT, TRAVEL, AND TRAINING TO ESTABLISH A WILDLIFE HUMAN ATTACK RESPONSE TEAM (WHART) WITHIN THE DEPARTMENT.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Titus voted no.)

Mr. Ferguson said the next major closing issue was the Governor-recommended sportsmen revenue of \$68,668 in FY 2018 and \$68,740 in FY 2019 for a new biologist position and associated cost to address urban wildlife (particularly bear) conflicts in the western region of Nevada and provide support for other surveys. The Department indicated the workload and demand for this position exceeded 1,500 hours annually. Currently there was a seasonal position that conducted these activities; however, the Department believed that a permanent full-time position was needed to assure it could address the demand adequately and retain qualified personnel. In addition to conflict work, the Department indicated that in winter months, this position would assist in the collection and coordination of biological data used

by the Department for other game management needs, such as a survey of bighorn sheep, deer, sage grouse, and other species of upland game.

During the budget hearing, the Department testified that the increase in conflict calls received in the western region had increased significantly from an average of 178 calls annually in FY 2002, to 282 calls in FY 2010, to 498 calls in FY 2013. In the period between July 2015 and April 2016, the Department reported it received 597 calls just regarding bears.

Mr. Ferguson said Fiscal staff inquired whether the Department needed to retain the seasonal position currently conducting these activities if the recommended new biologist position were approved. The Department responded that it would not need the seasonal position. Fiscal staff would recommend a technical adjustment to decrease seasonal salary costs by \$35,011 in each fiscal year if the request were approved. As a result, the costs associated with the addition of the new biologist position request would require sportsmen revenue of \$33,657 in FY 2018 and \$33,729 in FY 2019.

Mr. Ferguson asked whether the Subcommittees wished to approve the Governor's recommendation to use sportsmen revenue of \$68,668 in FY 2018 and \$68,740 in FY 2019 to fund a new biologist position for the western region to address urban wildlife (bear) conflicts and to provide support for other surveys with a technical adjustment to eliminate \$35,011 in seasonal salary costs in both FY 2018 and FY 2019.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION TO USE SPORTSMEN REVENUE OF \$68,668 IN FY 2018 AND \$68,740 IN FY 2019 TO FUND A NEW BIOLOGIST POSITION WITH A TECHNICAL ADJUSTMENT TO ELIMINATE \$35,011 IN SEASONAL SALARY COSTS IN BOTH FY 2018 AND FY 2019.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson continued to the next major closing issue in this budget, the Governor-recommended federal Wildlife Restoration Funds of \$37,500 and sportsmen revenue of \$12,500 in each year of the 2017-2019 biennium to create a comprehensive, centralized, web-accessible database to allow better access to science-based data stored in a variety of forms. The 2015 Legislature approved the Governor's recommendation for funding of \$49,000 in FY 2016 to contract with an information technology firm to assess the status of the Department's scientific data, articulate the data needs, and provide recommendations for infrastructure and development of a new unified scientific database.

The Governor's recommendation for the upcoming biennium would provide funding to complete the contractor's recommendations. The Department indicated the anticipated delivery date for the recommendations from the contractor had not occurred and would not be available until June 2017. As a result, the details of what would be required to complete the database were unknown at this time, as were the costs to create it. The recommendation in The Executive Budget served as a placeholder until the actual costs were known. Without the specifics of the contractor's forthcoming recommendations, including details of how the database would be built, Fiscal staff was unable to provide an analysis about the reasonableness of the proposed system.

In response to the Subcommittees' question about why this recommendation should be approved before the contractor's recommendations were received, the Department stated that the contractor's recommendations would indicate how to articulate data needs and provide recommendations for infrastructure and development of a new unified scientific database. Even though the information was not currently available, it did not diminish the need to proceed with the building of the database.

Mr. Ferguson asked whether the Subcommittees wished to approve the Governor's recommendation for federal Wildlife Restoration funds of \$37,500 and sportsmen revenue of \$12,500 in each year of the 2017-2019 biennium to create a comprehensive, centralized, web-accessible database to allow better access to the Department's science-based data.

Assemblywoman Titus said she might be the only member of the Subcommittees who paid for hunting tags, and the money in this budget did not come from the General Fund, but from sportsmen like her. She appreciated the Fiscal staff's attention to where this funding went, and she supported this recommendation.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE THE GOVERNOR'S
RECOMMENDATION FOR FEDERAL WILDLIFE RESTORATION
FUNDS OF \$37,500 AND SPORTSMEN REVENUE OF \$12,500 IN
EACH YEAR OF THE 2017-2019 BIENNIUM TO CREATE
A WEB-ACCESSIBLE DATABASE.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said there were other closing items, and Fiscal staff recommended approval of all other closing items as recommended by the Governor, with authority to make technical adjustments to this budget as necessary.

SENATOR PARKS MOVED TO APPROVE ALL OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR AND AUTHORIZE FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - FISHERIES MANAGEMENT (101-4465)
BUDGET PAGE WILDLIFE-39

Jeff Ferguson, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the next budget was Fisheries Management, budget account 4465. There were no major closing issues for this budget account. Staff recommended approval of all other closing items as recommended by the Governor, with authority to make technical adjustments to this budget as necessary.

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

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - DIVERSITY (101-4466)
BUDGET PAGE WILDLIFE-45

Jeff Ferguson, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau said the next budget was Wildlife Diversity, budget account 4466. Staff was responsible for developing recommendations for this budget, and the Subcommittees had not previously heard this budget. This budget dealt with the management of raptors, shorebirds, water birds, songbirds, nongame mammals, and reptiles. The total requested funding was \$4.2 million, which was the same as last biennium. There were no major closing issues. Staff recommended approval of all other closing items as recommended by the Governor, with authority to make technical adjustments to this budget as necessary.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE ALL OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR AND AUTHORIZE FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - HABITAT (101-4467)
BUDGET PAGE WILDLIFE-50

Jeff Ferguson, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said the last budget was Wildlife Habitat, budget account 4467. There was one major closing issue for this budget. The Governor recommended federal Wildlife Restoration funds of \$48,365 in fiscal year (FY) 2018 and \$63,628 in FY 2019 and sportsmen revenue totaling \$16,686 in FY 2018 and \$21,814 in FY 2019, for one new biologist position to be stationed at the Bureau of Land Management's (BLM) new seed warehouse located in Ely, Nevada. The Department of Wildlife said that it had partnered with the Nevada Partners for Conservation and Development (NevadaPCD) and had taken the lead role in the many restoration projects across Nevada. An important component of habitat work was a seed supply focused on native species, and those species likely to succeed in restoration projects. The BLM currently provided a one-person staff who managed the facility, and the recommended biologist position would help with the day-to-day workload at the warehouse.

In response to the Subcommittees' questions about why a Department of Wildlife biologist would be stationed at and help operate a federally funded seed warehouse, the Department responded that in addition to allowing a cooperative spirit at the NevadaPCD, placing a state biologist position with botanical specifications at the National Seed Warehouse would provide leadership in seed purchase, species mixes, local sources, produced seeds, and seed stockpiles for future habitat projects. In addition, this would ensure the state equal expertise and footing necessary to obtain seed the state wanted for particular projects. The Department would be using federal grant funds, matched at \$3 federal funds for \$1 of state funds to fund the salary of the new position.

Mr. Ferguson asked whether the Subcommittees wished to approve the Governor's recommendation for federal Wildlife Restoration funds of \$48,365 in FY 2018 and \$63,628 in FY 2019 and sportsmen revenue totaling \$16,686 in FY 2018 and \$21,814 in FY 2019 for one new biologist position to be stationed at the Bureau of Land Management's seed warehouse located in Ely, Nevada.

Assemblywoman Titus referred to the new state park, wherein part of the East Walker River needed to have the native habitat restored, and that would take a lot of involvement. She asked whether the Department was prepared for that.

Mr. Ferguson was not positive about the correct answer, but the Department said that by having the biologist position, it would facilitate in obtaining seed and perhaps increase the priority for the project.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE THE GOVERNOR'S RECOMMENDATION FOR FEDERAL WILDLIFE RESTORATION FUNDS OF \$48,365 IN FY 2018 AND \$63,628 IN FY 2019 AND SPORTSMEN REVENUE TOTALING \$16,686 IN FY 2018 AND \$21,814 IN FY 2019 FOR ONE NEW BIOLOGIST POSITION.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Ferguson said that the other closing items appeared reasonable. Staff recommended approval of all other closing items as recommended by the Governor, and staff requested authority to make technical adjustments to this budget as necessary.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE ALL OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR AND AUTHORIZE FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Assembly Committee on Ways and Means
Senate Committee on Finance
Subcommittees on Public Safety, Natural Resources, and Transportation
May 18, 2017
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Chair Frierson opened public comment, and hearing none, adjourned the meeting at 10:11 a.m.

RESPECTFULLY SUBMITTED:

Michelle Hamilton
Committee Secretary

APPROVED BY:

Assemblyman Jason Frierson, Chair

DATE: _____

Senator David R. Parks, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.