

**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
April 20, 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 8:10 a.m. on Thursday, April 20, 2017, in Room 2134 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/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:

Mark Krmpotic, Senate Fiscal Analyst
Sarah Coffman, Principal Deputy Fiscal Analyst
Kristen Kolbe, Program Analyst
Kristina Shea, Program Analyst
Anne Bowen, Committee Secretary
Lisa McAlister, Committee Assistant



After call of the roll, Chair Frierson opened public comment and there was none.

Chair Frierson stated the agenda would be taken out of order and the meeting would start with the work session for the Department of Corrections.

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said there had been two prior budget hearings on March 6, 2017, and March 24, 2017, regarding the Department of Corrections (NDOC). There were several items to discuss related to the inmate population and the departmentwide capacity for NDOC.

The NDOC male and female inmate population was projected to increase over the 2017-2019 biennium to 14,006 inmates in fiscal year (FY) 2018 and 14,247 inmates in FY 2019. The agency indicated that the increased population would put a strain on the available bed capacity at the NDOC facilities and institutions. Ms. Shea said the current inmate population as of February 28, 2017, was 13,733 inmates, which was 785 inmates over the 2015 legislatively approved population of 12,948 inmates and a 6.1 percent increase.

Ms. Shea said the first topic was the inmate population projections. The projected average inmate count recommended in The Executive Budget was 14,006 inmates for FY 2018 and 14,247 for FY 2019. In the past five years, the NDOC overall inmate population had increased 10.4 percent from the actual inmate population reported at the end of FY 2012 of 12,443 to the actual inmate population of 13,733 reported as of February 28, 2017. The male population had increased 8.2 percent, or 940 inmates, while the female population had increased 37.4 percent, or 350 inmates, compared with the FY 2012 levels.

The Office of Finance (Governor's Finance Office), Office of the Governor, contracted with JFA Associates, LLC, to provide the state with three inmate population forecasts. The third projected forecast, which was received in February 2017, provided fairly consistent population projections with the October 2016 report, which was used to build the Governor's recommended budget. Ms. Shea said the February 2017 report indicated that the projected female inmate population would increase by 19 females in FY 2018 and 38 females in FY 2019 compared with the October 2016 projections. The projected male prison population would decrease by six inmates in FY 2018 and decrease by ten inmates in FY 2019 compared with the October 2016 projections. The Governor's Finance Office had not recommended a change to the M-200 caseload projections based on the revisions. However, Fiscal Analysis Division staff suggested a technical adjustment for consideration by the Subcommittees at closing, which would incorporate the changes to the population.

Ms. Shea stated the custody mix, which was the security level inmates projected in the NDOC's biennial plan for the 2017-2019 biennium, was projected to differ from the custody mix approved by the 2015 Legislature. The NDOC projected the percentage of minimum-custody male and female inmates to increase, medium-custody inmates to decline

in the male population, and maximum-custody inmates to increase in the 2017-2019 biennium.

The NDOC developed a capacity analysis, biennium plan, and ten-year housing plan for both male and female inmate populations based upon the population projections developed by JFA Associates. Ms. Shea noted that the capacity analysis report detailed by facility and institution the total available beds, actual population, and any beds being used above the institution's emergency capacity.

The Executive Budget for the 2017-2019 biennium indicated the total bed capacity was 13,562 departmentwide compared with 14,049 total bed capacity approved during the 2015 Legislative Session, a decrease of 487 beds. Fiscal Analysis Division staff noted that a variety of capacity reports had been received from NDOC since The Executive Budget was submitted, each of which reflected changing capacity figures and reflected inconsistency among the different versions of the report. Ms. Shea said given the changes and inconsistencies in the reporting, concerns and questions regarding the accuracy of the NDOC reporting measures had been raised. Fiscal Analysis Division staff noted it still had concerns regarding the capacity reports and would like to have the reports returned to the 2015 Legislative Session base structure where the design of the facilities and each cell being housed with one bed was reflected in the reports. Ms. Shea said that, to date, those reports had not been received.

Ms. Shea said the Subcommittees might wish to recommend that Fiscal Analysis Division staff work with the State Public Works Division to return the reports back to base structure. That would allow staff to determine whether any of the facilities were operating over emergency capacity, which could not be determined with the current information.

Chair Frierson remarked that the Subcommittees might remember that this issue arose before, and there were forms that were previously used that clearly set out the capacity. The initial forms that were received this session had a different structure that made it difficult for Fiscal staff to assess capacity. Chair Frierson recalled requesting the forms that were used last biennium to be used this biennium so the Subcommittees could compare apples to apples. He said it seemed to him that if a building was constructed and there were a certain number of rooms, those rooms did not just disappear from biennium to biennium. Chair Frierson found it confusing that in one biennium there were this many beds and in the next biennium there were fewer rooms, but there was no destruction of rooms. He had requested NDOC to use the previous form so the Subcommittees would have a clearer picture of capacity, and it was his understanding that did not happen. He asked Ms. Shea to correct him if he was wrong, but there were some forms received, reflective of the previous biennium form.

Ms. Shea said that was correct, and the NDOC had made some changes to the form that were consistent with the 2015 form that was approved by the Legislature. The one change that had not been made was the base structure, which would allow everyone to see the way the facilities were designed originally with one cell and one bed per cell. She said that change would allow identification of the above emergency capacity in the facilities.

Assemblyman Sprinkle asked whether the base structure level had been available in the past and whether that aligned with the form the Chair had referred to, so the changes from biennium to biennium could be seen. He agreed with the comment that a building was a building and square footage stayed square footage. Assemblyman Sprinkle said if the numbers for capacity kept changing, that told him that NDOC was adding beds in places that were probably not part of the original base. He asked whether records about the base structure were available.

Ms. Shea responded that the 2011 and 2013 Legislative Session documents reflected base structure as well as operating capacity. The 2015 documents also reflected it, but the most accurate years were probably 2011 and 2013.

Assemblyman Sprinkle wondered whether it might be wise to go back to some sort of foundation and then try to establish an accurate set of numbers regarding capacity.

Chair Frierson proposed contacting the State Public Works Division for information regarding the facilities and how they were built, because there would be a baseline that could be considered for each structure that was built. He said it did not seem natural that the numbers would change, but apparently there was some subjectivity involved. Chair Frierson said the Subcommittees were trying to ensure an accurate assessment of capacity so that inmates and employees were safe.

Senator Goicoechea asked whether the numbers from 2013 were available and how those numbers compared with the number presented today, which was 13,562 inmates departmentwide.

Ms. Shea explained that the numbers being referred to in this conversation were base structure figures, and the 2017 report that had been presented was lacking base structure figures. Fiscal Analysis Division staff were unable to do a comparison of the 2011 and 2017 reports because the reports were not comparing "apples to apples." The current reports from the NDOC showed base structure and operating structure using the same figures.

Senator Parks remarked that he remembered basing numbers on bed capacity at 1.5 inmates per cell and using that figure as a standard base in past budget cycles.

Ms. Shea replied that in the past, the base structure had been one bed per cell, which would be 100 percent. The operating capacity would be 150 percent and the emergency capacity would be 168 percent.

Assemblyman Sprinkle asked Fiscal Analysis Division staff why it kept getting different numbers from the NDOC, and Ms. Shea said that was probably a better question to ask the agency.

Chair Frierson called for a representative of the Department of Corrections (NDOC) to provide an explanation.

James Dzurenda, Director, Department of Corrections, said he would have David Tristan, Deputy Director, present the capacity report piece, but Mr. Dzurenda said what had changed over time, and would keep changing, was the number of actual beds and what the beds could be used for. He presented an example: if a tuberculosis cell contained two beds, two inmates could not be housed in there, and in high-security segregation, there could not be two in a cell. It looked as though there were two beds, but it was really counted as one bed. Mr. Dzurenda said those things changed over time and were adjusted in the capacity report.

Chair Frierson reiterated that Mr. Dzurenda's examples were subjective factors that changed, but the Subcommittees still needed to know the number of beds. If at one point in time the agency had a pair of inmates who could not be housed with anyone else, which was understandable. As those inmates moved around or were released or transferred, the numbers would change and capacity based on subjective factors would always change.

David Tristan, Deputy Director, Programs, Department of Corrections, acknowledged that the numbers had changed, and the reason that the base structure had changed from the last biennium to this biennium was because there were infirmary beds and hospital beds counted in the base structure. As Mr. Tristan had explained before, those beds were not designed for permanent housing, and it took a doctor or psychiatrist to put an inmate in those beds. Mr. Tristan said every available bed that was designed for housing on a permanent basis was counted, which was how there was a different base structure.

What was different in some of the numbers that had more recently changed was that a unit at Florence McClure Women's Correctional Center needed to be activated. When that unit was activated over the past year because of increased female population, the base structure changed. Mr. Tristan said that a unit not funded and not online was not counted as part of the base structure. According to Mr. Tristan, the base structure today was 13,659, if every single bed available for housing inmates from minimum custody to maximum custody was counted. There was an increase because building 7 at Florence McClure Women's Correctional Center was activated, and that increased the base structure.

Mr. Tristan said relating to overcapacity, another 182 beds were added, and those were primarily in day rooms and activity rooms. As of yesterday, the NDOC was over its base structure by 356 inmates because additional bunks in camps had been added.

Mr. Tristan said what was not counted were special-purpose beds, 318 for the male inmates and 56 for the female inmates. These beds were infirmary beds, hospital beds, and mental health inpatient beds. Currently, if every one of those special-purpose beds were added, the total would be 14,033 beds. Mr. Tristan said the NDOC was trying to make actual capacity more visible, and as of right now, the base structure with everything activated was 13,659. The population was 13,733, which would be a little over 100 percent of capacity with every bed available. The NDOC provided those figures, and Ms. Shea was correct, the figures changed over the last week or so because an additional unit at Florence McClure had been activated.

Chair Frierson said the concern was just about the base—the number of beds. Functionally, NDOC could say that certain beds could not be used for a certain reason, but it prevented the Subcommittees from being able to make a decision when the target was always moving. He used the example that the 13,659 number NDOC just provided was different from the 14,298 current capacity given to the Subcommittee by the Fiscal Analysis Division staff. Chair Frierson said he still believed that going back to Public Works was probably the best option for an accurate base structure number.

Senator Goicoechea asked whether the agency was saying its bed capacity was 13,659. Mr. Tristan said 13,659 was the base structure and the 14,298 number was the inmate population.

Senator Goicoechea asked for confirmation that NDOC had bed capacity for 13,659, and that number should be comparable to what Public Works would be using as base structure.

Mr. Tristan said that was correct. Public Works' number for base structure was a little different from NDOC because Public Works counted two persons per cell. Mr. Tristan said NDOC counted two persons per cell for medium and close custody, but in the condemned men's unit and with segregation inmates only, one bed per cell was counted.

Chair Frierson said it was his understanding that Public Works used one bed per cell. He wanted to make sure the record was clear about the number of beds versus capacity. The Subcommittees were not talking about bodies, they were talking about beds.

Assemblywoman Titus said she also wanted to be certain that the definition of available beds was not related to staffing. She noted that in the health-care world it sometimes appeared that hospitals were full, but in reality there were 50 empty beds but not enough nurses to staff them.

Assemblyman Sprinkle said he agreed with Assemblywoman Titus that what was needed was the basics of how many per cell, because all the other exceptions could be factored in. He said what was needed was the basic number.

Chair Frierson suggested having Fiscal Analysis Division staff collaborate with NDOC and with the State Public Works Division to arrive at a hard number.

Ms. Shea continued with the presentation and said the Department of Corrections (NDOC) provided an updated capacity analysis report on April 13, 2017, to Fiscal Analysis Division staff. The capacity analysis report, version 201704-CA-61, revised its current capacity to 14,298 available beds, which was 736 beds more than the capacity used to build the Governor's recommended budget and 249 additional beds over the 2015 legislatively approved bed capacity of 14,049. The primary factors that had changed between the two reports included the following:

- The addition of 220 beds at Florence McClure Women's Correctional Center because of bringing Housing Unit 8 and Housing Unit 10 online and addition of overflow beds.
- The addition of 70 overflow beds at Lovelock Correctional Center, 70 overflow beds at Southern Desert Correctional Center, and 18 overflow beds at Warm Springs Correctional Center.
- A decrease of 110 infirmary beds, as these beds provided short-term housing for medical purposes.
- A decrease of 100 beds at Northern Nevada Correctional Center because of changes in the NDOC's mental health procedures.
- The addition of 42 overflow beds at Pioche Conservation Camp, plus 57 additional beds because of double bunking at Three Lakes Valley Conservation Camp, to address growing inmate populations.

Senator Goicoechea asked whether all of the camps were at inmate capacity. There were a number of camps, and Senator Goicoechea was concerned when he saw programs with 42 and 57 additional inmates and double bunking. He also was under the impression that the number of inmates was down at Humboldt Conservation Camp and Carlin Conservation Camp.

Mr. Tristan said Senator Goicoechea was correct. There might be additional square footage that could be used, but the Engineer said there were infrastructure problems concerning the sewage ponds and arsenic leaking into the system. The NDOC was having problems getting those problems stabilized, but it was going to work with Public Works to correct the

problem. Mr. Tristan said NDOC did not want to house more inmates and tax the infrastructure even more.

Senator Goicoechea said he understood that, but those camps were designed to accommodate a certain number of inmates. If the infrastructure had deteriorated, that was unfortunate, but the bottom line was that he was concerned about double bunking and overflow beds in some particular camps, when there was capacity elsewhere in the state. Senator Goicoechea said Nevada was coming into that season of the year when those inmates could serve themselves and the state a lot better.

Ms. Shea told Senator Goicoechea that at the Carlin Conservation Camp as of February 2017, total available beds were 150 and actual population was 129. The Humboldt Conservation Camp had total available beds of 148 and the inmate population was 131.

Ms. Shea continued with her presentation and referred to Parole and Probation programs. The Division of Parole and Probation (P&P), Department of Public Safety, had included several initiatives in the Governor's recommended budget over the 2017-2019 biennium that might have an effect on the NDOC prison population. However, Fiscal Analysis Division staff noted that no corresponding reductions had been included in the NDOC's budget to correspond with the projected effect of the P&P programs on the inmate population. These initiatives included the Day-Reporting Centers, the Pilot Re-Entry Program, the Residential Confinement Program Expansion, and the Supervised Additional Paroled Offenders.

Ms. Shea presented a brief summary of the four programs. The Day-Reporting Centers (DRCs) were nonresidential facilities that provided high-risk offenders with rehabilitative services. The agency indicated that the two DRCs in Nevada would provide an alternative to incarceration for up to 250 offenders per month.

The Pilot Re-Entry Program that the Governor was recommending provided caseworker access to eight NDOC facilities, including Casa Grande Transitional Center, to improve and expedite the inmate release process. The Division of Parole and Probation (P&P) anticipated nearly 800 additional offenders would be released for community supervision over the next biennium by embedding the P&P specialist positions in the NDOC facilities.

Ms. Shea said the Residential Confinement Program expansion would expand the house arrest program to serve as an intermediate sanction option to parolees, probationers, inmates, and paroled inmates who lacked a viable release place or required greater supervision. The Division of Parole and Probation (P&P) had indicated that this program would address an estimated increase of 200 qualifying parolees in fiscal year (FY) 2018 and 450 in FY 2019.

Ms. Shea referred to the Supervised Additional Paroled Offenders initiative and said P&P caseworkers embedded in the NDOC facilities would begin developing viable release plans with inmates. The Department of Corrections projected that with the addition of the

embedded P&P caseworkers, an additional 225 and 450 offenders would be released to parole in FY 2018 and FY 2019, respectively.

The total estimated costs of the P&P initiatives recommended over the 2017-2019 biennium amounted to \$5.6 million in General Fund appropriations. The Division of Parole and Probation (P&P) had testified that a reduction of 2,375 inmates could be possible if the programs were successfully implemented. Ms. Shea noted that there was no recommended reduction in the inmate populations over the 2017-2019 biennium based on the stated initiatives.

Ms. Shea stated that JFA Associates contracted with the state to provide prison inmate population figures using a projection model that simulated the flow of offenders throughout the system over a ten-year forecasting period. The JFA considered projected population growth, historic Nevada crime levels, trends in prison admissions, trends in parole release rates, and trends in length of prison stays. The forecasts, however, did not take into consideration pending legislation or proposed budgetary initiatives that were not considered current law. Fiscal Analysis Division staff noted that JFA Associates might be available to provide additional inmate population projections based on the current P&P initiatives.

Ms. Shea said the Subcommittees might wish to direct Fiscal Analysis Division staff to work with the Office of Finance, Office of the Governor to seek additional guidance from JFA Associates regarding potential effects on NDOC inmate population projections as a result of the recommended initiatives in the P&P budget.

Assemblyman Sprinkle said that if he understood correctly there was no decrease in the NDOC budget, but there was a projection of possibly 2,375 inmates channeled to P&P programs. He wondered why there was no decrease in the NDOC budget because there would probably be a request for an increase in the budget for P&P because more inmates were now going to be using its services. He asked whether the state was paying twice for the same individual for different departments.

Ms. Shea said the NDOC had indicated that it was supportive of the programs that P&P had recommended. Mainly because of timing, the agency was unable to quantify the number of inmates and the potential reduction based on the programs. The NDOC was not sure of the timing for when the initiatives would be in place and how the agency would quantify and project the decrease in the population.

Assemblyman Sprinkle asked whether the state would be paying twice for some individuals.

Chair Frierson said it seemed as though no one was entirely confident that the P&P programs would work. Because there would be an investment of millions of dollars in these programs that everyone hoped would result in a decrease in the population, Chair Frierson believed it had to be done with the confidence that it was going to work. He said if JFA could prepare

projections every year within a single-digit percent margin, then it was hoped this plan would be successful based on what other states had done.

Assemblyman Sprinkle agreed with Chair Frierson, and added that he was very supportive of the initiatives and believed there was potential for some good outcomes. However, he said the Subcommittees needed to remember this conversation when closing the budget for the Division of Parole and Probation (P&P), Department of Public Safety, because inmates could not be in both places at the same time.

Chair Frierson commented that not only should there be a decrease in the expected prison population, but there would probably be an increase in P&P's caseload. There were a lot of moving parts, and there needed to be better communication among all parties.

Mr. Dzurenda referred to how much the new programs would affect NDOC in this biennium, and opined that it might not affect the agency at all. He said that if the budget was approved for July 1 and P&P received the money for the program, recruiting still took a long time, and category 1 training for officers took at least nine months. By the time all of the initial planning for the program was in place, it would already be past the first budget year. In the second budget year, P&P had to get officers into the field, get the programs in place, and begin training, and it would already be about six months into the second budget year. Mr. Dzurenda wondered how NDOC would be able to determine how many inmates were in the P&P programs when NDOC population was still increasing.

Chair Frierson suggested consulting with JFA Associates to talk about projected inmate growth. He said it did not make sense mathematically to budget for an inmate who was also expected to be a probationer without inmate projections, even if the programs were delayed through the recruitment process. Chair Frierson said it also did not make sense for the Subcommittees to budget for a body to be in two places at the same time, and perhaps sitting down with JFA Associates would provide some clarity.

Ms. Shea said the next topic for the NDOC was the projected male inmate population and capacity. The NDOC provided a housing plan each biennium based on the population projections developed by JFA Associates.

Based on the current housing plan, B2017-61, NDOC projected it could house 13,904 inmates, 12,629 males and 1,275 females, departmentwide as of July 2017. That projection was 171 inmates over the current population. The NDOC was projecting it would have 200 available excess, unused, male-closed, maximum-custody beds; 66 male, medium-custody beds; and 5 male, minimum-custody beds beginning July 1, 2017. Based on the Department's 2017-2019 biennial plan, it appeared that NDOC would have available closed maximum-custody beds at its major institutions to allow the transfer of 194 inmates currently housed in housing unit 8 at Southern Desert Correctional Center (SDCC). Ms. Shea said housing unit 8 was recommended to be brought off-line because of the

Governor's recommended Capital Improvement Program (CIP). Fiscal Analysis Division staff noted that it was unclear why NDOC would need to transfer inmates out-of-state based on the projected available capacity.

The NDOC's Biennial Plan reflected net increases of 76 male beds in the 2017-2019 biennium. The NDOC estimated its total male population capacity would be 13,087 at the end of FY 2018 and 12,875 at the end of FY 2019. Ms. Shea stated the reduction in FY 2019 to the male capacity was a result of the closure of 212 beds at the SDCC housing unit 8 to complete renovations as recommended in the Governor's Capital Improvement Program (CIP). The brief summary of the changes in the male facility capacities between the current year and the proposed plan over the biennium included opening 124 overflow beds at High Desert State Prison, converting two wings of unit 4 at High Desert State Prison segregation to general population, double bunked, which would increase 84 beds. Ms. Shea explained that opening overflow beds at Lovelock Correctional Center would add 80 beds, and the closure of the overflow beds at High Desert State Prison and then opening of the overflow again at High Desert State Prison and the closure of the 212 beds at Southern Desert Correctional Center would provide a net increase of 76 beds.

The NDOC's housing plan reflected a surplus of 245 male inmate beds through June 2018. However, once 212 beds in housing unit 8 at Southern Desert Correction Center were brought offline in December 2018, the biennial plan projected the male population would exceed capacity. Fiscal Analysis Division staff inquired about the possibility of opening Southern Nevada Correctional Center (SNCC) or one of the housing units located in the upper yard at Nevada State Prison (NSP) to address capacity issues. The NDOC and the State Public Works Division confirmed that neither of these options would be feasible or cost effective given the level of renovations that would be required to open the facilities.

Ms. Shea said the NDOC's long-range CIP plan for male inmates indicated that NDOC would end FY 2017 with 168 available male beds, and several initiatives, including opening overflow beds and converting segregation units to the general population at High Desert State Prison, would increase available male beds to 458 in July 2017. The majority of the available male beds would be located at SDCC and Northern Nevada Correctional Center (NNCC). The plan also indicated that SDCC housing unit 8 would come back on line in July 2019. Ms. Shea said the long-range male CIP projection also included the opening of housing unit 13 at SDCC in FY 2021, which would add 252 beds with an estimated construction cost of \$30 million. The advanced planning for this project was included in the Governor's recommended 2017 CIP under Project 17-P06. Ms. Shea noted that the longer-term plan for the NDOC was to open Prison No. 8, Phase 1 with two housing units in July 2022; open a minimum-custody housing dorm at Stewart Conservation Camp in December 2022; open Prison No. 8, Phase 2, including the Southern Nevada Regional Medical Facility, in July 2023; and open Prison No. 8, Phase 3 and shut down Unit 8 at SDCC in July 2025.

Ms. Shea said the next topic was the transfer of 200 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 to out-of-state contracted facilities. The agency indicated that the relocation of the 200 inmates to an out-of-state facility would assist the agency in addressing increased population and allow the agency to address deferred maintenance that was required at SDCC housing unit 8.

The Department of Corrections (NDOC) indicated that its current plan was to transfer inmates out-of-state from various institutions as part of the 200 inmates targeted to be transferred, rather than transferring the inmates currently housed at unit 8 at SDCC. The Department indicated it would send high-risk inmates, which would allow the NDOC to reduce violence and gang activity, and increase safety and security across the institutions. Ms. Shea said the agency also indicated it would target transient inmates for transfer out of state. The NDOC projected the cost to house the inmates out of state was estimated at \$31,755 each, which did not include the transportation costs and correctional officer costs to oversee the transportation of inmates out of state.

Fiscal Analysis Division staff noted that the agency indicated that the estimates per year might increase because of additional programming and responses to actual proposals, which had not been received. Based on the 2015 legislatively approved budget, the NDOC's average annual cost to house an inmate was \$20,969 per inmate per year, with a difference of \$10,786 per inmate per year between housing an inmate at an NDOC facility versus the estimated private out-of-state contract. Fiscal Analysis Division staff noted these figures included overhead and other fixed costs that would continue to be incurred by NDOC even if the inmates were approved to be transferred out of state. Ms. Shea said the direct cost associated with the 200 inmates was estimated at \$1,234 per inmate, or \$246,948 per year. Accordingly, based on just direct costs, the state would incur an additional \$30,520 per inmate per year to house them out of state. Based on the NDOC male Long-Range Capital Improvement Plan, the NDOC planned on returning the 200 inmates to Nevada in June 2023.

As Fiscal Analysis Division staff had already indicated, based on the NDOC's 2017-2019 biennial plan, there appeared to be 200 available closed-custody beds throughout the agency projected as of July 2017.

Fiscal Analysis Division staff noted that because of the inconsistencies with the capacity reports received by the NDOC and the resulting concerns with determining capacity needs, the possible decline of inmates in NDOC's population because of P&P initiatives, and the available capacity of closed and maximum security beds in the NDOC institutions based on its most recent report, it was unclear whether there would need to be a transfer of inmates out of state because of lack of capacity. Ms. Shea said the Subcommittees might wish to consider setting aside the funds for this decision unit into the Interim Finance Committee (IFC) Contingency Account. She suggested the issuance of a letter of intent to require quarterly reporting by NDOC on current inmate populations and capacity to determine

whether transferring inmates out of state was required, prior to allocating funds to NDOC for this purpose.

Fiscal Analysis Division staff noted that there was a potential short-term housing solution presented by the Department of Corrections (NDOC) and introduced in Assembly Bill (A.B.) 303 that would require NDOC to house inmates in-state and prohibit contracting with private prison facility operators. The NDOC prepared a fiscal note in response to A.B. 303 that provided an alternative to housing inmates out of state. The agency indicated there was potentially a mothball facility that could be leased in North Las Vegas that could house up to 500 inmates. Ms. Shea said the NDOC indicated it would cost an estimated \$4.9 million in FY 2018 and \$14.6 million in FY 2019 to stock the facility; however, the estimates did not include potential lease payments for the facility. The facility could potentially be leased for up to five years, and while the NDOC indicated there were concerns with the feasibility of this housing plan, the agency was planning to visit the facility to determine if it was a viable option.

Chair Frierson commented that he had identified at least two issues. First, it did not appear that NDOC was lacking 200 beds, at least at this point, and second, a recently discovered option could provide 500 additional beds. Regarding the 200 beds, Chair Frierson said he did not know whether this was a case of wanting a cushion just in case the inmate population exceeded current projections, but that did not help with the math. The Subcommittees had to know how many beds were needed and how many beds NDOC had to make those determinations and if inmates exceeded capacity at some point, the problem could be addressed. Chair Frierson did not know whether 200 inmates should be transferred out of state based on the available numbers.

Assemblyman Edwards said he remembered conversations about how it was not always a matter of having the capacity, but sometimes needing to separate some prisoners from others, with the best option being to put them in an out-of-state facility. He wondered whether this was a case of having the bed space, but needing space between the inmates, and the best way to accomplish that was to have them located at an out-of-state facility.

Mr. Dzurenda explained that management-wise, it would be easier to stop the extortion and the gang activities going on in the facilities if certain inmates were transferred out of state. However, there were over 350 inmates sleeping on the floor who were not in beds, and if NDOC closed SDCC, there would be a total of 550 in gymnasiums and halls if the population did not increase. Mr. Dzurenda said the agency could manage, but there would be inmate housing without showers or toilets, which would increase costs because extra staff would be needed to escort inmates from gymnasiums to housing units. He predicted lawsuits, the need for additional staff, increases in overtime and, ultimately, a dangerous situation. Finally, Mr. Dzurenda said the NDOC would manage if the out-of-state transfers were not approved, but he emphasized there was nowhere to put those inmates.

Assemblyman Edwards wondered if 200 inmates were approved to move out of state, whether that would give NDOC the ability to place 400 prisoners into the 200 vacated cells.

Mr. Dzurenda said that was correct; however, the State Public Works Division did not think that building 8 would last until the projected time of inmate removal, because the sewage was already leaking. The NDOC would need somewhere to put 200 inmates.

Assemblyman Edwards said perhaps he did not state his question clearly, but if there were 200 inmates moved out of state and if each one of them was in a two-man cell, that actually opened up 400 beds and solved the problem of people sleeping on the floors and in the hallways. He asked whether that assumption was correct.

Mr. Dzurenda said Assemblyman Edwards was correct, but it was only correct until building 8, which had over 200 inmates was closed. He said it could be a temporary solution if double cells could be built in building 8, but that could not be done immediately because the agency had to begin reducing the inmate numbers.

Chair Frierson stated that the subject was capacity, and now the NDOC claimed to have hundreds of inmates in hallways and gymnasiums. Reports received by the Subcommittees did not reflect that inmate population was outnumbering capacity. According to Chair Frierson, the notion that 300 people were on floors in gymnasiums did not agree with NDOC's own reports. In the reports provided to Fiscal Analysis Division staff, there claimed to be an extra 100-plus bed capacity, but now the Subcommittees were being told there were 300 people sleeping on floors. Chair Frierson said that was not a condition anyone wanted for inmates or NDOC staff.

Mr. Tristan stated that currently the NDOC was at capacity. The NDOC had to manage its inmate population with a lot of single celling because of security threat groups, protective custody, investigations, and disciplinary segregation. Mr. Tristan said the agency tried to manage the population in a safe and secure manner. Mr. Tristan referred to the JFA Associates numbers, and in the last ten years JFA Associates projected that NDOC would grow by 833 inmates, but from 2015 to 2016 the population grew by an actual 370 inmates. For 2017, JFA Associates had projected that the population would grow from 12,841 men to 12,963 men, but in the first quarter of 2017 alone, the population grew by 122 male inmates. Mr. Tristan said that while he understood what JFA Associates did, it was looking at long-term trends, while the NDOC was looking at actual intake and what was happening to the inmate population. Mr. Tristan noted that the Director had said there were about 350 inmates in nontraditional beds.

Chair Frierson reiterated what he had said earlier, that he was talking about beds and NDOC was talking about usage. He said everyone needed to be talking the same language, or NDOC would be appearing every month before the IFC if the Subcommittees could not get hard numbers and reconcile them with actual practical use. While it was understood there

was a difference in the number of beds in use, the Subcommittees had to make decisions based on the base number of beds.

Senator Goicoechea said he would like to pursue the short-term housing solution and asked whether the 500-bed facility in North Las Vegas, that would cost \$30 million to staff, was a turnkey operation.

Chair Frierson said he was also planning to ask about the North Las Vegas facility because it was not entirely clear whether that was a viable option.

Mr. Dzurenda said he had toured the facility yesterday with Mr. Tristan. The facility had not been opened in many years and basically had been gutted: there were no information technology lines and no culinary, and the facility was not in workable condition. Mr. Dzurenda did not know who paid for reworking the facility, but it would require a lot of money to make it operable. The recreation areas did not have usable fencing and would have to be replaced. With no culinary, Mr. Dzurenda did not know how food could be provided. He referred to staffing and said North Las Vegas would not staff the facility unless NDOC paid over \$160 per inmate, per day. He noted that he could not acquire staffing for the Department of Corrections, which was at 180 vacancies, and that figure kept going up, so staffing of the facility by NDOC was not a viable option.

Chair Frierson said the questions were all reasonable, but answers were needed to those questions.

John Borrowman, Deputy Director, Support Services, Department of Corrections, stated there was one part of this component that he was responsible for and Human Resources reported to him, so he was looking at the facility in North Las Vegas from a staffing perspective. If NDOC used North Las Vegas staffing, the cost per inmate would be \$165 per day. North Las Vegas closed the facility because it was cheaper to lease space from Las Vegas Metropolitan Police Department (Metro) at an inmate cost of \$120 per day. Mr. Borrowman said inmates at NDOC were currently costing around \$50 to \$60 per day, and he wondered whether NDOC could afford to have North Las Vegas staff the facility at \$165 per day. If NDOC staffed the facility with its employees, hundreds of employees would be needed to open the facility. Mr. Borrowman said NDOC had 180 vacancies, and he could not hire employees to fill those vacancies, much less hire 300 new employees. He noted that the North Las Vegas facility hiring would occur at the same time that the new stadium in Las Vegas would be starting, which would mean 2,000 prospective employees competing for positions. Mr. Borrowman said that in concept, this was a viable option and it just took money until the issue of staffing arose. He did not see any way he could hire staffing to open the facility in 2018 and 2019 when it was very difficult to fill current vacancies. Mr. Borrowman said he did not see staffing the North Las Vegas facility as a reality, and so he did not see this option as a possibility.

Assemblyman Sprinkle said he did not mean to be flippant in any way, but he felt that the Subcommittees just spent five minutes hearing that the North Las Vegas facility was not viable.

Ms. Shea continued the presentation regarding the male capacity and the NDOC's projected male population. Ms. Shea said she wanted to provide a bit of clarity based on the reports. The numbers she was referring to for available beds were based on the agency's Biennial Plan, which indicated minimum-, medium-, and closed-custody beds available at six of the facilities, as opposed to the nonusable beds. She said she thought there were some inconsistencies in the current reports.

The options that the Subcommittees potentially could consider could be (1) to approve the Governor's recommendation to fund the transfer of 200 inmates to out-of-state contracted facilities or (2) to conditionally approve the Governor's recommendation to fund the transfer of 200 inmates to an out-of-state contracted facility, appropriate the funding to the IFC Contingency Account, and recommend a letter of intent to require quarterly reporting by the NDOC on current inmate capacity and population.

Ms. Shea said the next topic concerned the projected female inmate population and capacity. As previously discussed, over the past five years, Nevada's overall female inmate population had increased 37.4 percent from the actual population of 936 at the end of FY 2012 to the actual population of 1,286 reported as of February 2017.

Based on the October 2016 JFA Associates Inmate Population Projection, the Department of Corrections (NDOC) estimated its female inmate population would be 1,300 inmates at the end of FY 2018 and 1,316 inmates at the end of FY 2019. Fiscal Analysis Division staff noted that the current female inmate population of 1,286 inmates exceeded the projected population of 1,284 inmates provided in the 2017 Biennial Plan, B2017-61, for June 2017.

According to Ms. Shea, NDOC currently had capacity for 1,499 female inmates in its facilities and institutions, as reflected in its Biennial Plan, which was inclusive of the Governor's recommendation to open housing unit 10 during the 2017-2019 biennium. The NDOC's 2017-2019 Biennial Plan reflected a net decrease of four female beds in the 2017-2019 biennium. The decline in beds would bring total female capacity to 1,495 at the end of FY 2019, which would leave 179 unassigned beds for female inmates. The agency's female long-range capital improvement project plan indicated the NDOC would begin in FY 2017 with 244 available beds. Ms. Shea said the long-range CIP plan indicated that if population projections were correct, there would be sufficient female capacity through the 2017-2019 biennium to address the growing female population. Based on the current projections, NDOC was expecting to have 195 female beds available at the end of FY 2018 and 179 available female beds at the end of FY 2019.

The NDOC had indicated that an additional housing unit could be built within the perimeter fence at Florence McClure Women's Correctional Center to address the long-term growing female inmate population. The Fiscal Analysis Division staff would note that NDOC did not anticipate a need for more female capacity until FY 2025 when it planned to open a new dorm at Jean Conservation Camp and request construction of Prison No. 9. The February 2017 JFA Associates inmate population projected that the female inmate population would increase by 19 females in FY 2018 and 38 females in FY 2019 compared with the October 2016 projections. The agency indicated it was still working with JFA Associates to determine whether the female inmate population projections were reasonable for the 2017-2019 biennium.

Ms. Shea explained that the potential decision to be made at closing was to determine whether the projected female inmate population figures in The Executive Budget were reasonable for the 2017-2019 biennium.

Chair Frierson commented that for those who were not in law enforcement or criminal justice, it was always surprising that the female population spiked so much, but he believed it had been a national trend that everyone had to consider.

Chair Frierson closed the work session for the Department of Corrections and opened budget closings for the Department of Public Safety.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - OFFICE OF CYBER DEFENSE (201-4704)
BUDGET PAGE PUBLIC SAFETY-9

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented the closing for the Office of Cyber Defense, budget account (BA) 4704.

The first budget to be closed for the Department of Public Safety (DPS) was the Office of Cyber Defense. The Governor recommended establishing a new Office of Cyber Defense in fiscal year (FY) 2018. As the state's primary manager of cyberthreats, the Office of Cyber Defense would serve as the primary conduit with the federal government to collect and analyze forensic cyberinvestigations, cybercrimes, and cyberattacks. The Office would manage and monitor real-time, cyber-IT (information technology) information to establish situational awareness of the cyberthreat environment in Nevada; perform cyberthreat analyses; and disseminate and report threat information to partner agencies throughout the state and to the federal government. The budget would be funded entirely with General Fund appropriations of \$876,365 over the 2017-2019 biennium.

The DPS indicated it met with the National Governors Association (NGA) and other partner state entities to discuss cyberincidents throughout the nation. It also met in September 2016 with the NGA to discuss Nevada's progress toward creating a cyberdefense program. Included in that meeting were other stakeholders from the Department of Public Safety, the Nevada National Guard Adjutant General, and representatives from the Office of the Governor and the local office of the Federal Bureau of Investigation (FBI).

The agency indicated it had three presenter states, California, Michigan, and Indiana, which offered three different models. California had a stand-alone model and an established task force, which served as an advisory body to state officials. Michigan's cybercenter was an arm of its fusion center, and the Michigan State Police was responsible for the coordination of the cyberemergency response during critical incidents. Indiana placed its security operations center at Purdue University and used students for certain functions in an effort to recruit and retain talent in the field of cybersecurity.

According to the agency, the NGA facilitators assisted with the development of the recommendations based upon information gathered from those meetings.

Accordingly, Ms. Kolbe said this budget account had one major issue and that was the creation of the Office of Cyber Defense. The duties the new office would be responsible for are as follows:

1. Serve as the primary conduit with the federal government to manage cyberthreat issues statewide.
2. Collect and analyze forensic cyber investigations, cybercrimes, and cyberattacks, and perform cyberthreat analyses.
3. Manage the monitoring of statewide real-time cyber-IT information feeds to establish true situational awareness of the cyberthreat environment in Nevada.
4. Disseminate information of cyberthreat and cybersecurity information to federal, state, and local governments and private industry.
5. Establish principles governing the state's response to any cyberincident.
6. Produce general and targeted threat summaries and informational reports, and provide briefings to federal, state, local governments, private industry, and public safety partners.

Ms. Kolbe said the Office would initially be staffed by four members, a cyberdefense coordinator, an IT professional, a management analyst, and an administrative assistant. The duties and their associated salary and benefit costs totaled \$698,260 for the 2017-2019 biennium.

During the presentation to the Legislative Commission's Budget Subcommittee on January 31, 2017, the Department of Public Safety (DPS) indicated the recommendation included in the Governor's budget was a starting point. Further, the DPS indicated that it envisioned a cybersecurity center to address statewide cyberdefense. When asked by the Fiscal Analysis Division staff to describe its vision of the cybersecurity center, DPS did not provide any information regarding its long-term goals or future resources anticipated for the center. Instead, it reiterated that the Office of Cyber Defense would position Nevada to manage the broad range of cyberthreats and hazards consistent with the Presidential Policy Directive and act as a collaborator and coordinator among the other entities participating in cyberdefense, including state, local, federal, and tribal governments, as well as private entities.

Ms. Kolbe said other state offices such as the Division of Enterprise Information Technology Services (EITS), Department of Administration; Investigation Division (NDI), Department of Public Safety (DPS); Nevada Threat Analysis Center (NTAC), Division of Emergency Management-Homeland Security, Cyber Security Committee (CSC), and Technological Crime Advisory Board (TCAB), Office of the Attorney General, also performed duties related to cybersecurity.

In response to follow-up questions posed during the presentation to the Legislative Commission's Budget Subcommittee on January 31, 2017, the DPS indicated the DPS Director's Office would be the most logical agency in which to place the Office because the director acted as the chief executive officer for the DPS, which directed and supervised all administrative and technical activities in each of the divisions. Ms. Kolbe said the agency indicated that the DPS currently had resources available to identify, investigate, and respond to cyberincidents. Further, the agency indicated that DPS currently partnered with EITS, which had a program that would be used by the Office to monitor the state's websites and malware. In response to Fiscal Analysis Division staff questions regarding how the Office of Cyber Defense would prevent cybercrimes and threats as opposed to reporting events after an occurrence, the agency indicated the Office would share information. According to the DPS, information sharing enabled organizations to leverage the collective knowledge, experience, and analytical capabilities of its sharing partners within a community of interest, enhancing the defensive capabilities of multiple organizations.

Fiscal Analysis Division staff noted that the Heritage Foundation's *Cyber Attacks on U.S. Companies in 2016*, reported that there were 25 successful, publicly reported, notable cyberattacks nationwide between December 2015 and December 2016. When asked by Fiscal Analysis Division staff, the Division of Enterprise Information Technology Services (EITS) reported that in 2016 Nevada had 112,027 validated threats, of which 207 were considered by EITS as severe, but the agency did not report cyberattacks. According to the agency, the federal government and the private sector offered some resources related to cyberdefense; however, the agency indicated that those resources were limited. The federal government provided aid to the state during and after cyberincidents; however, only one individual was assigned to the private sector, and the DPS indicated that federal limitations often restricted the state's ability to leverage the private sector following a cyberattack.

Ms. Kolbe noted that the federal Department of Homeland Security (DHS) provided free programs to assist the enhancement of critical infrastructure for cybersecurity and a framework to improve critical infrastructure for cybersecurity systems. According to the agency, no federal legislation had been passed requiring state action regarding cybercrimes and cyberattacks.

Assembly Bill (A.B.) 471, which implemented this budget recommendation, was amended on April 18, 2017, and rereferred to the Assembly Committee on Ways and Means on April 19, 2017.

Assemblywoman Titus said she was aware of the risk of cyberattacks. As a matter of fact, she believed cyberattacks were probably the single biggest risk in Nevada and in the nation. She was not convinced, however, that a new office was necessary. She said it was critical that all departments were communicating with each other and with all of the agencies that provided some cybersecurity.

Assemblyman Sprinkle said he sympathized with Assemblywoman Titus' comments and believed there were many different state divisions working on the problem within their own departments. The thing that he found intriguing about the proposed Office of Cyber Defense was the interstate capacity it would have and the ability for more authority in bringing departments together to improve the communication structure. Assemblyman Sprinkle also noted that the Legislature would need feedback and oversight from the new office. At this point, he was prepared to move forward with the creation of the new office, but he recognized what Assemblywoman Titus was saying.

Assemblywoman Bustamante Adams said she had served on the Technological Crime Advisory Board with former Attorney General, Catherine Cortez Masto, and had seen exactly what was being described here. She had observed the coordination among state, local, and federal agencies and the meetings were well-attended. Assemblywoman Bustamante Adams liked that there was a state legislator present to provide information to discuss the topic from a legislative standpoint. While there was always room for improvement, she said there was

already something that existed within the Office of the Attorney General, and she would not support the new office at this time.

Chair Frierson remarked that when he was a deputy at the Office of the Attorney General, he served on the Technological Crime Advisory Board, and while he found it useful at the time to try to collaborate, in his opinion the Advisory Board seemed to lack structure. He said providing structure and funding also provided accountability, and he did not believe that the Advisory Board had accountability. Chair Frierson said he valued accountability, and if the Office of Cyber Defense was approved, he would expect answers and results.

Senator Goicoechea said given the risk, he was willing to approve the new Office of Cyber Defense.

Assemblyman Edwards noted that the threat had been growing and the state had to be ready to address it. He was ready to support the creation of the new office.

Assemblyman Sprinkle proposed that the Subcommittees accept the Governor's recommendation to create the Office of Cyber Defense and require the Office of Cyber Defense to report back quarterly to the Legislature with the first report being due at the end of January 2018. The letter of intent should include the policies and procedures that had been developed; the principles established which would govern the state's response to any cyberincidents involving government or private sector entities; efforts toward contacting and coordinating with other state agencies, the federal government, and the private sector; the number of validated threats to inform the Legislature about what was affecting the state of Nevada; and the efforts that had been put forward to prevent cyberattacks in Nevada.

ASSEMBLYMAN SPRINKLE MOVED THAT THE SUBCOMMITTEES:

1. APPROVE GENERAL FUND APPROPRIATIONS OF \$876,385 OVER THE 2017-2019 BIENNIUM TO CREATE THE OFFICE OF CYBER DEFENSE COMPOSED OF FOUR POSITIONS AS RECOMMENDED BY THE GOVERNOR, CONTINGENT UPON PASSAGE AND APPROVAL OF ASSEMBLY BILL 471.

2. ISSUE A LETTER OF INTENT REQUIRING THE OFFICE OF CYBER DEFENSE TO REPORT BACK TO THE LEGISLATURE QUARTERLY, WITH THE FIRST REPORT DUE THE END OF JANUARY 2018. THE LETTER OF INTENT SHOULD INCLUDE:

- POLICIES AND PROCEDURES THAT HAVE BEEN DEVELOPED.

- THE PRINCIPLES THAT WOULD GOVERN THE STATE'S RESPONSE TO ANY CYBERINCIDENTS INVOLVING THE GOVERNMENT OR PRIVATE SECTOR ENTITIES.
- EFFORTS TOWARD CONTACTING AND COORDINATING WITH OTHER STATE AGENCIES, THE FEDERAL GOVERNMENT, AND PRIVATE SECTOR.
- THE NUMBER OF VALIDATED THREATS AFFECTING THE STATE AND THE EFFORTS PUT FORWARD FOR PREVENTING CYBERATTACKS IN NEVADA.

SENATOR FORD SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywomen Bustamante Adams and Titus voted no.)

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - DIRECTOR'S OFFICE (201-4706)
BUDGET PAGE PUBLIC SAFETY-12

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 4706, Director's Office.

Ms. Kolbe said this budget account had one major issue, a position reclassification in decision unit Enhancement (E) 805. She said the Subcommittees might remember that there was a Department of Public Safety (DPS) officer position that was moved during the 2015 session to the Director's Office to serve as a public information officer (PIO). That position had been vacant since August 1, 2016, which required the Director and the Deputy Director to assume much of the public relations and media request activities. This request was to reclassify that DPS officer position into a nonsworn public information officer position. Fiscal Analysis Division staff had included a technical adjustment to correct the salary and benefits because of an incorrect identification of the position start dates as submitted in The Executive Budget. Ms. Kolbe explained that position start dates affected salary and benefit costs. The technical adjustment resulted in a decrease in cost allocation reimbursements of approximately \$1,700 in decision unit E-805. As adjusted, decision unit E-805 resulted in reductions to cost allocations reimbursement totaling \$23,732 over the 2017-2019 biennium.

SENATOR GOICOECHEA MOVED TO APPROVE THE RECLASSIFICATION OF A VACANT DEPARTMENT OF PUBLIC SAFETY POSITION TO A PUBLIC INFORMATION OFFICER POSITION IN BUDGET ACCOUNT 4706 AS RECOMMENDED BY THE GOVERNOR WITH AUTHORITY FOR TECHNICAL ADJUSTMENTS NOTED BY FISCAL ANALYSIS DIVISION STAFF RELATED TO THE POSITION'S START DATES.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Chair Frierson stated that in the previous budget account (BA) 4704, the other closing items were not voted upon in decision unit Maintenance (M) 800 and Enhancement (E) 800. Chair Frierson called for a motion.

ASSEMBLYMAN SPRINKLE MOVED TO CLOSE OTHER CLOSING ITEMS IN BUDGET ACCOUNT 4704 AS RECOMMENDED BY THE GOVERNOR WITH AUTHORITY FOR FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS TO THE AGENCY'S DEPARTMENTAL COST ALLOCATIONS CONTINGENT UPON THE CLOSING ACTIONS IN THIS BUDGET.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe returned to her presentation of budget account 4706, which had one other closing item, replacement of equipment, which appeared reasonable to Fiscal Analysis Division staff. The budget account had two technical adjustments and the first was an adjustment to overtime. The Governor recommended the budget include \$20,629 in each year of the 2017-2019 biennium for overtime costs in the base decision unit. Fiscal Analysis Division staff noted that each of the 34 positions was fully funded, which eliminated the need for overtime to provide coverage for the vacant positions. Ms. Kolbe also noted that this budget account included the core fiscal staff, including budget analysts and personnel staff, who were responsible for recruitment and personnel activities. Ms. Kolbe stated that with the technical adjustment, this recommendation appeared reasonable.

The second technical adjustment was related to the major closing issue. Fiscal Analysis Division staff had identified 64 other positions within the DPS budgets, which required a technical adjustment to correct salary and benefit costs because of an incorrect identification of position start and end dates as submitted in The Executive Budget.

Ms. Kolbe said Fiscal Analysis Division staff requested authority to make technical adjustments to the start and end dates of the identified positions within the DPS budgets.

SENATOR GOICOECHEA MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT 4706 AS RECOMMENDED BY THE GOVERNOR WITH AUTHORITY FOR FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS TO THE START AND END DATES OF IDENTIFIED POSITIONS WITHIN THE DEPARTMENT OF PUBLIC SAFETY BUDGETS AND MAKE FURTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

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

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - TRAINING DIVISION (101-3775)
BUDGET PAGE PUBLIC SAFETY-25

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 3775, Training Division.

Ms. Kolbe informed the Subcommittees that BA 3775 had one major closing issue and that was the Southern Nevada Law Enforcement Training Academy, decision unit Enhancement (E) 240. The Southern Nevada Law Enforcement Training Academy included General Fund appropriations of \$770,644 and Highway Fund appropriations of \$1.1 million over the 2017-2019 biennium. The recommendation included six positions composed of four Department of Public Safety (DPS) officers, one DPS sergeant position, and one DPS captain position. The proposal also included funding for building rental costs, associated equipment, uniforms, leased vehicles, and operating costs. Fiscal Analysis Division staff had included technical adjustments to support gasoline expenditures, which were omitted from The Executive Budget, for two vehicles leased from the Highway Patrol Division.

As background for the Subcommittees, Ms. Kolbe said a Southern Nevada academy was previously established by the Department of Public Safety (DPS). When the economy contracted in 2009, the Legislature approved consolidating the basic law enforcement academy training at the Carson City facility.

Additionally, in 2011 the Legislature approved the elimination of the Training Division administrator position. To address the shortage of recruits in Southern Nevada, the DPS sought and received authority from the Interim Finance Committee (IFC) on

June 30, 2016, to use funding from the Forfeitures budget to support two additional, 16-week, basic law enforcement academies in Southern Nevada in fiscal year (FY) 2017. Ms. Kolbe said the academy sessions would be held in the National Guard facility at no charge for the first year.

Fiscal Analysis Division staff noted that in 2015 when the DPS was operating training academies exclusively in Southern Nevada, 88 percent of cadets passed the basic academy. However, DPS anticipated only 80 percent of the cadets would pass the basic academy in FY 2017 through FY 2019 when the Southern Nevada training academy was anticipated to be reestablished. According to the agency, predicting the percentage of cadets who would pass a basic law enforcement academy was difficult. Performance ability on training courses, behavioral conduct, and the inequity in pay and benefits between state and local law enforcement agencies were factors contributing to a cadet failing to pass or complete a DPS basic law enforcement academy.

The Training Division was currently administered by a DPS lieutenant position in Carson City. Ms. Kolbe said the Governor's recommendation included a DPS captain position, which would be stationed in Carson City, and the DPS lieutenant position would be transferred to Las Vegas. The captain position would be responsible for oversight of the Training Division. The lieutenant position, which would report to the captain, would be responsible for monitoring and modifying existing basic-training programs.

Assemblywoman Titus requested clarification of what training would be offered at the Southern Nevada training facility.

James M. Wright, Director, Department of Public Safety, stated that the Southern academy would be an additional academy to provide the same training as the academy in Carson City, which was category 1, basic peace officer training for 16 weeks. The Highway Patrol troopers and the Division of Parole and Probation officers attending at both ends of the state were receiving the same training and the same certification.

Assemblywoman Titus asked whether the academy in Southern Nevada would train prison guards.

Mr. Wright replied that the Department of Public Safety (DPS) did not train Department of Corrections officers because they were category 3 officers, and DPS academies trained only category 1 officers.

Senator Parks recalled testimony that getting trainees to relocate for 16 to 17 weeks in Carson City turned out to be somewhat problematic, and DPS had a higher level of potential officers dropping out of the program. He asked whether having an academy in Southern Nevada would increase the likelihood that these cadets would finish training.

Mr. Wright acknowledged that Senator Parks was correct, and recruiters across the state were hearing a common theme from the candidate pool in the Southern Nevada area that it was difficult for them to come to Northern Nevada for 16 weeks. There was a large candidate pool in Southern Nevada, and the reestablished academy in the south had been working well.

Senator Goicoechea wondered whether there was any contractual arrangement between the trainees and the academy to ensure that the trainees stayed employed with the state, and if not, whether a contract could be written to ensure the trainees stayed with the state for at least two years. Senator Goicoechea's concern was that the DPS academy in Las Vegas provided 16 weeks of law enforcement training, and the graduates ended up working for the Las Vegas Metropolitan Police Department. He believed that was a problem.

Mr. Wright thanked Senator Goicoechea and stated that subject had been a topic of conversation for years. Mr. Wright said the Los Angeles Police Department (LAPD) had a contractual arrangement with its cadets who had been doing the same thing. The LAPD would train them, and after graduation they would go to another law enforcement agency. He said the LAPD ended up with some lawsuits because it was a labor contract situation.

Senator Goicoechea said it seemed reasonable that when DPS provided the training and training costs, a two-year contract would not be illegal.

Assemblyman Edwards asked whether the DPS had considered requiring that the amount of money spent would be forgiven one-third at a time for each year a trainee served DPS. If the graduate did not work for DPS for two or three years, he or she would have to pay back the cost of training, or alternatively, the agency a trainee went to work for would have to reimburse the DPS.

Mr. Wright replied that a plan of that sort had been discussed, but the mechanism to put something of that nature in place was the main question.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO APPROVE
SUPPORT FOR CONTINUATION OF A LAW ENFORCEMENT BASIC
TRAINING ACADEMY IN SOUTHERN NEVADA AS RECOMMENDED
BY THE GOVERNOR.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe said the other closing item in BA 3775 appeared reasonable to Fiscal Analysis Division staff and recommended the other closing item be approved as recommended by the Governor and requested authority for staff to make technical adjustments as necessary.

ASSEMBLYMAN SPRINKLE MOVED TO APPROVE DECISION UNITS M-800 AND E-800 IN BUDGET ACCOUNT 3775 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.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - HIGHWAY PATROL (201-4713)
BUDGET PAGE PUBLIC SAFETY-44

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 4713, Highway Patrol.

Ms. Kolbe said the next budget was BA 4713, the Highway Patrol budget, which had 2 major closing issues. The first closing issue was the body worn camera access charges. The Executive Budget recommended Highway Fund appropriations of \$478,416 in each year of the 2017-2019 biennium to provide access charges to store data generated by 510 integrated body worn cameras (BWC). Access charges provided the user with unlimited data storage, access to a cloud-based digital evidence management system, integration with the agency's records management system (RMS), and the ability to easily share the data with prosecutors and other agencies.

On April 14, 2017, Fiscal Analysis Division staff was notified that the agency received Justice Grant awards from the Office of Criminal Justice Assistance of \$239,948 in fiscal year (FY) 2018 and \$232,340 in FY 2019 to support access charges for body worn cameras. The grant did not require a state match. Accordingly, Fiscal staff included a technical adjustment to reflect the grant awards and a like reduction to Highway Fund appropriations.

SENATOR FORD MOVED TO APPROVE HIGHWAY FUND APPROPRIATIONS OF \$238,468 AND FUND TRANSFERS FROM THE OFFICE OF CRIMINAL JUSTICE ASSISTANCE OF \$239,948 IN FY 2018 AND HIGHWAY FUND APPROPRIATIONS OF \$246,076 AND FUND TRANSFERS FROM THE OFFICE OF CRIMINAL JUSTICE ASSISTANCE OF \$232,340 IN FY 2019 TO SUPPORT ACCESS CHARGES FOR BODY WORN CAMERAS IN BUDGET ACCOUNT 4713.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION CARRIED.

Ms. Kolbe said the second major issue in BA 4713 was decision unit Enhancement (E) 351, Driving Responsibly Includes Vehicle Education (DRIVE) Program. In an effort to reduce teen motor vehicle crashes, The Executive Budget recommended Highway Fund appropriations of \$133,188 over the 2017-2019 biennium. The DRIVE program was a three-hour PowerPoint presentation presented by Nevada Highway Patrol troopers that targeted young drivers aged 15 to 20. Currently, attendees were young drivers who had been issued traffic citations and ordered by a Douglas County, Carson City, or Washoe County court to attend the DRIVE program. The majority of this recommendation included \$57,000 in overtime costs for troopers providing the DRIVE presentations after normal work hours.

In response to questions by Fiscal Analysis Division staff, the agency indicated it had identified a federal Highway Fund grant that would be transferred from the Office of Traffic Safety, and consequently, Highway Fund appropriations to support the DRIVE program for the 2017-2019 biennium could be eliminated. Fiscal staff had included a technical adjustment to reduce Highway Fund appropriations by \$133,188 over the 2017-2019 biennium and correspondingly increase transfers from traffic safety grant funds.

SENATOR GOICOECHEA MOVED TO APPROVE THE EXPANSION OF THE DRIVE PROGRAM SUPPORTED WITH GRANT FUNDING OF \$133,188 OVER THE 2017-2019 BIENNIUM TRANSFERRED FROM THE OFFICE OF TRAFFIC SAFETY IN BUDGET ACCOUNT 4713.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe said that under other closing items in BA 4713, the first item was a transfer of the Warrants Unit from the General Services budget account. This item would not be heard and had been tentatively scheduled for a closing hearing on May 9, 2017. Approval of this decision unit would be contingent upon closing actions of the General Services budget.

Ms. Kolbe referred to item number 3 under other closing items, which was the mobile data computer project completion, decision unit Enhancement (E) 557. The Executive Budget recommended fund transfers from the Department of Transportation (NDOT) of \$298,220 in fiscal year (FY) 2018 to support the Mobile Data Computer (MDC) project and purchase 77 MDCs and associated costs.

Fiscal Analysis Division staff noted that on April 11, 2017, the Subcommittees voted to approve one-half of the funding associated with the 77 MDCs recommended in this decision unit with funding in Forfeitures-Law Enforcement budget and granted Fiscal staff authority to make technical adjustments as necessary.

Decision unit E-714 began the first year of mobile data computer replacements. A technical adjustment was made to properly align the transfers from the NDOT budget, as previously noted. Ms. Kolbe said that with technical adjustments this recommendation appeared reasonable.

Decision unit E-719 concerned portable radios, and Fiscal Analysis Division staff had included a technical adjustment to adjust the radio pricing to be consistent with the other agency budget accounts.

Decision unit E-716, the rifle-resistant ballistic vests, was incorrectly identified in The Executive Budget as replacement items.

There were numerous technical issues noted by Fiscal Analysis Division staff for BA 4713, including erroneous continuation of one-time expenditures, inflationary costs, miscalculations, and misalignment of revenue transfers from other budgets. Ms. Kolbe said, with the technical adjustments to the base decision unit, this recommendation appeared reasonable.

Fiscal Analysis Division staff recommended other closing items 2, 3, and 5 be closed as recommended by the Governor with technical adjustments and requested authority to make the various technical adjustments identified in closing item 4. In addition, Fiscal staff sought authority to make technical adjustments to other closing item 1 based on the closing actions of the General Services budget and authority to make other technical adjustments as necessary.

ASSEMBLYMAN SPRINKLE MOVED TO CLOSE OTHER CLOSING ITEMS 2, 3, AND 5 IN BUDGET ACCOUNT 4713 AS RECOMMENDED BY THE GOVERNOR, WITH AUTHORITY FOR FISCAL ANALYSIS DIVISION STAFF TO MAKE TECHNICAL ADJUSTMENTS IDENTIFIED IN OTHER CLOSING ITEM 4, MAKE TECHNICAL ADJUSTMENTS IN OTHER CLOSING ITEM 1 BASED ON THE CLOSING ACTIONS OF THE GENERAL SERVICES BUDGET, AND MAKE OTHER TECHNICAL ADJUSTMENTS TO THIS BUDGET AS NECESSARY.

SENATOR PARKS SECONDED THE MOTION.

Senator Goicoechea said he had a quick question regarding the jump scales. It was his understanding that the Department of Public Safety was being challenged because the scales were not certified.

Lieutenant Roy Baughman, Motor Carrier Safety Assistance Program Coordinator, Nevada Highway Patrol (NHP), Department of Public Safety, stated the scales were certified to take roadside enforcement action. An NHP trooper wrote the citation based on what the scale said, which was taken directly to the court. Lt. Baughman said there were some problems where the current certification process with Weights and Measures changed to a two-year cycle, but now the Division was going back to a one-year cycle.

Senator Goicoechea asked whether NHP troopers wrote citations just on what the jump scales said, and Lt. Baughman said that was correct.

THE MOTION PASSED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - HIGHWAY SAFETY GRANTS ACCOUNT (201-4721)
BUDGET PAGE PUBLIC SAFETY-59

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 4721, Highway Safety Grants Account.

Ms. Kolbe said budget account (BA) 4721 contained activities funded through the federal Motor Carrier Safety Assistance Program (MCSAP) for commercial motor vehicle safety enforcement and education programs. She said this budget account had two major closing issues.

The first major closing issue was three new Department of Public Safety (DPS) officer positions. Ms. Kolbe said the positions would be located in Elko, Reno, and Las Vegas and would be supported with MCSAP grant funds of \$673,647 over the 2017-2019 biennium. Currently, there were three DPS officers in the Highway Patrol budget who were dedicated to MCSAP activities. However, according to the agency, the DPS officers in the Highway Patrol budget were supported by Highway Funds and were intended to be used for traffic enforcement activities. The addition of these three DPS officers recommended by the Governor would allow the existing DPS officers in the Highway Patrol budget to focus their efforts on traffic enforcement and be supported with funds that supported traffic enforcement. The addition of the three recommended DPS officers would place sworn positions in this budget, which had historically been staffed by nonsworn positions.

According to the agency, additional MCSAP grants had been expected, and the addition of these three DPS officers would maximize those grant funds. The agency indicated that if the grant funding was decreased or lost, the positions would be eliminated.

Ms. Kolbe said the three new DPS officer positions would be filled on July 1 rather than the traditional October 1 in the first year. According to the agency, officers working on commercial vehicle activities required a minimum of eight years of Highway Patrol experience, therefore new officers would not be considered to fill the new positions.

SENATOR PARKS MOVED TO APPROVE FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT FUNDS OF \$673,647 OVER THE 2017-2019 BIENNIUM TO FUND THE ADDITION OF THREE NEW DEPARTMENT OF PUBLIC SAFETY OFFICER POSITIONS FOR FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ACTIVITIES AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe said the second major issue was a funding source change in response to an audit performed by the Audit Division of the Legislative Counsel Bureau from the report issued on November 19, 2015. The Governor recommended a funding source change for three administrative assistant positions in this budget, which were previously supported entirely by MCSAP grant funds. According to the agency, a shift in duties would occur and allow the commercial vehicle safety inspector (CVSI) positions in the Highway Patrol budget to continue and do more inspections on vehicles, including buses and vans that transported pupils. The CVSI would focus on inspections on those vehicles. To align the funding sources of the three administrative positions in this budget with the duties they perform, the Governor recommended Highway Fund appropriations of \$135,500 and reduction of MCSAP grant funds of a like amount over the 2017-2019 biennium. Ms. Kolbe noted that 25 percent of the administrative assistant position costs would be funded with Highway Fund appropriations.

Fiscal Analysis Division staff noted that the budget was previously not supported with Highway Fund appropriations, and approval of the Highway Fund appropriations would provide this budget access to the Highway Fund Contingency Account.

Additionally, the agency indicated that in October 2016 it began funding 25 percent of the administrative assistant positions with Highway Fund appropriations in the Highway Patrol budget to coincide with the federal fiscal year and to accelerate compliance with the audit recommendations.

A technical adjustment was included by Fiscal Analysis Division staff to adjust the costs to reflect 25 percent of the salary and benefits of the three administrative assistant positions.

SENATOR GOICOECHEA MOVED TO APPROVE HIGHWAY FUND APPROPRIATIONS OF \$94,572 OVER THE 2017-2019 BIENNIUM, WHICH INCLUDES THE TECHNICAL ADJUSTMENT RECOMMENDED BY FISCAL ANALYSIS DIVISION STAFF TO SUPPORT 25 PERCENT OF THE THREE ADMINISTRATIVE ASSISTANT POSITIONS OVER THE 2017-2019 BIENNIUM, AND WHICH IS CURRENTLY FUNDED WITH 100 PERCENT MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT FUNDS.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe stated that BA 4721 had several other closing items. Fiscal Analysis Division staff noted closing item 2, a salary adjustment for an IT technician position. This position would be considered by the money committees when all other statewide decision units were considered. Closing item 5 was a technical adjustment to the base decision unit for the federal Commercial Vehicle Information Systems and Networks (CVISN) grant and contract expenditures. A technical adjustment aligned revenues with approved contract expenditures.

SENATOR PARKS MOVED TO APPROVE OTHER CLOSING ITEMS 1, 3, AND 4 IN BUDGET ACCOUNT 4721 AS RECOMMENDED BY THE GOVERNOR, EXCLUDE OTHER CLOSING ITEM 2 TO BE DETERMINED AT A LATER DATE, APPROVE TECHNICAL ADJUSTMENT NOTED IN OTHER CLOSING ITEM 5, AND PROVIDE FISCAL ANALYSIS DIVISION STAFF WITH AUTHORITY TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - DIVISION OF INVESTIGATIONS (101-3743)
BUDGET PAGE PUBLIC SAFETY-88

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 3743, Division of Investigations, Department of Public Safety.

Ms. Kolbe said this budget account had no major closing issues but had a number of other closing items.

Ms. Kolbe directed the Subcommittees' attention to decision unit Enhancement (E) 719, portable and mobile radios. Fiscal Analysis Division staff had reduced the radios by three to better reflect the sworn and task force members and the number of vehicles.

Number 4 in other closing items were technical adjustments. The Investigations Division, Department of Public Safety (DPS), required sworn positions to complete complex and special investigations. The Division of Human Resource Management (DHRM), Department of Administration, had approved a DPS officer salary adjustment for completing those complex special investigations; however, that adjustment was not included in the Governor's budget. The technical adjustment funded the position as approved by DHRM. Ms. Kolbe said, with the technical adjustment, this recommendation appeared reasonable.

Also included in closing item 4 was state homeland security program funding. The budget received homeland security program grant funds transferred from the Emergency Management Assistance Grants budget. A technical adjustment to the base decision unit was included to align the grant funding transfers. Ms. Kolbe said with the technical adjustment, this recommendation appeared reasonable.

Fiscal Analysis Division staff recommended budget account 3743 be closed as recommended by the Governor, with the technical adjustments noted in other closing items 3 and 4, and with authority for staff to make additional technical adjustments for updated revenue and cost allocations as necessary.

SENATOR GOICOECHEA MOVED TO CLOSE BUDGET ACCOUNT 3743 AS RECOMMENDED BY THE GOVERNOR, WITH TECHNICAL ADJUSTMENTS NOTED IN OTHER CLOSING ITEMS 3 AND 4, AND WITH AUTHORITY FOR FISCAL ANALYSIS DIVISION STAFF TO MAKE ADDITIONAL TECHNICAL ADJUSTMENTS FOR UPDATED REVENUE AND COST ALLOCATIONS AS NECESSARY.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - HIGHWAY SAFETY PLAN & ADMIN (101-4688)
BUDGET PAGE PUBLIC SAFETY-171

Kristen Kolbe, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented budget account (BA) 4688, Highway Safety Plan and Administration.

Ms. Kolbe stated that budget account (BA) 4688 had one major closing issue, which was a new administrative services officer (ASO) position. In response to the 2015 audit conducted jointly by the Department of Public Safety (DPS) and the Department of Motor Vehicles (DMV), a number of internal deficiencies were noted in the fiscal areas. A new ASO position would be responsible for fiscal management of the Office of Traffic Safety (OTS) budgets. The Governor recommended additional Highway Fund appropriations of \$49,586 and federal grant funds transferred from the Traffic Safety budget of \$113,477 over the 2017-2019 biennium to support the new position and related costs.

According to the OTS, staff had been taking care of the fiscal management, but not effectively, as noted in the audit, which had affected the effectiveness of programs and service delivery. Additionally, the agency noted a steady increase in funding for the OTS from \$8.4 million approved for the 2005-2007 biennium, to \$17.8 million approved for the 2015-2017 biennium, which had increased federal document-reporting requirements. The agency indicated that because of time constraints and the necessity for meeting federal requirements, the agency's fiscal projections and tracking had not been well maintained, which had caused disruption to the program activities including planning efforts and service execution. The agency indicated that the grants and projects analyst currently in charge of the fiscal area for this office would focus on federal grant requirements and report to the new position.

Fiscal Analysis Division staff had included a technical adjustment for general operating expenditures, which was inadvertently omitted from The Executive Budget. With the technical budget, total Highway Fund appropriations of \$49,819 and fund transfers from the Traffic Safety budget of \$113,711 would be needed to support the recommendation over the 2017-2019 biennium.

SENATOR PARKS MOVED TO APPROVE THE ADDITION OF A NEW ADMINISTRATIVE SERVICES OFFICER POSITION IN BUDGET ACCOUNT 4688 AS RECOMMENDED BY THE GOVERNOR WITH THE NOTED TECHNICAL ADJUSTMENT.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Kolbe said this budget account contained two other closing items, which appeared reasonable to Fiscal Analysis Division staff.

SENATOR FORD MOVED TO APPROVE OTHER CLOSING ITEMS IN BUDGET ACCOUNT 4688 AS RECOMMENDED BY THE GOVERNOR, WITH AUTHORITY FOR STAFF TO MAKE TECHNICAL ADJUSTMENTS FOR UPDATED REVENUE PROJECTIONS, DEPARTMENTAL TRANSFERS, AND COST ALLOCATIONS AS NECESSARY.

ASSEMBLYMAN SPRINKLE 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
April 20, 2017
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Chair Frierson opened public comment and, there being no response, closed public comment and adjourned the meeting at 10:20 a.m.

RESPECTFULLY SUBMITTED:

Anne Bowen
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.