

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

**Seventy-ninth Session
March 31, 2017**

The meeting of the Subcommittees on Public Safety, Natural Resources, and Transportation of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order by Chair David R. Parks at 8:06 a.m. on Friday, March 31, 2017, in Room 3137 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator David R. Parks, Chair
Senator Pete Goicoechea

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

COMMITTEE MEMBERS ABSENT:

Senator Aaron D. Ford (Excused)

STAFF MEMBERS PRESENT:

Mark Krmpotic, Senate Fiscal Analyst
Alex Haartz, Principal Deputy Fiscal Analyst
Sarah Coffman, Principal Deputy Fiscal Analyst
Jeff Ferguson, Senior Program Analyst

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Adam Drost, Program Analyst
Cynthia Clampitt, Committee Secretary
Kurt Englehart, Committee Assistant

OTHERS PRESENT:

Tony Wasley, Director, Nevada Department of Wildlife
Elizabeth "Liz" O'Brien, Deputy Director, Nevada Department of Wildlife
Chris Vasey, Conservation Education Division Administrator, Nevada
Department of Wildlife
Tyler Turnipseed, Chief Game Warden, Division of Law Enforcement, Nevada
Department of Wildlife
Brian Wakeling, Administrator, Game Division, Nevada Department of Wildlife
Jon C. Sjöberg, Fisheries Division Chief, Fisheries Division, Nevada Department
of Wildlife
Alan Jenne, Habitat Division Chief, Habitat Division, Nevada Department of
Wildlife

CHAIR PARKS:

I will open the hearing on the budgets of the Nevada Department of Wildlife.

INFRASTRUCTURE

WILDLIFE

TONY WASLEY (Director, Nevada Department of Wildlife):

I have provided the Subcommittees with my presentation titled, "Nevada Department of Wildlife FY 2017-2019 Biennial Budget," ([Exhibit C](#)).

CHAIR PARKS:

Please provide the major points of the presentation, and then we will move into questions from the Subcommittee members.

MR. WASLEY:

The Nevada Department of Wildlife (NDOW) funding is categorized by source. It is not complex. The two largest portions, shown in green and red on page 4 of [Exhibit C](#), are license and tags at 49 percent of the NDOW budget for

\$20,173,341. The other large funding source is from grants at \$19,106,912. The State General Fund provides just over 2 percent of the budget. The other category at \$1,118,091, includes motorboat fuel tax, rentals, license plate revenues, dispatch contract and the Tahoe Environmental Improvement Program.

Page 5 of [Exhibit C](#) is a diagram of the funding flows. The four green bubbles at the top of the page funnel into the wildlife account reserves. They include sportsmen revenues; restricted revenues, which are specific to restricted reserve accounts; trout stamp fees and boating fees. The wildlife account reserves feed the executive budgets. Other funding sources are derived from federal grants representing wildlife and sport fish, State wildlife, endangered species, U.S. Coast Guard and others. Although the 2 percent from the State General Fund is a small portion of the budget, it is integral to the nongame match for grant funds. For each \$1 of General Fund, we garner \$3 of federal funds. There are a few interagency transfers including Question 1 (Q1) funding.

The NDOW budget is comprised of two broad budget categories, the *Executive Budget* and non-*Executive Budgets*.

The table on page 7 of [Exhibit C](#) represents the eight *Executive Budget* accounts. As we look at each of the divisions represented, Law Enforcement is budget account (B/A) 101-4463 listed in the fourth column. The bulk of the nearly \$4.5 million is derived from sportsmen's revenue. The other significant portion is from boating revenue. That is because federal funds are not allowed for use in law enforcement activities.

Wildlife - Law Enforcement — Budget Page WILDLIFE-27 (Volume III)
Budget Account 101-4463

The primary share of the Game Management Division budget, B/A 101-4464, is derived from federal wildlife restoration funds. It is a federal excise tax, which requires \$1 State match for each \$3 of federal funds authorized. The nonfederal funds are used to garner the federal share.

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Wildlife - Game Management — Budget Page WILDLIFE-32 (Volume III)
Budget Account 101-4464

Similarly, the Fisheries Management budget, B/A 101-4465, receives approximately \$4.5 million derived from excise tax on fishing equipment. To receive those funds, the sportsmen's revenue consisting of tag and license sales specific to fishing and hunting are used as State match for the federal funding.

Wildlife - Fisheries Management — Budget Page WILDLIFE-39 (Volume III)
Budget Account 101-4465

The Habitat budget, B/A 101-4467, uses some of the sportsmen's funds but also draws from a variety of other sources.

Wildlife - Habitat — Budget Page WILDLIFE-50 (Volume III)
Budget Account 101-4467

The Department has five non-*Executive Budget* accounts. They include the Wildlife account, Capital Improvement, Habitat Enhancement, Wildlife Heritage and the Wildlife Trust Fund.

The Wildlife Heritage Account, 4457, is approximately \$8 million. The account is statutorily protected. The \$8 million is derived from auctioning of big game tags. This account is under discussion in the policy committee as part of Senate Bill (S.B.) 221. This source of funding would fund the provisions of S.B. 221. Revenue in private funds of \$920,701 and others of \$37,147 represent the amount of money derived from the auction of big game tags in fiscal year (FY) 2015-2016 and interest earned on the \$8 million previously mentioned. Current statute reads, "...allows for expenditure of up to 75 percent of the current year's proceeds and the interest." The proposed expenditure under S.B. 221 is approximately 75 percent of the current year proceeds plus interest.

[SENATE BILL 221](#): Revises provisions governing wildlife. (BDR 45-814)

The Wildlife Trust Fund account, 5010, was established by the Legislature a few sessions ago to allow NDOW to accept donations from industry to assist

industry and others on specific projects. As funds are received, their expenditures are detailed, documented and tracked through that account.

Regarding the Wildlife account, 4458, revenue includes sportsmen license and tag fees of approximately \$9.5 million in FY 2015-2016. Other revenue includes miscellaneous fees and transfers, hunt application fees, resource enhancement stamp, duck stamp, and the AIS decal fee—a legislatively approved program from a few sessions ago. Additionally, it includes the predator fee of \$3, which is under discussion in the current Legislative Session, and the habitat conservation fee. The elk damage fee is a fee each applicant for an elk tag must pay. It is a restricted account and can only be used to mitigate damage or pay compensation for those who have incurred damage from elk. Other revenue sources within the Wildlife account include upland game stamp, license plate fee, operation game thief donations, mining fees and trout stamps. The boat fees and fuel tax revenue is approaching \$3 million.

The expenditures in the Wildlife account are shown on page 10 of [Exhibit C](#). Expenditures include transfers to the Director's Office budget, B/A 101-4460, and the two largest expenditures include transfers to the Operations budget, B/A 101-4461, and the Law Enforcement budget, B/A 101-4463.

Wildlife - Director's Office — Budget Page WILDLIFE-6 (Volume III)
Budget Account 101-4460

Wildlife - Operations — Budget Page WILDLIFE-10 (Volume III)
Budget Account 101-4461

The Operations Division is responsible for customer service and the big game draw. Much of the transfer to the Operations budget is used to pay the third-party vendor for the big game draw. Because law enforcement is not eligible for the federal excise tax funding, it must be funded entirely from sportsmen's revenue or nonfederal dollars.

Page 11 of [Exhibit C](#) lists the Wildlife account ending reserves. It is broken down by individual programs. Trout stamp revenue is approximately \$3.1 million; boating, approximately \$2.3 million; restricted revenue, \$5.1 million and sportsmen's revenue of \$5.8 million.

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There are no major issues in B/A 101-4460, Director's Office. Do you have further comments on this budget?

MR. WASLEY:

The budget of \$3.8 million for a Director's Office budget may seem extreme. However, this budget funds 21 full-time equivalent (FTE) positions. The entire fiscal services, human resources and centralized costs, Wildlife Commission, accounting and Advisory Board staffing are included in B/A 101-4460.

ASSEMBLYWOMAN TITUS:

Regarding your overall presentation of revenue versus expenses and reserves, having just completed my tag applications two nights ago and having put considerable funding into this system, I see it now sitting in reserves. I am insulted that the money I spend annually with NDOW sits in reserve funds. I do not have a good sense of how you are spending my money. Looking at the reserve amounts, how are these funds being spent? I heard that the State must contribute specific amounts to match federal grants. My concern is perhaps we are not obtaining all the federal matching grants available if these State monies are not being spent. Please explain.

MR. WASLEY:

Some of the reserves such as the \$8 million in the Heritage account are statutorily required. There is also a funding window where funds are received over a specific time and are spent throughout the year to access federal grant funding. We are not leaving, nor have we left, any federal funds unaccessed. There are certain times of the year citizens might have concerns regarding the amount of funds in the reserve account. We also see rapid fluctuations in the federal excise taxes that are available. We rely heavily on federal funds from excise taxes collected on, among other items, guns and ammunition. When Barack Obama was elected President of the United States, there were large increases in the amount of federal funds available. The funds available increased incrementally from \$6 million to \$10 million. Having the ability to rapidly spend those funds in an effective and efficient manner was a challenge. Now we appear to be moving in an opposite direction.

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ELIZABETH "LIZ" O'BRIEN (Deputy Director, Nevada Department of Wildlife);
We spend the trout stamp and other fees listed in the Wildlife account as match for federal dollars. I can provide the Subcommittees a list of the amounts spent for each budget account.

ASSEMBLYWOMAN TITUS:

I would like to see the list. I appreciate the response that no federal funds are being "left on the table." That would be a tragedy to Nevada sportsmen and to the State.

ASSEMBLYMAN EDWARDS:

If the \$8 million reserve in the Heritage account is statutorily required, do we need to change the law to reduce the requirements? What is the rationale for any amount of reserves in that account? What are we not doing that we could do, if the law were changed?

MR. WASLEY:

The Heritage account, non-executive B/A 4457, was created in 1995. Nevada mirrored an auction tag program from programs in other states. The intent was to develop a principal fund that would generate interest. The interest could then be spent to fund new projects for wildlife. There are statutory requirements of the kinds of projects allowed under this budget. At the time, interest rates were high and the account principal was low. Between \$100,000 to \$200,000 annually was generated early in the program.

The sources of revenue feeding into the Program have increased. So now, in addition to auction tag revenue, there is also the Partnership in Wildlife tag, the Silver State tag and other tag revenues that feed into the Heritage account. Simultaneously, the principal has increased and interest rates have decreased.

A couple sessions ago legislation was added because anticipated interest was not being generated in this account. Greater spending authority was allowed. The account is maintained by the Nevada Board of Wildlife Commissioners. They have the expenditure authority and approve projects to be funded. The statute was changed to allow the Commission to spend up to 75 percent of the current year proceeds and any interest accrued.

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Currently, that means approximately \$1 million in revenue is generated each year, and the Commission can authorize approximately \$700,000 to \$800,000 annually in expenditures on projects.

The principal is not currently growing at the previous rate. To the question of statutory change, specific intent and purpose was a part of the original creation of the account. There has been some discussion regarding how the funds can be spent and the original intent of the legislation.

CHAIR PARKS:

The next budget account is B/A 101-4461, Wildlife Operations. Please provide an overview for the implementation of wildlife license simplification.

MR. WASLEY:

The NDOW, through the years, has responded to funding challenges and the idea that funding should be attached to specific uses. Examples are the trout stamp, upland game stamp, State waterfowl stamp and second rod stamp. Over the last decade, privileges and stamps have been added to the point that there are now 27 different licensing options and programs. Many of our customers find it complicated and challenging. One individual stated he came to one of our counters to purchase a hunting license. Because he had come to Nevada from another state, he was unaware that the only creature he could pursue with his license, without purchasing another privilege, was rabbits. He opined that was rather silly.

In looking at national trends, other states' policies and our own challenges, NDOW embarked on a license simplification effort. The idea was to create a program that is revenue neutral for NDOW. Some individuals may be paying more, and others may be paying less. The proposed plan would change the number for licensing options from 27 to 7 options. The plan is to remove some of the barriers and confusion and make programs more efficient for NDOW.

Achieving that goal will require up-front programming costs. A third-party vendor administers all licensing programs. To change from the current system to the simplified system would require \$72,450 in FY 2017-2018 and no additional funds in FY 2018-2019. The required funding is for programming costs only.

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CHAIR PARKS:

Page 28 of [Exhibit C](#) has further information on the proposal.

ASSEMBLYWOMAN SWANK:

Please break out how project financing will be revenue neutral for NDOW.

MR. WASLEY:

The Department has been analyzing the simplification project for approximately 1.5 years, holding town hall meetings, developing stakeholder groups and seeking public input. For the mathematical analysis, we reviewed purchases made in the stamp programs, the total amount of revenue associated with each stamp, the total number of individuals purchasing stamps and determined an average cost per individual. Those individuals who purchase all the privileges, licenses and stamps historically pay more than someone who purchases simply a hunting license. The Department averaged the costs so the persons purchasing all privileges may pay slightly less under the new plan, and the persons purchasing minimal privileges will pay a little more. This was not an opportunity where NDOW sought to increase its revenue. The objectives were to simplify the purchases and not to complicate fee adjustments.

ASSEMBLYWOMAN SWANK:

The Governor has recommended slightly more than \$72,450 for the transition. Do you anticipate any further expenses beyond the FY 2017-2018 expenses?

MR. WASLEY:

Hopefully not. It would be disingenuous for us to fail to reveal any additional anticipated costs. We believe the proposed budget is a fair and accurate representation of what the costs will be.

ASSEMBLYWOMAN SWANK:

Please provide us with an update once implementation is complete.

ASSEMBLYWOMAN TITUS:

Does Bill Draft Request 45-896 have a bill number at this point?

BILL DRAFT REQUEST 45-896: Provides licensing simplification for the Department of Wildlife. (Later introduced as [Senate Bill 511](#).)

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JEFF FERGUSON (Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

The request was introduced as S.B. 511 two days ago.

SENATE BILL 511: Revises provisions governing boating and wildlife.
(BDR 45-896)

ASSEMBLYWOMAN TITUS:

Testimony in a previous hearing discussed the proposed changes that are acceptable conceptually. My concern is the mirroring of all the licenses to be valid for one year with the tags for a specific hunt season on a calendar year basis. What about someone like me who just put in for their tags? Has that situation been resolved?

MR. WASLEY:

That was one of the most hotly debated issues of this challenge for NDOW. Those of us who have grown accustomed to the current system shared that concern. Testimony was given by individuals who experienced something similar in another state and who gave their perspective. Assemblywoman Titus' question relates to the fact that at the time you apply for a tag you must have a valid hunting license. If a 365-day hunting license is established it might be valid at the time of application but might not be valid six months later when the actual hunting season is open.

The Department intends to meet with a selected vendor and address the rules to specify no one can be issued a tag for a period in which they do not have a valid hunting license. The methodology has been discussed in several ways. If you have a valid license, you can apply and you can be successful in the draw and be notified. It is no different from when big horn sheep indoctrination was required.

In the big horn sheep situation, individuals were notified they were a successful applicant, but they never took possession of the tag until they attended a mandatory indoctrination class. At the class, individuals showed proof of identification and signed in. At that time, they were given their tags.

We have also discussed an auto renewal function. In that situation, if a hunter was successful in the draw it might be as simple as checking a box that says, "If I am successful for a tag—I do not currently have a valid license for the entire period, please reissue a license." The issue of a new license could be concurrent to a successful draw.

ASSEMBLYWOMAN TITUS:

Using myself as an example, I put in for tags for hunts that are at both ends of the calendar year. My son put in for tags at both ends of the year as well, but he only wants a license if he is successful in the draw. If he put in for a deer tag, an elk tag and a sheep tag, he would need two licenses. How will that work? Will issuance of the license be automatic?

MR. WASLEY:

If people put in for tags as parties, NDOW will have the ability to either withhold the tag or withdraw them from the party. The current plan is that the license would be valid for 365 days, not necessarily on a calendar year basis. It would be valid for 365 days from the date of purchase. The customer may choose an auto renewal function, or they may choose not to have a license. These are some of the things related to the programming costs. The rules must be set so that there are no loopholes. Additionally, a hunting opportunity should not be unfairly taken away from someone who did not understand the requirements.

Year one costs are for working with the vendor to establish the rules, which is key. It is not our intent to make things any more complicated or cumbersome for Nevadans. It is the exact opposite.

CHAIR PARKS:

Do you anticipate ongoing program costs beyond FY 2017-2018 related to the simplification project?

MR. WASLEY:

We have costs in every fiscal year associated with administration of the draw. The draw is statutorily required to be conducted outside of NDOW. We have significant costs associated with administration of the draw. It is a large percentage of the Operations budget. The simplification-funding request will not contain the costs, but there will be ongoing costs within the Operations budget.

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We hope, with the simplification and streamlining of programs, there will be less need for modifications, edits and programming changes required in the future.

CHAIR PARKS:

Has NDOW discussed the implementation of Microsoft Office 365 with the Department of Administration, Division of Enterprise Information Technology Services (EITS)?

Ms. O'BRIEN:

We have worked closely with EITS, and we are awaiting their approval to move forward. The NDOW has a grant that will help pay for implementation and maintenance costs going forward. I understand EITS is currently allowing a trial with Microsoft Office 365 in some budgets. If that is successful, then NDOW is in line to be authorized for the conversion.

CHAIR PARKS:

I have Office 365 on my personal computer, and there are almost weekly updates to the system that must be manually processed. Will that be a problem for NDOW? Your request is for 260 licenses. Is there a concern for 260 staff members to remain current with the updates?

Ms. O'BRIEN:

No, we have three FTE technology staff who will be working on the updates. They believe the implementation and maintenance can be accomplished within their current workload.

ASSEMBLYMAN SPRINKLE:

It appears the NDOW request will start something we anticipate becoming a request from all agencies. If this is going to be a recurring subscription and we no longer receive physical possession of the program, what kinds of protections will be in place for cost increases? Once the system is implemented, the vendor could increase costs without the State providing input.

Ms. O'BRIEN:

The Department does not work directly with Microsoft on the costs. However, I am aware EITS has been in negotiations for State rates. I am not sure if the rate

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is locked in at this point. We could research that and provide the information for the Subcommittees.

ASSEMBLYMAN SPRINKLE:

I appreciate that. Only a few budgets are making the request at this time. It is probably a better question for EITS.

MR. WASLEY:

That was some of the concern expressed by EITS staff. It has been a topic of discussion with Microsoft. The Department would want to ensure there is some form of long-term commitment for negotiated pricing. The first year is free.

CHAIR PARKS:

There is a request to convert a part-time administrative assistant to full time. It appears NDOW is moving to a larger office. Please justify the request.

MR. WASLEY:

The request is for our Winnemucca office. The Department is literally moving across the parking lot into a preexisting State facility. We have outgrown our existing location. Multiple people have been sharing a small office space, and only part-time customer service staff has been available. We would like to have a staff member at the front counter to provide customer service. At this time, there is a part-time person performing that function. To meet customer service expectations and provide better service, we would like to have FTE staff in the position.

CHAIR PARKS:

You indicate you are moving into a larger space, but will there also be an increased workload?

MR. WASLEY:

Yes, sir.

CHAIR PARKS:

Please discuss the request for videoconferencing equipment.

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MR. WASLEY:

Approximately three legislative sessions ago, NDOW was before this Body requesting authority to spend approximately \$77,000 to secure videoconferencing equipment. The equipment was intended to reduce required travel costs for meetings. At the same time, there were issues of interest to a broader public. For example, the Commission was holding hearings concerning the bear hunt. The demand for public participation grew, and NDOW quickly realized that the Department's vision of videoconferencing equipment and the budgetary authority secured from the Legislature at that time, would be inadequate to meet the demand. The funding was not expended on the equipment at the time. Now, NDOW is seeking a way to broadly meet the public expectation and expressed desire for participation. The current request would allow a reduction in travel, ability to hold public meetings and create a scenario for broader public engagement in the Commission's process.

CHAIR PARKS:

Would the videoconferencing equipment be available for other agencies and other uses?

MR. WASLEY:

Yes, we have a conference room that we currently share with other agencies. This would be similar. We have reached out to sister agencies to learn if systems are already in place that would help NDOW meet its needs without making this expenditure. We have Saturday meeting schedules, security, parking and other concerns.

ASSEMBLYWOMAN SWANK:

I commend the Agency for considering videoconferencing. It is something that should be done more widely in many State agencies. Too often, it is difficult for individuals in Elko, and sometimes Las Vegas, to participate. Many State boards and commissions could incur budget savings by utilizing videoconferencing. I urge other agencies to consider videoconferencing. There would be savings in hotel and airline costs as well.

CHAIR PARKS:

I will now close the hearing on B/A 101-4461 and open the hearing on B/A 101-4462, Wildlife Conservation Education. There are major issues of

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outreach and the email marketing system. We also have concerns with the contract to host the NDOW.org Website.

Wildlife - Conservation Education — Budget Page WILDLIFE-21 (Volume III)
Budget Account 101-4462

The Subcommittees concerns are with what outreach and marketing efforts NDOW would engage.

CHRIS VASEY (Conservation Education Division Administrator, Nevada Department of Wildlife):

The Division is currently using a system called Campaigner to disseminate information. Assemblywoman Titus may be familiar with some of our emails from that system. The emails are done in email blasts. It is our way to get information to our constituents and others on behalf of conservation. We are requesting a new system called Granicus, formerly called GovDelivery. It has more abilities and tools to promulgate our email blasts. It will improve the ability for our emails to avoid being marked as spam. The tools would allow us to group contacts by whether they are fishermen, wildlife users or hunters. It would allow us to leverage a national subscriber network and allow NDOW to recruit both resident and nonresident email subscribers. We could grow the audience because other states are moving to this system, and we can share their emails. Emails in the proposed system would all be filtered.

ASSEMBLYMAN FRIERSON:

I am aware of other inexpensive or free services that allow agencies to develop a database and send email blasts without it being earmarked as spam. MailChimp comes to mind. It appears a program was launched some years ago that was ultimately discontinued. Please elaborate on the earlier request and whether more inexpensive options such as MailChimp have been explored. Is the goal only to avoid the spam folder? MailChimp is widely used with other government agencies.

MR. VASEY:

We can explore other options. The reason we are more apt to use GovDelivery or Granicus is that other natural resources and fish and wildlife services are using it. It increases our overall interest and our audience pool. When the email

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blasts were launched three years ago, we were using Campaigner. There are approximately 95,000 people in our email blast database, and Campaigner is nearly at its full capacity. Some of the other programs have enhanced tools and deliver messages more adequately. We could also broaden the base of contacts we could reach.

ASSEMBLYMAN FRIERSON:

Is your testimony that, with the requested system, you could exchange and share databases to broaden the universe of individuals with similar interests?

MR. VASEY:

Yes, it could accommodate everything from parks to fish and wildlife services and communicate with other states utilizing a similar system. We all become a shared network. At that point, we can utilize others emails and promulgate joint messages. It is an overall outreach.

ASSEMBLYWOMAN TITUS:

I am a recipient of the email blasts, and I like them. It is not just about hunting. Messages are sent to boaters about things like the infestation of the mollusks at Lake Tahoe. It is good information for everyone who enjoys the outdoors. I appreciate the request to expand the database. It helps to educate.

ASSEMBLYWOMAN SWANK:

This would give some email segmentation, which I think is important. People become overwhelmed if they start receiving email blasts in which they are not interested. Does the program have other capabilities such as tracking the open email rate, click-through rate or who is unsubscribing?

MR. VASEY:

Yes, those are the tools we are anticipating. MailChimp is too broad. We are getting better results currently through GovDelivery.

CHAIR PARKS:

We will now turn to the contract to host the NDOW.org Website. How will utilizing a private Web-hosting contractor create assurances that the NDOW.org Website can accommodate anticipated workloads?

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MR. VASEY:

As NDOW moves into the various hunt seasons, our Website experiences heavy traffic. There have been times when the workload has caused the site to crash. By utilizing a contractor rather than EITS, we will have a broader environment which will decrease the chances of a crash.

MR. WASLEY:

The NDOW has a couple of bottleneck periods each year. One of those periods is the deadline for big game applications. Typically, there are about 200,000 applicants, many of whom wait until the last possible day to apply. It creates a bandwidth issue. We have fashioned workarounds over the last couple of years. We have put up redirect Web pages. However, the redirect page rendered the information people needed to make their application choices unavailable. Another bottleneck occurs when NDOW releases the application results.

It is unrealistic that EITS would staff up for NDOW's two busiest days of the year. A private contract will allow NDOW to have adequate capacity without expecting EITS to provide the capacity to meet our needs for a few days of the year. A couple years ago, we brought down 21 State agency Websites simultaneously due to the failure.

MR. VASEY:

The EITS has worked together with NDOW. We have been talking to them about these peak periods, working together in attempts to address the issues.

ASSEMBLYWOMAN SWANK:

Will you have the ability to collect analytics similar to the email blast discussion with the new Website? Will it provide you with information about how many people are using the Website and what parts of the site they access?

MR. VASEY:

That is one piece we do not currently have. When we near the peak moments, we have had to cache everyone's information onto a server to avoid Website crashes. All analytics are lost when that occurs. We want to track those kinds of information.

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CHAIR PARKS:

We will now open the hearing on B/A 101-4463, Law Enforcement. There are no major issues.

MR. WASLEY:

The Law Enforcement Division is funded through the sportsmen's base revenue account. Federally, there are some U.S. Coast Guard funds and motorboat fuel tax as it pertains to certain water patrols.

SENATOR GOICOECHEA:

What is a boat collar?

TYLER TURNIPSEED (Chief Game Warden, Division of Law Enforcement, Nevada Department of Wildlife):

Over the last 15 years or so, we have transitioned to a newer style patrol vessel called a Safe Boat. The boat is a rigid aluminum hull with a rubberized foam collar that goes all the way around the vessel. The collars are expensive, but much cheaper than purchasing a new vessel. They are valuable on lakes such as Lake Mead or Lake Mojave and the Colorado River where we contact hundreds of boats each day. The warden can come alongside the boat with the collar as a soft barrier; it avoids putting a ding in someone's half million-dollar boat.

SENATOR GOICOECHEA:

I have reviewed the training for wildlife/human attack response teams. Although they are not human attacks, there is often interaction between coyotes and pets in urban areas. Will the animal damage team still respond to those types of calls?

MR. TURNIPSEED:

Absolutely. The NDOW has looked at incidents in neighboring states. Nevada has been fortunate in that we have not had any major wildlife attacks. However, that day may be coming. There is a growing bear population and a growing human population on the urban interfaces. Coyote and mountain lion conflicts are also increasing. The Wildlife Services Division responds to those kinds of incidents.

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CHAIR PARKS:

I will now close B/A 101-4463 and open the hearing on B/A 101-4464, Game Management. Please discuss the establishment of the Wildlife Human Attack Response Team.

MR. WASLEY:

Warden Turnipseed addressed the NDOW perception of the need for this team. We have learned from several sister agencies in other states that have unfortunately, experienced wildlife attacks. We worked with wardens and investigators in California regarding a mountain lion attack. We have also worked with investigators in Montana regarding bear maulings. Our concern is that presently, we may not be adequately trained to address similar investigations. Timeliness, collection of evidence, ability to work with other enforcement agencies, identifying a particular offending animal, how to verify that was the offending animal, what to do with the offending animal and subsequent public safety issues are important in such investigations.

CHAIR PARKS:

Does NDOW currently have policies and procedures in place for such incidents?

MR. WASLEY:

Yes, sir, we do. The question that occurs to me is "Are those adequate?" Subsequent to communication and training with other states, I am not sure they are adequate. Expanding them would be part of this process.

CHAIR PARKS:

Please describe the functions of the personal trainer, and explain who would have responsibility for oversight of the semiannual refresher training.

MR. WASLEY:

Mr. Brian Wakeling, Game Division Administrator, will respond to that question. He has been in communication with other states and is providing the oversight of this effort for NDOW.

BRIAN WAKELING (Administrator, Game Division, Nevada Department of Wildlife):
There are a few trainers currently available with the Western Association of Fish and Wildlife Agencies. This is a quasi-governmental organization that works

across all the associated wildlife agencies. They are currently using a group of trainers that are well experienced with the overall practice. Some of the trainers are from British Columbia, and others are from Montana. British Columbia has experienced numerous fatalities on an annual basis. Initially, the concept is to seek the best trainers to provide training. At that point, NDOW could establish a team who would have the expertise and remain current in their training without the need to seek outside experts.

CHAIR PARKS:

Our next concern is the request for a new biologist position for urban wildlife management. What is the current and anticipated demand for those activities?

MR. WASLEY:

The challenges with urban wildlife, the encroachment of urban life into natural habitats is ever increasing. The Agency procedure has been to assign fisheries biologists, game biologists and wardens into specific geographic areas with specific wildlife resources that exist within those geographic areas. Historically, a game biologist was assigned to the Carson Front whose primary responsibility was mule deer. As the urban interface with wildlife and bear populations have increased, the game biologist's tasks and responsibilities have been focused on the urban wildlife interface abatement. We created a seasonal position to address some of the urban interface needs, which allowed the biologist to work on traditional game staff functions of upland game management. The demands on the seasonal position have also increased. Therefore, the request is to make the seasonal position into a FTE position.

SENATOR GOICOECHEA:

We are talking about the urban wildlife interface. Even in rural areas, the chances of running over a deer are greater in downtown Lund or downtown Eureka. Predator pressure from the outside might be pushing the deer into towns. Deer are down on feed zones, even in late spring. What does NDOW see as the reasons the deer are moving into rural towns?

MR. WASLEY:

The drought contributed to the situation. Also, many individuals irrigated landscaping in a predator-free space and supply feed for wildlife. All those factors contribute to concentrations we see around urban areas. Some animals

do not migrate by their nature, or they lose the migratory behavior. Then they rely on human subsidies, intentional or otherwise. In the 2015 Legislative Session, NDOW received expenditure authority to address some of these challenges. Page 32 of [Exhibit C](#) shows the number of calls, the types of predators, the number of miles travelled and the average costs of incidents. The period covered is from July 2015 through April 2016. There were nearly 600 calls for bears, 569 bird calls, 471 coyote calls, 206 deer calls and 66 raccoon calls. Nearly 2,500 calls were taken in the ten-month period resulting in greater than 14,000 miles being traveled and almost 1,400 staff hours. Statewide, the top of the list are bear and coyote calls.

We cannot use federal excise funds to manage urban wildlife conflicts in this Program. It is not considered wildlife management in the eyes of the U.S. Fish and Wildlife Service through their Wildlife and Sportfish restoration programs. These challenges must be funded with State funds. The NDOW approached the Legislature for funding rather than use sportsmen's revenue such as Assemblywoman Titus' tag fees to manage a trash management issue. This is an escalating challenge.

SENATOR GOICOECHEA:

Do we need to work with the U.S. Wildlife or Congress to make a change in federal funding for further assistance?

MR. WASLEY:

We have recently reengaged with Region 8 of U.S. Wildlife, located in Sacramento, and found there is some flexibility that may be available. Euthanasia or wildlife removal are not valid expenditures, but there are grey areas that can be defined as management. We are working with Region 8 to better define some of those areas.

CHAIR PARKS:

The last item is for a technology investment request (TIR) to create a Web-accessible database. It appears there is some incomplete information relative to the requested funding of \$49,000. Can you assure the Subcommittees that sufficient information will be provided to our staff for their recommendation to the Subcommittees?

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MR. WASLEY:

We are happy to provide any additional information that is necessary. I will explain the intent of the request.

Our Agency has been responsible for tracking wildlife resources in Nevada for a long time—well before the advent of Global Positioning System technology. The NDOW has a number of historic databases including the wildlife sight record database, a commercial collection of wildlife databases, a scientific collection database and a big game survey and inventory program. All these programs constitute wildlife distribution data. They are individually maintained, and some are not even in digital format. We recognize the need to have all of that historic and current data available in the most useable format possible.

I think of it like a backwards cornucopia; all the fruit and vegetables are there and we are trying to narrow it down to a focal point. As a cooperating Agency in the National Environmental Policy Act (NEPA), we are in a State with 85 percent federally administered lands. Any project on those lands and any project that uses federal funding on private lands requires a NEPA evaluation. The NDOW evaluates on 700-plus projects annually. Some of them are large projects like a mine expansion. Others are inconsequential, such as an addition or change of a cattle guard.

To find all the databases, determine how the databases are stored and quickly compile them into a report for project components is cumbersome. We recognized we might not have the best in-house capabilities to design a comprehensive data roadmap. During the 2015 Legislature, NDOW was granted expenditure authority to explore options. We contracted with a third-party contractor, and held focus group meetings and surveys to assist the Agency in developing a comprehensive data roadmap. We anticipate it will be delivered soon.

Our request is for implementation during FY 2017-2018, based on recommendations and timelines provided in the data roadmap. Subsequent to that point, it would be an ongoing effort. One of the challenges is to get everything built into the database that could be expanded over time.

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If the data roadmap is the piece missing from the TIR, please note that we are awaiting delivery of the roadmap at this time. It will inform us as to the extent of the implementation process. It may be that not all the original plans can be implemented in the beginning, but we would like to maximize the efforts.

CHAIR PARKS:

That concludes the Game Management budget, B/A 101-4464. I will now move to B/A 101-4465, Fisheries Management. There are no major closing concerns.

MR. WASLEY:

As indicated, the Fisheries Management Division has 43 FTE positions. Typically, when fisheries management is discussed, people think about sport fish stocking efforts. That is one of several areas of fisheries management. Another includes native aquatics. Many of those native aquatics are not necessarily known to sportsmen and women because they are not varieties that are caught or eaten. Other functions of the Division include aquatic health monitoring and aquatic invasive species. Surprisingly, there are some pathogens and diseases that affect the aquatic populations. The Fisheries Management Division has a budget of plus or minus \$8 million in each year of the biennium.

I typically describe NDOW as an Agency that has roughly a \$40 million annual budget. The Director's Office, Diversity Division and Conservation Education Division budgets make up roughly \$8 million. Each of the remaining five divisions has annual budgets of approximately \$8 million.

ASSEMBLYWOMAN TITUS:

Although there has been much discussion regarding frogs in other hearings, my questions at this time regard fish. Does the fisheries program focus on native fish restoration, such as the Lahontan cutthroat trout and the Pilot Peak cutthroat trout? Do you also work with rainbow and brown trout varieties? Does NDOW contract with outside producers for trout eggs in the stocking program, or do you use only fish NDOW has raised?

MR. WASLEY:

I would not say the primary focus is on the native species. It depends on the watershed; goals and objectives within the watershed. There are certain requirements regarding the Lahontan cutthroat trout or bull trout. They are a

species with a certain status with the U.S. Fish and Wildlife Service and that status dictates certain management actions. We recognize the value of nonnative species for recreation fishing. Our Fisheries Division Chief, Jon C. Sjöberg, will answer your last question.

JON C. SJÖBERG (Fisheries Division Chief, Fisheries Division, Nevada Department of Wildlife):

A number of years ago, a decision was made to rely largely on external sources for rainbow trout eggs. At the time, there was good availability from the federal hatcheries at no cost to the State relative to our need to maintain rootstock. That situation is changing, and we realize we are better off relying on our own supplies. We have concerns relative to the federal hatcheries and their ability to continue to provide egg sources for nonnative species, especially in Nevada. We have rootstock at our Gallagher Hatchery. We had a successful, first spawn of rainbow trout at that location. The eggs are from Eagle Lake stream trout. We also have rootstock facilities at Marlette Lake that provide Tahoe stream rainbow and Lahontan cutthroat trout. The situation can change yearly.

This year, NDOW will be able to reach Marlette Lake early enough to take the spawn. We have arranged with a combination of federal and private hatchery facilities as a backup to provide the eggs in case Marlette Lake cannot be reached to gather the eggs. We are moving toward being self-reliant with regard to egg production.

ASSEMBLYWOMAN TITUS:

The Carson Valley has the Lahontan Hatchery program. Was it damaged in the recent flooding?

MR. SJÖBERG:

That hatchery belongs to the U. S. Fish and Wildlife. I am not aware of flooding issues there. However, the spring runoff is not yet complete.

MR. WASLEY:

Both Assemblywoman Titus and Assemblyman Edwards have expressed concern over amphibians. There have been two frog species over the last couple of years that have been candidate species for listing under the Endangered Species Act. The Columbia Spotted Frog was one and the other was the

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Leopard Frog. The NDOW utilized a General Fund appropriation as a 1:3 match with the federal State and Tribal Wildlife Grants Program. It is an annual federal appropriation of \$60 million Nationally. We used the General Fund contribution at a 1:3 ratio of federal dollars to State funds and precluded the need to list those two species as endangered. Those are some successes I wanted to share.

CHAIR PARKS:

I will now close the hearing on B/A 101-4465 and open the hearing on B/A 101-4467, Wildlife Habitat.

The major concern in this budget is the request for an additional biologist for the Bureau of Land Management (BLM) warehouse.

MR. WASLEY:

The Bureau of Land Management (BLM) constructed a new seed warehouse in Ely. That facility provides a great opportunity to leverage the BLM partnership with the State. It not only has capacity for storage; it also provides cold storage. Cold storage gives greater seed viability, especially regarding sagebrush. Through collaborating with them, we can also benefit from some of the economies of scale relative to seed purchases. They purchase large quantities early in the year. If NDOW waits until after the fire season to purchase seed, because we do not have cold storage, the price is considerably higher, and the seed has a shorter shelf life.

Collaborating with BLM by providing a staff position will more than pay for itself and enhance dividends for Nevada rangelands and wildlife.

ALAN JENNE (Habitat Division Chief, Habitat Division, Nevada Department of Wildlife):

The storage warehouse in Ely will provide the opportunity for us to collaborate with the federal land management agencies. There are many times, when fires occur, that the various agencies partner across multiple land ownership jurisdictions to spread new seed. By having our seed at the same location, we can mix seed. By meeting the federal seed specifications, we can ensure the seed can be spread across all landscapes. This ability simplifies the process when seed is being applied by helicopter. There are many realized efficiencies in this system. The NDOW's intent is to provide a staff member to facilitate

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actions across all lands, in partnerships with all agencies and private individuals across the State.

SENATOR GOICOECHEA:

It seems a request for a biologist in this position is overkill. What is the BLM providing for staff? I agree a biologist is needed out on the land, but to place one in a warehouse seems beyond the need.

MR. JENNE:

That is a good point. One consideration with the position is that we want the person to have the expertise to help, regardless of what type of seed need is presented. The individual would have the biological expertise to help identify the most appropriate seed mixture for a particular area or need. A batch of seed might do very well in the Mojave Desert but have no success in the Great Basin. We want to ensure development of seed mixtures with the best seed and the greatest potential for success.

SENATOR GOICOECHEA:

Typically, especially in fire rehabilitation efforts, "experts" seem to appear in droves. There is an argument that sometimes a less specific seed mixture would be a better choice. My concern of a biologist staffing a warehouse remains, although having one on the ground in the area is feasible.

CHAIR PARKS:

I have never heard of a BLM seed warehouse. Is there only the new one in Ely, Nevada?

MR. JENNE:

The seed warehouse in Ely is the only one in Nevada. However, there is one in Boise, Idaho, and another in Utah.

SENATOR GOICOECHEA:

It is part of the federal seed warehouse system. Collectively, one of the issues that occurs after wildfires is that seed warehouses can literally consume the seed market purchases, then the State agencies are left with remaining seed supplies that may be of a lesser standard, or may be less viable due to the

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amount of time it has been stored. We see great benefits to the State through a partnership with BLM.

SENATOR GOICOECHEA:

Is the BLM requesting the State position to be a biologist?

MR. JENNE:

They are not requesting a biologist. The NDOW saw this as an opportunity to ensure the State had someone to work with the BLM in the spirit of collaboration and also, to ensure, if there is a demand during fire season, that the biologist's priority would be to assist the State. We want to share in the workload with expectations of a benefit and have some coverage when the big fire season years occur.

ASSEMBLYWOMAN TITUS:

Why is the request for a biologist and not a botanist?

MR. JENNE:

When we request a biologist, the desired candidate can be targeted for their educational background in the hiring process. Our restoration ecologist, Dr. Lee Turner, who sits in headquarters, is such a person. When we hire the biologist position, we will look for individuals with a plant-based educational background and targeted toward restoration ecology experience.

CHAIR PARKS:

That completes the hearing for the budgets of the Nevada Department of Wildlife. Next, we will begin the budget closing recommendations for the Department of Motor Vehicles (DMV).

PUBLIC SAFETY

MOTOR VEHICLES

ADAM DROST (Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

We will be considering closure of six DMV budgets. I have provided Closing List #1 ([Exhibit D](#)).

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The first budget is the Central Services budget, B/A 201-4741.

DMV - Central Services — Budget Page DMV-55 (Volume III)
Budget Account 201-4741

The first major issue is found on page 4 of [Exhibit D](#) regarding changes in mailing procedures. The Governor has recommended changes to the procedures that are projected to generate Highway Fund savings of \$92,302 in each year of the 2017-2019 biennium.

The first proposal is to eliminate the mailing of registration surrender receipts in decision unit E-225. Currently, customers who surrender their license plates in person at a DMV field office receive a receipt indicating the registration has been surrendered and any applicable credit balance remaining. The DMV also mails similar receipts to customers who surrender their license plates via mail, email, phone or facsimile services. However, the Governor recommends termination of receipt mailings in the next biennium. The Department indicates these receipts are not statutorily required and are provided as a courtesy. If this decision unit were not approved, approximately 16,200 receipts would be mailed each year of the biennium at an approximate cost of \$6,750 in each year of the biennium. The DMV indicates it would provide individuals with an email confirming their transaction has been completed, and they will revise the related form to request the email address of individuals.

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Do the Subcommittees wish to approve the Governor's recommendation to end the mailing of registration surrender receipts?

ASSEMBLYMAN SPRINKLE MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE TERMINATION OF MAILING RECEIPTS FOR SURRENDER OF LICENSE PLATES AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

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ASSEMBLY: THE MOTION CARRIED. (ASSEMBLYWOMAN BUSTAMANTE
ADAMS VOTED NO.)

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. DROST:

The second change in mailing procedures is the transition to the U.S. Post Office Intelligent Mail Package Barcode (IMPB) System. Currently, the Department indicates license plates issued through the Electronic Dealer Report of Sale (EDRS) system are mailed utilizing the U.S. Postal Service (USPS) bulk mail process and the Governor recommends these mailings transition to the USPS IMPB system. As background, the EDRS system allows dealers to submit vehicle information electronically, which is then transferred into the DMV computer system. This allows DMV customers to complete the registration of the vehicle online, with the registration documentation and license plates being mailed to the customer once the transaction is completed.

The DMV indicates the USPS experienced a postage rate increase in January 2017, so the projected savings related to the transition are not anticipated to occur. Accordingly, DMV has requested a technical adjustment to eliminate any projected savings associated with the transition to the new system. Fiscal staff entered the adjustment as reflected on page 3 of [Exhibit D](#).

The Department also indicates it has developed an internal program that processes EDRS transactions. Accordingly, the Department indicates it will no longer require the services of a third-party vendor, Computerized Vehicle Registration. A technical adjustment for this item is also shown on page 3 of [Exhibit D](#) to eliminate those expenditures.

Finally, Fiscal staff would note that expenditures associated with the mailing of all other license plates issued by the Department are supported by fees generated from the License Plate Factory budget, BA 201-4712; however, as previously indicated, the expenditures incurred for mailing license plates issued through the EDRS system are reflected in this budget, and are funded with Highway Fund appropriations. This is not consistent with the Department's

efforts to isolate all expenditures associated with license plate production and distribution in the fee-funded License Plate Factory budget. Accordingly, the Subcommittees may wish to transfer the license plate mailing expenditures in this budget to the License Plate Factory budget. Fiscal staff estimates this transfer would result in reduced Highway Fund appropriations of \$115,777 in each year of the 2017-2019 biennium in this budget. Fiscal staff spoke with the Department regarding this proposal, and the Department was in agreement with the proposed transfer.

Do the Subcommittees wish to approve the technical adjustment to eliminate postage expenditure savings of \$85,549 in FY 2017-2018 and \$85,555 in FY 2018-2019 that are no longer projected to be realized, approve the technical adjustment to eliminate the Computerized Vehicle Registration expenditures of \$19,168 in FY 2017-2018 and \$19,360 in FY 2018-2019, that the Department indicates will no longer be required, and transfer the EDRS system license plate postage expenditures of \$115,777 in each year of the 2017-2019 biennium to the fee-funded License Plate Factory budget?

SENATOR GOICOECHEA MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE TECHNICAL ADJUSTMENT TO ELIMINATE THE PROJECTED POSTAGE SAVINGS, THE TECHNICAL ADJUSTMENT TO ELIMINATE THE COMPUTERIZED VEHICLE REGISTRATION EXPENDITURES, TRANSFER THE EDRS SYSTEM LICENSE PLATE POSTAGE EXPENDITURES TO THE FEE-FUNDED LICENSE PLATE FACTORY, B/A 201-4712, AND OTHER TECHNICAL ADJUSTMENTS AS OUTLINED BY STAFF.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

ASSEMBLYMAN SPRINKLE:

Does the motion include all three staff recommendations?

SENATOR GOICOECHEA:

Yes.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. DROST:

At the bottom of page 5 of [Exhibit D](#) is the second major closing item in the Central Services budget, the elimination of a DMV services technician in decision unit E-226. This position is currently vacant and was assigned to the title production team, processing vehicle titles. The DMV indicates a reduction in its data entry workload in recent years with the implementation of the EDRS system that transfers data directly from vehicle dealers into the DMV computer system as well as the electronic lien and title process, which allows electronic storage of titles. The DMV indicates the efficiencies within these systems allows for the elimination of this position.

E-226 Efficient and Responsive State Government — Page DMV-58

Fiscal staff would note this position has been vacant since August 2016. Title processing time has not been negatively affected by this vacancy, with the Department indicating processing time averaged 17 days in FY 2014-2015, before decreasing to 5 days in FY 2015-2016, and decreasing again to 4 days in FY 2016-2017, as of January 2017.

Do the Subcommittees wish to approve the Governor's recommendation to eliminate the vacant DMV Services Technician position?

ASSEMBLYMAN EDWARDS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO ELIMINATE THE VACANT DMV SERVICES TECHNICIAN POSITION IN DECISION UNIT E-226 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

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SENATOR GOICOECHEA:

The position has been vacant since 2016 and over that period, we have managed to decrease the number of days for title processing. However, it is one of the few areas where processing time is improving.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR PARKS:

Are there any considerations in other closing items?

MR. DROST:

Under other closing items beginning on page 6 of [Exhibit D](#) is travel related to the American Association of Motor Vehicle Administrators' (AAMVA) Conference. Fiscal staff plans to bring those travel expenditures forward when the DMV Director's Office budget is closed on April 11, 2017. Fiscal staff requests authority to adjust the out-of-state and registration costs in this budget based on the final decision by the Subcommittees, once all travel has been reviewed.

In addition, there is a technical adjustment to increase General Fund appropriations for the mailing of voter registration forms in other closing item 1. It appears reasonable to staff.

An equipment replacement request can be found in decision unit E-710 and E-715.

E-710 Equipment Replacement — Page DMV-58

E-715 Equipment Replacement — Page DMV-59

Fiscal staff recommends the Subcommittees delay their decision on other closing item 1 until the Subcommittees can review all AAMVA travel for the Department. Fiscal staff also recommends other closing items 2 and 3 be closed

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as recommended by the Governor with authority for staff to make other technical adjustments as necessary for updated out-of-state travel and registration expenditures, revenue projections, departmental transfers and cost allocations.

ASSEMBLYMAN SPRINKLE MOVED TO RECOMMEND TO THE FULL COMMITTEES TO DELAY THE DECISION ON OTHER CLOSING ITEM 1, APPROVE OTHER CLOSING ITEMS 2 AND 3 AS RECOMMENDED BY THE GOVERNOR AND TO GRANT STAFF THE AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS.

SENATOR GOICOECHEA SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

That concludes B/A 201-4741. We will now consider closing items of the Compliance Enforcement budget, B/A 201-4740.

DMV - Compliance Enforcement — Budget Page DMV-42 (Volume III)
Budget Account 201-4740

MR. DROST:

The first major closing item in B/A 201-4740 can be found on page 10 of [Exhibit D](#). It requests the elimination of an off-highway vehicle (OHV) compliance investigator position in the base budget and decision unit E-225.

E-225 Efficient and Responsive State Government — Page DMV-44

The position is currently vacant, but it was created with specific focus on OHV dealer compliance. The DMV has never filled the position since its creation. Prior to the 2015-2017 biennium, the Department did not fill this position due to the uncertainty in OHV registration compliance and revenue

levels. However, the 2015 Legislature addressed this by passage and approval of Senate Bill No. 492 of 78th Legislative Session, which allows the DMV to fund all its OHV expenditures before transfers are made to the OHV Commission. The DMV indicates it did not fill this position over the 2015-2017 biennium because its existing staff was able to process the workload associated with OHV registration compliance. Other compliance enforcement investigators throughout the State regulate vehicle dealers and would continue to investigate and assist OHV dealers and their customers in their assigned geographic region with that time cost-allocated to the administration of OHV titling and registration.

Fiscal staff notes the 2015 Legislature also approved a fleet-services vehicle for this position and the position and vehicle should have been funded with a transfer from the OHV administration account. Fiscal staff entered technical adjustments to correct the funding source for this position and eliminate the fleet services vehicle and phone voicemail account, which are reflected in the closing adjustments for this budget.

Do the Subcommittees wish to approve the Governor's recommendation to eliminate the vacant compliance investigator position and provide Fiscal staff with authority to make technical adjustments to eliminate vehicle expenditures budgeted for this position and adjust the revenue source identified for this position?

ASSEMBLYWOMAN TITUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE DECISION UNIT E-225 AS RECOMMENDED BY THE GOVERNOR AND GIVE FISCAL STAFF THE AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. DROST:

The second major closing item is found beginning on the bottom of page 11 in [Exhibit D](#). It is a cost allocation included in the Compliance Enforcement base budget revenue from the fee-funded Motor Vehicle Pollution Control budget B/A 201-4722. It is for an increase from \$56,360 in the legislatively approved budget for FY 2016-2017 to \$267,076 in FY 2017-2018 and \$267,042 in FY 2018-2019. In recent biennia, the Compliance Enforcement budget received cost allocation funding from the Motor Vehicle Pollution Control budget, which funded one-half of the personnel costs for a supervisory compliance/enforcement investigator position who supervised positions in both the fee-funded budget and the Highway Fund budget.

The *Executive Budget* included five additional positions in the cost allocation for a total of six positions as listed in the table at the top of page 12 of [Exhibit D](#). The Department indicates the six positions listed do not track the time spent on activities for each budget. As a result, no documentation regarding each position's time could be provided by the Department to support the revised cost allocation. However, the Department believes the proposed cost allocation is appropriate since prior cost allocations in this budget reflected the personnel costs of positions who supervised positions in both budgets. Fiscal staff would also note that other DMV cost allocations provide for the cost of supervision. This includes the Special Plates and the Off-Highway Vehicle cost allocations. In addition, the fee-funded Motor Vehicle Pollution Control budget funds a cost allocation that supports a portion of the DMV Director's Office, the Motor Vehicle Information Technology Division, and the Administrative Services Division. That cost allocation is based upon the percentage of positions in the Motor Vehicle Pollution Control budget as compared to all DMV positions. The revised cost allocation in this budget appears to be a hybrid of these legislatively approved cost allocations.

However, the administrator and management analyst positions do not appear to provide direct supervision to positions in both budgets. While the Agency indicates the two noted positions assist both budgets, it is unclear how much of their time is dedicated to each budget. The Subcommittees may wish to exclude the administrator and management analyst positions from the revised cost allocation and advise the Agency to collect data and provide additional justification for possible inclusion of these two positions in the cost allocation in

the 2019-2021 biennium. If these positions were excluded from the revised cost allocation, Fiscal staff estimates additional Highway Fund appropriations of \$96,378 in FY 2017-2018 and \$96,308 in FY 2018-2019 would be required for this budget.

Options for consideration by the Subcommittees include:

- A. Approve the Governor's recommendation to revise the Motor Vehicle Pollution Control budget cost allocation by including six positions that supervise or support positions in both the Compliance Enforcement and Motor Vehicle Pollution Control budgets.
- B. Approve a revision to the Motor Vehicle Pollution Control budget cost allocation by including only the four positions that directly supervise positions in both the Compliance Enforcement and Motor Vehicle Pollution Control budgets, which would require additional Highway Fund appropriations of \$96,378 in FY 2017-2018 and \$96,308 in FY 2018-2019.

ASSEMBLYMAN SPRINKLE:

In review of the two options presented on page 12 of [Exhibit D](#), I understand there is a lack of justification for the two supervisory positions and how they will relate to the other four positions. However, I also understand that past practice may serve as justification. In either case, by not doing option A we could justify an approximately \$96,000 Highway Fund increase that would then be necessary. With the acceptance of option A, the six positions would remain and the approximately \$96,000 annually would then be saved. In the future, we could review how the six positions relate. I am inclined to choose option A.

ASSEMBLYMAN SPRINKLE MOVED TO RECOMMEND TO THE FULL COMMITTEES TO ACCEPT OPTION A TO APPROVE THE GOVERNOR'S RECOMMENDATION TO REVISE THE MOTOR VEHICLE POLLUTION CONTROL BUDGET COST ALLOCATION BY INCLUDING SIX POSITIONS THAT SUPERVISE OR SUPPORT POSITIONS IN BOTH THE COMPLIANCE ENFORCEMENT AND MOTOR VEHICLE POLLUTION CONTROL BUDGETS.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

* * * * *

MR. DROST:

The other closing items for B/A 201-4740 can be found on page 13 of [Exhibit D](#). These include replacement equipment in decision units E-710, E-711 and E-715. They also include a base budget technical adjustment to adjust fingerprint revenue projections based on expenditures.

E-710 Equipment Replacement — Page DMV-45

E-711 Equipment Replacement — Page DMV-45

E-715 Equipment Replacement — Page DMV-45

Fiscal staff would also note in other closing item 2, the DMV reviewed its weapons inventory and determined that the 20 replacement firearms were no longer required. Accordingly, Fiscal staff recommends other closing items 1 and 3 be closed as recommended by the Governor and other closing items 2 and 4 be closed as recommended by the Governor with the noted technical adjustments. Fiscal staff requests authority to make other technical adjustments for updated revenue projections, departmental transfers and cost allocations as necessary.

ASSEMBLYMAN EDWARDS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE DECISION UNITS E-710 AND E-715 AS RECOMMENDED BY THE GOVERNOR AND TO APPROVE DECISION UNIT E-711 IN OTHER CLOSING ITEM 2 AND OTHER CLOSING ITEM 4 AS RECOMMENDED BY THE GOVERNOR WITH TECHNICAL ADJUSTMENTS AS NOTED BY FISCAL STAFF AND TO AUTHORIZE FISCAL STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR GOICOECHEA SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

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SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

That concludes B/A 201-4740, and we will now hear closing considerations for B/A 201-4732, DMV Hearings.

DMV - Hearings — Budget Page DMV-25 (Volume III)
Budget Account 201-4732

MR. DROST:

Budget account 201-4732 can be found on page 15 of [Exhibit D](#). Fiscal staff is responsible for developing closing recommendations for this budget. The Subcommittees have not previously reviewed this budget. The Office of Administrative Hearings conducts administrative hearings in accordance with *Nevada Revised Statutes* and *Nevada Administrative Code* for the DMV. There are no major closing issues in this budget. The other closing items request replacement equipment in decision units E-710 and E-715.

E-710 Equipment Replacement — Page DMV-27

E-715 Equipment Replacement — Page DMV-27

Fiscal staff recommends this budget be closed 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 EDWARDS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE B/A 201-4732 AS RECOMMENDED BY THE GOVERNOR WITH TECHNICAL ADJUSTMENTS BY STAFF.

SENATOR GOICOECHEA SECONDED THE MOTION.

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ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

That concludes the discussion on B/A 201-4732. We will now consider B/A 201-4712, the License Plate Factory.

DMV - License Plate Factory — Budget Page DMV-61 (Volume III)
Budget Account 201-4712

MR. DROST:

The first major closing item, decision unit E-225, can be found at the top of page 18 of [Exhibit D](#). This is a request for the elimination of a vacant program officer and a vacant maintenance repair worker positions.

E-225 Efficient and Responsive State Government — Page DMV-64

As background, the 2015 Legislature approved the Governor's recommendation for three new positions to staff a second production shift at the license plate factory to meet the demands associated with Assembly Bill No. 484 of the 78th Legislative Session, which requires an eight-year reissuance for license plates. The Governor now recommends the license plate factory operate a single, extended production shift in the 2017-2019 biennium. The Department indicates this extended production shift would operate from 6:00 a.m. until 6:00 p.m., Monday through Friday, and would require two fewer positions than would be needed to operate two separate production shifts. There is a table on page 18 of [Exhibit D](#) that details the schedule for the six positions and for the inmate labor associated with the factory. The Department estimates the extended production shift would be able to produce 28,850 license plates per week or 1.5 million license plates annually. Based on this level of production, the Department indicates it would be able to produce the approximately 1.1 million license plates that are projected to be initially issued, as well as 400,000 license plates that are projected to be reissued in each year of the 2017-2019 biennium. The Department estimates that by producing

400,000 reissued license plates each year, the current backlog of license plate replacements that are greater than eight years of age would be eliminated by the end of the 2017-2019 biennium.

Do the Subcommittees wish to approve the Governor's recommendation to eliminate the vacant program officer position and vacant maintenance repair worker position?

ASSEMBLYMAN EDWARDS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE MAJOR CLOSING ITEM 1 TO ELIMINATE THE VACANT PROGRAM OFFICER AND MAINTENANCE REPAIR WORKER POSITIONS AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MR. DROST:

The second major closing item begins at the bottom of page 18 regarding the Highway Fund repayment and reserve level in this budget.

Pursuant to Assembly Bill No. 505 of the 77th Legislative Session, the License Plate Factory budget is required to repay the Highway Fund \$3.8 million for the cost to construct the new factory. These payments began in FY 2014-2015 and are scheduled to end in FY 2018-2019. These annual repayments of \$764,922 equate to a cost of approximately \$0.50 of the \$3.50 fee currently charged per standard issue license plate.

Due to the purchase of large volumes of commodities for the factory, the Department has identified a \$1 million minimum reserve level for this budget. Based on updated revenue and expenditure projections for FY 2016-2017, Fiscal staff estimates the ending reserve in this budget would be \$1.5 million in FY 2016-2017 and \$1.8 million in FY 2017-2018. It should be noted that

A.B. No. 505 of the 77th Legislative Session does not preclude the Agency from repaying the Highway Fund at an earlier date. Accordingly, based on the projected ending reserve levels in each year of the 2017-2019 biennium, it appears the Department could accelerate the repayments to the Highway Fund and pay off the loan in FY 2017-2018, rather than in FY 2018-2019, as originally scheduled. Fiscal staff spoke with the Agency regarding the accelerated Highway Fund repayment and the Department was in agreement with this proposal. Page 19 of [Exhibit D](#) contains a table showing the proposed accelerated repayments to the Highway Fund.

The repayment schedule is based on projected revenue and expenditures; therefore, if those do not occur, the final payment could be made in FY 2018-2019. The accelerated Highway Fund repayment would not only reduce the reserve in this budget to the targeted level of \$1 million in each fiscal year, it would also allow the license plate fee to be reduced in subsequent years.

As such, the Subcommittees may wish to issue a letter of intent to the DMV directing the Department to accelerate the repayments to the Highway Fund utilizing any reserve balances greater than \$1 million, study the necessary fee that would be required once the repayment is complete and provide a report to the Interim Finance Committee (IFC) on the repayment to the Highway Fund and the results of the fee study after the close of FY 2017-2018, but no later than October 1, 2018.

Do the Subcommittees wish to issue a letter of intent to the DMV directing the Department to accelerate the payments to the Highway Fund utilizing any reserve balances greater than \$1 million, study the necessary license plate fee that would be required once the repayment is complete and provide a report to the IFC on the fee study at the close of FY 2017-2018, but no later than October 1, 2018?

If the Subcommittees approve the letter of intent, Fiscal staff requests authority to make necessary technical adjustments to reflect balance forward amounts of \$1 million into FY 2017-2018 and FY 2018-2019.

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ASSEMBLYWOMAN TITUS:

I would love to be a part of a program that actually reduces fees. I want to go on record as supporting the recommendations for this major closing item.

ASSEMBLYWOMAN TITUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO ACCEPT THE RECOMMENDATIONS FOR THE THREE ITEMS AS EXPRESSED BY STAFF, ACCELERATED REPAYMENT OF THE HIGHWAY FUND AND TO ISSUE A LETTER OF INTENT AND AUTHORITY FOR STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS INCLUDING REFLECTING \$1 MILLION BALANCE FORWARD AMOUNTS.

SENATOR GOICOECHEA:

Is staff comfortable with a minimum reserve level of \$1 million?

MR. DROST:

Fiscal Staff is comfortable with that reserve level of \$1 million. The Department has also approved that reserve level.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

We will now consider other closing items in this budget.

MR. DROST:

Other closing items discussed on page 20 of [Exhibit D](#) include Agency-specific deflation in decision unit M-101, a new administrative cost allocation in M-800 to support the services of the Director's Office, Administrative Services Division and the Automation Division budget and replacement equipment in decision unit E-710.

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M-101 Agency Specific Inflation — Page DMV-62
M-800 Cost Allocation — Page DMV-63
E-710 Equipment Replacement — Page DMV-64

A technical adjustment has been entered in decision unit M-800 to allow the special license plate cost allocation to fund a portion of that decision unit.

Fiscal staff recommends this budget be closed as recommended by the Governor with the technical adjustments noted for other closing item 2 and authority for staff to make other technical adjustments for updated revenue projections, departmental transfers and cost allocations as necessary.

ASSEMBLYMAN SPRINKLE MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE B/A 201-4712 AS RECOMMENDED BY THE GOVERNOR WITH THE TECHNICAL ADJUSTMENT IN DECISION UNIT M-800 AND AUTHORITY FOR STAFF TO MAKE OTHER TECHNICAL ADJUSTMENTS FOR UPDATED REVENUE PROJECTIONS, DEPARTMENTAL TRANSFERS AND COST ALLOCATIONS AS NECESSARY.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

We will now consider B/A 201-4731, the Verification of Insurance budget beginning on page 21 of [Exhibit D](#).

DMV - Verification of Insurance — Budget Page DMV-66 (Volume III)
Budget Account 201-4731

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MR. DROST:

Fiscal staff is responsible for developing closing recommendations for this budget. The Subcommittees have not previously reviewed this budget.

The Verification of Insurance Program verifies that owners of motor vehicles registered in Nevada maintain liability insurance and collects fines and penalties for noncompliance.

There are no major closing issues. Page 22 of [Exhibit D](#) lists other closing items including a technical adjustment in decision unit E-225 to update revenue projections based on the DMV projections and requests for replacement equipment in decision units E-710 and E-715.

E-225 Efficient and Responsive State Government — Page DMV-68

E-710 Equipment Replacement — Page DMV-68

E-715 Equipment Replacement — Page DMV-68

Fiscal staff recommends this budget be closed as recommended by the Governor with the technical adjustments noted for other closing item 1 and authority for staff to make other technical adjustments for updated revenue projections, departmental transfers and cost allocations as necessary.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO RECOMMEND
TO THE FULL COMMITTEES TO CLOSE B/A 201-4731 AS
RECOMMENDED BY THE GOVERNOR WITH TECHNICAL ADJUSTMENTS
AS NOTED AND AUTHORITY FOR STAFF TO MAKE OTHER TECHNICAL
ADJUSTMENTS AS NECESSARY.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

We will now consider B/A 201-4711, Records Search, beginning on page 23 of [Exhibit D](#).

DMV - Records Search — Budget Page DMV-70 (Volume III)
Budget Account 201-4711

MR. DROST:

Fiscal staff is responsible for developing closing recommendations for this budget. The Subcommittees have not previously reviewed this budget.

The Records Search Section disseminates driver license and vehicle registration information. It collects Record Search Charge revenue. There are no major closing issues in this budget.

Page 24 of [Exhibit D](#) lists other closing items including replacement equipment in decision unit E-710 and replacement technology equipment in decision unit E-715.

E-710 Equipment Replacement — Page DMV-72

E-715 Equipment Replacement — Page DMV-72

Fiscal staff recommends this budget be closed 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 EDWARDS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE B/A 201-4711 AS RECOMMENDED BY THE GOVERNOR WITH AUTHORITY FOR STAFF TO MAKE NECESSARY TECHNICAL ADJUSTMENTS.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

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ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Remainder of page intentionally left blank; signature page to follow.

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CHAIR PARKS:

That concludes our closing list for today. Seeing no one coming forward for public comment, this meeting is adjourned at 10:13 a.m.

RESPECTFULLY SUBMITTED:

Cynthia Clampitt,
Committee Secretary

APPROVED BY:

Senator David R. Parks, Chair

DATE: _____

Assemblyman Jason Frierson, Chair

DATE: _____

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EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	2		Attendance Roster
	C	35	Tony Wasley/NDOW	Budget Presentation
	D	24	Adam Drost/LCB Fiscal Division	Closing List #1