

**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**

**Eighty-second Session  
April 12, 2023**

The joint 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 Dallas Harris at 8:16 a.m. on Wednesday, April 12, 2023, in Room 1214 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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 Dallas Harris, Chair  
Senator Rochelle T. Nguyen  
Senator Pete Goicoechea

**ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:**

Assemblywoman Natha C. Anderson, Vice Chair  
Assemblywoman Tracy Brown-May  
Assemblywoman Jill Dickman  
Assemblywoman Michelle Gorelow  
Assemblyman Gregory T. Hafen II

**COMMITTEE MEMBERS ABSENT:**

Assemblyman Howard Watts, Chair (Excused)

**STAFF MEMBERS PRESENT:**

Brody Leiser, Chief Principal Deputy Fiscal Analyst  
Alex Haartz, Principal Deputy Fiscal Analyst

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James Malone, Senior Program Analyst  
Justin Luna, Program Analyst  
Paul Breen, Committee Assistant  
Marie Bell, Committee Secretary  
Joko Cailles, Committee Secretary

**OTHERS PRESENT:**

James Dzurenda, Director, Nevada Department of Corrections  
Eric Antle, Deputy Administrator, Division of Forestry, Nevada Department of  
Conservation and Natural Resources

CHAIR HARRIS:

We will do a work session on the Nevada Department of Corrections (NDOC).

JAMES MALONE (Senior Program Analyst):

Today's work session provides an opportunity for members of the Subcommittees to discuss NDOC issues and provide Legislative Counsel Bureau, Fiscal Analysis Division staff guidance on how to write recommendation language for consideration during budget closings. Maps have been provided to the Subcommittees as a reference point for the topics discussed.

Major Issue 1 recommended by the Governor is a correctional facility's temporary closure. The Executive Budget recommends \$27.5 million in General Fund appropriations over the 2023-2025 biennium to fund the Warm Springs Correctional Center (WSCC). Although WSCC is closed, NDOC indicated it does not wish to keep the facility closed over the next two years; but, NDOC did not provide a plan or proposal for reopening WSCC during a budget hearing on March 8, 2023. Since then, NDOC has provided a plan that we will discuss during the work session.

The Warm Springs Correctional Center was closed on January 2, 2023. Prison employees and offenders were transferred to various institutions, primarily to the Northern Nevada Correctional Center, to assist with some of the vacancies. Fiscal staff has provided information to the Subcommittees summarizing the authorized full-time equivalent (FTE) positions, vacancies and average projected

offender population at the seven major NDOC institutions. Average offender projections are based on a February 2023 report by the JFA Institute.

There are 660 sworn officer position vacancies in NDOC as of April 6, 2023. Since its budget hearing, NDOC has provided an updated 2023-2025 biennium capacity plan. The plan reviews projections provided by the JFA Institute, compares them to available beds in each institution and organizes data by custody type. The Subcommittees received a data table providing bed balances, after offenders have filled them, for female and male inmates in fiscal year (FY) 2023-2024 and FY 2024-2025. Positive numbers indicate a surplus of beds. Negative numbers in parentheses indicate a deficit of beds.

Although NDOC reports a sufficient total bed balance at the end of the 2023-2025 biennium, a 142-bed deficit is projected for males in maximum security custody by the end of FY 2023-2024. There will be a 418-bed deficit for males in medium security custody by the end of FY 2024-2025. The Nevada Department of Corrections attributes the decline of available beds to a large Capital Improvement Program (CIP) project that will be implemented over the 2023-2025 biennium if approved by the Legislature. The project would require certain housing units at the facilities to be closed and vacated of offenders, creating a deficit in beds for medium security offenders.

When NDOC provided bed balance projections, they did not count beds in the three closed housing units at the Ely State Prison for maximum security offenders. To address this shortfall, NDOC would move offenders from currently open housing units to closed housing units. Beds are available to address the deficit bed situation.

For medium security custody, NDOC identified a need to reopen WSCC over the 2023-2025 biennium to address the bed deficit. Fiscal staff provided the Subcommittees documentation on the phased WSCC reopening NDOC has proposed. Members also have a table for reference as to funding proposed by the Executive Budget for WSCC. A data table provided to the Subcommittees summarizes funding for WSCC in a comparison of the Executive Budget and the NDOC phased reopening plan. The latter details the costs to maintain WSCC and fund 16 existing positions through phases 1 and 2 of NDOC's proposal.

Total expenditure authority savings will be \$11.6 million. This is the difference over the 2023-2025 biennium between the Executive Budget for WSCC and the NDOC proposal. The General Fund savings will be \$11.55 million. The General Fund savings adjusted by offender driven expenditures is \$10.5 million. The adjustment is moving costs associated with offender-driven expenditures that would be transferred to other institutions. If WSCC remains closed, inmate costs would be budgeted to other institutions. There would not be a realized savings in the General Fund.

The Nevada Department of Corrections proposes to begin the WSCC phased reopening in FY 2024-2025. This would require the facility to have funding in FY 2023-2024 for general maintenance, requiring two positions: one plumber and one facility supervisor. The Nevada Department of Corrections is further requesting six sergeants, five senior correction officers, three lieutenants and two correctional caseworkers remain funded in both years of the 2023-2025 biennium. This is because there are no available vacant positions for staff to transfer to at other institutions with the same level of classification. To maintain these positions at their classification levels, funding needs to continue within the WSCC budget in FY 2023-2024 and FY 2024-2025.

Beginning in FY 2024-2025, NDOC is proposing a two-phase reopening. The first phase will begin July 1, 2024, and funding would be provided for 94 FTE positions to restore the majority of functions at the facility. This will include administrative, professional and protective functions, transportation, mail, visitation, maintenance and food services. Two housing units would be reopened, providing NDOC with an additional 249 beds for medium security offenders. The second phase begins September 1, 2024. This would provide an additional 7 FTE positions and reopen the remaining 2 medium custody housing units with 261 beds. The 2 phases would add a total of 510 medium custody beds.

Fiscal staff would note the proposed plan represents a best case scenario in which NDOC is successfully able to recruit enough personnel to operate and transfer offenders to WSCC on or by July 1, 2024. Although this is possible, it is likely the plan presented will need to be modified to reflect actual implementation of WSCC's reopening. To ensure budgeted funds for the reopening of WSCC align with the actual implementation, the Subcommittees

may consider appropriating the money to the Interim Finance Committee (IFC) Contingency Account. This would require NDOC to approach the IFC during the 2023-2025 biennium and provide a refined plan for reopening WSCC. They would then request an allocation prior to reopening in FY 2024-2025.

In order to execute this reopening plan, NDOC provided the Subcommittees a recruitment and retention strategy. The Department indicated the two-grade salary increase and cost of living adjustments provided in the Executive Budget would help with recruitment; however, there are systemic recruitment issues NDOC wants to resolve. They have identified bottlenecks within their human resources process as among these issues. The Department had to recruit during a critical labor shortage. It wants to partner with local and State agencies to hold job fairs and deploy a marketing and advertising plan to recruit younger people. The Department also wants to contract with labor organizations that specialize in hospital nurse recruitment and provide relocation allowances for out-of-state recruitments.

The Office of the Governor, Office of Finance (GFO) submitted a budget amendment totaling \$50,000 in General Fund dollars over the 2023-2025 biennium for NDOC's Director's Office to use for marketing and advertising efforts including the purchase of posters, billboards, videos and social media recruitment services. This measure will be presented during NDOC's budget closing.

I will provide context on what NDOC faces in sworn officer recruitment. The Department runs three academies, with one in Carson City, one in Indian Springs and one in Ely. Each academy can hold up to 30 cadets, and they are held quarterly. The Department indicated it could ramp up to six academy sessions per year for each location. This would provide a maximum of 540 cadets annually.

The Subcommittees were provided a data table showing an historical overview of cadet academy graduation. Beginning in calendar year CY 2019, NDOC had 343 successful graduations. This number of graduations has declined for the past two calendar years. In 2022, only 114 cadets graduated. There have been 31 cadets who graduated so far in 2023. The Department attributes the decline in cadets to a shortage of applicants, better pay at other agencies, negative

public opinion of law enforcement, COVID-19 mandates and only having two human resources recruiters.

The Department indicates a minimum of 94 FTE positions is requested to start phase 1 of reopening WSCC. This is contingent on whether new cadets who graduate from academies live near WSCC or are willing to relocate to the Carson City area. If the Legislature and the Governor approve an overall increase in the compensation package, Nevada Commission on Peace Officer Standards and Training-certified officers who left jobs for compensation reasons may return to NDOC. The Department reports difficulty in recruiting enough officers to keep up with current turnover rates. A substantial number of returning officers, in combination with an increased graduation rate of cadets located near, or willing to relocate to, an area close to WSCC would be required to reopen the institution while maintaining the same or greater level of staffing at NDOC's other facilities.

Fiscal staff has provided the Subcommittees with different options for WSCC. Option A would recommend approval of operating expenses, as recommended in the Executive Budget. This would provide \$27.5 million for WSCC over the 2023-2025 biennium, although the facility is closed and will not reopen until FY 2024-2025.

Option B would approve NDOC's proposal to fund general maintenance of the facility in FY 2023-2024 and allocate \$9.6 million to the IFC Contingency Account for phased reopening by FY 2024-2025. This would require NDOC to come before the IFC and prepare a refined plan prior to reopening.

Option C recommends approval of approximately \$2 million in General Fund appropriations over the 2023-2025 biennium to maintain the closure of WSCC in both FY 2023-2024 and FY 2024-2025. Option C is the least flexible for NDOC in reopening WSCC. It would impact NDOC's ability to complete CIP projects over the 2023-2025 biennium. It would allow NDOC to focus on recruiting for its 660 sworn officer vacancies across the Department.

If Option C is selected, the Subcommittees have two suboptions to consider. Suboption C1 is to maintain funding for the 16 existing positions at WSCC over both years of the 2023-2025 biennium. This would require NDOC to develop

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a reopening plan and return to the Legislature in FY 2024-2025 for reopening; transfer of incumbent to other vacant positions as openings become available; or eliminate the positions when incumbents leave for employment elsewhere. Suboption C2 is to fund the 16 existing positions at WSCC, which total \$1.8 million in General Fund appropriations, for FY 2023-2024 only.

If Options B or C are selected, the Subcommittees should also recommend to the full Committees to transfer to the Northern Nevada Correctional Center budget the offender-driven budget authority for WSCC included in the Executive Budget totaling \$1.4 million. This would ensure the Department has appropriate funding available for the projected number of offenders incarcerated at the Northern Nevada Correctional Center in case NDOC is unable to recruit on the necessary staff to reopen WSCC.

ASSEMBLYWOMAN ANDERSON:

If we chose Option C, would NDOC focus its recruitment strategy on filling the 660 sworn officer vacancies across the Department, and not the vacancies just in WSCC? Where does that number come from?

MR. MALONE:

The 660 sworn officer vacancies are Departmentwide, encompassing all major NDOC institutions, the Director's Office and conservation camps.

ASSEMBLYWOMAN ANDERSON:

Would none of the other options allow for the focus to be on filling the vacancies?

MR. MALONE:

The other options do not preclude NDOC from filling vacancies in other institutions. Option C would result in no positions for NDOC to fill at WSCC for reopening. The positions elsewhere would be the focus.

ASSEMBLYWOMAN ANDERSON:

Will we provide guidance to Fiscal staff at this hearing?

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CHAIR HARRIS:

The Subcommittees will provide a general direction, without motions, so Fiscal staff knows what options to present during budget closings.

ASSEMBLYWOMAN DICKMAN:

It is important that NDOC has flexibility for the WSCC reopening. I think the facility should be kept going. I lean towards Option B.

ASSEMBLYWOMAN ANDERSON:

I also lean towards Option B. I support having the IFC involved by receiving updates from NDOC; however, I would like to pursue the recruitment strategy mentioned in Option C. Recruitment is a significant issue in the corrections system. Knowing that Option B does not preclude that recruitment strategy, I lean towards it based on the IFC requirement.

CHAIR HARRIS:

The Subcommittees would like to see Option B fleshed out by Fiscal staff when we consider budget closings.

MR. MALONE:

Major Issue 2 pertains to Departmentwide conservation camps, temporary closures and future plans for NDOC.

Due to a combination of high staffing vacancies and lack of availability of qualified offender work crews, NDOC has closed two conservation camps. These are the Ely Conservation Camp and Tonopah Conservation Camp. The Executive Budget includes funding for staffing and offenders at the Tonopah Conservation Camp and reflects continued closure of the Ely Conservation Camp. The Department does not intend to reopen the Tonopah camp. There is a discrepancy between the Executive Budget and NDOC's plan over the 2023-2025 biennium.

The Ely Conservation Camp closed July 10, 2020, prior to the Eighty-first Session. The Legislature appropriated \$2.6 million in General Fund dollars to the IFC for the reopening of the facility if NDOC determined it was feasible. The Department has not approached, and does not intend to approach, the IFC for these funds due to staffing concerns at the Ely State Prison.



The Tonopah Conservation Camp was closed in November 2022 due to high staff vacancies. It was determined it was no longer safe to operate the facility and cover the 24/7 operations. Offenders were transferred to the Pioche Conservation Camp. There are no plans to reopen the Tonopah Conservation Camp. Six people are employed to prepare the facility for mothball status.

The Wells Conservation Camp has been included in discussions over viability. It is not closed, but it is not operating offender crews at this time. Due to staffing difficulties on the part of the Nevada Department of Conservation and Natural Resources, Division of Forestry (NDF) in filling supervisor positions, a work crew cannot operate out of that facility. The offenders were transferred out and protected custody offenders were transferred in. The facility is operating as a close-custody facility, not as a conservation camp.

Fiscal staff provided the Subcommittees with an overview of land ownership and lease requirements. Each conservation camp has a different property ownership, encompassing fee titles, and public purpose patents with the U.S. Bureau of Land Management (BLM). A majority of these locations are operating under a recreation and public purpose agreement with the BLM. The two State-owned facilities according to the Nevada Department of Conservation and Natural Resources, Division of State Lands are the Stewart Conservation Camp and Silver Springs Conservation Camp.

The NDF fuels and fire squads require 740 offenders at a minimum. There are currently only 300 qualified offenders. This resulted in a decline in the number of wildland crews from 15 crews in previous years to only 4 crews and 3 squads as of April 5, 2023. This decline was attributed by NDOC to A.B. No. 236 of the 80th Session, which reduced the number of offenders eligible to work in the conservation work program. Offenders meeting the criteria are now eligible for parole. This resulted in offenders being able to work at conservation camps for shorter periods of time. The work requires constant training. There is turnover within NDF supervisory staff.

Fiscal staff provided the Subcommittees with an overview of active crews and squads by location per NDF data. This information includes the number of

authorized FTEs and the vacancy percentages for each conservation camp. There is an overall 34 percent vacancy rate.

Although the data shows 891 average projected offenders in FY 2023-2024 and 903 offenders in FY 2024-2025, not all minimum security capacity offenders qualify for conservation camps or crew work. According to NDOC, offenders may not be able to participate due to medical limitations or being unable to pass the pack test where one must carry 40 pounds for an extended period of time.

For the overall plan and long-term vision for conservation camps, the NDF and NDOC are proposing to consolidate their camp program for offenders to address wildfires to the four most stable camps in the State. These are the Three Lakes Valley, Jean, Stewart and Pioche Conservation Camps. According to NDOC, with the number of eligible offenders for these four locations, 400 beds are projected to remain available after the consolidation takes place.

The Department proposes consolidating to six conservation camps during its first phase of the consolidation plan over the 2023-2025 biennium. The six locations are the Three Lakes Valley, Stewart, Jean, Pioche, Carlin and Wells Conservation Camps. This would result in the closure of the Ely, Tonopah and Humboldt Conservation Camps.

For the Ely Conservation Camp, the Executive Budget contains a decision unit that recommends a reduction of \$2.7 million in General Fund appropriations for the continued closure of the facility. It is operating under a recreation and public purpose patent from the BLM mandating the removal of all infrastructure and equipment, and the restoration of the landscape to a natural state upon termination or when not used for five consecutive years. Based on the Ely Conservation Camp closure date, five years will be met in July 2025, at the beginning of FY 2025-2026. If the decision unit is approved, NDOC would have the 2023-2025 biennium to either renegotiate its patent with the BLM, repurpose the facility or request funding to rehabilitate the land back to its natural state during the Eighty-third Session.

The Department is operating a conservation crew out of the Ely State Prison through a modified housing unit outside of the secured perimeter. It provides

one project squad. If the consolidation plan is approved, the intent is NDF would provide reclassified State firefighter positions to provide coverage to the Ely area in the event offenders in the Ely State Prison are transferred to other facilities.

The reclassification of the firefighter positions has been submitted as a budget amendment. The Subcommittees are not considering it today but will do so at the time of budget closings. If the reclassifications are not approved, NDOC would maintain the offender work crew out of the Ely State Prison.

The Department aims to close the Tonopah Conservation Camp as part of its consolidation plan within the 2023-2025 biennium. Six people are employed at that facility. The recommendation would maintain these positions for FY 2023-2024 to assist with equipment transfer and prepare the facility for mothball status. This would give time for incumbents to seek employment within NDOC at other facilities. The facility would be mothballed by FY 2024-2025.

The Subcommittees were provided a cost overview on the Tonopah Conservation Camp funding which compares the Executive Budget costs totaling \$3.7 million over the 2023-2025 biennium and the NDOC proposed consolidation plan. The NDOC consolidation plan would constitute \$1 million over the 2023-2025 biennium. General Fund savings, adjusted for offender-driven expenses, would be \$2.3 million if the NDOC proposal is approved.

The Tonopah Conservation Camp is operating under a recreation and public purpose lease agreement with the BLM that expires on January 1, 2029. If the facility is closed, NDOC would have until the end of the lease to either renegotiate with the BLM, repurpose the facility or request additional funding to rehabilitate the land back to its natural state.

The proposal to close the Humboldt Conservation Camp is driven by several factors. The Department indicates there is difficulty in recruiting and retaining staff. There has been a decline in the number of available offenders. Facility conditions have deteriorated.

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The NDOC proposes to fund 10 existing positions at that facility in FY 2023-2024 to allow incumbents to find employment elsewhere. The Executive Budget requests \$3.7 million over the 2023-2025 biennium. The NDOC proposed consolidation plan would total \$1.4 million over the 2023-2025 biennium, with overall General Fund savings of \$1.9 million as adjusted for offender-driven expenditures at \$1.9 million.

The Humboldt Conservation Camp is operating under a recreation and public purpose agreement with the BLM that expires in October 2030. The proposal would require NDOC or another State agency to negotiate terms for a new lease or remove any improvements or equipment upon termination.

A budget amendment was submitted for consideration at a later date which involves the reclassification of 34 vacant crew supervisor positions to 34 firefighter positions. Eight new firefighter positions would be created. A total of 42 firefighter positions would allow the NDF to address coverage gaps when offenders are unavailable.

Fiscal staff provided the Subcommittees a number of options to discuss during this work session. Option A for the Ely Conservation Camp would approve the Executive Budget request to close the Ely Conservation Camp and continue the facility in a mothball status, resulting in a reduction of \$2.7 million in General Fund appropriations. If Option A for the Ely Conservation Camp is selected, Suboption A1 would entail permanent closure, and Suboption A2 would entail temporary closure. Option B for the Ely Conservation Camp would be to not approve the Governor's recommendation to permanently close the Ely Conservation Camp and provide \$2.7 million in General Fund appropriations over the 2023-2025 biennium to fund the facility for full staffing and offender-driven expenditures.

ASSEMBLYWOMAN ANDERSON:

If we were to close the Ely Conservation Camp, how much land in the State would not have a permanent way to fight fires? I am struggling with this issue. At the same time, we do not have the staff for the Ely Conservation Camp. We have to consider both safety and the realities of staffing. There is not a magic solution.

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CHAIR HARRIS:

If members of the Subcommittees decide to approve the permanent closure of the Ely Conservation Camp, what is NDOC's plan to ensure that area has crews to fight fires? What will ensure there is enough coverage over the whole State?

JAMES DZURENDA (Director, Nevada Department of Corrections):

We do not have enough minimum security offenders to actually fill these beds for the firefighting crews. There are bills, including Senate Bill (S.B) 416, that would reduce our minimum security offenders even further.

**SENATE BILL 416**: Revises provisions relating to the Department of Corrections.  
(BDR 16-322)

We do not have enough offenders to fulfill conservation camp work which explains why the NDF has trouble providing crews. My top priority when we are able to hire staff is higher-level facilities where more safety and security issues arise from NDOC's perspective.

The NDF will have opportunities in their budgets to hire from outside in order to cover offender crews they will lose. They have national summer fire crews to hire. There are avenues for them to address fire coverage. On NDOC's end, I do not see any options for us to fill conservation camp beds, even if they were kept open. We lack both offenders and staff.

SENATOR GOICOECHEA:

I do not want to close the Ely Conservation Camp; however, it might be easier to close that facility because there is a fire crew working from the Ely State Prison. What concerns me more are the discussions around permanently mothballing the Humboldt, Wells and Tonopah Conservation Camps. We cannot close them all, or we would essentially be vacating the conservation camp program.

I am skeptical about whether the NDF can hire enough summer help. The conservation camps provide a service. The Ely facility is part of my district and it previously provided many services, but I understand NDOC's concerns. The fact we can backfill the need with the Ely State Prison helps. Closing the Tonopah and Humboldt facilities gets us closer to vacating the camp program.

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If we could adjust offender pay and the time served based on hours they put into fire crews, the program could remain viable.

MR. DZURENDA:

We have 380 offenders eligible to join a conservation camp. Those numbers will decrease as time goes on, especially as we consider certain bills before the Legislature. Even if every eligible offender joined the program, I do not believe I could fill the Ely Conservation Camp.

The premises at Ely State Prison contain a minimum security bed facility where offenders stay and can do fire suppression training. The NDF could find a way to use this space. I do not see a way for us to fill staff or offender positions at the Ely Conservation Camp.

CHAIR HARRIS:

I ask Fiscal staff to bring back Option A for the Ely Conservation Camp, including both Suboption A1 and Suboption A2, for the Subcommittees to consider during budget closings.

MR. MALONE:

The options for the Tonopah Conservation Camp will be similar to the Ely Conservation Camp. Option A for the Tonopah Conservation Camp would approve NDOC's proposal to close the facility as part of the Department's consolidation plan and maintain the facility at mothball status over the 2023-2025 biennium. In addition, Option A would direct NDOC and the GFO to work with Fiscal staff to transfer any associated offender-driven expenditures to other camps.

If Option A for the Tonopah Conservation Camp is selected, there are four suboptions for the Subcommittees' consideration. Suboptions A1 and A2 involve the six currently employed incumbents at the Tonopah facility. Suboption A1 would approve NDOC's proposal of \$582,619 in General Fund dollars to continue funding the six employees for FY 2023-2024 to assist with mothballing the facility and help the incumbents find jobs elsewhere.

Suboption A2 approves a reduced period of time to fund the six current positions at the Tonopah Conservation Camp. A data table Fiscal

staff provided indicates time periods between three and nine months to fund the positions. Associated costs are provided. Suboptions A3 and A4 concern whether the Subcommittees would like the Tonopah facility closure to be permanent or temporary over the 2023-2025 biennium.

SENATOR GOICOECHEA:

My real concern with the Tonopah facility is the distance. The Ely region will not be impacted as much by the Ely Conservation Camp closure because Pioche can supplement the need. The Carlin Conservation Camp can be used for backfilling.

Taking the Tonopah Conservation Camp out creates long distances to get anywhere. I understand NDOC does not have the staffing or inmates for these facilities. If we focus on maintaining Tonopah in the future, with a short-term closure, will there be the ability to staff and provide inmates? Maybe we end up with two or three functional camps that are fully staffed and with enough offenders in place. Is that where we are headed?

We see people working out of Lovelock, the Ely State Prison and Carson City. Coverage seems to be provided. Could functional camps be established that cover Tonopah's geographic area? That would be beneficial. Tonopah is not far from Belmont and the Arc Dome area. There is special country down there. We cannot let it burn up. Can we provide three or four super camps to provide service?

MR. DZURENDA:

I do not see any future for the Tonopah Conservation Camp. We have 6 out of 12 officer positions staffed there who work 24/7, and that is the highest level of staffing we have seen in a long time. This is even as the offender population is decreasing.

We could look at increasing the NDF presence at the Stewart Conservation Camp or having staging areas in Carson City or Lovelock. This would entail longer travel distances. The Three Lakes Valley Conservation Camp could serve as a staging ground for Tonopah's geographic area. There are ways to get crews to fires; timeframes will just be different. While every minute counts, I do not see how we could send crews from Tonopah.

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SENATOR GOICOECHEA:

Am I correct that you do not know how you would be able to staff the Tonopah Conservation Camp?

MR. DZURENDA:

Yes. The number of minimum security offenders will likely continue to decrease. I am too nervous to reclassify medium security offenders to minimum security offenders, as that may affect public safety.

SENATOR GOICOECHEA:

Did Fiscal staff provide an option where we can temporarily close the Tonopah facility instead of permanently closing it?

MR. MALONE:

Yes. Temporary closure would change how the budget is built into the next biennium. Funding would return for the 2025-2027 biennium, and there would be an accompanying decision unit to continue the closure, maintain it or permanently close the facility.

SENATOR GOICOECHEA:

It has been a wet year, which can lead to a lot of plant growth that will lead to fires by fall. Certain parts of Nevada will be drier later this year. Tonopah is the geographic center of the State. If we are going to respond to fires there, we need the Tonopah Conservation Camp. I do not know what the solution is, but I am not in favor of closing the facility. I already find closing the Ely Conservation Camp tough, but we are able to back up that geographic location with crews from Pioche and the Ely State Prison. Inmates provide a service. We just need to figure out how to compensate them.

ASSEMBLYWOMAN ANDERSON:

This is not a good situation for our communities, inmates and NDOC. The Department is struggling to fill fire crews. We have created an undesirable cycle that has nothing to do with helping people get back on the street after making a mistake.

The State has to renegotiate land leases with the BLM. Can we use that process to change from using prison workers for firefighting? It is not right to have



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NDOC provide fire services to Nevada. Is there another way for us to use the conservation facilities?

SENATOR GOICOECHEA:

I have worked with several recreation and public purpose agreements. The State could use these facilities as fire centers as opposed to inmate camps.

CHAIR HARRIS:

The Subcommittees would like Fiscal staff to develop Suboptions A1, A3 and A4 for the Tonopah Conservation Camp for further consideration. We will need to decide whether to close the facility permanently when these budget accounts are closed. The Subcommittees will also consider giving NDOC flexibility to renegotiate with the BLM, or closing the facility temporarily and direct NDOC to return to the Eighty-third Session for the same discussion.

MR. MALONE:

Option A for the Humboldt Conservation Camp would be to approve NDOC's proposal to close the facility as part of an overall consolidation plan and maintain the premises in a mothball status over the 2023-2025 biennium. Option A further entails directing NDOC and the GFO to work with Fiscal staff to transfer any associated offender-driven expenditures. Suboption A1 for the Humboldt Conservation Camp would continue funding for ten positions in FY 2023-2024. Suboption A2 would provide for a reduced funding period, ranging from three to nine months, for those ten positions. Suboption A3 for the Humboldt Conservation Camp would be to approve the closure as permanent. Suboption A4 would approve the temporary closure of the facility.

Option B for the Humboldt County Conservation Camp would be to not approve NDOC's proposal for closure and instead maintain \$1.9 million in General Fund appropriations to operate the facility as recommended in the Executive Budget.

SENATOR GOICOECHEA:

For the purposes of a budget amendment or funding increases, we might consider speaking with the NDF rather than NDOC.

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CHAIR HARRIS:

The NDF will appear before the Subcommittees when its budget account closings are scheduled. There are aspects of budget accounts in different State agencies that are intertwined.

BRODY LEISER (Chief Principal Deputy Fiscal Analyst):

The NDF is scheduled for budget closings on May 2, 2023.

ASSEMBLYWOMAN ANDERSON:

Have there been discussions about having conservation camps, especially the Tonopah and Humboldt facilities, operated by the NDF instead of NDOC? How difficult would that be in terms of staffing? It is not right to use the offender-driven process for firefighting.

ERIC ANTLE (Deputy Administrator, Division of Forestry, Nevada Department of Conservation and Natural Resources):

That is the plan. The reclassification of the vacant 34 crew supervisor positions is to introduce a workforce that is more reliable and not tied solely to fire suppression provided by offenders.

For the Tonopah Conservation Camp, we would introduce ten seasonal staff positions to work out of that facility in its mothball status to provide fire protection to Tonopah. Tonopah is remote. If there is a fire, which is possible given the expected amount of grass this year, the new non-offender workforce will be more flexible and responsive across the State.

Unfortunately, offender work crews require night custody, compounding staffing issues for NDOC. Leaving the footprint of a camp for fire response does not just require a custody officer to attend to the crew. It also requires that custody officer slot to be backfilled. The reclassification of 42 positions for non-offender fire crews will offer more protection in the State and allow us to not be dependent on offenders for fire suppression.

SENATOR GOICOECHEA:

I am concerned about only having part-time or summer crews. We may fall short in the habitat and community service work. With seasonal firefighters, we would not be looking at having a couple of camps with year-round crews. Even

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with NDOC charges and local government payments for crews, the current system almost becomes self-sustaining.

MR. ANTLE:

The only crew that will become seasonal is in Tonopah, where the NDF has faced recruitment challenges. The remaining positions out of the 42 proposed for reclassification do not encompass seasonals, which are covered through grant funding. They will be FTE positions, with a full crew placed in Ely, a full squad in Carlin, a squad in Tonopah and a squad in Humboldt, with the ability to pair up to make a full crew and offer full-time protection.

It is not always about suppression. The NDF is also concerned about presuppression and postsuppression. If we do not get ahead and take care of needed maintenance and mitigation, there will be more fires, which will require more staffing. Not correcting land by rehabilitation and revegetation will change the burn cycle on those footprints of acreage. The land affected by fire will produce cheatgrass that will repeat the burn cycle every one to two years.

SENATOR GOICOECHEA:

We need to see what the NDF wants to do before we make a qualified decision on NDOC and the conservation camps. Members of the Subcommittees seem to not want complete closures of the facilities. We want the services they provide to continue.

ASSEMBLYWOMAN BROWN-MAY:

Would the NDF still partner with NDOC under its plans for staffing and fire suppression in the conservation camps? Would the NDF's staffing come from people leaving incarceration after completing their sentences, with the intent being the provision of reentry employment opportunities?

MR. ANTLE:

That is the long-term goal. With nine camps and the staffing issues in NDOC and the NDF, it is difficult to offer the correct amount of programming to offenders. Under A.B. No. 236 of the 80th Session, offenders are not with us long enough. Not all camp locations have the ability to provide the needed programming for offenders.

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Collectively, the four established camps have the right footprint for programming. Better staff levels would allow for the NDF and NDOC to work towards new initiatives. An example would be Arizona's Phoenix Crew, where former offenders come from a fire crew and are employed by state government in new positions. This could be funded through a budget request.

These are initiatives the NDF and NDOC have talked about. We want to implement these once we have a footprint of four camps instead of the existing nine facilities.

CHAIR HARRIS:

Can NDOC confirm that if the Legislature approves the closure of the Humboldt Conservation Camp, it would be able to renegotiate a new lease with the BLM that allows the NDF to operate from the facility?

MR. DZURENDA:

I do not know. I am not sure about the lease. The camps each have different agreements.

CHAIR HARRIS:

Can you provide follow up information on that?

MR. DZURENDA:

Yes.

ASSEMBLYWOMAN ANDERSON:

Along the lines of the previous question, if the Humboldt Conservation Camp is put into mothball status for NDOC, could the State still use it?

MR. DZURENDA:

Yes.

SENATOR GOICOECHEA:

I feel comfortable negotiating the recreation and public purpose request with the BLM. That purpose by the State would remain whether the facilities are run by NDOC or the NDF.

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Even if a facility is mothballed, including in Ely, people can still work from it and maintain it. The State is incurring a cost and no real benefit. You cannot hire crews or they cannot do habitat work. It is beneficial to have these facilities staffed. I do not care which State agency manages them.

CHAIR HARRIS:

The Subcommittees would like Fiscal staff to develop Suboptions A1, A3 and A4 for the Humboldt Conservation Camp for further consideration.

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CHAIR HARRIS:

Seeing no public comment, I adjourn this meeting at 9:25 a.m.

RESPECTFULLY SUBMITTED:

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Joko Cailles,  
Committee Secretary

APPROVED BY:

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Senator Dallas Harris, Chair

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

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Assemblyman Howard Watts, Chair

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

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Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster