

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

**Eighty-Second Session
March 16, 2023**

The joint meeting of the Assembly Committee on Ways and Means and Senate Committee on Finance Subcommittees on Public Safety, Natural Resources, and Transportation was called to order by Chair Howard Watts at 8:07 a.m. on Thursday, March 16, 2023, in Room 2135 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:

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

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator Dallas Harris, Chair
Senator Pete Goicoechea
Senator Rochelle T. Nguyen

SUBCOMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Sarah Coffman, Assembly Fiscal Analyst
Wayne Thorley, Senate Fiscal Analyst
Karen Hoppe, Assembly Principal Deputy Fiscal Analyst
Nicolette Johnston, Program Analyst
Daniel Miller, Program Analyst
Anne Bowen, Committee Secretary
Janet Osalvo, Committee Assistant

OTHERS PRESENT:

George Togliatti, Director, Department of Public Safety
Patrick Conmay, Colonel, Chief, Nevada Highway Patrol, Department of Public Safety
Martin A. Mleczko Jr., Lieutenant Colonel, Assistant Chief, Nevada Highway Patrol, Department of Public Safety
Kristen Defer, Administrative Services Officer, Nevada Highway Patrol, Department of Public Safety
Denny Gortari, Administrative Services Officer, Nevada Highway Patrol, Department of Public Safety
Erica Souza-Llamas, Division Administrator, Records, Communications and Compliance Division, Department of Public Safety
Robert Kaelin, Vice President, Public Safety, Mission Critical Partners
Jason Kolenut, Administrative Services Officer, Records, Communications and Compliance Division, Department of Public Safety
Sheri Brueggeman, Deputy Director, Department of Public Safety
Alan Jenne, Director, Department of Wildlife
Jordan Goshert, Deputy Director, Administrative Services, Director's Office, Department of Wildlife
Michael Scott, Deputy Director, Natural Resources, Department of Wildlife
Christopher Vasey, Administrator, Conservation Education, Department of Wildlife

Chair Watts:

[Roll was called. Subcommittees' rules and protocols were explained.] We have two budgets from the Department of Public Safety and four budgets from the Department of Wildlife. We are going start with budgets related to the Nevada Highway Patrol and the Central Repository for Nevada Records of Criminal History.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - NEVADA HIGHWAY PATROL DIVISION (201-4713)
BUDGET PAGE PUBLIC SAFETY-52

George Togliatti, Director, Department of Public Safety:

We have an excellent presentation for you that will be led by the Chief of the Nevada Highway Patrol, Colonel Patrick Conmay. We also have members of our management team who will be available to answer any specific questions after the presentation. I will turn it over to Colonel Conmay.

Patrick Conmay, Colonel, Chief, Nevada Highway Patrol, Department of Public Safety:

It is our pleasure to be here to provide an overview of the Nevada Highway Patrol to the Subcommittees. I am going to turn the first part of this presentation over to Lieutenant Colonel Martin A. Mleczo Jr. to present an overview.

Martin A. Mleczo Jr., Lieutenant Colonel, Assistant Chief, Nevada Highway Patrol, Department of Public Safety:

The Nevada Highway Patrol was established in 1949 with only 10 employees and is governed by Chapter 480 of the *Nevada Revised Statutes* [[Exhibit C](#)]. This statute provides for the creation of the Nevada Highway Patrol, its composition, its powers, the duties of the Chief, contracting authority for control of vehicular traffic in connection with special events, and personnel duties. The Nevada Highway Patrol services 110,000 square miles with over 100,805 roadway lane miles throughout Nevada, which is the seventh largest state in the country. To put this into perspective, state troopers are statutorily responsible for enough miles to travel around the earth four times.

The Nevada Highway Patrol is comprised of 597 employees throughout 30 different job classifications located in all 17 counties. These dedicated men and women protect Nevada, the Silver State, its citizens, and visitors. The Nevada Highway Patrol enforces traffic laws of the state, investigates traffic crashes, assists motorists, and enforces and regulates commercial vehicles transporting cargo and hazardous materials. We are committed to being the state's trusted law enforcement leader focused on public safety through traffic enforcement and education. We are the roadway to a safer Nevada, and we stand together to serve and protect. Through our noble cause, we honor our history with great pride and commitment. We are the Nevada Highway Patrol.

The Nevada Highway Patrol has three budget accounts: budget account 4713, the Highway patrol's primary budget account which is primarily Highway Funded; budget account 4721, which provides grant funding for commercial vehicle enforcement; and budget account 4705, which provides forfeiture funding for the Division's canine program. The Nevada Highway Patrol's core activities include administrative support services, traffic, commercial, and special operations. Special operations include investigations, criminal interdiction, and task

forces. These officers work alongside state, local, and federal partners, all of which contribute to our overall mission. Again, we are committed to increasing public awareness through our big five focus areas which will be covered in the upcoming pages [[Exhibit C](#)].

The Nevada Highway Patrol has four primary goals [page 5]. These goals include: (1) investing in our people by focusing on employee health and wellness, identifying future leaders through succession planning, and retaining our current workforce; (2) mitigating loss of life, injuries, and property damage by reevaluating current resource allocation, improving data collection and transparency, and identifying best practices; (3) enhancing public trust by improving availability of services, education and awareness, and accountability to the public; and (4) improving Divisional efficiencies by using the recommended budget enhancements to provide our employees with the required tools to do their jobs and more efficiently utilize available resources.

We have three critical emphasis areas. These have been branded as the 3 E's: education, enforcement, and engineering [page 6]. The Nevada Highway Patrol educates our employees throughout their careers; however, educating the public is equally important for awareness, support, and transparency. For instance, the Southern Nevada Traffic Management Center in Las Vegas is a multiagency, shared operations and communication center, where critical messaging can be deployed to our roadways at a moment's notice. We have also taken a proactive approach in educating the public through the use of social media platforms, news outlets, and messaging campaigns.

Engineering includes internal and external partnerships with entities such as the Regional Transportation Commission, the Nevada Department of Transportation, and other county and city agencies, to ensure the safety of our roadways. One example of this is the implementation of wrong way driving detection systems throughout the state of Nevada. Education, enforcement, and engineering: when people know about them, share them, and live by them, more lives will be saved, and that is our bottom line.

Our number one job is to create a safe and efficient traveling environment. In traffic operations, our primary performance measure is the mileage death rate (MDR) [page 7, [Exhibit C](#)]. The MDR compares fatalities and serious bodily injury crashes per 100 million vehicle miles traveled. This measurement is the standard set by the National Highway Traffic Safety Administration (NHTSA). The chart on page 7 shows comparative fatality rates for the nation, Nevada, and in our jurisdiction. As shown, the mileage death rate in Nevada increased from 1.26 deaths per 100 million miles traveled in 2020 to 1.41 deaths in 2021. Within our jurisdiction alone, there was a 14 percent increase in fatalities compared to a national increase of only 10.5 percent. In 2021 and 2022, Nevada recorded the highest number of roadway deaths since 2005. Americans continue to drive administration data showing a 1.6 percent increase in vehicle miles traveled, or about 39 billion miles. Our work is far from done, and we must do more to save lives, prevent injury, and address the crisis on the roadways.

Commercial Operations oversee the enforcement, safety, and compliance of commercial vehicles on Nevada's roadways. This performance measure compares commercial vehicle crashes to the total number of noncommercial vehicle crashes [page 8]. It is no surprise that commercial vehicles can weigh 20 to 30 times more than a passenger vehicle, and due to their size and weight, they are significantly more dangerous, and virtually guaranteed to cause substantial injury and damage whenever involved. While these crashes are not as frequent, they result in greater carnage and tend to be more severe by interrupting traffic flow and interstate commerce. This is more pronounced in the rural areas where there are no alternative routes and traffic is stalled until the crash is cleared. The total amount of commercial vehicle crashes in Nevada is relatively low and has remained near 7.5 percent of our total crashes investigated. However, we investigated 31 fatal crashes in 2021 and 24 in 2022. This is a sharp increase over the 14 that were investigated in 2020.

Our employees are by far our greatest asset, and we are committed to protecting them in all aspects of the job, including being behind the wheel. On average, troopers drive 24,000 miles a year. They drive in the coldest days in Ely and the hottest days in Las Vegas while responding to crashes, enforcing laws, and driving to the far reaches of the state to assist the stranded. Troopers must have a reliable fleet capable of meeting the rigorous demands of the Highway Patrol. We follow a strict maintenance schedule that ensures our vehicles can perform or respond in any condition or environment. Although our maintenance compliance goal is 85 percent, we have exceeded that goal with an overall average of 91.3 percent, further improving safety, reducing maintenance cost, and out of service time.

Community safety and success is traditionally measured by crime statistics [page 10, [Exhibit C](#)]. Sadly, the number of people being killed in crashes is not weighed. In 2021, nearly 43,000 people were killed in traffic crashes nationwide. This is more than the 40,000 gun violence cases, but which did you hear more about? The United States is out of proportion, making our job increasingly more difficult. Even more alarming, nonfatal crashes in Nevada have increased nearly 32 percent over the last year alone to 20,000. That is roughly the population of Elko, or the capacity of the T-Mobile Arena in Las Vegas, Nevada.

While we remain committed, our increasing vacancy rate also continues to threaten our great state. The lower image on page 10 compares filled versus vacant sworn positions in red. Our overall 36 percent trooper vacancy rate equals reduced service levels, increased response times, decreased visibility, unsafe roadways, less enforcement, and officer fatigue.

Our state is a global destination, and while growth is encouraging and welcome, we must take back our roadways before these challenges become irreversible. On page 3, we discussed our mission, vision, and purpose, or MVP. The truth is our employees are the real MVPs and without them, we do not exist. Becoming a state trooper is a calling and a lifetime commitment filled with challenges, both professionally and personally. But make no mistake, we are committed to perfection. The stressors of policing take a significant toll on

the physical and mental health of officers. We must continue to work together to find out-of-the-box solutions to combat these challenges. Although recruitment is important, we must also invest in our current workforce to create safer communities. A more comprehensive approach will also lead to an improved and successful retransformation of not only our Department, but the Highway Patrol, and lead to better recruitment overall. I will now turn the presentation over to our administrative services officer, Kristen Defer, to review our budget enhancements.

Kristen Defer, Administrative Services Officer, Nevada Highway Patrol, Department of Public Safety:

Decision unit enhancement (E) 673 funds a two-grade increase for Department of Public Safety (DPS) officer 1 and 2 and sergeant positions. This is for our line-level and first-line supervisors. Decision unit E-354 funds the expansion of law enforcement coverage on Interstate 15 and Interstate 80. Decision unit E-225 funds one management analyst position due to an increase in multiple programs to include grants, permits, contract services, and the ignition interlock program. Decision unit E-353 funds one equipment mechanic and two communication systems specialists. Decision E-226 funds annual critical comprehensive technical training for fleet mechanic technicians, supervisors, and managers. Decision unit E-301 funds the annual contracted maintenance costs of the electronic warrant system which significantly streamlines the arrest process.

Decision unit E-901 transfers one IT professional position from the Nevada Highway Patrol budget to the DPS Director's Office budget. This decision unit is a companion to decision unit E-902. Decision unit E-902 transfers personnel from the Nevada Highway Patrol budget to the DPS Director's Office to staff part of the new departmental Research and Planning Technology team. This decision unit is associated with E-901.

The Governor recommends one-shot Highway Fund appropriations to support various Nevada Highway Patrol enhancements as follows:

- Replace end-of-life fleet vehicles that have exceeded the mileage threshold.
- Replace end-of-life police motorcycles exceeding their mileage threshold.
- Replace two vehicle hoists, three tire machines, and a forklift.
- Replace ballistic rifle vests, helmets, and optics per the recommended replacement guidelines established by the manufacturer and the National Institute of Justice.
- Replace all electronic control devices.
- Replace end-of-life mobile data computers and citation printers.

- Replace end-of-life radar certification systems.
- Replace all end-of-life body-worn cameras.
- Replace weigh-in-motion scales for commercial enforcement.
- Replace end-of-life computer hardware and software.
- Purchase a new steel shipping container and two oil filter crushers for proper disposal.
- Purchase oral fluid mobile analyzer systems as roadside tools to detect illicit drug use.
- Fund a staffing study to identify required staffing levels and improve resource allocation based on Nevada's continued growth, to better ensure delivery of agency missions and goals.

Martin A. Mleczko Jr.:

Our statutory responsibilities cannot be met without ongoing legislative support and focus on public safety. In the previous session, we received funding for our fleet, drone, and canine programs, to name a few. We can equip our troopers with a reliable vehicle capable of meeting the rigorous demands of what we do. Nevada is a diverse state filled with large swings in elevation, varying landscape, weather, and traffic. While no one-size-fits-all, the police interceptor is a near perfect match. The improved functionality, durability, and safety features have reduced out-of-service time and maintenance costs and increased safety with their 75 miles per hour crash rating. Our drone program has improved significantly. The latest drone technology allows us to diagram crash scenes in greater detail and more efficiently. This allows us to open roadways sooner, reducing secondary crashes, congestion, and cost. Drones also provide enhanced response capabilities with critical incidents, hazardous material spills, natural disasters, vehicle barricades, and more.

The Nevada Highway Patrol investigates drug trafficking, illegal contraband, and criminal activity on our roadways. Your support has also allowed us to expand our canine program into new areas. We have deployed a canine to Ely, and we are adding a canine into commercial enforcement. We have also added an explosive detection dog in northern Nevada, and we are looking at both electronic detection and accelerant canines to further improve investigative capabilities and to better defend our state.

We would be remiss if we did not talk about community partnerships and how vital they have been to our innovation, creativity, and the overall success of our mission. Rather than speak of the countless partnerships, we would like to highlight an event that would not be possible without the collective support of many, including Attorney General Aaron Ford and former Governor Brian Sandoval. In 2017, the Nevada Highway Patrol created a first-of-its-kind

candlelight vigil to honor and pay tribute to the victims lost to traffic crashes. This vigil also helped our officers and offered support to the families, personnel, and guests, in a heartfelt ceremony that was held around the state. The candlelight vigil gained state and national attention and quickly turned into an annual event. Unfortunately, COVID-19 stalled these efforts, like many others. However, I am humbled to say we are back: our next candlelight vigil is scheduled for Friday March 24, 2023, in Las Vegas. This vigil will recognize the 382 lives lost in traffic crashes throughout Nevada in 2022. Although we are unable to go back in time and honor those we lost in 2020 and 2021, they are not forgotten. And today, before each of you, we remember the 703 lives tragically taken too soon, no matter the cause. These numbers not only represented tragedy in terms of the loss of life, but also in terms of the long-lasting effects on those who are left to grieve. The Nevada Highway Patrol is committed to not only recognizing those whom we lost, but to do better and be better so that we can help prevent the next tragedy from happening.

We lost Nevada Highway Patrol Sergeant Ben Jenkins in 2020, and in just a few short weeks, we are going to honor him for the third anniversary of his senseless murder. Thank you for your support throughout that time, and for our fallen heroes. This is true for Trooper Micah May and Trooper Cliff Fontaine, two fallen and highly decorated intertwined heroes whom we lost in 2021 [page 29]. Trooper May was intentionally struck while attempting to stop a violent carjacking criminal following a lengthy vehicle pursuit. In step with Trooper May, Trooper Cliff Fontaine was one of the first responders on scene. Trooper Cliff Fontaine, a lifetime paramedic and critical care specialist, immediately sprang into action, rendering lifesaving aid. Trooper Fontaine orchestrated the first ever downed officer rescue with the Las Vegas Metropolitan Police Department's helicopter unit. Because of Trooper Fontaine's quick thinking, Trooper May was quickly transported to the nearby University Medical Center and began receiving life-saving treatment without delay. Although Trooper May succumbed to his life-threatening injuries, he gave the gift of time to his family. This allowed the family to make the difficult, but heartfelt decision, to give the gift of life to others. Trooper May's organs were donated and saved the lives of three others. Sadly, a few months later, Trooper Fontaine lost his battle with COVID-19.

Families were forever changed, fathers were lost, brothers perished. These tragic events not only rocked the law enforcement community but devastated our Highway Patrol family in so many ways. It challenged our family in ways we have never seen or felt before. Trooper May, a DUI enforcement champion, was recently honored on the Donate Life Rose Parade Float in Pasadena, California. In partnership with the Office of Traffic Safety, we now host an annual DUI enforcement memorial event to honor Trooper Micah May.

Trooper Cliff Fontaine, a guardian angel, will be honored in Washington, D.C. at the 2023 Stars of Life award. This is the emergency medical services industry's highest honor. This award will celebrate Trooper Fontaine's unwavering support toward patient care, his

leadership, and commitment to education. For those who remain, we will do everything within our power to honor those that the sun has set upon and serve at the highest level, continuing to represent the past, the present, and the future.

With every new day, every new sunrise, we begin with renewed purpose. Our state troopers put on their uniforms and serve our state with great pride and humility. It is a privilege and honor to be a state trooper, and throughout our history we have proven to be resilient, optimistic, and prideful. Although we have experienced difficult days filled with adversity, we remain steadfast and committed to the Silver State. We are excited for the future and our road forward. We are people-powered and purpose-driven and our purpose and passion is saving lives. We are the Nevada Highway Patrol, and nobody does traffic safety better than we do.

Patrick Conmay:

We want to thank the Subcommittee members for your time, your energy, and your support. At this point we would like to open it up to any questions the members may have.

Assemblyman Hafen:

One of the concerns that we all share is the recruitment effort and the fact that it is hard to recruit in areas like Primm, Elko, and the Winnemucca district. How are we providing special graveyard coverage in those areas where we are struggling to recruit?

Patrick Conmay:

One of the recommended enhancements is for additional troops to cover some of those areas. We looked at major arteries, or highways, that need that 24/7 coverage, and we identified 15 roadways from California north, and Interstate 80 across the center of the state. We are looking to add additional people there, but of course we are sitting on a problem with retention and recruitment. We have looked at a wide variety of recruitment efforts, and we have a team that is continuously working on that by attending events, recruiting, identifying those areas where we need that coverage, and looking for people who are interested.

In addition, we are asking for a long-term study. We want to do that study and take a look at how we are actually deploying, and what the hours of coverage are in various areas across the state. Of course, it is very difficult for us to say we are going to provide 24/7 coverage on every roadway in the state, all the time. It is probably not even ideal, or realistic, to try to do that. We want to identify those areas where that is the best way to go, and then identify ways to provide that coverage more innovatively. It is just a matter of identifying how we recruit and retain. We are asking for that support and help with some of the enhancements that deal with the two-grade increase to make us competitive with some of the agencies that might be attracting people away. Hopefully that answers your question.

Assemblyman Hafen:

It does, and hopefully that will get you the retention and additional hires. Are you anticipating a reduction in the fatalities and overall crashes?

Patrick Conmay:

That is the single focus—to look at how we are providing service—and make sure that is the ideal methodology. The entire purpose is to reduce fatalities in crashes.

Chair Watts:

I do appreciate the focus of your presentation and your budget in evaluating all the work you do relative to those traffic safety metrics.

Senator Harris:

My question is about some of the new recommended positions. Given that there are currently 137 vacancies, do you anticipate being able to fill 28 new positions?

Patrick Conmay:

Clearly, we are in a crisis right now with filling positions and retaining people. What we have proposed here is what we think is necessary to get to that point to provide the kinds of service that we are talking about to reduce fatalities and provide a proactive kind of patrol to improve those metrics. We do have the vacancies, so what we have identified as that part of our problem is being on an equal plane with competitors in an environment where the profession is not as attractive to people as it has been in the past. Our focus is to see an improvement in compensation through that recommended budget enhancement—we have requested—that will bring some parity to help us retain people. If we can retain people as we go through this hiring process, we start cutting into the vacancy rate and ultimately over time we feel we can fill those positions.

Senator Harris:

Would you be willing to entertain the idea of filling the vacant 137 sworn positions and then trying to get 28 more, since we are looking at a biennial budget? It is my understanding that you already have the flexibility to move those vacancies around different areas of the state where you might need them. I am a little concerned about whether we can fill the 137 vacancies in two years, much less what would now be 165 vacancies.

Patrick Conmay:

I believe that we have proposed an aggressive agenda. It is what we have identified as our needs, as well as desirable for the state. Again, we are realistic, and we understand we are sitting on a vacancy rate. My position would be to hope for the best and we will see what happens.

Senator Harris:

I just want to make clear that we are all partners in helping you fill those vacancies. I do not want to indicate otherwise. Assemblyman Watts and I are trying to make every effort, across every budget that comes before this Subcommittee, to take a hard look at that. We know there are barriers in filling those positions. I do not want to give any indication that we do not think you need these people; we just want to make sure we are trying to do it in the most fiscally prudent way.

Patrick Conmay:

I would like to say, we all feel that support and thank you for it.

Assemblywoman Gorelow:

I had a question on decision unit E-353, specifically the communications system. I was having a little trouble wrapping my head around that. How did you determine charging \$40 to other state agencies?

Denny Gortari, Administrative Services Officer, Nevada Highway Patrol, Department of Public Safety:

The \$40 is for the alignment process that we must do to keep these radios maintained per the manufacturer's requirement. It would take about an hour of our communications system specialist's time. Step 5 for that classification and the hourly rate is approximately \$40.88. That is a fair rate and includes the base pay for the step 5 plus 38 percent for benefits to come up with that rate. All these radios have to be aligned, and if they are used by non-Highway Funded entities, that would be the rate we would charge to allocate the costs. That would be their expense and revenue for us. Our objective is to make it fair for the Highway Fund.

Assemblywoman Gorelow:

What agencies are being charged, and do you intend for that fee to cover the two communications specialists beyond the 2023-2025 biennium?

Denny Gortari:

Yes, we do, in answer to your second question. The agencies that we would be supporting include the following: Capitol Police; the Director's Office; Dignitary Protection; the Fire Marshal; our MCSAP (Motor Carrier Safety Assistance Program) in BA 4721; Investigations Division; the Highway Patrol; Office of Professional Responsibility; Parole and Probation; RCCD (Records, Communications and Compliance Division); and the Training Division. All those divisions must have radios in their vehicles. We want to make sure that those radios are aligned, because current radios that are digital are very temperamental. They are very robust in terms of their reception, but if they are off even a little, they do not perform well, and their range is not there. We do not want to jeopardize our troopers that are out there doing the work with one of the most important tools they have, which is the radio.

Assemblywoman Dickman:

My question is about decision unit E-353 concerning the equipment mechanic position and whether you are experiencing a backlog or delay in fleet maintenance due to the increased complexities of the vehicles being serviced?

Denny Gortari:

Yes, very much so. In 2019 we had a sergeant who was reassigned to patrol operations who oversaw the whole unit. When that happened, we needed a person who could supervise the shop and the communications section. We reclassified an employee who was an equipment mechanic to oversee the whole operation. What we have learned is that it would be the same number of individuals, but it would be all civilian, allowing those troopers to be out where we need them and have the job done by the radio people and the fleet people. It has been very good in terms of efficiency, because we have certain measures for maintenance on the vehicles. The equipment mechanic 4 would oversee three equipment mechanic 2s. That person is a working supervisor and has to do all the reviews for all the work for those individuals. The person who is the highway equipment maintenance supervisor has a lot of responsibility. He has to manage 262 cars, and there are a lot of things going on with those cars because they have become more complicated. It is a critical position. That position will be better able to manage and oversee all the staff. We want to develop our people, so they have a good career path.

Assemblywoman Dickman:

Then you have a sergeant back doing police work.

Denny Gortari:

The fleet is an incredibly complicated and busy unit to manage. Our main prerogative is to make sure our troopers are safe. I feel that we have the safest vehicle out there with the highest rear impact crash rating. The behavior of the public is such that we are getting hit because they are driving too fast, and they are not watching for us. Without the troopers, we have no purpose. We are there to keep the troopers safe.

Assemblywoman Anderson:

It sounds like this individual would be supervising four additional individuals in the southern area if approved. Who is currently supervising them?

Denny Gortari:

We currently have an equipment mechanic supervisor who is a grade 37. The other equipment mechanics are grade 32s. This new position would be a grade 33 and would have to possess more capability and understanding about the vehicles, because they are fairly complex. The new person will also oversee the three equipment mechanic positions. Currently, we are getting people who we must develop and when they come in, they need training and experience. That extra level is a more sophisticated person with higher ability to diagnose vehicles and identify problem areas. The new position would allow the equipment

mechanic supervisor, who is a grade 37, to help manage and work with the command staff directly. Also, that position works to rotate our vehicles. One of the things we have to do is rotate vehicles from one assignment to another. In doing that we want to depreciate those vehicles the best we can in a straight-line fashion. Moving them from an assignment that is high mileage, or vice versa, helps us manage the fleet.

Assemblywoman Brown-May:

I have a question on decision unit E-225, which is the management analyst position for fiscal operations. I understand that this position would oversee some fiscal operations, grant management, and program management activities. Can you talk a little bit about programs that this position would oversee that are not currently in compliance with federal or state regulations because of the vacancies?

Kristen Defer:

We have had challenges, not only with sworn, but with civilian vacancies as well. What we envision for this position is to be able to better manage these programs. We do not have a backlog, but it has been a challenge to keep up with all the regulations that a grant requires, and we really want to be able to pursue those grant opportunities when we can. Historically, we have had sworn positions in each region that have handled a lot of the grant application process and grant management. We want to identify those opportunities to shift those duties to civilian positions where we can free up the sworn personnel to be able to work on sworn things and get back out on the road. We want to be able to use this position to stay on top of all of the requirements and regulations, not only for grants, but for internal controls and state policies as well. We want to be able to have that oversight at a fiscal level internally.

Assemblywoman Brown-May:

Have you had an opportunity to work with the Governor's Office of Federal Assistance (GOFA), would be my first question. Secondarily, are there currently any peace officers who are conducting fiscal operations of the Nevada Highway Patrol?

Kristen Defer:

Yes, I have attended some of GOFA's programs and trainings. We look forward to working with them. I know they have established this new agency. We want to reach out and work with them to see what grant opportunities we have available for the agency. What was your second question?

Assemblywoman Brown-May:

Do you currently have sworn peace officers who are conducting fiscal operations?

Kristen Defer:

No, that is primarily handled at the headquarters fiscal unit by civilians. We must have that sworn input, of course, because they are the subject matter experts on what the need is regionally. We work hand-in-hand with sworn leadership, but the day-to-day fiscal operations we try to have handled by civilian staff at headquarters.

Chair Watts:

Are there any additional questions on this budget account? [There were none.] We will go on to the next budget account 4709, which is the Central Repository for Records of Criminal History.

PUBLIC SAFETY

DEPARTMENT OF PUBLIC SAFETY

DPS-CENTRAL REP FOR NV RECORDS OF CRIMINAL HISTORY (101-4709)

BUDGET PAGE PUBLIC SAFETY-105

Erica Souza-Llamas, Division Administrator, Records, Communications and Compliance Division, Department of Public Safety:

Page 4 [[Exhibit D](#)] is an overview of what the Records, Communications and Compliance Division (RCCD) is comprised of. The RCCD has 205 authorized positions in total, with 30 contracted positions and is comprised of 2 bureaus.

The Communications Bureau is responsible for dispatch services to our sworn officers, not only for the Department of Public Safety, but for about a dozen allied agencies as well.

Our Records Bureau has 14 disparate programs, some of which include the Sex Offender Registry, the Brady Point of Contact Firearms Program, Uniform Crime Reporting, the NRS 179A.350 Repository for Information Concerning Orders for Protection, as well as civil and criminal fingerprints, which span across the Fingerprint Examiner Unit, Criminal Records Unit, and our Civil Fingerprint Support Unit. We also have the Information Security and Compliance Unit, our Fiscal Office, and the Nevada Criminal Justice Information System (NCJIS) modernization program.

Like everybody else around the state, RCCD suffers from staffing shortages. In some cases, the staffing shortages have become a public and officer safety concern, particularly in our Communications Bureau, where our dispatch vacancy rate sits at about 28 percent, and our Records Bureau at 31 percent.

We have been forced to close the Carson City Dispatch Center during overnight hours due to insufficient staffing levels. In doing this, we have to roll the phones and the radio channels down to the Las Vegas Center, which also has its own staffing shortages, but are now having to take on radio and phone traffic for the entire state every night. We have had to consolidate radio channels, which puts more officers on a single channel for a single dispatcher to

manage. Our staff is burdened with having to work long hours—in some cases 16-hour shifts—to provide adequate phone and radio coverage. Our staff is burned out and underpaid, which leads to them looking for alternative employment doing the same job for more money, better benefits, and fewer hours worked.

On page 15 [[Exhibit D](#)] decision unit enhancement (E) 232 recommends funding for the Division's NCJIS unit to travel to Las Vegas to provide training to local Terminal Agency Coordinators (TAC). The TAC coordinator serves as point of contact at the local agency for matters relating to access to federal criminal justice information systems known as the Criminal Justice Information Services (CJIS) and NCJIS. The TAC administers CJIS and NCJIS programs within the local agency, and oversees the agency's compliance with federal and state systems policies. The RCCD previously conducted in-person TAC training up until 2020 when COVID hit. The Division had initially planned to migrate our training model to online training as part of the NCJIS modernization program, but fast-tracked this effort when travel restrictions were implemented because of COVID. The Division successfully deployed the online training by October 2020 to remain in compliance with the FBI CJIS security policies despite the travel ban.

Over the past three years with no in-person training, it became evident that TAC and their authorized personnel were lacking in knowledge. This became evident by the increased number of help desk tickets being submitted by TAC, and/or the local agency personnel, and an increase in audit findings when the FBI CJIS audit unit conducted their onsite triennial audits in September 2021. The RCCD has determined that a hybrid of in-person training coupled with online training would benefit the Division's criminal justice partners the most, and will help keep the local agencies and RCCD in compliance with state and federal laws, policies, and regulations.

Decision unit E-233 provides funding for continued maintenance for four batch scanners used by the Sex Offender Registry to scan and digitize offender files to remain compliant with the federal Sex Offender Registration and Notification Act.

Decision units E-246, E-247, E-248, and E-249, remove funding for the NCJIS modernization program from our base budget and replaces it with funds that the Division received from the American Rescue Plan Act (ARPA). The Division was approved for a total of \$20.85 million in ARPA funding for the 2023-2025 biennium at the October 2022 meeting of the Interim Finance Committee. These four decision units represent the funding necessary to continue the development and implementation of the NCJIS modernization program, and includes funding for the current positions within the program, as well as the seven new NCJIS program specialist positions needed to administer the program service desk upon implementation.

These positions will support the Division's noncriminal justice civil applicant account holders and customers and will provide level 1 triage services in addition to setting up primary users

in the new system. During the modernization efforts, RCCD identified a gap relating to customer service and support for our noncriminal justice account holders. We do not have a centralized help desk or customer service help desk to assist our noncriminal justice customers with business and nontechnical needs. If these noncriminal justice customers experience an issue when using the new portal or any of our automated tools, or if they have training needs to use the portal and/or the automated tools, they will need a centralized group of trained service individuals to call for timely assistance and resolution.

I would like to note that the Division of Enterprise Information Technology Services (EITS) will continue to support the Division's criminal justice users. They do not provide help desk services for noncriminal justice customers. Because the modernized solutions are new technology, which will create automated processes and access for noncriminal justice users, it is necessary to stand up a support desk structure to ensure we can adequately support our civil applicant customers. These customers will include Brady Point of Contact Firearms Program dealers, civil fingerprints submissions, Carry Concealed Weapon and Civil Name Check users. Because the Brady Point of Contact is open seven days per week, it is necessary to provide eight hours per day, seven days per week coverage by the service desk. The expected call volume is unknown. The Division currently has 2,845 active civil accounts, and each account can have multiple users. Therefore, it is difficult to determine the number of users we will need to support, or the anticipated call volume at this time.

To put this into perspective, RCCD conducted 435,254 combined civil background checks in calendar year 2022. Although the Division is not slated to go live with full functionality until September 30, 2024, the civil applications are going live in May or June 2024; therefore, it is necessary to bring these positions on board well in advance of going live to ensure staff are adequately trained and prepared to support our customers when the systems are deployed. I would also like to put on the record that RCCD does not plan to reduce its staffing because of the modernization. We know that the modernized solutions will bring efficiencies for all involved. We also are very aware that solutions will completely change our workflows and processes, and it will be necessary to take an all-hands-on-deck approach to establish the new processes and procedures and flush out any bugs in the new procedures.

We cannot do this without our amazing and dedicated staff. Once the NCJIS modernization is deployed, and new processes and procedures are implemented, RCCD can fully analyze the actual staff efficiencies and determine whether we can reassign, reclassify, or sunset any positions as they become vacant. I also want to add that the cost for the current eight NCJIS modernization program positions under E-247 will continue for the 2023-2025 biennium. The Division will continue to work with our Director's Office over the 2025-2027 biennium to transfer most of this team over to the Research and Technology Unit under the Director's Office, should the budget recommendations be approved. Some of the positions may sunset when staff retire after the modernized solutions are deployed, and RCCD intends to maintain and reclassify one of those positions.

Decision unit E-500 replaces the Division's administrative assessment revenue with General Fund appropriations. The Division's administrative assessments have historically been inadequate. Year after year, RCCD has had to use its fee-funded reserves to fund the shortfalls in administrative assessments. These funds are supposed to fund multiple programs and IT systems, but do not fund them completely and we have had to take money from other sources to adequately cover these programs. I would also like to add that the Division uses its reserves to fund unexpected issues that may arise such as broken equipment, and, if necessary, equipment replacement. Our business is very technology dependent and will become more so once the NCJIS modernization deploys full functionality. Technology requires updates, upgrades, and enhancements to ensure security and compliance.

Decision unit E-903 transfers one business process analyst (BPA) from budget account 4709 to the Director's Office budget account 4706, to staff a portion of the new Research and Planning Technology Team. This concludes my presentation and if you have any questions, we are happy to answer them.

Chair Watts:

Thank you for that presentation and for the overview, particularly of the enhancements. I think we are going to have several questions related to the different moving parts involved in the NCJIS modernization project.

Assemblywoman Anderson:

If decision unit E-247 is not approved, what will happen with the existing staff? I may have a follow-up question based upon that answer.

Erica Souza-Llamas:

Can I clarify that the recommendation to move these positions to the Director's Office is what you are referring to?

Assemblywoman Anderson:

It is the modernization project staffing—the business process analysts and NCJIS program specialists. Those are in decision units E-247 and E-248. What would happen with those?

Erica Souza-Llamas:

I am going to start with the positions in decision unit E-248, the NCJIS program specialists. If those positions are not approved, we simply will not have a support structure for our civil applicant customers. We get contacted for status inquiries. Introducing recent technology for civil customers is going to be new for them. Our customers have never had this type of technology before, and we anticipate they are going to need assistance. First and foremost, we are going to need to set customers up in the system, and those positions are going to be responsible for getting the system access established for all our customers. The positions will be responsible for fielding and routing phone calls to the various programs, troubleshooting, and monitoring queues of the new system. They will be doing

the level 1 triage to determine whether this a technical need or a business need. If the NCJIS modernization positions are not approved to move to the Director's Office, they will likely stay with RCCD. We will need that continued support, given the level of automation, and we always have enhancements. Every biennium there are enhancements to make upgrades and updates.

Assemblywoman Anderson:

Once the modernization project has been completed and rolled out for those various agencies, who is going to be helping with the service desk support?

Erica Souza-Llamas:

It will be the seven NCJIS program specialists who are manning the service desk. The business process analysts are separate and are responsible for gathering requirements and working with the technical team to make sure that our business needs are met through technology.

Robert Kaelin, Vice President, Public Safety, Mission Critical Partners:

We have several existing programs that we are not modernizing as part of this sort and the protection order system—we have a DNA process. Those are all candidates that we will want to look at and move to the NCJIS technology. There is remaining work that the Division is going to need to do as we look to modernizing all the services that we provide.

Senator Nguyen:

You answered some of these questions already, and I appreciate that we are moving toward modernization. Do you currently have staff supporting help desk services for the existing system?

Erica Souza-Llamas:

Yes. The Division of Enterprise Information Technology Services (EITS) provides help desk services to our criminal justice users and will continue to provide help desk services 24/7 to our criminal justice agencies. They do not provide help desk services for our noncriminal justice or civil applicant account holders.

Senator Nguyen:

Do you not have anyone doing that currently?

Erica Souza-Llamas:

No, we do not. Those phone calls come in, and they get filled into the various program areas. Phone calls from our civil applicant customers are nontechnical in nature.

Senator Nguyen:

Do you know what is typical of those phone calls that are being redirected?

Erica Souza-Llamas:

We receive a variety of phone calls. We have the Sex Offender Registry, so we have offenders that call. We receive phone calls from law enforcement agencies for the Registry. We have federal firearms licensed (FFL) dealers and individuals who have attempted to purchase firearms. We get individuals who have applied for jobs who have submitted their fingerprints and want to know the status of the fingerprint-based background checks.

Senator Nguyen:

That is a lot of angry customers. Do you think if these positions are approved, that would alleviate some of that? I know that some of the other state agencies are trying to do that. Would this alleviate some of that confusion for people calling in for all those various reasons?

Erica Souza-Llamas:

Yes, NCJIS Modernization is going to bring a ton of efficiencies. It is going to automate everything. Our fingerprint wait times are going to go from weeks to days. The firearms background checks will be automated. The FFLs are no longer going to have to call in and sit in a queue on hold. They can enter their own background checks into the portal, and anything without any hits or records that need to be reviewed are going to process within a matter of minutes, and they are going to have their proceeds immediately.

Senator Nguyen:

Do you know how fast that background check happens under the proposed modernization system?

Robert Kaelin:

As Erica has said, the ones that clear automatically will eliminate the queue, and we will be able to focus on the questionables, or ones we suspect are going to be denied. Eliminating that volume will let us address those a lot more quickly. We are struggling to meet the three-day turnaround right now. We hope to minimize that and focus on those open ones.

Senator Nguyen:

How long does the agency anticipate it would take to train these new NCJIS program specialists?

Erica Souza-Llamas:

My goal is to get a six-month lead time on that. Get these people hired—they are going to have to get trained—especially if they are coming from outside of the Division. If they promote from within the Division, they have a good background of what we do. If they are coming from outside, we will have to train them from the ground up. I would say probably at least six months to get them trained and in the trenches with us.

Senator Nguyen:

I know that you have statutory requirements such as a three-day wait with background checks on gun purchases. Are there any other time-sensitive deadlines for other things that your Division is responsible for?

Erica Souza-Llamas:

There are no statutory timeframes for us to complete the background checks for civil fingerprints. Brady is the only one with the federal three-day turnaround.

Senator Goicoechea:

How would replacing the court administrative assessments with General Fund appropriations impact the operations of the Records, Communication and Compliance Division? You know that I have been very supportive of this. Public perception, especially with public safety, is that troopers operate with a quota. They must write so many tickets because that generates revenue. I think this is a good move, but if you would answer that, I would appreciate it.

Jason Kolenut, Administrative Services Officer, Records, Communications and Compliance Division, Department of Public Safety:

We have noticed over the last few years that the court assessment, or administrative assessment, has been dropping. Last year we brought in \$3.3 million, and we are expecting at least \$100,000 less this year. The funding replacement decision unit brings it back up to the budgeted level of \$4.8 million, so it would give us a certain number. We would not need to project month-to-month what we are receiving from each district. It would allow us some cost certainty, and we could project our expenses without having to cut certain areas.

Senator Goicoechea:

It would give you the security to move everything ahead, is what you are saying?

Jason Kolenut:

Yes, it would. It would allow us to know what we are getting and not have to project out revenue.

Chair Watts:

I have some questions about the reserve levels. It looks as though, based on this budget, by the end of fiscal year (FY) 2025, there will be about 189 days of reserves. Can you discuss what factors have led to the growing reserve levels?

Jason Kolenut:

We have been trying to keep a 60-day reserve level. It comes out to about \$3.3 million per year, and that is what I am projecting for FY 2024 and FY 2025. Last year from the close of FY 2022 into FY 2023, we brought forward a little over \$8 million in reserve funds. We are going to be using \$3 million of that towards the NCJIS modernization project before the close of this fiscal year. That will reduce the reserves down to just over \$5 million, which

will give us a little bit of a cushion beyond the 60-day reserve target. We are hoping that we can use the additional money in FY 2026 and FY 2027 for modernization, and we will not have to come back and ask for General Fund or seek out some type of federal grant funding to support modernization beyond this next biennium. Carrying forward that money, it is going to be considered for modernization, or other maintenance and support, in other areas that the Division needs.

Chair Watts:

It sounds like the goal is to get to that 60-day target. That might currently be your thought, outside of this biennium, to support additional modernization. I think it would be helpful to get your current thinking on what that might look like, what those needs might be, and how you plan to get the reserves down to that 60-day target level. I think Senator Harris might have some additional questions on this.

Senator Harris:

Is it the agency's plan to maintain the \$3.50 increase for the civil applicant fee that was approved during 2019 to support the project if ARPA funds are approved for the project over the 2023-2025 biennium?

Jason Kolenut:

We would like to keep the \$3.50 application fee in place. We did notice after the increase was approved, because of COVID and the pandemic happening, revenue fell. We were not getting the applications in that we had projected. It is starting to recover and get back to a normal level, but to maintain the modernization through maintenance and support that we are going to need in the future, that \$3.50 will probably be needed. One thing the Administrator and I have talked about is proposing a fee study for the Division: not just for the fingerprint fee, but throughout the Division for all the fees we charge. We hope to have that completed before the next budget cycle. If at that time, we see that that \$3.50 is too much or too little, we would put forth a recommendation to get in line with whatever the study shows.

Senator Harris:

I guess this is less about the appropriate amount of the fee and more about the \$3.50 increase having a particular use that we authorized. Now that need is being met by other dollars, correct? I am trying to figure out why keep the \$3.50 increase if we are now going to fully fund with ARPA dollars, as opposed to offsetting some of those dollars with the \$3.50 increase that you plan to continue to collect.

Jason Kolenut:

As I mentioned, in the carry forward from FY 2022 to FY 2023, we are using some of that money towards modernization during this current fiscal year. If we are to keep that \$3.50 in place, we would be able to maintain that level. We are replacing the modernization, but the Division has shortfalls in other areas. We have four main funding sources from the court assessments: Brady fees, civil name, civil applications, and fingerprints. The entire

operation is not funded through the court assessments. We use that money to fund our Sex Offender Registry, which is not revenue generating. Our Criminal Records Division is not revenue generating. The entire revenue source between those four sources is used to fund the entire Division. We would like to keep it in place to operate, and we know there are things that come up. We will need, as Administrator Souza-Llamas mentioned, replacement equipment. But if we need to repeal it, we will.

Senator Harris:

Chair Watts spoke a little bit about the reserve levels. What would be some of the potential downfalls of reducing the General Fund appropriation to help bring that reserve balance down to the 60-day target level? How would that impact the funding of criminal-specific programs within the Criminal History Repository?

Jason Kolenut:

I assume you are speaking of the court assessments or administrative assessments, whether those would be reduced. I know that it has been proposed in a bill to replace the court assessments that we get through the Administrative Office of the Courts with General Fund. I assume it is the General Fund you are talking about—if that was to be reduced or eliminated, it would cause us to run short of our 60-day reserve balance.

Senator Harris:

Let me clarify. I am only talking about reducing the General Fund in direct relation to the amount of the reserve that would get you down to the 60-day reserve balance.

Jason Kolenut:

That would leave us with just that 60-day reserve balance. We would not be able to fund, and I would expect that two years from now, we would be sitting here asking you for General Fund to support modernization because it will go past the end of the next biennium. The next modernization will go into the 2025-2027 biennium for maintenance and support. We will have new positions if it is approved for the support desk, and we will still have positions for the business process analysts that are in the current modernization. If we are only running on that 60-day contingency, we would likely be sitting here asking for General Fund in two years.

Sheri Brueggeman, Deputy Director, Department of Public Safety:

From our perspective, I need to point to history. Many years ago, it was about the time the fiscal crisis happened, the reserves were light, obviously to fund other things at that time. Those reserves were intended to be used to develop the modernization program. So as time went on, the Division and the Department were forced to ask for funding to develop those programs, and we could never get enough funding to actually do the programs correctly; we just got pieces and those pieces fell apart, as you know. Our first and second tries did not work out. This is the first time that we actually see light, not even light, we see almost the beginning of the train coming through. It has quietly and perfectly gone through this whole

program modernization because the funding has been available in our own reserves. The purpose of the reserves is not just the 60-day balance in our minds—it is to maintain and develop the technology that NCJIS modernization requires, from here until forever.

As was mentioned earlier, we have other programs that are not even included in the NCJIS modernization that need to be included. I cannot remember which ones.

Erica Souza-Llamas:

We have the Sex Offender Registry that needs to be updated and replaced and our protection order program as well.

Sheri Brueggeman:

The reserves are not there as a slush fund, and I know it can be seen that way. I would imagine that if they continue to grow to a certain point, obviously, we need to reduce that rate. But the points that they were trying to explain is that the Department's business end is funded by Brady. Brady is now funding or trying to fund the Sex Offender Registry and a number of other programs that are not funded at all, because we have never received enough court assessments to fund those programs. General Fund replacement of court assessments is helpful because it stabilizes things for us. If the reserves continue to grow significantly, I can see, perhaps in the next biennium, evaluating whether or not we reduce the General Fund or we reduce the fees. I do think we need more time to get through the modernization—keep the reserves growing so that we can pay for the augmentations that are necessary and for the maintenance down the road.

Chair Watts:

This came up in the previous budget and we want to make sure that the agency's needs are met. Please do not take this as any offense or that we are trying to reduce the resources that are needed to take on these projects. I think one of our perspectives is reserves as the leftover, and it sounds like there are needs for that. We want to see those reflected in the budget, understanding that there may be some things that go on past the biennium. If it is not necessarily in this biennium budget, we have an accounting for it. I would probably prefer that those things are budgeted so we know that they are assigned to a purpose, and we carry those over, rather than having them sit in this reserve category.

Neither Senator Harris nor I sat on the budget committees in 2019, but I know that our colleague, former Assemblywoman Maggie Carlton, was very interested in this issue with the \$3.50 increase, and now so is Senator Neal. It was indicated that this was going to support the modernization project and then would be phased-out and we have this federal funding that has come in to support the project. So again, we are not trying to take anything away, but we want to understand the full scope of needs for this modernization project.

How do all these funding sources fit in? We support the transition away from those volatile administrative assessments to some General Fund support. We wanted to make sure that we

got this project done, and that is why we allocated some of the federal funds to support it. We want to make sure that there is a clear vision and plan and that we understand what the needs are for carrying out the overall modernization project, as well as ongoing expenses, so we can make sure any of the fee revenues that are coming in are going to be appropriate moving forward. We want to get those reserves in line with the target, and not something stacked up for other budgeted expenses.

Are there any other questions on this budget account? [There were none.] We will move on to the Department of Wildlife, Director's Office.

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

Alan Jenne, Director, Department of Wildlife:

I appreciate the opportunity to present our budget for the 2023-2025 biennium. The Nevada Department of Wildlife's (NDOW) mission has been constant: to protect, conserve, manage and restore wildlife and its habitat for the aesthetic, scientific, educational, recreational, and economic benefits to citizens of Nevada and the United States, and to promote the safety of persons using vessels on the waters of Nevada [page 3, [Exhibit E](#)].

We have a broad statutory charge. We are the sole agency responsible for the conservation of nearly 900 wildlife species in the State of Nevada. Our Law Enforcement Division is comprised of category I peace officers responsible for public safety on waterways and enforcement of wildlife laws. As many of you know, Nevada is the seventh largest state, and 85 percent of that is federal lands, managed and owned by the federal government. Despite the size of our state and the amount of public lands, we are the fifth smallest wildlife agency in the nation. The responsibility for those federal lands comes with the responsibility of participating in the National Environmental Policy Act processes and project approvals that occur on those federal lands; we take those very seriously, and it brings a fair amount of workload with it.

The Department of Wildlife has a unique funding model: over 95 percent of our budget consists of user-derived funds, including federal funding such as Pittman-Robertson funds, which are derived from the excise taxes on guns, ammunition, and archery equipment, as well as the Dingell-Johnson funds derived from excise taxes on motorboat fuel, small engine fuel, fishing tackle, electric outboard motors, and tariffs on imported yachts and fishing equipment. We also have supporting Coast Guard funds related to public and boating safety. Our license revenue has come through as restricted reserve accounts and sportsmen revenue.

As I mentioned, these federal pots of Pittman-Robertson and Dingell-Johnson funds, as well as Coast Guard funding, all require a nonfederal match. That 95 percent of our budget that

comes from our sportsmen revenue and our user base goes to pull in those federal funds, many at a 3-to-1 match ratio. We get a huge lift by our federal grants, but that leaves only 2 percent of our budget that comes from the General Fund. When you look at the Department overall, we have seven divisions with the Director's Office overseeing Data and Technology Services, the Conservation Education Division, the Law Enforcement Division, the Game Division, the Fisheries Division, the Wildlife Diversity Division, and the Habitat Division. Overall, we have 329 employees including our 9 commissioners and approximately 50 seasonal staff. We experience a vacancy rate much like other state agencies right now as we are somewhere around that 20 percent vacancy rate, with the Law Enforcement Division probably having the highest vacancy rate at about 27 percent. That is a challenge to us when we are a lean agency with a broad mission in a large state. Our employees are very passionate about the work they do—very driven—and we take pride in the efficiencies and effectiveness with which we do our work.

Nevada has a reputation for getting things done, and it comes not only in our management of our species and in our public information, but also in our habitat restoration activities. When you look around, it is tough to find other states that are as good at getting things done with so few people. We take exceptional pride in that. When you look across our agency, we have 150 buildings, 33 radio sites, 14 wildlife management areas that provide over 157,000 acres of habitat for wildlife species, 8 major facilities, 4 fish hatcheries, and these are all distributed across the 3 regions that you can see represented on the map on page 6 [[Exhibit E](#)].

The Director's Office, budget account 4460, is for agency administration and has 28 positions. We deal with the Wildlife Commission, County Advisory Boards, Fiscal Services and Centralized Costs, Human Resources, and Engineering and Facilities. Our fiscal year (FY) 2024 budget is \$9.9 million and FY 2025 is proposed at \$9.7 million.

Decision unit enhancement (E) 225 addresses efficiency and innovation. For FY 2024, we are looking at a recommendation of \$164,977, and in FY 2025 a recommendation of \$198,173 to add three new accounting assistant positions to maintain equitable staffing levels and workload distribution. Since 2018, we have seen an increase in our federal grants from \$27.7 million to \$51.1 million. As you move those dollars through to try to get the work done, it often can become a delay if you do not have the staff and the fiscal capabilities to make sure that you have the contracts and all the agreements in place. This is about trying to get those positions in place to help facilitate moving that money and putting that on the ground.

Decision unit E-226 recommends \$8,910 in each year of the biennium for electronic document storage for the Department. This stores our policy and procedures as well as other physical and personnel policies that we have for the Department.

Decision unit E-227 recommends \$15,000 in each fiscal year to fund our membership to the Western Association of Fish and Wildlife Agencies. This is something we have been involved with since its inception; I believe for 80 years. When you are just Nevada as a wildlife agency trying to talk to the federal agencies, you often do not carry much weight, but when you become 17 western states you have a much more unified voice and can attract their attention a little bit more effectively. Plus, there are a lot of professional development opportunities in that. It provides our people the opportunity to learn lessons from other states without having to see our own failures on some particular items.

Decision unit E-710 recommends \$24,566 in FY 2024 and \$44,475 in FY 2025 to purchase replacement automated external defibrillator (AED) units, batteries, and pads. We have those spread across the agencies. The change in costs in FY 2025 is mostly due to the cost of replacing units. I think it is a 10-year replacement timeline that happens when a significant portion of those units come up for replacement.

Regarding classified position changes, decision unit E-805 recommends \$12,871 in FY 2024 and \$13,755 in FY 2025 for the reclassification of a management analyst in the Director's Office to become a governmental liaison. That is a position that currently is being used for many unfunded mandates, including a responsibility for tribal liaison, the language access program, and it has led our recent revision to our strategic plan.

The Governor's Finance Office submitted a budget amendment recommending \$143,734 in FY 2024 and \$174,713 in FY 2025 for one new Deputy Director position to address work capacity and coverage limitations in the Director's office. We are a very small agency with a very small leadership team, and what we have noticed over the last few years is that it becomes tough to stay on top of all things. As an agency that receives its revenue from license and tags sales, plus managing the grants to make sure we are making most effective work of that, it is certain we will be keeping the position busy. We have four resource divisions plus monitoring and managing the other divisions. It leaves this portion of operations—which is engineering, facilities, lands, and equipment—a tougher fill, and it is something we all tried to carry, but it is definitely becoming more and we are doing more work in that arena.

In the last six years there has been restoration and rehabilitation of 560,000 acres. An immense workload comes with that effort. We have received a significant portion of lands in the last a couple of years: we have acquired two additional wildlife management areas of approximately 32,000 acres with Carson Lake and Pasture, as well as the Argenta Wildlife Management area near Battle Mountain. Each of these properties come with facilities and maintenance responsibilities. What we are looking for with the new Deputy Director position is to assume some of that work, but also to broaden our scope by working with partners and communities and to attempt a community outreach program. That is what we are looking for in the Director's office.

Assemblyman Hafen:

I know there are changes in the workload that will necessitate the addition of these three new accounting positions. Could you provide some specifics on the duties that are going to create this additional workload?

**Jordan Goshert, Deputy Director, Administrative Services, Director's Office,
Department of Wildlife:**

Currently, the workload in the accounting section is overwhelming. What we are looking for is an accounting assistant 4 to split duties with the current accounting assistant 4 who does most of the approvals. We also need an accounting assistant 3 to be in contracts to help with payments, as well as another accounting assistant 3 to help in the accounting section with processing payments.

Assemblyman Hafen:

Could you confirm the anticipated workload is not due to receipt of federal funds from the Recovering America's Wildlife Act, which has not yet been approved by Congress.

Jordan Goshert:

That is accurate.

Assemblywoman Brown-May:

My question is about the Deputy Director position. Can you talk a little bit about the duties that are not currently being performed?

Alan Jenne:

You are looking at a brand-new team in the Department within the last six months. We have all been with the agency for a significant amount of time, and we know what that workload looks like. We are contemplating the Recovering America's Wildlife Act and as we are looking at holes we are trying to fill, this Deputy Director position was one that came front and center. Plus, the administrative portion currently keeps the Director's Office busy. It is not to say tasks were not covered, but they can be handled much better. As we move forward and try to do more with those programs, we see more and more coming at us. We are seeing wildfires, and 55 percent of our sagebrush habitats have been impacted or converted, and that is not a trend that is changing. As we try to work with federal agencies to implement those restoration activities—try to maintain dams, try to keep up on facilities—that is not a workload that we want to neglect. We have had a good trend in bringing our facilities up to standards and catching up on maintenance. We think that is important, and we are seeing the payoff for that. I think we have 28 facilities that are residences to our employees that live on-site in remote places, and they had been neglected. We are working our way through those and bringing those up to standards.

Assemblywoman Brown-May:

I appreciate the level of detail and consideration and the broad responsibility level that you are trying to fill. I think you talked a little bit about how this position would benefit the overall Department, and the Director's Office in particular. Have you delineated specific duties or tasks that would be allocated specifically to this Deputy Director position? You talked a little bit about dam management, restoration management, and facilities management—do you have an idea what those specific responsibilities would be for this position?

Alan Jenne:

Currently, our engineering staff is under our administrative Deputy Director. We would move that engineering staff out. Wildlife management areas currently reside under natural resources. The restoration rehabilitation program is under natural resources in the Habitat Division. There is a lot of overlap between the abilities and those programs of engineering, lands, and facilities to work together. We could bring that all together underneath that new Deputy Director and facilities and equipment. This could be a unifying force for bringing those programs together.

Chair Watts:

I think I have gotten a lot more clarity on this; let me attempt to simplify it down to my understanding. Basically, we have administration, we have programs—and what you are describing a lot is operations—the plan is moving some things that are in the operations sphere and under these other umbrellas right now under that new position. Is that a fair estimation of how this new reorganization would work with the new deputy position?

Alan Jenne:

That is correct.

Chair Watts:

I think that provides a lot of clarity. You did mention this before with some of the things related to community outreach and public records requests. I think some of those duties do not necessarily equate to a Deputy Director's role and maybe some of those things could be handled by a Public Information Officer (PIO). I am interested in figuring out the appropriate role. It sounds like there is plenty of work for a Deputy Director to do, and maybe what we need to do is consider adding a PIO to handle some of the excess workload. That is not as much a question, but a comment.

While we are on the Director's Office budget, I will ask a little bit about the Urban Wildlife Program. We have issues with coyotes in urban areas. Black bears are another huge issue. I know that there were some questions asked during the precession budget briefing, and you provided some additional follow-up materials. I looked through them and learned that currently there is only one educator dedicated to receiving urban wildlife calls in western Nevada where black bears reside. The educators do a lot in terms of public engagement and

education, and when necessary, help figure out the capture and relocation of offending wildlife, and proactively educate communities. In 2022, you had over 4,700 calls; with the largest number, almost 1,400, concerning bears. It is not possible for one urban wildlife educator to handle that workload. There are two biologists dedicated to the management of the black bear population. You mentioned that you have joined the BearWise program, but again, with just that one wildlife educator, it sounds like the capacity to implement that is limited. We really need another position related to that program.

Finally, it seems like our friends over in the State of California approved money for bear-resistant containers to help prevent issues related to bears getting into trash. It sounds like we do not have, either at the state or local level, investment in doing some of those things on the Nevada side of Lake Tahoe. Can you speak to that because it sounds like law enforcement is also involved? Can you speak to the pieces that are involved in this? I did not see anything in the budget that increases the staffing resources for this program, which I think is a pretty critical need. Can you speak to that as well?

Alan Jenne:

This is a great segue because it takes us into the Conservation Education budget, which has our Urban Wildlife Program.

**INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - CONSERVATION EDUCATION (101-4462)
BUDGET PAGE WILDLIFE-18**

Alan Jenne, Director, Department of Wildlife:

Conservation Education has 24 positions; it deals with our hunter safety program, hunter education, wildlife education, media, and public relations, as well as urban wildlife [page 9, [Exhibit E](#)]. In fiscal year (FY) 2024 the Governor recommends funding of \$4.8 million and in FY 2025, \$4.9 million. I will answer your question before we get into those decision units. No, we did not ask for an increase in that piece. As far as our urban wildlife, we did see a very large uptick this last year. I think it was a record-setting year for bear calls in western Nevada, but I will pass this off to Mike Scott, Deputy Director, Natural Resources. He is more familiar with the bear issue than I am.

Michael Scott, Deputy Director, Natural Resources, Department of Wildlife:

We have a number of people who respond to bear calls but, they first come into our dispatch. Law enforcement is involved, and we have our urban wildlife person who takes a lot of those calls. If it is a public safety issue there is an immediate response but a lot of it is, "I saw a bear walk across my lawn." We need to respond to those types of calls, but we respond with education. Since we are implementing the BearWise program, we would love to have another position that would be our BearWise liaison, but we did not ask for a position. We are hoping with Recovering America's Wildlife Act dollars it will be funded that way. If

there is ever any ability to implement bear-proof containers on the Nevada side, that would be ideal, because if California goes to bear-proof containers, a lot of those bears are going to migrate our way. It could provide a much larger problem on our side of the lake.

Chair Watts:

Thank you for that explanation. Let us go ahead with the two enhancements for this budget account.

Alan Jenne:

Decision unit enhancement (E) 226 recommends \$104,000 in both years of the 2023-2025 biennium to fund the creation and delivery of campaigns, publications, and promotional advertising to potential customers. This is for those communication campaigns that talk about things such as BearWise or chronic wasting disease when we are trying to inform the public. In decision unit E-711, we are talking about equipment replacement. In FY 2024, \$47,348 is recommended and in FY 2025, \$94,748 is recommended to fund replacement vehicles that have reached the end of their useful life.

Assemblywoman Gorelow:

Talking about the marketing campaign, can you explain a little more about what that looks like and what your targeted campaign goals would look like?

Christopher Vasey, Administrator, Conservation Education, Department of Wildlife:

To some of the questions regarding what type of outreach we would do: it is unique that the bear issue was brought up. I think some of the communications we put out to the public would be better suited in the ways of communications through media, social media, flyers, and publications. There are varied of types of media we would use. We can do mapping for our problematic areas, and we can target those problematic areas with messaging, whether it is doing social media ads, digital ads, or Google ads. We can make those targeted campaigns toward those areas and spread our message more efficiently.

As far as the other marketing, and outside of the bear issues, we have coyote issues in the southern region, and we are going to do the same, but also promotions for what our great state has to offer. We can do the same thing there; we can target actual neighborhoods that are close to urban ponds for fishing; we can tell people where those urban ponds are; we can do a lot of messaging, a lot of education through those type of campaigns and be very targeted to the public. But back to the urban wildlife issue, I would say marketing and campaigns are some of the most efficient ways to educate our public.

Assemblywoman Gorelow:

By the way, I like the coyotes. I know they come in my yard because I see them on my camera, but I do like them. Can you talk a little bit about how it was determined \$104,000 was going to be a good amount for your program? Is it across all the programs or just a few of them?

Christopher Vasey:

As far as the figuring out what we are going to use and spend, it had a lot to do with our traditional media that is advertised on TV and is very effective. Some of those buys in the southern region are very costly, and we are looking at how we could buy ads in some of those areas. Also, every time you do a Google ad there is a creative concept, and you have to have somebody create that for you. You also must have a media plan and creative production, and then, determine how much money you are going to spend on that advertising after you do all the creation. We have been through this a few times with our ad companies. We have three different vendors that we use, and we took some of those previous costs and used those estimates. We can always use more, but there are grants that we have looked at to find other funding.

Assemblywoman Gorelow:

I think sometimes people underestimate the cost of marketing, so it is good to hear that you are using some grant funding as well.

Chair Watts:

Any additional questions on this budget account? [There were none.] Before we move on, I think we all have our fingers crossed that the Recovering America's Wildlife Act gets passed. But, without speaking ill of our colleagues in the federal government, I do not know if we can afford to wait on them to make some of the investments in these programs. That is something I would be interested in following up to understand more about, as we potentially see some other initiatives that might push more bears into Nevada. Let us move on to the next budget account.

**INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - LAW ENFORCEMENT (101-4463)
BUDGET PAGE WILDLIFE-23**

Alan Jenne, Director, Department of Wildlife:

In the Law Enforcement budget, we have 54 positions and 6 divisions: Wildlife Enforcement, Boating Enforcement, Public Safety, Boating Education, Dispatch Services, and Radio Technology [page 11, [Exhibit E](#)]. We are looking at a recommended budget of \$8.6 million in each year of the 2023-2025 biennium.

Decision unit enhancement (E) 301 is a recommendation for funds for specialized training equipment for law enforcement officers. Decision unit E-302 recommends \$68,324 in both years to restore our Boating Safety Outreach program to previous legislatively approved amounts and fund campaigns to increase boating safety awareness, promote the use of lifejackets, sober boating, and boating education courses. When we talk about boating safety, this is probably one of those places where we see the benefit to the general population. A lot of other places we deal with people that are very targeted, but boating is

anybody who is participating and recreating on the water. Our officers have saved drowning victims, saved people from boating crashes, and hopefully, through our patrols, minimized opportunities for accidents. This is a common benefit to all citizens. In decision unit E-304, \$9,369 is recommended for each year to provide additional training and conference registration fees.

Decision unit E-673 is a one-time salary adjustment as recommended by the Governor for \$288,459 in fiscal year (FY) 2024 and \$298,594 in FY 2025. This recommendation would fund a two-grade increase for frontline game wardens across the state. It was beneficial to have the Department of Public Safety go before us because I think all state law enforcement agencies are seeing this challenge of trying to keep our positions filled. There are a lot of other entities that are paying better salaries and attracting our employees away. That is reflected in the 27 percent vacancy rate that we see in law enforcement right now. It is a tough job, but when you can get paid a much higher amount by other entities doing much the same kind of work, it becomes attractive. We have seen that attrition, and this is to help address that issue.

In the E-710 decision unit, the Governor is recommending \$367,889 in FY 2024 and \$318,438 in FY 2025 for replacement equipment such as trailers, vessels, utility terrain vehicles, and other specialized law enforcement equipment. Decision unit E-711 recommends \$174,573 in FY 2024 and \$179,115 in FY 2025 to fund replacement vehicles at the end of their useful life. Decision unit E-720 is recommending \$203,850 in FY 2024, and \$77,434 in FY 2025. This is to fund new equipment such as thermal imaging devices, equipment for boats, repeaters, drones, specialized computers, shotguns, rifles, accessories, and range finders. As you are aware, law enforcement has a lot of special equipment that is necessary for public safety requirements.

Decision unit E-674 is a budget amendment which recommends \$36,345 in FY 2024 and \$37,176 in FY 2025, for a one-grade increase for game warden 4 positions and staff game warden positions. This recommendation is to help maintain that separation in supervision with the other game wardens coming up.

Chair Watts:

I think you explained the importance of restoring funding to the boating safety program, and again, I want to express our appreciation for all that you do because we know that you are saving lives out there. In your overview, you mentioned we are the 7th largest by land area, and 5th smallest wildlife agency. You mentioned some of the challenges in recruiting and retaining law enforcement, and at the same time we have seen many of our other law enforcement agencies requesting additional positions because they see an additional need. You can follow up with this if you do not have it available, but I would be interested in knowing about what we have been seeing in the size of the Department's law enforcement. It sounds to me like the workload for the area that those law enforcement officers need to cover

is probably outside of the capacity even if we can get all our current positions filled. I would be interested in knowing about the current situation because I have a sense that we need to put some additional resources into that.

Alan Jenne:

This is one of those places—as a mostly self-funded agency—where this is a tough walk for us. In general, our revenue from those contributing fees and programs is not increasing. In the Law Enforcement Division, especially, our funding for those positions is often solely in state dollars received through fees. We do not have the opportunity to match our state dollars in those programs, as we do with our Pittman-Robertson Wildlife Restoration Act funds with the Game and Habitat Division positions where we get that benefit of a 3 to 1 match. In law enforcement, it becomes a dollar-for-dollar conversation, and every position is a state dollar. It becomes a tough conversation when you are not getting grant support or other additional support to carry those officers.

Chair Watts:

I really appreciate and understand that you have the marketing and other efforts to try to bring in more revenue to support some of these programs. At the same time, this is not an enterprise agency. It is impressive what you can acquire in sportsmen-generated funds and matching dollars. I would be interested in having discussions about allowing the Department to maximize some of those sportsmen dollars and pulling those federal matches. If we are sitting around waiting for Congress, or waiting for a significant boost in those sportsmen dollars, that is not the proper approach when we have these critical needs in areas like the Urban Wildlife Program and law enforcement in boating.

Senator Goicoechea:

How long have you had this 27 percent vacancy rate? I know it has not always been that bad, but probably since the pandemic, you have hit a wall as far as staffing goes.

Alan Jenne:

I would say that is probably when we saw it start, but I think all state agencies had that same experience. I know we have been chronically challenged with our wardens and maintaining full capacity, even prior to the pandemic.

Senator Goicoechea:

It is all about recruitment. Thirty-three class 3 game wardens are a lot of wardens in this state if you have them in place, but instead you are running at 20 wardens—and it is no different than the Highway Patrol troopers, or anywhere else. We have to fill these positions. I am not so worried about adding more and figuring out how to fund them—just get them on the job.

Chair Watts:

Are there any additional questions on the Law Enforcement budget? [There were none.] We will hear budget account 4465.

**INFRASTRUCTURE
DEPARTMENT OF WILDLIFE
WILDLIFE - FISHERIES MANAGEMENT (101-4465)
BUDGET PAGE WILDLIFE-36**

Alan Jenne, Director, Department of Wildlife:

Our Fisheries Management budget has 46 positions [page 13, [Exhibit E](#)]. They take care of sport fish production, fish hatchery management, native aquatics, aquatic health monitoring, and aquatic invasive species. In fiscal year (FY) 2024, we are looking at a recommended budget of \$11.9 million and in FY 2025, a budget of \$9.8 million.

Decision unit enhancement (E) 251 recommends \$260,000 in FY 2024 to deal with hatchery refurbishment on the air coil cooling tower structure at the Mason Valley Fish Hatchery. This is a cold water fish hatchery, and there is a temperature at which we must have that water in order to keep those fish alive.

Decision unit E-710 recommends \$241,057 in FY 2024 and \$88,689 in FY 2025 to fund replacement equipment such as vessels, decontamination units, generators, boat motors, and electrofishing backpacks. We are looking at refurbishment of the electro shocking boat, which is used to monitor fish populations and reservoirs. Decision unit E-711 recommends \$151,853 in FY 2024 and \$99,450 in FY 2025 for vehicle replacement for those that have been reached the end of their useful life.

Assemblywoman Anderson:

I notice that the air coil cooling tower at the Mason Valley Fish Hatchery is only being funded for 2024, and there is no funding for 2025. How confident are you that it will be done in FY 2024?

Alan Jenne:

We have experience with this process, and I believe we have a very good quote. This is part of a 10-year maintenance cycle. There are five chambers in the air coil cooling tower, and we will slow down a chamber, work on that chamber, and then once that chamber is done, bring it back online and go to the next one. That is the way repairs will be made through those five chambers. This is something we have experience with, and we are familiar with this process.

Assemblywoman Anderson:

Why is it being funded from this budget instead of the Capital Improvement Program?

Alan Jenne:

I do not know whether that has been considered as a capital improvement project. I guess it was associated with the fish hatchery, and that is the way it has been funded in the past. Thank you for the question and possible recommendation.

Chair Watts:

I know there are some other fisheries projects that are capital improvements. We are going to have you connect with our Fiscal staff about that to make sure we get it all properly accounted for.

We have some updates on the Lake Mead Fish Hatchery water supply line project; it is great to see that is moving forward. While the ARPA Coronavirus State Fiscal Recovery Funds were allocated toward this project, it does not seem it was budgeted in the recommended budget. I would request that you follow up with Fiscal Analysis Division staff about it.

Are there any more questions from the Subcommittees? [There were none.] I will open the meeting for public comment. [Public comment was heard.] The meeting is adjourned [at 10:31 a.m.].

RESPECTFULLY SUBMITTED:

Anne Bowen
Committee Secretary

APPROVED BY:

Assemblyman Howard Watts, Chair

DATE: _____

Senator Dallas Harris, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of a PowerPoint presentation titled, "Department of Public Safety Nevada Highway Patrol, Senate Committee on Finance, Assembly Committee on Ways and Means, Joint Subcommittees on Public Safety, Fiscal Year 2024-2025 Budget Presentation," presented by George Togliatti, Director, Department of Public Safety.

[Exhibit D](#) is a copy of a PowerPoint presentation titled, "Nevada Department of Public Safety, Nevada State Police, 2024-2025 Biennium, Records, Communication and Compliance Division," dated March 16, 2023, presented by Erica Souza-Llamas, Division Administrator, Records, Communications and Compliance Division, Department of Public Safety.

[Exhibit E](#) is a copy of a PowerPoint presentation titled, "Nevada Department of Wildlife, FY 23-25 Budget Presentation, Public Safety, Natural Resources and Transportation Joint Subcommittee," presented by Alan Jenne, Director, Department of Wildlife, and other NDOW staff.