

MINUTES

WAYS AND MEANS COMMITTEE

NEVADA STATE LEGISLATURE - 60th SESSION

April 4, 1979

Chairman Mello called the meeting to order at 8:00 a.m.

MEMBERS PRESENT: Chairman Mello, Vice-Chairman Bremner, Mr. Barengo, Mrs. Cavnar, Mr. Glover, Mr. Hickey, Mr. Mann, Mr. Vergiels, Mrs. Wagner, and Mr. Webb.

ALSO PRESENT: Bill Bible, Fiscal Analyst; Judy Matteucci, Deputy Fiscal Analyst; Mike Alastuey, Deputy Budget Director; John Crossley, Legislative Auditor; Gary Crews, Legislative Auditing Office; Bob Gagnier, Executive Director of the Nevada State Employees Association; and Roger Laird, State Personnel Employee Relations Officer.

Chairman Mello referred to the tax bill package that was brought to the floor yesterday which includes one large bill that the Tax Committee is prepared to bring to the floor. Chairman Mello requested the consensus of opinion by the Committee as to whether they want the tax package brought to the Ways and Means Committee. He said that Bill Bible would draw up reports detailing exactly what other bills passed would do to the General Fund.

Chairman Mello discussed the tax relief proposal (AB 616) with the Committee to determine if the bill should be re-referred to Ways and Means. Mr. Mann said that almost 80 days had been spent on the bill which is 60 pages in length, and it is suggested that the tax package go to a Committee of the Whole. Chairman Mello pointed out that the tax bill will probably not pass the Senate in the same form as it passes the Assembly because each house has a tax package of which they are extremely proud.

Chairman Mello requested a show of hands of those Committee members who would prefer that this bill be referred to a Committee of the Whole. The Ways and Means Committee was unanimous in supporting this action.

Chairman Mello requested a report from the committee of staff Ms. Matteucci, Gary Crews, and John Crossley who talked with Mr. Reiser of NIC and his staff yesterday (April 3, 1979). Mr. Crossley said that they went to NIC to attempt to determine why the NIC was not able to present their budget to the Committee on a timely basis in the proper format on March 14. A report concerning this meeting is included as Exhibit "A." Mr. Crossley pointed out that management of NIC does not maintain records of overtime that they work. Mr. Hickey asked if management of NIC is paid overtime. Ms. Matteucci said that they may take compensatory time off instead of being paid for overtime.

Mr. Crossley said that information concerning overtime by some employees is included in Exhibit "A" on page 2. Chairman Mello stated that since March 14, when the budget information had been requested, only 20 hours was spent in overtime. Mr. Crossley said that the meeting did accomplish a great deal and that Ms. Matteucci did an outstanding job in explaining the State Budgetary process. Mr. Crossley read an excerpt from Exhibit "A" which indicates that "NIC did not place a high priority on finding out what the Assembly Ways and Means Committee wanted, nor did they attempt to supply immediately, meaningful material summarized in a manner that the Committee could quickly understand and accept, or request additional information."

Ms. Matteucci read a letter from John Reiser which sets forth the information to be furnished the Committee before April 12, 1979 which is included as Exhibit "B."

Chairman Mello said that in a telephone conversation with Mr. Reiser on April 3, 1979, he indicated that he will cooperate with Ways and Means 100%.

Mr. Mann asked if information had been received from NIC concerning individual contracts. Chairman Mello said that this information had been received and that it can be reviewed in the Fiscal office. Chairman Mello said that Frank Daykin, Legislative Counsel, had reviewed the contracts and felt that NIC had no grounds for signing such contracts. Mr. Bible said that Mr. Reiser's letter indicates that some agreements had been worked out with Mr. Bergstrom and one agreement is in the area of travel where in-state travel and out-of-state travel are lumped together and will be shown in such a manner.

Chairman Mello requested that Ms. Matteucci, Mr. Crews, and Mr. Crossley return to NIC to check the progress being made in gathering the information requested by the Committee. Ms. Matteucci said that there is a meeting scheduled for Friday, April 6, at 11:00 a.m., and that other meetings will be set up to check on the progress of the NIC in developing the requested information.

AB 197

Mr. Gagnier, Executive Director of the State of Nevada Employees Association, said that this bill changes allowances for subsistence and travel expenses of State officers and employees. He said that in-state per diem is requested to be increased from \$30 to \$40 for each 24 hour period and that the mileage rate is requested to be increased from 17¢ to 19¢. Mr. Gagnier quoted some room rate costs for the Committee: the Stockman's Hotel at Elko is \$17.28 plus tax, summer: \$20.52; the Jailhouse Motel in Ely is \$20 plus tax; the Silver Queen in Tonopah is \$24 plus tax; the Winner's Inn in Winnemucca is \$17.85 plus tax which goes up May 1 to a higher summer rate; the Union Plaza in Las Vegas is \$32 plus tax; the Fremont in Las Vegas is \$25 to \$27; the Showboat is \$17.62 plus 6% tax good on Sunday through Thursday. Mr. Gagnier pointed out that there is a problem with the hotels that do give State rates because it may take a month to get reservations. He said that many State employees are "doubling up" on rooms to cut expenses but a pending regulation by the State Board of Examiners requiring receipts for lodging expenses will put an end to that practice on July 1, 1979. He added that there is insufficient money left for food after room rates of \$17 to \$32 from the current rate. Mr. Gagnier said that the mileage increase is necessary to offset increasing travel expenses.

Mr. Hickey asked if consideration has ever been given to reserving some rooms at various places, particularly Las Vegas, on a permanent basis. He indicated that many large corporations follow this practice. Chairman Mello said that the most reasonable approach is to see that State employees can travel on a reasonable per diem in addition to cutting down on travel in the budgets.

Mr. Bremner suggested cutting in-state travel 25% in every budget.

Mr. Alastuey said that the Governor did not have a recommendation on this suggested increase and would support a fair level of increase but that the suggested increase is 33% which is about double the rate of inflation.

Mr. Glover asked Mr. Alastuey for comments regarding cutting travel 25% in in-state travel. Mr. Alastuey said that in some budgets in-state travel is used largely by revenue producing staff such as auditors and tax people and added that the Governor's recommendation provides for an approximate 15% between the 77-78 actual year and the first year of the biennium and an additional 8% in the second year of the biennium. He explained that if per diem is increased, there must be a reduction in the trips that may be taken by State employees.

AB 224

Mr. Laird, State Personnel Division, said that this bill increases employer's contributions for premiums under State group insurance policies. He added that the increase is less than that recommended by the Committee on Group Insurance but that the Personnel Division proposed a lower figure which was accepted by the Insurance Committee. Mr. Laird pointed out that AB 498 provided for maternity benefits which are mandated by Federal law and increased the premium 70¢.

Mrs. Wagner asked the amount of current employee contribution. Mr. Laird said that the amount is \$43.09. Mr. Mann said that school district personnel in Clark County pay \$46 and questioned why State employees will be paying \$54. Mr. Laird explained that this premium is based on the loss ratio.

Mr. Bremner asked if changes have been made in the deductible amount. Mr. Laird said that in order to stay within the amount appropriated by the legislature, it was necessary to increase the deductible to \$250 per person. Mr. Bremner observed that some individuals are paying a great deal more for health insurance, as high as \$90 per month.

Mr. Hickey asked if the insurance companies who do business with the State build up reserves. Mr. Laird said that they do build up reserves in order to pay the benefits to the claimants. Mr. Hickey said that he felt one of the major causes of inflation in medical costs is the insurance underwriter. Mr. Gagnier said that they have introduced a bill to offer the Committee on Group Insurance an alternative which would be self-insurance.

Mr. Bremner explained that many of these insurance companies come in with a very low bid to buy the business hoping to get the contract for three years or six years and try to get a premium increase each year to make a profit.

Mrs. Wagner asked about the frequent changes in insurance companies carrying insurance for the State. Mr. Laird said that the agent has not changed even though the company has changed, with the same people administering the program.

AB 385

Mr. Laird said that this bill lowers the amount of annual leave from 15 days per year to 12 days that will be granted new employees who enter State service. Mr. Laird said that the turnover rate for State employees is currently 18% which translates into approximately 1500 new employees hired per year. Mr. Laird said that the break-off date for this change is July 1, 1979. Mr. Bremner said that annual leave could not be taken during the first six months.

AB 444

Mr. Gagnier said that this bill provides that new employees may not use any paid sick leave the first six months and changes other provisions regarding payment for sick leave upon death or retirement. He explained that currently an employee who retires with 15 years or more of service can receive a maximum payment of \$2,500 for sick leave in excess of 30 days. AB 444 would lower the eligibility to 10 years of service and would provide a maximum benefit of \$3,500 to those with more than 20 years of service.

Mr. Mann said that this policy of new employees not being able to use any sick leave for 6 months seemed somewhat punitive to him. Mr. Laird said that the problem that personnel is attempting to alleviate is that turnover is very high in the first six months of employment with some people being fired in their probationary period who have used every hour of their sick leave with the State paying out a lot of money for sick days. Mr. Laird also said that new employees

were not learning a work ethic of coming to work when not really sick and would also eliminate summer employees from using sick leave.

Mr. Mann asked if the problem is that employees are illegally using sick leave. Mr. Laird said that this is not a major problem as compared to any other employer and that this policy is based on the high turnover rate of new employees. Mr. Laird added that this is a general practice of private industry with many employees not earning any sick leave until after six months.

Mrs. Cavnar observed that Southern Nevada Memorial Hospital does not give sick leave to probationary employees and that this is a good management practice. Mr. Glover said that the reasoning seemed to be that if new employees used up their sick leave, this would demonstrate that they had some problem.

Mr. Laird said that if a new employee were ill, he could use leave without pay and not sick leave benefits. Mr. Glover said that a great many of the new State employees are young mothers who have small children that get sick and need care.

Mr. Bremner asked for an explanation of the portion of the bill which states that "the employee is entitled to payment of not more than \$2,500 for his unused sick leave in excess of 30 days, exclusive of any unused sick leave not carried forward," and the new language omits the "sick leave in excess of 30 days" requirement. Mr. Gagnier said that this is an error in the bill and is intended to be, "only that in excess of 30 days."

Mr. Rhoads asked about the fiscal note covering the people who had worked for 20 years or more receiving a maximum payment of \$3,500. Mr. Alastuey said that there is a typographical error in the note but that the General Fund amount of \$75,000 is correct and should say \$3,500 for over 20 years.

Chairman Mello asked why funds are not built into the budget for this bill if it is part of the Governor's package. Mr. Alastuey explained that terminal leave is paid upon the need demonstrated by State agencies from the Statutory Contingency Fund. Chairman Mello then asked why longevity in AB 445 is not in the budget and inquired if it was omitted to make the budget appear "bare bones." Mr. Alastuey said that longevity on an agency by agency basis is in the budget, but that AB 445 is an enhancement to the current plan.

Mr. Bible asked if more money would be needed to implement the request. Mr. Alastuey said that AB 444 does not need another appropriation but that AB 445 does contain a request for an appropriation of \$37,500 per year to the Board of Examiners for longevity enhancement. Chairman Mello said that AB 444 contained a request for \$75,000 each year. Mr. Alastuey said that the \$75,000 will partially be absorbed by salary savings in each State agency.

Chairman Mello asked if it would be necessary for Interim Finance to take care of paying for the provisions in these bills. Mr. Alastuey said that should funds be depleted in Statutory Contingency, it is possible that an approach to Interim Finance would be necessary.

Chairman Mello suggested that Mr. Gagnier look into the possibility that the fund may not have enough to implement this package of benefits. Mr. Alastuey said that they could not guarantee that the fund would be sufficient without an allocation from Interim Finance. Mr. Gagnier said that he had been assured that the fund had sufficient monies to pay for these benefits.

AB 445

Mr. Gagnier said that this bill expands the number of years for which increases in payments for length of service may be made to State

employees. He said that the bill would increase maximum payments by adding \$25 semi-annual increases to employees with 17 to 20 years of service, thus, increasing the maximum benefit from \$600 annually to \$1,700.

Chairman Mello said that Ways and Means has been asked to introduce a bill requesting an appropriation of \$21,500 for lighting at Good Springs interchange on Interstate 15 at Jean. Chairman Mello requested that the Capital Improvement Subcommittee review the necessity for this appropriation. Mr. Hickey moved for a Committee introduction of BDR 51582 with referral back to Ways and Means, seconded by Mr. Bremner. Motion passed.

DEPARTMENT OF LAW ENFORCEMENT ASSISTANCE

STATE PLANNING AGENCY

Ms. Judy Matteucci furnished the Committee with a Subcommittee report on the DLEA which met on Wednesday, February 28, 1979. (Exhibit "C") She said that two changes recommended by the Subcommittee are: (1) The Research Analyst in the State Planning Agency is currently supported by 100% Federal grant funds which terminate on September 30, 1979. The last quarter of funding--July-September, 1979--is not included in the Federal funding, so approximately \$7,500 should be added to the Federal funding which will reduce the General Fund amount by \$3,750. (2) The second recommendation is that the Chief of Planning and Training be deleted from the State Planning Agency budget which would result in an approximate \$27,000 reduction both years of the biennium. A portion of this reduction--\$5,125 in 1979-80 and \$9,148 in 1980-81--would come from the General Fund.

Mr. Alastuey said that the Governor's recommendation is that the position of Chief of Planning and Training be retained, possibly with a title and salary change. Mr. Mann said that he had talked to the agency director and asked him if he could do the work if given an increase in salary and the director felt that he could do the job. Mr. Glover asked Mr. Alastuey for a suggested salary if this position were downgraded. Mr. Alastuey said that the entry level would be about \$16,000.

Chairman Mello asked who made the recommendation that this position be deleted. Mr. Mann said that this was a Subcommittee recommendation and added that both the Director and the Chief of Planning have the same job description. Mr. Barengo and Mr. Mann both stated that Ms. Matteucci did not influence the Subcommittee in any way to delete this position from the budget.

Mr. Hickey asked if cutting this position would jeopardize the purpose of this agency. Mr. Mann said that the Director could easily perform the necessary functions of the agency without this position. Ms. Matteucci furnished the Committee with a handout which describes job duties for these positions which is included as Exhibit "D." A motion was made by Mr. Mann, seconded by Mr. Barengo to accept the Subcommittee report. Motion passed. Mr. Hickey and Mrs. Cavnar voted NO. A motion was made by Mr. Mann, seconded by Mr. Webb to close the budget as recommended by the Subcommittee report. Motion approved; budget closed.

IDENTIFICATION AND COMMUNICATIONS DIVISION

Motion to adopt the Subcommittee's report and the Governor's recommendation, moved by Mr. Mann, seconded by Mr. Webb. Motion approved; budget closed.

PEACE OFFICER STANDARDS AND TRAINING PROGRAM (POST)

Ms. Matteucci said that the Subcommittee recommended that contractual services be reduced by \$3,160 each year of the biennium which gives

a total figure of \$83,496; the first year of the biennium and \$87,960 the second year of the biennium. Motion to adopt the Governor's recommendation as amended by the Subcommittee moved by Mr. Mann, seconded by Mr. Webb. Motion approved; budget closed.

SMALL COUNTY AND INDIAN JUSTICE PLANNER

Motion to adopt the Subcommittee's report and the Governor's recommendation, moved by Mr. Barengo, seconded by Mr. Webb. Motion approved; budget closed.

SYSTEMS AND STATISTICAL SERVICES

Motion to adopt the Subcommittee's report and the Governor's recommendation moved by Mr. Webb, seconded by Mr. Barengo. Motion approved; budget closed.

CRIMINAL CASE HISTORIES/OFFENDER-BASED TRANSACTION STATISTICS

Motion to adopt the Subcommittee's report and the Governor's recommendation, moved by Mr. Webb, seconded by Mr. Barengo. Motion approved; budget closed.

INVESTIGATION AND NARCOTICS

Ms. Matteucci explained that the Subcommittee had learned that some of the Division's expenses are paid with Drug Administration Task Force funds, thus allowing the Division to transfer funds budgeted for "buy" activities and out-of-state audits. These transfers are detailed on pages 3 and 4 of Exhibit "C."

The Subcommittee recommends, therefore, that the transfer authority be restricted by a letter of intent to be directed to the Director of the DLEA and the Chief of the division directing them to secure Interim Finance approval prior to any transfers being made from either the purchase of information category or the investigative travel category. Motion to adopt the Subcommittee's report with a letter of intent and the Governor's recommendation, moved by Mr. Mann, seconded by Mr. Webb. Motion approved; budget closed.

DIVERSIONARY INVESTIGATIVE UNIT

Motion to adopt the Subcommittee's report and the Governor's recommendation moved by Mr. Barengo, seconded by Mr. Webb. Motion approved; budget closed.

CRIME COMMISSION - FEDERAL GRANTS

Motion to adopt the Subcommittee's report and the Governor's recommendation moved by Mr. Webb, seconded by Mr. Barengo. Motion approved; budget closed.

Mr. Mann said that the Subcommittee appreciated the assistance from Ms. Matteucci.

Chairman Mello asked for information concerning changing classified positions to unclassified positions with the Public Service Commission. Mr. Barengo said that in a letter from Mr. Heber Hardy, he stated that he was working on this problem with Mr. Wittenberg to change classifications. Mr. Barengo said that Mr. Hardy did not want to change positions to unclassified but that Ms. McDonald did want to make these changes.

OFFICE OF COMMUNITY SERVICES

Motion to adopt the Governor's recommendation, moved by Mr. Webb, seconded by Mr. Rhoads. Motion approved; budget closed.

COMMUNITY SERVICES AGENCY - COMMUNITY DEVELOPMENT

Mr. Alastuey said that this budget is predicated upon the receipt of Federal community services administration money of about \$40,000 per year. Motion to adopt the Governor's recommendation, moved by Mr. Hickey, seconded by Mr. Glover. Motion approved; budget closed.

WEATHERIZATION

Chairman Mello asked if the position in this budget is currently vacant. Mr. Alastuey said that it had been vacant but did not know if it is at this time. Mr. Alastuey said that this agency has received indication that further weatherization funds will be available. He added that the homes this agency had assisted in weatherizing were very substandard.

Chairman Mello requested that this budget be held until information is received regarding funding. Mr. Webb asked that consideration be given to moving this budget to the Department of Energy Weatherization Department.

WEATHERIZATION - SPECIAL CRISIS INTERVENTION PROGRAM

Motion to adopt the Governor's recommendation, moved by Mr. Hickey, seconded by Mr. Rhoads. Motion approved; budget closed.

RURAL HOUSING

Mr. Hickey said that the Committee has asked if this agency and that of Weatherization could not be combined and had never received that information. The budget was held pending receipt of this information.

COMMISSIONER FOR VETERANS AFFAIRS

Mr. Bremner said that Mr. Fry and representatives of various veteran organizations had requested additional funding for service representatives to aid people in securing their veteran's benefits.

Mr. Bible explained that in 1975, the legislature added funds for contract services and that the Veteran Affairs Commission had used these monies to purchase services from various veteran organizations. Mr. Fry requested that this item be reinstated into the budget. Mr. Bremner said that these funds would be used to service any veterans regardless of whether they were members of any organization. Chairman Mello suggested putting \$20,000 into this budget for purchase of services for veterans moved by Mr. Barengo, seconded by Mr. Mann. Motion approved.

Mr. Alastuey asked the Committee if it is the intent to provide \$20,000 for the biennium with the remainder from the first year being carried into the second year. Chairman Mello said that this is correct and that a letter be written to the Commissioner for Veterans Affairs detailing the use of this money and some guidelines. Motion to adopt the Governor's recommendation as amended made by Mrs. Wagner, seconded by Mr. Hickey. Motion approved; budget closed.

The meeting was adjourned at 10:50 a.m.

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710



LEGISLATIVE COMMITTEE (702) 885-5627

DONALD R. MELLO, *Assemblyman, Chairman*
Arthur J. Palmer, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 885-5640

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ANDREW P. GROSE, *Research Director* (702) 885-5637

April 4, 1979

Assemblyman Donald R. Mello
Chairman
Assembly Ways and Means
Legislative Building
Carson City, Nevada 89710

Dear Assemblyman Mello:

As you requested, on April 3, 1979, we, Judy Matteucci, Gary Crews, and John Crossley attempted to determine why the NIC was not able to present their budgets to you on a timely basis in the State format, as requested by you on March 14, 1979. We discussed this initially with Millard Clark, Fiscal and Office Services Manager, and then with Robert Faley, Coordinator and subsequently with John Reiser. Included in the final discussion were Leroy Bergstrom and Larry Helseth of Fafoury, Armstrong, Turner and Co.

We attempted to determine who worked on the project after March 14, 1979. NIC does not require their employees to maintain records of what projects they work on during the regular 8:00 a.m. to 5:00 p.m. work hours. The only way we could determine this was by management's recollections or asking the employees themselves if they remembered what they did. Since neither of these would result in hard copy documentation, we did not pursue those methods. In order to accomplish this project on a timely basis, we believe a certain amount of overtime would have had to be incurred. The employees were not required to work overtime. There seemed to be a fear that the employees would quit if asked to work overtime. Some employees did volunteer to work overtime. This is set forth on the following schedule.

Exhibit "A"

1037

NIC
 RECORDED OVERTIME HOURS WORKED ON
 PREPARATION OF SPECIAL BUDGET
MARCH 1979

<u>Fiscal & Office Services Division</u>	<u>Saturday</u> <u>3/24</u>	<u>Wednesday</u> <u>3/28</u>	<u>Saturday</u> <u>3/31</u>	<u>Total</u>
Judith L. McCarley - Principal Account Clerk	3		6.5	9.5
Kathy Wurster - Senior Accountant			8	8
Pose Marie Schaar - Principal Account Clerk	3			3
Lynn Wuestenberg - Senior Account Clerk	3			3
Susan Wiles - Student (1/2 time)	5			5
C. Rhodes - Principal Account Clerk				
F. Williams - Senior Account Clerk				
I. Partee - Account Clerk				
D. Green - Account Clerk				
K. Ratliff - Account Clerk				
C. Piccolo - Account Clerk				
R. Kilty - Senior Account Clerk				
	<u>14</u>		<u>14.5</u>	<u>28.5</u>
 <u>Word Processing Division</u>				
Linda L. Wilkie			8	8
Jennifer Lawson			8	8
Dolores Neville			8	8
Pat Knopes			7.5	7.5
			<u>31.5</u>	<u>31.5</u>
 <u>Benefits Division</u>				
Marcia Evans	<u>6</u>	<u>1</u>	<u>8.0</u>	<u>15.0</u>
	<u>20</u>	<u>1</u>	<u>54.0</u>	<u>75.0</u>

Management does not maintain overtime records on themselves, therefore we could not document how much overtime they worked on this project. Management did indicate they worked some overtime on the project.

Accordingly, except for the above overtime schedule we cannot supply you with documentation as to who worked on the project and how much time was incurred from March 14 to April 2, 1979.

Assemblyman Donald R. Mello
April 4, 1979
Page 3

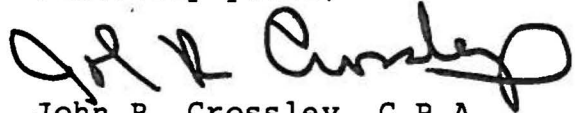
NIC has their financial information scheduled in many different ways. We reviewed much of this and pointed out ways this could be revised easily to accomodate your request. Some of the other information would be more time consuming to develop but could have been completed in an overtime situation.

We went over the different elements of a budget making process, discussing with them how State budgets are developed. To us, the meeting we had today should have taken place on March 15, 1979.

The above overtime schedule shows that most of the recorded overtime incurred by the NIC staff on this project was accomplished after the March 29th meeting of the Assembly Ways and Means Committee, which was held to determine why the budgets were not prepared as requested by the Committee on March 14.

In conclusion, we feel that the NIC did not place a high priority on finding out what the Assembly Ways and Means Committee wanted, nor did they attempt to supply immediately, meaningful material summarized in a manner that the committee could quickly understand and accept, or request additional information.

Sincerely yours,



John R. Crossley, C.P.A.
Legislative Auditor

JRC:rie

Exhibit "A"
(Page 3 of 3 Pages)

1339

NEVADA INDUSTRIAL COMMISSION

HAL G. CURTIS
COMMISSIONER REPRESENTING LABOR
JAMES S. LORIGAN
COMMISSIONER REPRESENTING INDUSTRY



ADDRESS ALL CORRESPONDENCE TO
NEVADA INDUSTRIAL COMMISSION

REPLY TO
515 East Musser Street
Carson City, NV 89701

April 3, 1979

Honorable Donald R. Mello
Chairman, Committee on Ways
and Means
Nevada State Assembly
Legislative Building
Carson City, NV 89701

Dear Mr. Mello:

The following sets forth the information from my notes taken at your hearing today relative to the subject matter discussed.

It is my understanding that the following information is to be furnished to you on or before April 12, 1979:

- (1) Actual expenditures incurred in Fiscal Year 1977-78.
(Salary will be lump sum with separate contract schedule)
- (2) Work program for Fiscal Year 1978-79.

It is my understanding that the projection for the biennium is to be furnished to you within the framework set forth in Mr. Bergstrom's letter to Mr. Bible under date of March 29, 1979, on or before May 1, 1979.

As I stated to you at the hearing, the other commission members, the employees of the commission and I will continue to use our best efforts in endeavoring to meet with the schedule set forth above. In the event I have misstated the Committee's instruction to me or if you take issue with any of the above and foregoing, please so inform me.

Kindest regards.

Very truly yours,

John R. Reiser
Chairman

JRR:d1

1340

Exhibit "B"

SUBCOMMITTEE REPORT ON
THE DEPARTMENT OF LAW ENFORCEMENT ASSISTANCE

The Department of Law Enforcement Assistance (DLEA) Subcommittee met with DLEA officials and Budget Office representatives on Wednesday, February 28, 1979.

The subcommittee noted that the Governor's recommendations for the Department are predicated upon legislation that has not yet passed at the federal level--the Justice System Improvement Act (JSIA) of 1979. This legislation is currently in the hearing stage and the possibility exists that there could be amendments which would affect the recommended budgets.

DLEA State Planning Agency

Corrections Digest reports that one amendment being considered would provide \$200,000 for planning and administration (\$50,000 of which would go to the Judicial Planning Council) on a match free basis with an additional \$100,000 to each state on a 50/50 basis. Additional monies could be drawn from "action funds" for planning purposes but they would also need to be matched 50/50. Should this amendment be added, insufficient state funds are provided for match at the recommended expenditure level.

Under the proposed bill as currently written, the federal funds allocated to this budget can total \$250,000 a year with no match requirement under the JSIA of 1979. Currently, General Fund matching in the amount of \$8,875 in fiscal year 1979-80, and \$9,148 in fiscal year 1980-81 is recommended by the Governor. The contract laboratory services in both fiscal years are being recommended as 100% General Fund support because provision of those services are not considered a part of the planning function.

Due to the restructuring of the entire program under the Governor's recommendation, this budget will lose four positions. Those positions are two Criminal Justice Specialists, a Principal Auditor, and an Accountant. However, two positions from previously authorized 100% federally funded accounts are recommended to be transferred into this account. One position will provide statistical support for the comprehensive state plan and the second is being transferred from the Small County Planner account to provide support for small county planning activities as well as to aid in any additional activities necessary within the State Planning Agency. The grant on which this position is currently supported terminates on September 30, 1979, due to the federal fiscal year, however, the grant's final quarter of funding (July-September, 1979) is not included in the recommended federal funds for the first year. By increasing the federal

funds in this account, to include the remaining grant funds, the General Fund appropriation can be decreased \$3,750 in fiscal year 1979-80. The termination of this grant in September 1979, precludes a similar adjustment being made in fiscal year 1980-81.

Despite the reduction in staff in the State Planning Agency and the elimination of an entire Division (Identification and Communications) under the control of the Director, the two top administrative positions in this account (the Director and the Chief of Planning and Training) are still recommended for continuation through the 1979-81 biennium.

A comparison of the job duties of both of these positions, as provided on a position classification review form and by the Director during subcommittee testimony, indicates some duplication of job duties between the two positions exists.

In view of the job similarities and reduced span of control, brought about by the Governor's recommended reorganization, the subcommittee recommends the deletion of the Chief's position, thereby reducing the General Fund by an additional \$5,125 in fiscal year 1979-80 and by \$9,148 in fiscal year 1980-81. Deletion of this position also decreases federal funding by \$18,675 in fiscal year 1979-80 and \$18,607 in fiscal year 1980-81 from the amounts shown in the Executive Budget.

Identification and Communications, Systems and Statistical Services and CCH/OBTS

The subcommittee agrees with the Governor's recommendation to eliminate the entire Identification and Communications function at this time. With the key duties of that Division being assumed by both the State Planning Agency and the Nevada Highway Patrol, no further funding for this function is considered necessary.

Peace Officers Standards and Training

The Peace Officers Standards and Training (P.O.S.T.) account provides for the minimum training for local law enforcement officials that is required under NRS 216. This function has been well received by the locals and, in fact, has been a necessary part of providing for adequate training for law enforcement officials at the local level.

The subcommittee concurs in the addition of the new training position and the related costs including travel and operating expenses as recommended by the Governor. The subcommittee recommends, however, a reduction in the contract services line item recommendation in the operating category each year. Included in the recommended amount is money to provide food for P.O.S.T. students, consultant travel and per diem and consultant fees.

The provision of P.O.S.T. training has been, in the past, a cooperative venture between federal, state and local officials in an effort to provide minimum training for law enforcement personnel. The P.O.S.T. Schools, wherein minimum basic law enforcement training is conducted, are held at the Clear Creek Youth Center located near Carson City. The only charge for using the Center is the cost of feeding the students. Since the basic P.O.S.T. training is the heart of the P.O.S.T. program, the subcommittee believes these funds are necessary for continued program success. Much training now being provided through the P.O.S.T. program is supplied by federal, state and local law enforcement agencies at no cost to the P.O.S.T. program. The training personnel remain on salary with the sending agency and are loaned to the P.O.S.T. program. This is an economical way of providing diversified training. It is recommended that the P.O.S.T. program continue these cooperative agreements with the state providing for the travel and per diem for the trainers thereby causing no additional costs to the agency who is providing the teaching personnel. In view of the cooperative agreements and the addition of the new training position, the subcommittee believes that the \$3,160 in paid consultant fees unnecessary and therefore recommends its deletion. The reduction in consultants' fees brings the total General Fund appropriation to \$83,496 in fiscal year 1979-80 and \$87,960 in fiscal year 1980-81.

Small County and Indian Justice Planner

In view of the recommendation to increase the federal money in the DLEA State Planning Agency to account for the remaining funds in this grant, in the 1979-81 biennium (July through September) concurrence with the Governor's proposal is recommended.

Division of Investigation and Narcotics

Upon questioning, the subcommittee learned that the Division of Investigation and Narcotics is working in cooperation with the Drug Enforcement Administration Task Force which is operating in Reno, Nevada. The benefit that accrues to the Division as a result of this cooperation is the assumption by DEA of certain expenses generated by the agents that are working with the Task Force; in particular, travel, purchase of information, and the rent for the Reno Office. The Chief of the Division estimates that the extent of the assistance to the Division by DEA at approximately \$60,000 each year of the 1977-79 biennium. Because the DEA has been able to absorb certain expenses for the Division in the areas listed above, the Division has subsequently been able to use the monies originally appropriated for those expenses for other purposes. In both years of the 1977-79 biennium, they have been allowed to transfer between the categories in their budget account to purchase vehicles for agents' use rather than continue using Motor Pool vehicles. In fiscal year 1977-78, a total of \$25,000 was transferred from the purchase

of information category to the equipment category to effect the purchase of these cars. In addition, \$58,300 was transferred from the investigative travel category to the out-of-state travel, in-state travel, equipment and operating categories. In fiscal year 1978-79 thus far, a total of \$34,500 has been transferred from the investigative travel category into both the out-of-state travel and equipment categories.

The subcommittee believes some accounting for these additional federal funds should be reflected in the Division's budget. Two options were considered--one of budgeting an operational savings figure in the budget and the second, to restrict the Division's transfer authority. Upon questioning the Chief as to the amount that could be budgeted in operational savings to reflect the assistance that the Division receives from the Drug Enforcement Administration Regional Task Force, he indicated that the Division's 1977-78 budget reflects reduced expenditure levels in continuing program areas and that fiscal year 1977-78 expenditures were the base upon which the 1979-81 biennial budget expenditures were built. He said that expenditure levels in continuing program areas have, therefore, already been reduced as a result of the 1977-78 levels. He concluded that he did not feel there were any dollar savings available to the Division from the Task Force operation in the upcoming biennium.

This statement appears to be correct in the operating category, however, determination of this factor in the purchase of information and investigative travel is difficult due to the nature of the expenditure items. The subcommittee believes, however, that the appropriations for both purchase of information and investigative travel are a vital part of the workings of this Division but that, should the Chief feel a matter of greater priority justifies the transfer of these monies to other categories, the Interim Finance Committee should be the body to whom the request is made. The subcommittee recommends, therefore, that the transfer authority be restricted by a letter of intent to be directed to the Director of the Department of Law Enforcement Assistance and the Chief of the Investigation and Narcotics Division directing them to secure Interim Finance approval prior to any transfers being made from either the purchase of information category or the investigative travel category.

Diversionsary Investigative Unit

The Diversionsary Investigative Unit, which is funded by a federal grant, is anticipated to end in March of 1979. The subcommittee recommends concurrence with the Governor's recommendation.

Crime Commission - Federal Grants

The subcommittee again points out that this budget is predicated upon passage of the JSIA of 1979 and therefore no state appropriation is recommended for buy-in match for the locals. The remaining balance of the amount shown in buy-in for local governments in the work program year will be carried forward into fiscal year 1979-80. Thereafter, no state appropriation will remain in the account. The subcommittee recommends adoption of the Governor's recommendation.

STATE OF NEVADA—NPD-19
 REQUEST FOR POSITION CLASSIFICATION REVIEW AND POSITION DESCRIPTION

NOTE—See attached instructions from section 8301 of the State Administrative Manual.

1. Name..... Current class..... Grade..... Step.....	2. WORK LOCATION		3. Position control No..... Proposed classification and grade Chief - Planning and Training Division 38-5
	Department <u>Crime Commission</u>		
	Division.....		
	Section (if any)..... City <u>Carson City</u>		

4. POSITION DESCRIPTION TO BE COMPLETED BY EMPLOYEE

In your own words describe fully the work performed. Make the description so plain that anyone reading it will understand exactly what is done. Show by using hours, days, or percentage, the amount of time spent on each part of the job. Indicate guides and policies followed for each duty listed. Identify the most complex and/or difficult and/or responsible portion of work. List any special equipment used on the job. Be sure to indicate what parts of your work are supervised; by whom; and for what purpose. Whom do you supervise? USE ADDITIONAL SHEETS AS NECESSARY.

TIME	WORK
50%	Responsible for the development of the Comprehensive Law Enforcement Plan for the improvement of Criminal Justice within the State of Nevada. The administration of grants under the Omnibus Crime Control and Safe Streets Act of 1970, and implementation of the directives of the Peace Officers Standards and Training Committee of the Commission. In these endeavors the Chief will be responsible for supervision of a staff of five professionals in the areas of comprehensive planning, grant administration, fiscal control, research and training.
10%	Confers with other Division Chiefs and Director on matters of policy and administration.
10%	Establishes liaison with criminal justice agencies and other organizations maintaining programs for the reduction or prevention of crim, and citizen groups and others for the purpose of promoting programs for improving the administration of justice within the state.
10%	Acts in the capacity of a project director for special criminal justice programs and projects under the Omnibus Crime Control and Safe Streets Act and the Juvenile Delinquency Program under the Department of Health, Education and Welfare.
20%	Carries out routine administrative functions.

RECEIVED

MAY 21 1971

NEVADA STATE PERSONNEL DIVISION

Exhibit C

5. TO BE COMPLETED BY EMPLOYEE

certify that I have read the instructions and that the entries made above (and any additional sheets) are my own and to the best of my knowledge are accurate and complete.

Date..... Signed.....

6. TO BE COMPLETED BY IMMEDIATE SUPERVISOR

I agree with the description I do not agree with the description
 Date 5/19/71 Signed.....
 Title.....

7. TO BE COMPLETED BY APPOINTING AUTHORITY

I agree with the description I do not agree with the description
 Date 5/19/71 Signed Robert J. Twinn
 Title Director

8. TO BE COMPLETED BY STATE PERSONNEL DIVISION

Approved classification and grade Chief, Plan & Train - 38 Effective date June 7-71
 Date of audit..... Date reviewed with appointing authority or representative.....

effecting approved action:

- Use the NPD-3 procedure. (8235 S.A.M.) On the NPD-3 form refer to study No. 2-71
- Submit NPD-35 and refer to Rule II, Sec.....
- Other.....

Signed Paul G. Dickerson
 Analyst
 Date 6-7-71
 Approved D. L. C

Mr. Alastuey answered that the Department's program statement indicated that the State would assume planning functions for the small counties and that by centralizing the functions and moving them into the State Planning Agency, the Federal funding ceiling will be reached.

Ms. Matteucci requested an explanation of the duties of the director. Mr. de la Torre responded that he is responsible for the three divisions in his Department. He obtains guidance from the director of the Crime Commission. He is responsible for compiling a comprehensive plan in addition to several other State reports. His duties further include the compilation of all criminal statistics; over-all responsibility for all police training in the State; and, over-all responsibility for the grants program and the discretionary grant programs. He added that over the last few years there has been a deterioration and decline in the level of rapport and communication with some of the counties and jurisdictions, and that it is his responsibility to make a serious effort to re-establish credibility with these agencies.

Ms. Matteucci asked what are the duties of the Chief of the Planning and Training division. Mr. de la Torre explained that the Chief is directly responsible for putting together the comprehensive plan, and for the management of the Department's block grants. He explained that there is a great deal of paperwork involved to meet Federal government guidelines. In addition, he said that the Chief supervises the State accounting section.

Ms. Matteucci asked that in view of the greatly reduced span of responsibility in the Department under the Governor's recommendation are both positions still necessary. Mr. de la Torre said that at this time very definitely. Ms. Matteucci asked for an explanation. Mr. de la Torre said that the Chief's background and knowledge of the grant system were critical to the Department's functions.

Ms. Matteucci asked for an organizational chart of the Department as it is currently organized, and a chart of the Department as it would be organized under the Governor's recommendations.

Chairman Mann asked if the Chief could handle his duties and the duties of the Director. Mr. de la Torre said he did not believe so. He said that the Chief's position is a full-time position in itself. The Department currently has over 1,000 active grants that have to be supervised, and there is a backlog of work from the last few years that has to be done.

Chairman Mann asked what would happen to the Department if the Committee eliminated the SAC transfer position. Mr. de la Torre answered that his Department would be unable to prepare any viable records or profiles of what is happening in the State in the criminal area, which would make it very difficult to do a comprehensive plan. He said that the comprehensive plan is vital for setting the Department's priorities; directing its energies and administering its grant programs.

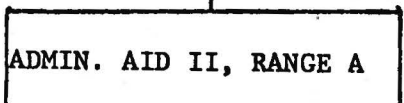
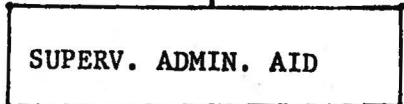
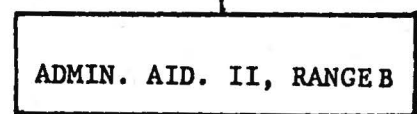
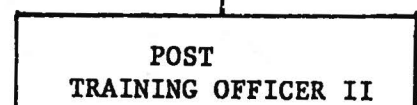
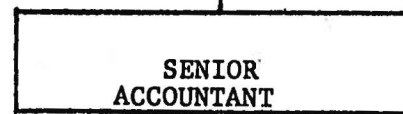
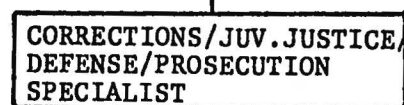
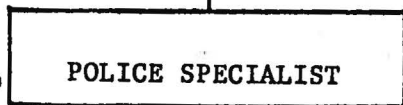
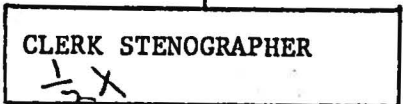
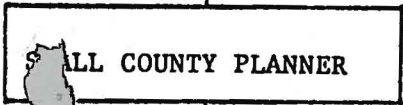
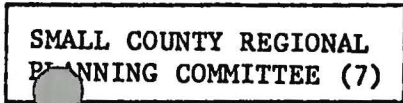
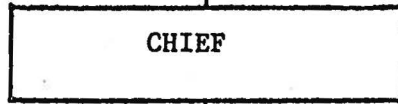
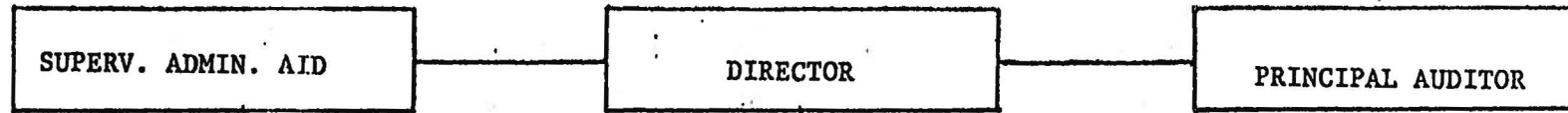
IDENTIFICATION AND COMMUNICATIONS DIVISION

Mr. de la Torre explained that \$771,972 can be saved by his Department be eliminating the following three budgets: Identification and Communications Division, System and Statistical Services, and the Criminal Case Histories/Offender-Based Transaction Statistics.

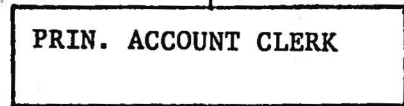
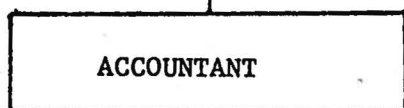
Mr. de la Torre stated that his Department plans to maintain the functions of the three budgets to be eliminated, and believes it can be done for less money. For example, he pointed out that the six Communication Specialists positions are being transferred to the Nevada Highway Patrol. The rationale for the transfer is based on avoidance of duplication by combining the services. He said that the Nevada Highway Patrol has room for the transferees, and they already have rent-free space available for them. In addition, by eliminating the System and Statistical Services Division, the Department can still maintain compliance with the Federal guidelines on Uniform Crime Reports. Mr. de la Torre commented that if the Federal government indicates that the Department is not meeting their guidelines, then the Department will only publish the Nevada Crime Analysis Report. Mr. de la Torre

WORK PROGRAM

DEPARTMENT OF LAW ENFORCEMENT ASSISTANCE
PLANNING AND TRAINING DIVISION



GRANTS ACCOUNTING



INTERNAL ACCOUNTING

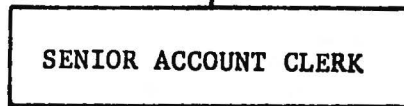
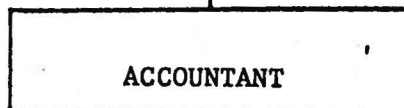
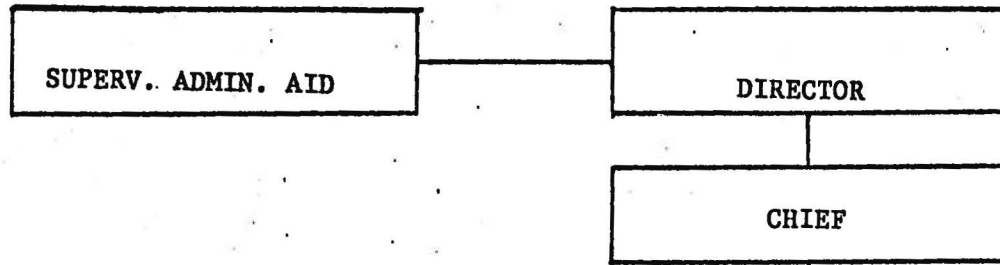


EXHIBIT D
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EXHIBIT D

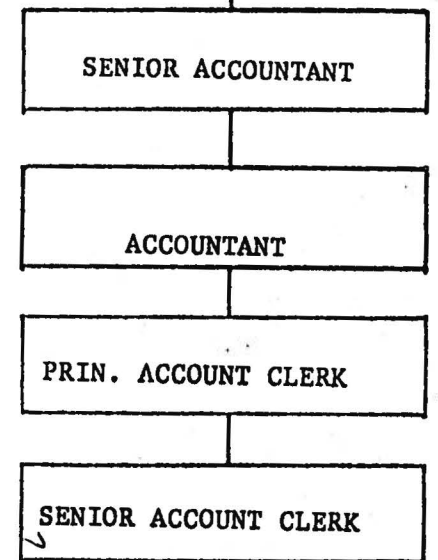
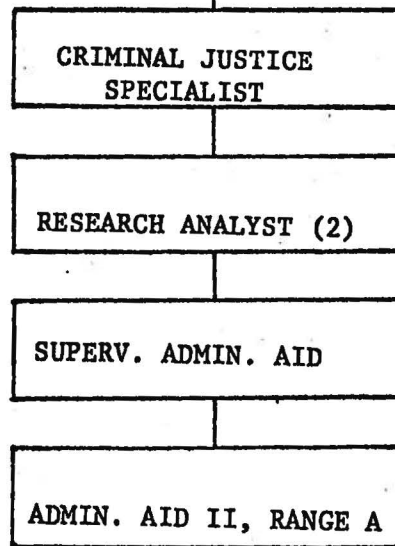
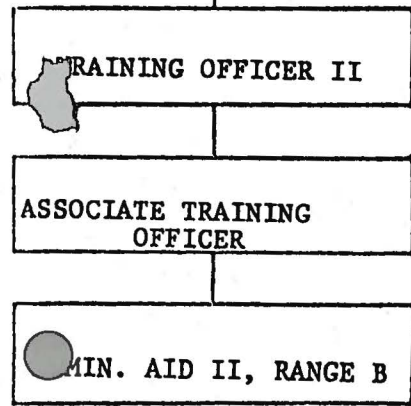
DEPARTMENT OF LAW ENFORCEMENT ASSISTANCE
PLANNING AND TRAINING DIVISION

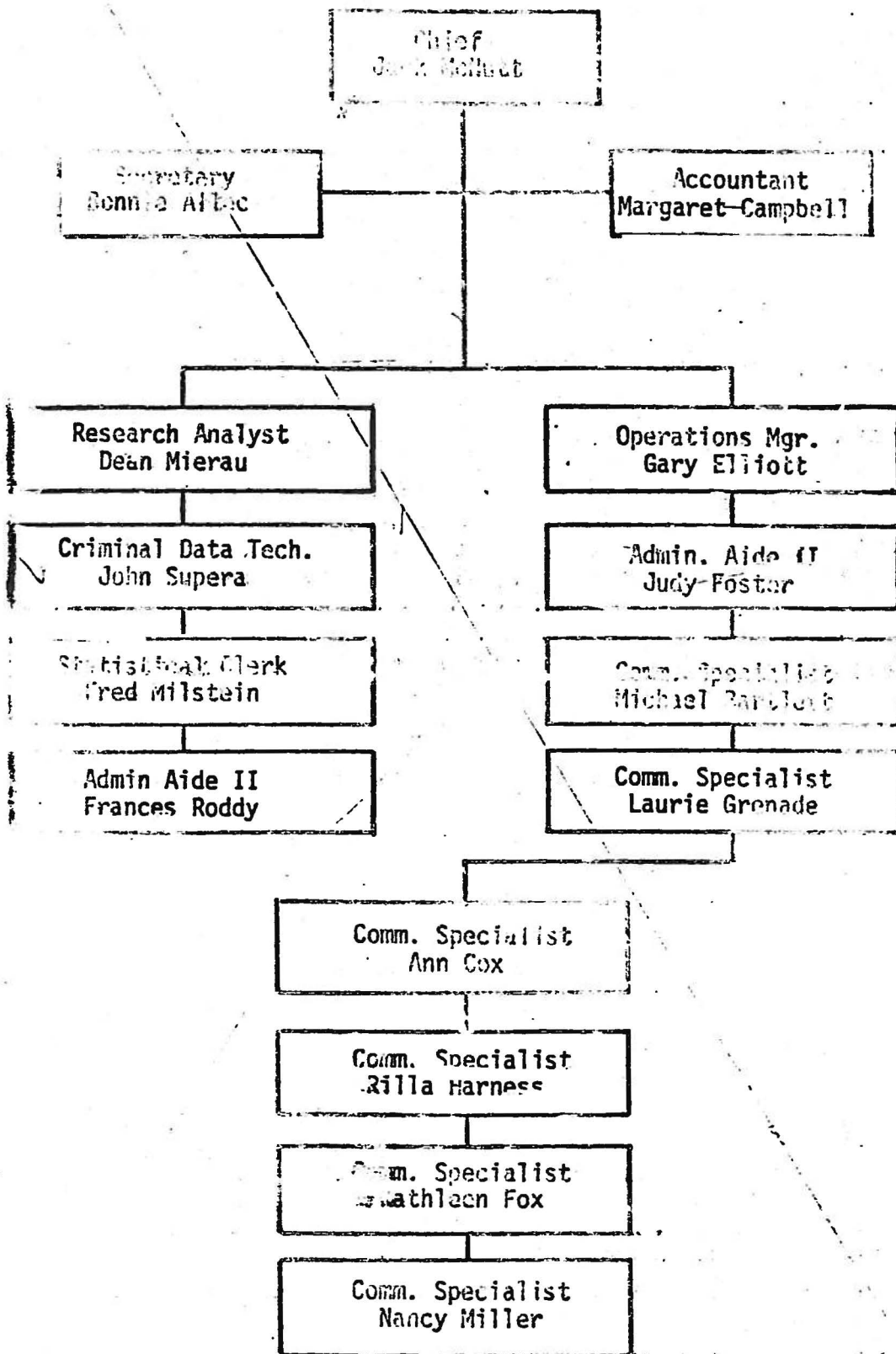


TRAINING POST

PLANNING

ACCOUNTING

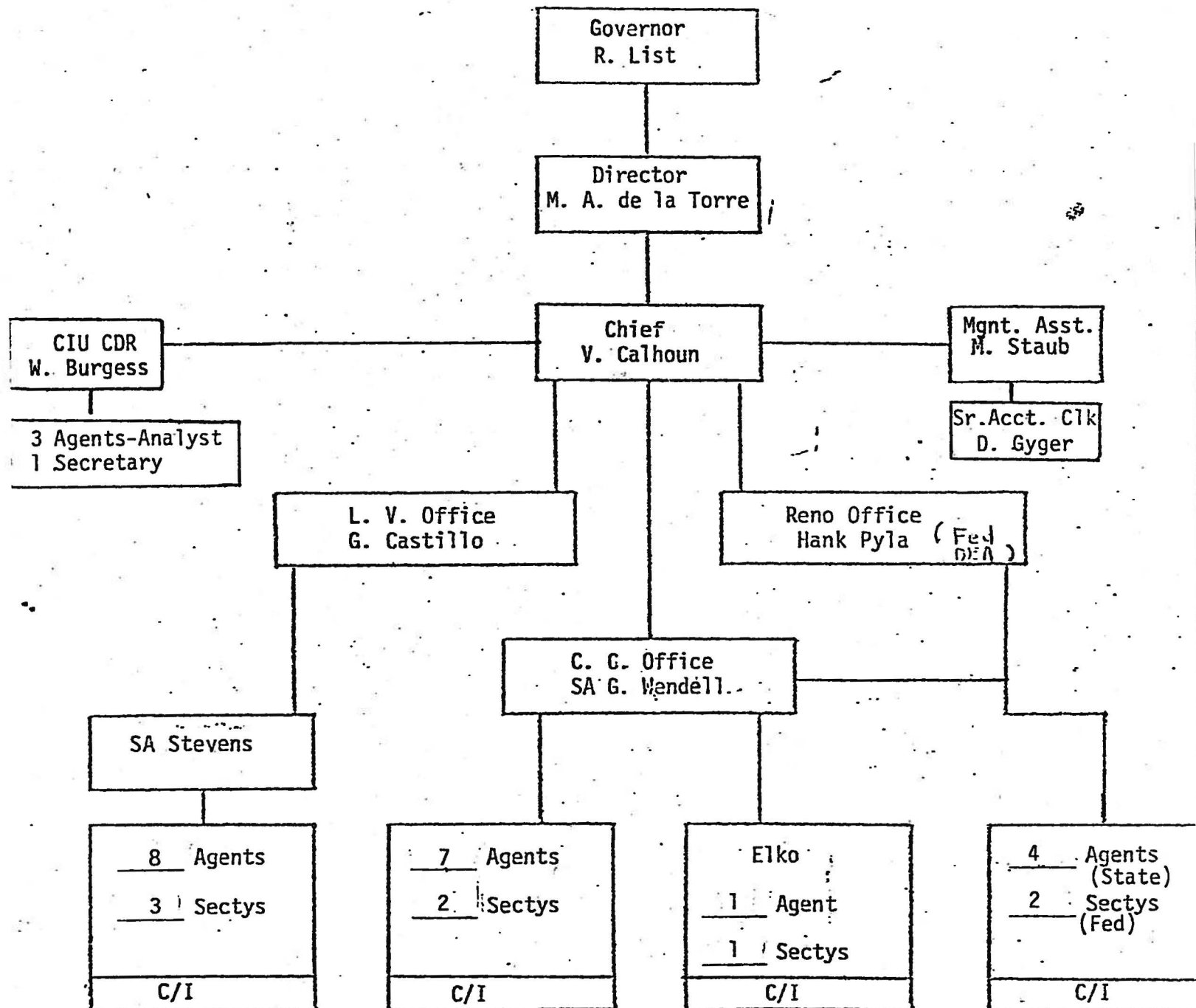




Acting Chief

DIVISION OF INVESTIGATION AND NARCOTICS

PERSONNEL STATUS 1978-1979



Rev. 3/79