

MINUTES OF THE OCTOBER 22, 2020
MEETING OF THE
INTERIM FINANCE COMMITTEE

Chair Maggie Carlton called a regular meeting of the Interim Finance Committee (IFC) to order at 9:06 a.m. on October 22, 2020, via videoconference. Pursuant to Sections 2 through 9, inclusive, of Chapter 2, *Statutes of Nevada 2020*, 32nd Special Session, pages 9 through 11, there was no physical location for this meeting.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Maggie Carlton, Chair
Senator Joyce Woodhouse, Vice Chair
Senator Chris Brooks
Senator Moises Denis
Senator Pete Goicoechea
Senator Ben Kieckhefer
Senator David Parks
Senator James Settelmeyer
Senator Pat Spearman for Senator Cancela
Assemblywoman Shea Backus
Assemblywoman Teresa Benitez-Thompson
Assemblyman Jason Frierson
Assemblyman Greg Hafen for Assemblyman Wheeler
Assemblywoman Sandra Jauregui
Assemblyman Al Kramer
Assemblywoman Daniele Monroe-Moreno
Assemblywoman Connie Munk
Assemblywoman Dina Neal
Assemblyman Tom Roberts for Assemblyman Hambrick
Assemblywoman Ellen Spiegel
Assemblywoman Heidi Swank
Assemblywoman Robin Titus

COMMITTEE MEMBERS EXCUSED:

Senator Yvanna Cancela
Assemblyman John Hambrick
Assemblyman Jim Wheeler

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Brenda Erdoes, Director, Legislative Counsel Bureau
Sarah Coffman, Fiscal Analyst, Assembly
Mark Krmpotic, Fiscal Analyst, Senate
Wayne Thorley, Fiscal Analyst, Senate
Alex Haartz, Principal Deputy Fiscal Analyst
Brody Leiser, Principal Deputy Fiscal Analyst
Bryan Fernley, Legislative Counsel
Eileen O'Grady, Chief Deputy Legislative Counsel
Cheryl Harvey, Fiscal Analysis Division Secretary
Carla Ulrych, Fiscal Analysis Division Secretary

EXHIBITS:

Exhibit A: Meeting Packet – Volume I

Exhibit B: Meeting Packet – Volume II

Exhibit C: Meeting Packet – Volume III

Exhibit D: Reclassification Addendum

Exhibit E: IFC Resolution – Mark Krmpotic

Exhibit F: Public Testimony – Chris Daly, Nevada State Education Association

A. ROLL CALL.

Sarah Coffman, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), called the roll; all members were present except Senator Cancela, Assemblyman Hambrick and Assemblyman Wheeler, who were excused.

B. PUBLIC COMMENT.

Pursuant to Sections 2 through 9, inclusive, of Chapter 2, *Statutes of Nevada 2020*, 32nd Special Session, pages 9 through 11, there was no physical location for this meeting. The meeting was broadcast on the Nevada Legislative website at www.leg.state.nv.us. Public comment was accepted live via telephone. Written comments were also accepted by e-mail, facsimile, and mail before, during, and after the meeting.

There was no public comment.

C. APPROVAL OF MINUTES OF THE MAY 13, 2020, MEETING.

Refer to motion for approval under Agenda Item F.

D. APPROVAL OF MINUTES OF THE MAY 18, 2020, MEETING.

Refer to motion for approval under Agenda Item F.

E. APPROVAL OF MINUTES OF THE MAY 21, 2020, MEETING.

Refer to motion for approval under Agenda Item F.

F. APPROVAL OF MINUTES OF THE JUNE 1, 2020, MEETING.

ASSEMBLYMAN FRIERSON MOVED TO APPROVE THE MINUTES OF THE MAY 13, MAY 18, MAY 21, AND JUNE 1, 2020, MEETINGS.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Assemblyman Kramer and Assemblywoman Titus were not present for the vote.)

G. APPROVAL OF GIFTS, GRANTS, WORK PROGRAM REVISIONS AND POSITION CHANGES IN ACCORDANCE WITH CHAPTER 353 OF NRS.

The following items were held for further discussion: Agenda Items G-2; Office of the Governor, Office of Science, Innovation and Technology (OSIT); G-3, Office of the Governor, Governor's Office of Finance; G-8, Office of the Treasurer; G-9, Office of the Treasurer; G-11, Department of Education; G-20, Governor's Office of Economic Development; G-22, Department of Health and Human Services (DHHS), Director's Office; G-24, DHHS, Division of Health Care Financing and Policy (DHCFP); G-26, DHHS, DHCFP; G-49, Department of Employment, Training and Rehabilitation, Employment Security; G-56, Department of Conservation and Natural Resources (DCNR), Division of Forestry; and G-64, Coronavirus Relief Funds Work Programs – FY 2021.

Sarah Coffman, Assembly Fiscal Analyst, Fiscal Analysis Division, LCB, identified errors on page 13 of the work program list (Agenda Item G) and page 36 of the Reclassification Addendum (Exhibit D). She noted that DCNR was requesting to reclassify an Administrative Assistant 2, not an Accounting Assistant 2, to an Engineering Technician 4.

Chair Carlton requested additional testimony on Agenda Item G-19, Department of Business and Industry.

Assemblywoman Titus requested additional testimony on Agenda Item G-5, Office of the Attorney General.

Senator Kieckhefer requested additional testimony on Agenda Item G-21, Governor's Office of Economic Development.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO
APPROVE THE REMAINING WORK PROGRAM REVISIONS
AND POSITION RECLASSIFICATIONS.

SENATOR KIECKHEFER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Assemblywoman Neal
and Assemblywoman Swank were not present for the vote.)

1. Office of the Governor - State Energy Office - Renewable Energy Account - FY 2021

Transfer of \$202,872 from the Transfer to Office of Energy category to the Reserve category to align authority with budget account 4686, Governor's Office of Energy. Requires Interim Finance approval since the amount transferred to the Reserve category exceeds \$75,000. **Work Program #C51188**

Refer to motion for approval under Agenda Item G.

2. Office of the Governor - Office of Science, Innovation and Technology - FY 2021

Addition of \$1,000,000 in grant funds from the William N. Pennington Foundation to fund loan repayments for Northern Nevada rural healthcare professionals. Requires Interim Finance approval since the amount added to the Pennington Healthcare Grant category exceeds \$75,000. **Work Program #C52728**

Brian Mitchell, Director, Office of Science, Innovation and Technology (OSIT), said rural Nevada was experiencing health care shortages ranging from doctors and dentists to technicians. He stated that the William N. Pennington Foundation (Pennington Foundation) and OSIT had a mutual interest in growing the health care workforce in rural Nevada. Mr. Mitchell stated that OSIT and the Pennington Foundation had identified best practices in other states and developed a program similar to programs in 36 other states. Those states had state-based, loan repayment programs that complemented federal programs. He said the state-based programs did a wonderful job incentivizing medical professionals to relocate to rural areas with health professional shortages with the hope that after practicing in the area for a while, they would choose to remain there long term.

Mr. Mitchell stated OSIT had identified several health care professions in need throughout the rural areas. He said OSIT would work closely with the Nevada State Office of Rural Health and the Department of Health and Human Services to solicit applications and place medical practitioners in rural areas for two to three years depending on the type of practice. Those practitioners would receive philanthropic funding from the donor to practice in the rural area during that time.

Senator Denis stated there was another program titled the Nevada Health Services Corporation (NHSC). He asked how that program fit into the proposed Pennington Rural Health Services Loan Repayment program.

Mr. Mitchell replied that he worked closely with the director of the NHSC program. He said the number of applicants on the NHSC's waitlist exceeded the entity's federal funding. In addition, there were certain in-demand professions that the NHSC program was not able to fill based on federal guidelines. Mr. Mitchell said the agencies would work together to review the pool of applicants and determine which program best served each applicant.

Mr. Mitchell added that because the state and federal programs served different health care professions, they could better manage the needs of rural Nevada.

Senator Denis understood that the two programs would not provide assistance to individuals concurrently.

Mr. Mitchell replied that the agencies would work together to place individuals into the appropriate program.

Assemblywoman Titus agreed there was a shortage of health care providers in rural Nevada as well as in underserved areas and urban areas. She asked if the state program was focused only on the rural areas.

Mr. Mitchell agreed that both urban and rural areas were in need of health care professionals. He said the Pennington Foundation was specifically interested in funding applicants for the rural areas. Therefore, the pilot program would focus on the rural areas; however, he was hopeful urban areas would be considered in the future, if the pilot program was successful.

Assemblywoman Titus stated the Pennington Foundation had been stellar in augmenting the health care system in Nevada. She stated that the physician who had replaced her as well as two physician assistants in her office had all been recipients of federal funding for rural areas.

Assemblywoman Titus said there was a drastic health care shortage, not just a shortage of physician assistants, nurse practitioners and physicians, but also laboratory technicians, physical and respiratory therapists, etc. She asked if there were future plans to reimburse other specialties.

Mr. Mitchell explained the plan was to provide reimbursement for:

- doctors
- dentists
- pediatric dentists
- primary care nurse practitioners
- Bachelor of Science in Nursing nurses
- primary care physician assistants
- registered nurses
- comprehensive medical imaging and diagnostic medical sonography technicians

Mr. Mitchell said technicians were identified through a survey of rural clinics and hospitals. The survey sought to determine which health care professions were in demand and difficult to recruit.

Mr. Mitchell said an advantage of working with the NHSC program was that although the federal program did not reimburse for the technician series, the state program would reimburse for technicians. Consequently, there would be a more comprehensive health care workforce in the rural areas.

Chair Carlton said she appreciated the comments made by Assemblywoman Titus. She noted that the health professional shortage was not limited to the rural areas; a large portion of Clark County was also experiencing a shortage of health care providers.

Chair Carlton asked if the agency planned to seek other grant funding in the future to promote the program.

Mr. Mitchell replied that the first step was to establish a successful program and then seek other federal or philanthropic grants. He noted that the Pennington Foundation only operated in Northern Nevada. After the program was successfully established in Northern Nevada, OSIT hoped to reach out to a philanthropic donor in Southern Nevada to establish a companion program in the southern part of the state given the need was statewide.

Senator Spearman commented that the program seemed comparable to some of the services offered to those exiting or retiring from military service. She asked if OSIT planned to collaborate with the Nevada Veteran Services Commission and/or the military bases.

Mr. Mitchell replied that the purpose of the proposed program was to operate as a loan repayment program. Thus, any individual seeking to participate was required to have an existing loan from a bank or other lender. He asked if the individuals identified by Senator Spearman would have federal or other loans requiring repayment.

Senator Spearman responded that some military personnel may have given their GI Bill benefits to their children. As such, those military personnel may have accrued loans if they opted to change careers.

Mr. Mitchell stated he would research the matter to determine if there was a way to collaborate with veterans.

SENATOR DENIS MOVED TO APPROVE AGENDA ITEM G-2.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

3. Office of the Governor - Governor's Office of Finance - Budget Division - FY 2021

Addition of ~~\$177,072~~ **\$145,441** in federal Coronavirus Aid, Relief and Economic Security (CARES) Act funds to fund three temporary contract positions to manage and track the CARES Act grant program through December 30, 2020. Requires Interim Finance approval since the amount added to the Contractor Support category exceeds \$75,000. **Work Program #C52828. REVISED 9-22-20.**

Agenda Items G-3, G-20 and G-64 were discussed jointly. Refer to testimony and motion for approval under Agenda Item G-64.

4. **Office of the Governor - Governor's Office of Finance - SMART 21 - FY 2021**
Transfer of \$60,917 from the Personnel category, \$1,623 from the In-State Travel category, \$5,604 from the Operating category, \$1,060,800 from the Enterprise Resource Planning (ERP) Project category, \$179,444 from the Intermittent Employees category and \$741 from the Training category to the Reversion to Highway Fund category to reduce Highway Funds in proportion to the General Fund reductions approved in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount transferred from the ERP Project category exceeds \$75,000. **Work Program #21FR1325**

Refer to motion for approval under Agenda Item G.

5. **Office of the Attorney General - Administrative Budget Account - FY 2021**
Addition of \$177,500 in Settlement Income to support the use of outside counsel. Requires Interim Finance approval since the amount added to the Operating category exceeds \$75,000. **Work Program #C51143**

Assemblywoman Titus asked why outside counsel was necessary and who was the outside counsel. She asked the agency to provide additional details about the request.

Jessica Adair, Chief of Staff, Office of the Attorney General (OAG), replied that the purpose of the request was to offset expenditures that would otherwise be an obligation of the IFC Contingency Account. She noted that Jessica Hoban, Chief Financial Officer for the OAG, provided documentation to LCB Fiscal staff regarding the item, including the cost for outside counsel for FY 2020 as of May, with the exception of fees related to outside counsel and nuclear waste experts for Yucca Mountain licensing and plutonium litigation, which was paid from a separate budget account. Included in the spreadsheet provided to staff was a list of vendors used by the OAG and the amounts paid. She said that information was used as a cost projection for FY 2021.

Ms. Adair stated that the funds were not currently earmarked for a particular case. It was part of a larger arrangement made with the Governor's Finance Office (GFO) during the 31st Special Session (2020) to utilize some of the funds to assist the state during the fiscal emergency. She said, while this particular item did not reduce the burden to the General Fund, the OAG was aware that the IFC Contingency Account would be under great strain. The agency wanted to assist the state, but also ensure that the OAG could continue to pay outside counsel, because there were several cases that required the OAG, by statute, to use outside counsel due to legal conflicts. Ms. Adair said Agenda Item G-5 and Agenda Item G-7 were excluded from the budget bill; therefore, the agency had to submit a work program for that purpose. She stated that the remainder of legally available settlement funds was swept into the General Fund in the budget bill. Ms. Adair noted that Attachment A provided an accounting of what the agency had paid for outside counsel in FY 2020 (page 143, Exhibit A).

Assemblywoman Titus asked for which cases outside counsel was necessary.

Ms. Adair replied the funds were not currently earmarked for certain cases. She said the OAG wanted to have the funds available to avoid additional requests for Contingency Account funds. She clarified that the vendors listed in Attachment A were related to ongoing cases. Each of those vendors had to be approved by the Board of Examiners for those particular cases.

Assemblywoman Titus asked if the Committee could expect additional requests in the future. She asked for the amount of the projected costs.

Ms. Adair replied that the requested amount of \$177,500 was the anticipated cost unless something unexpected occurred, such as new litigation or a turn of events in ongoing litigation. She said the projected costs were based on FY 2020 costs.

Senator Settlemeyer stated he was unfamiliar with the OAG's current litigation. He asked for details about some of those cases. He stated that he could support some cases but found other cases problematic. Senator Settlemeyer asked for an explanation of the citations listed on page 143 in Volume I of the meeting packet (Exhibit A).

Chair Carlton stated it was not up to the IFC to second guess the cases accepted by the OAG and the work the agency performed. She appreciated that the OAG was attempting to use settlement funds rather than the Contingency Account to support the agency's work. She said the OAG brought its budget to the Legislature like all state agencies, but the IFC did not direct the agency's work.

Ms. Adair stated that in all of the cases, the OAG was using outside counsel to defend Nevada. For example, several cases on the list were litigation against the Department of Taxation and particular employees, where the OAG was required by statute to provide defense. She added that other litigation concerned the collective bargaining bill that was passed by the 2019 Legislature. She said the cases were defensive actions where the OAG either elected or had been required to use outside counsel due to legal conflicts. It was not about litigation where the state was at fault.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO
APPROVE AGENDA ITEM G-5.

SENATOR WOODHOUSE SECONDED THE MOTION.

Senator Kieckhefer noted that his employer, McDonald Carano, was retained as outside counsel for the OAG. Because the requested funds were not for a specific case, he did not think there was a conflict of interest.

Senator Settelmeyer stated it was the responsibility of the IFC to utilize funds frugally and he did not believe information had been provided to prove that; therefore, he would not support the motion.

THE MOTION PASSED. (Assemblyman Hafen, Assemblyman Kramer, Assemblyman Roberts, Assemblywoman Titus, Senator Goicoechea and Senator Settelmeyer opposed the motion.)

6. Office of the Attorney General - Medicaid Fraud - FY 2021

Addition of \$428,112 in Medicare Fraud Unit Control Federal Grant funds and a transfer of \$142,708 from the Reserves category to the Operating category to continue investigating and prosecuting medical provider fraud in the Nevada Medicaid Program. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C51575**

Refer to motion for approval under Agenda Item G.

7. Office of the Attorney General - Grants Unit - FY 2021

Addition of \$150,000 in settlement income support grant award obligations approved in Assembly Bill (A.B.) 176 during the 2019 Legislative Session. Requires Interim Finance approval since the amount added to the Sexual Assaults' Advocates – A.B. 176 category exceeds \$75,000. **Work Program #C51244**

Refer to motion for approval under Agenda Item G.

8. Office of the Treasurer - College Savings Trust - FY 2021

Addition of ~~\$71,070~~ **\$65,520** transferred from the Treasurer - Endowment Account to fund a customer relationship management software to modernize processes and communications for the College Savings Division. Requires Interim Finance approval since the amount added to the Information Services category exceeds 10% of the legislatively approved amount. **RELATES TO AGENDA ITEM G.9. Work Program #C52848. REVISED 10-13-20.**

Agenda Items G-8 and G-9 were discussed jointly. Refer to testimony and motion to defer under Agenda Item G-9.

9. Office of the Treasurer - Endowment Account - FY 2021

Transfer of ~~\$71,070~~ **\$65,520** from the Reserve category to the Transfer for Administration category to fund a customer relationship management software to modernize processes and communications for the College Savings Division. Requires Interim Finance approval since the amount added to the Transfer for Administration category exceeds 10% of the legislatively approved amount. **RELATES TO AGENDA ITEM G.8. Work Program #C52852. REVISED 10-13-20.**

Agenda Items G-8 and G-9 were discussed jointly.

Tara Hagan, Chief Deputy Treasurer, Office of the Treasurer, stated the office was requesting \$65,520 from the College Savings Endowment Fund to enter into a contract for a customer relationship management (CRM) software for the College Savings Division. The software would allow the office to modernize its processes and communication with participants across all programs. To provide scope, there were approximately 300,000 Nevada participants among the Prepaid Tuition program, the Governor Guinn Millennium Scholarship (GGMS) program, the College Kick Start program, the five 529 savings plans, and the student loan ombudsman programs, all of which were currently siloed in nine separate communication systems. The work programs would fund a single comprehensive system to better coordinate communication and outreach to all participants.

Chair Carlton understood that the funds would be drawn from the College Savings Endowment Fund, which funded the GGMS.

Ms. Hagan clarified that the College Savings Endowment Fund was funded by the outside 529 savings plans partners. She explained that the College Savings Endowment Account funded the administration of the College Savings Division, which was paid for by revenue contracts with the 529 investment partners.

Assemblywoman Benitez-Thompson expressed concern that the upfront costs would come from the College Savings Endowment Fund and the College Savings Trust. In addition, the agency was requesting \$22,000 in each year of the biennium for ongoing maintenance costs. She asked why the agency was bringing the items before the IFC rather than waiting for the 2021 Legislative Session.

Ms. Hagan clarified that the ongoing expenses were approximately \$5,500. The requested funds of \$65,520 would come from the College Savings Endowment only. She indicated the companion program would allow the transfer of the funds.

Ms. Hagen said the agency consistently interacted with a larger audience due to the move to an all-virtual environment. The software would allow for quicker and more targeted outreach to the 300,000 participants.

Assemblywoman Benitez-Thompson asked for an explanation of the term “targeted communications.” She said the backup documentation discussed integration with social media platforms such as Facebook, Twitter, Instagram, and YouTube. She asked why social media communication would not fall under the existing marketing contracts.

Ms. Hagan explained that the request would allow the existing marketing contractor to reach out to Nevada families with targeted communication and provide the contractor with a comprehensive system from which to gather information. It would be an additional tool to reach Nevada families.

Senator Denis asked if the CRM was an off-the-shelf program. Ms. Hagan confirmed that was correct.

In response to a question from Senator Denis, Ms. Hagan confirmed that the agency did not currently have a CRM program.

Senator Denis asked how long it would take to integrate the databases into a single system.

Ms. Hagan said the contractor indicated that the integration process would be easy and seamless, because the existing high-level data would be extracted for the individual systems into the CRM. Overall, the process would take about one month to complete.

Senator Denis asked if customization was required. Ms. Hagan responded that customization would not be necessary. She said it was a master service agreement with the State Purchasing Division and it was much more cost effective than other systems. The other systems that had been considered were three to four times the cost of the CRM software.

Senator Denis asked if the software was currently being used by other state agencies. Ms. Hagan confirmed that was correct. The agency had discussions with the Governor’s Office, which switched to the system approximately one year ago. Ms. Hagan said the Governor’s Office was very happy with the product. She noted that the Governor’s Office experienced a cost savings after transitioning to the new program.

Senator Denis asked whether the Governor’s Office had experienced any problems with the CRM software.

Ms. Hagan replied that matter had been discussed. She said the Governor’s Office switched from one CRM to another, whereas that would not be the case for the Treasurer’s Office. She said the Governor’s Office did not experience any problems during the transition. The Governor’s Office received excellent support and was very satisfied with the system.

Senator Denis said he was reassured that customization would not be required for the software.

Senator Woodhouse understood the Endowment Fund would be used for the GGMS, which would offset General Fund appropriations during the upcoming legislative session. Over time, the GGMS had been funded with a combination of tobacco settlement funds and unclaimed property funds. She said the state had used Endowment Funds to shore up the GGMS account. In addition, a one-time appropriation of General Funds had been placed in the GGMS to shore it up. Therefore, Endowment Funds may be utilized instead of General Funds during the 2021 Legislative Session.

Ms. Hagan replied that the Endowment Fund had been used in the past to shore up the GGMS scholarship account.

Chair Carlton expressed concern with the request. She stated that the IFC did not typically consider such items; they were usually built into contracts. However, she understood the change to a virtual environment. Chair Carlton thought the request could be postponed until the 2021 Legislative Session. She said, although it was a small amount of money, it was the equivalent of six scholarships, and the Legislature would be looking for every possible dollar to maintain the status quo.

Assemblywoman Benitez-Thompson said it was Fiscal staff's understanding there would be a \$22,000 cost in each year of the biennium for maintenance; however, agency staff indicated that the annual cost was approximately \$5,500. She asked the agency to clarify the total cost.

Ms. Hagan stated she would contact Fiscal staff to clarify the ongoing biennium costs.

Sarah Coffman, Assembly Fiscal Analyst, Fiscal Analysis Division, LCB, stated that \$22,097 was included in the agency request budget for the 2021-23 biennium. She said she was unable to confirm the ongoing costs stated by Ms. Hagan.

Chair Carlton noted that if the IFC approved the agency's request, approval of ongoing costs would be decided by the 2021 Legislature. Ms. Coffman confirmed that was correct.

Ms. Hagan added, after submission of the agency request budget, conversations were held with the contractor. During that time, the agency was under the impression that the Treasurer's Office would be charged an annual user fee, which was incorrect. Ms. Hagan said the total cost would be \$7,611 annually; however, the amount was overstated in the agency request budget. She said the agency would reduce the total cost to approximately \$15,000.

Senator Denis noted the pricing proposal included an annual maintenance upgrade subscription of \$2,719.20 and an additional annual maintenance upgrade of \$2,719.20. He asked for clarification.

Ms. Hagan replied, in conversations with the contractor, the total cost, which also included Division of Enterprise IT Services (EITS) storage, was \$7,611 annually. That cost was for maintenance as well as approximately \$2,800 for EITS server storage.

Senator Denis asked if the \$2,800 was solely for EITS storage. Ms. Hagan confirmed that was correct. She added that the remaining amount was \$2,719.20 in each year of the biennium.

Chair Carlton understood that several expeditious work programs may be submitted for IFC approval, and if so, the Committee may need to hold a special meeting prior to the regular December meeting. Therefore, Chair Carlton stated that the Committee would take no further action on Agenda Items G-8 and G-9. She requested that the agency provide Fiscal staff with clarification. If the Committee's concerns were addressed, the Treasurer's Office could resubmit the work programs.

SENATOR WOODHOUSE MOVED TO DEFER AGENDA ITEMS G-8 AND G-9 AND DIRECT THE OFFICE OF THE STATE TREASURER TO RESUBMIT THE WORK PROGRAMS AFTER ADDRESSING THE COMMITTEE'S CONCERNS.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

Senator Denis stated it would also be helpful if the agency provided additional justification beyond modernization.

THE MOTION PASSED. (Assemblyman Kramer opposed the motion.)

- 10. Department of Education - New Nevada Education Funding Plan - FY 2021**
Addition of \$727,965 in Prior Year Refunds received after closing FY 2020. Requires Interim Finance approval since the amount added to the K-12 Weighted Funding category exceeds \$75,000. **Work Program #C52870**

Refer to motion for approval under Agenda Item G.

- 11. Department of Education - Standards and Instructional Support - FY 2021**
Addition of \$300,000 in federal Governor's Emergency Education Relief funds transferred from the CARES Act 2020 account to fund stipends to educators who will serve as Digital Engineers for the Nevada Digital Learning Collaborative. Requires Interim Finance approval since the amount added to the Digital Engineers category exceeds \$75,000. **Work Program #C52642**

Dr. Jonathan Moore, Deputy Superintendent for Student Achievement, Nevada Department of Education (NDE), stated the department's request was in response to stipends for digital engineers. He explained that in response to COVID-19, the

NDE developed the Nevada Digital Learning Collaboration, an umbrella term for the support infrastructure established to support educators and students as they engage in distance learning. Part of the umbrella included digital engineers, a cadre of educators who were proficient in the delivery of distance education. The digital engineers provided professional development for educators across the state and created resources that were accessible to all educators. The stipend would support the digital engineers in that work.

Assemblywoman Jauregui asked how the department would use the \$200,000 for the 2021-22 school year if school districts resumed traditional classroom instruction.

Dr. Moore noted that some school districts were currently offering in-person learning, so the resources created assisted with distance learning as well as classroom instruction. He said the resources were aligned to instructional best practices and standards implementation. While the resources were originally created for distance learning, schools engaging in in-person instruction were also utilizing the resources.

Assemblywoman Jauregui asked if the GFO could include \$200,000 for the 2021-22 school year in the FY 2022 budget, if the Committee approved \$100,000 for the current school year only.

Dr. Moore replied that the reason the NDE requested approval of the full amount was so the department could begin work on the subgrant agreements to ensure those educators serving as digital engineers received payment for their work.

Senator Denis asked if the digital engineer program would continue regardless of whether districts were providing distance learning or in-person instruction.

Dr. Moore confirmed that was correct. He added there were currently school districts across the state engaging in three modes of instruction: full distance learning, full in-person instruction, and hybrid learning. The resources were aligned to support teaching and learning in any of those models; therefore, the resources would still be available even if the entire state resumed traditional classroom instruction.

Senator Denis said it seemed that the state was creating the ability to be nimble and would use the digital resources regardless of the learning model.

Dr. Moore confirmed that was correct. He said COVID-19 shifted the methods of engaging in teaching and learning; therefore, the path forward, even beyond COVID-19, would look different. Dr. Moore confirmed that the resources were designed to support educators and teachers regardless of the mode of learning.

Senator Denis said he appreciated that the NDE was taking a proactive approach toward the future.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE
AGENDA ITEM G-11.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

12. State Public Charter School Authority - FY 2021

Addition of \$430,851 in federal Title IV-A grant funds transferred from the Nevada Department of Education to fund the Student Support and Academic Enrichment program. Requires Interim Finance approval since the amount added to the Federal Title IV-A 84.424-A category exceeds \$75,000. **Work Program #C51912**

Refer to motion for approval under Agenda Item G.

13. State Public Charter School Authority - FY 2021

Addition of \$627,557 in Victory School funds transferred from the Nevada Department of Education to pass through to sponsored schools to provide evidence-based practices to increase the achievement of pupils who live in poverty. Requires Interim Finance approval since the amount added to the Victory category exceeds \$75,000. **Work Program #C52044**

Refer to motion for approval under Agenda Item G.

14. State Public Charter School Authority - FY 2021

Addition of \$2,916,687 in federal Coronavirus Aid, Relief and Economic Security (CARES) Act funds transferred from the Nevada Department of Education to pass through to charter schools to provide financial support to sponsored schools in response to COVID-19. Requires Interim Finance approval since the amount added to the A.B. 3 State Cares Act category exceeds \$75,000. **Work Program #C52750**

Refer to motion for approval under Agenda Item G.

15. Department of Agriculture - Nutrition Education Programs - FY 2021

Addition of \$50,013 in federal Farm to School grant funds to support planning, developing and implementing farm to school programs that improve access to local foods in eligible schools. Requires Interim Finance approval since the amount added to the Farm to School category exceeds 10% of the legislatively approved amount for that category. **Work Program #C51604**

Refer to motion for approval under Agenda Item G.

- 16. Department of Agriculture - Nutrition Education Programs - FY 2021**
Addition of \$1,062,856 in federal Child Nutrition Program grant funds to support a Food Distribution Program module that will enhance the child nutrition software system currently in place. Requires Interim Finance approval since the amount added to the Information Services category exceeds \$75,000. **Work Program #C53014**

Refer to motion for approval under Agenda Item G.

- 17. Department of Agriculture - Commodity Foods Distribution Program - FY 2021**
Addition of \$292,201 in Direct Sales Processing fees to fund an increase in commodity food orders from school districts. Requires Interim Finance approval since the amount added to the Food Processing Program category exceeds \$75,000. **Work Program #C51958**

Refer to motion for approval under Agenda Item G.

- 18. Department of Business and Industry - Insurance Regulation - FY 2021**
Addition of \$93,060 in State Flexibility Grant funds to continue program activities. Requires Interim Finance approval since the amount added to the State Flexibility grant category exceeds \$75,000. **Work Program #C51493**

Refer to motion for approval under Agenda Item G.

- 19. Department of Business and Industry - Housing Division - Account for Low-Income Housing - FY 2021**
Addition of \$7,828,291 in federal Emergency Solutions Grant (ESG) Program funds to prevent, prepare for and respond to the coronavirus pandemic (COVID-19) among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19. Requires Interim Finance approval since the amount added to the ESG Cares Act category exceeds \$75,000. **Work Program #C51904**

Chair Carlton stated the Emergency Solutions Grant (ESG) Program would provide funds to individuals receiving homelessness assistance for a rental deposit and first month's rent. She said the program had generated considerable interest. She asked the agency to discuss the application process and program criteria.

Steve Aichroth, Administrator, Housing Division, B&I, replied that the overarching procedure was that the division would provide funds to the standard assistance providers, such as the Friends in Service Helping (FISH) program in Carson City, Winnemucca Domestic Violence Services, and Clark County Social Services. Individuals interested in the program would seek funding from those subgrantees. The agency anticipated there may be different and innovative solutions available through some non-traditional partners that may be able to obtain the funding.

Mr. Aichroth stated the funds could be used for rental deposit, first month's rent, rental assistance, rapid rehousing, and temporary residency in a hotel or motel. He said the homelessness assistance provisions were broad. He noted that the U.S. Department of Housing and Urban Development (HUD) extended certain waivers. Typically, ESG funding was limited to individuals at 30% area median income (AMI); however, HUD revised the definition of "at-risk homelessness," which revised eligibility to 50% AMI or below. Mr. Aichroth said the waivers allowed the division to provide funds directly to the public housing authorities.

Chair Carlton stated the funds would be directed to established division partners. She asked if the funds only applied to individuals impacted by COVID-19 or if the program was available to anyone at risk of homelessness.

Mr. Aichroth said HUD stated the funds were specifically intended for people impacted by COVID-19. More specifically, the funds were intended to be used to prevent, prepare for and respond to the coronavirus, and individuals and families who were homeless or receiving homelessness assistance, to support additional homelessness assistance and homelessness prevention activities to mitigate the impacts created by the coronavirus.

Chair Carlton said many individuals who were not impacted by the coronavirus were still at risk of homelessness. Those individuals still needed help, even if they were not impacted by COVID-19. Although the ESG funds were not available to them, she was hopeful it would free up other funds.

Chair Carlton asked if individuals under Section 8 who were also affected by COVID-19 would be able to apply for the funds.

Mr. Aichroth replied that a person receiving Section 8 assistance would not be eligible for ESG funds.

Assemblywoman Benitez-Thompson asked the agency to provide a list of subgrantees.

Mr. Aichroth asked if Assemblywoman Benitez-Thompson was referring to the division's traditional partners or partners receiving CRFs.

Assemblywoman Benitez-Thompson said she was uncertain which entities would be considered subgrantees for the program. She recalled that Mr. Aichroth had mentioned FISH and Winnemucca Domestic Violence Services; however, she did not think those entities would be in the first group of rental assistance subgrantees.

Mr. Aichroth replied that those entities could provide rental assistance if they chose to do so. For example, in Winnemucca, rental assistance funds were administered through the Nevada Rural Housing Authority (NRHA). He said rental assistance related to the CRFs was currently distributed through the NRHA. Other entities could potentially use the ESG funds for rental assistance purposes.

Assemblywoman Benitez-Thompson noted in the spring of 2020, \$2.0 million in settlement funds was provided to United Way in Northern and Southern Nevada. The second round of funding went through the housing authorities. She asked if the funding would be available through nonprofits and the housing authorities, or any entities that applied for the funds. Mr. Aichroth said the latter would be true.

SENATOR WOODHOUSE MOVED TO APPROVE AGENDA
ITEM G-19.

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

Chair Carlton disclosed that she worked for a nonprofit agency which often partnered with Clark County; however, she was uncertain whether Agenda Item G-19 would impact the county. Therefore, she would not abstain from the vote.

THE MOTION PASSED UNANIMOUSLY.

- 20. Governor's Office of Economic Development - Nevada Film Office - FY 2021**
Addition of \$148,635 in Coronavirus Aid, Relief and Economic Security (CARES) Act, Coronavirus Relief Funds (CRF) transferred from the CARES Act 2020 account to reimburse expenditures eligible under the federal guidelines. Requires Interim Finance approval since the amount added to the Reserve for Reversion - Non-General Fund Sources category exceeds \$75,000. **Work Program #C52904**

Agenda Items G-3, G-20 and G-64 were discussed jointly. Refer to testimony and motion for approval under Agenda Item G-64.

- 21. Governor's Office of Economic Development - Workforce Innovations for a New Nevada Account - FY 2021**
Addition of \$2,000,000 in transfer from Department of Employment, Training and Rehabilitation to fund ongoing workforce training programs. Requires Interim Finance approval since the amount added to the Grants to Authorized Providers category exceeds \$75,000. **Work Program #C52033**

Senator Kieckhefer stated the request was for \$2.0 million to be transferred from the Department of Employment, Training and Rehabilitation (DETR) to the Governor's Office of Economic Development (GOED) to maintain workforce development programming. He asked from which DETR division would the funds be transferred. He also asked if there were any changes to the permissible use of the funds due to the pandemic and knowing workforce needs had changed slightly since the budgets were originally approved.

Stacey Bostwick, GOED, stated the funds were from the federal Workplace Innovation and Opportunity Act grant. The funds did not come from the formula used to support displaced workers in obtaining new skills or to provide wraparound services.

Ms. Bostwick stated there was no modification in terms of use of the funds. The agency wanted to honor the process of how the Workforce Innovations for the New Nevada (WINN) fund was administered. In consideration of the shifts in the industry, GOED was mindful when providing support through other mechanisms while looking at capacity needs and emerging skills needs. She said, if anything, the need had grown.

Senator Kieckhefer asked when applicants must reapply for the next budget cycle. Ms. Bostwick replied that the WINN budget was established in the biennium; therefore, a reversion requirement was included. GOED worked with programs for up to two years. She said there was an open application process for WINN. As projects developed or needs arose, industry and training provider partnerships came together, and funds could be allocated as available. She noted that requests exceeding \$100,000 required approval by the GOED Board.

SENATOR KIECKHEFER MOVED TO APPROVE AGENDA
ITEM G-21.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

22. Department of Health and Human Services - Director's Office - Indigent Hospital Care - FY 2021

Transfer of \$5,862,331 from the Current Claims category to the County Reimbursements category and \$3,637,669 from the Reserve category to the County Reimbursements category to pay approved hospital claims and counties' long-term care obligations. Requires Interim Finance approval since the amount added to the Current Claims category exceeds \$75,000. **RELATES TO AGENDA ITEMS G.24 and 26. Work Program #C50014**

Agenda Items G-22, G-24 and G-26 were discussed jointly. Refer to testimony and motion for approval under Agenda Item G-26.

23. Department of Health and Human Services - Aging and Disability Services - Rural Regional Center - FY 2021

Addition of \$402,365 in federal Title XIX - Community Services grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #21FR3167**

Refer to motion for approval under Agenda Item G.

24. Department of Health and Human Services - Health Care Financing and Policy - Intergovernmental Transfer Program - FY 2021

Deletion of \$14,220,626 in the 1.5 Cent Ad Valorem Tax funds transferred from the Indigent Hospital Care account to reduce the Indigent Accident Fund supplemental payment. Requires Interim Finance approval since the amount deducted from the Transfer to BA 3243 - Medicaid category exceeds \$75,000. **RELATES TO AGENDA ITEMS G.22 and 26. Work Program #C50070**

Agenda Items G-22, G-24 and G-26 were discussed jointly. Refer to testimony and motion for approval under Agenda Item G-26.

25. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2021

Addition of \$40,000 in federal Money Follows the Person (MFP) grant re-balancing funds to support the provider database used by the division and the Aging and Disability Services Division. Requires Interim Finance approval since the cumulative amount added to the MFP Reinvestment category exceeds \$75,000. **Work Program #C52099**

Refer to motion for approval under Agenda Item G.

26. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2021

Addition of \$9,500,000 in Indigent Hospital Care funds transferred from the Director's Office, deletion of \$25,204,453 in federal Title XIX funds and deletion of \$14,220,626 in Transfer from Intergovernmental Transfer Account funds to support the Nevada Association of Counties Board approved hospital and county match obligations and reduce the Indigent Accident Fund supplemental payment. Requires Interim Finance approval since the amount added to the County Indigent Program category exceeds \$75,000. **RELATES TO AGENDA ITEMS G.22 and 24. Work Program #C50078**

Agenda Items G-22, G-24 and G-26 were discussed jointly.

Suzanne Bierman, Administrator, Division of Health Care Financing and Policy (DHCFP), DHHS, provided a high-level overview of the requests. The requests related to how Medicaid financed the non-federal share of supplemental payment programs, specifically those funded through the Indigent Accident Fund (IAF), which was created as a special revenue fund to assist counties with their obligation to provide medical care to indigent persons. The fund was administered by a board of trustees with some overlap between Medicaid and the DHHS Director's Office. Ms. Bierman said the work programs would allow the IAF and the Intergovernmental Transfer Program budgets to transfer the appropriate amount of funds to support supplemental payment programs and approved hospital and county match obligations.

Chair Carlton asked the agency to discuss feedback received from affected hospitals on the request to reduce the IAF supplemental payment program.

Chair Carlton also asked if the agency anticipated the requested reduction in IAF supplemental payments would result in access-to-care issues for Medicaid participants at hospitals.

Ms. Bierman replied that the agency broadly looked at access-to-care issues as the division updated its Access to Care Monitoring and Review Plan. She did not recall if aspects of that conversation related to the IAF supplemental payment program issue. However, as previously stated, the DHCFP had broadly looked at access-to-care issues and updated a report that was submitted to the Centers for Medicare and Medicaid Services (CMS) to go with the division's recently submitted State Plan Amendment. Ms. Bierman said the division was monitoring it closely to ensure that Nevadans were still able to access health care services.

Regarding access to care, Melissa Laufer-Lewis, Administrative Services Officer, DHCFP, DHHS, stated the agency had reviewed its Access to Care Monitoring and Review Plan. The division was not aware that supplemental payments had an impact on the plan requirements. She said the work programs before the Committee would create a change to the supplemental payment program.

Dagny Stapleton, Executive Director, Nevada Association of Counties (NACO), stated that NACO administered the IAF and staffed the board of trustees. Each year when the board decided how to allocate the funds, mainly to assist the counties with long-term care, the funds would then be leveraged for the supplemental payments to hospitals. Ms. Stapleton said discussions occurred with the hospitals prior to the board's decision on how to allocate the funds. At the board meeting, there was a robust discussion about the issue, and ultimately, the board reduced the amount of the allocation to the counties versus through the state to hospitals to reduce the impact on hospitals in 2020. She understood that the allocation was also critically important to the counties to help cover the costs associated with the Medicaid long-term care program, which included nursing homes, the most vulnerable facilities.

Senator Kieckhefer understood the supplemental payments were not used as part of the evaluation of access to care. He asked if that was because they were not included in the matrix or the formula.

Ms. Laufer-Lewis replied it was more on the actual fee schedules and rates by provider type as opposed to the state's individual supplemental payment programs.

Senator Kieckhefer understood the funds were not included in the formula used to evaluate access to care. Ms. Laufer-Lewis confirmed that was correct.

Chair Carlton stated that access to care was the baseline. She said the supplemental payment was anything in addition that would deal with outstanding costs to the hospitals. Ms. Laufer-Lewis confirmed that was correct.

Assemblywoman Neal asked about the \$5.0 million distribution to Clark County. It had been stated those funds could be leveraged. She asked for additional details regarding leveraging and how that would impact underserved populations in Clark County.

Ms. Stapleton replied the allocation would be distributed to Clark County and a separate allocation would be distributed to the University Medical Center.

Assemblywoman Neal asked how the \$5.0 million would be leveraged in Clark County.

Ms. Stapleton replied the funds would be used for the counties to pay the state match for the Medicaid program for long-term care. She said a portion of the funds would be leveraged by the state to pull down the federal match to fund the Medicaid long-term care program.

Assemblywoman Neal asked if the funds would go to Medicaid recipients who resided in long-term care facilities.

Ms. Stapleton replied the funds were used to support long-term care needs for individuals in nursing homes or home and community-based settings. She deferred to the DHCFP to provide further details to the Committee on what assistance the funds were used for.

Ms. Laufer-Lewis said the counties were responsible for the non-federal share of costs for indigent individuals residing in a nursing home or a home and community-based setting. The funds would support the non-federal share of those expenditures; however, it would not result in a payment directly to the patient.

Assemblywoman Neal said she was trying to determine the percentage increase and how much of that increase was tied to COVID-19 patients who were on Medicaid and resided in long-term care facilities. She understood that the elderly population was hit hard in recent months.

Assemblywoman Titus understood the division's request was not about access to care, but rather paying for care after it had been provided. Ms. Laufer-Lewis confirmed that was correct.

Assemblywoman Titus said the Indigent Hospital Care budget was different than the IAF. If someone were injured in one county and then transferred to a hospital in another county, and the individual was not currently a Medicaid recipient and had no personal funds, there needed to be an offset of the county's expenses. Sarah Lamb, Administrative, Services Officer, DHCFP, DHHS, confirmed that was correct.

Senator Spearman stated that the documentation was a snapshot in time. She asked what happened for those who had already accessed care in 2021 or would in the future. There were many people who would take time to recover from COVID-19. She described the issues of a veteran who was still recovering from the virus and noted others had similar issues but did not have access to care through the Veterans Administration.

Ms. Stapleton replied there was a growing need, because of COVID-19, for this type of care. An actuarial study had been conducted on the increased obligations of counties and the growth of need for care for that population. The study indicated the need had increased by approximately 5% a year and over 300% over 30 years. The program would help counties pay for their share.

Ms. Laufer-Lewis added that from a Medicaid perspective, the county indigent program would maintain and place individuals who met the requirements. However, individuals in need of long-term care but not part of the county indigent program would still receive medical care and their expenses would be covered as long as those expenses were deemed medically necessary and included in the Medicaid State Plan.

Senator Spearman reiterated that the data was only a snapshot in time. She asked if an actuarial template or formula was available. She stated that Nevada was 1 of 41 states going in the wrong direction for new COVID-19 cases. She asked what preparations were being made for FY 2021 and beyond for additional individuals who would need care going forward.

Ms. Laufer-Lewis said unfortunately, she did not currently have an answer. However, the agency was monitoring those expenses on a monthly basis and the division's agency request budget had just been submitted. There were major unknowns in the Medicaid budget and people may be ill longer due to COVID-19, which directly impacted the division's budget.

Ms. Stapleton added that according to the actuarial study, costs were projected to increase year over year. The county assessments for the program would serve current COVID-19 patients and those recovering from COVID-19. The costs to the counties in FY 2021 increased 45% from the same point in FY 2019, which was the reason the indigent fund was critical to counties. It helped them meet the need and cover costs.

Assemblywoman Benitez-Thompson commented that this was a good example of how the state leveraged funds and moved funds from one place to another to ensure continuity of care. She said the minutes of the recent board of trustees meeting revealed a challenging conversation because hospitals and counties were losing money. However, in the end it meant better resources for all. It provided the ability to move patients from acute hospital care to group homes and freed up acute beds for other patients.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO APPROVE AGENDA ITEMS G-22, G-24 AND G-26.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

27. Department of Health and Human Services - Aging and Disability Services - Home and Community-Based Services - FY 2021

Addition of \$706,312 in federal Elder Abuse Prevention Interventions grant funds to support the Adult Protective Services program of outreach, education, and collaboration regarding opioid misuse in older adults. Requires Interim Finance approval since the amount added to the Elder Abuse Prevention Interventions category exceeds \$75,000. **Work Program #C52177**

Refer to motion for approval under Agenda Item G.

28. Department of Health and Human Services - Aging and Disability Services - Home and Community-Based Services - FY 2021

Addition of \$39,214 in federal Medicaid Case Management grant funds, deletion of \$1,749,416 in federal Title XIX - Administration grant funds and deletion of \$677,193 in Transfers from the Department of Health and Human Services, Director Title XX/Homemaker/Elder Protective Service grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deleted from the Personnel Services category exceeds \$75,000. **Work Program #21FR3266**

Refer to motion for approval under Agenda Item G.

29. Department of Health and Human Services - Aging and Disability Services - Early Intervention Services - FY 2021

Deletion of \$102,459 in federal Medicaid Case Management grant funds and \$466,985 in federal Medicaid Administration Charges grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deducted from the Personnel Services category exceeds \$75,000. **Work Program #21FR3208**

Refer to motion for approval under Agenda Item G.

30. Department of Health and Human Services - Aging and Disability Services - Sierra Regional Center - FY 2021

Addition of \$1,036,877 in federal Title XIX - Community Services grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #21FR3280**

Refer to motion for approval under Agenda Item G.

31. Department of Health and Human Services - Aging and Disability Services - Desert Regional Center - FY 2021

Transfer of \$12,860 from the Personnel Services category to the Information Services category to fund the implementation of an electronic health record system for the Intermediate Care Facility. Requires Interim Finance approval since the cumulative amount transferred from the Personnel Services category exceeds \$75,000. **Work Program #C52168**

Refer to motion for approval under Agenda Item G.

32. Department of Health and Human Services - Aging and Disability Services - Desert Regional Center - FY 2021

Addition of \$5,270,789 in federal Title XIX - Intermediate Care Facility grant funds, deletion of \$14,924 in federal Title XIX - Community Services grant funds and deletion of \$51,346 in federal Medicaid Administration Charges grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #21FR3279**

Refer to motion for approval under Agenda Item G.

33. Department of Health and Human Services - Public and Behavioral Health - Health Statistics and Planning - FY 2021

Transfer of \$112,529 from the Reserve category to the Information Services category and \$11,591 from the Reserve category to the Division Cost Allocation category to fund a contract position for the Office of Vital Records. Requires Interim Finance approval since the amount added to the Information Services category exceeded \$75,000. **Work Program #C52963**

Refer to motion for approval under Agenda Item G.

34. Department of Health and Human Services - Public and Behavioral Health - Health Statistics and Planning - FY 2021

Transfer of \$171,808 from the Reserve category to the Operating category, \$3,230 from the Reserve category to the Social Security Administration (SSA) Contract category, and \$64,458 from the Reserve category to the Division Cost Allocation category to fund a projected shortfall for FY 2021. Requires Interim Finance approval since the amount added to the SSA Contract category exceeds \$75,000.

Work Program #C52978

Refer to motion for approval under Agenda Item G.

35. Department of Health and Human Services - Public and Behavioral Health - Biostatistics and Epidemiology - FY 2021

Addition of \$110,487 in federal Nevada Behavioral Risk Factor Surveillance System (BRFSS) grant funds and transfer of \$42,794 from the Epidemiology and Lab Capacity - COVID19 Component category to the BRFSS category to continue to provide data collection capacity and analysis capabilities. Requires Interim Finance approval since the amount added to the BRFSS category exceeds \$75,000. **Work Program #C52332**

Refer to motion for approval under Agenda Item G.

36. Department of Health and Human Services - Public and Behavioral Health - Chronic Disease - FY 2021

Addition of \$500,000 in federal WiseWoman grant funds to implement and evaluate evidence-based strategies designed to reduce the risk and complications of heart disease and stroke. Requires Interim Finance approval since the amount added to the WiseWoman category exceeded \$75,000. **Work Program #C52069**

Refer to motion for approval under Agenda Item G.

37. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2021

Transfer of \$1,680,516 from the Personnel Services category to the Professional Services category to continue services with contracted physicians and mid-level practitioners to meet the needs of clients. Requires Interim Finance approval since the amount transferred to the Professional Services category exceeds \$75,000. **Work Program #C51895**

Refer to motion for approval under Agenda Item G.

38. Department of Health and Human Services - Welfare and Supportive Services - Administration - FY 2021

Deletion of \$27,557 in federal Universal Energy Charge, \$315,311 in federal Food Stamp Program, \$140,780 in federal Child Support, \$342,330 in federal Temporary Assistance to Needy Families, \$27,557 in federal Low-Income Home Energy Assistance, \$77,316 in federal Child Care Development, \$305,556 in federal Title XIX, and \$29,496 in federal State Children's Health Insurance grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deleted from the Personnel Services category exceeds \$75,000. **Work Program #21FR3228**

Refer to motion for approval under Agenda Item G.

39. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2021

Addition of \$266,401 in federal Child Abuse Prevention and Treatment Act grant funds to provide ongoing statewide services to prevent, assess, identify, and treat child abuse and neglect. Requires Interim Finance approval since the amount added to the Child Abuse and Neglect category exceeds \$75,000. **Work Program #C50837**

Refer to motion for approval under Agenda Item G.

40. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2021

Transfer of \$27,390 from the Personnel Services category to the Temporary Contract Staffing category to contract with a temporary employee on a part-time as-needed basis through the end of the fiscal year. Requires Interim Finance approval since the cumulative amount transferred from the Personnel Services category exceeds \$75,000. **Work Program #C51125**

Refer to motion for approval under Agenda Item G.

41. Department of Health and Human Services - Child and Family Services - Information Services - FY 2021

Deletion of \$93,750 in federal Title IV-E grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deleted from the Unified Nevada Information Technology for Youth category exceeds \$75,000. **Work Program #21FR3143**

Refer to motion for approval under Agenda Item G.

42. Department of Health and Human Services - Child and Family Services - Rural Child Welfare - FY 2021

Deletion of \$88,035 in federal Title IV-E grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deleted from the Personnel Services category exceeds \$75,000. Refer to the discussion and motion to approve under Agenda Item G-1.

Work Program #21FR3229

Refer to motion for approval under Agenda Item G.

43. Department of Health and Human Services - Child and Family Services - Rural Child Welfare - FY 2021

Addition of \$303,453 in federal Title IV-B subpart 2 grant funds to continue the development of the Kinship Navigator program. Requires Interim Finance approval since the amount added to the Kinship Navigator category exceeds \$75,000.

Work Program #C52043

Refer to motion for approval under Agenda Item G.

44. Department of Health and Human Services - Child and Family Services - Juvenile Justice Services - FY 2021

Addition of \$117,718 in federal Prison Rape Elimination Act (PREA) grant funds to continue the development of a PREA risk screening tool. Requires Interim Finance approval since the amount added to the PREA Education grant category exceeds \$75,000. **Work Program #C51518**

Refer to motion for approval under Agenda Item G.

45. Department of Health and Human Services - Child and Family Services - Northern Nevada Child and Adolescent Services - FY 2021

Deletion of \$301,413 in Federal Medical Assistance Percentages funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deleted from the Personnel Services category exceeds \$75,000. **Work Program #21FR3281**

Refer to motion for approval under Agenda Item G.

46. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2021

Deletion of \$77,739 in Federal Medical Assistance Percentages funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deleted from the Personnel Services category exceeds \$75,000. **Work Program #21FR3646**

Refer to motion for approval under Agenda Item G.

47. Department of Employment, Training and Rehabilitation - Rehabilitation Division - Vocational Rehabilitation - FY 2021

Deletion of \$1,852,672 in federal Section 110 grant funding to align with the General Fund reductions pursuant to Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deducted from the Personnel Services category exceeds \$75,000. **Work Program #21FR3265**

Refer to motion for approval under Agenda Item G.

48. Department of Employment, Training and Rehabilitation - Rehabilitation Division - Services to Blind or Visually Impaired - FY 2021

Deletion of \$357,654 in federal Section 110 grant funding to align with the General Fund reductions pursuant to Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deducted in the Personnel Services category exceeds \$75,000. **Work Program #21FR3254**

Refer to motion for approval under Agenda Item G.

49. Department of Employment, Training and Rehabilitation - Employment Security - Special Fund - FY 2021

Transfer of \$111,154 from the Reserves category to establish the Legal and Court Costs category in order to pay court-ordered fees and administrative costs related to Special Master Services for Case Number CV20-00755. Requires Interim Finance approval since the amount transferred to the Legal and Court Costs category exceeds \$75,000. **Work Program #C52865**

Elisa Cafferata, Acting Director, DETR, explained that Agenda Item G-49 was to pay the Special Master fees for a hearing held in Washoe County. The amount requested would cover the Special Master fees and the court fees. She said the agency was first ordered to pay approximately \$65,000. Yesterday, however, DETR was ordered by the court to pay the balance of the Special Master's invoice for a total of \$111,154. Therefore, DETR was requesting authority to cover all the fees.

Assemblywoman Monroe-Moreno asked for the actual amount that DETR was ordered to pay. She asked if there were any adjustments for overstated fees on previous invoices or duplicate invoices.

Kitty DeSocio, Chief Financial Officer, DETR, said she did not have the documents available. However, she confirmed there was a discrepancy of \$2,700 between what should have been paid and what the court ordered the agency to pay. The amount in the work program was approximately \$111,000, but with the change, the amount was approximately \$108,000. Ms. DeSocio said she would review the documents upon receipt to ensure the invoices were not duplicative.

Assemblywoman Monroe-Moreno asked whether the court approved an amended invoice amount and to confirm the amount being requested for approval by the Committee.

Ms. Cafferata confirmed DETR was in conversations with the court to clarify the amount in the order. She did not believe that had been finalized. Based on the court order, DETR had to request the full authority. The agency believed it would be able to obtain the correct invoices and an updated order to reflect that, but DETR also needed authority to pay the amount currently demanded in the court order.

Sarah Coffman, Assembly Fiscal Analyst, Fiscal Analysis Division, LCB, clarified that staff found a duplicate invoice in the amount of \$2,638, which would revise the requested amount from \$111,154 to \$108,517.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE
AGENDA ITEM G-49 IN THE REVISED AMOUNT OF \$108,517.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Carlton stated that clarification was required on the motion for Agenda Item G-49.

Ms. Coffman explained that the Committee would need to rescind the initial motion and take a new vote for the correct amount of \$111,154.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO RESCIND
THE PREVIOUS MOTION FOR AGENDA ITEM G-49.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Assemblywoman
Benitez-Thompson was not present for the vote.)

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE
AGENDA ITEM G-49 IN THE REVISED AMOUNT OF \$111,154.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Assemblywoman
Benitez-Thompson was not present for the vote.)

50. Department of Public Safety - Director's Office - FY 2021

Addition of \$94,005 in sub-grant funding through the Nevada Office of Criminal Justice Assistance (OCJA) to provide staff with laptops, cell phones and personal protective equipment to allow staff to telework in response to the COVID-19 pandemic. Requires Interim Finance approval since the amount added to the OCJA grant category exceeds \$75,000. **Work Program #C52299**

Refer to motion for approval under Agenda Item G.

51. Department of Public Safety - Division of Parole and Probation - FY 2021

Addition of \$466,250 in federal Criminal Justice Assistance grant funds through a transfer from the State Office of Criminal Justice Assistance (OCJA) to assist the agency with mitigating the risk of COVID-19 transmission and maintain social distancing protocols among sworn community supervision officers and parolees/probationers. Requires Interim Finance approval since the amount added to the OCJA grant category exceeds \$75,000. **Work Program #C52506**

Refer to motion for approval under Agenda Item G.

52. Department of Public Safety - Division of Parole and Probation - FY 2021

Addition of \$36,731 in private grant fund from the Community Resource for Justice to develop a master training course to be used in scoring the Nevada Risk Assessment System (NRAS) and validate the division is able to accurately score the NRAS and to develop tracking enhancements for the division's Offender Management Database. Requires Interim Finance approval since the amount added to the Community Resource for Justice grant category exceeds 10% of the legislatively approved amount for that category. **Work Program #C52521**

Refer to motion for approval under Agenda Item G.

53. Department of Public Safety - Central Repository for Nevada Records of Criminal History - FY 2021

Transfer \$2,314,250 from the Reserve category to the Modernization Project category to continue funding for the ongoing development/update of the Nevada Criminal Justice Information System. Requires Interim Finance approval since the amount transferred to the Modernization Project category exceeds \$75,000. **Work Program #C51571**

Refer to motion for approval under Agenda Item G.

54. Department of Conservation and Natural Resources - Division of State Parks - FY 2021

Addition of \$100,000 in grant funds transferred from the Division of Environmental Protection (NDEP), Bureau of Water Quality Planning to fund a restoration project along the Walker River at the Walker River State Recreation Area. Requires Interim Finance approval since the amount added to the NDEP-Walker grant category exceeds \$75,000. **Work Program #C51794**

Refer to motion for approval under Agenda Item G.

55. Department of Conservation and Natural Resources - Division of State Parks - FY 2021

Addition of \$110,195 in Lake Tahoe license plate fees transferred from the Division of State Lands to support the construction of a visitor center at Spooner Lake State Park. Requires Interim Finance approval since the amount added to the Lake Tahoe License Grant-Spooner category exceeds \$75,000. **Work Program #C51785. WITHDRAWN 10-6-20.**

56. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2021

Transfer of \$246,600 from the NV Energy Agreement S.B. 508 category to the Personnel Services category to fund four new positions consisting of three Forester positions and one Management Analyst position to assist with projects to reduce the risk of wildfires in Nevada. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #C52287**

Kacey KC, Nevada State Forester and Firewarden, Division of Forestry (NDF), DCNR, explained the work program was a request to transfer funds from category 41 to category 1 to hire three Foresters who would be placed in Winnemucca, Washoe Valley, and Las Vegas to assist with projects for the NV Energy agreement and Senate Bill 508 (2019 Legislature). She said the division had tried to hire the positions through Manpower. Although considerable interest was shown, many individuals were not interested in leaving their jobs for Manpower jobs. Ms. KC said the division hoped to obtain a better pool of candidates with state-funded positions.

Ms. KC said the division was also requesting a Management Analyst position to ensure timely reporting with the additional grant funding in conjunction with existing grant funding to meet reporting requirements.

Assemblywoman Swank recalled conversations surrounding Manpower staffing. She recalled that the major problem was the inability to fill positions utilizing Manpower. She asked if that was the reason for the change in funding. Ms. KC confirmed that was correct.

Assemblywoman Swank requested that the agency continue to provide updates on staffing, expenditure of funding, etc. to the Committee. She thought that information was helpful for the Committee as well as the public.

Senator Goicoechea encouraged the agency to keep the Committee informed on the status of the NV Energy agreement.

Assemblywoman Titus recalled the program was in conjunction with NV Energy to clear land near electrical lines. Specifically, the project involved 621 miles of power lines creating over 2,079 acres of fuel breaks, rehabilitation of 1,800 acres with wildfire restoration treatments at a cost of \$3.6 million. She stated that was a fixed project. Assemblywoman Titus asked how the three new Forester positions would be utilized when the project was complete.

Ms. KC replied that the division indicated in the original request that additional staffing would be necessary; however, at the time, the division was uncertain exactly how the funds would be utilized.

Ms. KC said two projects had been completed. Phase 1 of the Mt. Charleston project, which included treatment of 33 acres, was complete. In addition, 10 acres had been treated in Steamboat. In addition, the division was currently working in Elko, Truckee Meadows, and Carson City, and implementing other projects. Ms. KC noted the three positions were necessary for the implementation process. Considerable work was involved in the planning of each project, including environmental and cultural clearances and development of a science-based program to ensure that the forestry work met standards and would not create a larger wildfire problem. Currently, the NDF only had three staff foresters to deal with all the projects, and they were overwhelmed with the workload. Ms. KC said the NV Energy agreement resulted in a \$10.0 million influx and multiple projects statewide; therefore, the NDF knew that staffing would need to be increased. The division had intended to obtain those staff through Manpower, but that was unsuccessful.

Ms. KC added that the division had multiple conversations with NV Energy. The division was aware that the positions would be eliminated after the projects were complete. However, it was the division's intent to continue the NV Energy contract into the future; therefore, the NDF was hopeful that staff could be kept on through the collaboration with NV Energy. Ms. KC said it was imperative to have foresters to guide the work involved with maintaining the division's responsibilities.

Assemblywoman Titus understood the division was asking to double the number of staff. She noted that the NDF had already completed a number of projects and asked about ongoing maintenance for those projects.

Ms. KC replied of the currently completed projects, Phase 1 of the Mt. Charleston project was run by NV Energy. The division provided staff on the ground, but not the expertise or knowledge for project planning. While NV Energy did not have the staff either, the two entities had collaborated to complete the important project in a timely manner. Ms. KC said the ten-acre project in Steamboat was handled by other NDF staff; however, large plans were not required for that project as there

was for new project areas. She said the new positions would assist with those project areas. Ms. KC said the division had a lot of ongoing work going on the Sierra front; therefore, it would be helpful to have a new position to assist with additional projects. She said the NDF had to provide guidance to the fire protection districts that were receiving an influx of funds to perform work within their jurisdictions. The fire protection districts did not have forestry technical staff to help guide that work on the ground.

Continuing, Ms. KC said the division had completed 43 acres to date. Everything else was in the planning phase. Some tasks had been subgranted, but the additional foresters would be necessary to ensure the work was completed. The NDF did not have staff foresters in the Las Vegas and Winnemucca areas, so the work the conservation camps were doing was often not aligned with the division's mission. Ms. KC said the division was trying to ensure that all the projects were implemented in the high-risk areas while spreading the workload between the existing foresters.

Ms. KC said work in ecosystems was never permanent. Maintenance in high timber areas was ongoing and took significantly longer. Also, brush clearing to remove invasive cheatgrass and brome grass was ongoing. Ms. KC stated that maintenance projects varied in length from annually to every ten years.

Ms. KC noted that NV Energy was required to perform maintenance at all its rights-of-way. In all the areas where expanded fuel breaks were being installed, the division would be required to maintain those areas in the future as was the case with other projects. She said it was dependent on land ownership. The division was currently working across federal, state and private lands, so it was necessary to obtain the appropriate entry requirements. All of that was in addition to the other work performed by the foresters.

ASSEMBLYWOMAN SWANK MOVED TO APPROVE AGENDA
ITEM G-56.

SENATOR GOICOECHEA SECONDED THE MOTION.

Assemblywoman Titus stated she could not support the motion. She did not think there was adequate justification for three additional staff. She thought the funds should be used in a different manner.

THE MOTION PASSED. (Assemblyman Kramer and
Assemblywoman Titus opposed the motion.)

Chair Carlton called a recess at 11:53 a.m. The meeting reconvened at 12:18 p.m.

57. Department of Conservation and Natural Resources - Division of State Lands - FY 2021

Addition of \$47,158 in federal U.S. Department of Energy (DOE) grant funds transferred from the Division of Environmental Protection to allow the Division of State Lands to support activities related to the Nevada Test Site. Requires Interim Finance approval since the amount added to the DOE Staff Costs category exceeds 10% of the legislatively approved amount for that category. **Work Program #C52057**

Refer to motion for approval under Agenda Item G.

58. Department of Conservation and Natural Resources - Nevada Natural Heritage - FY 2021

Transfer of \$38,514 from the Reserve category to the NatureServe Projects category to continue data collection and storage. Requires Interim Finance approval since the amount added to the NatureServe Projects category exceeds 10% of the legislatively approved amount for that category. **Work Program #C52268**

Refer to motion for approval under Agenda Item G.

59. Department of Wildlife - Conservation Education - FY 2021

Addition of \$50,000 in License Plate fees transferred from the Wildlife Fund Account to support wildlife education and volunteer activities. Requires Interim Finance approval since the amount added to the License Plate Wildlife Education category exceeds 10% of the legislatively approved amount for that category. **Work Program #C52093**

Refer to motion for approval under Agenda Item G.

60. Office of the Military - FY 2021

Deletion of \$1,212,984 in federal Department of Defense grant funds to align with the General Fund appropriation reduction in Assembly Bill 3 from the 2020 31st Special Session. Requires Interim Finance approval since the amount deducted from the Personnel Services category exceeds \$75,000. **Work Program #C52894**

Refer to motion for approval under Agenda Item G.

61. Public Employees Benefits Program - FY 2021

Transfer of \$11,424,394 from the Reserve category to the State Retiree Insurance Cost category to support state retiree insurance claim costs. Requires Interim Finance approval since the amount transferred to the State Retiree Insurance Cost category exceeds \$75,000. **Work Program #C52076**

Refer to motion for approval under Agenda Item G.

62. Department of Sentencing Policy - FY 2021

Addition of \$45,208 in federal Bureau of Justice Assistance grant authority to fund one Staff Attorney position through February 2021. Requires Interim Finance approval since the amount added to the Justice Assistance grant category exceeds 10% of the legislatively approved amount for that category. **Work Program #C52227**

Refer to motion for approval under Agenda Item G.

63. Office of the Governor - State Energy Office - Renewable Energy Account - FY 2021

Addition of \$1,743,640 in Volkswagen Settlement funds and transfer of \$558,788 from the Reserve category to the Electric Highway Project category to fund electric vehicle charging infrastructure within Nevada. Requires Interim Finance approval since the amount added to the Electric Highway Project category exceeds \$75,000. **Work Program #C53101. RECEIVED AFTER SUBMITTAL DEADLINE, 10-1-20.**

Refer to motion for approval under Agenda Item G.

64. Coronavirus Relief Funds Work Programs - FY 2021

#	FY	WP #	Division	BA	Budget Account Description
1.	2021	21CA1325	015	1325	Office of the Governor - Governor's Office of Finance - SMART 21
2.	2021	C53133	060	1130	Controller's Office
3.	2021	21CA1349	082	1349	Administration – SPWD – Buildings and Grounds
4.	2021	21CA2361	130	2361	Department of Taxation
5.	2021	21CA4207	270	4207	Cannabis Compliance Board
6.	2021	21CA4061	611	4061	Gaming Control Board
7.	2021	21CA3922	751	3922	B&I – Nevada Transportation Services Authority
8.	2021	21CA3813	741	3813	B&I – Insurance Regulation
9.	2021	21CA3151	402	3151	DHHS – Aging and Disability Services – Federal Programs and Admin
10.	2021	21CA3223	406	3223	DHHS – Department of Public and Behavioral Health – Office of Health Administration
11.	2021	21CA3648	406	3648	DHHS – Department of Public and Behavioral Health – Rural Clinic
12.	2021	21CA3645	406	3645	DHHS – Department of Public and Behavioral Health – Facility for the Mental Offender
13.	2021	21CA3228	407	3228	DHHS – Department of Welfare and Supportive Services – Administration – Revised – 10-7-20
14.	2021	21CA3706	440	3706	Department of Corrections – Prison Medical Care
15.	2021	21CA4735	810	4735	DMV – Field Services
16.	2021	21CA4706	650	4706	DPS – Director's Office
17.	2021	21CA4738	650	4738	DPS – Dignitary Protection
18.	2021	21CA4713	651	4713	DPS – Nevada Highway Patrol
19.	2021	21CA4709	655	4709	DPS – Central Repository for Nevada Records of Criminal History
20.	2021	21CA4460	702	4460	Department of Wildlife – Director's Office
21.	2021	21CA4461	702	4461	Department of Wildlife – Data and Technology Services
22.	2021	21CA3650	431	3650	Office of the Military
23.	2021	21CA1400	960	1400	Silver State Health Insurance Exchange – Administration

Agenda Items G-3, G-20 and G-64 were discussed jointly.

Susan Brown, Director, Governor's Finance Office (GFO) provided a high-level overview of Agenda Items G-3, G-20 and G-64. She said the work programs related to the cost of protecting the health and safety of all Nevadans, including state employees. The requests included sanitation, personal protective equipment (PPE) and operational requirements to improve telework capabilities as well as social distancing within the workplace for state employees and visitors to state agencies.

Assemblyman Frierson recalled the anticipated expenditures related to Coronavirus Relief Fund (CRFs) reimbursements to state agencies was approximately \$120.0 million. It appeared that the current requests totaled approximately \$6.0 million. He remarked that it was almost November and only \$6.0 million of the \$120.0 million had been expended to date. Assemblyman Frierson asked if there was a revised estimate for state agency reimbursements or an alternative plan to utilize the remainder of the CRFs.

Ms. Brown replied that the current requests did not include positions that had been determined to be substantially dedicated to COVID-19 response efforts. For example, early in the process it was decided Nevada Highway Patrol salaries would be paid with CRFs for the first six months of the year through December 30, 2020. In addition, the funds would also be used to pay the salaries for other police officers, health care professionals, and some Division of Welfare and Supportive Services employees during that same time period. She said total reimbursement for those costs was approximately \$89.0 million. Ms. Brown noted that the GFO was working with those agencies to refine the numbers. She also noted the September 2, 2020, U.S. Department of the Treasury (Treasury) guidelines expanded the positions that were eligible for reimbursement, which would potentially add another \$70.0 million, thereby exceeding the \$120.0 million that was set aside for that purpose. Ms. Brown said the GFO still projected \$120.0 million in total reimbursements.

Assemblyman Frierson asked how the additional \$70.0 million would be funded.

Ms. Brown replied that the amounts she referenced were based on all positions being filled and operating July 1, 2020, through December 30, 2020; however, vacancies and turnovers existed within those positions. Additionally, the GFO had not received full calculations for the expended position titles. Ms. Brown said the GFO was working within the available funding, and additional CRFs may become available. She said those decisions would be made during the process and would determine how much money would be available for reimbursements.

Assemblyman Frierson asked if there was more than \$120.0 million in expenses, which meant the state would need to determine which costs to reimburse.

Ms. Brown confirmed that was correct. She added that the GFO was working with the agencies to fine tune the figures. The GFO expected there would be another batch of work programs presented at the December 2020 IFC meeting that would contain clarity for the costs around the first of the month.

Referring to Agenda Item G-64, Assemblywoman Neal asked what function of the Cannabis Compliance Board qualified the agency for reimbursement from the CRF.

Ms. Brown replied that the request from the Cannabis Compliance Board was largely for computer equipment for telework purposes, PPE, and deep cleaning of a building due to exposure to the coronavirus.

Senator Kieckhefer asked what amount of General Funds would become available now that the state had received \$120.0 million in CRFs.

Ms. Brown replied that she did not have that information available; however, she would provide the information to the Committee.

Senator Kieckhefer asked about the use of CRFs for administrative leave. He was aware that Governor Sisolak had authorized up to 15 weeks of paid administrative leave for state employees for distance learning accommodations. He noted that was equivalent to an entire school semester. He asked if individuals were taking advantage of the paid administrative leave and whether the CRFs would be used to backfill those costs.

Lesley Mohlenkamp, Executive Branch Budget Officer, GFO, stated that the GFO generated a report concerning the use of administrative leave. It was determined that one of the greatest uses of administrative leave to date related to employees who were at high risk of contracting the virus. Intertwined with that were office closures and anything related to a potential COVID-19 exposure. She stated that coding in the system identified that distance learning was last on the list in terms of purposes for administrative leave.

Senator Kieckhefer asked how many hours of administrative leave had been captured in each of the categories.

Ms. Mohlenkamp replied that the latest report was about one month old. She said she would provide an updated report to the Committee.

Senator Kieckhefer thought that the 15 weeks of paid administrative leave was specifically for parents with school-aged children. He said he was interested to know if the administrative leave was being utilized. In addition, he said it would be helpful if the report were broken down by department to see if there were areas of high need outside of essential employees. He said there was a lot of work that needed to be done in the state and it could be detrimental to have employees on administrative leave for the equivalent of a school semester.

Chair Carlton said it was important to find ways to retain good employees.

Assemblywoman Titus referred to Senator Kieckhefer's question regarding the amount of General Funds that could be freed up due to the CRFs. She hoped the information would be provided to the Committee as soon as possible.

Chair Carlton said she had similar concerns. She asked the GFO to provide the information to the Committee as soon as possible with the understanding that many staff were currently performing the work of two or three staff.

Assemblywoman Swank asked for confirmation that the administrative leave was available to all state employees, not just those with school-aged children.

Ms. Mohlenkamp confirmed that the 15 weeks of paid administrative leave was available to all state employees; however, it was limited to certain uses. Those uses included sick leave due to COVID-19; high-risk employees who did not have the ability to telework; potential exposure to COVID-19; and school or day care closures without the ability to telework.

Senator Kieckhefer asked if the total amount of administrative leave was equal across all four categories.

Ms. Mohlenkamp replied that the framework was modeled after the changes that occurred in the federal act that expanded the Family Medical Leave Act. Each category had a different allowance. Part of the review by the GFO was to ensure each of the categories were adhered to appropriately. For example, if someone claimed administrative leave for school closures, they would receive up to 15 weeks of authorized leave. She noted that was modeled after federal legislation. The other areas, such as a quarantine event, was limited to 80 hours. If an employee took more than 80 hours related to a quarantine event, the GFO reached out to the agency to confirm that the use was for multiple COVID-19 related events. Those events were documented to provide justification to the Treasury regarding the allowance, indicating it met the federal act and its intent.

Laura Freed, Director, Department of Administration, explained the state's policy on the use of paid administrative leave was outlined in *Nevada Administrative Code* (NAC) 284.589. Prior to the pandemic, any department could grant paid administrative leave due to the closure of the employee's office or worksite caused by a pandemic, as well as a school or day care center attended by the employee's dependent child as the result of a pandemic. Ms. Freed said that policy was limiting; therefore, the Department of Administration issued an emergency regulation to amend NAC 284.589 to expand the authority to agencies to grant paid administrative leave under certain circumstances. The new language, adopted by the Personnel Commission in June 2020 stated:

To the extent not already covered in NAC 284.589 that was preexisting, during any period in which a state of emergency or declaration of a disaster has been proclaimed pursuant to *Nevada Revised Statutes* (NRS) 414.070, an appointing authority may grant administrative leave with pay to an employee for purposes related to health and safety.

Ms. Freed stated that was the first action taken by the Department of Administration. Subsequently, in late August 2020, the Department of Administration issued another guidance memo related to distance learning and day care. She noted that all memos related to the COVID-19 pandemic were available on the department's website (<https://admin.nv.gov/Policy-Directives/>). Ms. Freed said the August memo stated that

telework was encouraged when feasible for both essential and non-essential employees. She stated that paid administrative leave was authorized for a maximum hourly equivalent up to 15 weeks for distance learning and child care purposes for non-essential employees only. The definition of a non-essential employee mirrored the federal Families First Coronavirus Relief Act definition to distinguish between essential and non-essential employees. She noted that department heads were responsible for determining which employees were essential and non-essential staff.

Referring to Ms. Mohlenkamp's previous comments regarding paid administrative leave for COVID-19 illness, testing, quarantine, etc., Ms. Freed stated that the provision was 80 hours of leave per episode. For example, if an employee was infected with the coronavirus, they would take paid administrative leave, and that episode was coded as COVID-19 until the employee was released from isolation by a health authority. The other staff who were exposed to that individual were provided administrative leave to be tested for COVID-19. Employees who tested negative could return to work.

ASSEMBLYMAN FRIERSON MOVED TO APPROVE AGENDA ITEMS G-3, G-20 AND G-64.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

RECLASSIFICATIONS

Refer to motion for approval under Agenda Item G.

AGENCY	AGENCY/ ACCOUNT NUMBER	POSITION NUMBER	PRESENT CLASS, CODE, GRADE and SALARY	PROPOSED CLASS, CODE, GRADE and SALARY
Department of Employment, Training and Rehabilitation	902/4773	1002	Legal Research Assistant 1 Code:7.750 Grade: 33/01 Employee/Employer Paid Retirement \$47,188.80	Legal Secretary 2 Code:2.153 Grade:29/01 Employee/Employer Paid Retirement \$39,943.44
Department of Employment, Training and Rehabilitation	908/3272	0130	Administrative Assistant 2 Code:2.212 Grade: 25/01 Employee/Employer Paid Retirement \$33,971.76	Personnel Technician 1 Code:7.536 Grade:25/01 Employee/Employer Paid Retirement \$33,971.76
Department of Public Safety	651/4713	0242,0530 and 0718	DPS Officer 2 Code:13.206 Grade: 39 Employee/Employer Paid Retirement \$61,011.36	Background Investigator/Polygraph Examiner Code:11.299 Grade:35 Employee/Employer Paid Retirement \$51,281.28
Department of Conservations and Natural Resources	709/3186	0558	Accounting Assistant 2 Code:2.212 Grade:25/04 Employee/Employer Paid Retirement \$38,314.80	Engineering Tech 4 Code:6.308 Grade:33/07 Employee/Employer Paid Retirement \$61,011.36

H. STATEMENT OF CONTINGENCY ACCOUNT BALANCE.

Sarah Coffman, Assembly Fiscal Analyst, Fiscal Analysis Division, LCB, referred to the Statement of Contingency Account Balance located on page 331 in Volume II of the meeting packet (Exhibit B). The balance of the unrestricted General Fund was \$18,030,232.79. A total of \$11,284,788 in requests were before the Committee. If all items were approved, the ending fund balance for the unrestricted General Fund would be \$6,745,452.79. The current balance of the unrestricted Highway Fund was \$1,638,068.35 with no requests before the Committee. Ms. Coffman stated there was one request from the restricted Contingency Account for the suppression of forest fires. The current balance of the restricted Contingency Account was \$15,926,038. If the request for \$1,352,387 was approved, the balance would be reduced to \$14,573,651.

I. REQUESTS FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO NRS 353.268 (Note: IFC may approve a different amount for an allocation than the amount requested).

1. Office of the Treasurer – Request for an allocation of \$16,949 to replenish the Account for Pensions for Silicosis, Diseases Related to Asbestos and Other Disabilities created by NRS 617.1675.

There was no discussion on this item.

SENATOR WOODHOUSE MOVED TO APPROVE AGENDA
ITEM I-1.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Assemblywoman
Benitez-Thompson was not present for the vote.)

2. Department of Education – Request for an allocation of \$428,800 to replenish the Contingency Account for Special Education Services created by NRS 388.5243.

There was no discussion on this item.

SENATOR WOODHOUSE MOVED TO APPROVE AGENDA
ITEM I-2.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Assemblywoman
Benitez-Thompson was not present for the vote.)

3. Department of Corrections – Request for an allocation of \$10,491,564 to provide treatment to patients infected with the Hepatitis C Virus.

Agenda Item I-3 and Agenda Item N-11a were discussed jointly.

Chair Carlton stated that the Committee would begin with Agenda Item N-11a and then move to Agenda Item I-3.

Susan Brown, Director, GFO, read the following statement from the Office of the Governor regarding Ely Conservation Camp (ECC).

The Governor's Office shares your concerns over the lack of notification from the Nevada Department of Corrections on the temporary closure of the Ely Conservation Camp. Upon notification to this office, we immediately made it abundantly clear to the Corrections' Director that we must be consulted in advance of a decision being made regarding major program changes, especially those which impact constituents and other state agencies. On September 23, 2020, the Governor requested a full report on Corrections' plan to reopen the camp in the next 60 days. We continue to work with the agency to reach that goal. We have also made it clear that any further discussion or proposals from the agency regarding the future of the conservation camp must go through the appropriate process and full consideration of the Governor and the Legislature.

Chair Carlton noted that Fiscal staff had only learned of the ECC closure in the process of working with the Nevada Department of Corrections (NDOC) on issues related to recruitment and retention of correctional officers.

Chair Carlton asked Charles Daniels, Director, NDOC, to cite the statutory authority or regulatory authority the NDOC used to close the ECC.

Charles Daniels, Director, NDOC, stated that the ECC was only closed temporarily. The department intended to reopen the camp as soon as it was safe to do so. He added that the NDOC had reached out to constituency groups to make them aware of the temporary closure. Mr. Daniels stated that he wrote a letter to the White Pine County Commission explaining what had transpired and that the action was for the safety of staff and inmates.

Mr. Daniels stated that the state's maximum-security prison was located Ely, which was in a remote part of Nevada. He stated that the NDOC had struggled to recruit and retain staff in the Ely area despite concerted efforts.

Mr. Daniels said two events occurred that contributed to the closure of the ECC. On July 9, 2020, an incident occurred at the camp during which five inmates attacked and stabbed another inmate, who had to be removed via life flight.

Mr. Daniels noted that minimal staff were available to address the incident. He said the safety of staff was compromised because of the remote location.

Continuing, Mr. Daniels said, at the same time, the department was experiencing significant staffing pressures at Ely State Prison (ESP). He noted that staffing at a maximum-security prison required much greater staffing levels than at other incarceration levels. Mr. Daniels said he received an urgent message from the warden at the ESP indicating that staffing levels were too low to effectively manage the facility. In addition, the warden was uncertain whether there was adequate staff to effectively respond to an emergency. Consequently, Mr. Daniels decided to transfer ECC inmates to other facilities and utilize the nine ECC staff at the ESP.

Mr. Daniels noted that under the eighth amendment of the United States Constitution, he had a duty and obligation to maintain inmates in safe and humane conditions. He said he could not allow a warden and staff to remain in a facility without adequate staffing levels. Therefore, Mr. Daniels said he made an emergent decision to address the issue.

Mr. Daniels said his goal was to open the ECC as soon as adequate staff could be hired. A proposal had been submitted to change the security level at the ESP to medium security and move maximum and close-custody inmates to High Desert State Prison (HDSP). That would allow the department to maintain a lower staffing level at the ESP and the ability to reopen the ECC. He said the ESP could not be manned as a maximum-security and close-custody facility as staffing pressures would only continue.

Mr. Daniels said his goal was to appropriately administer the department's mission. He reiterated that he made an emergent decision to protect the safety of staff and inmates, and no other options were available.

Continuing, Mr. Daniels said after he and his Deputy Director moved forward with the decision, they reached out to the Nevada Division of Forestry (NDF) and White Pine County. In addition, the ESP warden reached out to various individuals.

Mr. Daniels stated that on September 23, 2020, he was instructed by the Office of the Governor to submit a plan for reopening the ECC, which was submitted on September 25, 2020.

Mr. Daniels said he felt he acted satisfactorily during a situation in which the department was under duress. He stated the authority for his actions was located in NRS 209.131. He believed he acted within the scope of that authority, in a prudent and professional way, and in a manner consistent with what the citizens of Nevada should expect of the NDOC Director. He said he was responsible for inmates, and he proudly led and cared for his staff.

Chair Carlton stated that the Legislature always wanted to ensure the safety of staff and inmates. The main concern was the department's lack of communication. She recalled that when she first met with Mr. Daniels upon his arrival to Nevada, that was one of the issues that was discussed. She added that she had a responsibility to ensure funds allocated in the Appropriations Act were spent appropriately and within the budget to which the funds were allocated. Chair Carlton said she was certain that anyone in state leadership would have been more than willing to work with the NDOC to address the emergency.

Chair Carlton said, the fact that the closure of the ECC was discovered by Fiscal staff led to many more questions about the funds that were appropriated to the ECC. She indicated that the Governor's Office would share the department's plan with the Legislature. Chair Carlton noted that Mr. Daniels had notified White Pine County of the ECC closure; she was dismayed that the Legislature was not also notified.

Chair Carlton asked if the funding that was diverted from the ECC would be returned to the camp when it reopened or if the funds were used at the ESP to cover the costs of the ECC staff who were transferred.

John Borrowman, Deputy Director of Support Services, NDOC, said that in the past the department was provided the latitude to reassign personnel as needed on a temporary basis. When the decision was made to temporarily close the ECC and transfer the staff to the ESP, the timeframe of the reassignments was unknown. He said the NDOC was optimistic that it would be able to reopen the ECC.

Mr. Borrowman said, when the ECC was closed, the inmates were transferred to other conservation camps and the ESP. Currently, all expenditures related to those inmates were covered with funds allocated to the targeted locations. For example, some inmates were transferred to Wells Conservation Camp (WCC) and the expenditures for those inmates were funded through the WCC budget. Mr. Borrowman stated that no funds had been transferred out the ECC budget to date. The funds remained preserved in anticipation of reopening the camp.

Mr. Borrowman said, in terms of the acquisition of goods, such as food, the ECC had purchased supplies that were being stored in the camp's warehouse. He said those purchases were made in FY 2020 and FY 2021. He noted that the goods were perishable and had to be used before they expired. From the perspective of the ESP, the institution had to purchase food. Rather than purchasing it from one of the department's vendors, the ESP purchased food from the ECC, which was represented as a reduction to expenditures in category 50 of the ECC budget. Mr. Borrowman stated that none of the authority had been transferred or spent inappropriately. If the department reopened the ECC and the inmates were transferred back to the camp, the ECC would have to restore all the perishable food items to provide culinary

services to the inmates. He stated that none of the financials between budget accounts had been compromised.

Chair Carlton stated that she was informed by staff that expenditure authority was transferred to the ESP. She asked why the department did not submit a work program to transfer that authority. She said the discrepancy must be addressed.

Chair Carlton asked if a date had been set for the reopening of the ECC.

Mr. Daniels replied that a reopening date had not been set because reopening was contingent upon having sufficient staff for the ESP. Currently, there was not enough staff to maintain the ESP without the utilization of the ECC staff. He said there was a lot of planning involved and the department had submitted a reopening plan to the Governor's Office for review.

Mr. Daniels noted there had been other occasions when he had to move staff from other NDOC institutions to assist at the ESP due to low staffing levels. On those occasions, he chose to manage the situation by temporarily reassigning staff; however, after the stabbing at the ECC, he realized there were too many opportunities in which horrible things could occur. Therefore, Mr. Daniels said he chose to close the camp and move the ECC staff to the ESP. Those staff would be returned to the ECC when more staff was available for the ESP or if the security level of the ESP changed, thereby reducing the staffing requirements.

Mr. Daniels said he was seeking approval of the plan by the Governor's Office. He understood he was a servant of the Governor and the citizens of Nevada.

Mr. Daniels stated he was comfortable with his decision and thought other directors would have acted accordingly. He understood his level of authority; however, he had a duty and a responsibility, which led him to make his decision. Mr. Daniels stated that the situation would be rectified.

Chair Carlton said she understood that Mr. Daniels had a responsibility; however, the Committee also had a responsibility to ask the necessary questions. She reiterated that communication was key, and there was a distinct lack of communication surrounding the issue, which was concerning for the Committee.

Senator Woodhouse asked the agency to provide a more detailed answer concerning the status of the department's recruitment and retention efforts, especially at the ESP. She understood that recruitment and retention efforts were challenging, but it was an issue that needed to be addressed. She asked how many housing units had been closed at the ESP due to staffing shortages.

Harold Wickham, Deputy Director of Operations, NDOC, stated that four units were currently closed at the ESP. One was closed for a maintenance project. The others housing units were closed because the NDOC had relocated offenders to other facilities where they were appropriately housed based on their classification.

Senator Woodhouse restated her question regarding recruitment and retention efforts. She asked the agency to provide details on current recruitment efforts.

Christina Leathers, Chief of Human Resources, NDOC, replied that recruitment and retention efforts were ongoing. However, due to the lack of affordable housing and access to shopping, the department was struggling to recruit and retain staff at the ESP, ECC, Pioche Conservation Camp and other rural facilities. She said the department continued to utilize Indeed.com for recruitment needs. In addition, the NDOC had partnered with the Nevada Department of Veterans Services to send notifications to individuals leaving military service who had identified they would be moving to Nevada. She stated that the NDOC had increased social media efforts and had also partnered with Southern Utah University.

Senator Woodhouse encouraged NDOC staff to continue current recruitment efforts, but also seek new recruitment opportunities.

Assemblyman Frierson asked Mr. Daniels to repeat the NRS he had cited that gave him authority for his recent decisions. Mr. Daniels replied that he had referenced NRS 209.131, subsection 7.

Assemblyman Frierson stated that no one questioned the need to ensure the safety of staff and inmates. He said two special legislative sessions had held during which the issue could have been addressed. In addition, the issue could have been addressed through an emergency IFC meeting.

Assemblyman Frierson said he did not agree that the statute cited by Mr. Daniels provided blanket authority to spend money in a way that was inconsistent with the Legislature's intent. He said the process was in place because the Legislature allocated funds with the expectation that those funds would be expended in the intended way and in a transparent manner. He remarked that the Committee only became aware of the situation by accident.

Assemblyman Frierson stated that although the department's actions were not ill intended, he did not believe the agency's actions were proper. He said he supported safe conditions for staff and inmates; however, there was an appropriate process by which an agency could obtain permission to use funds in a manner different than the Legislature intended. He said the NDOC had not followed the process.

Assemblyman Frierson said he hoped that in the future the agency would appreciate how easy it was to have an emergency measure considered by the IFC. He said legislators were elected by voters who expected them to be accountable, transparent and ensure decisions made by the Legislature were adhered to. He thought the Committee was deprived of that opportunity despite ample opportunities to do so. Assemblyman Frierson understood the need to make an emergency decision, but the fact that it was not brought before the IFC was concerning.

Assemblyman Frierson said he asked for the statute because he intended to research how that statute related to funds that were allocated by the Legislature. He hoped that in the future the department would use the correct avenue to address issues such as the one currently under discussion.

Assemblyman Frierson noted that decisions made without the proper authority led to repeat actions in the future. He said there were staffing issues throughout the state, and the state, as a whole, was underfunded. If every state agency closed offices due to a lack of staff, it would be problematic. He stressed the importance of communication so that informed decisions could be made.

Assemblyman Frierson understood that the ECC funds remained unused. He indicated that the ECC positions were being paid through the camp's budget; however, it appeared those positions were now located at the ESP, which indicated that the funds were being used for a purpose other than the ECC.

Chair Carlton clarified for the agency that the question was whether authority had been transferred from the ECC to the ESP. She stated that Fiscal staff was under the impression the authority had been transferred.

Mr. Borrowman responded that the only way authority could be transferred between budget accounts was through a work program, and no such work program had been requested. The NDOC considered the closure of the ECC a temporary situation; however, it had lasted longer than anticipated. He stated that the department had preserved all the expenditure authority in the ECC budget for the inmates assigned to that camp.

Mr. Borrowman said the expenditure from category 50, as previously explained, was not a transfer of authority. The department liquidated assets in the ECC warehouse that were going to spoil. In doing so, a financial transaction occurred in which the ESP purchased those assets from the ECC. He said that showed up as a reduction of expenditure, because the funds were not spent on ECC inmates. Instead, it was an asset that the ECC did not technically have to purchase, because there were no inmates to feed.

Mr. Borrowman offered to meet with Fiscal staff to discuss the matter. He stated that nothing suspicious had occurred. The agency provided answers to staff questions. Mr. Borrowman said it was important that everyone understood exactly how the assets were flowing through Ely. He said the only asset that had been transferred to date was the food from the ECC warehouse.

Chair Carlton said it was her understanding that more than \$25,000 was transferred from the ECC Inmate Drivens category to the ESP budget through journal vouchers (JV). That meant the money was transferred without authority from the IFC.

Mr. Borrowman replied that a JV was used by the ESP to purchase food from the ECC.

Chair Carlton stated that the transfer of assets was done outside the work program process.

Mr. Borrowman said that was incorrect. He said the NDOC often transferred food between institutions. He said Northern Nevada Correctional Center and Warm Springs Correctional Center often did a group food purchase and sometimes the balance was not exact; therefore, food had to be transferred between the two institutions. Mr. Borrowman said there was an appropriate process for that. Transferring food between the ECC and ESP was not unusual; it was how resources were shared between institutions. Subsequently, the expenditure was accounted for in the appropriate place in the budget. It was important not to show expenditures where none occurred. The JV process was consistent with the transfer of resources in the warehouse process.

Mr. Borrowman stated that the JV process was not used to circumvent the work program process; it was how resources were transferred among the institutions where the expenditure would not actually occur at the institution where the purchase was made so that the expenditure could be recorded at the institution where it was made.

Chair Carlton said it was her understanding that when a process was done using a JV, it meant something else was happening in the background. She said she had serious concerns, most of which related to the lack of communication and transparency. She said it was difficult for the Committee to reconcile that the issue occurred without its knowledge.

Assemblyman Frierson stated he appreciated Mr. Borrowman's comments. He said the Committee was not suggesting that something irregular occurred. He stated there was a history of difficult communication with the NDOC prior to Mr. Daniels' tenure as the Director. He said there was a reason for checks and balances. Although it may appear to be micromanaging, it was important because the Legislature was accountable for the decisions that were made concerning taxpayer dollars. Therefore, communication was critical.

Assemblywoman Monroe-Moreno asked for clarification on the timeline of events. She said she appreciated the need to address an emergency situation within a correctional facility. She asked for the dates of the following events:

- Stabbing at the ECC
- Transfer of ECC staff and inmates
- Closure of the ECC
- Letter to the White Pine County Commission
- Transmission of the ECC reopening plan to the Office of the Governor

Assemblywoman Monroe-Moreno asked if the agency had discussed a particular date by which it would communicate to the Committee the events related to the ECC and the ESP.

Mr. Daniels said he shared the Committee's concerns. He reiterated that the decisions made by the department were not malicious or callous; the decisions were strictly for the safety of staff and inmates.

In response to Assemblywoman Monroe-Moreno's question, Mr. Daniels indicated that the stabbing incident occurred on July 9, 2020. The following day, the department made the decision to temporarily relocate ECC staff to the ESP and to transfer ECC inmates to various locations. That decision was also in response to concerns expressed by the ESP warden concerning inadequate staffing levels, which increased the risk of inmates and staff. Mr. Daniels thought the decision was logical and alleviated certain issues. It allowed sufficient staff to manage emergent situations at the ESP. He noted that the inmates transferred out of the ECC were still able to perform duties for the Nevada Division of Forestry (NDF).

Mr. Daniels said the NDOC had already been working on a plan to revise the mission of the agency. He said he was in the process of verifying data related to inmate populations, types of incidents, etc. At the same time, the NDOC was coping with the COVID-19 pandemic. He recalled that other states were dealing with outbreaks of the coronavirus in their prison systems, resulting in many deaths. Mr. Daniels said the NDOC spent considerable time and energy managing COVID-19 and consequently, Nevada had one of the most successful prison systems in the nation in terms of addressing the pandemic.

Mr. Daniels said he did not recall the date of the letter to White Pine County. He was aware that people had expressed concern about the closure of the ECC. However, he noted that the ECC was not permanently closed. Mr. Daniels said the department was trying to protect the safety of inmates and staff and would eventually reopen the camp. In addition, the department had consolidated housing units and relocated inmates to reduce the number of required staff.

Mr. Daniels recalled a conversation during which it was brought to his attention that the NDOC had provided inaccurate information to the IFC. Therefore, he required that NDOC staff double check all information for accuracy to change the perception about the quality of the department's work. Mr. Daniels said the department had proven successful in addressing the pandemic, but the NDOC needed to prove that it was a professional organization that provided accurate information.

Mr. Daniels stated the department wanted to reopen the ECC and wanted to ensure that inmates were available for firefighting efforts. He stated that he and Deputy Director Wickham had met with representatives from the NDF who expressed concern about the availability of inmates for firefighting efforts. He also recalled a meeting with the Governor and the NDF during which the Governor expressed his desire for Nevada to have a viable firefighting operation. Mr. Daniels stated it was important for inmates to remain sequestered and within secure confines, because if there was an outbreak of the coronavirus, it would be extremely difficult to get it under control. Therefore, the NDOC wanted inmates to remain separated from the community and trustees.

Mr. Daniels noted the NDOC received a letter from the White Pine County Commission, signed by Chairman Richard Howe, on July 15, 2020. Mr. Daniels responded to the letter on August 3, 2020, explaining what was being done and why.

Chair Carlton recalled that Mr. Daniels stated he had sent a letter to White Pine County; however, she noted his letter was actually in response to a letter from the commission inquiring about the ECC.

Mr. Daniels confirmed that was correct. He added that immediately after the closure, Deputy Director Wickham, at the direction of Mr. Daniels, contacted White Pine County.

Assemblywoman Monroe-Moreno appreciated the additional information provided by Mr. Daniels as well as the department's COVID-19 response efforts. However, she said her questions specifically related to the timeline of events surrounding the ECC and the ESP. She stated that the Committee was uncertain when the NDOC placed the phone call to White Pine County. The Committee was aware the county had reached out to the NDOC asking about the closure of the ECC to which the department responded on August 3, 2020. Assemblywoman Monroe-Moreno recalled that the NDOC had submitted a plan to the Governor's Office to which the department was awaiting a response. She asked when the plan was submitted to the Governor's Office.

Mr. Daniels said he received a phone call from the Governor's Chief of Staff on September 23, 2020, regarding concerns expressed to the Governor's Office about the ECC. At the same time, the Governor's Office requested a detailed report from the NDOC about what had transpired in Ely and to whom the department had communicated the events. The Governor's Office also directed

the department to submit a plan regarding the reopening of the ECC. In the department's response dated September 24, 2020, the NDOC explained that the only way to resolve the issue was to change the missions of the ESP and the HDSP. Mr. Daniels said the department could readily hire staff in the Las Vegas area, but struggled to hire staff in Ely. He noted that the department's response also included the requested plan, which included the department's intent to change the missions of the two institutions.

Assemblywoman Monroe-Moreno asked if the request from the Governor's Office was received on August 23 or September 23. She noted that it was now October and the events involving the ESP and the ECC had occurred in July. Additionally, the correspondence between White Pine County and the NDOC occurred between July 15 and August 3.

Mr. Daniels clarified that the department submitted its plan to the Governor's Office on September 23. He noted the department had been working on a plan for months prior to the request. Mr. Daniels said he needed to ensure that the department could provide an estimated cost to implement the changes contained within the plan. He noted, during that time, the department was also managing the COVID-19 pandemic.

Mr. Daniels said the plan the department wanted to execute required adequate staff to reopen the camp. Even though the fight occurred on July 9 and the inmates were relocated on July 10, there was still an emergency staffing level at the ESP; therefore, it would not be prudent to reopen the camp until the staffing issue was resolved.

Assemblywoman Monroe-Moreno agreed. She said the Committee was not implying that the ECC should be reopened. The issue was that the NDOC had closed the camp in July and failed to inform the IFC and the Governor's Office. As stated by Assemblyman Frierson, there had been multiple opportunities to discuss the matter during two special sessions and numerous IFC meetings. She said it was a shame that Fiscal staff found out about the situation secondhand. Assemblywoman Monroe-Monroe stated that the information should have been provided by the NDOC in July. She appreciated that the department was concerned about the safety of staff and inmates. However, she remarked that the Governor's Office was not alerted until September and the IFC only became aware of the situation in October.

Assemblywoman Monroe-Moreno noted that at no time in today's discussion had NDOC staff provided the date the department intended to notify the Committee of the situation. She said communication and transparency were a requirement of every state agency, because without it the needs of the state could not be addressed. She hoped there would be more clarity in the future and that the department understood the need to have open lines of communication and the importance of being truthful. She said the Committee was fully aware of the difficulty the NDOC faced in hiring staff for the prison system.

Assemblywoman Monroe-Moreno said the Governor's Office, the IFC and White Pine County should have been informed in a more timely manner. She stated that decisions related to the finances of the state must come before the IFC prior to implementing those decisions.

In response to a question from Assemblyman Roberts, Mr. Daniels confirmed there had been staffing issues at the ECC.

Assemblyman Roberts asked if the NDOC could have transferred some inmates from the ESP to other institutions to reduce the staffing burden at the prison and avoid closing the ECC.

Mr. Daniels replied that there were 12 staff authorized for the ECC; however, at the time of the camp closure there were 3 vacancies. The ECC had some unique issues such as lack of camera coverage. He noted that the ECC was close to the ESP. Mr. Daniels said the temporary closure of the ECC was an opportunity to address two issues at once. The closure allowed the department to address the staffing issues at the ESP. In addition, the ECC inmates could provide fire protection to Nevada, Utah and California. Mr. Daniels said the department did not anticipate the closure would extend into multiple months.

Mr. Daniels stated that Deputy Director Wickham spoke to Senator Goicoechea several days after the closure of the ECC; therefore, the NDOC felt it had been prudent in contacting Senator Goicoechea, the county and contractors. He also noted that the department contacted staff at the Governor's Office in July.

Mr. Daniels stated that he was a Corrections professional with 35 years of government experience. He said he firmly respected the Committee. He was disheartened to hear that someone was questioning the integrity of the NDOC. Mr. Daniels apologized to the Committee. He thought his actions were done in good faith and thought the NDOC had communicated the situation to others. However, if the department fell short, he apologized on behalf of the agency.

Assemblyman Roberts restated his question about whether the NDOC could have kept the ECC open by moving inmates from the ESP to other institutions and moving staff from the ESP to the ECC.

Mr. Daniels said he could have taken other actions, but it would not have been prudent. He said camp inmates needed to remain with other camp inmates. In addition, the ESP had maximum security and close-custody inmates who required a different level of supervision and housing. When moving inmates, the department had to consider the inmates' classification, work assignments and contracts.

Assemblyman Roberts understood there were long-standing staffing issues in Ely due to housing and other location issues. He recalled that the department was considering moving maximum-security inmates to the HDSP. He asked how many maximum-security inmates would be moved, if there would be a significant cost, and the approximate timeline.

Mr. Daniels replied that approximately 723 inmates would be moved from the ESP to the HDSP. Upon approval, the inmates could be moved within 30 days. He said the department was awaiting authorization of the plan, which contained a cost estimate. He said maximum-security and close-custody inmates required significantly greater staff than medium-security inmates. He said although the ESP would have the same amount of staff, the institution would not require the same staffing level.

Assemblyman Roberts understood the information was included in the plan that was provided to the Governor's Office. He said he appreciated that the department had considered the safety of staff and inmates when making difficult decisions.

In response to a question from Chair Carlton, Mr. Daniels said he did not remember what method he used to notify the Governor's Office. He noted there had been frequent conversations among himself and the NDOC liaisons to the Governor's office. He said he tried to provide the Committee with facts. Mr. Daniels noted that he took his position seriously and understood the need to communicate with the people to whom he was accountable. He said he and his executive team had many discussions about how to improve the department's relationship with the people to whom the NDOC was accountable. Part of that included being straight forward and transparent. He thought that he had been transparent. He understood that some people thought they should have been alerted about the events in Ely. In the future, he would ensure communications improved.

Senator Goicoechea recalled that the Governor toured the ESP during which time there were conversations regarding changing the security levels at the ESP and the HDSP. Senator Goicoechea said he reached out to many of his constituents, none of which had a problem with the proposed changes in the security level at the ESP.

Senator Goicoechea recalled that in late June or early July he received a call from an ECC staff member telling him the camp was being closed. He spoke with Deputy Director Wickham and was told it was a temporary closure. Senator Goicoechea said he was concerned about closing the camp during the summer months because the crew was performing a fuel reduction project along Highway 50, which was halted because of the closure. He was also concerned about the availability of fire crews.

Senator Goicoechea said he had a conversation with White Pine County Commission Chairman Richard Howe about the camp closure. He said he was unaware that other state leaders were not notified of the closure. He recalled a conversation with the LCB Fiscal Analyst during which Senator Goicoechea mentioned the closure, which probably brought the situation to light.

Senator Goicoechea asserted that he knew the camp was closed, but only after the fact. He recalled conversations with Mr. Daniels about prospective changes in security levels at institutions such as the ESP and Lovelock Correctional Center, but no decisions had been made.

Chair Carlton reiterated that the problem was not about the change in the mission; the problem was the lack of communication and transparency and understanding how the funds had been spent.

Assemblywoman Swank was aware that recruitment was difficult when trying to recruit individuals for some of the smaller communities. She said she had spent significant time along the U.S. Highway 93 corridor between Caliente, Pioche and Wells and was aware of the challenges related to affordable housing and economic development. Assemblywoman Swank asked if the NDOC was thinking outside the box and working with the smaller communities to help with the development of affordable housing and economic development. She asked if the NDOC had conversations with other state or federal agencies to help alleviate some of those problems.

Ms. Leathers replied that the department had contacted the Ely Armory to discuss taking over the facility to provide onsite housing. The location could have been used to train new staff for the ESP and the conservation camps; however, the plan did not come to fruition. She said the NDOC was looking at recruitment methods such as LinkedIn and community colleges. Also, the department was in contact with a college in California that offered a Corrections certification. At the time, California was not hiring, but the NDOC maintained those contacts.

Assemblywoman Swank stated that she was specifically referring to the department's involvement in addressing infrastructure issues in the smaller towns. She asked how the NDOC was working with other state and federal agencies to develop affordable housing and economic development in those areas.

Ms. Leathers replied that the warden of the ESP regularly attended chamber of commerce meetings and on several occasions, he had spoken about the issue of affordable housing in areas such as Ely. She said currently that was the only information she had available.

Assemblywoman Swank suggested that the NDOC contact the Department of Business and Industry's Division of Housing, which focused on affordable housing issues. In addition, GOED's Main Street program was an economic development program that focused on small towns. She noted that Ely and Wells were both members of that program and would be great partners for the NDOC. Assemblywoman Swank also noted that the U.S. Department of Agriculture had a rural development program that was very active in rural Nevada and had a great reputation.

Assemblywoman Swank said the department should not try to address the issue of affordable housing alone, but rather, collaborate with other entities. She noted there were several areas along the U.S. Highway 93 corridor that could be adapted for affordable housing. Assemblywoman Swank thought GOED and the Division of Housing would be good partners for the NDOC. In addition, she stated that Jolene Supp, Wells City Manager, was a fount of information regarding affordable housing projects. Assemblywoman Swank said the department's strength was not in creating affordable housing, but many other agencies had that strength. She encouraged the department to seek other infrastructure resources, without such the NDOC would continue to struggle with recruitment efforts.

Senator Goicoechea asked for the status of the ECC reopening.

Mr. Daniels replied that the closure of the ECC was temporary. As soon as the staffing issue could be addressed, the camp would be reopened. He said the camp had served the state well and was in a good location, but the staffing issue had to be resolved first. He noted there had also been reductions in staffing levels due to COVID-19. At any given time, 20 to 30 staff were unable to work either because they had contracted the virus or had been exposed to it. Not only did the department have its usual staffing-related pressures, but those pressures had increased and were ongoing due to the pandemic. Mr. Daniels said he was not opposed to reopening the camp; however, the department did not currently have adequate staff to maintain the camp.

Senator Goicoechea noted there was still a grievance in process concerning the fact that the 5% rural pay factor had not been extended to correctional officers in Ely. He said there were other issues that still needed to be addressed.

Ms. Leathers stated she was aware of the grievance filed by four ESP staff. She noted that those individuals were already receiving the 5% rural pay and were not impacted when the change was made in 2011 when the rural pay was removed. The NDOC was actively working with those staff and the Division of Human Resource Management to determine how to apply the 5% rural pay two times for each staff member.

Chair Carlton stated that under Section 57 of the 2019 Appropriations Act, the NDOC was given special authority by the 2019 Legislature to transfer money appropriated to the department among its various budget accounts. However, Section 57 required that the department make such transfers in the same manner as required under NRS 353.220, the work program statute. That statute required that every request for a work program revision be submitted to and approved by the GFO before a transfer could occur. If that requirement was not met, it could result in a situation in which the NDOC was found to be spending in excess of the amount stated in the Appropriations Act. Chair Carlton said she hoped with further conversations between the NDOC and Fiscal staff, the matter could be resolved.

Chair Carlton opened the discussion on Agenda Item I-3, Department of Corrections, requesting an allocation from the IFC Contingency Account for hepatitis-C virus (HCV) treatment expenditures as a result of a proposed consent decree.

Michael Minev, Medical Director, NDOC, stated the department remained dedicated to the medical needs of the inmates. He said the highest concentration of HCV-infected individuals in the United States resided in the prison systems. In an effort to align the NDOC HCV treatment practices with those of other jurisdictions, the department revised Medical Directive 219 to introduce new priority categories that facilitated the increased availability of direct-acting, anti-viral (DAA) medications for the treatment of HCV. Mr. Minev stated the NDOC was in the process of identifying the inmates infected with HCV by an intensive testing process in collaboration with LabCorp.

Jennifer Bauer, Medical Administrator, NDOC, stated in February 2020, the U.S. District Court granted a motion for class certification in the HCV lawsuit filed against the NDOC. In August 2020, with significant assistance from the Office of the Attorney General (OAG), the NDOC and the class counsel reached a proposed settlement to the lawsuit. If Agenda Item I-3 were approved by the Committee, it would allow the NDOC to carry out the terms of the settlement consent decree. For example, the terms of the consent decree required treating up to 1,200 patients within the first 12-month period, an additional 600 patients within the second 12-month period, and another 600 patients within the third 12-month period.

Assemblywoman Monroe-Moreno noted the court date for the consent decree was scheduled for October 27, 2020.

Randall Gilmer, Chief Deputy Attorney General, OAG, confirmed that the fairness hearing was scheduled for October 27, 2020, which was a required component of a class action lawsuit settlement. Because there were so many members of the class, the court required approval of such settlements as opposed to settling the matter among attorneys without court approval. The date of the hearing was scheduled based on the fact that the terms of the consent decree required the Committee's approval of the funds so the department could meet the obligations required in the first six months of the term.

Assemblywoman Monroe-Moreno asked what the estimated testing and treatment costs were for the period between FY 2021 and FY 2023.

Ms. Bauer replied that the NDOC had not yet built that request into the budget, because the department had not received approval for the funding or the resources to begin the treatments in accordance with the consent decree, and the actual consent decree was not yet approved. However, at the pleasure of the Committee, if the consent decree was approved in court next week, the agency anticipated working with the GFO to augment the agency budget to include additional funds. Ms. Bauer indicated that the estimated amount would be approximately \$26.0 million in FY 2022 and a total of \$36.7 million over the 2021-23 biennium.

Assemblywoman Monroe-Moreno asked for confirmation that the funding of approximately \$6.7 million would be sufficient to meet the initial HCV treatment requirements for priority one inmates as well as the benchmarks for beginning treatment of 1,200 inmates within the first year.

Ms. Bauer thought that GFO staff may be available to speak to the amount of \$6.7 million. She said the NDOC was comfortable with \$7,044,204, which would ensure treatment using DAA medications for all priority one patients within the first six months of the effective date of the consent decree, including 600 patients within the first six months. She said the agency determined a pace that would limit the financial impact on the state during FY 2021 but would allow the department to meet the requirement to treat 1,200 patients within the first year. She stated that was how the agency arrived at 600 patients by June 2021.

Assemblywoman Monroe-Moreno stated that she was saddened that inmates had to take the state to court to get the treatment they felt was not being provided. She suggested that the NDOC provide quarterly reports to the IFC about the results of the fairness hearing as well as how many inmates had been tested, how many tested positive, and the status of treatments.

Mr. Gilmer replied that the consent decree contained reporting requirements. The reports would be submitted to the court via the plaintiffs' counsel as part of the consent decree for the next four years. He said the NDOC would provide copies of those reports to the IFC.

In response to a question from Chair Carlton, Ms. Bauer confirmed that the agency was comfortable with an appropriation of \$7,044,204 in FY 2021.

Senator Parks suggested that the reporting requirements also include detailed information regarding the status of other pending lawsuits.

Mr. Gilmer confirmed that the NDOC would also provide status updates to the Committee on other lawsuits. The department hoped that the class action settlement would reduce the number of lawsuits against the NDOC in the future.

Chair Carlton stated that the action taken by the Committee did not constitute, in any manner, IFC approval of the consent decree discussed previously in the testimony. Although the IFC was referenced in the consent decree, the Committee was not a party to the consent decree and did not have the authority to agree to the provisions in the consent decree.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE AGENDA ITEM I-3 IN THE AMOUNT OF \$7,044,204 TO FUND PROJECTED COSTS FOR HEPATITIS-C VIRUS TESTING AND TREATMENT OF APPROXIMATELY 400 PRIORITY ONE INMATES BY APRIL 2021 AND BEGIN TREATMENT OF 600 INMATES BY THE END OF FY 2021, AND DIRECT THE NEVADA DEPARTMENT OF CORRECTIONS TO PROVIDE QUARTERLY STATUS REPORTS CONCERNING THE OUTCOME OF THE FAIRNESS HEARING AND OTHER LAWSUITS PENDING AGAINST THE NEVADA DEPARTMENT OF CORRECTIONS.

SENATOR PARKS SECONDED THE MOTION.

Senator Kieckhefer stated that he would abstain from the vote because his employer served as class counsel and the consent decree would award certain attorney fees to his employer.

THE MOTION PASSED UNANIMOUSLY. (Senator Kieckhefer abstained from the vote. Senator Brooks was not present for the vote.)

4. State Department of Conservation and Natural Resources – Division of Water Resources – Request for an allocation of ~~\$389,902~~ **\$347,467** to fund a geotechnical investigation into the cause of foundation seepage occurring at the South Fork Dam. **REVISED 10-7-20.**

Chris Thorson, Deputy Administrator and Chief of the Dam Safety Program, Division of Water Resources, Department of Conservation and Natural Resources (DCNR), stated the South Fork Dam was located approximately

10 miles south of Elko, on the south fork of the Humboldt River. The dam was constructed in 1988 and currently the reservoir had a surface area of approximately 11,000 acres and a maximum depth of 65 feet. He stated that the reservoir and the surrounding area was a state park. The state park was one of the most visited in rural Nevada with approximately 115,000 visitors each year. He added, the reservoir was also a fishery, which was managed by the Nevada Department of Wildlife.

Mr. Thorson stated the Division of Water Resources was responsible for the safe operation and maintenance of the earth-filled dam. He said the dam was classified as a high-hazard dam, meaning if the dam were to fail, there would be a high likelihood of loss of life and impacts to critical facilities downstream, including the Union Pacific Railroad, Interstate Highway 80, and other state and local infrastructure.

Mr. Thorson said the dam was currently experiencing foundational seepage at its toe. The seepage had been gradually increasing over the past several years and was continually monitored by division staff in Elko. Unfiltered seepage at the toe was a major concern for the safe operation of any dam. It was the number one cause of dam failures throughout the world.

Mr. Thorson said, in 2019, the division contracted with an independent and objective engineering firm to perform a visual inspection of the facility. The firm also provided a comprehensive analysis of the dam to determine the source of the seepage. The conclusion was that seepage could be indicative of a progressive internal failure; however, the initial model and analysis associated with the project could not narrow down the cause of the seepage. The engineer recommended that a geotechnical investigation be conducted to accurately determine the source and how to repair and address the seepage.

Continuing, Mr. Thorson said the firm had developed a geotechnical investigation plan that consisted of drilling and digging test bits onsite with modeling and analysis of the results. The outcome of the investigation would include remediation action and a construction cost estimate. He stated the Contingency Funds would only fund the geotechnical investigation.

Assemblywoman Swank asked if the estimated remediation costs were known. If not, she asked when the costs would be known and how the agency would fund them. She asked for an explanation of the budgeting process for anticipated future issues.

Adam Sullivan, Deputy Administrator, Division of Water Resources, DCNR, replied that the anticipated construction costs were unknown until the geotechnical investigation was performed. Preliminary estimates indicated that the costs could range from \$200,000 to \$2.0 million, based on the experience of the engineering consultants. He said the intent of the geotechnical investigation was to determine the lowest cost solution to the problem. A more

accurate cost estimate would be available in approximately April 2021 if the geotechnical investigation was conducted.

Mr. Sullivan noted there would be an ongoing need for maintenance of an aging facility such as the South Fork Dam. There were ways to optimize the procedures for making funds available on a timely basis. Until recently, the division had been responding to repairs and maintenance items as they arose.

Assemblywoman Swank noted several revisions to the requested amount. She recalled that the amount was revised to \$347,467 after the Board of Examiners meeting. She asked the agency to confirm that amount of the request.

Mr. Sullivan confirmed that \$347,467 was the correct amount. He explained that the amount changed because the division was able to carry over some appropriations from prior fiscal years, thereby reducing the cost.

Assemblywoman Swank suggested the Assembly Committee on Natural Resources of the 81st Legislative Session would be interested in the outcome of the geotechnical investigation and the plans going forward. Mr. Sullivan agreed.

Senator Goicoechea stated that the site of the South Fork Dam was not the ideal location. He said a lot of concrete had been required to shore it up and install the footing. He asked what the current rate of seepage was given that it had been a dry year and the Humboldt River was barely flowing.

Mr. Thorson replied that the seep at the toe of the dam was measured at approximately 15,000 gallons per day during the most recent measurement. The seepage had started at approximately 8,000 gallons per day. He said the main concern was that the seepage rate had doubled over the past few years. It had not changed based upon depth of the reservoir or the flow into the dam.

Senator Goicoechea understood the South Fork Dam was an aging dam that required maintenance. He noted that the dam was not built soundly.

ASSEMBLYWOMAN SWANK MOVED TO APPROVE
AGENDA ITEM I-4.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

J. REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO ASSEMBLY BILL 543, SECTION 75 (2019 Legislature) (Note: IFC may approve a different amount for an allocation than the amount requested) **State Department of Conservation and Natural Resources – Division of Forestry** – Request for an allocation of ~~\$2,080,879~~ **\$1,352,387** for expenses incurred in the suppression of fires or response to emergencies charged to the Forest Fire Suppression budget account. **REVISED 10-15-20.**

Kacey KC, Nevada State Forester and Firewarden, Division of Forestry (NDF), DCNR, stated that Agenda Item J was a request for \$1,352,387 pursuant to A.B. 543 (2019 Legislative Session). She said the funds were for payment of fire expenses that had already been incurred.

Ms. KC provided details about the current fire season. To date in FY 2021, 716 fires had occurred, which was a significant increase from the previous year. The total acreage burned was approximately 250,000. She said the Nevada Division of Forestry (NDF) had a high level of success with initial attack forces. The division planned and prepared early on for the COVID-19 response.

Assemblywoman Swank requested information on the anticipated fire bills that may be received for the remainder of FY 2021.

Ms. KC said the division anticipated there would be additional bills related to fire suppression efforts. The funds requested under Agenda Item J would not cover all the outstanding bills. She said a number of bills had been sent to federal cooperators; therefore, the division was hoping to bring in funding. Ms. KC estimated there was approximately \$8.0 million in outstanding bills. She was uncertain when the division would receive those bills and when funding would be received for invoices issued by the NDF. She said the division was continually trying to strike a balance between the two.

Assemblywoman Swank recalled the division had performed some work for out-of-state incidents. She asked when reimbursements for those costs might be received.

Ms. KC replied that out-of-state responses were usually one of the quicker paybacks. When looking at fire bills within the state, the NDF had to wait for cooperator bills, local government bills, and contractor bills. All costs must be finalized before payment could be authorized. However, out-of-state responses were simply a matter of the division requesting payment for deployed staff. Funds were usually received within one to two months.

Ms. KC said the division had performed some out-of-state response, mostly single resources. She explained that “single resource” meant that only one staff member was assigned to a particular job. Ms. KC said the NDF was unable to send the usual number of crews to California to assist with wildfire response efforts primarily

due to COVID-19 issues, specifically because of the lack of trained inmates and staff. The division typically sent out approximately 15 fire crews each year; however, this year only 5 crews were available. She said NDF staff had been sent to Utah, Idaho, Colorado, and California, mostly on single resource assignments.

ASSEMBLYWOMAN SWANK MOVED TO APPROVE AGENDA
ITEM J.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Assemblywoman
Titus was not present for the vote.)

- K. REQUEST FOR APPROVAL TO ACCEPT GIFTS AND GRANTS PURSUANT TO NRS 353.335(2)(a). INFORMATIONAL ONLY – APPROVED BY THE GOVERNOR BECAUSE OF AN EMERGENCY AS DEFINED IN NRS 353.263 OR FOR THE PROTECTION OF LIFE OR PROPERTY – Department of Employment, Training and Rehabilitation** – Notice of receipt and acceptance of federal Other Needs Assistance grant funds from the Federal Emergency Management Agency (FEMA) in the amount of \$421,942,500 to support supplemental lost wages payments. **RECEIVED AFTER SUBMITTAL DEADLINE, 10-15-20.**

Elisa Cafferata, Acting Director, DETR, provided an overview of the request. She stated the President of the United States enacted the Lost Wages Assistance Program (LWAP), which was a slightly different grant program than the other unemployment federal funding programs. The LWAP included grant funds from the Federal Emergency Management Agency (FEMA). States were initially allowed to apply for three weeks of unemployment benefit funds. Once that was approved, states could apply for another three weeks of funding. The total amount of funds granted for those two applications was \$421,942,500. She said the intent was to provide an additional \$300 “plus-up,” per week for up to six weeks for unemployment claims in the Pandemic Unemployment Assistance (PUA) system. The additional payments began the week ending August 1, 2020. The additional payment also applied to individuals who received a minimum of \$100 in unemployment benefits in the traditional unemployment insurance (UI) system. Ms. Cafferata said DETR intended to submit an adjusted request because the agency continued to receive claims that were filed in both systems. She noted that individuals were allowed to submit claims from the date they were first unemployed. Ms. Cafferata said additional information would likely be submitted to the Committee in the future.

Ms. Cafferata said the first three weeks of the benefit had been provided through the PUA system at the beginning of the current week. Benefits were being rolled out in batches over the course of two weeks because the system could only process a limited number of claims each week. Eligible recipients would receive the first three-week payment within the next two weeks. Because the grant was for a set amount, claims would be paid one week at a time for as long as funds

were available. The department anticipated it would also be able to provide a fourth week of benefits. Ms. Cafferata said the agency would reassess to determine if enough funding would be available for a fifth week of benefits. Because new claims were still being received, any remaining grant funds would be held to fulfill claims still arriving or still in process.

Chair Carlton expressed appreciation for the efforts of DETR, the Division of Welfare and Supportive Services, and members of the strike force during the past six weeks. She noted she had received emails from constituents who were pleased.

Assemblywoman Monroe-Moreno asked for an update on the application for LWAP funding. She asked if DETR planned to apply for additional LWAP funding to support claimant benefits for weeks beyond September 5, 2020.

Ms. Cafferata replied, because LWAP funding was awarded by FEMA, it was limited. She said the maximum amount of funding was six weeks. States were allowed to adjust their requests as additional claims were received. She said DETR was updating its estimate and would submit the adjusted request by the end of the week. Ms. Cafferata said one of the challenges associated with the grant was that the funds were finite rather than a benefit that was associated with claims. At some point, the FEMA funds would be exhausted, and states would no longer be able to adjust.

Chair Carlton noted that some claimants received less than \$100 per week. She asked how many people fell into that category. She asked if that eligibility requirement was established by FEMA.

Ms. Cafferata replied that she did not know how many claimants were receiving less than \$100 per week. She said claims were ever changing in Nevada with 8,000 to 10,000 claims each week in both systems. Regarding the rationale for the decision, the FEMA regulations required that states provide a 25% match. The original concept was that states would be required to provide General Fund match. Most states were in challenging economic times; therefore, the federal government decided to allow \$100 of existing benefits to count for the 25% match.

There was no further discussion on this item.

L. REQUESTS FOR APPROVAL TO ACCEPT GIFTS AND GRANTS PURSUANT TO NRS 353.335.

1. Department of Education – Request for approval to accept the donation of \$110,000 from Governor Sisolak for educational supplies for Title I schools.

Senator Woodhouse expressed appreciation for the donation. She said Title I schools needed the additional support for their students.

SENATOR WOODHOUSE MOVED TO APPROVE AGENDA
ITEM L-1.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Senator Brooks was not present for the vote.)

2. State Department of Conservation and Natural Resources
 - a) Division of Water Resources – Request for approval to accept a grant of \$160,000 from the Federal Emergency Management Agency to continue to fund the flood management program.

SENATOR GOICOECHEA MOVED TO APPROVE AGENDA ITEM L-2a.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (Senator Brooks was not present for the vote.)

- b) Division of State Parks – Request for approval to accept federal grants of \$2,170,163 from the Recreational Trails Program and the Federal Land and Water Conservation Fund to continue to fund the creation and maintenance of recreational trails and supporting amenities throughout Nevada.

Chair Carlton noted that a representative from the Division of State Parks was not available to discuss the item.

SENATOR GOICOECHEA MOVED TO APPROVE AGENDA ITEM L-2b.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

M. APPOINTMENT OF MEMBER TO THE COMMITTEE ON INDUSTRIAL PROGRAMS – NRS 209.4817.

Chair Carlton stated that after the November 2020 election, Senator Parks would no longer be a member of the Legislature. She said Senator Parks currently served on the Committee on Industrial Programs; therefore, the committee would soon have a vacancy. Chair Carlton noted that the Senate had identified Senator Mo Denis as the replacement for Senator Parks.

Senator Woodhouse expressed appreciation for the work Senator Parks had given to the Committee on Industrial Programs.

SENATOR WOODHOUSE MOVED TO APPOINT SENATOR DENIS TO THE COMMITTEE ON INDUSTRIAL PROGRAMS.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Moving on to a non-agendized item, Chair Carlton noted this was the final meeting for six members of the Committee. She expressed appreciation for their hard work.

Senator Woodhouse read an IFC resolution commending Mark Krmpotic, Senate Fiscal Analyst, Fiscal Analysis Division, LCB, for his lifetime of dedicated service to the State of Nevada and expressing the Committee's best wishes for retirement (Exhibit E).

Senator Woodhouse said it had been an honor and a privilege to work with Mr. Krmpotic for the past 11 years. When she was appointed to the Senate Committee on Finance in 2009, Mr. Krmpotic was the first to offer training and answer her many questions. She stated, "You are truly a gentleman and a scholar, your preparation, the briefings you provide, the follow up to all the questions, are unparalleled."

Senator Woodhouse stated that Mr. Krmpotic maintained a steady hand and a smile even through the most stressful days of each legislative session. She said he persevered through the agonizing days of budget cuts in the Great Recession from 2008 to 2011, and especially the special sessions during the summer of 2020. Senator Woodhouse said she could always count on Mr. Krmpotic and the Fiscal Analysis Division team. She thanked Mr. Krmpotic again and wished him the very best in his retirement.

Chair Carlton expressed her appreciation for Mr. Krmpotic, whom she had worked with as a member of the Senate and the Assembly. She noted she could always depend on him to provide direct and accurate information, especially through two recessions.

Mr. Krmpotic reminisced about working with Vice Chair Woodhouse until 2 a.m. on March 1, 2010, to close out the 26th Special Session, which had been a very trying session. He thanked the Committee for allowing him to serve during the last 11 years.

Senator Kieckhefer expressed his appreciation for Mr. Krmpotic. He said it had been an honor and a privilege to work with Mr. Krmpotic. He noted Mr. Krmpotic's care for his staff and their well-being throughout each legislative session, and he always gave them the credit they deserved. He said Mr. Krmpotic also cared about the legislative institution and wanted to ensure it continued to play a role in Nevada government. He said Mr. Krmpotic also cared about the fiscal well-being of the state. Senator Kieckhefer said he especially appreciated Mr. Krmpotic's assistance during the 2015 Legislative Session as Chair of the Senate Committee on Finance.

Senator Settlemeyer stated that Mr. Krmpotic's professionalism was unmatched. In his limited time on the IFC, he found Mr. Krmpotic's recall amazing during communications at all hours of the day and night. He added that Mr. Krmpotic's work ethic was phenomenal. He noted the incoming Senate Fiscal Analyst would do a great job, but Mr. Krmpotic's institutional knowledge would be sorely missed.

Mr. Krmpotic stated he would be remiss if he did not offer credit to the Fiscal Analysis Division staff, because without them, he would not have been able to do his job.

Senator Goicoechea recalled great conversations with Mr. Krmpotic about McGill and White Pine County. He said any time he had a question, Mr. Krmpotic had the answer.

Senator Denis said Mr. Krmpotic was a class act, and he agreed with the previous comments by Committee members. He said he knew when he had a question, Mr. Krmpotic would have the answer, and that made everyone's job easier. He also acknowledged the Fiscal Analysis Division staff and stated that Mr. Krmpotic had fostered their commitment and abilities. Senator Denis wished Mr. Krmpotic well in his retirement.

Senator Spearman stated she had limited experience working with Mr. Krmpotic on the Senate Committee on Finance, but as a novice legislator, she knew if she checked with Mr. Krmpotic before a bill went forward, she could feel confident in the action taken.

Senator Brooks thanked Mr. Krmpotic for his patience and kindness in dealing with him and his questions. He also appreciated Mr. Krmpotic's calm demeanor. He said Nevada would never know how much it would miss Mr. Krmpotic.

Assemblyman Frierson apologized to Mr. Krmpotic for the uninspired questions he had asked at times. He thanked Mr. Krmpotic for his service and congratulated him on his retirement.

Senator Parks congratulated Mr. Krmpotic on his retirement. He thanked Mr. Krmpotic for his professionalism and cool demeanor under pressure, his wealth of knowledge, and his patience.

N. INFORMATIONAL ITEMS.

Agenda Item N-11a, Department of Corrections, Director's Office, was held for further discussion.

1. OFFICE OF THE GOVERNOR – Governor's Finance Office
 - a) Budget Division – Report of the agency activity relating to contracting with current or former employees of the state, for the period ending June 30, 2020, pursuant to NRS 333.705(5).
 - b) Office of Project Management – Silver State Modernization Approach for Resources and Technology in the 21st Century (SMART 21) – Semiannual report on the efforts to replace the state's existing financial and human resource information systems for the period ending June 30, 2020 (letter of intent, 2019 Legislature).

There was no discussion on these items.

2. OFFICE OF THE SECRETARY OF STATE – Progress report on implementation of the Automatic Voter Registration initiative petition approved by the voters during the November 2018 General Election for the period July 1, 2020, through August 31, 2020 (letter of intent, 2019 Legislature).

There was no discussion on this item.

3. DEPARTMENT OF ADMINISTRATION

- a) Director's Office – Pursuant to the 2020 Special Legislative Session, PCN 0002 was reduced to a .75 full time equivalent (FTE) to meet the budget reduction requirements. The department requests the reinstatement of the position to 1.0 FTE effective September 1, 2020, due to a change in the duties of the position to 75% related to the Nevada Commission for Women funded with General Fund appropriations and 25% related to the Department of Administration funded with Director's Office reserves.
- b) State Public Works Division
 - 1) Quarterly report on the division's process on construction cost containment efforts, the tracking of budgeted inflationary costs compared to actual inflationary costs, and the tracking of other construction cost escalations compared to budgeted costs that are impacting legislatively approved CIP projects for the period ending June 30, 2020 (letter of intent, 2019 Legislature).
 - 2) Semiannual report regarding the status of action taken by the division to ensure the Marlette Lake Water System is able to continue operations as a self-sustaining system, and to report on actual raw water sales revenue received by the division for the period ending June 30, 2020, and revenue projections for FY 2021 (letter of intent, 2019 Legislature).
 - 3) Annual reports on the status of the new Buildings and Grounds inmate labor program in Southern Nevada for FY 2020 (letter of intent, 2019 Legislature).
 - 4) Information regarding the Project Status Exception Report pursuant to NRS 341.100(8)(g).

There was no discussion on these items.

4. NEVADA SYSTEM OF HIGHER EDUCATION

- a) Quarterly report on the progress made by the University of Nevada, Reno School of Medicine in obtaining federal approval for the research program on the medical use of marijuana, as well as the status of activities and information received through the program, for the period ending June 30, 2020, pursuant to NRS 453A.600.
- b) Report on the use of consultants for the January 1, 2020, through June 30, 2020, reporting period pursuant to NRS 333.705(7).
- c) Semiannual report demonstrating how the capacity funding is being expended by each of the institutions in each of the program areas supported, for the period ending June 30, 2020 (letter of intent, 2019 Legislature).

There was no discussion on these items.

5. DEPARTMENT OF AGRICULTURE

- a) Quarterly report on travel and training expenses for the period ending June 30, 2020 (letter of intent, 2019 Legislature).
- b) Update regarding Brand Re-Recording Fee revenues collected and expended in FY 2020 (letter of intent, 2019 Legislature). **RECEIVED AFTER SUBMITTAL DEADLINE, 10-5-20.**

There was no discussion on these items.

6. DEPARTMENT OF BUSINESS AND INDUSTRY – Taxicab Authority – Semiannual report on the long-term plan for financial sustainability for the period ending June 30, 2020 (letter of intent, 2019 Legislature).

There was no discussion on this item.

7. OFFICE OF ECONOMIC DEVELOPMENT

- a) Quarterly report on the receipt of all cash and non-cash gifts, donations and grants received for the period ending June 30, 2020 (letter of intent, 2019 Legislature).
- b) Report on the progress of the Commercial Rental Assistance grant program as requested during the July 29, 2020, meeting of the Interim Finance Committee.

There was no discussion on these items.

8. DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS – Nevada Magazine – Semiannual report detailing the goals, objectives, strategies and the magazine's progress towards reaching financial stability (letter of intent, 2019 Legislature).

There was no discussion on this item.

9. DEPARTMENT OF HEALTH AND HUMAN SERVICES

- a) Division of Health Care Financing and Policy
 - 1) Quarterly report on the Disproportionate Share Hospital Supplemental Payment Program for the period ending September 30, 2020, pursuant to NRS 422.390(2).
 - 2) Annual report on the division's operations and activities pertaining to the cost of health care for calendar year 2019 pursuant to NRS 449.520. THE ANNUAL REPORT IS ON FILE IN THE FISCAL ANALYSIS DIVISION AND IS AVAILABLE FOR REVIEW UPON REQUEST.
- b) Aging and Disability Services Division – Quarterly report for the Senior Rx and Disability Rx Prescription program for the period ending June 30, 2020, pursuant to NRS 439.630(1)(c).
- c) Division of Public and Behavioral Health
 - 1) Reports on background checks applied to shoppers of groceries for participants of the Women, Infants and Children (WIC) Food Supplement program, and on payments for contact tracing services, as requested during the July 29, 2020, meeting of the Interim Finance Committee.
 - 2) Report on new positions approved for behavioral health budgets for Northern Nevada Adult Mental Health Services (NNAMHS) and Southern Nevada Adult Mental Health Services (SNAMHS) for the period ending June 30, 2020 (letter of intent, 2019 Legislature).
- d) Division of Child and Family Services
 - 1) Report on respite services within the Washoe County Child Welfare, Clark County Child Welfare, and Rural Child Welfare budgets (letter of intent, 2019 Legislature).
 - 2) Report on child protective services intake unit within the Rural Child Welfare budget (letter of intent, 2019 Legislature).

- 3) Annual report of expenditures relating to the placement of children in specialized foster homes for FY 2020 pursuant to NRS 424.041.

There was no discussion on these items.

10. DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION – Employment Security Division
 - a) Report on programs supported with Workforce Innovation and Opportunity Act Rapid Response funds for the period ending June 30, 2020 (letter of intent, 2019 Legislature).
 - b) Report on prisoner reentry job development services provided through the Employment Security Division for the period ending June 30, 2020 (letter of intent, 2019 Legislature).

There was no discussion on these items.

11. DEPARTMENT OF CORRECTIONS
 - a) Director's Office – Quarterly report on the department's retention and recruitment efforts for correctional officers at each of its institutions statewide and inmate population and capacity levels for the period ending June 30, 2020 (letter of intent, 2019 Legislature).

Agenda Item I-3 and Agenda item N-11a were discussed jointly. Refer to testimony under Agenda Item I-3.

- b) Quarterly report on departmentwide overtime for the period ending June 30, 2020, as requested during the December 13, 2019, meeting of the Interim Finance Committee.

There was no discussion on this item.

12. DEPARTMENT OF MOTOR VEHICLES
 - a) System Modernization – Semiannual report on the status of the system modernization project for the period ending June 30, 2020 (letter of intent, 2019 Legislature).
 - b) Fiscal Year 2020 report on the use of funds received by each local air pollution control agency from the quarterly and annual distribution from the Pollution Control Account, pursuant to NRS 445B.830(5).
 - 1) Clark County Department of Air Quality
 - 2) Washoe County Health District, Air Quality Management Division

There was no discussion on these items.

13. DEPARTMENT OF PUBLIC SAFETY
 - a) Director's Office - Comprehensive report on COVID-19 expenditures by the Department of Public Safety as requested during the June 25, 2020, meeting of the Interim Finance Committee.

- b) Records, Communications and Compliance Division – Quarterly report on the implementation progress and status of the Nevada Criminal Justice Information System (NCJIS) modernization project for the period ending June 30, 2020 (letter of intent, 2019 Legislature).

There was no discussion on these items.

14. DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

- a) Division of Water Resources – Semiannual report on the progress of work performed at the South Fork Dam for the period ending June 30, 2020 (letter of intent, 2019 Legislature).
- b) Division of Forestry – Semiannual report on the active program participants, the costs incurred, and the amount of fee revenue collected from the Wildland Fire Protection Program for the period ending June 30, 2020 (letter of intent, 2019 Legislature).
- c) Division of State Lands – Semiannual report on the status of the state's Environmental Improvement Program Fund to Protect the Lake Tahoe Basin for the period ending June 30, 2020, pursuant to Chapter 514, *Statutes of Nevada 1999*.

There was no discussion on these items.

15. DEPARTMENT OF VETERANS SERVICES

- a) Annual report detailing the expenditures made from gift funds for the Veterans Home in Southern Nevada and Northern Nevada for FY 2020 pursuant to NRS 417.145(9).

There was no discussion on this item.

- b) Annual report detailing the expenditures made from the Gift Account for Veterans for FY 2017 pursuant to NRS 417.115(6).

Sarah Coffman, Assembly Fiscal Analyst, Fiscal Analysis Division, LCB, noted that the annual report under Agenda Item N-15b, Department of Veterans Services, was for FY 2020 not FY 2017.

- c) Annual report detailing the expenditures made from the Gift Account for Veterans Who Have Suffered Sexual Trauma pursuant to NRS 417.119(4).

There was no discussion on this item.

16. NEVADA MUSEUM OF ART, INC – Letter regarding unexpended General Fund appropriations provided to the Nevada Museum of Art, Inc, pursuant to S.B. 533, Section 1, of the 2019 Legislature.

There was no discussion on this item.

17. CLARK COUNTY SCHOOL DISTRICT – Semiannual progress report, which describes each expenditure incurred for a human resource management information system for the six-month period ending June 30, 2020, pursuant to Senate Bill 550, Section 2, subsection 2(a) (2017 Legislature).

There was no discussion on this item.

O. PUBLIC COMMENT

Pursuant to Sections 2 through 9, inclusive, of Chapter 2, *Statutes of Nevada 2020*, 32nd Special Session, pages 9 through 11, there was no physical location for this meeting. The meeting was broadcast on the Nevada Legislative website at www.leg.state.nv.us. Public comment was accepted live via telephone. Written comments were also accepted by e-mail, facsimile, and mail before, during, and after the meeting.

Chris Daly, Nevada State Education Association (NSEA), provided written testimony for the record (Exhibit F):

The Nevada State Education Association has been the voice of Nevada educators for over 100 years. We are concerned about the roll-out of statewide educator COVID-19 testing through the Task Force Initiative for Educators' Safety and Screening and the Teachers Health Trust, affiliated with the Clark County Education Association.

NSEA appreciates the importance of returning to school as soon as we are safely able to do so, and COVID screening should be a part of that. Of course, the rate of community transmission of COVID-19 is the main determining factor in whether it is safe to return to in-person education, and we are all concerned about the current spike in COVID-19 cases in the state.

During the presentation of this item at your September 3rd meeting, it was stated that there was broad stakeholder support for the program. Unfortunately, this was not the case. NSEA represents a majority of educators across the state, those eligible for this program, and we were not involved. At recent meetings of the Clark County School District Board of Trustees, there does not yet seem to be buy-in from the largest school district in the state. Now with the current spike in COVID-19 cases, it is not clear if CCSD will choose to participate in this program at all before funds expire on December 30th. Thus far, the roll out of the TIES program has been riddled with problems.

Meanwhile, in Washoe County, educators have been able to get tested through their provider Renown. While testing has been available, the overriding problem in Washoe was the decision to resume full in-person learning in elementary and a hybrid model in the later grades while community transmission of COVID was still very high. This decision went against guidance issued by the CDC, the State Department of Education,

and even the Washoe County Health District. Now at this morning's state COVID Task Force Meeting, the Health District is reporting the highest number of cases they've seen over the past week have been associated with K-12 students and school district staff. This is exactly what NSEA, WEA, and educators across the state have been warning about. We fear that any effort to reopen school buildings with high community transmission rates, will only lead to the same, devastating result.

At your September meeting, the members of this Committee had many questions and wisely approved only half the requested funds. Given this situation, we would recommend the Interim Finance Committee call a hearing with the Nevada Department of Education to review the status of Task Force Initiative for Educators' Safety and Screening as soon as possible.

P. ADJOURNMENT.

Chair Carlton thanked the LCB Broadcast and Production Services staff for assistance with the meeting.

Chair Carlton expressed her best wishes to Assemblyman Kramer, Assemblywoman Neal, Assemblywoman Spiegel, Assemblywoman Swank, Senator Parks and Senator Woodhouse. She thanked Mr. Krmpotic again for his service.

The meeting adjourned at 3:24 p.m.

Assemblywoman Maggie Carlton, Chair
Interim Finance Committee

Brenda Erdoes, Director, Legislative Counsel Bureau,
and Secretary, Interim Finance Committee