

MINUTES OF THE JUNE 21, 2022  
MEETING OF THE  
INTERIM FINANCE COMMITTEE

Chair Denis called a regular meeting of the Interim Finance Committee (IFC) to order at 9:38 a.m. on June 21, 2022, online, and in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer Office Building, 555 East Washington Avenue, Las Vegas, Nevada.

**COMMITTEE MEMBERS PRESENT:**

Senator Moises Denis, Chair  
Assemblywoman Maggie Carlton, Vice Chair  
Senator Nicole Cannizzaro  
Senator Marilyn Dondero Loop  
Senator Pete Goicoechea  
Senator Scott Hammond  
Senator Joseph Hardy for Senator Heidi Seevers Gansert  
Senator Dallas Harris  
Senator Dina Neal  
Senator Don Tatro  
Assemblyman Gregory Hafen  
Assemblywoman Sandra Jauregui  
Assemblywoman Heidi Kasama for Assemblywoman Jill Tolles  
Assemblyman Glen Leavitt  
Assemblywoman Elaine Marzola for Assemblywoman Teresa Benitez-Thompson  
Assemblyman C.H. Miller for Assemblywoman Michelle Gorelow  
Assemblywoman Brittney Miller  
Assemblywoman Daniele Monroe-Moreno  
Assemblywoman Sarah Peters  
Assemblyman Tom Roberts  
Assemblyman Howard Watts  
Assemblyman Steve Yeager for Assemblyman Jason Frierson

**COMMITTEE MEMBERS EXCUSED:**

Senator Heidi Seevers Gansert  
Assemblywoman Teresa Benitez-Thompson  
Assemblywoman Michelle Gorelow  
Assemblywoman Robin Titus  
Assemblywoman Jill Tolles

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Brenda Erdoes, Director, Legislative Counsel Bureau  
Wayne Thorley, Fiscal Analyst, Senate  
Sarah Coffman, Fiscal Analyst, Assembly  
Alex Haartz, Chief Principal Deputy Fiscal Analyst  
Brody Leiser, Chief Principal Deputy Fiscal Analyst  
Bryan Fernley, Legislative Counsel

Eileen O'Grady, Chief Deputy Legislative Counsel  
Jessica Dummer, Deputy Legislative Counsel  
Melissa Garvin, Fiscal Analysis Division Secretary  
Cheryl Harvey, Fiscal Analysis Division Secretary  
Tom Weber, 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:](#) Meeting Packet - Volume IV
- [Exhibit E:](#) Public Comment - Chris Daly, Nevada State Education Association
- [Exhibit F:](#) Public Comment - Janell Woodward, American Federation of State, County and Municipal Employees
- [Exhibit G:](#) Public Comment - Dr. Tiffany Tyler-Garner, Children's Advocacy Alliance
- [Exhibit H:](#) Public Comment - Jake Tibbitts, State Land Use Planning Advisory Council
- [Exhibit I:](#) Public Comment - Crystal Abba and Derrick Hill, Community College Workforce Training and Programs Committee - Nevada System of Higher Education Funding Formula
- [Exhibit J:](#) Public Comment - Crystal Abba and Derrick Hill, Community College Workforce Training and Programs Committee - Nevada System of Higher Education Workforce Incentive Grant
- [Exhibit K:](#) Public Comment - Lynn Purdue, Children's Advocacy Alliance
- [Exhibit L:](#) Public Comment - Marlene Martinez, American Federation of State, County and Municipal Employees
- [Exhibit M:](#) Public Comment - Sarai Berumen, American Federation of State, County and Municipal Employees
- [Exhibit N:](#) Public Comment - Katie Simper, Nevada Department of Wildlife
- [Exhibit O:](#) Public Comment - Stephanie Parker, American Federation of State, County and Municipal Employees
- [Exhibit P:](#) Public Comment - Brian Miller, American Federation of State, County and Municipal Employees
- [Exhibit Q:](#) Public Comment - Esther Hastings, American Federation of State, County and Municipal Employees
- [Exhibit R:](#) Public Comment - Alejandra Livingston, American Federation of State, County and Municipal Employees
- [Exhibit S:](#) Public Comment - Stephanie Dube, American Federation of State, County and Municipal Employees
- [Exhibit T:](#) Public Comment - Amanda Haboush-Deloye, Clark County Children's Mental Health Consortium
- [Exhibit U:](#) Public Comment - Terri Laird, Retired Public Employees of Nevada
- [Exhibit V:](#) Public Comment - Maria Covarrubias, American Federation of State, County and Municipal Employees
- [Exhibit W:](#) Agenda Item S.17 - Economic Forum Report

## **A. ROLL CALL.**

TOM WEBER (Secretary, Fiscal Analysis Division, Legislative Counsel Bureau [LCB]), called the roll; all members were present except Senator Seevers Gansert, Assemblywoman Benitez-Thompson, Assemblywoman Gorelow, Assemblywoman Titus and Assemblywoman Tolles, who were excused.

## **B. PUBLIC COMMENT.**

ROBIN REEDY (Executive Director, National Alliance on Mental Illness [NAMI] of Nevada): NAMI supports, educates, and strives to ensure that all the policies related to mental health work for the citizens and families of Nevada. I am here today in support of the appropriation of funding to these issues. The advocacy of NAMI includes housing, medication barriers and decriminalizing mental health, which are issues affecting everyone in the state. While there is a resurgence in people becoming interested in mental health, I am hoping that American Rescue Plan Act (ARPA) funding will go towards areas in which the money can have the largest impact and toward infrastructure improvements that would be unaffordable without the additional funding. Hopefully improvements made in the area of mental health using ARPA funding can be sustained once this funding expires.

ABBEY FREDENBURGH (NAMI):

I was diagnosed with bipolar disorder at four years old. I experienced manic episodes with rapid cycling. I had so much anxiety and anger all at once. By middle school, the mania turned to depression. I was bullied by other students, which led to binge eating.

I went to multiple schools promising resources and support that never materialized. At one school, the principal called me in every day to tell me I was hopeless and helpless. If you are emotionally abused every day, you start to believe that what you hear is true. She broke my spirit, and I tried to commit suicide at ten years old. My family was devastated. The right kind of resources and support are almost impossible to find.

My mother advocated for me, fighting for support and resources while never giving up on me. County services are impossible to access on your own. Everyone fights for the services and resources that they need. For example, my individualized education program contained homeschooling to ease bullying and anxiety. I learned coping skills, with art, poetry, and singing helping the most. Medication gave me the ability to get up and want to live my life.

It took a lot of time to find my inner strength. I still battle bipolar disorder every day. My past does not define me anymore. I want to support those who are struggling. There can be better days ahead. I support the Governor's request for \$20 million.

JULIA RATTI (former Nevada Senator [2016-2021], and Director of Programs and Projects, Washoe County Health District [WCHD]):

I am testifying in support of Agenda Items H.17, H.18, and H.20. There needs to be more support for crisis stabilization centers. Much work was done during the 2021 Legislative Session to help build the foundation for reforming the WCHD's behavioral health

response system. The WCHD wants to move from a system that is purely based on emergency response services and the use of law enforcement, ambulances, and fire trucks to a system more geared towards behavioral health response. The reformed system would include a high-touch and high-tech call center, mobile crisis teams and crisis stabilization centers to divert individuals from emergency rooms and jails to a warm, living room model where individuals can interact with behavioral health professionals.

During the 2021 Legislative Session, a significant amount of work was conducted around long-term sustainable funding through adjusted Centers for Medicare and Medicaid Services rates, as a significant portion of the operating costs for crisis stabilization centers can be funded by payers. Senate Bill (S.B.) 390 (2021 Legislative Session) will create a fee on phone lines to help fill in gaps in funding in the crisis response system. A barrier to standing up the crisis stabilization centers is startup costs, and the \$20 million being requested today will help the WCHD cross this barrier. I support this effort, as it will have a significant impact both in improving the lives of individuals and reducing the costs of health care.

DASHUN JACKSON (Director of Children's Safety and Welfare Policy, Children's Advocacy Alliance):

To support children's initiatives, it is important to invest in the lives of young people across the State of Nevada. I ask the Committee to invest in the lives of high-needs children in foster care across the state.

DAVE SHELL (Vice President of Behavioral Health, Renown Health; Board President, NAMI Nevada):

During my 12 years of living in Nevada, the state has remained in last place in the United States (U.S.) regarding mental health. It is imperative that the state improves this ranking so that all Nevadans can receive the mental health treatment and support that they deserve. The creation of crisis stabilization centers throughout Nevada will divert individuals away from emergency rooms and jails, which are not appropriate treatment environments for people experiencing a mental health crisis or addiction. Nevada now has an outstanding opportunity to increase access to care for individuals in crisis and ensure they are connected to the right resources at the right time.

I strongly encourage the Committee to approve Agenda Items H.17 and H.18 for the transfer of \$20 million to the Department of Health and Human Services (DHHS), Division of Public and Behavioral Health (DPBH) for the creation of crisis stabilization centers. I also strongly encourage the Committee's approval of Agenda Item H.20 for the addition of \$10 million to provide crisis triage, residential treatment, and inpatient care. All these services are vitally necessary to move all areas of Nevada forward and to take better care of the mental health needs of Nevada's residents.

CHRIS DALY (Nevada State Education Association) provided public comment for the record ([Exhibit E](#)).

JANELL WOODWARD (American Federation of State, County and Municipal Employees [AFSCME]) provided public comment for the record ([Exhibit F](#)).

KENT ERVIN (Nevada Faculty Alliance):

The Nevada Faculty Alliance represents professional employees at Nevada's public colleges and universities. I echo the public comment submitted by Janell Woodward with AFSCME ([Exhibit F](#)). The state urgently needs to address its dire staffing problems by paying back furloughs, restoring benefits, and providing an adequate cost-of-living adjustment (COLA). A large portion of the ARPA funds are specifically targeted towards restoring budget cuts due to revenue losses, which also applies to furloughs and cuts made to benefits. The Economic Forum report shows that state revenues for FY 2022 are exceeding projections by \$800 million more than what was forecasted in March. However, state employees have still not been made whole after budget cuts made during the COVID-19 pandemic. The proposal to reimburse furloughs is appreciated but waiting until FY 2024 to reimburse state employees for furlough cuts made during spring 2021 does not make sense to most state employees.

On July 1, 2023, state employees who are not part of a collective bargaining unit, including Nevada System of Higher Education (NSHE) professional employees who are not provided this option under state law, will receive only a 1% COLA, which is the first COLA received by state employees since July 2019. Inflation from July 2019 through May 2022 was 14.3%. Employees are losing out as they cannot afford to continue working for the state. NSHE is losing early career faculty members to positions in other states because they cannot afford high rental costs and substandard benefits. Of the positions at the Public Employees' Benefits Program (PEBP), 26% are vacant, and the PEBP call center was not able to answer phones in a timely manner during open enrollment. When will the state act to restore benefits to pre-pandemic levels and when will the wages of state employees be made competitive again? State services will continue to suffer until these things are done.

JONATHAN NORVIN (Policy Director, Nevada Coalition of Legal Service Providers):

The Nevada Coalition of Legal Service Providers (Coalition) is made up of the Volunteer Attorneys for Rural Nevadans, Nevada Legal Services Inc., Legal Aid Center of Southern Nevada, and the Southern Nevada Senior Law Program. The Coalition is in support of Agenda Items H.17, H.18, H.19, and H.20. Regarding child welfare, the Coalition provides direct legal representation to thousands of children in foster care. The COVID-19 pandemic has exposed the frailty of Nevada's system for providing mental health services to children.

Foster care children cycle through congregate care settings (such as Child Haven in Clark County) to detention centers to acute hospitalization and back. Congregate care facilities such as Child Haven are designed as emergency shelters for children, ideally as a 24-to-72-hour placement while appropriate placement is located. However, many congregate care facilities are functioning as a warehouse for foster care children with high mental health needs. After an acute hospitalization, children are stabilized before being placed back at Child Haven where they inevitably deteriorate. Settings designed to house children for an amount of time best measured in hours are housing children for months on end.

Many children who need residential care are sent out of state to long-term residential treatment centers as far away as Detroit, Michigan because Nevada has no local options.

Upon discharge, those same children once again find themselves back in Nevada in an inappropriate placement with inappropriate services because Nevada lacks a mental health system for children with appropriate step-downs. Children often transition back to Child Haven, or a similar setting and it is critical that the state builds out infrastructure to provide the appropriate level of care for children. It takes leadership at all levels to create meaningful change and I applaud the leadership of the Committee, Dr. Cindy Pitlock with the DHHS Division of Child and Family Services, and the entire DHHS team in bringing community partners into the conversation.

SONYA WHITTEN (AFSCME Local 4041):

I ask the Committee to work with Governor Sisolak to use ARPA funding to reimburse the furloughs experienced by State of Nevada employees in 2021. It is unreasonable for state employees to continue to wait to be made whole as they were never made whole after the last recession. State employees should not continue to be the last to be considered as they are always the first to be impacted when budget cuts are made. Additionally, please use available funding to make PEBP more affordable as health care costs are skyrocketing.

DR. TIFFANY TYLER-GARNER (Children's Advocacy Alliance):

The Children's Advocacy Alliance supports Agenda Items H.17, H.18, H.19, H.20, H.30, and H.31.

Dr. Tyler-Garner submitted additional public comment for the record ([Exhibit G](#)).

DAN MUSGROVE (Member, Clark Regional Behavioral Health Policy Board, DPBH, DHHS; Valley Health System):

I am calling in support of Agenda Items H.17, H.18, H.19, H.20, and H.25. It is important that these items be approved as they lay the foundation for an entire system of mental and behavioral health care affecting children and their families. The state needs crisis stabilization centers in place. As Nevada 988 becomes effective on July 1, 2022, the state needs places for children and families to be able to go or there will be a continual breakdown in the system. I appreciate the work of DHHS Director Richard Whitley, DPBH Medical Epidemiologist Dr. Stephanie Woodard, Dr. Cindy Pitlock and Dr. Megan Freeman with the DCFS, the Office of the Governor and the Legislature in helping the future generations of the mental health system with ARPA funding. Additionally, conducting an external quality review of the system of care of managed care organizations (MCOs) in the state is important as MCOs are involved in a great deal of work with behavioral health programs.

DORA UCHEL-MARTINEZ (Nevada Disability Peer Action Coalition):

I am blind and the Committee's agenda and numbered lists are not accessible for blind and visually impaired people. The Americans with Disabilities Act of 1990 has been in place for 32 years, and the state needs to make its materials more accessible so people like myself who are teaching children in grades K-12 to be advocates for themselves will be able to navigate state resources and make our voices heard.

JAKE TIBBITTS (State Land Use Planning Advisory Council) provided public comment for the record ([Exhibit H](#)).

CRYSTAL ABBA and DERRICK HILL (Community College Workforce Training and Programs Committee) provided public comment concerning the NSHE Funding Formula ([Exhibit I](#)).

CRYSTAL ABBA and DERRICK HILL (Community College Workforce Training and Programs Committee) provided public comment concerning the NSHE Workforce Incentive Grant ([Exhibit J](#)).

LYNN PURDUE (Children's Advocacy Alliance) provided public comment for the record ([Exhibit K](#)).

MARLENE MARTINEZ (American Federation of State, County and Municipal Employees) provided public comment for the record ([Exhibit L](#)).

SARAI BERUMEN (AFSCME) provided public comment for the record ([Exhibit M](#)).

KATIE SIMPER (Nevada Department of Wildlife) provided public comment for the record ([Exhibit N](#)).

STEPHANIE PARKER (AFSCME) provided public comment for the record ([Exhibit O](#)).

BRIAN MILLER (AFSCME) provided public comment for the record ([Exhibit P](#)).

ESTHER HASTINGS (American Federation of State, County and Municipal Employees) provided public comment for the record ([Exhibit Q](#)).

ALEJANDRA LIVINGSTON (AFSCME) provided public comment for the record ([Exhibit R](#)).

STEPHANIE DUBE (AFSCME) provided public comment for the record ([Exhibit S](#)).

AMANDA HABOUSH-DELOYE (Clark County Children's Mental Health Consortium) provided public comment for the record ([Exhibit T](#)).

TERRI LAIRD (Retired Public Employees of Nevada) provided public comment for the record ([Exhibit U](#)).

MARIA COVARRUBIAS (AFSCME) provided public comment for the record ([Exhibit V](#)).

**C. APPROVAL OF THE MINUTES OF THE DECEMBER 9, 2021, MEETING.**

Refer to motion for approval under Agenda Item E.

**D. APPROVAL OF THE MINUTES OF THE DECEMBER 21, 2021, MEETING.**

Refer to motion for approval under Agenda Item E.



**E. APPROVAL OF THE MINUTES OF THE FEBRUARY 9, 2022, MEETING.**

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE THE MINUTES OF THE DECEMBER 9, 2021, DECEMBER 21, 2021, AND THE FEBRUARY 9, 2022, MEETINGS.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**F. WORK PROGRAM REVISIONS IN ACCORDANCE WITH NRS 353.220(5)(b) - INFORMATIONAL ONLY - REQUIRED EXPEDITIOUS ACTION WITHIN 15 DAYS.**

**1. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2022**

Addition of ~~\$113,130,191~~ **\$223,679,010** in federal Title XIX funds; ~~deletion of \$3,790,191 and \$1,921,139~~ in federal Title XXI funds; ~~transfer of \$75,456,437 from the Medical Assistance for Persons who are Aged, Blind or Disabled category to the Newly Eligible category; transfer of \$22,788,676 from the County Indigent Program category to the Newly Eligible category; and transfer of \$18,015,036 from the Offline category to the Newly Eligible category~~ to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Newly Eligible category exceeds \$75,000. **Work Program #C58750. REVISED 5-31-22.**

There was no discussion on this item.

**2. Office of the Military - Emergency Operations Center - FY 2022**

Transfer of \$170,142 from the Reserve category to the Emergency Management Building category to address heating, ventilation, and air conditioning equipment failure in the State Emergency Operations Center. Requires Interim Finance approval since the amount transferred to the Emergency Management Building category exceeds \$75,000. **Work Program #C59077**

There was no discussion on this item.

**G. STATEMENT OF AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE FISCAL RECOVERY FUND OBLIGATIONS AND REMAINING RESERVE BALANCES WITHIN THE COVID-19 RELIEF PROGRAMS BUDGET ACCOUNT.**

BRODY LEISER (Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division, LCB):  
The statement can be found in Volume 1 of the meeting packet ([Exhibit A](#)), beginning with the summary sheet on page 251. There are no changes to the format or layout compared to the statement presented at the May 5, 2022, IFC meeting. If all items submitted for consideration today, which total \$171.4 million, are approved by the Committee, the remaining unobligated balance of ARPA Coronavirus State Fiscal Recovery Funds



(CSFRF) would be approximately \$1.1 billion as displayed toward the bottom of the summary sheet. Pages 252 through 254 of ([Exhibit A](#)) detail the obligations approved to date, and the items submitted for consideration by the Committee today begin on page 255.

There are 32 work programs within Agenda Item H and one action item under Agenda Item P relating to the CSFRF obligations. While the Committee may hear details on several of the items today, I will briefly summarize the requests for consideration:

- \$1.6 million to continue staffing within the Office of the Governor and Governor's Office of Finance to administer ARPA funding.
- \$5.1 million to facilitate five requests to allocate funds under the nonprofit community recovery grant program.
- \$8.8 million to support intermittent positions at the Department of Employment, Training and Rehabilitation (DETR) to address a backlog of unemployment insurance claims and a request to move \$7.8 million from reserves within DETR's budget to continue the implementation efforts of the unemployment insurance information system modernization.
- Seven requests totaling \$4.7 million to allocate funds from the \$100 million set aside for state agencies.
- \$75.9 million for the Department of Agriculture to provide universal free school meals.
- \$50 million to provide child care subsidies for families.
- \$20 million to establish behavioral health crisis stabilization centers and \$10 million to bridge and provide crisis triage services while the stabilization centers are being established.
- A request to move \$200 million authorized and previously obligated through Assembly Bill 495 (2021 Legislative Session) from reserves for the Department of Education to grant funding to augment programs addressing learning loss due to the COVID-19 pandemic.

The breakdown statement for select obligations of CSFRF is shown on pages 257 through 260 of ([Exhibit A](#)). There are six items on page 259 of ([Exhibit A](#)) under the section for allocations of the \$100 million in authority for state agencies that were approved by the Office of the Governor and do not require IFC approval as indicated on the statement. These six items are on the list with dates of May 6, 2022, through June 8, 2022. As displayed on page 260 of ([Exhibit A](#)), considering allocations previously approved by the IFC and the Office of the Governor, and if all seven requests for allocations are approved today by the Committee, there would be approximately \$55.9 million in remaining authority to obligate under the \$100 million that the Committee authorized for allocations to state agencies.

**H. APPROVAL OF WORK PROGRAM REVISIONS FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS, IN ACCORDANCE WITH NRS 353.220.**

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):

The following agenda items have been identified for additional discussion: Agenda Item H.15, Office of the Governor, will be heard with H.16, Department of Agriculture, Nutrition Education Programs. Agenda Item H.17, Office of the Governor, will be heard with H.18, DHHS, DPBH; H.19, Office of the Governor; and H.20, DHHS, DPBH. Agenda Item H.30, Office of the Governor, will be heard with H.31, DHHS, Division of Welfare and Supportive Services (DWSS). Agenda Item H.23, Nevada Department of Education (NDE), COVID-19 Funding has also been identified for additional discussion.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE THE REMAINING WORK PROGRAM REVISIONS AND POSITION RECLASSIFICATIONS UNDER AGENDA ITEMS H AND I.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**1. Office of the Governor - FY 2023**

Addition of \$347,130 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds (FRF) transferred from the COVID-19 Relief Programs account to continue funding three positions and associated expenses for implementing and administering the ARPA FRF funds. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **RELATES TO ITEM H.2. Work Program #23FRF10001**

Refer to motion for approval under Agenda Item H.

**2. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$347,130 from the Reserve category to the American Rescue Plan Act (ARPA) Administration category to support an allocation to the Office of the Governor to continue funding three positions to implement and administer the ARPA Coronavirus State Fiscal Recovery Funds. Requires Interim Finance approval since the amount transferred to the ARPA Administration category exceeds \$75,000. **RELATES TO ITEM H.1. Work Program #23FR132712**

Refer to motion for approval under Agenda Item H.

**3. Office of the Governor - FY 2023**

Addition of \$286,716 in federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account

to continue funding two positions and associated expenses to support the implementation of the Infrastructure Investment and Jobs Act. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #23FRF10002**

Refer to motion for approval under Agenda Item H.

4. **Office of the Governor - COVID-19 Relief Programs - FY 2022**  
**Addition of \$75,369,262 in federal American Rescue Plan Act (ARPA) - Coronavirus State and Local Fiscal Recovery Funds to distribute the second tranche payments to Non-Entitlement Units (NEU) of Local Government and transfer** ~~Transfer~~ of \$4,310,079 from the Reserve category to the American Rescue Plan Act (ARPA) Non-Entitlement Government category to return funding to the U.S. Department of the Treasury for NEUs whose allocations were in excess of their 75% budget cap. Requires Interim Finance approval since the amount transferred to the ARPA Non-Entitlement Government category exceeds \$75,000. **Work Program #22FR132743. REVISED 6-1-22.**

Refer to motion for approval under Agenda Item H.

5. **Office of the Governor - COVID-19 Relief Programs - FY 2022**  
Transfer of \$3,000,000 from the Community Recovery Grant Reserve category to the American Rescue Plan Act (ARPA) Community Recovery Grants category to provide a subaward to the Boys and Girls Club of Truckee Meadows to support the Kidswell Program. Requires Interim Finance approval since the amount transferred to the ARPA Community Recovery Grants category exceeds \$75,000. **Work Program #22FR132744**

Refer to motion for approval under Agenda Item H.

6. **Office of the Governor - COVID-19 Relief Programs - FY 2022**  
Transfer of \$10,936 from the Community Recovery Grant Reserve category to the American Rescue Plan Act (ARPA) Community Recovery Grants category to support an allocation to the Department of Health and Human Services, Aging and Disability Services Division, to provide a subaward to Churchill Community Hospital, Inc. for its Patients in Need project. Requires Interim Finance approval since the cumulative amount transferred to the ARPA Community Recovery Grants category exceeds \$75,000. **RELATES TO ITEM H.7. Work Program #22FR132746**

Refer to motion for approval under Agenda Item H.

7. **Department of Health and Human Services - Aging and Disability Services - Home and Community-Based Services - FY 2022**  
Addition of \$10,936 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds (FRF) transferred from the COVID-19 Relief Programs account to provide a subaward to Churchill Community Hospital, Inc. for its Patients in Need project. Requires Interim Finance approval

since the cumulative amount added to the ARPA FRF Community Recovery Grants category exceeds \$75,000. **RELATES TO ITEM H.6. Work Program #22FRF32662**

Refer to motion for approval under Agenda Item H.

**8. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$1,410,851 from the Community Recovery Grant Reserve category to the American Rescue Plan Act (ARPA) Community Recovery Grants category to support an allocation to the Department of Education for subawards to Spread the Word Nevada and Northern Nevada Literacy Council to fund programs to address literacy and learning loss. Requires Interim Finance approval since the amount transferred to the ARPA Community Recovery Grants category exceeds \$75,000. **RELATES TO ITEM H.9. Work Program #22FR132747**

Refer to motion for approval under Agenda Item H.

**9. Department of Education - COVID-19 Funding - FY 2022**

Addition of \$1,410,851 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund subawards to Spread the Word Nevada and Northern Nevada Literacy Council for programs that address literacy and learning loss. Requires Interim Finance approval since the amount added to the Spread the Word Nevada category exceeds \$75,000. **RELATES TO ITEM H.8. Work Program #22FRF27102**

Refer to motion for approval under Agenda Item H.

**10. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$152,313 from the Community Recovery Grant Reserve category to the American Rescue Plan Act (ARPA) Community Recovery Grants category to provide a subaward to the Community Health Development Foundation to provide case management, identification of community wellness needs, and care coordination. Requires Interim Finance approval since the amount transferred to the ARPA Community Recovery Grants category exceeds \$75,000. **Work Program #22FR132748**

Refer to motion for approval under Agenda Item H.

**11. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$8,810,511 from the Reserve category to the American Rescue Plan Act (ARPA) Projects category to support an allocation to the Department of Employment, Training and Rehabilitation to fund intermittent positions to address the backlog of unemployment insurance claims due to the COVID-19 pandemic. Requires Interim Finance approval since the amount transferred to the ARPA Projects category exceeds \$75,000. **RELATES TO ITEM H.12. Work Program #23FR132709**

Refer to motion for approval under Agenda Item H.

**12. Department of Employment, Training and Rehabilitation - Employment Security Division - Unemployment Insurance - FY 2023**

Addition of \$8,810,511 in federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Program account to support intermittent positions to address the backlog of unemployment insurance claims due to the COVID-19 pandemic. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **RELATES TO ITEM H.11. Work Program #23FR477202**

Refer to motion for approval under Agenda Item H.

**13. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$1,226,904 from the Reserve category to the American Rescue Plan Act (ARPA) Administration category to support an allocation to the Governor's Office of Finance to provide funding for state positions and contractors that oversee and administer ARPA Coronavirus State Fiscal Recovery Funds. Requires Interim Finance approval since the amount transferred to the ARPA Administration category exceeds \$75,000. **RELATES TO ITEM H.14. Work Program #23FR132710**

Refer to motion for approval under Agenda Item H.

**14. Office of the Governor - Governor's Office of Finance - Budget Division - FY 2023**

Addition of \$1,226,904 in federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds (FRF) transferred from the COVID-19 Relief Programs account to continue funding for seven existing positions and three contractor positions and to fund the addition of one new Executive Branch Budget Officer 1 to administer and monitor the FRF funds. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **RELATES TO ITEM H.13. Work Program #23FRF13401**

Refer to motion for approval under Agenda Item H.

**15. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$75,900,028 from the Reserve category to the American Rescue Plan Act (ARPA) Universal School Meals category to support an allocation to the Department of Agriculture to provide universal free school meals. Requires Interim Finance approval since the amount transferred to the ARPA Universal School Meals category exceeds \$75,000. **RELATES TO ITEM H.16. Work Program #23FR132711**

Agenda Items H.15 and H.16 were discussed jointly. Refer to discussion and motion for approval under Agenda Item H.16.

**16. Department of Agriculture - Nutrition Education Programs - FY 2023**

Addition of \$75,900,028 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to provide universal free school meals. Requires Interim Finance approval since the amount added to the ARPA Universal School Meals category exceeds \$75,000. **RELATES TO ITEM H.15. Work Program #23FR269101**

Agenda Items H.15 and H.16 were discussed jointly.

JENNIFER OTT (Director, Nevada Department of Agriculture [NDA]):

This past spring, the U.S. Congress and the U.S. Department of Agriculture (USDA) decided not to renew the waivers or funding that would allow universal school meals to continue during the 2022-2023 school year. This decision left approximately 50% of Nevada's children without a guaranteed school meal for the 2022-2023 school year. The \$75.9 million that the NDA is requesting would allow it to offer free school meals during the 2022-2023 school year, which would provide a small amount of certainty regarding nutrition and food in the lives of Nevada's children.

ASSEMBLYWOMAN MILLER:

Now that Nevada children will not automatically receive a free school meal, will families of students be required to submit applications to determine eligibility for reimbursement for meals from the USDA?

Ms. OTT:

No, they will not. If the funding requested by the NDA is approved, every child will receive a free school meal. However, the NDA is still requesting that schools complete applications to determine eligibility for free or reduced-price meals. The USDA will still pay for free or reduced-price meals, and the more that the NDA can get the USDA to pay for, the less the NDA will need to use American Rescue Plan Act (ARPA) funding to pay for school meals, and this may make it easier for schools to qualify for free or reduced-price meals in future school years.

ASSEMBLYWOMAN MILLER:

Because applications to determine students' eligibility for free or reduced-price meals were not required by the USDA during the past two school years, please discuss the department's plan to ensure school food authorities obtain eligibility applications from families and meet deadlines to ensure allowable reimbursements are received from USDA funds to avoid the use of ARPA funds and a potential liability for the state.

JHONE EBERT (State Superintendent of Public Instruction, NDE):

Director Ott and I have met with all the school district superintendents to ensure that they fully understand the shift back to the USDA requiring families of students to submit applications to determine eligibility for free or reduced-price meals. Making sure parents are involved, hosting open houses, providing information in multiple languages, and amplifying past efforts helps the NDE and NDA reach the

additional students now qualifying for free or reduced-price meals and ensure applications are completed in a timely manner.

ASSEMBLYWOMAN MONROE-MORENO:

Prior to the COVID-19 pandemic, all students at a number of schools were receiving free or reduced-price meals. What will happen at these schools now that families of students must submit applications to determine eligibility for free or reduced-price meals? Will certain families be required to fill out applications even though they were not required to do so previously? Many of these families will not begin filling out the required paperwork, which will make it difficult for school districts to get the paperwork necessary to meet USDA requirements. If a school district does not obtain and submit eligibility applications from families, has consideration been made to require the school district to pay for the difference in cost between a reduced-price or paid meal?

Ms. OTT:

Certain schools and school districts were receiving free meals prior to the COVID-19 pandemic through the USDA Community Eligibility Provision (CEP) program. Through the CEP program, once a school, school district, or county meets a certain threshold, they can begin receiving free school meals for both breakfast and lunch. For the last several years, the NDA's nutrition staff has been working with schools to enroll in the CEP program knowing that the USDA waiver for free and reduced-price meals was going to expire. The NDA is currently building on its progress, and currently 453 schools in Nevada are eligible for the CEP program. The request that the NDA is making today does not alter the CEP program.

Free meals at schools will be reimbursed by the USDA, reduced-price meals will be reimbursed by both the USDA and by using ARPA funds, and paid meals will be reimbursed using ARPA funds. There will not be an additional burden on schools once the USDA waiver expires, and the NDA is making a significant effort to ensure that its computer programs can handle an increased number of applications, so the process is seamless.

ASSEMBLYWOMAN MONROE-MORENO:

Who picks up the cost if school districts do not submit the eligibility applications for free or reduced-price meals? Will the ARPA funding only be used to help schools that submitted applications?

Ms. OTT:

The purpose of the free and reduced-price meal application is to determine eligibility for USDA reimbursement. The difference in costs will be between what is covered by USDA funding and what is covered by ARPA funding.

CHAIR DENIS:

The NDA is using ARPA funds to make up the difference between the amount that a school pays for a meal and the amount reimbursed by the USDA. If a school does not provide an application to determine eligibility for a free or reduced-price



meal, the full cost of the meal will be reimbursed to the school using ARPA funds. If applications are completed, more USDA funding will be used to reimburse the schools for the meals that they purchased, and the ARPA funding can be used to cover other activities. Is that correct?

Ms. OTT:

Yes, that is correct. Using the NDA's statewide universal free school meals program to encourage the timely submittal of applications will ensure that as many meals as possible can be reimbursed using USDA funding. However, if an application is not submitted, a child should not be forced to go without a meal. Just because a family is not eligible for a free or reduced-price meal does not mean that there is not some sort of food insecurity or other gap where a child is not receiving a meal. The NDA is striving to ensure that all children, regardless of whether they qualify for a free or reduced-price meal, will receive a free meal at school during the 2022-2023 school year.

CHAIR DENIS:

The Committee also wants to ensure that this process is seamless and that no children are left hungry. Is there an incentive for school districts to get the families of children at their schools to submit applications? If the cost of the meals will be reimbursed regardless through USDA or ARPA funding, how will the NDA ensure that school districts are tracking and submitting applications?

Ms. OTT:

Throughout the summer and fall of 2022, I will be committed to ensuring that schools and school districts are signed up for the CEP program as the USDA National School Breakfast and National School Lunch Program are sometimes not enough to ensure that all eligible children are receiving a free or reduced-price meal.

CHAIR DENIS:

Is the application for the CEP easier to fill out than the application for the USDA National School Breakfast and National School Lunch Program?

Ms. OTT:

Yes, it is easier for parents and students to fill out the CEP application. Once eligibility for the CEP program is determined, the NDA works through schools and school districts to serve free school meals to students.

SENATOR GOICOECHEA:

Will all students receive free school meals through the NDA's proposed statewide universal free school meals program? Will any students receive a reduced-price meal through the program?

Ms. OTT:

All students will receive a free school meal through the NDA's proposed statewide universal free school meals program.

SENATOR GOICOECHEA:

What is the incentive for schools and school districts to ensure that applications are completed if all students will be receiving a free school meal anyway? Once the ARPA funding expires, will children and their families be required to fill out an application to receive a free or reduced-price meal?

Ms. OTT:

If the NDA's request to utilize \$75.9 million in ARPA funds to provide free school meals for the 2022-2023 school year is approved, applications for a free or reduced-price meal will have to be submitted for the 2023-2024 school year because the NDA's statewide universal free school meals program will no longer be in effect. At that time, the only schools that will be eligible to serve free meals to students without collecting an application will be those schools enrolled in the CEP program.

SENATOR GOICOECHEA:

Under the NDA's proposed plan, all students in Nevada will receive a free breakfast and lunch during the 2022-2023 school year, regardless of whether they apply or not. Does this also include backpack programs and free meals on the weekends?

Ms. OTT:

Yes, all students will receive a free breakfast and lunch during the 2022-2023 school year. The backpack programs are under a different program and will still be running.

SENATOR GOICOECHEA:

Can all students in Nevada access the backpack programs for free without applying?

Ms. OTT:

I will provide the eligibility requirements for the backpack programs to the Committee at a later date.

ASSEMBLYMAN ROBERTS:

What paperwork will be needed for students to receive free meals under the NDA's proposed statewide universal free school meals program?

Ms. OTT:

The NDE and NDA always encourage students and parents to complete the free and reduced-price lunch application as their children register for school. A student's eligibility for a free, reduced, or paid meal is determined based on this paperwork. Under the NDA's proposed school meal program, the USDA will reimburse for free meals, both USDA and ARPA funding will be used to pay for reduced-price meals, and paid meals will be covered by ARPA funds. Paperwork will not be required to access the NDA's proposed program, but the NDA is encouraging students and families to complete the paperwork and is encouraging schools to help in this process so that as many meals as possible are covered

using USDA funding.

ASSEMBLYMAN ROBERTS:

During school registration, will school faculty discuss the NDA's proposed program with parents to determine if their children are eligible for a free or reduced-price lunch? Will applications for the program be provided during the registration process?

Ms. EBERT:

Yes, discussing eligibility for free or reduced-price meals with families is standard during the school registration process. Spreading awareness of the NDA's proposed program will be amplified during registration for the 2022-2023 school year as the funding will only be available for one year.

SENATOR HAMMOND:

The NDE and NDA are trying to recoup costs for free school meals by ensuring that children are eligible under federal standards for free meals and by encouraging eligibility paperwork to be completed. Will children whose families can afford meals qualify for free meals under the NDA's proposed program? I do not believe that parents of these children will fill out applications. Even if they do complete an application, these children will not qualify to have their meals reimbursed with USDA funding because their family's income will be above the income threshold.

Ms. OTT:

No money will go directly to reimbursing parents for school meals. Children who did not submit paperwork or those who are not eligible for the USDA National School Breakfast and National School Lunch Program will still be eligible to receive free school meals under the NDA's proposed program.

SENATOR HAMMOND:

It seems like children whose families can afford meals will still receive a free meal under the NDA's proposed program. If more paperwork is completed by families who are eligible, then less ARPA funding will be needed to reimburse for meals and the funding can be spent elsewhere. Is this correct?

Ms. OTT:

Yes, the more children who become enrolled in the USDA National School Breakfast and National School Lunch Program, the more that USDA funding can be used instead of ARPA funding to reimburse for meals.

SENATOR HAMMOND:

Is the funding requested today for the 2022-2023 school year? Will this funding be available during the 2023-2024 school year?

Ms. OTT:

The funding requested is for the 2022-2023 school year and will not be available during the 2023-2024 school year.

SENATOR NEAL:

I understand what the NDA is trying to achieve under its proposed program. Considering that the funding will only be available for the 2022-2023 school year, families who can afford to provide school meals to their children should not be eligible for free meals under the program. When looking at page 347 in Volume 1 of the meeting packet ([Exhibit A](#)), it appears that the NDA analyzed meal claims from October 2021 and then updated the data using meal claims from February 2022 to determine how many students would be requesting free and reduced-price meals during the 2022-2023 school year. This data seems to be skewed because it is from the 2021-2022 school year. Additionally, the month of October can provide more informative data regarding free and reduced-price meals. Why did the NDA choose to use data from February 2022? Why were children ineligible to receive free or reduced-price meals included in the NDA's calculations to determine how many meals would be served to students eligible for free, reduced or paid meals? Students eligible for paid meals should be removed from the NDA's calculations so that the true number of students who need to be served can be reached. Children with food insecurities are not going to be considered paid eligible.

ASSEMBLYWOMAN CARLTON:

The NDA will continue providing universal access to free school meals. If the USDA would step up and extend the waiver that granted free meals for all students past June 30, 2022, the NDA would not be asking for additional funding. How many applications for free or reduced-price meals were being completed prior to the COVID-19 pandemic? How many applications is the NDA striving for now? Calculating these percentages will help the NDA evaluate how many students are continuing to receive free or reduced-price meals and determine which school districts are submitting applications, which will ensure as much federal reimbursement as possible is received next school year.

MS. OTT:

The NDA has data from before the COVID-19 pandemic to date and will analyze it to determine which schools are not submitting eligibility applications.

ASSEMBLYWOMAN CARLTON:

Once the data is analyzed, the NDA and the Legislature may want to discuss using as much federal funding as possible to provide free and reduced-price meals and having the state pay for the rest. This will allow free school meals to continue to be provided to all students in the future and reduce the stigma surrounding students who receive free meals at school.

ASSEMBLYWOMAN KASAMA:

Every student who needs a free school meal should receive one as studies show that students cannot learn on an empty stomach. However, I do not agree with the NDA's plans to use ARPA funding to pay for meals for students from families who can afford meals and I do not agree with using ARPA funding for things that can be reimbursed for using USDA funding if the correct forms are completed. Through good intentions, the NDA is hoping that paperwork will be completed so that it will

receive as much USDA funding as possible. Good intentions do not always work. Prior to the COVID-19 pandemic, 57% of Nevada's students from schools offering the USDA National School Breakfast and National School Lunch Program were eligible for free or reduced-price meals. This means that 43% of families could afford to pay for school meals for their children. Based on the NDA's request for approximately \$75 million in ARPA funds, 43% of this amount would be approximately \$32,250,000 of ARPA funding that could be spent elsewhere. While I support using ARPA money for items that can have a large impact on the state, I will not be supporting a motion to approve the NDA's request as I think the ARPA money can be better spent elsewhere such as for rental assistance or the establishment of crisis response centers.

CHAIR DENIS:

If the Committee does not approve this request, then the process for a student to obtain a free lunch will not be as seamless in the upcoming 2022-2023 school year? Is that correct?

Ms. OTT:

Yes. It would not be seamless and there would be a lot of students left behind.

ASSEMBLYMAN HAFEN:

I support maximizing the use of federal funding (USDA and ARPA). As part of the motion to approve this item, can the Committee require schools to obtain eligibility applications from families as part of the student enrollment process?

CHAIR DENIS:

Fiscal staff would need to calculate the exact amount of ARPA funding that could be saved by not providing free or reduced-price meals to students who were ineligible for these programs prior to the COVID-19 pandemic. Will the NDA's proposed plan be in addition to the CEP program? How does the CEP program relate to the NDA's proposed plan?

Ms. OTT:

As the NDA Director, I do not have the statutory authority to require schools to obtain eligibility applications from families as part of the student enrollment process. However, the CEP program will still be available. The CEP program already provides free universal breakfast and lunch in 453 Nevada schools; these schools were not included in the free, reduced, and paid meal enrollment portion of the NDA's proposed plan.

CHAIR DENIS:

The NDA's proposed plan will affect schools not enrolled in the CEP program. If more schools applied for the CEP program, would the amount of ARPA funding currently being requested be reduced?

Ms. OTT:

Yes. More schools applying for the CEP program would reduce the amount of ARPA funding being requested, which is one of the NDA's goals.

CHAIR DENIS:

Schools should be encouraged to enroll in the CEP program. The CEP program has been around for a while and will continue to be available, correct?

Ms. OTT:

Yes, that is correct.

ASSEMBLYMAN HAFEN:

As part of the motion, does the Committee have the authority to require schools to obtain eligibility applications from families as part of the student enrollment process?

BRYAN FERNLEY (Legislative Counsel, Legal Division, LCB):

The Committee does not have authority to require schools to obtain eligibility applications from families as part of the student enrollment process through this motion. That action would need to come forward in the form of a bill during a future legislative session.

SENATOR GOICOECHEA:

What are the criteria for schools to qualify for the CEP program?

Ms. OTT:

The eligibility requirements for the CEP program average out across schools, school districts, and counties.

HOMA ANOOSHEHPoor (Administrator, Division of Food and Nutrition, NDA):

To be eligible to participate in the CEP program, a school district, a school, or a group of schools from the same district must have a directly certified identified student percentage of at least 40% receiving a free or reduced-price lunch; the formula to calculate the identified student percentage comes from the USDA.

SENATOR GOICOECHEA:

Under the CEP program, if 40% of students qualify for a free or reduced-price meal then the whole school qualifies. I understand that the NDA is striving to get as many schools as possible to meet the 40% threshold so that the entire school district will be eligible for USDA funding through the CEP program, saving ARPA funding for other purposes. Getting children reenrolled in the free and reduced-price meal programs is very important, especially considering that many students were not in school and may have missed meals during the COVID-19 pandemic. I support the NDA's proposal to provide free meals to all students during the 2022-2023 school year.

SENATOR HARDY:

The purpose of this request is to transfer \$75,900,028 from the Reserve category to the ARPA Universal School Meals category to support an allocation to the NDA to provide universal free school meals. Is the Reserve category limited to universal school meals or can it be used for other purposes such as mental health? Can

some of the requested ARPA funding be used for other purposes, or will the Committee's approval of this request obligate the funding for the sole purpose of providing free meals to students? Can the Committee decide later to stop using ARPA funds to reimburse free meals for students who would normally be ineligible outside of the program?

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):

The ARPA funding in the Reserve category can be used for any eligible expenditure listed under U.S. Department of the Treasury (Treasury) guidelines and does not have to be used solely to provide free school meals. However, if Agenda Items H.15 and H.16 are approved, the \$75,900,028 will be obligated for the purpose of providing free school meals, and the funding will no longer be available for other eligible expenses unless a request to use it for another purpose is approved by the Committee in the future.

SENATOR HARDY:

How much money is in the Reserve category? Is there enough money to meet the needs being discussed today?

MR. THORLEY:

The summary statement of ARPA CSFRF obligations and remaining reserve balances begins on page 251 in Volume 1 of the meeting packet ([Exhibit A](#)). The \$75,900,028 for the NDA's proposed program is being requested to come out of the ARPA loss revenue reserve balance. Based on calculations developed by the Treasury, a portion of the ARPA funding that the state received (approximately \$2.7 billion) within the COVID-19 Relief Programs budget account can go toward replacing lost revenue. If all the items before the Committee today are approved, there will be approximately \$490 million in ARPA funds remaining in the loss revenue reserve category, and approximately \$1.1 billion of ARPA CSFRF remaining overall. The COVID-19 Relief Programs budget account also has a main reserve category, a nonprofit grants reserve category, and a Home Means Nevada Initiative category.

ASSEMBLYWOMAN CARLTON:

If all the items before the Committee today are approved, there will still be approximately \$1.1 billion of ARPA CSFRF remaining overall within the COVID-19 Relief Programs budget account. There are other issues in the state but spending \$75,900,028 to provide free school meals to all students in Nevada for one more year while reducing the stigma surrounding free school meals is worth it. Feeding children should be a top priority for the Committee.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEMS H.15 AND H.16.

SENATOR CANNIZZARO SECONDED THE MOTION.



ASSEMBLYMAN YEAGER:

During the COVID-19 pandemic, the federal government provided funding for free school meals for all of Nevada's students. Even though the USDA waiver expires on June 30, 2022, and some students from families above the income eligibility threshold will receive free meals, this request gives the Committee an opportunity to continue using ARPA funding to provide relief for Nevada families and lessen the burden of an increased cost of living. It is hard for students to learn when they are hungry, and I strongly support this motion.

SENATOR CANNIZZARO:

I am glad that the NDA has brought forward this request. As someone who received free and reduced-price meals as a child, I can attest to the stigma surrounding children who receive free school meals while other students around them do not. There is a very small difference between the children who qualify for these programs and those who barely miss the eligibility threshold. Being able to provide food for all children and relief to families while reducing the stigma surrounding free school meals, and ensuring that no students go hungry at school, is a worthy way to spend this funding. The ARPA funding should be used to provide relief to Nevada families and address the learning loss experienced by students throughout the COVID-19 pandemic to ease their educational journey. There will still be enough funding left over for the Committee to fund a variety of beneficial programs, and I strongly support the motion.

SENATOR HAMMOND:

I appreciate that the NDE and NDA are having discussions with school district superintendents regarding the expectations of the program and the completion of eligibility applications. The circumstances behind why a child did not bring a meal to school are not always known, but no child should be left hungry, especially while at school. I also support the motion.

THE MOTION PASSED. (Assemblywoman Kasama opposed the motion.)

**17. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$20,000,000 from the Reserve category to the American Rescue Plan Act (ARPA) Crisis Care category to support an allocation to the Department of Health and Human Services, Division of Public and Behavioral Health, for crisis stabilization centers. Requires Interim Finance approval since the amount transferred to the ARPA Crisis Care category exceeds \$75,000. **RELATES TO ITEM H.18. Work Program #23FR132713**

Agenda Items H.17, H.18, H.19, and H.20 were discussed jointly. Refer to discussion and motion for approval under Agenda Item H.20.

**18. Department of Health and Human Services - Public and Behavioral Health - Crisis Response - FY 2023**

Addition of \$20,000,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds (FRF) transferred from the

COVID-19 Relief Programs account to establish crisis stabilization centers. Requires Interim Finance approval since the amount added to the ARPA FRF Crisis Stabilization Centers category exceeds \$75,000. **RELATES TO ITEM H.17. Work Program #23FRF31653**

Agenda Items H.17, H.18, H.19, and H.20 were discussed jointly. Refer to discussion and motion for approval under Agenda Item H.20.

**19. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$10,000,000 from the Reserve category to the American Rescue Plan Act (ARPA) Crisis Care category to support an allocation to the Department of Health and Human Services, Division of Public and Behavioral Health, to fund crisis triage, residential treatment, and inpatient care services. Requires Interim Finance approval since the amount transferred to the ARPA Crisis Care category exceeds \$75,000. **RELATES TO ITEM H.20. Work Program #23FR132714**

Agenda Items H.17, H.18, H.19, and H.20 were discussed jointly. Refer to discussion and motion for approval under Agenda Item H.20.

**20. Department of Health and Human Services - Public and Behavioral Health - Crisis Response - FY 2023**

Addition of \$10,000,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds (FRF) transferred from the COVID-19 Relief Programs account to provide crisis triage, residential treatment, and inpatient care services. Requires Interim Finance approval since the amount added to the ARPA FRF Crisis Billing Funds category exceeds \$75,000. **RELATES TO ITEM H.19. Work Program #23FRF31654**

Agenda Items H.17, H.18, H.19, and H.20 were discussed jointly.

DR. STEPHANIE WOODARD (Medical Epidemiologist, DPBH, DHHS):

The design of the crisis response system, including crisis stabilization centers, began in earnest before the COVID-19 pandemic and was in direct response to the needs of communities to ensure care could be accessed when someone experiences a behavioral health crisis. While the unmet needs of behavioral health crises were a concern prior to the pandemic, the DPBH has seen increased demands for behavioral health services during the pandemic, which have exacerbated unmet needs, leaving individuals and families to seek care in emergency rooms or to forego care all together. In Nevada, it is estimated that the total cost burden of care without an adequate crisis system in place is more than \$506 million annually. The development of a full-crisis continuum will aid Nevada in its economic recovery from the pandemic and alleviate unnecessary cost burdens to hospitals, law enforcement, emergency services, and families.

In addition to the financial burden of the COVID-19 pandemic, the human toll is also significant. In the absence of a crisis response system, law enforcement must intervene with people in need of behavioral health support. Long wait times in

emergency rooms is occurring along with a high suicide rate. Children are also still at an increased risk for out-of-home placements. Overall, the pandemic has increased pressure on Nevada's health care and behavioral health systems, leaving increasingly more children, youth, families, and adults with unmet behavioral health needs across communities.

American Rescue Plan Act (ARPA) supplemental block grant funding has been and will continue to be leveraged to the greatest degree possible to address needs and to establish necessary systems and services. The requests for ARPA block grant funding before the Committee today will be used to support and grow Nevada's crisis stabilization centers. However, infrastructure and tenant improvement costs are not allowable expenditures, and budgets are being built for crisis stabilization centers that far surpass available grant funding. Funding through these four work programs would be available to continue moving projects forward that are aimed at supporting infrastructure, construction projects, and operational costs to implement crisis stabilization centers statewide. The DPBH anticipates the ARPA funding will be braided with supplemental block grant funding to establish such centers.

National best practices and standards of care have been established for a crisis response system. Such a system includes someone to call, someone to respond, and someone to support, often with a place to go for crisis support services. Crisis stabilization centers offer communities a no-wrong-door access to behavioral health crisis care, which includes screening, assessment, stabilization, withdrawal management, peer-recovery support services, care coordination, linkage, referral to appropriate levels of care and safer suicide safety planning, all in a living room-like setting within a licensed hospital facility. Crisis stabilization centers operate as a psychiatric emergency department that accepts all walk-ins and ambulance, fire, and police drop-offs. Many individuals in crisis brought to an emergency room today experience increased distress and worsening of symptoms due to noise and overcrowding, limited privacy in triage areas, and being attended to by staff who may have very little experience in psychiatric crisis. Crisis stabilization centers improve patient outcomes by directly addressing behavioral health crises and connecting individuals to care within a therapeutic milieu designed specifically for crisis services.

While Nevada establishes crisis stabilization centers and needed infrastructure, adults and children continue to experience behavioral health crises exacerbated by the COVID-19 pandemic. Therefore, the DPBH is also pairing another request for additional funds to help alleviate emergency needs related to behavioral health. Populations that will be targeted include children and adolescents experiencing behavioral health crises, including but not limited to those who are uninsured or underinsured and children and adolescents at risk for placement within the child welfare/juvenile justice system. Children who have a need that requires supplemental funding to secure care due to complexity, acuity, and severity of needs will also be targeted. This funding will be used to supplement and not supplant existing funding such as third-party liability for billable services.

The Committee has two work programs before it today, the first being a request for \$20 million to support the necessary development and infrastructure of crisis stabilization centers. The second request is for an additional \$10 million to provide emergency behavioral health funding. This additional funding can be enacted quickly through state procurement processes and will ensure that the state does not have a gap in providing emergency services for individuals experiencing a behavioral health crisis as the DPBH works to build the necessary crisis stabilization infrastructure statewide.

SENATOR HARRIS:

How would hospital crisis response centers supported with one-time ARPA funding be sustained following the end of the grant period? Will future grant funding be available for the project?

DR. WOODARD:

Sustainability has been a primary focus of the DPBH while moving these projects forward. The last thing that the division wants is to establish infrastructure in a community using the ARPA funds only to have to close the centers when funding expires. Assembly Bill (A.B.) 66 (2019 Legislative Session) and S.B. 156 (2021 Legislative Session) established endorsements for crisis stabilization centers and directed Nevada Medicaid to create a reimbursement structure. Additionally, S.B. 390 (2021 Legislative Session) established the crisis response account to accept additional surcharges and fees associated with telecommunications lines; these surcharges and fees will become revenue that can be used to provide additional sustainability for the crisis stabilization centers.

DR. ANTONINA CAPURRO (Deputy Division Administrator, Division of Health Care Financing and Policy [DHCFP], DHHS):

The DHCFP has established a Medicaid rate for crisis stabilization centers that are endorsed through the DPBH Bureau of Health Care Quality and Compliance. The rate is expected to be approved by the Centers for Medicare and Medicaid Services (CMS) and is currently pending CMS approval. On March 30, 2022, the DHCFP submitted a state plan amendment regarding its reimbursement methodology for crisis stabilization centers and expects that the rate will be available for reimbursement by the end of calendar year 2022. However, the availability of the reimbursement rate is dependent on the seamless approval of the DHCFP's state plan amendment.

SENATOR HARRIS:

How did the DHCFP determine the reimbursement rate for crisis stabilization centers, and will the rate be sufficient to maintain services? Sometimes the rates of Nevada Medicaid are too low to stand up new programs.

DR. CAPURRO:

The reimbursement rate was assigned based on a default daily rate that is currently pending CMS approval. After the crisis stabilization centers provide services for a full calendar year, the centers will have the ability to file a cost report along with 50% of the costs associated with an actuarial contractor audit. The

DHCFP will then build a rate based on the actual costs of providing services. I can provide more specific financial information to the Committee after the meeting.

SENATOR HARRIS:

The DHCFP is going to collect more data on the actual cost of services before reevaluating its reimbursement rate, is that correct?

DR. CAPURRO:

That is correct.

ASSEMBLYWOMAN PETERS:

I am looking forward to getting the crisis stabilization centers up and running as this project has been in the works for the past few legislative sessions. Please explain how the division would determine where the \$10 million in funding would be allocated to provide for crisis stabilization services throughout the state while the crisis stabilization centers are being established.

DR. WOODARD:

The \$10 million is an expansion of what the DPBH has been able to allocate through a previous Substance Abuse and Mental Health Services Administration, COVID-19 Emergency Response grant. With the previous funding, the division contracted with two hospitals, but soon realized that more funding would be needed to meet needs and capacities. Additionally, the DPBH plans to make use of all the resources available to it from the Department of Administration, Purchasing Division to ensure the procurement of a vast array of providers that can make use of the funding. Through contracts with providers, the division will determine how it can best prioritize individuals suitable for the funding.

The DPBH is looking to supplement, not supplant, funding so that third-party liabilities can be billed for services. Medicaid rates have been deemed insufficient for certain crisis response services for children, as the needs of these children are often far greater than what hospitals and residential treatment centers can traditionally provide; certain services require a 2:1 staff-to-patient ratio. The \$10 million being requested would help to alleviate gaps and ensure that a sufficient level of funding is available to provide adequate care to adults and youth until the crisis stabilization centers are operational.

ASSEMBLYMAN YEAGER:

This is one of the most consequential items on the agenda today. Nevada has been trying to establish crisis stabilization centers for nearly a decade, with this being a topic of the Southern Nevada Forum in 2014. As a public defender, I saw many mentally ill people end up in jail or prison due to a lack of appropriate services, which cost the City of Las Vegas and the state a lot of money. I like the no-wrong-door approach of this project and the fact that medical clearance will not be required for individuals to access the crisis stabilization centers. This will make it easier to connect individuals with necessary services and is a great use of federal funding.

Of the \$20 million being requested through Agenda Items H.17 and H.18, \$15 million would be granted to four facilities, with two facilities being in Las Vegas, one in Reno, and one in Carson City. The remaining \$5 million would provide for a second competitive funding grant focused on crisis stabilization for critical access hospitals in rural Nevada. Establishing mental health programs in rural Nevada has been a challenge due to a lack of facilities. How does the DPBH plan to spend the \$5 million in rural communities? Does the division plan to establish multiple crisis stabilization centers in rural Nevada?

DR. WOODARD:

Crisis stabilization centers in rural and frontier communities will look different than those established in urban areas. The rural centers will still be required to uphold statutorily required endorsements. In working with Nevada Rural Hospital Partners, the DPBH has discovered that there are a handful of rural hospitals that are interested and excited about this potential opportunity. Similar to how the DPBH identified the four urban hospitals to receive funding, the division will work with the DHCFP and its team from the Bureau of Health Care Quality and Compliance to provide technical assistance to rural hospitals to help them understand how to undertake the project before eliciting a competitive announcement. The cost burden of the project on rural hospitals will be determined as well as their readiness to undertake this work. Hopefully more than one crisis stabilization center can be stood up in rural communities.

ASSEMBLYWOMAN PETERS:

How will the project and funding impact tribal communities and the clinics and health services available on tribal lands?

DR. WOODARD:

Through all its crisis response planning, one of the DPBH's goals has been to partner and communicate with tribal communities. Nevada's tribal communities can make use of the proposed crisis response services, and the division has been working with these communities as it plans to build the infrastructure for crisis call centers and mobile response services.

SENATOR GOICOECHEA:

I am concerned about how the competitive notice of funding opportunity will work in rural areas as there is a high need for these services in rural Nevada. Unfortunately, many individuals in need of crisis response services in rural areas must be transported a long way to urban areas, which can be costly and harmful to those people who need immediate relief. I appreciate the work being done by the DPBH in rural areas and wish that more than \$5 million was available to aid this project.

ASSEMBLYWOMAN KASAMA:

I fully support this important project, as it will help people in need to be directed to the appropriate crisis response services instead of to emergency rooms, hospitals, and jails, and it can even prevent those in need from becoming homeless. Establishing crisis stabilization centers is a great use of ARPA funding, and I wish

more of this funding was available to support mental health services.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEMS H.17, H.18, H.19, AND H.20.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**21. Department of Administration - Enterprise Information Technology Services - Network Transport Services - FY 2023**

Addition of \$1,674,738 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account and transfer of \$61,698 from the Reserve category to the Information Services category to support the replacement of microwave network equipment. Require Interim Finance approval since the amount added to the ARPA Funding category exceeds \$75,000. **Work Program #23FRF13881**

Refer to motion for approval under Agenda Item H.

**22. Department of Administration - Nevada State Library, Archives and Public Records - Archives and Public Records - FY 2023**

Transfer of \$108,455 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund contracted staff to review, digitize, and index recent inmate case files. Requires Interim Finance approval since the amount added to the ARPA Funding category exceeds \$75,000. **Work Program #23FRF10521**

Refer to motion for approval under Agenda Item H.

**23. Department of Education - COVID-19 Funding - FY 2022**

Transfer of \$200,000,000 from the Reserve Assembly Bill 495 category to the American Rescue Plan Act (ARPA) Assembly Bill 495 category to provide competitive grants to qualifying school districts and university schools for profoundly gifted pupils to augment programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic. Requires Interim Finance approval since the amount added to the ARPA Assembly Bill 495 category exceeds \$75,000. **Work Program #22FRF27101**

JHONE EBERT (State Superintendent of Public Instruction, NDE):

Section 59 of A.B. 495 (2021 Legislative Session) provided \$200 million in ARPA Coronavirus State and Local Fiscal Recovery Funds to the NDE to provide grants to school districts and university schools for profoundly gifted pupils. The funding will be used specifically to augment programs to address the impacts of learning loss experienced due to the COVID-19 pandemic. All local education agencies in Nevada are eligible to apply for this competitive grant and must describe how they have expended or plan to expend federal emergency relief funds, including



Elementary and Secondary School Emergency Relief (ESSER) I, ESSER II, and ESSER ARPA funding, and Governor's Emergency Education Relief (GEER) I and GEER II funding. The funding must be used to provide evidence-based educational services, which includes tutoring, summer school, after school programs, other extended learning-day activities, enrichment programs, literacy instruction, and instructional programs to support Nevada's most at-risk pupils.

If this work program is approved today, the NDE will release a competitive grant application to Nevada school districts and will use a scoring rubric to ensure that the funding requests address the impacts of learning loss. The NDE's review of applications will also target alignment between previous initiatives funded with federal relief funds, account for the most historically underserved students of the educational system and prioritize evidence-based interventions to meet the academic and mental and behavioral health needs of Nevada's students. All the funding must be obligated by December 31, 2024, which provides school districts with the opportunity to invest in strategic activities that span several school years. I am proud of the partnerships between the NDE, school districts, community leaders and the Committee, and the NDE is committed to ensuring that these funds are spent on addressing the impacts of the COVID-19 pandemic.

SENATOR DONDERO LOOP:

Please describe the process the NDE would utilize to award A.B. 495 grant funding, including the planned guidelines to evaluate proposed programs.

MS. EBERT:

The NDE will follow the same process it uses to award competitive grants with ESSER funding, which results in billions of dollars being made available to school districts. If the Committee approves, the NDE will solicit applications for the request for proposal (RFP) process next week. Technical assistance sessions will then be held so that school districts will be clear on what funding they are eligible to receive. The NDE has conducted much work around evidence-based support and ensuring that the money is aligned with the intent of A.B. 495. After receiving technical assistance, school districts will submit grants, and the NDE will pull together many stakeholders from around the state to score the grant applications. The NDE hopes that the funding for this project will be awarded no later than mid-September 2022.

ASSEMBLYWOMAN CARLTON:

I am glad that the NDE will use the proposed funding to augment programs and address learning loss resulting from the COVID-19 pandemic and will be using a scoring rubric to rank the applications. When the funding from A.B. 495 is made available to school districts, what type of controls will the NDE place on the money to ensure that it is actually used by school districts? Will school districts be able to use this funding to supplant money that has already been spent on other programs? How will the NDE's planned guidelines to evaluate the proposed programs prevent school districts from supplanting other ARPA funding?

MS. EBERT:

All the funding received from the federal government has been through an application process requiring NDE approval. Many times, the NDE will require a school district to provide additional documentation proving that intended requirements are met before it can receive federal funding. Once the NDE approves funding, it is provided to school districts on a reimbursement basis, with the approved funding not being allowed to supplant other funding sources. Requests for pre-approved funding that have already gone through an application process can be revisited at any time by the NDE. A school district can tweak its application if the funding being applied for is still going to be used according to state or federal requirements.

ASSEMBLYWOMAN CARLTON:

I am concerned that a school district will use funding made available through A.B. 495 to supplant funding it previously applied for to combat learning loss, enabling the funding that was previously applied for and received to be spent elsewhere. How will the NDE address this issue through its grant process to ensure that any money subgranted to school districts will explicitly be spent on combating learning loss?

HEIDI HAARTZ (Deputy Superintendent, Student Investment Division, NDE):

The intent of the subgrants that will result from the competitive grant process is that the subgrants will be effective upon approval by all parties. This means that the NDE will only reimburse school districts for expenses related to activities detailed in the RFP process and that are approved within the school districts' budgets. As a budgetary policy, the NDE reimburses its subrecipients for expenses incurred. This allows the NDE to ensure that any requests for reimbursement it receives are in alignment with the applicable subgrant budget. If the NDE has questions or concerns regarding a request for reimbursement, it resolves those issues before any payments to school districts or other subrecipients are issued.

SENATOR NEAL:

Through its RFP process, will the NDE ask a school district to provide data showing how it is already addressing learning loss? In the past, I noticed that certain schools within my district were applying for more funding but were not providing proof that learning loss caused by the COVID-19 pandemic was being addressed.

MS. EBERT:

To use this proposed funding, a school district must submit an application which demonstrates that any relevant funding previously received is already being expended to address learning loss. It is a top priority of educational leaders from around the world to ensure that funding received for education is expended on activities that will help children regain the instruction and time lost during the pandemic. Many school districts are extending school days and spending funding on tutors to ensure the needs of students are met. The solutions are not one-size-fits-all, as some students have been excelling in their learning during the pandemic, while other students need additional support. The NDE reviews data with school districts on where children currently stand regarding learning loss and

implements school district improvement plans to set spending goals.

SENATOR NEAL:

As part of the application process, school districts should be required to show how plans to use the funding will be tailored to meet the individual needs of specific schools. This funding will not be as useful to schools if it cannot be tailored to combat what certain schools may be experiencing regarding learning loss. With all the federal funding that Nevada is receiving, the NDE has the right to mandate that funding will be spent in areas that will result in the biggest impact on children based on individual school needs.

SENATOR GOICOECHEA:

Throughout the COVID-19 pandemic, approximately 30% to 40% of students in rural Nevada attended school from home. How will the NDE specifically address learning loss experienced by gifted students who decided to attend school from home throughout the pandemic?

MS. EBERT:

During the 2021-2022 school year, Nevada's rural school districts have done an exceptional job in bringing students back into the classroom even though there are still those students who choose to remain homeschooled. School district superintendents have done well in reaching out to families and spreading awareness regarding how much easier it can be for students to learn with physical classroom resources and support. Schools are often the community hubs for families, with schools in rural areas doing a great job in reaching out to all students to encourage them to return to the classroom to achieve optimal academic success.

ASSEMBLYMAN YEAGER:

Based on applications being submitted, will funding be provided to school districts upfront or will it be provided on a reimbursement basis based on metrics and information provided by schools that show application requirements are being met?

MS. HAARTZ:

School districts will request reimbursements on a monthly basis for expenses incurred during the previous month. The NDE will review the requests for reimbursement to validate that the requests are in alignment with the subgrant agreement, scope of work, and the budget before issuing reimbursement.

ASSEMBLYWOMAN JAUREGUI:

Because the funding will only be issued on a reimbursement basis, there will never be a situation where a school district can use funding ahead of time to support activities not outlined in the grant. Is that correct? Are there any clawback provisions in the subgrants?

MS. HAARTZ:

The NDE's business practice is to reimburse subrecipients and not issue advance payments.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM H.23.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**24. Department of Agriculture - Agriculture Administration - FY 2023**

Addition of \$330,062 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to implement a State Meat Inspection Program. Requires Interim Finance approval since the amount added to the ARPA Meat Inspection category exceeds \$75,000. **Work Program #23FR455401**

Refer to motion for approval under Agenda Item H.

**25. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2022**

Addition of \$619,026 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund the additional costs for external quality review of managed care organizations and dental benefit waiver activities. Requires Interim Finance approval since the amount added to the ARPA category exceeds \$75,000. **Work Program #22FRF31581**

Refer to motion for approval under Agenda Item H.

**26. Department of Health and Human Services - Public and Behavioral Health - Facility for the Mental Offender - FY 2022**

Addition of \$107,270 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds (FRF) transferred from the COVID-19 Relief Programs account to fund the additional costs of food at Lake's Crossing Center. Requires Interim Finance approval since the amount added to the ARPA FRF Food Service category exceeds \$75,000. **Work Program #22FRF36451**

Refer to motion for approval under Agenda Item H.

**27. Department of Employment, Training and Rehabilitation - Employment Security Division - Special Fund - FY 2023**

Transfer of \$7,765,824 from the Reserve category to the Unemployment Insurance (UI) Information System category to fund intermittent and contracted staff for the implementation of the new UI information system. Requires Interim Finance

approval since the amount transferred to the UI Information System category exceeds \$75,000. **RELATES TO ITEMS H.28 AND H.29. Work Program #23FR477102**

Refer to motion for approval under Agenda Item H.

**28. Department of Employment, Training and Rehabilitation - Employment Security Division - Unemployment Insurance - FY 2023**

Addition of \$5,350,541 in federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds transferred from the Employment Security Division, Special Fund account to fund intermittent positions for the implementation of the new unemployment insurance information system. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **RELATES TO ITEMS H.27 AND H.29. Work Program #23FR477201**

Refer to motion for approval under Agenda Item H.

**29. Department of Employment, Training and Rehabilitation - Administrative Services - Information Development and Processing - FY 2023**

Addition of \$2,415,283 in federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds transferred from the Employment Security Division, Special Fund account to fund intermittent and contracted staff for the implementation of the new unemployment insurance information system. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **RELATES TO ITEMS H.27 AND H.28. Work Program #23FR327401**

Refer to motion for approval under Agenda Item H.

**30. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$50,000,000 from the Reserve category to the American Rescue Plan Act (ARPA) Child Care category to support an allocation to the Department of Health and Human Services, Division of Welfare and Supportive Services, to provide child care subsidies. Requires Interim Finance approval since the amount transferred to the ARPA Child Care category exceeds \$75,000. **RELATES TO ITEM H.31. Work Program #23FR132717. RECEIVED ON 5-31-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Agenda Items H.30 and H.31 were discussed jointly. Refer to discussion and motion for approval under Agenda Item H.31.

**31. Department of Health and Human Services - Welfare and Supportive Services - Child Assistance and Development - FY 2023**

Addition of \$50,000,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund child care subsidies. Requires Interim Finance approval since the amount added to the Transfer In State ARPA category exceeds \$75,000. **RELATES TO ITEM H.30. Work Program #23FRF32672. RECEIVED ON**

**5-31-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Agenda Items H.30 and H.31 were discussed jointly.

KARISSA LOPER (Agency Manager, Child Care Program, Division of Welfare and Supportive Services [DWSS], DHHS):

Through Agenda Items H.30 and H.31, the DWSS is requesting the transfer of \$50 million in ARPA Coronavirus State Fiscal Recovery Funds from the COVID-19 Relief Programs budget to the Child Assistance and Development budget to provide additional child care subsidies and improve child care affordability for Nevada's families. The COVID-19 pandemic has caused an increased need for the state to invest in child care and early childhood education, and the DWSS is grateful for the funding it has received through previous work programs. As a final investment intended to meet Governor Sisolak's promise to invest \$160 million into child care for Nevadans, this \$50 million proposal will allow the DWSS Child Care Program to cover the required copayments for eligible households receiving child care subsidies. This is a one-time investment to assist Nevada's families through the economic recovery of the pandemic, with the goal being to make child care more affordable for all subsidy-eligible households in Nevada.

Regarding caseload, the Child Care Program currently serves an average of 6,480 children annually. The DWSS anticipates the caseload will increase as recent investments in child care are implemented to expand eligibility for subsidies. Depending on the actual number of children assisted annually, the \$50 million being requested is estimated to cover copayments for 12 to 18 months, with a shorter time period corresponding to a higher caseload of up to 9,500 children.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEMS H.30 AND H.31.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**32. Department of Employment, Training and Rehabilitation - Employment Security Division - Workforce Development - FY 2023**

Addition of \$539,350 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to provide a subaward to the Culinary Academy of Las Vegas for industry-developed skills training for underserved and displaced workers. Requires Interim Finance approval since the amount added to the ARPA Workforce Development category exceeds \$75,000. **RELATES TO ITEM H.33. Work Program #23FRF47701. RECEIVED ON 6-7-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item H.

**33. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$539,350 from the Community Recovery Grant Reserve category to the American Rescue Plan Act (ARPA) Community Recovery Grants category to support an allocation to the Department of Employment, Training, and Rehabilitation to provide a subaward to the Culinary Academy of Las Vegas. Requires Interim Finance approval since the amount transferred to the ARPA Community Recovery Grants category exceeds \$75,000. **RELATES TO ITEM H.32. Work Program #23FR132719. RECEIVED ON 6-7-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item H.

**I. APPROVAL OF GIFTS, GRANTS, WORK PROGRAM REVISIONS AND POSITION CHANGES NOT ASSOCIATED WITH THE AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUND IN ACCORDANCE WITH CHAPTER 353 OF NRS.**

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):

The following agenda items have been identified for additional discussion: Agenda Items I.19, Department of Education, COVID-19 Funding, and I.59, Department of Business and Industry, Housing Division. Agenda Items I.71, DHHS, Division of Health Care Financing and Policy (DHCFF); I.72, DHHS, DHCFF; I.73, DHHS, DHCFF; I.74, DHHS, DHCFF; I.75, DHHS, DHCFF; I.76, DHHS, DHCFF; I.77, DHHS, DHCFF; and I.98, DHHS, DWSS will be discussed jointly.

Agenda Item I.136, Department of Public Safety, Investigation Division, was withdrawn on June 17, 2022. The request to withdraw this work program was received after the agenda was posted; therefore, it is not reflected on the work program list.

**1. Office of the Governor - Office of Science, Innovation and Technology - FY 2022**

Transfer of \$932,875 in General Fund appropriations from FY 2022 to FY 2023 for the development and improvement of broadband for schools and libraries. Requires Interim Finance approval pursuant to Section 37 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.2. Work Program #C59123**

Refer to motion for approval under Agenda Item H.

**2. Office of the Governor - Office of Science, Innovation and Technology - FY 2023**

Transfer of \$932,875 in General Fund appropriations to FY 2023 from FY 2022 for the development and improvement of broadband for schools and libraries. Requires Interim Finance approval pursuant to Section 37 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.1. Work Program #C58860**

Refer to motion for approval under Agenda Item H.



3. **Office of the Governor - Office of Science, Innovation and Technology - FY 2023**

Addition of \$4,519,508 in federal American Rescue Plan Act of 2021 Coronavirus Capital Projects Funds (CPF) to carry out pre-deployment planning activities to support broadband infrastructure development, such as research and data collection, identification of served and unserved areas, strategic planning, budget development, and outreach and stakeholder engagement. Requires Interim Finance approval since the amount added to the CPF ADMIN category exceeds \$75,000. **Work Program #23ARP10031**

Refer to motion for approval under Agenda Item H.

4. **Office of the Governor - Office of Science, Innovation and Technology - FY 2023**

Addition of \$5,000,000 in federal Broadband Equity, Access and Deployment (BEAD) grant funds to carry out pre-deployment planning activities such as research and data collection, identification of served and unserved areas, strategic planning, budget development, and outreach and stakeholder engagement. Requires Interim Finance approval since the amount added to the BEAD Admin category exceeds \$75,000. **Work Program #23ARP10032**

Refer to motion for approval under Agenda Item H.

5. **Office of the Governor - Office of Science, Innovation and Technology - FY 2023**

Addition of ~~\$1,000,000~~ **\$754,459** in federal Digital Equity Act (DEA) funds to assist in the development of the State Digital Equity Plan. Requires Interim Finance approval since the amount added to the DEA Admin category exceeds \$75,000. **Work Program #23ARP10033. REVISED 6-1-22.**

Refer to motion for approval under Agenda Item H.

6. **Office of the Governor - Office of Science, Innovation and Technology - FY 2023**

Transfer of \$250,000 from the Science, Technology, Engineering, and Math (STEM) Challenge Grants category to the K-5 STEM Grant category to fund STEM programs in elementary schools. Requires Interim Finance approval since the amount added to K-5 STEM Grant category exceeds \$75,000. **Work Program #C58838**

Refer to motion for approval under Agenda Item H.

7. **Office of the Attorney General - Administrative Budget Account - FY 2022**

Transfer of \$171,767 from the Personnel Services category to the Operating category and a transfer of \$63,498 from the Personnel Services category to the Information Services category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C58951**

Refer to motion for approval under Agenda Item H.

**8. Office of the Attorney General - Administrative Budget Account - FY 2023**

Addition of \$381,185 in Transfers from the Cannabis Compliance Board to fund legal support necessary for the implementation of Assembly Bill 341 (2021 Legislative Session). Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **RELATES TO ITEM I.16. Work Program #C59020**

Refer to motion for approval under Agenda Item H.

**9. Office of the Treasurer - Nevada College Savings Trust - FY 2022**

Addition of \$46,247 in non-cash revenue funds to increase in-kind dollars available for marketing expenditures in FY 2022. Requires Interim Finance approval since the amount added to the Upromise Marketing category exceeds 10% of the legislatively approved amount for that category. **Work Program #C59019**

Refer to motion for approval under Agenda Item H.

**10. Office of the Treasurer - Unclaimed Property - FY 2022**

Addition of \$48,244 in Transfers from the Abandoned Property Trust account to account for expenditures related to an increase in claims received and processed. Requires Interim Finance approval since the amount added to the Operating category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58681**

Refer to motion for approval under Agenda Item H.

**11. Office of the Treasurer - Unclaimed Property - FY 2023**

Transfer of \$30,600 from the Personnel Services category to the Operating category to continue to utilize temporary staff services to assist with customer service phone calls received for the Unclaimed Property Program. Requires Interim Finance approval since the amount transferred to the Operating category exceeds 10% of the legislatively approved amount for that category. **Work Program #C59120**

Refer to motion for approval under Agenda Item H.

**12. Department of Administration - Enterprise Information Technology Services - Agency Information Technology Services - FY 2023**

Transfer of \$714,955 from the Reserve category to the Operating category to fund contracted employees to provide critical operational functionality. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C58799**

Refer to motion for approval under Agenda Item H.

**13. Department of Administration - Enterprise Information Technology Services - Network Transport Services - FY 2023**

Transfer of \$259,322 from the Reserve category to the Microwave Radio System category to fund materials and contractor services for new antennas, wave guide, and associated hardware for installation on a new state-owned tower at the Sawtooth Mountain site. Requires Interim Finance approval since the amount transferred to the Microwave Radio System category exceeds \$75,000. **Work Program #C58954**

Refer to motion for approval under Agenda Item H.

**14. Department of Administration - Hearings Division - FY 2022**

Transfer of \$13,803 from the Operating category to the Information Services category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Information Services category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58765**

Refer to motion for approval under Agenda Item H.

**15. Department of Administration - Nevada State Library, Archives and Public Records - Archives and Public Records - FY 2022**

Transfer of \$4,356 from the Personnel Services category to the Information Services category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the cumulative amount transferred to the Information Services category exceeds \$75,000. **Work Program #C58887**

Refer to motion for approval under Agenda Item H.

**16. Cannabis Compliance Board - Marijuana Regulation and Control Account - FY 2023**

Addition of \$9,900,000 in Establishment Licenses and Fees and \$1,918,080 in Time and Effort Assessment revenue to fund staff and associated costs to implement the provisions of Assembly Bill 341 (2021 Legislative Session). Requires Interim Finance approval since the amount added to the Transfer to Pupil Centered Funding Plan category exceeds \$75,000. **RELATES TO ITEMS I.8 and I.20. Work Program #C58846**

Refer to motion for approval under Agenda Item H.

**17. Cannabis Compliance Board - Marijuana Regulation and Control Account - FY 2023**

Transfer of \$160,133 from the Reserve category to the Las Vegas Relocation category and transfer of \$18,435 from the Reserve Category to the Operating category to fund a projected shortfall of non-state-owned office rent expenditures. Requires Interim Finance approval since the amount transferred to the Las Vegas Relocation category exceeds \$75,000. **Work Program #C58948**

Refer to motion for approval under Agenda Item H.

**18. Department of Education - COVID-19 Funding - FY 2022**

Transfer of \$15,492,456 from the Reserve category to the Elementary and Secondary School Emergency Relief Fund (ESSER III), State Educational Agency (SEA) category to fund evidence-based summer enrichment programs and evidence-based comprehensive afterschool programs as required under Section 2001(f)(1)-(3) of the American Rescue Plan Act of 2021. Requires Interim Finance approval since amount added to the ESSER III SEA category exceeds \$75,000. **Work Program #C58989**

Refer to motion for approval under Agenda Item H.

**19. Department of Education - COVID-19 Funding - FY 2023**

Transfer of \$88,800 from the Reserve category to the Elementary and Secondary School Emergency Relief Fund (ESSER III), State Educational Agency (SEA) category to fund consulting services to assist in the development of possible statutory changes needed to achieve optimal school funding. Requires Interim Finance approval since the amount transferred to the ESSER III SEA category exceeds \$75,000. **Work Program #C59208**

HEIDI HAARTZ (Deputy Superintendent, Student Investment Division, Nevada Department of Education [NDE]):

Through Agenda Item I.19, the NDE requests a transfer of \$88,800 of ARPA Elementary and Secondary School Emergency Relief (ESSER) funding from a reserve expense category to an expenditure category. The transfer will allow the NDE to contract with a vendor to support the Commission on School Funding (Commission) in its work to consider sources of revenue for K-12 education. The requirement for the Commission to consider additional sources to fund K-12 education is found within A.B. 495 (2021 Legislative Session). The Commission's statutory responsibilities are identified in *Nevada Revised Statutes* (NRS) 387.1246. The Commission has requested additional assistance in generating specific revenue projections tied to property tax revenue. While NRS does indicate that the NDE and the Governor's Office of Finance (GFO) are responsible for providing professional support services to the Commission, at this time, neither the NDE or GFO have the subject matter expertise or capacity to provide these services. Therefore, the NDE is seeking approval to invest \$88,800 into a contract so that the Commission may continue the development of its report. Per A.B. 495, the Commission is required to submit its report to the Governor and the LCB Director on or before November 15, 2022.

CHAIR DENIS:

Please provide an update on the work of the Commission and its contracted vendor to identify an optimal level of funding for the Pupil-Centered Funding Plan.

MS. HAARTZ:

The Commission has been engaged in conversations and deliberations regarding optimal funding since it began its first meeting in 2019 and the conversations are

still ongoing. Work has not yet begun with the vendor that the NDE wishes to hire because the funding to enter into a contractual agreement with the vendor has not yet been approved by the Committee. The NDE has identified available funding to contract with a vendor to look at sales tax revenue, with this information currently being developed for presentation at the Commission's next meeting on June 24, 2022.

SENATOR NEAL:

I am glad that the NDE previously contracted with a vendor to review existing sales tax exemptions to determine how the exemptions will impact the state's revenue structure so that a healthy revenue structure can be built going forward.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM I.19.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

20. **Department of Education - Pupil-Centered Funding Plan Account - FY 2023**  
Addition of \$8,952,878 in revenue transferred from the Cannabis Compliance Board, Marijuana Regulation and Control Account to support the implementation of Assembly Bill 341 (2021 Legislative Session). Requires Interim Finance approval since the amount added to the Adjusted Base Pupil Funding category exceeds \$75,000. **RELATES TO ITEM I.16. Work Program #C59119. WITHDRAWN 6-7-22.**
21. **Department of Education - Assessments and Accountability - FY 2022**  
Addition of \$1,675,102 in federal State Assessment grant funds to align state and federal grant authority to continue to support the development of additional state assessments and standards as required by the Elementary and Secondary Education Act. Requires Interim Finance approval since the amount added to the State Assessments Contracts category exceeds \$75,000. **Work Program #C58534. WITHDRAWN 6-7-22.**
22. **Nevada System of Higher Education - University of Nevada, Reno - FY 2022**  
Deletion of \$1,345 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.25, I.28, I.31, I.34, I.37 AND I.40. Work Program #C58988**  
  
Refer to motion for approval under Agenda Item H.
23. **Nevada System of Higher Education - University of Nevada, Reno - FY 2023**  
Addition of \$24,021,373 in budgetary transfers from the Nevada System of Higher Education Performance Funding Pool budget to distribute funding based on

performance outcomes. Requires Interim Finance approval pursuant to Section 73 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.43. Work Program #C58321**

Refer to motion for approval under Agenda Item H.

- 24. Nevada System of Higher Education - University of Nevada, Reno - FY 2023**  
Deletion of \$1,459 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.27, I.30, I.33, I.36, I.39, I.42 AND I.44. Work Program #C59006**

Refer to motion for approval under Agenda Item H.

- 25. Nevada System of Higher Education - University of Nevada, Las Vegas - FY 2022**  
Addition of \$503 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.22, I.28, I.31, I.34, I.37 AND I.40. Work Program #C58980**

Refer to motion for approval under Agenda Item H.

- 26. Nevada System of Higher Education - University of Nevada, Las Vegas - FY 2023**  
Addition of \$33,622,350 in budgetary transfers from the Nevada System of Higher Education Performance Funding Pool budget to distribute funding based on performance outcomes. Requires Interim Finance approval pursuant to Section 73 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.43. Work Program #C58331**

Refer to motion for approval under Agenda Item H.

- 27. Nevada System of Higher Education - University of Nevada, Las Vegas - FY 2023**  
Addition of \$230 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.24, I.30, I.33, I.36, I.39, I.42 AND I.44. Work Program #C58998**

Refer to motion for approval under Agenda Item H.

- 28. Nevada System of Higher Education - Great Basin College - FY 2022**  
Deletion of \$65 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires

Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.22, I.25, I.31, I.34, I.37 AND I.40. Work Program #C58990**

Refer to motion for approval under Agenda Item H.

**29. Nevada System of Higher Education - Great Basin College - FY 2023**

Addition of \$2,711,402 in budgetary transfers from the Nevada System of Higher Education Performance Funding Pool budget to distribute funding based on performance outcomes. Requires Interim Finance approval pursuant to Section 73 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.43. Work Program #C58343**

Refer to motion for approval under Agenda Item H.

**30. Nevada System of Higher Education - Great Basin College - FY 2023**

Deletion of \$81 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.24, I.27, I.33, I.36, I.39, I.42 AND I.44. Work Program #C58997**

Refer to motion for approval under Agenda Item H.

**31. Nevada System of Higher Education - Western Nevada College - FY 2022**

Addition of \$23 in budgetary transfers for technical adjustments to correct the funding formula in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.22, I.25, I.28, I.34, I.37 AND I.40. Work Program #C58995**

Refer to motion for approval under Agenda Item H.

**32. Nevada System of Higher Education - Western Nevada College - FY 2023**

Addition of \$2,621,878 in budgetary transfers from the Nevada System of Higher Education Performance Funding Pool budget to distribute funding based on performance outcomes. Requires Interim Finance approval pursuant to Section 73 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.43. Work Program #C58346**

Refer to motion for approval under Agenda Item H.

**33. Nevada System of Higher Education - Western Nevada College - FY 2023**

Deletion of \$9 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.24, I.27, I.30, I.36, I.39, I.42 AND I.44. Work Program #C59007**

Refer to motion for approval under Agenda Item H.

- 34. Nevada System of Higher Education - College of Southern Nevada - FY 2022**  
Addition of \$553 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.22, I.25, I.28, I.31, I.37 AND I.40. Work Program #C58991**

Refer to motion for approval under Agenda Item H.

- 35. Nevada System of Higher Education - College of Southern Nevada - FY 2023**  
Addition of \$19,710,839 in budgetary transfers from the Nevada System of Higher Education Performance Funding Pool budget to distribute funding based on performance outcomes. Requires Interim Finance approval pursuant to Section 73 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.43. Work Program #C58342**

Refer to motion for approval under Agenda Item H.

- 36. Nevada System of Higher Education - College of Southern Nevada - FY 2023**  
Addition of \$374 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.24, I.27, I.30, I.33, I.39, I.42 AND I.44. Work Program #C59008**

Refer to motion for approval under Agenda Item H.

- 37. Nevada System of Higher Education - Truckee Meadows Community College - FY 2022**  
Addition of \$85 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.22, I.25, I.28, I.31, I.34 AND I.40. Work Program #C58992**

Refer to motion for approval under Agenda Item H.

- 38. Nevada System of Higher Education - Truckee Meadows Community College - FY 2023**  
Addition of \$6,700,146 in budgetary transfers from the Nevada System of Higher Education Performance Funding Pool budget to distribute funding based on performance outcomes. Requires Interim Finance approval pursuant to Section 73 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.43. Work Program #C58348**

Refer to motion for approval under Agenda Item H.



**39. Nevada System of Higher Education - Truckee Meadows Community College - FY 2023**

Addition of \$33 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.24, I.27, I.30, I.33, I.36, I.42 AND I.44. Work Program #C58999**

Refer to motion for approval under Agenda Item H.

**40. Nevada System of Higher Education - Nevada State College - FY 2022**

Addition of \$246 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.22, I.25, I.28, I.31, I.34 AND I.37. Work Program #C58981**

Refer to motion for approval under Agenda Item H.

**41. Nevada System of Higher Education - Nevada State College - FY 2023**

Addition of \$4,740,156 in budgetary transfers from the Nevada System of Higher Education Performance Funding Pool budget to distribute funding based on performance outcomes. Requires Interim Finance approval pursuant to Section 73 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.43. Work Program #C58332**

Refer to motion for approval under Agenda Item H.

**42. Nevada System of Higher Education - Nevada State College - FY 2023**

Addition of \$190 in budgetary transfers for technical adjustments to correct the funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.24, I.27, I.30, I.33, I.36, I.39 AND I.44. Work Program #C59009**

Refer to motion for approval under Agenda Item H.

**43. Nevada System of Higher Education - Performance Funding Pool - FY 2023**

Deletion of \$94,128,144 in budgetary transfers to distribute funding based on performance outcomes to the universities, state colleges and community colleges. Requires Interim Finance approval pursuant to Section 73 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.23, I.26, I.29, I.32, I.35, I.38 AND I.41. Work Program #C58347**

Refer to motion for approval under Agenda Item H.

**44. Nevada System of Higher Education - Performance Funding Pool - FY 2023**

Addition of \$722 in budgetary transfers for technical adjustments to correct the

funding formula distribution in the legislatively approved budget. Requires Interim Finance approval pursuant to Section 68 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEMS I.24, I.27, I.30, I.33, I.36, I.39 AND I.42. Work Program #C58996**

Refer to motion for approval under Agenda Item H.

**45. Department of Agriculture - Agriculture Administration - FY 2022**

Transfer of \$52,269 from the Personnel Services category to the Operating category, \$13,864 from the Personnel Services category to the Maintenance of Buildings and Grounds category, and \$30,169 from the Personnel Services category to the Utilities category to fund a projected shortfall in contracted staff costs, contractual obligations, and utility costs for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred from the Personnel Services category exceeds \$75,000. **Work Program #C58947**

Refer to motion for approval under Agenda Item H.

**46. Department of Agriculture - Agriculture Registration and Enforcement - FY 2022**

Transfer of \$10,380 from the Reserve category to the Information Systems category to fund a projected shortfall in contracted services for an automated web-based inspection, registration, and fee collection system and increased business productivity suite costs for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Information Services category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58970**

Refer to motion for approval under Agenda Item H.

**47. Department of Agriculture - Livestock Inspection - FY 2022**

Transfer of \$34,471 from the Reserve category to the Operating category to fund a projected shortfall in temporary employment services to perform inspections due to additional delays in onboarding temporary positions into intermittent state-employed positions and to fund an increase in administrative fees for the remainder of the fiscal year. Requires Interim Finance approval since the cumulative amount transferred to the Operating category exceeds \$75,000. **Work Program #C58263**

Refer to motion for approval under Agenda Item H.

**48. Department of Agriculture - Livestock Inspection - FY 2023**

Addition of \$403,685 in Rerecording Fees, transfer of \$79,312 from the Operating category to the Personnel Services category, and \$150,721 from the Reserve category to the Personnel Services category to fund the restructuring of the Livestock Inspection Program to address the program's insolvency issues. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #C59094**

Refer to motion for approval under Agenda Item H.

**49. Department of Agriculture - Nutrition Education Programs - FY 2022**

Addition of \$1,372,977 in federal U.S. Department of Agriculture, Food and Nutrition Service grant funds to support the Child Nutrition Program State Administrative Review grant. Requires Interim Finance approval since the amount added to the Administrative Review Training Grant category exceeds \$75,000. **Work Program #C59029**

Refer to motion for approval under Agenda Item H.

**50. Department of Agriculture - Nutrition Education Programs - FY 2022**

Addition of \$1,819,340 in federal U.S. Department of Agriculture, Food and Nutrition Service grant funds to support the Fresh Fruits and Vegetables Program. Requires Interim Finance approval since the amount added to the Fruit and Vegetable Grant category exceeds \$75,000. **Work Program #C59030**

Refer to motion for approval under Agenda Item H.

**51. Department of Agriculture - Nutrition Education Programs - FY 2023**

Addition of \$703,226 in federal U.S. Department of Agriculture, Food and Nutrition Service grant funds to support various child nutrition programs. Requires Interim Finance approval since the amount added to the State Administrative Expense category exceeds \$75,000. **Work Program #C59131**

Refer to motion for approval under Agenda Item H.

**52. Department of Agriculture - Commodity Foods Distribution Program - FY 2022**

Addition of \$1,112,658 in federal U.S. Department of Agriculture, Food and Nutrition Service grant funds to establish The Emergency Food Access Program (TEFAP), Build Back Better program, which will support and expand the emergency food network. Requires Interim Finance approval since the amount added to the TEFAP Build Back Better category exceeds \$75,000. **Work Program #C59073**

Refer to motion for approval under Agenda Item H.

**53. Department of Agriculture - Dairy Fund - FY 2022**

Transfer of \$11,000 from the Personnel Services category to the Operating category to fund a projected shortfall in dairy testing costs for the remainder of the fiscal year. Requires Interim Finance approval since the cumulative amount transferred to the Personnel Services category exceeds \$75,000. **Work Program #C59122**

Refer to motion for approval under Agenda Item H.

**54. Commission on Mineral Resources - Division of Minerals - FY 2022**

Addition of \$69,577 in federal U.S. Department of Agriculture, Forest Service funds to secure and inventory abandoned mines on U.S. Forest Service land. Requires Interim Finance approval since the cumulative amount added to the Abandoned Mine Land Enhancement category exceeds \$75,000. **Work Program #C59102**

Refer to motion for approval under Agenda Item H.

**55. Commission on Mineral Resources - Division of Minerals - FY 2023**

Transfer of \$120,000 from the Reserve category to the Special Projects category to fund a Stay Out and Stay Alive digital marketing campaign for the State Department of Conservation and Natural Resources, Division of Environmental Protection, Abandoned Mine Lands Program. Requires Interim Finance approval since the amount transferred to the Special Projects category exceeds \$75,000. **Work Program #C59109**

Refer to motion for approval under Agenda Item H.

**56. Department of Business and Industry - Division of Industrial Relations - FY 2022**

Addition of \$6,186 in federal Bureau of Labor Statistics grant funds, ~~\$118,234~~ **\$106,720** in federal Department of Occupational Health and Safety 23G grant funds, \$40,281 in federal Department of Occupational Health and Safety 21D grant funds, **and \$11,514 in American Rescue Plan Act grant funds** to fund indirect costs related to various grants. Requires Interim Finance approval since the amount added to the Reserve for Reversion category exceeds \$75,000. **Work Program #C58660. REVISED 6-1-22.**

Refer to motion for approval under Agenda Item H.

**57. Department of Business and Industry - Housing Division - Account for Low-Income Housing - FY 2022**

Addition of \$322,237 in federal Housing and Urban Development HOME Investment Partnerships-American Rescue Plan Act (HOME ARPA) funds to create affordable housing for low-income households through development, rental, and mortgage assistance. Requires Interim Finance approval since the amount added to the HOME ARPA category exceeds \$75,000. **Work Program #22AR383802**

Refer to motion for approval under Agenda Item H.

**58. Department of Business and Industry - Housing Division - Account for Low-Income Housing - FY 2022**

Addition of \$74,682 in federal U.S. Department of Housing and Urban Development, Emergency Solutions grant funds to support subgrantee reimbursements for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Emergency Shelter Grants category

exceeds 10% of the legislatively approved amount for that category. **Work Program #C58655**

Refer to motion for approval under Agenda Item H.

**59. Department of Business and Industry - Housing Division - Account for Low-Income Housing - FY 2022**

Addition of \$29,637,271 in federal Emergency Rental Assistance 2 grant funds from the American Rescue Plan Act of 2021 to support Nevadans who have demonstrated financial need for residential rental support resulting directly from the COVID-19 pandemic. Requires Interim Finance approval since the amount added to the Emergency Rental Assist 2 category exceeds \$75,000. **Work Program #C59133**

STEVE AICHROTH (Administrator, Housing Division, Department of Business and Industry):

The \$29.6 million requested through Agenda Item I.59 represents the second of three tranches of ARPA Emergency Rental Assistance 2 funding available to the State of Nevada. To receive this funding, the state needed to obligate at least 75% of the first tranche of funding (\$39.5 million) previously disbursed by the U.S. Department of the Treasury (Treasury). In cooperation with Clark County Social Services, the Housing Division reached the required spending level to receive more ERA 2 funds at the end of April 2022. The \$29.6 million was awarded to the division by the Treasury in mid-May 2022. The division holds meetings every other week with all its subgrantees, including Clark County Social Services, the Reno Housing Authority, and Nevada Rural Housing Authority. Supply and demand are discussed during the meetings, as well as the need for additional funding. The division is the conduit for ERA funding provided to the state and plans to allocate the \$29.6 million to Clark County Social Services to allow for the uninterrupted continuation of the CARES Housing Assistance Program.

ASSEMBLYWOMAN JAUREGUI:

Will the funding from the previous ERA 1 program be fully expended by its expiration date of September 30, 2022?

MR. AICHROTH:

Yes, it will. The division currently has approximately \$12 million in ERA 1 funding remaining. Through its biweekly communication with subgrantees, the division anticipates the ERA 1 funding will be expended by the expiration date.

ASSEMBLYWOMAN JAUREGUI:

When does the division anticipate obligating 75% of the \$29.6 million allocation of ERA 2 funding to be eligible to seek the remaining balance of the federal funding?

MR. AICHROTH:

Clark County Social Services is subject to the same Treasury guidelines as the division, and the division will work closely with the agency to ensure it is spending down 75% of the second tranche of funds it was previously awarded so that the

next round of funding can be allocated. I do not have the exact date of when 75% of the funds previously disbursed by the Treasury will be obligated, but the division will ensure the funding is obligated per Treasury guidelines and expiration dates. All the ERA 1 and ERA 2 funding will be obligated before their expiration dates.

ASSEMBLYWOMAN CARLTON:

I am the executive director of a nonprofit organization that works closely with Clark County Social Services to provide emergency rental assistance. There seems to be many complex guidelines that need to be adhered to, especially with the ERA 1 funding, making stakeholders concerned funding is not being spent appropriately. Other than on the Treasury's website, is information regarding ERA funding available in one central location that details what types of expenses can be covered and who is eligible to apply for the funding? It can be difficult for people to navigate and comprehend federal guidelines.

MR. AICHROTH:

Unfortunately, federal guidelines must be referenced on the Treasury's website to fully understand how the ERA funding can be spent. I understand that it can be difficult for people to read and comprehend federal guidelines, and I will discuss your concerns with Clark County Social Services to determine if the agency has resources that explain the federal guidelines tied to the ERA funding. If the resources are not available, the division will work on creating and publicizing them.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM I.59.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**60. Department of Business and Industry - Housing Division - Weatherization - FY 2022**

Addition of \$579,867 in Low-Income Home Energy Assistance Program (LIHEAP) - American Rescue Plan Act (ARPA) grant funds transferred from the Department of Health and Human Services, Division of Welfare and Supportive Services, to provide energy conservation measures to reduce heating and cooling costs and improve the health and safety standards for income eligible homeowners and renters. Requires Interim Finance approval since the amount added to the LIHEA ARPA category exceeds \$75,000. **Work Program #C58659**

Refer to motion for approval under Agenda Item H.

**61. Department of Business and Industry - Labor Commission - Office of Labor Commissioner - FY 2023**

Addition of \$141,803 in ***federal U.S. Department of Labor, Workforce Innovation and Opportunity Act grant funds transferred from the*** ~~Transfer from~~ Department of Employment, Training and Rehabilitation and addition of

\$29,090 in State Apprenticeship Expansion funds ***transferred from the Governor's Office of Workforce Innovation*** to support the State Apprenticeship Program as approved in Assembly Bill 459 (2021 Legislative Session). Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #C58811. REVISED 6-3-22.**

Refer to motion for approval under Agenda Item H.

**62. Governor's Office of Economic Development - FY 2022**

Addition of \$100,000 in federal State Trade Expansion Program (STEP) grant funds to continue providing financial assistance to enable small businesses to enter or expand into export markets. Requires Interim Finance approval since the amount added to the STEP category exceeds \$75,000. **Work Program #C58582**

Refer to motion for approval under Agenda Item H.

**63. Governor's Office of Economic Development - FY 2023**

Addition of \$112,216 in U.S. Department of Education, Stabilization Fund Reimagine Workforce Preparation Grant funds transferred from the Office of the Governor, Office of Workforce Innovation to fund an ongoing temporary Project Coordinator position, which supports activities under the Supporting and Advancing Nevada's Dislocated Individuals Project. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #C58651**

Refer to motion for approval under Agenda Item H.

**64. Governor's Office of Economic Development - Rural Community Development - FY 2022**

Addition of \$660,382 in federal Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development and addition of \$1,423,210 in Coronavirus Aid, Relief and Economic Security (CARES) Act, CDBG funds to support ongoing rural community and economic development projects. Requires Interim Finance approval since the amount added to the CARES Act COVID-19 Response categories exceeds \$75,000. **Work Program #C58676**

Refer to motion for approval under Agenda Item H.

**65. Governor's Office of Economic Development - Workforce Innovations for a New Nevada Account - FY 2022**

Addition of \$500,000 in Workforce Innovation and Opportunity Act grant funds transferred from the Department of Employment, Training and Rehabilitation, Workforce Development to continue maintenance, updates, and access to the workforce Skills Matching platform. Requires Interim Finance approval since the amount added to the Workforce Innovations for a New Nevada Grants category exceeds \$75,000. **Work Program #C58225**

Refer to motion for approval under Agenda Item H.

**66. Department of Health and Human Services - Director's Office - Fund for Resilient Nevada - FY 2023**

Transfer of \$762,082 from the Reserve category to the Personnel Services category, \$14,784 from the Reserve category to the Out-of-State Travel category, \$15,513 from the Reserve category to the In-State Travel category, \$28,268 from the Reserve category to the Operating category, and \$4,558 from the Reserve category to the Information Services category to continue providing administrative costs in support of the Fund for Resilient Nevada. Requires Interim Finance approval since the amount transferred to the Personnel Services category exceeds \$75,000. **Work Program #C59014**

Refer to motion for approval under Agenda Item H.

**67. Department of Health and Human Services - Aging and Disability Services - Home and Community-Based Services - FY 2022**

Addition of \$259,312 in federal State Health Insurance Assistance Program (SHIP) grant funds to continue providing information and counseling to Medicare beneficiaries. Requires Interim Finance approval since the amount added to the SHIP Program category exceeds \$75,000. **Work Program #C57088**

Refer to motion for approval under Agenda Item H.

**68. Department of Health and Human Services - Aging and Disability Services - Sierra Regional Center - FY 2022**

Addition of \$1,265,107 in federal Title XIX - Waiver grant funds and \$24,943 in federal Title XIX - Community Services grant funds to align with an increased Federal Medical Assistance Percentage rate for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Reserve for Reversion category exceeds \$75,000. **Work Program #C57756**

Refer to motion for approval under Agenda Item H.

**69. Department of Health and Human Services - Aging and Disability Services - Desert Regional Center - FY 2022**

Addition of \$1,362,253 in federal Title XIX - Waiver grant funds and \$25,306 in federal Title XIX - Community Services grant funds to align with an increased Federal Medical Assistance Percentage rate for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Reserve for Reversion category exceeds \$75,000. **Work Program #C57767**

Refer to motion for approval under Agenda Item H.

**70. Department of Health and Human Services - Aging and Disability Services - Rural Regional Center - FY 2022**

Addition of \$392,738 in federal Title XIX - Waiver grant funds and \$16,494 in federal Title XIX - Community Services grant funds to align with an increased



Federal Medical Assistance Percentage rate for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Reserve for Reversion category exceeds \$75,000. **Work Program #C57757**

Refer to motion for approval under Agenda Item H.

**71. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2023**

Addition of \$186,675 in federal Title XIX grant funds and \$62,225 in federal American Rescue Plan Act (ARPA), Home and Community-Based Services (HCBS) Reinvestment grant funding transferred from the Nevada Medicaid, Title XIX account to support system enhancements to the Medicaid Management Information System to add a drug and alcohol counselor provider type with the increased funding provided by the ARPA. Requires Interim Finance approval since the cumulative amount added to the HCBS ARPA category exceeds \$75,000. **RELATES TO ITEM I.75. Work Program #C58496**

Agenda Items I.71, I.72, I.73, I.74, I.75, I.76, I.77, and I.98 were discussed jointly. Refer to discussion and motion for approval under Agenda Item I.98.

**72. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2023**

Addition of \$548,190 in federal Title XIX grant funds and \$8,550 in federal American Rescue Plan Act (ARPA), Home and Community-Based Services (HCBS) Reinvestment grant funding transferred from the Nevada Medicaid, Title XIX account to support system enhancements to the Medicaid Management Information System, eligibility systems within the Division of Welfare and Supportive Services, Application Modernization and Productivity Services, and Nevada Operations of Multi-Automated Data Systems to add a new waiver code for County Match program participants with the increased funding provided by the ARPA. Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **RELATES TO ITEMS I.76 AND I.98. Work Program #C58497**

Agenda Items I.71, I.72, I.73, I.74, I.75, I.76, I.77, and I.98 were discussed jointly. Refer to discussion and motion for approval under Agenda Item I.98.

**73. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2023**

Addition of \$250,000 in federal Title XIX grant funds and \$250,000 in federal American Rescue Plan Act (ARPA), Home and Community-Based Services (HCBS) Reinvestment grant funding transferred from the Nevada Medicaid, Title XIX account to support a needs assessment study to improve care for the aged, blind, and disabled population with the increased funding provided by the ARPA. Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **RELATES TO ITEM I.77. Work Program #C58714**

Agenda Items I.71, I.72, I.73, I.74, I.75, I.76, I.77, and I.98 were discussed jointly. Refer to discussion and motion for approval under Agenda Item I.98.

**74. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2023**

Addition of \$4,304,627 in federal Title XIX grant funds and \$2,572,873 in federal American Rescue Plan Act (ARPA), Home and Community-Based Services (HCBS) Reinvestment grant funding to provide \$500 in supplemental payments to direct home care workers with the increased funding provided by the ARPA. Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **Work Program #C58418**

Agenda Items I.71, I.72, I.73, I.74, I.75, I.76, I.77, and I.98 were discussed jointly. Refer to discussion and motion for approval under Agenda Item I.98.

**75. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2023**

Addition of \$62,225 in federal American Rescue Plan Act (ARPA), Home and Community-Based Services (HCBS) Reinvestment grant funding to support system enhancements to the Medicaid Management Information System to add a drug and alcohol counselor provider type with the increased funding provided by the ARPA. Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **RELATES TO ITEM I.71. Work Program #C58425**

Agenda Items I.71, I.72, I.73, I.74, I.75, I.76, I.77, and I.98 were discussed jointly. Refer to discussion and motion for approval under Agenda Item I.98.

**76. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2023**

Addition of \$60,910 in federal American Rescue Plan Act (ARPA), Home and Community-Based Services (HCBS) Reinvestment grant funding to support system enhancements to the Medicaid Management Information System, eligibility systems within the Division of Welfare and Supportive Services, Application Modernization and Productivity Services, and Nevada Operations of Multi-Automated Data Systems to add a new waiver code for County Match program participants with the increased funding provided by the ARPA. Requires Interim Finance approval since the cumulative amount added to the HCBS ARPA category exceeds \$75,000. **RELATES TO ITEMS I.72 AND I.98. Work Program #C58489**

Agenda Items I.71, I.72, I.73, I.74, I.75, I.76, I.77, and I.98 were discussed jointly. Refer to discussion and motion for approval under Agenda Item I.98.

**77. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2023**

Addition of \$250,000 in federal American Rescue Plan Act (ARPA), Home and Community-Based Services (HCBS) Reinvestment grant funding to support a

needs assessment study to improve care for the aged, blind, and disabled population with the increased funding provided by the ARPA. Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **RELATES TO ITEM I.73. Work Program #C58816**

Agenda Items I.71, I.72, I.73, I.74, I.75, I.76, I.77, and I.98 were discussed jointly. Refer to discussion and motion for approval under Agenda Item I.98.

**78. Department of Health and Human Services - Public and Behavioral Health - Crisis Response - FY 2023**

Addition of \$1,333,324 in private Helmsley Charitable Trust grant funds to provide telehealth behavioral mental health crisis care to support law enforcement in the field. Requires Interim Finance approval since the amount added to the Helmsley Trust Crisis Care Response category exceeds \$75,000. **Work Program #C58749**

Refer to motion for approval under Agenda Item H.

**79. Department of Health and Human Services - Public and Behavioral Health - Radiation Control Program - FY 2022**

Transfer of \$11,104 from the Reserve category to the In-State Travel category, \$51,355 from the Reserve category to the Operating category, \$21,555 from the Reserve category to the Information Services category, and \$150,507 from the Reserve category to the Division Cost Allocation category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Division Cost Allocation category exceeds \$75,000. **Work Program #C58658**

Refer to motion for approval under Agenda Item H.

**80. Department of Health and Human Services - Public and Behavioral Health - Health Statistics and Planning - FY 2022**

Transfer of \$66,928 from the Reserve category to the Division Cost Allocation category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Division Cost Allocation category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58194**

Refer to motion for approval under Agenda Item H.

**81. Department of Health and Human Services - Public and Behavioral Health - Health Statistics and Planning - FY 2022**

Addition of \$51,366 in Licenses and Fees and a transfer of \$77,895 from the Reserve category to the County Disbursement category to support Senate Bill 463 (2019 Legislative Session). Requires Interim Finance approval since the amount added to the County Disbursement category exceeds \$75,000. **Work Program #C58335**

Refer to motion for approval under Agenda Item H.

**82. Department of Health and Human Services - Public and Behavioral Health - Environmental Health Services - FY 2022**

Transfer of \$76,057 from the Reserve category to the Division Cost Allocation category and \$3,337 from the Reserve category to the Food and Drug Administration, Food Safety category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Division Cost Allocation category exceeds \$75,000. **Work Program #C58745**

Refer to motion for approval under Agenda Item H.

**83. Department of Health and Human Services - Public and Behavioral Health - Biostatistics and Epidemiology - FY 2022**

Addition of \$2,099,161 in federal American Rescue Plan Act (ARPA) grant funds to support the Disease Intervention Specialists (DIS) workforce in the Sexually Transmitted Disease (STD) program. Requires Interim Finance approval since the amount added to the STD ARPA DIS Workforce category exceeds \$75,000. **Work Program #22AR321901**

Refer to motion for approval under Agenda Item H.

**84. Department of Health and Human Services - Public and Behavioral Health - Biostatistics and Epidemiology - FY 2022**

Addition of \$722,571 in federal Strengthening Sexually Transmitted Disease (STD) Prevention and Control grant funds for health departments to continue providing STD Surveillance, prevention, and control. Requires Interim Finance approval since the amount added to the STD Prevention and Control category exceeds \$75,000. **Work Program #C58471**

Refer to motion for approval under Agenda Item H.

**85. Department of Health and Human Services - Public and Behavioral Health - Biostatistics and Epidemiology - FY 2023**

Addition of \$74,937 in private Council of State and Territorial Epidemiologists (CSTE) grant funds to educate youth on influenza and zoonoses in livestock. Requires Interim Finance approval since the amount added to the CSTE Youth in Agriculture category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58790**

Refer to motion for approval under Agenda Item H.

**86. Department of Health and Human Services - Public and Behavioral Health - Chronic Disease - FY 2023**

Addition of \$300,000 in federal Nevada Immunization and Vaccine for Children grant funds transferred from the Immunization Program budget account to provide COVID-19 vaccine outreach and education to individuals with comorbidities.

Requires Interim Finance approval since the amount added to the COVID Vaccine Outreach BA 3213 category exceeds \$75,000. **Work Program #C58767**

Refer to motion for approval under Agenda Item H.

**87. Department of Health and Human Services - Public and Behavioral Health - Community Health Services - FY 2022**

Addition of \$179,730 in federal Department of Health and Human Services, Family Planning Services grant funds to provide family planning and reproductive health services in rural Nevada. Requires Interim Finance approval since the amount added to the Family Planning category exceeds \$75,000. **Work Program #C58137**

Refer to motion for approval under Agenda Item H.

**88. Department of Health and Human Services - Public and Behavioral Health - Emergency Medical Services - FY 2022**

Transfer of \$45,498 from the Personnel Services category to the Cost Allocation category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Cost Allocation category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58558**

Refer to motion for approval under Agenda Item H.

**89. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2023**

Addition of \$44,381 in federal Behavioral Health Services Information Systems contract funds to support substance abuse and mental health service information system and data collection activities. Requires Interim Finance approval since the amount added to the State Outcomes Measurement and Management System category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58654**

Refer to motion for approval under Agenda Item H.

**90. Department of Health and Human Services - Public and Behavioral Health - Northern Nevada Adult Mental Health Services - FY 2022**

Transfer of \$416,637 from the Personnel Services category to the Professional Services category to fund a projected shortfall through the end of the fiscal year. Requires Interim Finance approval since the amount transferred to the Professional Services category exceeds \$75,000. **Work Program #C59036**

Refer to motion for approval under Agenda Item H.

**91. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2022**

Transfer of \$67,797 from the Personnel Services category to the Food Services

Center category to fund a projected shortfall for meals and snacks for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Food Services Center category exceeds \$75,000. **Work Program #C58517**

Refer to motion for approval under Agenda Item H.

**92. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2022**

Transfer of \$241,927 from the Personnel Services category to the Mental Health Tech Services category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Mental Health Tech Services category exceeds \$75,000. **Work Program #C58518**

Refer to motion for approval under Agenda Item H.

**93. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2023**

Transfer of \$137,500 from the Personnel Services category to the Operating category to provide for strategic planning for a forensic services contract. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C57108**

Refer to motion for approval under Agenda Item H.

**94. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2023**

Transfer of \$2,561,348 from the Personnel Services category to the Professional Services category to fund participation in the Private Inpatient Hospital Upper Payment Limit program through the Nevada Clinical Services contracts. Requires Interim Finance approval since the amount transferred to the Professional Services category exceeds \$75,000. **Work Program #C58501**

Refer to motion for approval under Agenda Item H.

**95. Department of Health and Human Services - Public and Behavioral Health - Facility for the Mental Offender - FY 2022**

Transfer of \$196,857 from the Personnel Services category to the Professional Services category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Professional Services category exceeds \$75,000. **Work Program #C58715**

Refer to motion for approval under Agenda Item H.

**96. Department of Health and Human Services - Welfare and Supportive Services - Administration - FY 2022**

Transfer of \$972,853 from the Personnel Services category to the

Information Services category to cover a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Information Services category exceeds \$75,000. **Work Program #C58445**

Refer to motion for approval under Agenda Item H.

**97. Department of Health and Human Services - Welfare and Supportive Services - Administration - FY 2022**

Addition of \$13,844 in federal Immunization and Vaccines for Children grant funds transferred from the Department of Health and Human Services, Division of Public and Behavioral Health, to reimburse the Division of Welfare and Supportive Services for staff hours in support of the Nevada Vax Days Outreach Initiative to underserved populations in low-income communities. Requires Interim Finance approval since the cumulative amount added to the Reserve for Federal Funds category exceeds \$75,000. **Work Program #C59086**

Refer to motion for approval under Agenda Item H.

**98. Department of Health and Human Services - Welfare and Supportive Services - Administration - FY 2023**

Addition of \$471,240 in federal Centers for Medicare and Medicaid Title XIX grant funds transferred from the Department of Health and Human Services, Division of Health Care Financing and Policy, and \$52,360 in federal American Rescue Plan Act (ARPA), Home and Community-Based Services (HCBS) Reinvestment grant funding to add a new waiver code for Medicaid County Match program participants with the increased funding provided by the ARPA. Requires Interim Finance approval since the amount added to the Reserve for Federal Funds category exceeds \$75,000. **RELATES TO ITEMS I.72 AND I.76. Work Program #C58479**

Agenda Items I.71, I.72, I.73, I.74, I.75, I.76, I.77, and I.98 were discussed jointly.

PHILLIP BURRELL (Deputy Administrator, Division of Health Care Financing and Policy [DHCFP], DHHS):

All eight of these work programs are tied to home and community-based services initiatives that the DHCFP has brought before the Committee at its past two meetings. In total, the division has brought forward approximately 30 to 35 work programs tied to home and community-based services. These work programs will help strengthen and enhance services available to Nevadans and help them stay in their homes and communities where appropriate. The eight work programs currently before the Committee are tied to ARPA Section 9817, which authorizes a temporary 10-percentage point Federal Medical Assistance Percentage (FMAP) increase for most home and community-based services provided to Nevada Medicaid participants. According to federal guidance, the 10-percentage point FMAP increase is applicable to eligible expenditures made from April 1, 2021, through March 31, 2022. The additional FMAP allows the division to bring in additional funds for direct home and community-based services, including home health care, personal care services, behavioral health, rehabilitation, and other similar services. No state General Funds are being

requested through these work programs.

ASSEMBLYMAN C.H. MILLER:

Please confirm no additional expenditures are anticipated by the division because of the new drug, alcohol, and gambling counselor provider type.

MR. BURRELL:

Those expenditures are currently quantified in the provider type. The system enhancement being requested by the division will allow it to separate out provider types and specialty codes to better monitor and track the utilization associated with provider types.

ASSEMBLYWOMAN CARLTON:

Regarding Agenda Items I.73 and I.77, many studies and conversations involving needs assessments related to the aged, blind, and disabled population have occurred over the past decade. Most of the needs assessments have been aimed at determining the effects of moving aged, blind, and disabled patients off the fee-for-service payment model and into a health maintenance organization (HMO), and ensuring these patients have the resources they need. Moving these patients into an HMO might not be the best fit for them considering the challenges they experience. Is the DHCFP aiming to move this population into an HMO through the requests contained in Agenda Items I.73 and I.77?

ELLEN CRECELIUS (Actuarial Economist, DHCFP, DHHS):

The funding being requested for the needs assessment is meant to gather information and determine the best overall approach for caring for the aged, blind, and disabled population. The division wants the vendor with which it contracts to hold conversations with stakeholders, including Nevada Medicaid recipients, providers, and caregivers, to determine if the use of an HMO is the best method of care for the aged, blind, and disabled population. The division is also requesting that the vendor examine programs of all-inclusive care for the elderly, and study incentives of value-based payment programs to come up with specific recommendations for Nevada. The needs assessment is not intended to focus only on moving the aged, blind, and disabled population into an HMO setting.

ASSEMBLYWOMAN CARLTON:

A previous needs assessment conducted by the DHCFP was aimed at justifying the move of aged, blind, and disabled patients into an HMO setting, and I am glad that the division is not planning another needs assessment to examine these issues. Many people are concerned that they will no longer be able to see their family doctors of many years if they are moved into an HMO setting with a different network of providers.

Regarding payments to direct home care workers, given that approximately 54% of eligible direct home care workers received the first supplemental \$500 payment, what changes are being made to the application process for the second round of payments to encourage greater utilization of the program? Home care workers work hard, and I want to ensure that they receive the \$500 supplemental payment.



Because providers apply for these payments on behalf of their employees, what can be done to incentivize providers to apply? If providers decide not to apply for the payment, home care workers can be unjustly penalized.

MR. BURRELL:

Using supplemental payment rates established by the DHHS Division of Public and Behavioral Health (DPBH) wage board, and listening to the DPBH's feedback and guidance, has helped the DHCFP to better understand which issues and activities affect direct home care workers. When the DHCFP began offering supplemental payments to direct home care workers earlier in FY 2022, the division was told it could be problematic that it is voluntary for providers to apply for the payments on behalf of their staff. The division does not have the authority to provide payments directly to home care workers, so it devised an attestation method to provide payments to health care workers through the agencies for which they work. Not all eligible providers are seeking payments for their staff, and the division plans to conduct outreach activities to reach these providers.

Through the American Rescue Plan link on the DHCFP website, the division is publicly thanking the agencies and providers who have participated in the program to encourage more engagement. The division plans to speak with providers directly to see if it can do more to help them become more interested in applying for payments on behalf of their staff. The DPBH wage board suggested that the DHCFP mandate that providers apply for payments, but the division does not have that authority, so it will instead work internally with its programs and operational teams to directly engage agencies and providers.

ASSEMBLYWOMAN CARLTON:

Is the application process confusing? Would the program be more successful if a case manager walked providers and agencies through the process of applying for payments?

MR. BURRELL:

I do not believe the application process is too cumbersome, as the DHCFP has dedicated teams that created a website and email inbox to receive questions from providers and agencies regarding applications. The DHCFP has staff that respond directly to inquiries to better provide assistance and technical support, and even accepts applications for the program past the application deadline. However, the division is open to any suggestions the Committee may have to make the process easier and to expand outreach.

ASSEMBLYWOMAN CARLTON:

I hope that the DHCFP can continue to come up with ways to ensure that direct home care workers receive the payments and assistance they deserve.

CHAIR DENIS:

I am glad the DHCFP is engaging providers in this process. Maybe the division should continue to find ways to provide supplemental payments directly to home care workers if providers and agencies are not applying on their behalf. The

division has a good plan for moving the program forward and encouraging engagement among providers.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEMS I.71, I.72, I.73, I.74, I.75, I.76, I.77, AND  
I.98.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

Chair Denis called a recess at 12:25 p.m. The meeting reconvened at 1:03 p.m.

**99. Department of Health and Human Services - Welfare and Supportive Services - Administration - FY 2023**

Addition of \$3,933,844 in federal Food and Nutrition Services, Supplemental Nutrition Services Program (SNAP), Pandemic Electronic Benefit Transfer (PEBT) grant funds for the issuance of the 2020-2021 and 2021-2022 school year PEBT benefits to Nevada's eligible school-aged children. Requires Interim Finance approval since the amount added to the SNAP PEBT Federal category exceeds \$75,000. **RELATES TO ITEM I.103. Work Program #C58572**

Refer to motion for approval under Agenda Item H.

**100. Department of Health and Human Services - Welfare and Supportive Services - Temporary Assistance for Needy Families - FY 2022**

Addition of \$258,782 in federal Administration for Children and Families, Temporary Assistance for Needy Families (TANF) grant funds to continue providing supportive services for TANF customers involved with the employment and training program. Requires Interim Finance approval since the amount added to the New Employees of Nevada category exceeds \$75,000. **Work Program #C58610**

Refer to motion for approval under Agenda Item H.

**101. Department of Health and Human Services - Welfare and Supportive Services - Temporary Assistance for Needy Families - FY 2023**

Addition of \$4,120,721 in American Rescue Plan Act (ARPA), Temporary Assistance for Needy Families (TANF) grant funds to provide one-time supplemental payments for back-to-school needs for all eligible TANF children. Requires Interim Finance approval since the amount added to the TANF ARPA Grant category exceeds \$75,000. **Work Program #23AR32301**

Refer to motion for approval under Agenda Item H.

**102. Department of Health and Human Services - Welfare and Supportive Services - Welfare Field Services - FY 2022**

Addition of \$113,450 in federal Immunization and Vaccines for Children grant funds transferred from the Department of Health and Human Services, Division of Public and Behavioral Health, to reimburse the Division of Welfare and Supportive Services for staff hours in support of the Nevada Vax Days Outreach Initiative to underserved populations in low-income communities. Requires Interim Finance approval since the amount added to the Reserve for Federal Funds category exceeds \$75,000. **Work Program #C59097**

Refer to motion for approval under Agenda Item H.

**103. Department of Health and Human Services - Welfare and Supportive Services - Welfare Field Services - FY 2023**

Addition of \$586,094 in federal Food and Nutrition Services, Supplemental Nutrition Services Program, Pandemic Electronic Benefit Transfer (PEBT) grant funds for the continuation of the PEBT issuance to Nevada's eligible school-aged children. Requires Interim Finance approval since the amount added to the Reserve for Federal Funds category exceeds \$75,000. **RELATES TO ITEM I.99. Work Program #C58589**

Refer to motion for approval under Agenda Item H.

**104. Department of Health and Human Services - Welfare and Supportive Services - Energy Assistance Program - FY 2023**

Addition of \$3,914,885 in federal American Rescue Plan Act (ARPA), Low-Income Household Water Assistance Program (LIHWAP) grant funds to provide financial assistance to low-income residents for water and wastewater bills. Requires Interim Finance approval since the amount added to the LIHWAP ARPA Grant category exceeds \$75,000. **Work Program #23AR48621. WITHDRAWN 6-10-22.**

**105. Department of Health and Human Services - Welfare and Supportive Services - Energy Assistance Program - FY 2023**

Addition of \$830,700 in federal Infrastructure Investment and Jobs Act (IIJ), Low-Income Home Energy Assistance Program (LIHEAP) grant funds to provide financial assistance for home energy bills. Requires Interim Finance approval since the amount added to LIHEAP IIJ Grant category exceeds \$75,000. **Work Program #C58650**

Refer to motion for approval under Agenda Item H.

**106. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2023**

Transfer of \$240,375 from the Personnel Services category to the Temporary Contract Staffing category to fund contracted temporary employees through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Temporary Contracts Staffing category exceeds \$75,000. **Work Program #C58782**

Refer to motion for approval under Agenda Item H.

**107. Department of Health and Human Services - Child and Family Services - Clark County Child Welfare - FY 2022**

Addition of \$5,530,642 in federal Title IV-E Foster Care Family First Transition Act Certainty grant funds to continue providing child welfare services in Clark County. Requires Interim Finance approval since the amount added to the Clark County category exceeds \$75,000. **Work Program #C58524**

Refer to motion for approval under Agenda Item H.

**108. Department of Health and Human Services - Child and Family Services - Rural Child Welfare - FY 2022**

Transfer of \$68,326 from the Personnel Services category to the Adoption Subsidy category to fund a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Adoption Subsidy category exceeds \$75,000. **Work Program #C57903**

Refer to motion for approval under Agenda Item H.

**109. Department of Health and Human Services - Child and Family Services - Rural Child Welfare - FY 2022**

Transfer of \$321,021 from the Personnel Services category to the Title IV-B 1 Grant Projects category to fund a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Title IV-B 1 Grant Projects category exceeds \$75,000. **Work Program #C58643**

Refer to motion for approval under Agenda Item H.

**110. Department of Employment, Training and Rehabilitation - Rehabilitation Division - Bureau of Disability Adjudication - FY 2022**

Transfer of \$789,266 from the Personnel Services category to the Medical Determination category to fund a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Medical Determination category exceeds \$75,000. **Work Program #C58754**

Refer to motion for approval under Agenda Item H.

**111. Department of Employment, Training and Rehabilitation - Employment Security Division - Workforce Development - FY 2022**

Addition of \$7,627,000 in federal Workforce Innovation and Opportunity Act (WIOA) grant funds to support program expenditures for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the WIOA Program category exceeds \$75,000. **Work Program #C58956**

Refer to motion for approval under Agenda Item H.

**112. Department of Corrections - Director's Office - FY 2022**

Deletion of \$546,265 in budgetary transfers to fund projected shortfalls within the department for the remainder of the fiscal year, transfer of \$122,090 from the Personnel Services category to the Operating category, and transfer of \$8,115 from the Personnel Services category to the Inmate Property Claims category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount deleted from the Personnel Services category exceeds \$75,000. **RELATES TO ITEMS I.114, I.115, I.116, I.117, I.118, I.119, I.120 AND I.121. Work Program #C59032**

Refer to motion for approval under Agenda Item H.

**113. Department of Corrections - Prison Medical Care - FY 2022**

Transfer of \$49,490 from the Personnel Services category to the Operating category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Operating category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58941**

Refer to motion for approval under Agenda Item H.

**114. Department of Corrections - High Desert State Prison - FY 2022**

Addition of \$3,250,114 in budgetary transfers and transfer of \$160,603 from the Utilities category to the Inmate Drivens category to cover projected shortfalls in the Personnel Services and Inmate Drivens categories for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **RELATES TO ITEMS I.112, I.115, I.116, I.117, I.118, I.119, I.120 AND I.121. Work Program #C58904**

Refer to motion for approval under Agenda Item H.

**115. Department of Corrections - Northern Nevada Correctional Center - FY 2022**

Deletion of \$1,583,504 in budgetary transfers to cover projected shortfalls within the Department of Corrections for the remainder of the fiscal year and transfer of \$257,310 from the Personnel Services category to the Inmate Drivens category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount deleted from the Personnel Services category exceeds \$75,000. **RELATES TO ITEMS I.112, I.114, I.116, I.117, I.118, I.119, I.120 AND I.121. Work Program #C58892**

Refer to motion for approval under Agenda Item H.

**116. Department of Corrections - Southern Desert Correctional Center - FY 2022**

Addition of \$183,470 in budgetary transfers to cover a projected shortfall in the Inmate Drivens category for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Inmates Drivens category exceeds \$75,000. **RELATES TO ITEMS I.112, I.114, I.115, I.117, I.118, I.119, I.120 AND I.121. Work Program #C58899**

Refer to motion for approval under Agenda Item H.

**117. Department of Corrections - Lovelock Correctional Center - FY 2022**

Deletion of \$1,507,548 in budgetary transfers to fund projected shortfalls within the department for the remainder of the fiscal year, transfer of \$12,450 from the Personnel Services category to the Maintenance of Buildings and Grounds category, transfer of \$117,496 from the Personnel Services category to the Inmate Drivens category, and transfer of \$42,349 from the Personnel Services category to the Utilities category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount deleted from the Personnel Services category exceeds \$75,000. **RELATES TO ITEMS I.112, I.114, I.115, I.116, I.118, I.119, I.120 AND I.121. Work Program #C59028**

Refer to motion for approval under Agenda Item H.

**118. Department of Corrections - Warm Springs Correctional Center - FY 2022**

Deletion of \$55,490 in budgetary transfers to cover a projected shortfall within the department for the remainder of the fiscal year. Requires Interim Finance approval since the cumulative amount deleted from the Personnel Services category exceeds \$75,000. **RELATES TO ITEMS I.112, I.114, I.115, I.116, I.117, I.119, I.120 AND I.121. Work Program #C59024**

Refer to motion for approval under Agenda Item H.

**119. Department of Corrections - Florence McClure Women's Correctional Center - FY 2022**

Addition of \$116,345 in budgetary transfers, transfer of \$7,300 from the Personnel Services category to the Maintenance Contracts category, and transfer of \$93,482 from the Personnel Services category to the Inmate Drivens category to cover projected shortfalls in the Inmate Drivens and Maintenance Contracts categories for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Inmates Drivens category exceeds \$75,000. **RELATES TO ITEMS I.112, I.114, I.115, I.116, I.117, I.118, I.120 AND I.121. Work Program #C58903**

Refer to motion for approval under Agenda Item H.

**120. Department of Corrections - Stewart Conservation Camp - FY 2022**

Addition of \$47,650 in budgetary transfers to cover a projected shortfall in the Inmate Drivens category for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Inmates Drivens category exceeds 10% of the legislatively approved amount for that category. **RELATES TO ITEMS I.112, I.114, I.115, I.116, I.117, I.118, I.119 AND I.121. Work Program #C58893**

Refer to motion for approval under Agenda Item H.

**121. Department of Corrections - Three Lakes Valley Conservation Camp - FY 2022**

Addition of \$95,228 in budgetary transfers to cover projected shortfalls in the Personnel Services, Inmate Drivens, and Utilities categories for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Inmates Drivens category exceeds 10% of the legislatively approved amount for that category. **RELATES TO ITEMS I.112, I.114, I.115, I.116, I.117, I.118, I.119 AND I.120. Work Program #C58898**

Refer to motion for approval under Agenda Item H.

**122. Department of Corrections - Humboldt Conservation Camp - FY 2022**

Transfer of \$17,500 from the Personnel Services category to the Inmate Drivens category and \$16,478 from the Personnel Services category to the Utilities category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Inmate Drivens category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58985**

Refer to motion for approval under Agenda Item H.

**123. Department of Corrections - Jean Conservation Camp - FY 2022**

Transfer of \$36,538 from the Personnel Services category to the Inmate Drivens category and \$9,457 from the Personnel Services category to the Utilities category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Inmate Drivens category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58900**

Refer to motion for approval under Agenda Item H.

**124. Department of Corrections - Tonopah Conservation Camp - FY 2022**

Transfer of \$37,078 from the Personnel Services category to the Inmate Drivens category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Inmates Drivens category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58902**

Refer to motion for approval under Agenda Item H.

**125. Department of Motor Vehicles - System Technology Application Redesign - FY 2022**

Transfer of \$7,302,405 in Highway Fund Appropriations from FY 2022 to FY 2023 to support the Department of Motor Vehicles' Transformation Effort project. Requires Interim Finance approval pursuant to Section 35 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.126. Work Program #C58973**

Refer to motion for approval under Agenda Item H.

**126. Department of Motor Vehicles - System Technology Application Redesign - FY 2023**

Transfer of \$7,302,405 in Highway Fund Appropriations to FY 2023 from FY 2022 to support the Department of Motor Vehicles' Transformation Effort project. Requires Interim Finance approval pursuant to Section 35 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.125. Work Program #C58974**

Refer to motion for approval under Agenda Item H.

**127. Department of Motor Vehicles - Automation - FY 2023**

Transfer of \$835,728 from the Personnel Services category to the Information Services category to meet the programming needs for the Combined Automotive Revenue and Registration System. Requires Interim Finance approval since the amount transferred to the Information Services category exceeds \$75,000. **Work Program #C58813**

Refer to motion for approval under Agenda Item H.

**128. Department of Motor Vehicles - Motor Vehicle Pollution Control - FY 2022**

Transfer of \$1,287,930 from the Reserve category to the City/County Air Quality category to fund the required annual distribution of funds to Clark and Washoe Counties. Requires Interim Finance approval since the amount transferred to the City/County Air Quality category exceeds \$75,000. **Work Program #C58931**

Refer to motion for approval under Agenda Item H.

**129. Department of Motor Vehicles - Records Search - FY 2022**

Addition of \$1,480,983 of Records Search Charge funds to account for additional revenues received above the legislatively approved authority and placement of the additional funds in the Reserve for Reversion to Highway Fund category. Requires Interim Finance approval since the amount added to the Reserve for Reversion to Highway Fund category exceeds \$75,000. **Work Program #C59025**

Refer to motion for approval under Agenda Item H.

**130. Department of Motor Vehicles - Field Services - FY 2022**

Addition of \$155,000 of Motor Vehicle Governmental Services Tax Commissions and \$3,645,000 in Penalties funds to account for additional revenues received above the legislatively approved authority and placement of the additional funds in the Reserve for Reversion to Highway Fund category. Requires Interim Finance approval since the amount added to the Reserve for Reversion to Highway Fund category exceeds \$75,000. **Work Program #C59013**

Refer to motion for approval under Agenda Item H.



**131. Department of Motor Vehicles - Motor Carrier Division - FY 2022**

Addition of ~~\$260,000~~ **\$300,000** of Motor Vehicle Governmental Services Tax Commissions to account for additional revenues received above the legislatively approved authority and placement of the additional funds in the Reserve for Reversion to Highway Fund category. Requires Interim Finance approval since the amount added to the Reserve for Reversion to Highway Fund category exceeds \$75,000. **Work Program #C59012. REVISED 6-8-22.**

Refer to motion for approval under Agenda Item H.

**132. Department of Public Safety - Nevada Highway Patrol Division - FY 2022**

Transfer of \$544,288 from the Personnel Services category to the Operating category to cover a projected shortfall for the remainder of the fiscal year due to an increase in fuel prices. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C59098**

Refer to motion for approval under Agenda Item H.

**133. Department of Public Safety - Division of Parole and Probation - FY 2022**

Transfer of \$91,888 from the Personnel Services category to the Staff Physicals category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Staff Physicals category exceeds \$75,000. **Work Program #C58965**

Refer to motion for approval under Agenda Item H.

**134. Department of Public Safety - Division of Parole and Probation - FY 2022**

Transfer of \$1,311,601 from the Information Services category to the Offender Tracking Information System (OTIS) Modernization category to provide greater accountability and transparency of expenditures for the OTIS Modernization program. Requires Interim Finance approval since the amount transferred to the OTIS Modernization program category exceeds \$75,000. **Work Program #C58966**

Refer to motion for approval under Agenda Item H.

**135. Department of Public Safety - Division of Parole and Probation - FY 2022**

Transfer of \$225,000 from the Personnel Services category to the Psychosexual Evaluations category to fund a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Psychosexual Evaluations category exceeds \$75,000. **Work Program #C58967**

Refer to motion for approval under Agenda Item H.

**136. Department of Public Safety - Investigation Division - FY 2022**

Transfer of \$38,800 from the Personnel Services category to the SafeVoice category to cover the cost of temporary contract positions to assist with

staffing shortages in the call center for the remainder of the fiscal year. Requires Interim Finance approval since the cumulative amount transferred to the SafeVoice category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58958**

This item was withdrawn.

**137. Department of Public Safety - Records, Communications and Compliance Division - Central Repository for Nevada Records of Criminal History - FY 2022**

Transfer of \$98,510 from the Reserve category to the Operating category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C58886**

Refer to motion for approval under Agenda Item H.

**138. Department of Public Safety - Parole Board - FY 2023**

Addition of \$49,697 in federal 2020 COVID Emergency Supplemental Funding (CESF) Program grant funds to purchase conferencing equipment for the Department of Public Safety, Parole Board's four hearing rooms, two lobbies and two conference rooms. Requires Interim Finance approval since the amount added to the CESF Grant category exceeds 10% of the legislatively approved amount for that category. **Work Program #C58936**

Refer to motion for approval under Agenda Item H.

**139. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2023**

Addition of \$4,135,000 in federal U.S. Forest Service grant funds to support the Forest Legacy Program, which protects private forest lands that are threatened by conversion to non-forest uses. Requires Interim Finance approval since the amount added to the Eastern Sierra Front category exceeds \$75,000. **Work Program #C58423**

Refer to motion for approval under Agenda Item H.

**140. Department of Conservation and Natural Resources - Natural Heritage - Nevada Natural Heritage - FY 2022**

Transfer of \$200,000 in General Fund appropriations from FY 2022 to FY 2023 to continue funding to support Nevada's Climate Initiative. Requires Interim Finance approval pursuant to Section 47 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.141. Work Program #C59134**

Refer to motion for approval under Agenda Item H.

**141. Department of Conservation and Natural Resources - Natural Heritage - Nevada Natural Heritage - FY 2023**

Transfer of \$200,000 in General Fund appropriations to FY 2023 from FY 2022 to continue funding to support Nevada's Climate Initiative. Requires Interim Finance approval pursuant to Section 47 of Assembly Bill 494 (2021 Legislative Session). **RELATES TO ITEM I.140. Work Program #C58508**

Refer to motion for approval under Agenda Item H.

**142. Department of Conservation and Natural Resources - Natural Heritage - Nevada Natural Heritage - FY 2023**

Addition of \$199,997 in federal U.S. Fish and Wildlife Service (USFWS) grant funds to inventory springsnails and assess habitat. Requires Interim Finance approval since the amount added to the USFWS Coop Agreement category exceeds \$75,000. **Work Program #C58600**

Refer to motion for approval under Agenda Item H.

**143. Department of Conservation and Natural Resources - Division of Environmental Protection - Materials Management and Corrective Action - FY 2022**

Addition of \$430,609 in Dumping Fees and \$13,850 in Excess Property Sales due to increased revenues and to fund a projected shortfall in payments to counties, the Department of Taxation, Certificate of Participation costs, and travel for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Solid Waste category exceeds \$75,000. **Work Program #C58891**

Refer to motion for approval under Agenda Item H.

**144. Department of Conservation and Natural Resources - Division of Environmental Protection - Safe Drinking Water Program - FY 2022**

Transfer of \$84,720 from the Personnel Services category to the Operating category and \$11,493 from the Indirect Cost category to the Operating category to support contracted staff costs. Requires Interim Finance approval since the amount added to the Operating category exceeds \$75,000. **Work Program #C58888**

Refer to motion for approval under Agenda Item H.

**145. Department of Conservation and Natural Resources - Division of Environmental Protection - Safe Drinking Water Program - FY 2023**

Addition of \$194,009 in fees transferred from the Public System Water Fund account to fund two new contract staff and associated costs to assist in grant management and review of water projects. Requires Interim Finance approval since the amount added to the Operating category exceeds \$75,000. **Work Program #C58913**

Refer to motion for approval under Agenda Item H.

**146. Department of Wildlife - Director's Office - FY 2022**

Addition of \$90,370 in Sportsmen Revenue transferred from the Wildlife Fund account to fund a shortfall in operating costs for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Operations category exceeds \$75,000. **Work Program #C58940**

Refer to motion for approval under Agenda Item H.

**147. Department of Wildlife - Data and Technology Services - FY 2022**

Addition of \$17,763 in Sportsmen Revenue transferred from the Wildlife Fund account to fund a shortfall for the remainder of the fiscal year due to an increase in Duck Stamp sales. Requires Interim Finance approval since the cumulative amount added to the Administration category exceeds \$75,000. **Work Program #C58772**

Refer to motion for approval under Agenda Item H.

**148. Department of Wildlife - Data and Technology Services - FY 2022**

Addition of \$415,117 in Application Fees transferred from the Wildlife Fund account to fund a projected shortfall in contractual obligations for the license and registration system for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Application Hunt System category exceeds \$75,000. **Work Program #C58841**

Refer to motion for approval under Agenda Item H.

**149. Office of the Military - FY 2022**

Addition of \$150,000 in federal U.S. Department of Defense grant funding to align state and federal authority to support the Office of the Military's Army Security Programs. Requires Interim Finance approval since the amount added to the Army Security category exceeds \$75,000. **Work Program #C59072**

Refer to motion for approval under Agenda Item H.

**150. Office of the Military - FY 2022**

Transfer of \$85,000 from the Personnel Services category to the Utilities category to cover a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Utilities category exceeds \$75,000. **Work Program #C59074**

Refer to motion for approval under Agenda Item H.

**151. Department of Veterans Services - Southern Nevada Veterans Home Account - FY 2022**

Transfer of \$266,651 from the Reserve category to the Maintenance of Building and Grounds category to replace flooring at the Department of Veterans Services, Southern Nevada Veterans Home. Requires Interim Finance approval since the amount transferred to the Maintenance of Building and Grounds category exceeds

\$75,000. **Work Program #C59183**

Refer to motion for approval under Agenda Item H.

**152. Department of Health and Human Services - Health Care Financing and Policy - Prescription Drug Rebate - FY 2022**

Addition of \$90,130,845 in Drug Rebate funds to receive additional projected prescription drug rebates for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Medical Federal Medical Assistance Percentage Drug Rebate category exceeds \$75,000. **RELATES TO ITEM I.153. Work Program #C58701. RECEIVED ON 6-1-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE. REVISED 6-1-22.**

Refer to motion for approval under Agenda Item H.

**153. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2022**

Addition of \$90,130,845 in Drug Rebate funds transferred from the Prescription Drug Rebate account, deletion of \$2,934,753 in federal Title XXI grant funds and \$68,178,958 in federal Title XIX grant funds to support additional projected prescription drug rebate funds and to fund prescription drugs for Medicaid participants for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Offline category exceeds \$75,000. **RELATES TO ITEM I.152. Work Program #C58709. RECEIVED ON 6-1-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item H.

**154. Department of Wildlife - Director's Office - FY 2022**

Addition of \$158,310 in Sportsmen Revenue transferred from the Wildlife Fund account to fund a projected shortfall in the Vehicles category for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Vehicles category exceeds \$75,000. **Work Program #C59350. RECEIVED ON 6-6-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item H.

## RECLASSIFICATIONS

Refer to motion for approval under Agenda Item H.

Agency	Agency/ Account Number	Position Number	Present Class, Code, Grade & Salary	Proposed Class, Code, Grade & Salary
Department of Administration	070/1363	0007	Administrative Assistant 2 Code: 2.212 Grade: 25/08 Employee/Employer Paid Retirement: \$45,142.56	Personnel Technician 2 Code: 7.535 Grade: 27/08 Employee/Employer Paid Retirement: \$49,151.52
Gaming Control Board	611/4061	0047	Administrative Assistant 3 Code: 2.211 Grade: 27/01 Employee/Employer Paid Retirement: \$36,790.56	Personnel Technician 2 Code: 7.535 Grade: 27/01 Employee/Employer Paid Retirement: \$36,790.56
Office of the Military	431/3650	0313	Business Process Analyst 2 Code: 7.656 Grade 36/05 Employee/Employer Paid Retirement: \$63,746.64	GIS Analyst 2 Code: 6.341 Grade 36/05 Employee/Employer Paid Retirement: \$63,746.64

### J. STATEMENT OF CONTINGENCY ACCOUNT BALANCE.

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):

The Statement of Contingency Account Balance is located on page 7 in Volume IV of the meeting packet ([Exhibit D](#)). Prior to any actions the Committee may make today, there is a balance of \$28,580,351.71 in the IFC Contingency Account. This amount is comprised of approximately \$18.5 million in the unrestricted General Fund portion of the account, approximately \$1.6 million in the unrestricted Highway Fund portion of the account, and approximately \$8.5 million in the restricted General Fund and Highway Fund portions of the account. There are several requests from the IFC Contingency Account before the Committee today totaling approximately \$6.6 million. The amount being requested is made up of approximately \$6.2 million in requests from the unrestricted General Fund portion of the account and approximately \$387,000 from the restricted General Fund portion of the account.

If all the requests for allocations from the IFC Contingency Account are approved by the Committee today, there will be approximately \$22 million remaining in the account. Pages 8 and 9 in Volume IV of the meeting packet ([Exhibit D](#)) detail the various legislative bills that allocate funding to the restricted portion of the account.

### K. 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. DEPARTMENT OF HEALTH AND HUMAN SERVICES - Aging and Disability Services Division - Office of Consumer Health Assistance - Request for an

allocation of \$257,700 to cover revenue shortfall related to managing arbitrations for out-of-network medically necessary emergency services claims less than \$5,000, pursuant to NRS 439B.754. **WITHDRAWN 6-7-22.**

2. STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
  - a) Division of Water Resources - Request for an allocation of \$102,029 to fund additional costs determined to be needed to complete the repair and maintenance of the South Fork Dam not previously funded through Assembly Bill 465 (2021 Legislative Session).

MICHELINE FAIRBANK (Deputy Administrator, Division of Water Resources, Department of Conservation and Natural Resources [DCNR]):

Through Agenda Item K.2a, the DCNR Division of Water Resources is requesting an allocation from the IFC Contingency Account to support repairs to the toe of the South Fork Dam. This request would supplement the \$2.1 million appropriation approved through A.B. 465 (2021 Legislative Session) to fund construction and repair of leakages at the dam. The allocation provided through A.B. 465 was based on cost estimates from FY 2020, but the costs of repairing the dam have significantly increased during FY 2022. The dam is currently under construction and repair, but the division needs additional funding to complete work on the project.

ASSEMBLYMAN WATTS:

How does the division plan to address any additional maintenance and repair costs that are necessary in FY 2023 to ensure the safe operation of the South Fork Dam?

MS. FAIRBANK:

The funding being requested will help the division complete the project it is currently working on, but the division anticipates that there will likely be additional change orders. The funding that the division currently has is not enough for completion of the totality of the project as it was originally bid, and additional funding will likely be requested to complete all components of the project. At this point, the division is trying to complete essential elements for relief wells and other construction projects at the toe of the dam. The division will likely come back before the IFC to request additional contingency funding once it receives more change orders and the increased costs of future work to complete the project are known.

The condition of the dam is a significant public safety hazard for the State of Nevada. The South Fork Dam supports the South Fork Reservoir, a significant economic driver for Elko County and one of the most visited Nevada state parks. If the dam were to fail, it would implicate approximately 80 miles of Interstate 80 and about 80 miles of the Union Pacific Railroad and would also impact the City of Carlin. The division has been working diligently and in a timely manner to complete repairs, but due to unforeseen cost increases, the division is covering additional costs that it does not know the full extent of.

CHAIR DENIS:

How many more years will the South Fork Dam last once repairs are completed?

MS. FAIRBANK:

The repairs will extend the life of the dam for many years, but the dam is an old structure with ongoing repair and maintenance needs. The division anticipates asking for additional funding during the 2023 Legislative Session to cover other required maintenance costs of the dam. Owning, operating, and maintaining a dam takes a lot of financial planning and the division tries to anticipate costs as best it can.

SENATOR GOICOECHEA:

When does the division anticipate it will spend the total \$4 million it has received to complete the project? I want to ensure repairs to the dam are complete by the next wet year when the dam accumulates more water.

MS. FAIRBANK:

Repairs to the seepage at the toe of the dam will be completed before the winter and before the next wet year, but ongoing repair and maintenance will be needed. The division's contractor and consultant are currently onsite and completing work on the dam.

SENATOR GOICOECHEA:

I am glad the division plans to have repairs done on the dam by this fall season.

ASSEMBLYWOMAN JAUREGUI MOVED TO  
APPROVE AGENDA ITEM K.2a.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

- b) Division of Forestry - Request for an allocation of \$5,935,293 to cover costs associated with emergency response expenses within the Forest Fire suppression account. **RECEIVED ON 6-8-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

RYAN SHANE (Deputy Administrator, Division of Forestry [NDF], DCNR):

Through Agenda Item K.2b, the NDF is requesting an allocation of \$5.9 million from the IFC Contingency Account to pay for bills on hand that are owed to partnering agencies and vendors that provided fire suppression response support in FY 2022. Regarding year-end review, Nevada experienced over 610 wildfires, burning over 134,000 acres in FY 2022. This is less than Nevada's ten-year average, which shows that wildfires burn approximately 500,000 acres in the state per year. The smaller number of fires in FY 2022 is largely due to drought conditions which limited



fuel continuity and the highly effective responses of wildfire agencies in the state. The NDF and the participants of its Wildland Fire Protection Program responded to 147 wildfires across 13 states including Nevada in FY 2022. The NDF is still operating in five different states as they contend with record fire years.

Notable wildfires in Nevada during the previous fire season include the Tamarack Fire, which extended from the Sierra Front in California down to Douglas County; a rural 20,000 acre in Southern Nevada; the Caldor Fire, which threatened the Lake Tahoe Basin; and the Dixie Fire, one of the largest fires in California's history. Regarding the fire season for calendar year 2023, Nevada is still experiencing a multi-year drought that has extended from 2020. Nevada's fuel conditions are similar to those of 2022, but the state may be at a slightly higher risk for wildfires in lower elevations than it was in 2022. However, the current fire risk remains lower when compared to years which experienced wetter conditions in valley bottoms. For 2023, the NDF anticipates a high-fire threat in Nevada's higher elevations and is presently suppressing a 3,000-acre wildland fire in White Pine County occurring in the pinyon-juniper woodlands. Heavily forested and woodland environments are at an extreme risk for fire due to the dry nature of fuels, drought conditions, and the number of fuels existing in these areas.

Regarding billing, wildfires that occur in the state incur costs through the response of jurisdictions of the NDF's wildland fire protection districts, which are local districts directly on state land. Wildland fires occurring out of state also receive service from the NDF and its Wildland Fire Protection Program partners, with the costs of these fires being reimbursed by the state in which they occur once costs are adjudicated. The \$5.9 million currently being requested by the NDF for FY 2022 is meant to alleviate the financial burden that would be borne by FY 2023 before the division even starts into the next wildfire season from July 1, 2022, through December 31, 2022.

CHAIR DENIS:

Are Nevada's fire seasons getting longer?

MR. SHANE:

Recent analyses show that the fire seasons experienced by the West Coast and Nevada are extending by ten-days longer to a full month longer per year depending on climatic conditions.

CHAIR DENIS:

More funding may need to be set aside by the NDF in the future to fight fires as the fire seasons grow.

SENATOR GOICOECHEA:

How much funding from previous fire seasons is the NDF currently eligible to be reimbursed for?

MR. SHANE:

A recent assessment of prior year reimbursables shows that the state is owed approximately \$7 million. The NDF does not anticipate receiving this money before the end of FY 2022, which is why the division is currently requesting \$5.9 million. The division anticipates that at least a portion of the \$7 million will be received in FY 2023, and it tries to balance the amount of reimbursables with expenditures to lessen the impact on the IFC Contingency Account. The NDF is in constant contact with its partners, mainly the U.S. Forest Service and the U.S. Department of the Interior, Bureau of Land Management, to discuss when reimbursements will be received for fires suppressed on these agency's jurisdictions.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM K.2b.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

3. DEPARTMENT OF INDIGENT DEFENSE SERVICES

- a) Request for an allocation of \$8,960 to reimburse Carson City and Humboldt Counties for costs associated with case-related expenses for indigent defense services. **RECEIVED ON 6-8-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Agenda Items K.3a, K.3b, and M were discussed jointly. Refer to discussion and motion for approval under Agenda Item M.

- b) Request for an allocation of \$136,268 to reimburse Douglas, Lincoln, Nye, Carson City, Elko, Humboldt, and Pershing Counties for costs associated with case-related expenses for indigent defense services. **RECEIVED ON 6-8-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Agenda Items K.3a, K.3b, and M were discussed jointly. Refer to discussion and motion for approval under Agenda Item M.

- L. **REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO SECTION 4.3 OF ASSEMBLY BILL 464 (2021 LEGISLATIVE SESSION)** (Note: IFC may approve a different amount for an allocation than the amount requested) - DEPARTMENT OF TAXATION - Request for an allocation of \$78,181 in Fiscal Year 2023 to fund unbudgeted expenditures related to the issuance of refunds for the portion of Modified Business Taxes paid in Fiscal Years 2020 and 2021.

MELISSA FLATLEY (Chief Deputy Director, Department of Taxation):

The Department of Taxation's request for an allocation from the IFC Contingency Account is authorized through Section 4.3 of A.B. 464 (2021 Legislative Session).

The request is related to costs associated with the issuance of Modified Business Tax (MBT) refunds. The cost for the department to issue MBT refunds to taxpayers is estimated to be \$267,500 for the 2021-23 biennium, which includes maintaining a Management Analyst 1 position to oversee and facilitate the issuance of the MBT refunds, associated equipment costs, and overtime costs for department staff assigned to the MBT refund project. In FY 2023, the Management Analyst 1 position will continue to oversee and facilitate the issuance of refunds, coordinate the reprinting of checks as needed, review and approve accounting documents, reconcile information, complete the stale claim process on uncashed checks, and collect statistics and provide department management and other stakeholders with status reports. The department requests approval for a transfer of the allocation from the IFC Contingency Account in the amount of \$78,181 for FY 2023.

The department first came before the Committee at its August 18, 2021, meeting to request funding for the Management Analyst 1 position. At that time, the department indicated that the number of taxpayers affected by the court decision was approximately 37,113. The total cost of the refunded amount was estimated to be \$80.3 million in taxes and interest due to taxpayers. At that time, the department provided the details of the refund plan, which it has followed. To date, all MBT accounts have been validated with credit interest applied. There will be no more refunds processed through Wells Fargo as the remaining accounts require updates and or other cleanup. At the beginning of the refund process, the department had estimated that \$80.3 million, which included interest, would need to be refunded. In FY 2021, the department refunded \$30,606,897 to 22,621 taxpayers. In FY 2022, the department refunded \$34,259,562 to an additional 5,225 taxpayers. The department projects to refund an additional \$972,722 to 157 taxpayers within the next few weeks and does not anticipate issuing any additional checks in FY 2023 for the MBT refund except for requests initiated by taxpayers for credits on account through the department's normal refund process.

By the end of FY 2022, the department projects to refund a total of \$65,839,182 in MBT refunds. However, there has been a slight delay in issuing refunds due to staffing demands. The remaining \$14.5 million that is now not projected to be refunded is mainly due to non-compliance of taxpayer accounts, with amounts being placed as a credit on taxpayer accounts due to outdated taxpayer contact information. In some instances, if an account had an existing tax liability, the MBT refund was applied to the liability pursuant to Nevada law. If an account has a credit and a taxpayer brings their account into compliance, the taxpayer may request that a refund be issued for the amount of the credit through the department's normal refund processes. The department continues to work on cleanup of penalties and interest, corrections, and the application of Commerce Tax credits; however, this is not part of the judgement that came from the court. Once accounts are reconciled, taxpayers may use any available credit or request a refund under the department's normal procedures.

The Management Analyst 1 position is needed to continue processing the MBT refunds including the reissuances of projected refunds coming in FY 2023,

handling the requests for refunds, and completing the stale claim process on outstanding checks. This position and the department's team are working to issue 157 refunds totaling \$972,722 that were not issued by Wells Fargo. The Management Analyst 1 position will also continue working on the outstanding stale checks to determine if the checks can be reissued. Approximately 90 checks totaling \$1,429,426 just became stale on June 13, 2022, and will be added to the 6,349 outstanding stale checks the department currently has, totaling \$10,402,015. The Management Analyst 1 position continually works on processing the stale checks by calling taxpayers and tracking down accurate mailing addresses. Any checks that are not reissued will go to the Office of the State Treasurer, Unclaimed Property on June 30, 2023.

SENATOR NEAL:

How long will it take for the department to issue all the MBT refunds? I can see that department staff have been working diligently throughout the process.

MS. FLATLEY:

Staff has been working hard to complete this project. In September 2022, the department will have a better understanding of how long it will take to issue all the MBT refunds. Having to reconcile the Commerce Tax credits against the MBT refund payments requires additional time.

SENATOR NEAL:

The deduction of the Commerce Tax plays a significant role in issuing MBT refunds.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM L.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

- M. REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO SECTION 80 OF ASSEMBLY BILL 494 (2021 LEGISLATIVE SESSION)** (Note: IFC may approve a different amount for an allocation than the amount requested) - DEPARTMENT OF INDIGENT DEFENSE SERVICES - Request for an allocation of \$308,827 to reimburse Eureka, Lyon, Mineral, and White Pine Counties for costs in excess of the estimated maximum contribution amount for indigent defense services. **RECEIVED ON 6-8-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

Agenda Items K.3a, K.3b, and M were discussed jointly.

MARCIE RYBA (Director, Department of Indigent Defense Services [DIDS]):  
Through Agenda Item K.3a, DIDS is requesting reimbursement for second quarter spending for case-related expenses for counties not included in the *Davis v. Nevada*

consent judgement (*Davis* counties). Through Agenda Item K.3b, DIDS is requesting reimbursement for third quarter spending for *Davis* and non-*Davis* counties; a similar request was approved at the April 7, 2022, IFC meeting.

As background, in August 2020 the state entered a stipulated consent judgment in the *Davis v. Nevada* case. In the judgment, the State of Nevada agreed that effective representation shall include timely review of discovery and sufficient case investigation to determine the relative strengths and weaknesses of the state's case, and retention of qualified experts whenever necessary to provide effective representation. The judgement also bound the Board on Indigent Defense Services (Board) to eliminate economic disincentives to effective representation by requiring that contracts for public defense services provide a mechanism that does not require judicial approval for expert investigation or other litigation supports.

In response, the Board adopted regulations stipulating consent judgement. The regulations require each county to create a plan for the provision of indigent defense services and submit the plan and its budget to the Board. Additionally, DIDS adopted regulations setting forth the maximum amount that each county will pay for indigent defense services. The maximum contribution formula contained in Section 16(1) of the department's regulations provides in part that the maximum contribution for case-related expenses may be \$0 so long as the county, in its plan for the provision of indigent defense services, provides for a process to authorize case-related expenses for indigent defense attorneys that excludes the judiciary. The purpose of Section 16(1) was to comply with the *Davis* stipulated consent judgement by ensuring that indigent defense providers have access to investigators and experts necessary to provide effective representation without going through the judiciary.

Assembly Bill 480 (2021 Legislative Session) stipulated that instead of going through the judiciary for approval to use an expert investigator, in counties whose populations are less than 100,000, attorneys from these counties could through DIDS or its designee. At its October 6, 2021, meeting, the Board approved the county plans for Elko, Humboldt, Pershing, Douglas, Lincoln, and Nye Counties, and made a motion enabling DIDS to request funding as necessary. Other county plans were also approved at the November 17, 2021, Board meeting.

Through Agenda Item M, DIDS is requesting an allocation from the IFC Contingency Account. Section 80 of A.B. 494 (2021 Legislative Session) set aside funding to be allocated to the *Davis* counties demonstrating costs more than the maximum contribution formula. The bill also stated that the maximum amount a county shall pay for indigent defense services is the average of FY 2018 and FY 2019, plus inflation. The request through Agenda Item M is to reimburse Eureka, Lyon, Mineral, and White Pine Counties, all of which have certified that they have reached their maximum contribution for indigent defense services and are seeking a reimbursement of \$308,827.

SENATOR CANNIZZARO:

How was it determined that case-related expenditures should be excluded from the maximum contribution formula and paid directly by the state?

MS. RYBA:

The department did not create the maximum contribution formula, as the formula was created by the Board pursuant to NRS 180.320(3), which allowed the Board to adopt regulations to establish a formula for determining the maximum amount that a county may be required to pay for the provision of indigent defense services. In reaching out to the LCB Legal Division, DIDS received guidance stating that the Board has broad regulatory authority as authorized in NRS 180.320 stating that the Board shall adopt any additional regulations it deems necessary and convenient to carry out its duties. It was stated that case-related expenditures should be excluded from the maximum contribution formula and paid directly by the state because the *Davis* stipulated consent judgement prioritized and agreed that effective representation required case-related expenses, such as experts and investigators being hired separate from the judiciary. Prior to A.B. 480, for attorneys to be able to retain experts and investigators, an ex parte motion would have to be filed with a court to request permission to use funding for this purpose. At the time the maximum contribution formula was created, the Board felt that one way to create a separation from the judiciary would be for DIDS to encourage counties in their plans for the provision of indigent defense services to create a separation regarding how funding for retaining experts and investigators could be approved.

Ideas for allowing the funding to be approved include allowing for a separate budget within a county that attorneys could access and providing for a party other than the judiciary to be capable of approving the funding. The case-related expenditures are not excluded from the maximum contribution formula. Because they are separate from the judiciary, case-related expenditures may be considered a state expense. If the state reimburses counties for case-related expenses associated with the provision of indigent defense services, the state reduces the amount that the counties paid for their maximum contribution amount to show that the counties have already been reimbursed for the amount they paid which will not count towards the maximum contribution formula contained in Section 16(1) of the department's regulations.

SENATOR CANNIZZARO:

I understand that the payment process excludes the judiciary in certain circumstances to conform with the consent judgement, but part of this request is to reimburse counties for case-related expenditures when certain counties have not yet met the maximum contribution amount. By reimbursing these counties, the state is paying for case-related expenditures even though some counties have not yet met the maximum contribution rate.

MS. RYBA:

You are correct that some counties have not met the maximum contribution rate as defined in Section 16(1) of the department's regulations. The basis for this

request, and the reason why DIDS is asking that the state reimburse these counties despite not having met the maximum contribution amount, is based on the State of Nevada's agreement that effective representation means that indigent defense providers have access to investigators and experts. Many district attorneys and prosecutors in urban areas have a budget that allows them to hire investigators and experts, but this is not the case in many of Nevada's rural counties. In fact, in many rural counties, a judiciary's budget is built so that a public defender will be forced to ask for additional funding to hire investigators and experts. The creation of Section 16(1) of the department's regulations is meant to show that Nevada is standing by the *Davis V. Nevada* consent judgement where it was agreed that effective representation requires access to experts and investigators and allows for the elimination of economic disincentives to better provide effective representation by excluding the judiciary. DIDS is requesting to reimburse certain counties for case-related expenditures to show that expert investigative expenses are a necessary expense for effective representation and to encourage rural counties to have funding available for attorneys in their plans for the provision of indigent defense services.

SENATOR CANNIZZARO:

I do not think that the state should be reimbursing counties that have not exceeded their maximum contribution amount as these counties could have set aside funding in their budgets to cover related expenses. What is the rationale for providing Carson City reimbursement for case-related expenses, given that indigent defense services in Carson City are already provided through the state Public Defender's Office and partially funded with General Funds?

MS. RYBA:

Indigent defense services sometimes require more than what is provided through the state's Public Defender's Office. Cases involving indigent defense are often handled by an indigent defense attorney who is not from the state Public Defender's Office. The state Public Defender's Office does not have a budget to hire experts and investigators. To obtain funding for experts and investigators, the state Public Defender's Office has historically been required to go before the judiciary to ask for permission to use funding for this purpose. This is different from the budgets of most departments, and going forward, DIDS hopes to add expert expenses into its budget.

Case-related expenditures for Carson City that are 25% funded with General Funds are tied to the representation of cases considered to be a state expense such as prison cases under NRS 212.070. Approximately 25% of the state Public Defender's Office's time is spent on state-expense cases, with 75% of the Office's time being spent on other cases in Carson City. The reimbursement being requested by Carson City is for what it has certified as being an expense spent on all case-related expenditures for indigent defense services.

SENATOR GOICOECHEA:

Have Eureka, Lyon, Mineral, and White Pine Counties met the maximum contribution amount?

MS. RYBA:

Eureka, Lyon, Mineral, and White Pine Counties have stated that they have met the maximum contribution amount as stated in Section 16(1) of the department's regulations. Through Agenda Items K.3a and K.3b, DIDS is requesting funding to reimburse certain counties for case-related expenditures. Certain counties may have a maximum contribution amount of \$0 for case-related expenditures as long as those counties and their plans for the provision of indigent defense services provide for a process to authorize case-related expenditures which excludes the judiciary. Requests for reimbursements for *Davis* counties are included in Agenda Item K.3b, as well as requests for *Davis* counties that have not met the maximum contribution amount under Section 16(1) of the department's regulations but have met the maximum contribution amount under Section 16(3) of the regulation; these are Douglas, Lincoln, and Nye Counties.

CHAIR DENIS:

The Committee can approve all three requests for IFC Contingency Account funds, or it can approve all three requests except for the \$40,515 requested to reimburse Carson City, since Carson City currently receives state support through General Fund appropriations. The Committee could also approve Agenda Item M and defer consideration of reimbursing the *Davis* counties until each respective county can provide financial reports demonstrating costs in excess of the county's maximum contribution, pursuant to Section 80 of A.B. 494. The Committee can also defer consideration of reimbursing the non-*Davis* counties with Unrestricted IFC Contingency Account funds until each respective county can demonstrate it has met its maximum contributions. Certain counties are requesting reimbursement for case-related expenditures before meeting the maximum contribution amount.

SENATOR GOICOECHEA:

Can the Committee wait to decide on these requests until its August IFC meeting? The August IFC meeting will occur after the end of FY 2022, and I want to ensure the Committee can make a decision by then so that local jurisdictions can balance their budgets. This funding is important, especially in the smaller rural counties.

CHAIR DENIS:

Yes, the Committee can approve Agenda Item M and defer consideration of reimbursing both *Davis* and non-*Davis* counties until its August meeting.

SENATOR CANNIZZARO:

The Committee should approve Agenda Item M and defer consideration of reimbursing both *Davis* and non-*Davis* counties until its August meeting to allow the Committee to take another look at the financial situation of counties and determine when the state should directly provide reimbursements.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA  
ITEM M; AND DEFER CONSIDERATION OF REIMBURSING  
THE DAVIS COUNTIES UNTIL EACH RESPECTIVE COUNTY  
CAN PROVIDE FINANCIAL REPORTS DEMONSTRATING



COSTS IN EXCESS OF THE COUNTY'S MAXIMUM CONTRIBUTION, PURSUANT TO SECTION 80 OF A.B. 494; AND DEFER CONSIDERATION OF REIMBURSING THE NON-DAVIS COUNTIES WITH UNRESTRICTED IFC CONTINGENCY ACCOUNT FUNDS UNTIL EACH RESPECTIVE COUNTY CAN DEMONSTRATE IT HAS MET ITS MAXIMUM CONTRIBUTIONS.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

SENATOR GOICOECHEA:

I support the motion, but I am confused regarding the overlap between *Davis* and non-*Davis* counties. Can Fiscal staff please restate the motion? I look forward to discussing this matter again at the August 2022 IFC meeting.

WAYNE THORLEY:

The motion is to approve Agenda Item M and not approve Agenda Items K.3a and K.3b.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

- N. REQUEST FOR TRANSFER FROM THE GRANT MATCHING ACCOUNT PURSUANT TO SECTION 1.5 OF ASSEMBLY BILL 489 (2019 LEGISLATIVE SESSION) AS AMENDED BY SECTION 29.3 OF ASSEMBLY BILL 445 (2021 LEGISLATIVE SESSION) - DEPARTMENT OF ADMINISTRATION - Office of Grant Procurement, Coordination and Management - Request for approval to transfer \$391,875 to Western Nevada College to cover costs for Fiscal Year 2023 related to pollution prevention.**

KRISTEN STOUT (Administrator, Office of Grant Procurement, Coordination and Management, Department of Administration):

Through Agenda Item N, the Department of Administration, Office of Grant Procurement, Coordination and Management (Grants Office) requests to transfer \$391,875 from the Grant Matching Program account to Western Nevada College (WNC) contingent on WNC's successful award of the federal FY 2022-FY 2023, U.S. Environmental Protection Agency, Pollution Prevention Grant Program. The WNC submitted its application to the Grant Matching Program account and the application has passed both the technical application and grant application reviews.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE AGENDA ITEM N.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**O. DEPARTMENT OF BUSINESS AND INDUSTRY - Housing Division - INFORMATIONAL ONLY** - Status report on the Home Means Nevada Initiative for affordable housing as requested during the April 7, 2022, meeting of the Interim Finance Committee.

STEVE AICHROTH (Administrator, Housing Division, Department of Business and Industry):

The report submitted by the Housing Division for Agenda Item O was drafted on May 18, 2022. All the pre-applications submitted to the Housing Division's Home Means Nevada Initiative have been scored. The division received a total of 234 pre-applications, 16 of which were deemed ineligible as they did not provide enough information, equating to 7% of the pre-applications being ineligible. In the scoring of the pre-applications, 30 out of 40 points were needed to advance to the application stage. Of the pre-applications received, 38 did not meet the scoring threshold of 30 points, representing 16% of the submitted pre-applications.

Of the total 234 pre-applications, 180 will be advanced through the application process, representing 77% of all pre-applications submitted. By the division's estimates, roughly \$2.5 billion in funding has been requested from the 180 pre-applications. The parties who submitted pre-applications exceeding the 30-point threshold have been notified that at least one of their projects has been approved for the application process. Within the application process, the new development and preservation application is being developed and will soon be provided to qualified parties who submitted pre-applications. The division's homeownership and rehabilitation application is also in development. The division has engaged in regular conversations with Clark County Social Services to discuss the use of Clark County's Community Housing Fund, which involves parallel projects to that of the division's to best coordinate efforts.

**P. DEPARTMENT OF ADMINISTRATION - State Public Works Division.**

1. Request to modify the scope of CIP Project 17-M18, Upgrade Wastewater Treatment Facilities, Wells Conservation Camp and to increase the authority to receive and expend additional funding of \$100,000 to address project shortfalls, pursuant to NRS 341.145(1)(f), and to transfer in identified savings from CIP Project 17-M04, Water Supply Nitrate Treatment, Humboldt Conservation Camp, to fund the shortfall for CIP Project 17-M18, pursuant to Section 34 of Senate Bill 546 (2017 Legislative Session).

KENT LEFEVRE (Interim Administrator, State Public Works Division [SPWD], Department of Administration):

Funding for Capital Improvement Program (CIP) Project 17-M18 was approved during the 2017 Legislative Session and is one of the last unfinished projects from that time due to several challenges.

ASSEMBLYWOMAN MONROE-MORENO:

If this request is approved, will the revised authority of \$624,736 be sufficient to complete CIP Project 17-M18?

MR. LEFEVRE:

Yes, the SPWD is confident it can complete the project with \$624,736.

SENATOR NEAL:

Since it has taken so long to complete the project, were there any negative effects on the water system due to deteriorating conditions? The backup documents for the project state that additional nitrogen and other contaminants needed to be removed to improve water quality.

MR. LEFEVRE:

The issues involving nitrate occurred in donor CIP Project 17-M04 for the Nevada Department of Corrections (NDOC), Humboldt Conservation Camp, but CIP Project 17-M04 was completed around December 2021 and nitrate levels are stabilizing; residual testing is still being completed and will end shortly. The work being done at the NDOC Wells Conservation Camp Wastewater Treatment Facilities through CIP Project 17-M18 does not deal with the safety of drinking water, with work instead being done on the wastewater system.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM P.1.

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

2. Request to accept and expend \$1,588,436 in federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Program account for CIP Project 19-C16, Renovation of Collections Storage Building 19, Stewart Campus for the Department of Tourism and Cultural Affairs pursuant to NRS 341.121, and to modify the project scope to complete the seismic strengthening to the unreinforced masonry structure, a complete interior renovation, and the installation of high-density mobile shelving for the storage of the Stewart Indian School Cultural Center Museum collections, pursuant to NRS 341.145(1)(f).

Agenda Items P.2 and P.3 were discussed jointly. Refer to discussion and motion for approval under Agenda Item P.3.

3. Request to modify the scope of CIP Project 19-S09, State Building Official Program, to increase the project authority to expend an additional \$1,696,462 in agency funds to complete additional building permits for state agencies, pursuant to NRS 341.145(1)(f).

Agenda Items P.2 and P.3 were discussed jointly.

KENT LEFEVRE (Interim Administrator, SPWD, Department of Administration):  
Through Agenda Item P.2, the SPWD is requesting to receive and expend an additional \$1.5 million to complete CIP Project 19-C16. However, as part of budgetary reductions, the project was reduced in scope during the 31<sup>st</sup> Special Session (2020) through Section 1, subsection 9 of S.B. 1 and 90% of funding for the project was removed. The project was brought back to life when the SPWD received a request from the Office of the Governor to add American Rescue Plan Act (ARPA) funding to the project.

ASSEMBLYMAN YEAGER:

Please discuss the division's contingency plan to fund project costs if there are any construction or supply chain disruptions that would delay the project completion beyond the expiration date of the ARPA funds on December 31, 2024.

MR. LEFEVRE:

The SPWD plans to start work on CIP Project 19-C16 immediately. The project must be designed before being implemented, but the division is confident the project will be completed by the time the ARPA funds expire on December 31, 2024.

SHAUNA TILLEY (Executive Branch Budget Officer, Governor's Office of Finance [GFO], Office of the Governor):

The ARPA funds for CIP Project 19-C16 need to be committed or obligated by December 31, 2024, but the SPWD has until December 31, 2026, to complete the project.

ASSEMBLYMAN YEAGER:

Most of the funding that was originally allocated for the project was reduced via a clawback provision in S.B. 1 (31<sup>st</sup> Special Session). It was then decided that this funding should be restored using ARPA Coronavirus State Fiscal Recovery Funds. Why was this specific project chosen to have its funding restored using ARPA funding?

MS. TILLEY:

The funding for CIP Project 19-C16 was already approved before being reduced and removed from the project and as a result, the project was farther along in its development than other projects. Completion of the project will give the Department of Tourism and Cultural Affairs, Stewart Campus an opportunity to have safe storage for its growing collection of artifacts and goods.

ASSEMBLYWOMAN MARZOLA:

Are there other CIP projects being funded with ARPA Coronavirus State Fiscal Recovery Funds?

MS. TILLEY:

There are many projects being brought forward which will use ARPA funding, as state agencies are requesting much more funding for projects than the state has available. The GFO is considering how to fund all these projects in a fair and equal manner, with the projects being in various stages of review. The \$100 million in ARPA funding set aside for state agency projects has been almost fully allocated with every project currently moving forward having been notified of its progress.

CHAIR DENIS:

Are there specific CIP projects being funded with ARPA funding?

MS. TILLEY:

The GFO views CIP project requests similarly and equally to other agency requests that are proposed to be funded with ARPA funding.

DANIEL MARLOW (Administrator, Administrative Services Division, Department of Administration):

Agenda Item P.3 is a request to transfer authority from the Reserve category to the CIP Project 19-S09 expenditure category for building permits and inspections for projects that currently exist and for which funding has already been secured by the agencies.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEMS P.2 AND P.3.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

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

1. STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
  - a) Division of State Parks - Request for approval to accept U.S. Department of Transportation Federal Highway Administration grant funding of \$1,249,313 for the Recreational Trails Program to fund the creation and maintenance of recreational trails and supporting amenities throughout Nevada.

JANICE KEILLOR (Deputy Administrator, Division of State Parks, Department of Conservation and Natural Resources [DCNR]):

Through Agenda Item Q.1a, the Division of State Parks requests approval to accept its annual apportionment from the U.S. Department of Transportation Federal Highway Administration for the Recreational Trails Program that is administered through the division. The division provides subgrants to local jurisdictions with the funding.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM Q.1a.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

- b) Division of Water Resources - Request for approval to accept U.S. Department of Homeland Security, Federal Emergency Management Agency grant funding of \$200,000 to fund the flood hazard management program.

BUNNY BISHOP (Chief, Water Planning and Drought Resiliency, Division of Water Resources, DCNR):

The Division of Water Resources, Water Planning and Drought Resiliency section incorporates the division's Floodplain Management Program. Through Agenda Item Q.1b, the division is requesting permission to accept a grant from the Federal Emergency Management Agency (FEMA) to support the Cooperating Technical Partners (CTP) program. The CTP program supports the activities of FEMA's Risk Mapping, Assessment, and Planning (Risk MAP) program in Nevada. The Risk MAP program provides technical assistance to communities for mitigation activities, updates risk mapping when needed, and promotes public awareness and outreach activities for floodplain management.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM Q.1b.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

- 2. DEPARTMENT OF WILDLIFE - Request for approval to accept a donation from the Nevada Mule Deer Foundation in the amount of \$40,000 for the Murdock Mountain Pinyon-Juniper Removal Project.

ALAN JENNE (Administrator of Habitat, Department of Wildlife):

Pursuant to NRS 353.335, the Department of Wildlife is asking for approval to accept a donation of \$40,000 from the Nevada Mule Deer Foundation for the Murdock Mountain Pinyon Juniper project. Once implemented, the project will improve mule deer habitat. The project will be completed in conjunction with many partners including private landowners, the U.S. Department of the Interior's Bureau of Land Management, and the U.S. Fish and Wildlife Service. The donation will be used as the state match requirement for the department's W-48 Game Management Grant to increase available project funding.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEM Q.2.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**R. REQUESTS FOR APPROVAL OF EXPENDITURES FROM THE ACCOUNT  
FOR MAINTENANCE OF STATE PARKS PURSUANT TO NRS 407.0762(4)(b) -  
STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES -  
Division of State Parks.**

1. Request for approval to spend \$38,000 for replacement of the entrance gates at Sand Harbor State Park.

Agenda Items R.1 and R.2 were discussed jointly. Refer to discussion and motion for approval under Agenda Item R.2.

2. Request for approval to spend \$283,000 for replacement of the existing walkway and to construct a new walkway at Sand Harbor State Park.

Agenda Items R.1 and R.2 were discussed jointly.

JANICE KEILLOR (Deputy Administrator, Division of State Parks, DCNR):  
Through Agenda Item R.1, the Division of State Parks requests approval of \$38,000 for replacement of the south entrance gates at Sand Harbor State Park. The project will pay for the replacement of the south gate's automatic solar operator, which is damaged.

ASSEMBLYMAN YEAGER:

I support both Agenda Items R.1 and R.2 but would like to know how long it will take to replace the south entrance gates and construct a new walkway at Sand Harbor State Park.

MS. KEILLOR:

The division is aiming to replace the south entrance gates by the end of the summer of 2022 and to have the walkway fully replaced by the fall of 2022. Replacement of the walkway will be more labor intensive and there may be issues with acquiring enough lumber to complete the work, with the timeframe for completing the project being dependent on the availability of materials. Sand Harbor State Park currently has a wooden walkway, and the concrete support posts that are supposed to be buried in sand are exposed due to the washing away of sand due to public use. The request through Agenda Item R.2 would rehabilitate the walkway which goes down to Diver's Cove, a popular tourist destination. The walkway currently poses a safety issue that the division needs to address immediately.

CHAIR DENIS:

Because the sand has been washed away, does the division plan to bury the new concrete support posts deeper?

MS. KEILLOR:

Yes, the division's architect and engineer are working on the design of the project and are the parties responsible for estimating the cost of the project. I can send specific details on the design of the project to the Committee at a later date.

CHAIR DENIS:

I want to ensure that the new concrete support posts will last longer than the originals and will be able to be maintained into the future.

MS. KEILLOR:

The division plans to address the erosion issues that have been occurring when designing the new walkway.

ASSEMBLYMAN YEAGER:

Has any thought been given to making the walkway more accessible to disabled individuals?

MS. KEILLOR:

The division has been asked about this and is currently looking into options to make the walkway more accessible for disabled populations and making it easier for people to make it down to the beach. The walkway is currently not accessible for the disabled population but making it so is a priority for the division.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE  
AGENDA ITEMS R.1 AND R.2.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

## **S. INFORMATIONAL ITEMS**

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):  
Agenda Item S.17, Economic Forum, has been identified for additional discussion.

1. OFFICE OF THE GOVERNOR - Governor's Office of Finance
  - a) Budget Division - Quarterly report of the activities of Executive Branch agencies relating to contracting with current or former employees of the state, for the period ending March 31, 2022, pursuant to NRS 333.705(5).
  - b) Special Appropriations



- 1) Lou Ruvo Center for Brain Health - Final report of expenditures for the period July 1, 2019, through June 30, 2021, pursuant to Sections 1 through 1.7 of Senate Bill 528 (2019 Legislative Session).
- 2) Nevada Alliance of Boys and Girls Clubs, Inc. - Final report of expenditures for the period July 1, 2019, through June 30, 2021, pursuant to Section 1 of Assembly Bill 495 (2019 Legislative Session).
- 3) Nevada Blind Children's Foundation - Final report of expenditures for the period July 1, 2019, through June 30, 2021, pursuant to Section 14 of Senate Bill 528 (2019 Legislative Session).
- 4) Reno Rodeo Association - Final report of expenditures for the period July 1, 2019, through June 30, 2021, pursuant to Section 2 of Senate Bill 501 (2019 Legislative Session). **REVISED 5-23-22.**
- 5) Vegas PBS - Final report of expenditures for the period November 7, 2019, through June 30, 2021, pursuant to Section 5 of Senate Bill 501 (2019 Legislative Session).

There was no discussion on these items.

2. OFFICE OF THE STATE TREASURER - Annual report of the Nevada Prepaid Tuition Program for Fiscal Year 2021 pursuant to NRS 353B.170.

There was no discussion on this item.

3. DEPARTMENT OF ADMINISTRATION

- a) Hearings Division - Report on the expansion and renovation of courtrooms in the Las Vegas office and the resulting fiscal impact of the new facility usage fee rate on agencies with interlocal agreements (letter of intent, August 9, 2021).
- b) State Public Works Division
  - 1) Capital Improvement Program - Quarterly report concerning the consolidated funding approach for Capital Improvement Program Project 21-M02, Deferred Maintenance, Department of Health and Human Services, for the period ending March 31, 2022 (letter of intent, 2021 Legislative Session).
  - 2) Information regarding the Project Status Exception Report pursuant to NRS. 341.100(8)(g).

There was no discussion on these items.

4. DEPARTMENT OF EDUCATION - Quarterly report on the funding awarded through the DonorsChoose program for the quarter ending March 31, 2022, as requested during the August 18, 2021, meeting of the Interim Finance Committee.

There was no discussion on this item.

5. NEVADA SYSTEM OF HIGHER EDUCATION - University of Nevada, Reno - School of Medicine - Quarterly report on the progress made in obtaining federal approval for a 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 March 31, 2022, pursuant to NRS **678C.700(5)** ~~453A.600~~. **REVISED 5-24-22.**

There was no discussion on this item.

6. DEPARTMENT OF BUSINESS AND INDUSTRY

- a) Division of Industrial Relations - Annual report for the audits conducted by the Workers' Compensation Section for the period ending December 31, 2021, pursuant to NRS 616B.003(4).
- b) ~~Division of Industrial Relations~~ **Division of Mortgage Lending** - Addition of a new full-time equivalent Administrative Assistant IV position to support growth in the non-depository mortgage lending industry. This results in an increase from 26 to 27 positions. **REVISED 5-19-22.**
- c) Division of Mortgage Lending - Report regarding a plan for reducing reserve balances (letter of intent, 2021 Legislative Session).

There was no discussion on these items.

7. DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS - Division of Museums and History - Museum Dedicated Trust Funds - Semiannual report regarding the investment and expenditure of private funds for the period ending December 31, 2021, pursuant to NRS 381.0033(1)(b).

There was no discussion on this item.

8. DEPARTMENT OF HEALTH AND HUMAN SERVICES

- a) Aging and Disability Services Division - Quarterly report for the Senior Rx and Disability Rx Prescription programs for the period ending March 31, 2022, pursuant to NRS 439.630(1)(c).
- b) Division of Public and Behavioral Health - Report on the revised system of caseload data collection, reporting and resource allocation specifically between the outpatient programs of the Northern Nevada Adult Mental Health Services and the Southern Nevada Adult Mental Health Services facilities (letter of intent, 2021 Legislative Session).

There was no discussion on these items.

9. DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION - Rehabilitation Division - Quarterly report regarding the client services category for the Bureau of Vocational Rehabilitation and Bureau of Services to the Blind or Visually Impaired budgets for the period ending March 31, 2022 (letter of intent, 2021 Legislative Session). **REVISED 5-24-22.**

There was no discussion on this item.

10. DEPARTMENT OF CORRECTIONS

- a) Ely Conservation Camp - Quarterly report on the operational status of the Ely Conservation Camp for the period ending March 31, 2022 (letter of intent,

2021 Legislative Session).

- b) Prison Industries - Report concerning the status of accounts receivable related to a program for the employment of offenders pursuant to NRS 209.461(1)(i).

There was no discussion on these items.

- 11. DEPARTMENT OF MOTOR VEHICLES - Status report on the issuance of technology fee refunds as required by the stipulation agreement dated November 1, 2021, for the period ending April 30, 2022.

There was no discussion on this item.

- 12. STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES - Division of State Lands
  - a) Addition of one new classified, seasonal Forester 1, reclassified from a vacant Forester 2 position, to oversee the reduction of wildfire fuels within the Tahoe Basin. This results in a zero change in positions.
  - b) Semiannual report on the status of the state's Environmental Improvement Program, Fund to Protect the Lake Tahoe Basin for the period ending December 31, 2021, pursuant to Chapter 514, Statutes of Nevada 1999.

There was no discussion on these items.

- 13. DEPARTMENT OF TRANSPORTATION - Report summarizing a cost allocation plan to reimburse the department for administrative support services provided to the newly established Nevada State Infrastructure Bank (letter of intent, 2021 Legislative Session). **RECEIVED ON 5-27-22, AFTER THE 5-26-22 SUBMITTAL DEADLINE.**

There was no discussion on this item.

- 14. LEGISLATIVE AUDITOR - Six-month reports on agencies' implementation of recommendations made by the Legislative Auditor pursuant to NRS 218G.270.
  - a) Office of the State Treasurer, Unclaimed Property Program
  - b) Department of Business and Industry, Division of Insurance
  - c) Department of Business and Industry, Real Estate Division
  - d) Department of Business and Industry, Office of the Nevada Attorney for Injured Workers
  - e) Delivery of Treatment Services for Children with Autism (Chapter 507, Statutes of Nevada 2019 [Senate Bill 174])
  - f) Department of Employment, Training and Rehabilitation, Employment Security Division
  - g) Department of Public Safety, Records, Communications and Compliance Division, Information Security - Addendum (Servers, Operating System, and Database Application Software)
  - h) Department of Veterans Services
  - i) Public Employees' Benefits Program, Contract Management
  - j) Public Employees' Benefits Program, Information Security - Addendum

(Servers, Operating System, and Database Application Software)

There was no discussion on these items.

15. CLARK COUNTY SALES AND USE TAX ACT OF 2005 - Las Vegas Metropolitan Police Department - Report regarding a governing body that has approved expenditures pursuant to Section 13 of this act shall submit the periodic reports and such other information required pursuant to this section of the act for the period ending March 31, 2022.

There was no discussion on this item.

16. NYE COUNTY - Report regarding performance contract reporting required of local governments pursuant to NRS 332.431(1).

There was no discussion on this item.

17. ECONOMIC FORUM - Report regarding the Economic Forum meeting conducted on June 10, 2022, pursuant to NRS 353.228(1)(f).

RUSSELL GUINDON (Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division, LCB):

The Economic Forum (Forum) is statutorily required to prepare General Fund revenue forecasts on or before December 3 of even-numbered years, with the Nevada Governor being required to use the forecasts in developing The Executive Budget. The Forum is also required to prepare General Fund revenue forecasts on or before May 1 of odd-numbered years for use by the Legislature in developing and approving the legislatively approved General Fund budget. As statutorily required by NRS Chapter 353.228, the Forum must meet on or before June 10 of even-numbered years, and thus met on June 9, 2022. The NRS also requires the Forum to present a report of its June meeting to the IFC, with Agenda Item S.17 satisfying the requirement.

Since members of the Forum serve two-year terms and the terms of the prior members had expired, Governor Sisolak appointed five members to the Forum, with one member nominated by the Speaker of the Nevada Assembly and one member nominated by the Majority Leader of the Nevada Senate. Three of the returning members that were reappointed to the Forum include Linda Rosenthal, Jennifer Lewis, and Marvin Leavitt, with the two new Forum members being Michael Crome and Vincent Zahn. Linda Rosenthal was elected as Chair of the Forum and Jennifer Lewis as Vice Chair during the Forum's June 9, 2022, meeting. The Chair of the Forum is statutorily required to make a presentation to the IFC, but due to scheduling conflicts, Chair Rosenthal has directed that I give the presentation today on her behalf.

The Forum meetings held in June of even-numbered years are more organizational and informational in nature, with no revised General Fund revenue forecasts having been prepared or presented at the Forum's June 9, 2022,

meeting. At its June 9 meeting, the Forum received a presentation regarding the state's employment and unemployment numbers from David Schmidt, the Chief Economist of the Department of Employment, Training and Rehabilitation. Fiscal Analysis Division staff also gave presentations regarding the legislative actions of the 2021 Legislative Session that impacted General Fund revenues and the impact of the Nevada Supreme Court's decision regarding the Modified Business Tax (MBT) refunds and the required tax rate reduction. Additional information was presented on how actual fiscal year-to-date collections for FY 2022 for the General Fund revenue sources are performing in relation to the Forum's May 21, 2021, forecast as adjusted for legislative actions and court decisions. The Forum also considered and acted on several items that are necessary to facilitate its meetings in October, November, and December of 2022. At these future meetings, a General Fund revenue forecast will be approved for FY 2023, FY 2024, and FY 2025; this is the forecast required to be used by the Governor in developing The Executive Budget that will be submitted to the Legislature for consideration during the 2023 Legislative Session.

Agenda Item S.17 - Economic Forum Report ([Exhibit W](#)) presents tables and charts containing information on taxable sales and gaming market statistics which are part of the Forum's informational set. The tables and charts in ([Exhibit W](#)) have been updated to reflect the latest actual monthly information provided by the Department of Taxation and the Nevada Gaming Control Board. The tables and charts were also made available at the Forum's June 9, 2022, meeting and are available on the Forum's meeting webpage. The information details where certain metrics stood prior to the COVID-19 pandemic, how these metrics have progressed throughout the pandemic, and how they are performing in the middle of calendar year 2022. The state is continuing to see a record increase in the levels of gaming win and total taxable sales that were not seen prior to the Great Recession. Making sense of the taxable sales currently being reported can be difficult in the ever-changing environment Nevada is currently experiencing due to the pandemic.

The tables in ([Exhibit W](#)) are updated periodically before being provided to the Forum and the Joint Interim Standing Committee on Revenue. The yellow block in Table 1 on page 1 ([Exhibit W](#)) details the actual collections of each revenue source listed for FY 2021. Regarding the 2% State Sales and Use Tax dedicated to the State General Fund, the actual amount of sales tax collected was approximately \$1.3 billion, which is an increase of 9.1% over the actual collections for FY 2020. The Forum's forecast from May 2021 projected that collections for the sales tax for FY 2021 would grow over the actual for FY 2020 by 2.3%. The actual collections were approximately \$83 million above what was forecasted for FY 2021, which resulted in the 9.1% increase.

The orange block in Table 1 on page 1 ([Exhibit W](#)) details the FY 2022 forecast as approved by the Forum and describes adjustments for legislative action and/or court decisions that have been incorporated into the forecast; the Forum's growth rate based on the forecast for FY 2022 compared to the forecast for FY 2021 is also shown in this table. In May 2021, the Forum was forecasting at 4.8% in

FY 2022 over its FY 2021 forecast, but because actual collections of the sales tax for FY 2021 came in above the forecast, the forecast can decline by 1.8% in FY 2022 and still achieve the FY 2022 forecast. The green block in Table 1 ([Exhibit W](#)) shows what the actual share of the revenue sources are for FY 2021 and what was forecasted for FY 2022 as a percent of total General Fund revenue sources.

The bottom row of Table 1 on page 1 ([Exhibit W](#)) shows that the actual collections for FY 2021 were \$4,474,324,612, which was approximately \$226 million over what was forecasted for FY 2021. The forecast for collections for FY 2022 is \$4,425,929,815. Table 1 also details how the actual FY 2022 year-to-date compares to what was forecasted. Table 2 on page 2 of ([Exhibit W](#)) uses a similar color schematic as Table 1, with the yellow block in Table 2 showing the FY 2021 actual year-to-date collections. The parenthesis to the right of each revenue source describes the number of months or quarters of actual information that has been reported for each source. Even though it is now close to the end of FY 2022, the Forum only has information through March 2022 (the first nine months of FY 2022) for the 2% State Sales and Use Tax. Year-to-date actual collections for FY 2021 were down 1% for the first nine months when comparing FY 2021 to FY 2020.

The orange block in Table 2 on page 2 of ([Exhibit W](#)) shows actual year-to-date collections for the first nine months of FY 2022 were approximately 25.9% above what they were for the first nine months of FY 2021. The green block in Table 2 ([Exhibit W](#)) shows the calculation for the FY 2022 forecast year-to-date. It is important to note that the Forum only forecasts fiscal year totals and does not forecast on a monthly or quarterly basis. The Forum uses a methodology that takes the fiscal year growth rate and applies the rate to FY 2021 actual year-to-date collections to get the FY 2022 year-to-date forecast. The Dollar Difference: Actual less Forecast column in Table 2 shows how the methodology used makes the FY 2022 forecast comparable to actual year-to-date collections for FY 2022. The Forum makes individual considerations of the major General Fund revenue sources as its meetings. Regarding the non-major General Fund revenue sources, the Forum directs a Technical Advisory Committee (a statutory support body for the Forum) to prepare a consensus forecast, which is brought forward to the Forum for its consideration and approval.

The MBT is comprised of three elements: the nonfinancial, financial, and the mining portion. The Live Entertainment Tax is composed of two pieces: the nongaming portion, administered by the Department of Taxation; and the gaming portion, administered by the Nevada Gaming Control Board. Through approximately 9 to 11 months of the monthly revenue sources and the first three quarters of the quarterly revenue sources, collections were approximately \$690 million above the forecast for the major revenue sources. The Select Non-Major General Fund Revenues shown in Table 2 are the larger revenue sources that the Technical Advisory Committee is directed by the Forum to provide a forecast on, with the collections for these revenue sources coming in approximately \$69 million above what was forecast year-to-date. Regarding total

General Fund revenues, after accounting for tax credits, for the first 9 to 11 months of monthly revenue sources and the third quarter of quarterly revenue sources, Table 2 shows that the collections for these revenue sources are approximately \$800 million above the FY 2022 forecast year-to-date; given what is being seen with gaming revenue and sales tax revenue, this number will continue to increase but it is difficult to speculate by how much.

The Forum will work with Department of Taxation staff as it starts preparing a new forecast cycle for its October 2022 meeting which will need to account for MBT refund adjustments. The amount of the MBT refund withdrawn from the tables in ([Exhibit W](#)) is not the amount the Department of Taxation has reported as being refunded. The MBT refunds that were not able to be distributed to taxpayers will eventually be turned over to the Office of the Treasurer as unclaimed property. Thus, unclaimed property is a General Fund revenue source that the Forum will have to consider when adjusting the MBT and unclaimed property forecasts regarding actual refunds in relation to the FY 2022 forecast and current tax rates.

The MBT rates were originally required to be reduced due to the MBT rate reduction calculation as required by law, with this reduction taking effect again due to the Nevada Supreme Court's decision to uphold the lower court's decision regarding the MBT actions approved by the Legislature during the 2019 Legislative Session. Due to the ruling, the Department of Taxation is now required to compare the actual collections to the forecast under what is referred to as the MBT rate reduction calculation. If the collections are over what was forecast by more than 4%, the department must apply an MBT tax rate reduction. Statutory provisions require the department on or before September 30, 2022, to analyze actual collections from the MBT, Commerce Tax, and the Branch Bank Excise Tax (the Branch Bank Excise Tax is required by law but does not really have a substantial effect on the rate reduction calculation) and applicable tax credits and compare these collections to the forecast for the same revenue sources. If actual collections are more than 4% over the forecast, the department is required to calculate how much the tax rates for the MBT must be proportionally reduced such that the lower rates would have generated only 4% more revenue. When preparing the forecast for FY 2024 and FY 2025, the Forum will have to include the rate reductions required under the rate reduction calculation provisions.

SENATOR HARDY:

The collections for General Fund revenue sources are approximately \$800 million above the FY 2022 forecast year-to-date. Does this equate to 4% over what was forecasted, and does a tax rate reduction need to take place?

MR. GUINDON:

The \$800 million described in Table 2 of ([Exhibit W](#)) pertains to all General Fund revenue sources, and the rate reduction calculation will only consider the MBT and the Commerce Tax. The Commerce Tax is an annual tax, and the Forum will not know what the actual collections for the tax are for FY 2022 until approximately 45 days after the end of a fiscal year (around mid-August to September 2022), as this is when revenues from the tax are due to the Department of Taxation. This

makes it hard to speculate what actual collections from the Commerce Tax will be. For the first three quarters of FY 2022, the total year-to-date actual for the Commerce Tax is approximately \$8.5 million (1.5%) above what was forecasted. A rate reduction could occur because the MBT is being distorted when comparing actual year-to-date with the forecast, as FY 2021 was when the bulk of the MBT refunds for FY 2020 and FY 2021 were recorded. Thus, the MBT refunds will not be a part of actual collections for the fourth quarter of FY 2022.

When comparing the fourth quarters of FY 2021 and FY 2022, the actuals could come in above the current forecast. Even though the sales tax is coming in above what was forecasted, the Commerce Tax is based on the gross revenue and taxable sales of businesses that are in retail and wholesale, and thus the revenue from these taxes can potentially affect the Commerce Tax reported for FY 2022. I think it is statistically possible that actual General Fund Revenue collections could come in above 4% and result in an MBT tax rate reduction, but I cannot determine the magnitude of the reduction at this time.

**T. PUBLIC COMMENT.**

There was no public comment.

**U. ADJOURNMENT.**

Chair Denis adjourned the meeting at 2:52 p.m.

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Senator Marilyn Dondero Loop, Chair  
Interim Finance Committee

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