

MINUTES OF THE JANUARY 31, 2023
MEETING OF THE
INTERIM FINANCE COMMITTEE

Chair Marilyn Dondero Loop called a regular meeting of the Interim Finance Committee (IFC) to order at 1:05 p.m. on January 31, 2023, 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 Marilyn Dondero Loop, Chair
Assemblywoman Daniele Monroe-Moreno, Vice Chair
Senator Nicole Cannizzaro
Senator Pete Goicoechea
Senator Dallas Harris
Senator Dina Neal
Senator Rochelle Nguyen
Senator Heidi Seevers Gansert
Senator Robin Titus
Assemblywoman Natha Anderson
Assemblywoman Shea Backus
Assemblywoman Tracy Brown-May
Assemblywoman Jill Dickman
Assemblywoman Michelle Gorelow
Assemblyman Gregory Hafen II
Assemblywoman Sandra Jauregui
Assemblywoman Heidi Kasama
Assemblyman Philip P.K. O'Neill
Assemblywoman Sarah Peters
Assemblyman Howard Watts
Assemblyman Steve Yeager

COMMITTEE MEMBERS EXCUSED:

Assemblyman C.H. Miller

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Brenda Erdoes, Director, Legislative Counsel Bureau
Wayne Thorley, Fiscal Analyst, Senate
Sarah Coffman, Fiscal Analyst, Assembly
Cathy Crocket, Chief Principal Deputy Fiscal Analyst
Brody Leiser, Chief Principal Deputy Fiscal Analyst
Alex Haartz, Principal Deputy Fiscal Analyst
Karen Hoppe, 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

EXHIBITS:

[Exhibit A](#): Meeting Packet – Volume I

[Exhibit B](#): Meeting Packet – Volume II

[Exhibit C](#): Public Comment – Nevada Chapter of the American Academy of Pediatrics

[Exhibit D](#): Public Comment – Nevada State Education Association

A. ROLL CALL.

MELISSA GARVIN (Secretary, Fiscal Analysis Division, Legislative Counsel Bureau [LCB]), called the roll. All members were present except Assemblyman C.H. Miller, who was excused.

B. PUBLIC COMMENT.

LEA CASE (Boys Town):

On behalf of Boys Town, I am here in support of Agenda Item G.13. This is a great opportunity and Boys Town is one of the organizations that can provide wraparound and supportive services once the funding is passed.

BRETT SALMON (Nevada Health Care Association; Nevada Center for Assisted Living):

I am here to testify in support of Agenda Item F.3, the nursing facility workforce and assisted facility workforce initiative. This funding was approved at the October 20, 2022, IFC meeting and was put into reserve to develop a distribution formula. I am coming back today in partnership with the Department of Health and Human Services to provide that formula to the Committee.

As the Committee is aware, long-term care communities are part of a larger interconnected health care continuum, and when portions of that continuum struggle, the whole continuum feels the impact. According to the U.S. Bureau of Labor Statistics, from February 2020 to December 2022, the long-term care workforce has been the slowest health care sector to recover from the COVID-19 pandemic; both assisted living and nursing facilities are still below pre-pandemic levels of caregivers. If the Committee approves the formula today, the funding will help ease pressure on the health care continuum. Hospitals must have places to discharge their patients. If nursing facilities do not have enough caregivers, they must limit their admissions from hospitals. If assisted living facilities do not have enough caregivers, they must limit their admissions from hospitals and nursing facilities. It impacts everyone when people cannot receive timely treatment in a hospital because the hospital is at capacity with people that need to be discharged to a lower level of care.

This funding will allow assisted living and nursing facilities to address their workforce needs with job fairs, network events, job advertising, staff trainings, immigrant visa sponsorships, wage increases, bonuses, education scholarships, career ladder development, and referral incentives for current staff to help with recruitment.

LEANNE MCALLISTER (Executive Director, Nevada Chapter of the American Academy of Pediatrics):

Thank you for considering Agenda Items F.1 and F.2 today and for all your work that enables our state to fund critical investments in Nevada's children and families. Lead causes serious damage to children's brains, even at relatively low levels of exposure, and the effects are difficult to overcome. Pediatricians know that there is no safe lead level. The American Academy of Pediatrics supports widespread lead screening of children as well as funding programs to remove lead hazards from the home, learning and play environments. Primary prevention is the only way to combat lead poisoning.

The Nevada Chapter of the American Academy of Pediatrics currently has 264 members, most of whom are board certified pediatricians, both primary and specialty care. Members also include pediatric nurse practitioners, physician assistants, pediatric residents and medical students, all of whom live and work in Nevada and have dedicated their professional lives to the health of all children.

I will include some information in my written public statements about where you and families can learn more about lead screening ([Exhibit C](#)).

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

C. APPROVAL OF MINUTES OF THE SEPTEMBER 14, 2022, MEETING.

ASSEMBLYWOMAN KASAMA:

I was not at the September 14, 2022, meeting so I want to recuse myself from the vote.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 14, 2022, MEETING.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT. (Assemblywoman Kasama recused herself from the vote.)

D. 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):

I will walk the Committee through Agenda Item D, which is the statement of the American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Fund obligations and remaining reserve balances. The statement can be found in Volume I of the meeting packet, beginning with the summary sheet on page 27 ([Exhibit A](#)).

If all items submitted for consideration today are approved, which total approximately \$3.9 million, the remaining unobligated balance of Coronavirus State Fiscal Recovery Funds would be approximately \$33.7 million, all of which is shown under the Loss Revenue Reserve Balance category as displayed on the summary statement. The unobligated balance of \$33.7 million does not reflect additional allocations which are recommended by the Governor in his budget for the 2023-25 biennium.

Pages 28 through 36 ([Exhibit A](#)) detail the obligations approved to date. There are four work programs facilitating two requests submitted as informational items, which were approved under the 15-day expeditious action pursuant to *Nevada Revised Statutes* (NRS) 353.220 5(b) as reflected under Agenda Item E; and six work programs facilitating five requests for consideration by the Committee today under Agenda Item F, all of which are summarized on page 37 of the meeting packet ([Exhibit A](#)).

On pages 38 through 43 ([Exhibit A](#)), the breakdown statement for select obligations of Coronavirus State Fiscal Recovery Funds is presented. There are three items on page 43 under the section for allocations of the \$100 million in authority for state agencies that were approved and did not require approval of the IFC as indicated on the statement. These three items are on the list with the dates of December 15 and 16, 2022.

As presented at the December 15, 2022, meeting of the IFC, the table on page 44 ([Exhibit A](#)) provides details showing the final program expenditures compared to the originally approved authority for programs that were approved for FY 2022 only, as well as any resulting savings. There are no changes to this table since it was presented initially at the December 2022 meeting of the IFC. The savings realized in FY 2022 were approximately \$26 million. That savings is accounted for in the \$33.7 million balance of unobligated funds that I referred to earlier and is identified on the summary and detailed sections of the statement.

SENATOR TITUS:

How much of the funds have been spent?

MR. LEISER:

In FY 2022, approximately \$440.4 million was expended. According to data in the state accounting system, expended funds fiscal year-to-date out of the COVID-19 Relief Programs budget account, or budget account 1327, related to the Coronavirus State Fiscal Recovery Funds equates to approximately \$30.2 million.

SENATOR TITUS:

My reason for asking is because there is a time by which these funds that are allocated have to be spent, and if not, perhaps the state can repurpose them; therefore, I was curious about the balance.

There was no further discussion on this item.

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

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

There are four work programs under Agenda Item E that were submitted pursuant to NRS 353.220(5)(b) and require expeditious action within 15 days by the Committee. All four work program revision requests on this list were submitted on December 16, 2022. The 15 days expired at the end of January; therefore, these work programs are provided for informational purposes only. No action is required by the Committee and none of the work programs have been identified for additional discussion.

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

Transfer of \$1,275,028 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Services for Specific Populations category to support an allocation to the Division of Child and Family Services to fund a daily rate increase for specialized foster care providers from January through June 2023. Requires Interim Finance approval since the amount transferred to the ARPA Services for Specific Populations category exceeds \$75,000. **RELATES TO ITEM E.2. Work Program #23F1327149. RECEIVED 12-16-22.**

There was no discussion on this item.

2. Department of Health and Human Services - Child and Family Services - Clark County Child Welfare - FY 2023

Addition of \$1,275,028 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund a daily rate increase for specialized foster care providers from January through June 2023. Requires Interim Finance approval since the amount added to the Transfer In ARPA Specialized Foster Care category exceeds \$75,000. **RELATES TO ITEM E.1. Work Program #23FRF31422. RECEIVED 12-16-22.**

There was no discussion on this item.

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

Transfer of \$344,182 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Services for Specific Populations category to support an allocation to the Division of Child and Family Services to fund a daily rate increase for specialized foster care providers from January through June 2023. Requires Interim Finance approval since the amount transferred to the ARPA Services for Specific Populations category exceeds \$75,000. **RELATES TO ITEM E.4. Work Program #23F1327150. RECEIVED 12-16-22.**

There was no discussion on this item.

4. Department of Health and Human Services - Child and Family Services - Washoe County Child Welfare - FY 2023

Addition of \$344,182 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs

account to fund a daily rate increase for specialized foster care providers from January through June 2023. Requires Interim Finance approval since the amount added to the Transfer In ARPA Specialized Foster Care category exceeds \$75,000. **RELATES TO ITEM E.3. Work Program #23FRF31411. RECEIVED 12-16-22.**

There was no discussion on this item.

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

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

There are six work program revision requests under Agenda Item F. Agenda Item F pertains to the ARPA Coronavirus State Fiscal Recovery Funds work program list. None of the items under Agenda Item F have been identified for further discussion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE THE REMAINING WORK PROGRAM REVISIONS UNDER AGENDA ITEMS F AND G.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

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

Transfer of \$2,296,017 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA), Water, Sewer, and Lead category to support an allocation to the Nevada Division of Environmental Protection to identify and remediate lead exposure in schools, daycares, and other facilities frequented by children, and improve childhood blood lead testing and follow-up action. Requires Interim Finance approval since the amount transferred to the ARPA Water, Sewer, and Lead category exceeds \$75,000. **RELATES TO ITEM F.2. Work Program #23F1327151**

Refer to motion for approval under Agenda Item F.

2. Department of Conservation and Natural Resources - Division of Environmental Protection - Administration - FY 2023

Addition of \$2,296,017 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to identify and remediate lead exposure in schools, daycares, and other facilities frequented by children, and improve childhood blood lead testing and follow-up action. Requires Interim Finance approval since the amount added to the ARPA Funding category exceeds \$75,000. **RELATES TO ITEM F.1. Work Program #23FRF31731**

Refer to motion for approval under Agenda Item F.

3. Department of Health and Human Services - Health Care Financing and Policy - Medicaid - FY 2023

Transfer of \$15,052,377 from the American Rescue Plan Act (ARPA) Reserve, Subject to Plan category to the Long-Term Care Workforce ARPA category to support a Nursing Facility Workforce and Assisted Living Facility workforce initiative. Requires Interim Finance approval since the amount transferred to the Long-Term Care Workforce ARPA category exceeds \$75,000. **Work Program #23FRF32432**

Refer to motion for approval under Agenda Item F.

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

Deletion of \$5,000,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to repurpose a previously approved allocation from the Division of Public and Behavioral Health to the Division of Child and Family Services to support behavioral health crisis services for youth. Requires Interim Finance approval since the amount removed from the ARPA-FRF Crisis Billing Funds category exceeds \$75,000. **RELATES TO ITEM F.5. Work Program #23FRF31655**

Refer to motion for approval under Agenda Item F.

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

Addition of \$5,000,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to support behavioral health crisis services for youth. Requires Interim Finance approval since the amount added to the Crisis Billing Funds ARPA category exceeds \$75,000. **RELATES TO ITEM F.4. Work Program #23FR314521**

Refer to motion for approval under Agenda Item F.

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

Transfer of \$3,112,296 from the American Rescue Plan Act (ARPA) Single Web Portal category to the ARPA No Wrong Door Single Web Portal category to better align the record keeping for ARPA Coronavirus State Fiscal Recovery Funds with existing agency accounting practices. Requires Interim Finance approval since the amount added to the ARPA Single Web Portal category exceeds \$75,000. **Work Program #23FRF32284**

Refer to motion for approval under Agenda Item F.

G. APPROVAL OF GIFTS, GRANTS, WORK PROGRAM REVISIONS AND POSITION CHANGES NOT INVOLVING THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE FISCAL RECOVERY FUNDS, IN ACCORDANCE WITH CHAPTER 353 OF NRS.

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

Agenda Item G pertains to the standard work program revision request list. The first two work programs under Agenda Item G that will be pulled for discussion are Agenda Items G.26, Department of Tourism and Cultural Affairs, Indian Affairs Commission, and G.27, Department of Health and Human Services (DHHS), Director's Office, which will be discussed jointly. Also identified for additional discussion are Agenda Items G.30, DHHS, Aging and Disability Services Division; G.81, Department of Conservation and Natural Resources (DCNR), Forestry Division; and G.84, DCNR, Forestry Division.

SENATOR TITUS:

I would like Agenda Item G.15, Department of Agriculture to be pulled for additional discussion.

ASSEMBLYWOMAN DICKMAN:

I would like Agenda Item G.55, DHHS, Division of Welfare and Supportive Services to be pulled for additional discussion.

1. Office of the Attorney General - Extradition Coordinator - FY 2023

Addition of \$941,917 in Reserve for Statutory Contingency Account funds to cover a shortfall of projected extradition expenditures. Requires Interim Finance approval since the amount added to the Extradition Costs category exceeds \$75,000. Work Program #C62000. **WITHDRAWN 12-21-22.**

2. Department of Administration - Division of Enterprise Information Technology Services - Network Transport Services - FY 2023

Transfer of \$86,454 from the Reserve category to the Microwave Radio System category to fund the replacement of a damaged antenna, waveguide, ice shield, and hardware at Maggie's Peak communication site, as well as replacement of an antenna at the Eagle Ridge communication site. Requires Interim Finance approval since the amount transferred to the Microwave Radio System category exceeds \$75,000. **Work Program #C61741**

Refer to motion for approval under Agenda Item F.

3. Department of Administration - Division of Enterprise Information Technology Services - Network Transport Services - FY 2023

Transfer of \$87,792 from the Reserve category to the Utility Expense category to support a projected shortfall due to higher-than-expected costs for propane delivery, electric, natural gas, and garbage disposal services. Requires Interim Finance approval since the amount transferred to the Utility Expense category exceeds \$75,000. **Work Program #C62369**

Refer to motion for approval under Agenda Item F.

4. Department of Administration - Division of Enterprise Information Technology Services - Network Transport Services - FY 2023

Transfer of \$290,615 from the Reserve category to the Land and Building Improvements category to fund road maintenance at the Warm Springs tower site and for building and tower space lease payments. Requires Interim Finance approval since the amount transferred to the Land and Building Improvements category exceeds \$75,000. **Work Program #C62373**

Refer to motion for approval under Agenda Item F.

5. Department of Administration - Fleet Services Division - Fleet Services – FY 2023

Transfer of \$1,049,491 from the Reserve category to the Vehicle Operation category to fund rising fuel costs and increased vehicle repairs and maintenance costs for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Vehicle Operation category exceeds \$75,000. **Work Program #C62264**

Refer to motion for approval under Agenda Item F.

6. Department of Administration - Fleet Services Division - Fleet Services - FY 2023

Transfer of \$616,407 from the Reserve category to the Capital Finance Transfer category to fund the purchase of automobiles. Requires Interim Finance approval since the amount transferred to the Capital Finance Transfer category exceeds \$75,000. **Work Program #C62384**

Refer to motion for approval under Agenda Item F.

7. Department of Administration - Fleet Services Division - Fleet Services Capital Purchase - FY 2023

Transfer of \$224,147 from the Reserve category to the Vehicle Purchase category to fund the purchase of automobiles. Requires Interim Finance approval since the amount transferred to the Vehicle Purchase category exceeds \$75,000. **Work Program #C62387**

Refer to motion for approval under Agenda Item F.

8. Department of Administration - Hearings Division - FY 2023

Transfer of \$8,942 from the Operating category to the Information Services category to purchase computer hardware and software and to fund Division of Enterprise Information Technology Services (EITS) virtual server hosting services. 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 #C62433**

Refer to motion for approval under Agenda Item F.

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

Transfer of \$4,505 from the Personnel category, \$1,432 from the Out-of-State Travel category, \$1,146 from the In-State Travel category, \$1,831 from the Raw Materials category, and \$568 from the Training category to the Information Services category to purchase hardware, software, and digital storage needed to secure the transfer, retention, and long-term preservation of electronic records. 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 #C62292**

Refer to motion for approval under Agenda Item F.

10. Department of Administration - Risk Management Division - Insurance and Loss Prevention - FY 2023

Transfer of \$6,751,351 from the Reserve category to the Insurance Premium Workers' Compensation category to fund a projected shortfall due to higher than budgeted workers' compensation claim expenses. Requires Interim Finance approval since the amount transferred to the Insurance Premium Workers' Compensation category exceeds \$75,000. **Work Program #C62366**

Refer to motion for approval under Agenda Item F.

11. Department of Administration - State Public Works Division - Buildings and Grounds - FY 2023

Transfer of \$1,739,915 from the Reserve category to the Building Renovation category to fund the removal and replacement of one freight elevator at the Nevada State Library and Archives building. Requires Interim Finance approval since the amount transferred to the Building Renovation category exceeds \$75,000. **Work Program #C62276**

Refer to motion for approval under Agenda Item F.

12. Department of Education - Student and School Support - FY 2023

Addition of \$442,279 in federal Demonstration Grants for Indian Children grant funds to support tribal communities by promoting and preparing students for college and career readiness. Requires Interim Finance approval since the amount added to the Indian Education Administration category exceeds \$75,000. **Work Program #C62069**

Refer to motion for approval under Agenda Item F.

13. Department of Education - Student and School Support - FY 2023

Addition of \$8,866,003 in federal Bipartisan Safer Communities Act, Stronger Connections grant funds to provide students with safer and healthier learning environments. Requires Interim Finance approval since the amount added to the

Safer Communities Aid to Schools category exceeds \$75,000. **Work Program #C62154**

Refer to motion for approval under Agenda Item F.

14. Department of Agriculture - Nutrition Education Programs - FY 2023

Addition of \$388,377 in federal Child Care and Development Block Grant, American Rescue Plan Act (ARPA) funds subawarded from the Division of Welfare and Supportive Services to deliver outreach and education services statewide to licensed child care entities and early childhood education sites/centers. Requires Interim Finance approval since the amount added to the ARPA Transfer from Division of Welfare and Supportive Services category exceeds \$75,000. **Work Program #23AR269103**

Refer to motion for approval under Agenda Item F.

15. Department of Agriculture - Nutrition Education Programs - FY 2023

Addition of \$15,899,639 in federal National School Breakfast Program grant funds and \$68,821,756 in National School Lunch Program grant funds to provide the National School Lunch and School Breakfast programs. Requires Interim Finance approval since the amount added to the National School Lunch Program category exceeds \$75,000. **Work Program #C62269**

SENATOR TITUS:

In looking at the statements that were provided, I am wondering about the amount of money that has already been spent and would like some clarification. According to the statement on the need for this additional money, it says that \$84 million represents the difference in anticipated spending versus what is currently budgeted. Can you explain why there is a difference of \$84 million over what you originally budgeted and why there was such a great increase?

PATRICIA HOPPE (Administrator, Division of Food and Nutrition, Department of Agriculture):

Basically, this is a realignment of authority and there was a difference because this particular area is U.S. Department of Agriculture (USDA) Entitlement funding for school meals. This is regular funding that the division receives annually for school meals, and the original base budget amount was affected by the COVID-19 pandemic, so funding was under allocated this particular biennium.

MARKO MARKOVIC (Administrative Services Officer, Department of Agriculture):

I will provide numbers as far as how much funding is expended. For school breakfasts, the Department of Agriculture has authority of approximately \$34.3 million and has expended \$19,828,000 year to date. For school lunches, the department has authority of approximately \$89,636,000 and has expended approximately \$61,165,000.

Claims for school meals arrive twice a month and are submitted by recipients on the 1st and the 16th of every month. The department is expecting new claims to come through tomorrow. On average, the claims are between \$4 million and \$10 million per month; therefore, the department is expecting to run out of authority soon in these federal funds.

SENATOR TITUS:

These funds have already been federally allocated and now the department is asking for the authority to spend them. Is that correct?

MR. MARKOVIC:

Yes, that is correct. These are 100% federal funds, so this is just an additional award received from the federal government.

SENATOR TITUS:

It seems to me, based on the number of students that are in the State of Nevada, the state is spending a lot of money for breakfasts and lunches. I am not opposed to that as I think food security is very critical, especially for children. I have multiple grandchildren in schools throughout this state, including in Washoe, Humboldt, Clark, and Lyon Counties, and none of my grandchildren like their school lunches. They will testify to me as grandma that they see most of the food going to waste, regardless of the grade level. Does the state receive the food from the federal government? What is happening? Growing up in the small town of Smith Valley, I loved our school cooks. The meals were amazing. To find out now that children are not eating these lunches, I am curious about the disconnect.

MS. HOPPE:

For those operating a National School Lunch Program or School Breakfast Program, all school food authorities must follow a required, creditable meal pattern. There are many different components and there are required components that have to be served with every meal. The department reviews menus for application and adherence to that particular meal pattern. The agency does not really have any control over the food items that the school food authorities choose to serve. The Department of Agriculture must ensure they are meeting the federal requirements at that program meal pattern.

It is the department's understanding that sometimes there is waste. Administrative reviews and compliance reviews are conducted annually on sponsors. Program staff go to the schools and school districts and stand at the point-of-service line and watch the children getting their food items and eating their meals. And yes, sometimes they throw the carrots or salad in the trash. The department is working on adding additional technical assistance and guidance to school food authorities to address the waste issue in some schools. The department, program sponsors and operators are discussing quality of food and being more innovative and offering more and different varieties of food to school children.

SENATOR TITUS:

When you have that documentation regarding food waste, I would really like to see how much you think is actually wasted food and if there is a plan to help with that waste. Again, I think it is important that children are fed. I think everyone needs to be fed. That is critical. However, I am worried. Students are also throwing away the nuggets. When I was in Winnemucca this weekend, I heard that the pizza is horrible. Even my granddaughter will not eat that pizza. I am just wondering about the disconnect. I would love to see the overall view of what you have online to address some of that.

ASSEMBLYWOMAN KASAMA:

I know in the previous administration there were free lunches and breakfasts for all families, not based on need. Is this a continuation of that program? Does this include all families in the State of Nevada?

MS. HOPPE:

This particular request for authority is only for the portion of meal reimbursements for the National School Lunch Program and School Breakfast Program. That is the department's regular USDA funding. The school year began with the state ARPA-funded universal free school meals; this is the first school year for that. This particular request for authority is only for the regular annual USDA Entitlement funding provided for the National School Lunch Program and School Breakfast Program.

CHAIR DONDERO LOOP:

There are some things my grandkids like and some things they do not like. As a teacher and educator, we saw kids trading off all the time. If they want to eat all the carrots and not the hamburger or eat the hamburger and not the carrots, I guess it depends on their food source. I think it is an important piece to include in the schools for those kids that are most vulnerable. I thank you for what you do.

ASSEMBLYWOMAN DICKMAN:

Does this program reimburse people who bring their own lunches?

MS. HOPPE:

It does not. It is for meals that are served under the National School Lunch Program and the School Breakfast Program. There are three tiers of meals: free, reduced and paid. They are all meals that would be purchased and/or provided by the school district, the cafeteria, and the school.

SENATOR HARRIS:

Are there children who are hungry at school and need this lunch?

MS. HOPPE:

I hope not. I think Nevada was one of the few states, I believe there are five total, that amazingly and graciously provided the universal free school meals and used state ARPA funds for that. There could be hungry children, but I hope not. I will tell you that every student in Nevada's schools, which I believe is approximately 460,000 students at this point, have an opportunity to have a free meal thanks to the operation of the two federal programs and the expansion of these programs through the state ARPA funding that the Committee approved last year. They do have the opportunity to have a meal and I hope they are taking advantage of it.

SENATOR HARRIS:

Absent this program, are their children who would be going hungry?

MS. HOPPE:

Yes, there could be. Absent this particular program, before universal free school meals were provided, there was a free and reduced option and there was a paid option that is reimbursed through USDA regular funding. As all of you know, when the pandemic hit, families that did not have to worry about being able to afford their children's meals in schools now had to worry. Thus, I believe that absent this particular program, there absolutely could be children that could be going hungry at school.

SENATOR HARRIS:

Is it fair to say that this program is making a difference in the lives of those children when it comes to their ability to learn, nutritional needs, and just general well-being?

MS. HOPPE:

Absolutely, wholeheartedly, believing in what we do and with the additional universal free school meals. ARPA funding, in addition to the funding authority requested today, will allow over 260,000 children across the State of Nevada to eat free because we are picking up the bill for those reduced and paid children's meals.

CHAIR DONDERO LOOP:

Midway through the pandemic, many schools would provide lunches to students who forgot their lunch to limit the frequency of parents having to come to schools in an effort to reduce the schools' exposure to COVID-19. I know it happened once at my school where a first grader left her lunch in the car and the mother did not notice. The school provided the student with a lunch to avoid the mother entering the school.

SENATOR TITUS MOVED TO APPROVE AGENDA ITEM G.15.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

16. Department of Business and Industry - Insurance Division - Insurance Regulation - FY 2023

Addition of \$310,790 in federal State Flexibility to Stabilize the Market Cycle II grant funds to carry out activities relating to health care access to Nevadans. Requires Interim Finance approval since the amount added to the State Flexibility Grant category exceeds \$75,000. **Work Program #C61685**

Refer to motion for approval under Agenda Item F.

17. Department of Business and Industry - Insurance Division - Insurance Regulation - FY 2023

Transfer of \$33,741 from the Fraud Assessment Reserves category to the Fraud Investigations category to fund the fraud investigative unit in-state and out-of-state travel, fraud-based tracking and reporting software, and examiner training/certification fees. Requires Interim Finance approval since the amount transferred to the Fraud Investigations category exceeds 10% of the legislatively approved amount for that category. **Work Program #C61767**

Refer to motion for approval under Agenda Item F.

18. Department of Business and Industry - Housing Division - Account for Affordable Housing - FY 2023

Addition of \$195,356 in federal Emergency Solutions Grant Program funds to provide shelter operations or essential services related to outreach and to assist homeless individuals in obtaining permanent housing services. Requires Interim Finance approval since the amount added to the Emergency Shelter Grants category exceeds \$75,000. **Work Program #C62237**

Refer to motion for approval under Agenda Item F.

19. Department of Business and Industry - Housing Division - Account for Affordable Housing - FY 2023

Addition of \$4,238,366 in federal National Housing Trust Fund grant funds to continue to support the building, rehabilitating, preserving, and operating of rental housing for extremely low-income residents of Nevada. Requires Interim Finance approval since the amount added to the National Housing Trust Funds category exceeds \$75,000. **Work Program #C62241**

Refer to motion for approval under Agenda Item F.

20. Department of Business and Industry - Housing Division - Account for Affordable Housing - FY 2023

Addition of \$125,576 in federal HOME American Rescue Plan (HOME ARP) grant funds to support grant administrative and planning activities. Requires

Interim Finance approval since the amount added to the HOME ARP category exceeds \$75,000. **Work Program #C62309. WITHDRAWN 1-11-23.**

21. Department of Business and Industry - Housing Division - Weatherization - FY 2023

Addition of \$3,162,392 in federal Infrastructure Investment and Jobs Act - Bipartisan Infrastructure Law - Weatherization Assistance Program funds to provide assistance to eligible households with weatherization and other energy-related home repairs and improvements. Requires Interim Finance approval since the amount added to the Department of Energy Weatherization Assistance Program category exceeds \$75,000. **Work Program #C62014**

Refer to motion for approval under Agenda Item F.

22. Department of Business and Industry - Labor Commission - FY 2023

Transfer of \$16,582 from the Personnel category to the Operating category, \$3,088 from the Personnel category to the State Apprenticeship Program category, \$98,400 from the Personnel category to the LV (Las Vegas) Relocation category, and \$2,939 from the Personnel category to the Information Services category to fund the associated move-in costs related to the relocation of multiple agencies of the Department of Business and Industry due to space constraints at the Nevada Business Center. Requires Interim Finance approval since the amount transferred to the LV Relocation category exceeds \$75,000. **Work Program #C61911**

Refer to motion for approval under Agenda Item F.

23. Governor's Office of Economic Development - State Small Business Credit Initiative - FY 2023

Transfer of \$441,468 from the Reserve category to the Program Administration category to fund ongoing administration of the State Small Business Credit Initiative program. Requires Interim Finance approval since the amount transferred to the Program Administration category exceeds \$75,000. **Work Program #C62339**

Refer to motion for approval under Agenda Item F.

24. Department of Tourism and Cultural Affairs - Division of Tourism - FY 2023

Addition of \$3,712,000 in federal Economic Development Administration funds to support construction of two Nevada State Adventure Centers. Requires Interim Finance approval since the amount added to the Economic Development Administration - Adventure Centers Grant category exceeds \$75,000. **Work Program #C62134. WITHDRAWN 1-6-23.**

25. Department of Tourism and Cultural Affairs - Nevada Magazine - FY 2023

Addition of \$161,221 in Lodging Tax revenue transferred from the Division of Tourism to support continued production of the Nevada Magazine and Visitor Guide. Requires Interim Finance approval since the amount added to the Magazine Printing Expense category exceeds \$75,000. **Work Program #C60719**

Refer to motion for approval under Agenda Item F.

26. Department of Tourism and Cultural Affairs - Indian Affairs Commission – FY 2023

Addition of \$55,382 in Fund for Resilient Nevada grant funds transferred from the Department of Health and Human Services, Director's Office to support a new Clinical Program Planner I position to serve as the Tribal Opioid Coordinator. Requires Interim Finance approval since the amount added to the Personnel category exceeds 10% or more cumulative for this category. **RELATES TO ITEM G.27. Work Program #C62460**

Agenda Items G.26 and G.27 were discussed jointly. Refer to testimony and motion for approval under Agenda Item G.27.

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

Transfer of \$4,114,414 from the Reserve category to the Opioid Allocation category to support statewide projects to address the impact of opioid use disorder and other substance use disorders. Requires Interim Finance approval since the amount transferred to the Opioid Allocation category exceeds \$75,000. **RELATES TO ITEM G.26. Work Program #C62423. REVISED 12-29-22.**

Agenda Items G.26 and G.27 were discussed jointly.

MARLA MCDADE WILLIAMS (Deputy Director, Department of Health and Human Services [DHHS]):

Dr. Stephanie Woodard, Division of Public and Behavioral Health, DHHS, and Stacey Montooth, Executive Director, Nevada Indian Commission, Department of Tourism and Cultural Affairs, are available to answer questions.

The Fund for a Resilient Nevada was established in 2021 and the department has been working diligently to stand up the program since its passage. One of the things the department has been focused on up to this point is the statewide plan and the needs assessment. This has been done through a very comprehensive process that included a lot of feedback from the public and government agencies, overseen by the Advisory Committee for a Resilient Nevada as well as the Attorney General's Substance Use Response workgroup.

The goals of the funding align with the national efforts of the Office of National Drug Control Policy, National Drug Control Strategy. There are seven established goals:

- Goal One: Ensure local programs have the capacity to implement recommendations, allocating \$804,000 for FY 2023, \$1.6 million for FY 2024, and \$1.6 million for FY 2025.
- Goal Two: Prevent the misuse of opioids. Proposed funding estimates are \$800,000 for FY 2023, \$2.1 million for FY 2024, and \$2.1 million for FY 2025.

- Goal Three: Reduce harm related to opioid use. Proposed funding estimates are \$140,000 for FYs 2023, 2024, and 2025.
- Goal Four: Provide behavioral health treatment. Proposed funding estimates of \$1.7 million for FY 2023, \$1.5 million for FY 2024, and \$1.5 million for FY 2025.
- Goal Five: Implement recovery communities across Nevada. Proposed funding estimates are not available at this time.
- Goal Six: Provide opioid prevention and treatment consistently across the criminal justice and public safety systems. Proposed funding estimates are not available at this time.
- Goal Seven: Provide high-quality and robust data and accessible timely reporting. Allocated funding is \$361,000, \$743,000, and \$523,000 over the course of the next three fiscal years.

The department is working to ensure that it collaborates effectively with tribal communities. As the Committee is aware, the legislation addressed the tribal communities. A need has been determined to directly fund the Nevada Indian Commission since Ms. Montooth has developed great working relationships with Nevada tribes and she knows who to work with in that respect.

SENATOR NEAL:

On Agenda Item G.27, I have a question on the grant backup, which talks about the toxicology data and patient care. Will handheld spectrum meters be purchased for drug testing. Who is going to be administering that? The documentation also states that this grant will expand the treatment options for adolescents and individuals with concurrent disorders.

STEPHANIE WOODARD (Medical Epidemiologist, Division of Public and Behavioral Health, DHHS):

I can go through each of the items that you requested information on to tell you how those will be distributed. The Department of Administration, Purchasing Division has administered a procurement process called a request for qualifications for the allocation of funding for treatment. A number of providers have qualified to be in that pool to provide substance use disorder treatment in accordance with these funds, and the agency will be working with those providers.

The agency has also established a relationship with the Department of Public Safety for the handheld spectrometers. It was identified early on with one of the state's subject matter experts as it relates to litigation, the need to ensure that not only the Department of Public Safety but other entities and local communities need access to handheld spectrometers. This is a technology tool that allows individuals who are trained to use it to quickly and accurately identify the compounds that make up the substances they are evaluating. Many of you are aware of the increase of fentanyl and other very high potency illicit drugs in the drug supply that have caused a large public health concern. Thus, those handheld spectrometers are essential tools for communities to have available to determine what is infiltrating the drug supply system at the local level.

SENATOR NEAL:

I am not clear on who these qualified providers are. Are they pharmacists? Who is doing the work? It sounds like the agency will be trying to determine what is in a drug.

DR. WOODARD:

The department is working with the Department of Public Safety to do engagement at the local level to see who would be best poised to house those spectrometers prior to their purchase so there is a well-developed plan that will meet the unique needs of each of the communities to which the spectrometers will be distributed.

SENATOR TITUS:

Thank you, Senator Neal, for that question, because I was also wondering what that process was going to look like and who would be using the spectrometers. It has been an issue, even for somebody like me who is a certified medical review officer, to do drug screens, drug testing, etc. I was also wondering how broad of a brush you were looking at to serve a community. Is the agency looking at law enforcement, or at patients on a rehabilitation program who are being monitored to determine whether they are taking their medication? Urine drug screens are not as accurate as we would like them to be.

I would like more detail and information on how the spectrometers will be utilized. I think they are going to be incredibly important, but I am not sure who is going to actually have that information and use it.

DR. WOODARD:

I think it is important to recognize that these are not the only tools that communities have available. A number of communities have already gone forward to purchase these mass spectrometers, recognizing their utility. Therefore, part of the work with the Department of Public Safety is to evaluate where these devices are most needed. Public safety and first responders are really the first line of defense because they run the highest risk of accidental exposure, especially if they are part of any kind of operation where there are illicit substances present that cannot be quickly identified.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE
AGENDA ITEMS G.26 AND G.27.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

28. Department of Health and Human Services - Aging and Disability Services - Home and Community-Based Services - FY 2023

Deletion of \$363,955 in federal Senior Medicare Patrol (SMP) grant funds and a transfer of \$70,898 from the SMP Grant category to the Reserve for Reversion category to align state authority with the current federal SMP grant award. Requires

Interim Finance approval since the amount deleted from the SMP Grant category exceeds \$75,000. **Work Program #C61542**

Refer to motion for approval under Agenda Item F.

29. Department of Health and Human Services - Aging and Disability Services - Home and Community-Based Services - FY 2023

Addition of \$343,436 in federal Assistive Technology Act grant funds to improve the provision of assistive technology through comprehensive statewide programs for individuals with disabilities of all ages. Requires Interim Finance approval since the amount added to the Assistive Technology category exceeds \$75,000. **Work Program #C61708**

Refer to motion for approval under Agenda Item F.

30. Department of Health and Human Services - Aging and Disability Services - Early Intervention Services - FY 2023

Addition of \$634,830 in federal Nevada Individuals with Disabilities Education Act (IDEA) Part C, American Rescue Plan Act grant funds transferred from the Department of Health and Human Services Director's Office IDEA Part C account to support a new electronic case management and billing system for the statewide Early Intervention System. Requires Interim Finance approval since the amount added to the IDEA Part C category exceeds \$75,000. **Work Program #C62198**

RIQUE ROBB (Deputy Administrator, Aging and Disability Services Division, DHHS): I am before you to discuss Work Program #C62198. The division is requesting to transfer \$634,830 from the federal Nevada Individuals with Disabilities Education Act (IDEA) Part C, ARPA grant from the DHHS Director's Office, budget 3276, to support the new electronic case management and billing system for the statewide early intervention system, which includes both state and community providers.

This alignment will help to support the already contracted vendor in the build out of this system. The system is meant to support a new electronic case management and billing system. As many of you have heard over the years, the current process is inefficient. The division is working out of three systems that do not speak to each other which results in duplicate or triplicate input for staff and teams across the state. This particular product will allow the division to have all mechanisms within one system for both the state providers and community providers. This will be an efficiency that has not been seen before. A few years ago, the division had procured a potential new system, but unfortunately, that system did not work out. The division is in the midst of standing up a new system with the hope that it will create substantial efficiencies, with potential increases in revenue as well as supporting individual staff in efficiently providing administrative support so they can ensure they are working directly with the children and families to provide a quality program.

ASSEMBLYWOMAN BROWN-MAY:

Could you talk about the number of families that are proposed to be served under this new system with the three data systems coming together? Also, briefly talk about how the division plans to cover the ongoing annual cost of this new early intervention system.

Ms. ROBB:

There are multiple systems on the community provider side. On the state side, there is currently about 1,500 children within the three systems. When combined with the providers, it will take the division to its current caseload of approximately 3,600 children, which ultimately impacts families that have an IFSP (individual family service plan). The IDEA Part C grant is covering the ongoing costs. The agency will have ARPA funding for the next two years to cover annual maintenance costs, but then the IDEA Part C funding will be committed to cover these costs through the division's memorandum of understanding.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE
AGENDA ITEM G.30.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

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

Addition of \$91,809 in federal Title XIX grant funds and \$91,809 in Home and Community-Based Services (HCBS) Reinvestment funds transferred from the Nevada Medicaid account to implement a new case management system for the Katie Beckett program. Requires Interim Finance approval since the amount added to the HCBS - Federal American Rescue Plan Act (ARPA) category exceeds \$75,000. **RELATES TO ITEM G.33. Work Program #C62192**

Refer to motion for approval under Agenda Item F.

32. Department of Health and Human Services - Health Care Financing and Policy - Medicaid - FY 2023

Addition of \$277,964,135 in federal Title XIX funds and transfer of \$22,094,758 from the Medical Assistance for the Aged, Blind and Disabled (MAABD) category to the Newly Eligible category to fund an anticipated shortfall due to caseload and cost per eligible being higher than legislatively approved. Requires Interim Finance approval since the amount added to the Newly Eligible category exceeds \$75,000. **Work Program #C62164**

Refer to motion for approval under Agenda Item F.

33. Department of Health and Human Services - Health Care Financing and Policy - Medicaid - FY 2023

Addition of \$91,809 in Home and Community-Based Services (HCBS) Reinvestment funds to implement a new case management system for the Katie Beckett program. Requires Interim Finance approval since the amount added to the HCBS - Federal American Rescue Plan Act (ARPA) category exceeds \$75,000. **RELATES TO ITEM G.31. Work Program #C62193**

Refer to motion for approval under Agenda Item F.

34. Department of Health and Human Services - Public and Behavioral Health - Radiation Control Program - FY 2023

Transfer of \$186,448 from the Reserve category to the Operating category, \$39,000 from the Reserve category to the Information Services category, and \$223,194 from the Reserve category to the Division Cost Allocation category to fund projected shortfalls for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C61625**

Refer to motion for approval under Agenda Item F.

35. Department of Health and Human Services - Public and Behavioral Health - Immunization Program - FY 2023

Addition of \$768,812 in federal Centers for Disease Control and Prevention, Immunization and Vaccines for Children grant funds to provide immunization program services and supplemental funding for the new Immunization Information System. Requires Interim Finance approval since the amount added to the COVID-19 Vaccine Program category exceeds \$75,000. **Work Program #23AR321301**

Refer to motion for approval under Agenda Item F.

36. Department of Health and Human Services - Public and Behavioral Health - Immunization Program - FY 2023

Addition of \$811,122 in federal Centers for Disease Control and Prevention (CDC), Immunization and Vaccines for Children grant funds to provide immunization programs services and supplemental funding to meet activities and objectives under CDC guidelines. Requires Interim Finance approval since the amount added to the Vaccines for Children category exceeds \$75,000. **Work Program #C61582**

Refer to motion for approval under Agenda Item F.

37. Department of Health and Human Services - Public and Behavioral Health - Communicable Diseases - FY 2023

Addition of \$992,767 in federal Health Resources and Services Administration Ryan White Part B Supplemental grant funds to provide recipients with assistance and access to health insurance and medication. Requires Interim Finance approval

since the amount added to the Ryan White Supplemental category exceeds \$75,000. **Work Program #C61706**

Refer to motion for approval under Agenda Item F.

38. Department of Health and Human Services - Public and Behavioral Health - Health Care Facilities Regulation - FY 2023

Transfer of \$399,681 from the Reserve category to the Federal Inspections Surveys category and \$127,004 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 added to the Federal Inspections Surveys category exceeds \$75,000. **Work Program #C61783**

Refer to motion for approval under Agenda Item F.

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

Addition of \$834,734 in federal American Rescue Plan Act (ARPA), Strengthening STD Prevention and Control for Health Departments 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 #23AR321902**

Refer to motion for approval under Agenda Item F.

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

Addition of \$141,413 in federal Tuberculosis (TB) Elimination and Laboratory Program grant funds to continue providing tuberculosis identification and treatment. Requires Interim Finance approval since the amount added to the TB Elimination category exceeds \$75,000. **Work Program #C61681**

Refer to motion for approval under Agenda Item F.

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

Addition of \$81,728 in federal Integrated Viral Hepatitis Surveillance and Prevention grant funds to provide viral hepatitis surveillance, prevention and control. Requires Interim Finance approval since the amount added to the Adult Viral Hepatitis Prevention and Control category exceeds 10% of the legislatively approved amount for that category. **Work Program #C61834**

Refer to motion for approval under Agenda Item F.

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

Addition of \$219,321 in federal Preventative Health and Health Services grant funds and transfer of \$229,189 from the Personnel category to the Preventative Health Services category to continue to address health concerns through investment in areas of capacity and infrastructure development for both state and local health authorities, clinical linkages for diabetes prevention, heart disease and stroke prevention awareness and education, increasing physical activity in adults and youth, and obesity prevention efforts. Requires Interim Finance approval since the amount added to the Preventative Health Services category exceeds \$75,000. **Work Program #C61585**

Refer to motion for approval under Agenda Item F.

43. Department of Health and Human Services - Public and Behavioral Health - Maternal Child and Adolescent Health Services - FY 2023

Addition of \$22,725 in federal Early Hearing Detection and Intervention Information System Surveillance Program grant funds and transfer of \$96,371 from the Personnel category to the Nevada Early Hearing Detection category to provide all children in Nevada screening for hearing loss at birth and those identified with hearing loss to receive timely and appropriate audiological, educational, and medical intervention. Requires Interim Finance approval since the amount transferred to the Nevada Early Hearing Detection category exceeds \$75,000. **Work Program #C61615**

Refer to motion for approval under Agenda Item F.

44. Department of Health and Human Services - Public and Behavioral Health - Maternal Child and Adolescent Health Services - FY 2023

Addition of \$300,000 in Opioid Settlement funds transferred from the Fund for Resilient Nevada to provide home visiting services to people who self-identify as currently using or having used opioids. Requires Interim Finance approval since the amount added to the DHHS-PAT category exceeds \$75,000. **Work Program #C62344**

Refer to motion for approval under Agenda Item F.

45. Department of Health and Human Services - Public and Behavioral Health - Office of Health Administration - FY 2023

Addition of \$9,514,886 in federal Centers for Disease Control and Prevention (CDC), Strengthening and Sustaining Nevada's Public Health Infrastructure grant funds to strengthen and sustain Nevada's public health infrastructure and support data modernization efforts. Requires Interim Finance approval since the amount added to the CDC Public Health Infrastructure category exceeds \$75,000. **Work Program #23AR322301**

Refer to motion for approval under Agenda Item F.

46. Department of Health and Human Services - Public and Behavioral Health - Office of Health Administration - FY 2023

Addition of \$560,845 in federal Public Health Crisis Response grant funds transferred from the Public Health Preparedness Program account to fund ten intermittent positions to support the administration of COVID-19 pandemic activities. Requires Interim Finance approval since the amount added to the Personnel category exceeds \$75,000. **Work Program #C61778**

Refer to motion for approval under Agenda Item F.

47. Department of Health and Human Services - Public and Behavioral Health - Office of Health Administration - FY 2023

Addition of \$430,230 in federal Centers for Disease Control and Prevention Epidemiology and Laboratory Capacity (ELC) Enhancing Detection Expansion (EDX) grant funds transferred from the Office of Public Health Investigations and Epidemiology (OPHIE) account to purchase and implement software to increase cyber security and technology due to the COVID-19 pandemic. Requires Interim Finance approval since the amount added to the Transfer from OPHIE EDX category exceeds \$75,000. **Work Program #C61804**

Refer to motion for approval under Agenda Item F.

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

Addition of \$857,535 in federal Substance Abuse and Mental Health Services Administration's Strategic Prevention Framework - Partnership for Success (SPF-PFS) grant funds to continue providing activities to reduce the use of alcohol, marijuana, and methamphetamine use in youth ages 9 to 20. Requires Interim Finance approval since the amount added to the SPF-PFS Grant category exceeds \$75,000. **Work Program #C62015**

Refer to motion for approval under Agenda Item F.

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

Addition of \$12,556,725 in federal Opioid Response grant funds to continue to provide access to treatment, reduce unmet treatment needs, and reduce opioid overdose-related deaths through prevention treatment and recovery activities. Requires Interim Finance approval since the amount added to the Opioid Response Grant category exceeds \$75,000. **Work Program #C62053**

Refer to motion for approval under Agenda Item F.

50. Department of Health and Human Services - Public and Behavioral Health - Northern Nevada Adult Mental Health Services - FY 2023

Transfer of \$1,115,150 from the Personnel category to the Professional Services category to fund a projected shortfall in contracted clinical services expenditures 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 #C61916

Refer to motion for approval under Agenda Item F.

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

Transfer of \$3,009,510 from the Personnel category to the Professional Services category and \$591,711 from the Personnel category to the Mental Health Tech Services category to cover the projected costs for contracted doctors, mental health technicians, and nurses to meet the needs of the clients. Requires Interim Finance approval since the amount transferred to the Professional Services category exceeds \$75,000. **Work Program #C62042**

Refer to motion for approval under Agenda Item F.

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

Transfer of \$438,932 from the Personnel category to the Mental Health Courts category to fund a projected shortfall for the remainder of the fiscal year as the result of an increase in clients committed to the Mental Health Court Residential Program. Requires Interim Finance approval since the amount transferred to the Mental Health Courts category exceeds \$75,000. **Work Program #C62099**

Refer to motion for approval under Agenda Item F.

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

Addition of \$4,977,393 in federal United States Department of Agriculture, Food and Nutritional Services, Supplemental Nutrition Assistance Program (SNAP), American Rescue Plan Act (ARPA) grant funds to improve client access to SNAP benefits by investing in technology infrastructure, employee training, and improving reporting systems and service delivery. Requires Interim Finance approval since the amount added to the SNAP ARPA Grant category exceeds \$75,000. **Work Program #23AR32282**

Refer to motion for approval under Agenda Item F.

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

Transfer of \$167,850 from the Operating category to the Senate Bill (S.B.) 420 (2021 Legislature) Presumptive Eligibility for Pregnant Women (PEPW) category to fund a projected shortfall of the non-federal portion of this project to complete system changes and create training materials. Requires Interim Finance approval since the amount added to the S.B. 420 PEPW category exceeds \$75,000. **Work Program #C62093**

Refer to motion for approval under Agenda Item F.

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

Addition of \$3,085,108 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-age children. Requires Interim Finance approval since the amount added to the Supplemental Nutrition Services Program - PEBT Federal category exceeds \$75,000. **Work Program #C62158**

KELLY CANTRELLE (Deputy Administrator, Division of Welfare and Supportive Services [DWSS], DHHS):

I have with me, Administrator Robert Thompson, DWSS, DHHS, and Tonya Stevens, Chief of Eligibility and Payments, DWSS, DHHS.

This work program is to request the addition of approximately \$3 million from the federal Food and Nutrition Services, Supplemental Nutrition Services Program (SNAP), Pandemic Electronic Benefit Transfer (PEBT) cost grant for the continuation of PEBT issuance to Nevada's eligible children.

ASSEMBLYWOMAN DICKMAN:

Can you tell me how this program works? How is eligibility determined?

MS. CANTRELLE:

The PEBT program has changed over time. Currently, the division issues benefits based on absences related to COVID-19 for school-aged children and child-care-age children ages 0 to 6 years. The DWSS works in conjunction with the school districts and the Department of Agriculture to get the information to distribute the programs.

ASSEMBLYWOMAN DICKMAN:

A number of people got in touch with me because they had received \$500 per child on a card because their children apparently brought their own lunches. Is this related to the PEBT program?

MS. CANTRELLE:

This program does not have anything to do with the free lunches in that sense. Only the children eligible for the free or reduced school lunch program are eligible for the PEBT program, so it correlates in that way.

ASSEMBLYWOMAN KASAMA:

The description of the work program discusses trying to locate cards that have not been used and searching for addresses and recipients. What happens if the unused cards cannot be located? Do those funds go back to the federal government, or what happens to the unused portion of the cards?

MS. CANTRELLE:

I do not have the exact answer on what happens to the funds that cannot be located, but I will tell you the division took five caseworkers off the line and dedicated them solely to finding parents of eligible children, researching addresses, and reaching out to families. The division has literally sent hundreds of thousands of dollars into the hands of parents. I wish I had those exact numbers with me, but I do not. This is a great feat that the division's team has been able to accomplish. The actual answer as to what happens to the little bit that is left over, I do not have, but I certainly can get that information for you.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE
AGENDA ITEM G.55.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

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

Addition of \$1,180,241 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 Program category exceeds \$75,000. **Work Program #C62188**

Refer to motion for approval under Agenda Item F.

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

Addition of \$2,374,007 in federal Title IV-E grant funds to provide reimbursement for legal representation for parents and children in child welfare legal proceedings. Requires Interim Finance approval since the amount added to the IV-E Attorney Reimbursement category exceeds \$75,000. **Work Program #C62087**

Refer to motion for approval under Agenda Item F.

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

Addition of \$625,000 in federal Department of Health and Human Services, Infant-Toddler Court Program grant funds to provide child welfare practices and improve early developmental health and well-being of infants, toddlers, and their families. Requires Interim Finance approval since the amount added to the Infant Toddler Program category exceeds \$75,000. **Work Program #C62148**

Refer to motion for approval under Agenda Item F.

59. Department of Health and Human Services - Child and Family Services - Rural Child Welfare - FY 2023

Addition of \$756,655 in federal Title IV-B Subpart 1 grant funds to continue supporting child welfare services. Requires Interim Finance approval since the amount added to the Title IV-B1 Subpart 1 Grant Projects category exceeds \$75,000. **Work Program #C61592**

Refer to motion for approval under Agenda Item F.

60. Department of Health and Human Services - Child and Family Services - Nevada Youth Training Center - FY 2023

Transfer of \$168,462 from the Personnel category to the Operating category to fund medical services and to maintain and operate vehicles at the facility through the end of the fiscal year. Requires Interim Finance approval since the amount added to the Operating category exceeds \$75,000. **Work Program #C62049**

Refer to motion for approval under Agenda Item F.

61. Department of Health and Human Services - Child and Family Services - Northern Nevada Child and Adolescent Services - FY 2023

Transfer of \$704,375 from the Personnel category to the Temporary Contract Staffing category to fund a projected shortfall to maintain sufficient services and staffing levels at two 24-hour facilities through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Temporary Contract Staffing category exceeds \$75,000. **Work Program #C62450**

Refer to motion for approval under Agenda Item F.

62. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2023

Addition of \$806,229 in federal Pediatric Mental Health Care Access Program grant funds to continue to promote behavioral health integration in pediatric primary care facilities. Requires Interim Finance approval since the amount added to the Pediatric Mental Health Access category exceeds \$75,000. **Work Program #C62119**

Refer to motion for approval under Agenda Item F.

63. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2023

Transfer of \$974,575 from the Personnel category to the Temporary Contract Staffing category to fund a projected shortfall to maintain sufficient staffing levels at 24-hour facilities through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Temporary Contract Staffing category exceeds \$75,000. **Work Program #C62449**

Refer to motion for approval under Agenda Item F.

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

Addition of \$2,456,000 in federal American Rescue Plan Act (ARPA), Fraud Detection and Prevention grant funds to strengthen identity verification of claimants, enhance fraud detection and prevention strategies, improve data management and analytic capabilities, increase cybersecurity, and expand overpayment recovery efforts. Requires Interim Finance approval since the amount added to the ARPA Fraud category exceeds \$75,000. **Work Program #C62421**

Refer to motion for approval under Agenda Item F.

65. Peace Officer Standards and Training Commission - FY 2023

Addition of \$52,500 in federal Edward Byrne Memorial Justice Assistance Grant funds transferred from the Department of Public Safety, Office of Criminal Justice Assistance, to fund police training. Requires Interim Finance approval since the amount transferred to the Justice Assistance Grant category exceeds 10% of the legislatively approved amount for that category. **Work Program #C62295**

Refer to motion for approval under Agenda Item F.

66. Department of Corrections - Prison Medical Care - FY 2023

Transfer of \$2,154,819 from the Personnel category to the Professional Services category to fund projected contracted services for licensed health care professionals to provide constitutionally required health care to inmates for the remainder of the fiscal year. Requires Interim Finance since the amount transferred to the Professional Services category exceeds \$75,000. **Work Program #C62169**

Refer to motion for approval under Agenda Item F.

67. Department of Motor Vehicles - Administrative Services Division - FY 2023

Transfer of \$76,000 from the Personnel category to the Registration Printing category to fund a projected increase in printing costs for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Registration Printing category exceeds \$75,000. **Work Program #C62175**

Refer to motion for approval under Agenda Item F.

68. Department of Motor Vehicles - Compliance Enforcement - FY 2023

Transfer of \$39,000 from the Personnel Expenses category to the Information Services category to fund necessary replacement equipment and cover a projected shortfall in Division of Enterprise Information Technology Services (EITS) 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 #C62279**

Refer to motion for approval under Agenda Item F.

69. Department of Motor Vehicles - Central Services - FY 2023

Addition of \$207,483 in Administration Charge revenue and transfer of \$919,596 from the Personnel Expenses category to the Operating Expenses category to cover a projected shortfall due to increased mailing materials and postage costs through the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Operating Expenses category exceeds \$75,000. **Work Program #C62329**

Refer to motion for approval under Agenda Item F.

70. Department of Motor Vehicles - Verification of Insurance - FY 2023

Transfer of \$235,000 from the Transfer to Highway Fund category to the Operating category and ~~\$420,000 from the Transfer to Highway Fund category to the Information Services category~~ to cover a projected increase in mailing material and postage, **and** toll-free phone costs. ~~and to implement a cloud-based insurance verification system.~~ Requires Interim Finance approval since the amount transferred to the Information Services **Operating** category exceeds \$75,000. **Work Program #C62285. REVISED 1-9-23.**

Refer to motion for approval under Agenda Item F.

71. Department of Motor Vehicles - Field Services - FY 2023

Addition of \$500,000 in Motor Vehicle Governmental Services Tax Commission funds and \$4,400,000 in Penalties to upgrade the queuing system in the rural locations and increase revenue authority in alignment with projections 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 #C62255**

Refer to motion for approval under Agenda Item F.

72. Department of Public Safety - Director's Office - Evidence Vault - FY 2023

Addition of \$48,352 in federal Justice Assistance Grant funds transferred from the Nevada Office of Criminal Justice Assistance budget to purchase fentanyl detection equipment. Requires Interim Finance approval since the amount added to the Equipment category exceeds 10% of the legislatively approved amount for that category. **Work Program #C62340**

Refer to motion for approval under Agenda Item F.

73. Department of Public Safety - Division of Parole and Probation - FY 2023

Transfer of \$165,000 from the Personnel category to the Going Home Prepared category to fund estimated expenditures for the remainder of the year. Requires Interim Finance approval since the amount transferred to the Going Home Prepared category exceeds \$75,000. **Work Program #C62334**

Refer to motion for approval under Agenda Item F.

74. Department of Public Safety - Fire Marshal - State Emergency Response Commission - FY 2023

Addition of \$202,240 in federal Hazardous Materials Emergency Preparedness (HMEP) grant funds and transfer of \$50,560 from the Reserve category to the U.S. Department of Transportation (USDOT)/HMEP Grant category to support personnel in training and planning for hazardous material emergencies. Requires Interim Finance approval since the amount added to the USDOT/HMEP Grant category exceeds \$75,000. **Work Program #C62166**

Refer to motion for approval under Agenda Item F.

75. Department of Public Safety - Fire Marshal - State Emergency Response Commission - FY 2023

Transfer of \$67,500 from the Reserve category to the Transfer to State Fire Marshal category to fund a proportionate cost share for hazardous-materials-related courses and other related training activities. Requires Interim Finance approval since the cumulative amount transferred to the Transfer to State Fire Marshal category exceeds \$75,000. **RELATES TO ITEM G.77. Work Program #C62296**

Refer to motion for approval under Agenda Item F.

76. Department of Public Safety - Fire Marshal - FY 2023

Addition of \$779,981 in federal Staffing for Adequate Fire and Emergency Response (SAFER) grant funds to aid local fire departments with staffing and deployment capabilities to respond to emergencies and assure communities have adequate protection from fire and fire-related hazards. Requires Interim Finance approval since the amount added to the SAFER Grant category exceeds \$75,000. **Work Program #C61907**

Refer to motion for approval under Agenda Item F.

77. Department of Public Safety - Fire Marshal - FY 2023

Addition of \$67,500 in Miscellaneous Program Fees transferred from the State Emergency Response Commission account and \$67,500 in Miscellaneous Program Fees transferred from the Department of Conservation and Natural Resources, Nevada Division of Environmental Protection Hazardous Waste Management account to provide live fire training and other hazardous materials training. Requires Interim Finance approval since the amount added to the Hazardous Materials Training category exceeds \$75,000. **RELATES TO ITEM G.75. Work Program #C62289**

Refer to motion for approval under Agenda Item F.

78. Department of Public Safety - Office of Traffic Safety - Motorcycle Safety Program - FY 2023

Transfer of \$77,500 from the Reserve category to the Operating category and \$16,000 from the Reserve category to the Rider Training category to address the need for additional motorcycle safety instructors and rider safety classes.

Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C62297**

Refer to motion for approval under Agenda Item F.

79. Department of Conservation and Natural Resources - Water Resources - FY 2023

Addition of \$71,494 in federal National Dam Safety Program funds to support dam safety projects throughout the state. Requires Interim Finance approval since the amount added to the Federal Dam Safety Grant category exceeds 10% of the legislatively approved amount for that category. **Work Program #C62439**

Refer to motion for approval under Agenda Item F.

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

Addition of \$77,925 in federal Infrastructure Investment and Jobs Act - Bipartisan Infrastructure Law - Community Wildfire Defense Grant Program funds to support a new Management Analyst position and to increase awareness of wildfire danger and to educate communities on how to protect themselves from wildfire damage. Requires Interim Finance approval since the cumulative amount added to the Personnel category exceeds \$75,000. **Work Program #C61323**

Refer to motion for approval under Agenda Item F.

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

Transfer of \$117,196 from the Personnel category to the Nevada Division of Forestry Bryan Building Move category to fund a move from the State Emergency Operations Building on the Nevada National Guard Complex to the Richard H. Bryan Building, which houses other agencies within the Department of Conservation and Natural Resources. Requires Interim Finance approval since the amount transferred to the Nevada Division of Forestry Bryan Building Move category exceeds \$75,000. **Work Program #C61837**

KACEY KC (State Forester Fire Warden, Division of Forestry, Department of Conservation and Natural Resources [DCNR]):

Agenda Item G.81 is a work program request to transfer money from personnel vacancy savings to facilitate a move of the division to the Bryan Building to be housed with other agencies of the DCNR.

ASSEMBLYMAN WATTS:

My understanding is that the move is going to come with an increased rent cost. Could you explain what plans your agency has to help cover that increased cost in future years?

Ms. KC:

The division plans to put that into the budget. The division put this move into both the agency budget request and into this emergency request. The request to expedite the move was because the Division of Emergency Management needed the Division of Forestry's current office space. This required the Public Employees' Benefits Program (PEBP) to move out of the Bryan Building, with that piece being in progress. The division is requesting an increase in the budget to cover the certificate of participation (COP) payment, which is the pay back of the facility that built the Bryan Building. The division will decrease its rent overall once that COP payment is paid in full. I do not remember the date of the payoff; however, I think that was in one of the answers provided to the Committee earlier.

SENATOR TITUS:

I think my question is more for staff. Is this regular accounting business where unused personnel funds are used for capital funds? Some funds must revert to the General Fund depending on the category.

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

If a state agency has unused authority in category 01, which is the Personnel Services category, and if that category is funded through General Fund appropriations without any action by the IFC or approval of the work program, then that funding would revert to the unrestricted General Fund and would be available for future use. Because of the large number of vacancies throughout the state and across all state agencies right now, there have been several requests that have come forward through the IFC over the 2021-22 Interim to move money from category 01 for other purposes. It is a budget policy decision of the Legislature and the Committee to make. There is no restriction in law that prohibits the agencies from doing that if they have approval from the IFC or the Legislature.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE
AGENDA ITEM G.81.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

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

Addition of \$496,000 in federal Infrastructure Investment and Jobs Act (IIJA) - Bipartisan Infrastructure Law (BIL) - State Forest Action Plan (SFAP) Program grant funds to increase preparedness and suppression efforts to protect state and private lands threatened by wildfire, improve urban forest management, increase public awareness of the state and benefits of urban tree canopies, and build leverage opportunities by identifying critical needs. Requires Interim Finance approval since the amount added to the IIJA/BIL - SFAP category exceeds \$75,000. **Work Program #C62102**

Refer to motion for approval under Agenda Item F.

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

Addition of \$255,564 in federal Infrastructure Investment and Jobs Act (IIJA) - Bipartisan Infrastructure Law (BIL) - State Fire Assistance (SFA) and Volunteer Fire Assistance (VFA) Program grant funds to increase preparedness and suppression efforts to protect state and private lands threatened by wildfire. Requires Interim Finance approval since the amount added to the IJA/BIL - SFA & VFA category exceeds \$75,000. **Work Program #C62108**

Refer to motion for approval under Agenda Item F.

84. Department of Conservation and Natural Resources - Forestry Division - Fire Suppression - FY 2023

Transfer of \$500,000 from the Personnel category to the Fire Suppression Costs category, \$121,715 from the Federal Emergency Management Agency Fire Assistance Grants category to the Fire Suppression Costs category, \$442,380 from the Reserve for Incident Business Unit Future Year Funding category to the Fire Suppression Costs category, and \$425,000 from the Reserve for Fleet Expenditures category to the Fire Suppression Costs category to cover projected expenditures for response to wildland fire incidents. Requires Interim Finance approval since the amount transferred to the Fire Suppression Costs category exceeds \$75,000. **Work Program #C62196**

KACEY KC (State Forester Fire Warden, Division of Forestry, DCNR):

Agenda Item G.84 is a request to transfer authority from multiple categories into a current fire year category to pay bills. It is a movement of authority so the division can expend cash in the account. This shift is just over \$1.4 million. The division has about \$3.5 million of adjudicated bills to pay; therefore, this will not pay all of the bills owed for fires that are passed; however, it will get the agency closer. The division will have a supplemental request coming forth during the budget process to make the agency whole, both for those bills that are still adjudicated and unpaid and for future expenses going forward into the fiscal year.

ASSEMBLYWOMAN PETERS:

Update the Committee on the process for reimbursement of those revenues during the remainder of this year and what the division is expecting to bring in for its budget this next budget cycle. Can you give us more information, and break out what the division is expecting?

Ms. KC:

It is a complicated budget account with many reimbursements and expenditures. Obviously, as the state is required to pay bills upfront in order to get reimbursed, timely reimbursement is not guaranteed. Although, the division is getting reimbursed in a timelier manner than in the past by federal, state and local government partners. I do not have the exact numbers in front of me of what the division plans

to bring in, but I can get that information. The division sends reimbursement information with each of these requests.

The division's issue is it is unknown when the reimbursements are coming. Right now, the bills need to be paid upfront. If the Federal Emergency Management Agency (FEMA) program offers assistance in paying for some wildfires that are declared through the Fire Management Assistance grants (FMAG), the division has to pay all that upfront in order to get reimbursed for 80% of costs. If it is Nevada's fire, the division has to pay up front to get reimbursed later through a cost share agreement with federal partners. The division looks at exact bills on hand, everything that has been adjudicated, and what is needing payment for fires regarding fire contractors or firefighters. The division then looks at how much it can draw on before working with federal partners that tell the division exactly what they think they are going to be able to pay and when. When the request is sent to IFC a couple of months in advance of the meeting, it provides a snapshot of exactly what the division expects to be reimbursed for and what needs to be paid out. I am almost always here before the Committee asking for more money.

The division starts out with \$4.5 million in cash and about \$22 million in authority in that account. The authority is based on a five-year average of expenditures, but the cash on hand is based on a five-year average of expenditures less reimbursements. That is why I am always coming to the Committee asking for more funds in order to pay the bills upfront to then get reimbursed later.

ASSEMBLYMAN O'NEILL:

The state is putting the money upfront and then the division will get reimbursed, and the division will then reimburse the state on the funds that are being provided to the division. Is that correct?

Ms. KC:

This is a complicated budget account. For some of these things, the division will get reimbursed so yes, it is a constant flow of money between the Committee and the division. The division does not get reimbursed for every dollar spent in the account. Some of these fires are Nevada's and the state owes the expenses on those fires. The division gets reimbursed for those that are approved through the FEMA FMAG program, up to 80% of the cost of the local government firefighters reimbursed through that program. The costs are usually split through cost share agreements according to acres burned. If the Forest Service burns 70%, it owns 70% of the overall costs. The division dumps into the bucket everything that has been paid up front, and then decides at the end who pays who. That is what takes time. Obviously, I would prefer to have the cash up front to pay the bills when considering the average costs that the division pays every year.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE
AGENDA ITEM G.84.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

85. Department of Conservation and Natural Resources - Division of Environmental Protection - Air Quality - FY 2023

Addition of \$54,750 in American Rescue Plan Act, Particulate Matter 2.5 (PM2.5) Monitoring Network grant funds to improve and maintain healthy air quality. Requires Interim Finance approval since the cumulative amount added to the PM2.5 Monitoring Grant category exceeds \$75,000. **Work Program #C62231**

Refer to motion for approval under Agenda Item F.

86. Department of Conservation and Natural Resources - Division of Environmental Protection - Air Quality - FY 2023

Addition of \$66,807 in Application Fees transferred from the Air Quality Management account and \$24,000 in Settlement Income transferred from the Air Quality Management account to complete contract obligations for the University of Nevada, Reno, and Nye County. Requires Interim Finance approval since the amount added to the Operating category exceeds \$75,000. **Work Program #C62341**

Refer to motion for approval under Agenda Item F.

87. Department of Conservation and Natural Resources - Division of Environmental Protection - Materials Management and Corrective Action - FY 2023

Addition of \$200,000 in Miscellaneous Program Fees transferred from the Hazardous Waste Management account and transfer of \$100,000 from the Reserve category to the Solid Waste category to provide contract authority for the data collection regarding the status of recycling and reuse within the state to meet reporting requirements pursuant to NRS 444A.070. Requires Interim Finance approval since the amount added to the Solid Waste category exceeds \$75,000. **Work Program #C62288**

Refer to motion for approval under Agenda Item F.

88. Department of Conservation and Natural Resources - Division of Environmental Protection - Mining Regulation and Reclamation - FY 2023

Transfer of \$6,886 from the Out-of-State Travel category to the Information Services category and \$48,929 from the Reserve category to the Information Services category to continue support for programming and maintenance of database projects and to fund a projected shortfall 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 #C62230**

Refer to motion for approval under Agenda Item F.

89. Department of Conservation and Natural Resources - Division of Environmental Protection - Water Quality Planning - FY 2023

Addition of \$242,013 in federal Environmental Protection Agency (EPA) Water Quality Management Planning grant funds to support implementation of Clean Water Act programs by performing water quality management planning activities. Requires Interim Finance approval since the amount added to the Federal Clean Water Act Section 604B EPA Grant category exceeds \$75,000. **Work Program #C61720**

Refer to motion for approval under Agenda Item F.

90. Department of Conservation and Natural Resources - Division of Environmental Protection - Water Quality Planning - FY 2023

Addition of \$46,978 in federal Department of Energy (DOE) grant funds transferred from the Environmental Protection Administration account to support water quality sample analysis as part of a statewide surface quality monitoring, sampling, and assessment program. Requires Interim Finance approval since the amount added to the DOE Grant category exceeds 10% of the legislatively approved amount for that category. **Work Program #C62268**

Refer to motion for approval under Agenda Item F.

91. Department of Transportation - Transportation Administration - FY 2023

Addition of \$467,575 in Sale of Oil and Gas revenue to cover an increase in costs associated with the resale of gas and oil to state and county agencies at fueling stations throughout the state due to increased fuel costs. Requires Interim Finance approval since the amount added to the Sale of Gas and Oil category exceeds \$75,000. **Work Program #C61967**

Refer to motion for approval under Agenda Item F.

92. Department of Transportation - Transportation Administration - FY 2023

Addition of \$820,000 in Highway Fund authorizations to cover a projected shortfall for in-state travel to support highway construction projects throughout the state for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the In-State Travel category exceeds \$75,000. **Work Program #C61977**

Refer to motion for approval under Agenda Item F.

93. Department of Transportation - Transportation Administration - FY 2023

Addition of \$847,229 in federal Transit Administration grant funds to align state and federal budget authority to support ongoing Transportation/Multimodal Planning projects throughout the state. Requires Interim Finance approval since the amount added to the Administrative Consultants/Other Federal Programs category exceeds \$75,000. **Work Program #C62331**

Refer to motion for approval under Agenda Item F.

- 94. Department of Transportation - Transportation Administration - FY 2023**
Addition of \$1,250,000 in Highway Fund authorizations to cover a projected shortfall for equipment for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Equipment category exceeds \$75,000. **Work Program #C62342**

Refer to motion for approval under Agenda Item F.

- 95. Office of the Military - FY 2023**
Addition of \$11,046,964 in federal Department of Defense grant funds to support activities and functions in the Army Facilities Programs. Requires Interim Finance approval since the amount added to the Army Facilities category exceeds \$75,000. **Work Program #C62445**

Refer to motion for approval under Agenda Item F.

- 96. Office of the Military - Division of Emergency Management - FY 2023**
Addition of \$452,812 in federal Hazard Mitigation Grant Program grant management funds to improve disaster mitigation plans. Requires Interim Finance approval since the amount added to the Federal Emergency Management Agency 4523 Hazard Mitigation category exceeds \$75,000. **Work Program #C62105**

Refer to motion for approval under Agenda Item F.

- 97. Office of the Military - Emergency Management Assistance Grants - FY 2023**
Addition of \$2,000,000 in Federal Emergency Management Agency Emergency Operations Center (EOC) Construction grant funds to improve emergency management and preparedness capabilities. Requires Interim Finance approval since the amount added to the EOC Construction category exceeds \$75,000. **Work Program #C62104**

Refer to motion for approval under Agenda Item F.

- 98. Department of Indigent Defense Services - Office of the State Public Defender - FY 2023**
Addition of \$78,122 in federal John R. Justice (JRJ) grant funds to continue to provide loan repayment assistance for local, state, and federal public defenders and local and state prosecutors who commit to continued employment as public defenders and prosecutors for at least three years. Requires Interim Finance approval since the amount added to JRJ Grant category exceeds \$75,000. **Work Program #C62060**

Refer to motion for approval under Agenda Item b.

- 99. Department of Agriculture - Nutrition Education Programs - FY 2023**
Addition of \$1,666,705 in federal United States Department of Agriculture, Local Food for Schools Cooperative grant funds to provide schools experiencing supply chain issues with funding needed to purchase food locally and in

neighboring states. Requires interim finance approval since the amount added to the Local Food for Schools category exceeds \$75,000. **Work Program #C62351. RECEIVED 1-5-23, AFTER THE 1-4-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item F.

100. Department of Agriculture - Commodity Foods Distribution Program - FY 2023

Addition of \$4,150,909 in federal United States Department of Agriculture, Local Food Purchase Assistance Cooperative grant funds to establish a state-supported food purchase and distribution program that will benefit local farmers, producers, families in need, and underserved populations. Requires Interim Finance approval since the amount added to Local Food Purchasing Assistance category exceeds \$75,000. **Work Program #C62001. RECEIVED 1-5-23, AFTER THE 1-4-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item F.

H. STATEMENT OF CONTINGENCY ACCOUNT BALANCE.

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

The Statement of Contingency Account Balance can be found in Volume II of the meeting packet under tab H, which begins on page 261 ([Exhibit B](#)). Before any actions of the Committee today, there is a total unallocated balance in the IFC Contingency Account of \$14.6 million. This is made up of three portions. The unrestricted General Fund portion is approximately \$3.47 million; the unrestricted Highway Fund portion is approximately \$1.6 million; and the restricted General Fund and Highway Fund portion is approximately \$9.6 million.

There are three requests before the Committee today to allocate funding from the unrestricted General Fund portion of the Contingency Account. The total dollar amount of those three requests is \$133,458. If all three items are approved, the remaining balance in the unrestricted General Fund portion of the Contingency Account will be \$3.2 million.

I would also note for the Committee's benefit that the Governor's recommended budget includes an appropriation of \$22 million in the current fiscal year to restore the balance of the unrestricted General Fund portion of the IFC Contingency Account. That request will go before the money committees when the 2023 Legislative Session begins to be reviewed and considered.

There was no further discussion on this item.

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

1. OFFICE OF THE LIEUTENANT GOVERNOR – Request for an allocation of \$31,960 for per diem and travel expenses of the Lieutenant Governor when traveling in an official capacity. **RECEIVED 1-5-23, AFTER THE 1-4-23 SUBMITTAL DEADLINE.**

MICHAEL DAYTON (Senior Adviser to the Lieutenant Governor):

Before the Committee is a request for \$31,960 to cover per diem expenses of the Lieutenant Governor during the 2023 Legislative Session. That figure was established in working with the Governor's Finance Office (GFO). Dan Marlow, Division Administrator, Administrative Services Division, Department of Administration, is available to answer any technical questions.

As the Committee can see in the memo, the prior Lieutenant Governor resided in Reno. When the new Lieutenant Governor was elected, there was not an allocation of funds to pay the per diem expenses associated with a Southern Nevada Lieutenant Governor.

CHAIR DONDERO LOOP:

As clarification, the prior Lieutenant Governor did live in Las Vegas, but the one before that did not.

SENATOR HARRIS:

Did I understand you correctly that the \$31,960 only represents a calculation for the per diem, or are there other things included in that figure?

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

It is for the travel and per diem: 120 days at \$114 per day for lodging, \$69 for meals. There is also a \$10,000 stipend that is also allowed for the Lieutenant Governor through NRS 218A.645 for presiding over the Senate.

ASSEMBLYWOMAN MONROE-MORENO:

The amount being requested today will not be in the Governor's recommended budget, correct? Will the requested amount cover everything needed for the next period?

MR. MARLOW:

This request is for the 82nd Legislative Session for FY 2023. Sufficient travel has been included in the adjusted base for the 83rd Legislative Session for FY 2025.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO
APPROVE AGENDA ITEM I-1.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

2. DEPARTMENT OF EDUCATION – Request for an allocation of \$1,330,540 to cover costs associated with the Infinite Campus System. **WITHDRAWN 1-3-23.**

3. DEPARTMENT OF INDIGENT DEFENSE SERVICES

- a) Request for an allocation of \$38,916 to reimburse Douglas and White Pine Counties for costs in excess of the maximum contribution amount for indigent defense services.

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

- b) Request for an allocation of \$62,582 to reimburse Elko and Humboldt Counties for costs in excess of the maximum contribution amount for indigent defense services.

Agenda Items I.3a and I.3b were discussed jointly.

MARCIE RYBA (Executive Director, Department of Indigent Defense Services):

I am here today to discuss Agenda Items I.3a and I.3b, which request an allocation of \$38,916 to reimburse Douglas and White Pine Counties, which are considered “*Davis*” counties (I will do a brief recap of what that means), and \$62,582 to reimburse Elko and Humboldt Counties.

As a quick reminder, in 2018 the American Civil Liberties Union (ACLU) sued the State of Nevada. It alleged that certain rural counties were not complying with the Sixth Amendment of the Constitution, which comes into effect if someone cannot afford to have an attorney and is charged with a crime and an attorney needs to be appointed for that individual. In response, the Nevada Legislature passed Assembly Bill (A.B.) 81 in 2019, which formed the Department of Indigent Defense Services, and set forth requirements that each county had to create a plan for the provision of indigent defense services and require that attorneys incorporate minimum standards in their representation. To assist with any increased expenses resulting from compliance with these minimum standards, the Board on Indigent Defense Services, with authority from the Legislature, created a maximum contribution formula. It is similar to a high deductible health care plan, once they reach a certain amount, anything over and above that amount can be requested for reimbursement.

In short, this request is to reimburse Elko, Douglas, Humboldt and White Pine Counties for increased indigent defense service expenses which were expended by the counties in FY 2022 to comply with A.B. 81 and that were over the counties' maximum contribution formula. To date, the state has successfully reimbursed over \$1.8 million to the rural counties, and this remaining request will make these counties whole.

ASSEMBLYMAN YEAGER:

I am curious about whether you think there are going to be any additional requests coming forth this fiscal year in terms of a need to reimburse beyond what is being requested today.

Ms. RYBA:

The requests before the Committee today are the remaining requests for FY 2022. Requests for FY 2023 have not yet been received. The reason these requests are coming in late is because attorneys have up to 60 days after the close of a case to submit their bills. Counties were contacting the department after the fact and saying they still have additional funding requests, and the department gave them extra time to submit their requests. These are the final requests expected for FY 2022. The department still expects there will be a request for additional funds for FY 2023.

ASSEMBLYMAN YEAGER:

I understand \$1.2 million was allocated in A.B. 494 (2021 Legislative Session). The reason the state is in this position now is that in a sense the \$1.2 was not sufficient, but I know there is *Davis* versus non-*Davis*. I noticed there is a contemplated supplemental General Fund appropriation of \$2.6 million in FY 2023 in the Governor's recommended budget. Can the department speak to that in terms of whether that will be sufficient and if it knows whether that is going to be a continuing appropriation or a budget item. I think after having this discussion multiple times, there is an attempt to develop a solution for the long term so the department does not have to come before the IFC every 45 days to ask for supplemental reimbursements. If you could speak to that, I would appreciate it.

Ms. RYBA:

Yes, the department has a supplemental appropriation recommended for FY 2023. In May of every year, counties reach out to the department with their expected spending amounts. The department took those amounts and subtracted their maximum contribution formula, and that is what the department requested in the supplemental appropriation. That amount, plus the \$1.2 million that the Legislature set aside, is expected to be sufficient for FY 2023. I would ask Amy Stephenson, Director, GFO, to answer any questions regarding future amounts.

AMY STEPHENSON (Director, GFO):

For the upcoming 2023-25 biennium, there is a one-shot appropriation of \$7 million over the biennium. The GFO is also going to submit a budget bill draft request that should be able to answer your question on this item.

SENATOR CANNIZZARO:

My continued frustration comes from the differing amounts requested from the IFC Contingency Account to fulfill costs, which has been a repeated discussion. There have been discussions about not having clarity on exactly how this money is being used. The Committee receives two sheets with different numbers for miscellaneous expenses versus attorney fees that do not match up and constantly seem to change. At the last IFC meeting, a discussion took place before the Committee approved additional funds for some of these counties that the Committee felt was appropriate, but with the conversation that there would be a process in place so that the department did not receive requests for additional funds after the fiscal year closed, and that indigent defense services would be built into the budget so the full Legislature could appropriate money to cover these costs so there are not regular requests for additional funds. At that meeting, when I asked for that to be part of the process going forward, my understanding was that to address the issue, it would be built into the regular budget so there could be a conversation about what was really needed in order to avoid requests after the fact and so that the state was not continuing to be in this position of having to come up with additional funds for recurring expenses. The Legislature needs to know about these requests for additional funds prior to coming before the IFC.

I am now hearing that there is a supplemental appropriation for the \$2.6 million that should cover the remainder of FY 2023. What assurances or details can you provide that this is going to be sufficient to cover unknown remaining expenses. Also, why are there two one-shot appropriations rather than having this built into the budget in order to plan appropriately? Lastly, what, if anything, is the department planning to bring before the money committees to ensure there is accountability about what the funds are covering and to avoid hearing about issues after the fact.

MS. RYBA:

The department is aware that the Committee wants better accountability from the counties. The Department of Indigent Defense Services is a very small agency with seven employees; however, the department has worked on educating the rural counties and clearly defined what constitutes indigent defense services. The department has worked with county leadership and has asked them to provide us with their county books to show exactly what expenses were for. One staff member in the department is responsible for reviewing those books and reaching out to the counties to ensure funding is being used to cover indigent defense expenses. The department is working closely with the rural counties. The counties have

been wonderful to work with and are giving the department everything requested.

Again, the department has heard this Committee loud and clear. The department is taking the Committee's concerns into consideration, watching what is being spent, and ensuring that indigent defense services are being provided.

Nevada is in a crisis regarding indigent defense services. There are a limited number of individuals doing this practice, especially in the rural counties. Costs are expected to increase because of travel costs from Las Vegas to Elko and the other rural counties due to lack of counsel. The department is hopeful the supplemental appropriation is enough. It is based on what the counties told the department they expect to spend. However, in unprecedented times like this when it is difficult to find counsel to cover these cases in many places that are local, the department is reaching out to attorneys across the state and asking them to come to different counties to provide that representation, which is more expensive than in the past.

MS. STEPHENSON:

As far as the one-shot appropriations for the \$3.5 million in each year, the current administration wanted to allow the Department of Indigent Defense Services more flexible access for those monies to pay bills on a regular basis since the Board of Examiners (BOE) meets monthly. The intent of these one-shot appropriations is for the requests to be approved by the BOE to be able to pay bills. Thus, the goal is for the Legislature to approve the allocation and then the department would have to go to the BOE to request the funds.

SENATOR CANNIZZARO:

It does answer my question as to why it was put in as a one-shot request. I think there may potentially be some disagreement over whether that is the most efficient way to fund an agency that is designed for the purpose of providing these services. I do not want anyone to mistake my questions with either not wanting to provide indigent services, not finding value in those services, or not understanding the complications of trying to find competent counsel willing to take on these cases and being able to travel to rural parts of the state. Obviously, we as a state have an obligation. The Legislature believes that we absolutely have a duty to provide those services. However, I think from a budgeting standpoint, we need to know what it costs, and what it costs is what we as a state are obligated to provide. I think that the *Davis* decision is pretty clear that that is an obligation that we have as a state to ensure that competent indigent defense services are available, but it makes it very difficult to do that when everything feels very after the fact and there is a lack of information about how the money is being spent and whether it is enough.

I do not have any particular issues with the specific request today. However, from my perspective, this should not be a one-shot appropriation where it will be approved and then we find everyone back at an IFC meeting having the same conversations. This is not specific to you, Ms. Ryba. I know you are dealing with a lot of counties that are trying to put systems in place, which is another discussion we have had. I think we need to do a better job of ensuring those systems are in place so there is more predictability in the budgeting process and a proper amount of funding is allocated, instead of putting the state at risk and allowing your agency to operate without having to continue to have this conversation with the IFC. That is my concern. We have a legislative session coming up so I am sure we will have more conversations about what that should look like.

SENATOR NGUYEN:

Thank you for that presentation. I can tell you as a practitioner in this area, I used to accept these state indigent cases. Prior to the formation of the Department of Indigent Defense Services in 2019, it was horrible; we would provide services and not get paid. I can only imagine how much worse it was in the past, so I appreciate the work that you have done over the past four years in bringing the office up to speed.

I know that you have been working a lot with the rural counties to get them educated on the new process and procedures and requirements, and I know that you have very limited staff. Can you explain some of the staffing issues that you might have in covering the vast majority of the rural parts of the state.

MS. RYBA:

The department does have a very small staff. It is comprised of myself, two Deputy Directors, and two Management Analysts. The department also has an Executive Assistant and an Administrative Assistant. What recently added a large increase in workload for the agency was Assembly Bill 480 (2021 Legislative Session). One of the biggest things the department is required to do in Sixth Amendment representation is provide separation from the judiciary. Historically, public defenders would have to ask judges for funds to hire an expert or conduct an investigation, unlike prosecutors who normally do not have to ask for funding. When selecting attorneys, if there is a conflict for a public defender, it would be the judge making the decision. However, it has been recommended that it is an appearance of impropriety for the judiciary to be making these decisions and playing a role in these cases. Thus, the 2021 Legislature passed Assembly Bill 480, which provided additional duties to the department to select counsel in the rural counties, and also to approve these requests for indigent defense services expenses for experts and investigators. The department has worked with the rural counties to provide designees. However, in some cases like those in Elko, for example, the county had nine public defenders. Two of the public defenders left to go to an urban county and one of them passed away so the county's workforce reduced by a third. They are

conflicting off of 55 cases a month in Elko County, and there are insufficient numbers of attorneys that are going there. Elko has taken to paying \$150 per hour if anyone is interested in taking these cases. The department is encouraging people to take those cases because we need to promptly help these individuals that are facing these charges. It is a priority of the department to get these cases assigned to an attorney very quickly to pay the bills, as Senator Nguyen mentioned. As soon as the department gets a bill, the agency tries to process it the same day because it is the attorneys' livelihood. Thus, the department processes the bills as quickly as possible and turns them over to the county for prompt payment. These additional duties were taken on by the department and it has taken a substantial amount of workload.

The department is required to provide oversight. The department has a *Davis* monitor that is watching what the department is doing. She would like us to have individuals that can go to courtrooms across every rural county and watch what is going on. However, with a staff of three, it is not realistic for the department, especially when working with county leadership to just get representation for cases.

Those are some of the department's current struggles. However, the department has achieved some great things, such as providing free training, including in-person training, and hopes to connect all public defenders across the state to ensure representation and provide those services in the rural areas where the assistance is really needed.

SENATOR NGUYEN:

Is it fair to say within those seven individuals in your office, the same people are training attorneys, trying to observe attorneys in court, handling accounting issues, selecting and distributing attorneys throughout the state, and also recruiting attorneys?

Ms. RYBA:

Yes. The department is also reviewing the county quarterly billings to ensure they are accurate. The department is doing the best it can with very limited staff.

SENATOR TITUS:

To me, listening to this budget after listening to the Forestry Division budget, it is similar in some ways. It is difficult to predict how many forest fires the state will experience; thus, the Committee is continually backfilling expenses. Similarly, it is difficult to predict what events are going to occur and what the charges and costs to defend an individual will be. It is not a surprise to me that the department cannot predict the costs. Indigent defense will span the whole pendulum of cases. I understand and appreciate what the department is doing with limited staff. To me, the whole *Davis* decision that left out certain counties was because those counties were not involved in the suit because they were doing their job. I do not

want to penalize those counties that were not involved in the suit because they did a good job. I think they should also be reimbursed. Thank you for what you are doing for the rural areas.

SENATOR GOICOECHEA:

The rural areas are trying. Not many attorneys want to work for \$150 an hour when it is -20 degrees. That is the bottom line. They are not going to travel to Elko and take on a case like this. It is difficult to predict what kind of events are going to occur in a rural county. I have received calls from Humboldt County needing \$40,000. The state has to provide a service per the court. I do not see where there is any argument.

ASSEMBLYWOMAN KASAMA:

I wanted to follow up on the comments about Elko where there were nine attorneys and for various reasons now there are six. Is the department required to get an attorney from Las Vegas, for example, or could the department increase the number of cases for the remaining six? I am trying to figure out what the requirement is and the cost to the state.

MS. RYBA:

The department is in the process of creating a workload standard. That is one of the requirements of the *Davis* stipulated consent judgment. The department has contracted with the National Center for State Courts, and at the end, the department is hoping there will be a recommendation of how many cases an attorney can handle, and then the agency will know exactly how many attorneys are needed for each county. Currently, there are some outdated standards, which is what Elko County is citing to get off the cases because the county does not have the staff to be able to do that. My understanding is that Elko County salaries, while comparable to the Elko district attorney's office, are substantially lower than in the urban counties. We are seeing the squeezing of the balloon of a limited number of indigent defense counsels that can provide these services and they are being taken from one county to another to provide these services for the county that is paying the most money. We are seeing the struggle at this point in time, and the department cannot necessarily increase the workload because people are entitled to competent counsel. Attorneys must have sufficient time to represent the individual fully, which is a requirement of the Sixth Amendment. Thus, the department cannot necessarily increase workload. It appears that public defenders are already overworked in Elko County. Instead, the department is working with county leadership and encouraging them to have a secondary source of representation. My understanding is that Elko County is working to have contracts with local attorneys so that they can automatically become the conflict attorney when the need arises. These are things that are currently set up, but to require it would need to be done by regulation. The department is working on good faith with the county to try and get these contracts in place.

ASSEMBLYMAN HAFEN:

I agree with just about everything that has been stated today, including Senator Cannizzaro's comments that it is frustrating to continually have the same conversations. My understanding is that part of the problem is there has been an increase in crime as well as many attorneys leaving the rural counties, which has increased the burden. Nevada is seeing caseloads for indigent public defenders of double and triple the caseloads that the Supreme Court decision required. I understand it is statewide; there is a shortage of staff statewide. Is the state putting itself in jeopardy regarding the settlement it entered into with the ACLU in the *Davis* case by not addressing this?

Also, please make sure this is brought forward for more funding during the next legislative session.

Ms. RYBA:

I cannot really speak on the settlement because I do not represent either side. I am just working as was requested by the state to try and bring the state into compliance. What can the state do in the future? More funding is always appropriate. I heard at a hearing this morning where they are asking about working with the University of Nevada, Las Vegas' (UNLV) William S. Boyd School of Law to encourage attorneys to come into the rural counties. I looked it up and only 6 attorneys from a graduating class of 138 students actually went into government in their first year. This year, the department was able to successfully obtain a grant from the state bar to provide a \$6,500 stipend to pay a student from Boyd School of Law to come to a rural county for ten weeks in the summer, for which they could receive credit if desired. The department is trying to introduce them to what it is like in the rural areas to show them the benefit. Unfortunately, that funding source is no longer available because the agency must be a nonprofit to qualify for future funds from the state bar. This will be the last summer for that program; however, the department is working with Boyd School of Law to see if there are any other options.

ASSEMBLYMAN O'NEILL:

As I understand, Carson City is also part of this indigent fund program, correct?

Ms. RYBA:

Correct.

ASSEMBLYMAN O'NEILL:

What is Carson City doing so differently from the other counties where the city is not asking for reimbursements?

MS. RYBA:

The maximum contribution formula is based off county funding for FYs 2018 and 2019. Carson City reported funding for both of those years on a quarterly basis. This is all based off county reporting. Historically, Carson City has used the state public defender to provide these services, so that has been a consistent cost. There was not a great increase in expenses for Carson City because it did not have to change its system or model in any way. The counties where there are extra costs are those that are hiring more personnel or have extra expenses for some reason. For example, some counties have created a public defender's office or added a number of contracts that they did not have previously. It is based on historical funding and what they are reporting.

ASSEMBLYMAN O'NEILL:

Why not take what Carson City is doing and put it out to these other counties to model after to either reduce costs or at least have an expected amount of fees.

MS. RYBA:

I think the key to A.B. 81 is county choice. The department works with counties to support how they would like to provide indigent defense services. There are three ways to provide indigent defense services in Nevada:

- 1) Form a county office. For example, Elko has a county office where county public defenders are paid through the county;
- 2) Opt into the Nevada state public defender, which Carson City has done, for which part of that expense falls on the state because of certain jobs that the public defender performs for the state; or
- 3) Hire contract attorneys to cover this representation.

Carson City uses the state public defender for primary representation, and then the city contracts with three independent attorneys to provide conflict representation. Since the inception of the department, Carson City has not changed how it provides these services. The city did increase costs paid to indigent defense providers, but it is still the same system, and Carson City has not exceeded its maximum contribution formula based on reporting.

Using Carson City as a model could be a possibility, but A.B. 81 now provides for that choice by allowing counties to tell the department how they would like to provide those services. As long as it complies with the minimum standards, the board has approved those requests.

ASSEMBLYMAN O'NEILL:

I appreciate that. I will say this, if the state is giving the counties the money, the state should be able to dictate how they conduct their business. If the state finds a better model that works and saves money, the state should look at instituting that model.

SENATOR TITUS MOVED TO APPROVE AGENDA ITEMS
I.3a AND I.3b.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE
MEMBERS PRESENT.

- J. REQUEST FOR APPROVAL TO ACCEPT GIFTS AND GRANTS PURSUANT TO NRS 353.335 - STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES** - Division of ~~Water Resources~~ *Environmental Protection* - Request for approval to accept grant funds from the U.S. Environmental Protection Agency, Safe Drinking Water Revolving Fund in the amount of \$14,391,330 to continue to provide loans to drinking water facilities throughout Nevada. **REVISED 1-3-23.**

JENNIFER CARR (Deputy Administrator, Division of Environmental Protection, DCNR):

In accordance with NRS 353.335, the IFC is required to approve the division's federal grant because it is over \$150,000. The division is seeking approval to receive \$14,391,330 in U.S. Environmental Protection Agency grant funds for the Safe Drinking Water State Revolving Fund. This is bipartisan infrastructure law funding, and the division is very excited to have supplemental funding to put into the program for drinking water infrastructure.

ASSEMBLYMAN DICKMAN MOVED TO APPROVE
AGENDA ITEM J.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

- K. GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT** - Request for approval of transferable tax credits to Redwood Materials, Inc., pursuant to NRS 360.889(4).

BOB POTTS (Deputy Director, Governor's Office of Economic Development [GOED]):
Joining me is your former colleague, Don Tatro, now representing Redwood Materials, Inc., who is available to answer questions about the company. Also joining me is Melanie Sheldon, Executive Director for Business Development, GOED, to answer detailed questions.

GOED and Redwood Materials request IFC approval of transferable tax credits as part of the Redwood Materials \$1.0 billion investment, abatement and incentive package. Redwood Materials was approved for the aforementioned package at the GOED board meeting on December 1, 2022. Senate Bill 410, as introduced in the 2019 Legislative Session, requires approval of the IFC before certain tax credits can be issued for a \$1 billion project. Pursuant to NRS 360.889, GOED must submit a written request to the IFC for approval of the issuance of the transferable tax credits.

As background, Redwood Materials is building a large-scale battery materials facility in Storey County. The company recovers more than 95% of the metals including nickel, cobalt, lithium, and copper from recycling expired batteries and obsolete technology to remanufacture into new anode and cathode materials. These materials are then supplied back to United States battery cell manufacturers instead of them having to rely on foreign suppliers, 84% to 85% of which are currently manufactured in China.

When the facility comes online, it will be the first time these critical battery materials, which account for 65% of the cost of the battery, have been manufactured at scale in the United States. Redwood Materials' mission is to build a circular supply chain to power a sustainable world and accelerate the reduction of fossil fuels. This focus is critical to the future of transportation and the electric grid while addressing clean energy storage, climate change and national security.

With this brief background on the value that this operation brings to Nevada and its economy, GOED and Redwood Materials respectfully requests the Committee's approval of transferable tax credits of 9,500 employees for each qualified employee hired. This incentive program is set to sunset on June 30, 2025.

SENATOR TITUS:

I am curious about the process. I have never been shy about sharing my frustration over tax abatements, which I have never supported, and I will not support this one. There are other companies in the same business, such as Aqua Metals. Can Redwood Materials' economic model be sustained without the government support of tax abatements, or will the company always require government assistance?

MR. POTTS:

I will first address Aqua Metals. We have worked with that company in the past. I am going to turn it over to Melanie Sheldon to provide further information.

MELANIE SHELTON (Executive Director for Business Development, GOED):

Aqua Metals is a clean smelting operation. The company has a recycling component, but it is different to Redwood Materials as Redwood Materials is actually recycling and manufacturing a component that is predominantly done in communist China currently. Aqua Metals is a fantastic operation that is doing amazing things. However, Aqua Metals' operations are quite different from Redwood Materials.

DON TATRO (Director of State and Local Policy, Redwood Materials, and former Nevada State Senator [2021-2022]):

As far as government subsidies and the like, obviously this helps the company get up and going. Redwood Materials wants to have a clear and defined presence in Nevada with California as one of the largest consumers of electric vehicles and Nevada with a significant amount of lithium activity, provided in that, Redwood Materials is eager to be a part of it. Redwood Materials is competing, as was mentioned, with nations that have substandard human rights and labor practices. Thus, every dollar matters, especially in bringing these supplies here in this closed loop supply chain. As far as being profitable, Redwood Materials anticipates being profitable once fully up and running and the tax incentive helps the company get there quicker. It also makes Nevada more attractive for Redwood Materials as the company has had competition from other states and has another facility on the East Coast.

SENATOR TITUS:

Without these transferable credits, will Redwood Materials be able to do business in Nevada?

MR. TATRO:

Redwood Materials stresses that every dollar is committed to the state. The company headquarters and our families are located in Nevada. Redwood Materials wants to do as much business as possible. Would it have an impact in scaling up or down, increasing or decreasing? Absolutely. Dollar for dollar, if Redwood Materials can stretch dollars further in other areas, it would, but the company is eager to continue business in Nevada. Redwood Materials produces copper foil, the first time ever in the United States, and provides it to a local partner. I would love to see that continue and supported by the state.

SENATOR TITUS:

Thank you for that. To be clear, I support the renewable industry component of this and absolutely would prefer that the state's lithium is produced in Nevada, whether it is recycled or produced here. However, my concern is the cost of the recycling and the economic component. I am wondering about the company on the East Coast. Is that location operated under a business model where the company has received some assistance?

MR. TATRO:

Redwood Materials has a facility on the East Coast and the company recycles. As mentioned, the company can take everything from cell phones to electric toothbrushes, to electric battery vehicles; anything that plugs in and holds a charge. The company recently completed a one-year pilot study in California where Redwood Materials received more than 190,000 kilograms of battery packs and recycled them. That is roughly 1,300 cars. As more of these electric vehicles come out of commission, Redwood Materials is able to then capture those components again. Thus, the company anticipates these activities to be fully profitable once it is fully operational.

SENATOR TITUS:

It is not the recycling that I have the issue with, it is the transferable credits.

CHAIR DONDERO LOOP:

With a company comes the workers and the families and the need for schools. What is being done to help those schools? Where is the investment in the community to help those schools handle the influx of families? I had the same question of Tesla.

MR. TATRO:

Fortunately, I am proud to say that Redwood Materials has been able to hire 75% of its employees locally. The company already has over 600 employees headquartered in Carson City, with others at the Tahoe-Reno Industrial Center and is looking to partner more with the universities and colleges in Southern and Northern Nevada to bring in more employees directly into the company. Redwood Materials is pushing for a local hiring practice. The company is also going to be a great community partner for schools. Redwood Materials is already looking to the schools for a variety of partnership opportunities. One goal is to help get more kids into engineering, specifically chemical engineering, because Redwood Materials needs as many chemical engineers as possible. Through this abatement package, the company will also be paying over \$200 million in taxes, state and local. This is not a zero percent abatement package.

Also, if anyone wants a tour, Redwood Materials would be more than happy to provide one.

SENATOR NEAL:

Of the \$2.1 million, how much in personal property tax, real property tax, sales tax, etc. will be abated for this project? I am assuming you are going the full length of this legislation. For everyone's recollection, Redwood Materials is using the Faraday language. This language has not been used previously, but now it is being triggered for this.

MR. TATRO:

Today, Redwood Materials is here for the employee tax credits only, not the abatements, which have already passed.

ASSEMBLYWOMAN KASAMA:

Thank you for this information and your presentation. When it goes through GOED, you must show that the economic output and benefit to the state will exceed the tax abatement credits that you are receiving, correct?

MR. TATRO:

Yes, absolutely. Redwood Materials is looking at an impact of almost \$6.5 billion through the state, among other things. GOED has done a full economic impact analysis and I believe that was provided to the Committee. If not, I would be happy to provide the information.

ASSEMBLYWOMAN KASAMA:

Redwood Materials is looking at a \$6.5 billion output and benefit to the state and asking for up to \$38 million in tax abatements.

MR. TATRO:

No, Redwood Materials is not asking for \$38 million in abatements. That is the maximum allowed under the law for any company. I believe before the Committee today is a request for \$2.1 million that was submitted through the economic impact analysis that was completed at the time of application, which was April 7, 2022. Since then, Redwood Materials has brought on significant partners. President Biden passed the Inflation Reduction Act of 2022, which put a lot more weight behind what Redwood Materials is doing and an emphasis on this as a national security and economic security point. Today, Redwood Materials could go upwards of 1,500 employees and easily meet that, but before the Committee is only 701 employees, and I think the total abatements of the \$2.1375 million before the Committee would be 215 or 225 employees, which the company would already surpass.

ASSEMBLYWOMAN KASAMA:

What is the total number of employees expected once the company is up and running?

MR. TATRO:

Currently, I would say 1,400 employees given the company's new partnerships. In the package and the analysis, Redwood Materials wanted to be very conservative, and obviously a lot has changed since April; therefore, Redwood Materials will be looking at 1,400 employees in Nevada that will provide 100 gigawatt hours of battery materials, which in turn would make one million electric vehicles, which is 2.5 giga factories.

ASSEMBLYWOMAN KASAMA:

I certainly support this. Any time production, manufacturing and mining can take place in the United States vs. overseas is something that should be supported.

SENATOR GANSERT:

I wanted to ask specifically about the transferable tax credits. Redwood Materials is asking for a number of employees at \$9,500 each, and the employees must be paid at least \$22 per hour to qualify. How much does Redwood Materials anticipate paying these types of workers for which the company is requesting credit? Also, how much will be spent on training for the types of positions requested today?

MR. TATRO:

Currently, the average hourly wage is \$32 per hour or more; therefore, Redwood Materials would far surpass the requirement.

SENATOR GANSERT:

The credit is for \$9,500, which is a tax credit. How much does training cost per individual employee for these types of positions?

MR. TATRO:

I apologize for not being able to answer that question accurately because Redwood Materials is looking at different partnerships for different skill levels, which includes the universities, community colleges and trade schools, as well as a partnership with Western Nevada College to help with training. How Redwood Materials shares the cost or what portion of that expense is covered by the company is undetermined. However, it would be significantly more than \$9,500 per employee though. Just onboarding, safety training, etc. is significantly more than \$9,500 per employee for these Nevada residents that would qualify.

SENATOR GANSERT:

Regarding those partnerships, it sounds like some of the funds will come back to educational institutions within the state. I wanted to circle back to Chair Dondero Loop's question about education. I believe Redwood Materials still pays the Local School Support Tax (LSST), which was carved out some years ago. When looking at taxes such as the sales tax exemption, the piece that would go directly to education is not exempted from that, correct?

MR. TATRO:

That is correct. Redwood Materials will be paying that, and it will go to the schools. The company is also partnering in a variety of ways with local schools. It has been found that fifth grade and up benefit the most from tours, getting students involved in Science, Technology, Engineering, and Math (STEM) education. Redwood Materials is looking to partner with schools for consumer recycling participation, such as bringing in old cell phones, electric toothbrushes, etc., which is a hands-on experience. The company is aiming to really be a partner in the community and reach as far as possible as the company gets that up and running and is also partnering with large retail stores in their recycling programs. To say Redwood Materials are partners is an understatement. I think Redwood Materials will be a significant resource and partner to schools in a variety of ways and show many kids and future leaders what a great path this would be, and that graduates can remain in Nevada for a great paying job.

SENATOR GANSERT:

I appreciate Redwood Materials bringing jobs to the State of Nevada, and I appreciate that Nevada is going to be part of the closed loop supply chain for these types of materials, and that the state is competing nationally and maybe internationally on some of these recycling or reuse methods that are being brought forward.

ASSEMBLYWOMAN DICKMAN:

On these transferable taxes on the employees, while some of the other abatements go through 10 or 15 years, is this only for 2 years?

MR. TATRO:

Correct, under the *Nevada Revised Statutes*, the transferrable tax credits expire June 30, 2025.

ASSEMBLYWOMAN DICKMAN:

Could Redwood Materials come back to ask for that again under this program?

MR. TATRO:

Yes, I believe so. However, after the tax credits expire, statute wise, a bill would have to be passed through the Legislature, so then it would not be an option.

ASSEMBLYWOMAN BROWN-MAY:

Following up on the Senator's line of questioning relative to hourly wages, I want to make sure that it is on record that Mr. Tatro has stated Redwood Materials has an hourly wage of \$32 per hour. The Committee would anticipate that none of Redwood Materials' employees would then access other state services like Medicaid. All the employees would be receiving living wages and appropriate benefits.

MR. TATRO:

Yes, that would be the hope. I cannot answer that 100%, but Redwood Materials also provides a significant amount of benefits, which is currently 75% of all health care for the employee and their dependents as well as a variety of other benefits. I think the company is very competitive. Redwood Materials is bringing great jobs to the region and into the state, and fostering this closed loop circular supply chain. I think it would be great for the state to be at the forefront of it.

ASSEMBLYMAN O'NEILL:

If Redwood Materials' request is approved today, when would the tax credits be issued and in what fiscal years would they be utilized?

MR. TATRO:

I believe if the request were for the \$2.1375 million, the tax credits will be fairly immediate in the sense that Redwood Materials will reach the employee requirement because the company has advanced so quickly through production. The 215 to 225 employees would be surpassed quickly.

ASSEMBLYMAN O'NEILL:

You would anticipate in the next fiscal year then?

MR. TATRO:

I do not believe that Redwood Materials would be able to complete the contract with the state through the abatement package and get that completed this fiscal year so it would probably be next fiscal year.

SENATOR NEAL:

I just want to get a clarifying statement on the record. Mr. Potts, can we talk about the GOED process and how the agency has already approved the abatement side of this, and put the numbers on the record on what is actually abated for real property, sales, and other? Yes, Redwood Materials is here for the transferable tax credits, but in December, GOED already moved the needle on this because the Committee is not needed for that part. Please provide the details on how much this project is going to abate.

MR. POTTS:

At the December 1, 2022, GOED board meeting, the board approved \$46,566,432 in the sales and use tax. That was ratified last week at a special board meeting to pull out the LSST portion so the sales and use tax is now \$21,602,984. The modified business tax is 75% for ten years, which is \$2,797,918. Personal and real property tax abatement is \$54,113,232, and this transferable tax credit portion before the Committee today is for \$2,137,500.

SENATOR NEAL:

So, roughly \$80 million?

MR. POTTS:

Correct.

ASSEMBLYWOMAN MONROE-MORENO:

I am interested to know, if the transferable tax credit request were to fail today, how would that impact Redwood Materials since the company has already received the abatement on so many other things.

MR. TATRO:

I do not know directly and do not have an answer. Redwood Materials wants to be supported by the state and move forward with this project and is already under production with the copper foil, which will continue. If it were to adjust increasing with a faster production schedule in another facility, that is a possibility. I am not saying it is going to happen, but it could happen.

ASSEMBLYWOMAN MONROE-MORENO:

In your answer, you said Redwood Materials would like to be supported by the state. I would say that the state has already supported the company with the abatement of the personal and real property tax, the modified business tax, and the sales and use tax, 2 of them for 10 years and the third for 15 years. I would say the state has generously supported Redwood Materials. How would this \$2 million affect the company's decision not to come here, and how would you justify saying the state was not providing support?

MR. TATRO:

I apologize for anything that indicated that Redwood Materials is not thankful for the state's support. As I started earlier, every dollar counts. Redwood Materials is competing internationally, through a variety of practices around the world, and is the only company producing these battery materials. Redwood Materials looks at this as every penny counts and that is how the company moves its operations forward. Redwood Materials is very thankful for all the support that has been received and hopefully the continued support. I misspoke and would like to have a retry on that.

ASSEMBLYWOMAN MONROE-MORENO:

I agree with you that every penny counts, and every penny counts for us as a money committee as well.

ASSEMBLYWOMAN KASAMA MOVED TO APPROVE
AGENDA ITEM K.

SENATOR GANSERT SECONDED THE MOTION.

THE MOTION PASSED. (Senator Titus and Assemblywoman Anderson
opposed the motion.)

- L. REQUEST FOR TRANSFER FROM THE INTERIM FINANCE COMMITTEE'S
ACCOUNT FOR FORECLOSURE MEDIATION ASSISTANCE PURSUANT TO
NRS 107.080(13)(b) - Request for the transfer of \$107,965 to Home Means
Nevada, Inc. for support of the program for foreclosure mediation. REVISED 1-5-23.**

PERRY FAGAN (President, Home Means Nevada, Inc.):

I am here to request continuing financing of \$107,965 from the Account for
Foreclosure Mediation.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO APPROVE
AGENDA ITEM L.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS
PRESENT.

M. 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):

I am here to provide the Committee the informational report on the Home Means Nevada Initiative, which is a \$500 million investment in affordable housing throughout the state using American Rescue Plan Act (ARPA), State and Local Fiscal Recovery Funds.

This is a report that the division has provided in the past, but unfortunately, the information the Committee has is not updated; therefore, I will provide a verbal update on what has transpired since the report was last provided.

I am happy to report that the first project closed last week, so funds are going to start moving. The project was the Ridge at Sun Valley, which is a 195-unit affordable development in Sun Valley in Northern Nevada. I wanted to let the Committee know that the division has created a synergy within the GFO and the group that overlooks the ARPA funds to establish the process of how the funding will be received and disbursed. The group is comprised of Shauna Tilley, Brenda Berry, Casey VanPatten, and others, and I cannot thank them enough. The division has a weekly call with the GFO, or as needed, in creating that synergy. The GFO has been awesome to work with. The division has provided agreements to nearly every recipient, and those agreements are being worked through.

I will say having the first project go “over the curb” created some unanticipated obstacles, but ultimately, those obstacles were overcome and created a pathway to get more projects completed. The first project over the curb is always the most difficult.

The other thing that I will mention, which was brought up in a previous meeting earlier today, was the availability of bond cap. The availability of bond cap to the division to support these projects was a limiting factor in determining the awards during the preliminary process. With some expanded bond cap capacity to provide support to these projects, the division can do a deeper dive into some of the projects that did not receive preliminary awards. The division is evaluating that as it works through the process.

SENATOR GANSERT:

Page 315 of Volume II of the meeting packet ([Exhibit B](#)) shows that some of the projects are being constructed by out-of-state developers. Often there is a preference in statute for in-state contractors, manufacturers, etc.; however, it does not look like that was considered when the scoring system was developed. Is that accurate?

MR. AICHROTH:

The division did not put any limits concerning whether community developers must be in-state developers. This first project was done through a Colorado development company. I think there are only two that are currently out-of-state developers.

SENATOR GANSERT:

I think that is something that should be kept in mind whenever there is a substantial amount of money to award in that the state may give preference to those that are in-state contractors.

ASSEMBLYWOMAN MONROE-MORENO:

You said only two are out-of-state contractors. I know there are also in-state contractors and developers. Do you know how many of each there are?

MR. AICHROTH:

I believe there are 51 awardees, some of which were duplicates, such as Southern Nevada Regional Housing and the Reno Housing Authority; however, there were 51 individual awards.

ASSEMBLYWOMAN MONROE-MORENO:

The vast majority of those awards were to local Nevada businesses.

MR. AICHROTH:

That is correct.

There was no further discussion on this item.

N. INFORMATIONAL ITEMS.

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

No items have been identified for additional discussion under Agenda Item N.

- 1) OFFICE OF THE GOVERNOR - Governor's Office of Finance - Special Appropriations - Nevada Center for Civic Engagement - Report of expenditures for the period October 15, 2021, through December 1, 2022, pursuant to Assembly Bill 355, Section 2(2)(a) (2021 Legislative Session).

There was no discussion on this item.

- 2) DEPARTMENT OF ADMINISTRATION - State Public Works Division - Information regarding the Project Status Exception Report pursuant to NRS 341.100(8)(g).

There was no discussion on this item.

- 3) NEVADA DEPARTMENT OF EDUCATION
- a) Quarterly reports on Class-Size Reduction variances pursuant to NRS 388.700(5).
 - 1) For the period ending March ~~30~~**31**, 2022, of the 2021-2022 school year. **REVISED 1-4-23.**
 - 2) For the period ending June 30, 2022, of the 2021-2022 school year.
 - b) Report on the expenditures by the Leadership Institute of Nevada (formerly known as the Clark County Public Education Foundation, Inc.) for the implementation and operation of educational leadership training programs through June 30, 2022, pursuant to Senate Bill 458, Section 8(8)(a) (2021 Legislative Session).
 - c) Report on the impact of transferring certain state K-12 categorical programs into the Pupil-Centered Funding Plan (letter of intent, 2021 Legislative Session). **RECEIVED 1-10-23, AFTER THE 1-4-23 SUBMITTAL DEADLINE.**
 - d) Report on plans to address learning loss and information relating to 2021 summer school programs pursuant to Senate Bill 173 of the 2021 Legislative Session. **RECEIVED 1-13-23, AFTER THE 1-4-23 SUBMITTAL DEADLINE.**

There was no discussion on these items.

- 4) DEPARTMENT OF HEALTH AND HUMAN SERVICES - Division of Public and Behavioral Health - Annual report on the usage of the 988-hotline pursuant to NRS 433.710(1). **RECEIVED 1-18-23, AFTER THE 1-4-23 SUBMITTAL DEADLINE.**

There was no discussion on this item.

- 5) DEPARTMENT OF CORRECTIONS - Notification and transition plan for the temporary closures of the Warm Springs Correctional Center and Tonopah Conservation Camp due to safety issues arising from critical staffing shortages. **WITHDRAWN 1-17-23.**
- 6) 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 ~~November 30, 2022~~ **December 31, 2022.** **REVISED 1-3-23.**

There was no discussion on this item.

- 7) DEPARTMENT OF TRANSPORTATION - Annual report on the plan for measuring performance of the Department of Transportation for the period ending December 31, 2022, pursuant to NRS 408.133(2)(b)(2) and, as required by NRS 244A.638(2)(b), an annual report on all projects undertaken with the money deposited in the State Highway Fund pursuant to NRS 244A.637. **RECEIVED 1-5-23, AFTER THE 1-4-23 SUBMITTAL DEADLINE.** THE ANNUAL REPORT IS ON FILE IN THE FISCAL ANALYSIS DIVISION AND IS AVAILABLE FOR REVIEW UPON REQUEST.

There was no discussion on this item.

- 8) DEPARTMENT OF SENTENCING POLICY - Annual report on the statement of the amount of costs avoided by enactment of Assembly Bill 236 (2019 Legislative Session), pursuant to NRS 176.01347(2).

There was no discussion on this item.

- 9) 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 September 30, 2022.

There was no discussion on this item.

- 10) DEPARTMENT OF ADMINISTRATION - State Public Works Division - 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 December 31, 2022 (letter of intent, 2021 Legislative Session). **RECEIVED 1-18-23, AFTER THE 1-4-23 SUBMITTAL DEADLINE.**

There was no discussion on this item.

O. PUBLIC COMMENT.

There was no public comment.

P. ADJOURNMENT.

Chair Dondero Loop adjourned the meeting at 3:29 p.m.

Senator Marilyn Dondero Loop, Chair
Interim Finance Committee

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