

MINUTES OF THE DECEMBER 13, 2023  
MEETING OF THE  
INTERIM FINANCE COMMITTEE

Chair Daniele Monroe-Moreno called a regular meeting of the Interim Finance Committee (IFC) to order at 10:03 a.m. on December 13, 2023, 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:**

Assemblywoman Daniele Monroe-Moreno, Chair  
Senator Nicole Cannizzaro  
Senator Pete Goicoechea  
Senator Roberta Lange for Senator Marilyn Dondero Loop, Vice Chair  
Senator Dina Neal  
Senator Rochelle Nguyen  
Senator Heidi Seevers Gansert  
Senator Pat Spearman for Senator Dallas Harris  
Senator Robin Titus  
Assemblywoman Natha Anderson  
Assemblywoman Shea Backus  
Assemblyman Max Carter for Assemblywoman Tracy Brown-May  
Assemblywoman Lesley Cohen for Assemblywoman Sarah Peters  
Assemblywoman Jill Dickman  
Assemblywoman Cecelia González for Assemblyman Howard Watts  
Assemblywoman Michelle Gorelow  
Assemblyman Gregory Hafen II  
Assemblyman Gregory Koenig for Assemblywoman Heidi Kasama  
Assemblywoman Brittney Miller for Assemblywoman Erica Mosca  
Assemblyman Duy Nguyen for Assemblywoman Sandra Jauregui  
Assemblyman Philip P.K. O'Neill  
Assemblyman Steve Yeager

**COMMITTEE MEMBERS EXCUSED:**

Senator Marilyn Dondero Loop  
Senator Dallas Harris  
Assemblywoman Tracy Brown-May  
Assemblywoman Sandra Jauregui  
Assemblywoman Heidi Kasama  
Assemblywoman Erica Mosca  
Assemblywoman Sarah Peters  
Assemblyman Howard Watts

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

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

Cathy Crocket, Chief Principal Deputy Fiscal Analyst  
Karen Hoppe, Principal Deputy Fiscal Analyst  
Julie Waller, Principal Deputy Fiscal Analyst  
Asher Killian, Legislative Counsel  
Eileen O'Grady, Chief Deputy Legislative Counsel  
Jessica Dummer, Deputy Legislative Counsel  
Tom Weber, Fiscal Analysis Division Secretary  
Melissa Garvin, Fiscal Analysis Division Secretary

**EXHIBITS:**

- [Exhibit A:](#) Meeting Packet – Volume I
- [Exhibit B:](#) Meeting Packet – Volume II
- [Exhibit C:](#) Meeting Packet – Volume III
- [Exhibit D:](#) Meeting Packet – Volume IV, Part 1
- [Exhibit E:](#) Meeting Packet – Volume IV, Part 2
- [Exhibit F:](#) Meeting Packet – Volume V
- [Exhibit G:](#) Meeting Packet – Volume VI
- [Exhibit H-1:](#) Public Comment – Louie Trio, State President, Nevada Classified School Employees and Public Workers Association
- [Exhibit H-2:](#) Public Comment – Autumn Tampa
- [Exhibit H-3:](#) Public Comment – Misty Olmos
- [Exhibit H-4:](#) Public Comment – Jan Giles, Education Support Employees Association
- [Exhibit H-5:](#) Public Comment – Dawn Etcheverry, Nevada State Education Association
- [Exhibit H-6:](#) Public Comment – Dr. Kent Ervin, Nevada Faculty Alliance
- [Exhibit H-7:](#) Public Comment – Jose Centeno
- [Exhibit H-8:](#) Public Comment – Rigoberto Garnica
- [Exhibit H-9:](#) Public Comment – Judge Egan K. Walker, District Court Judge, Second Judicial District Court, Washoe County, Nevada
- [Exhibit H-10:](#) Public Comment – Dee Norfleet
- [Exhibit H-11:](#) Public Comment – John Turner
- [Exhibit H-12:](#) Public Comment – Martin Lagunas
- [Exhibit H-13:](#) Public Comment – Brandon Flores
- [Exhibit H-14:](#) Public Comment – Adan Solorzano
- [Exhibit H-15:](#) Public Comment – Ruth Alfaro
- [Exhibit H-16:](#) Public Comment – Jason Wheelan
- [Exhibit H-17:](#) Public Comment – Bruce J. Platt
- [Exhibit H-18:](#) Public Comment – Yesenia Paniagua
- [Exhibit H-19:](#) Public Comment – Christopher Nakagawa
- [Exhibit H-20:](#) Public Comment – Justin Martinez
- [Exhibit H-21:](#) Public Comment – Sharone Brashelle Harris
- [Exhibit H-22:](#) Public Comment – Patrick McCutchen
- [Exhibit H-23:](#) Public Comment – Maria Moreno
- [Exhibit H-24:](#) Public Comment – Eddie Mejia
- [Exhibit H-25:](#) Public Comment – Matsimela McMorris
- [Exhibit H-26:](#) Public Comment – Eline Valoaga
- [Exhibit H-27:](#) Public Comment – Sergio Gonzalez
- [Exhibit H-28:](#) Public Comment – Matthew Brink
- [Exhibit H-29:](#) Public Comment – Vern Barrow

[Exhibit H-30](#): Public Comment – Joshua Morgan  
[Exhibit H-31](#): Public Comment – Johnny Lee Cody  
[Exhibit H-32](#): Public Comment – Members of Teamsters Local 14, CCSD  
[Exhibit H-33](#): Public Comment – Dawn Nielsen, Director of Samuel S. Lionel Externship Program, UNLV William S. Boyd School of Law  
[Exhibit H-34](#): Public Comment – Cedric Berry  
[Exhibit H-35](#): Public Comment – Tyrone Tanski  
[Exhibit H-36](#): Public Comment – Darrell Moffatt  
[Exhibit H-37](#): Public Comment – Michael Hermann  
[Exhibit H-38](#): Public Comment – Hector Madrigal  
[Exhibit H-39](#): Public Comment – Lorcea Lewis  
[Exhibit H-40](#): Public Comment – Dee Montano  
[Exhibit H-41](#): Public Comment – Scott Lombardo  
[Exhibit H-42](#): Public Comment – Cheun Soukaseum  
[Exhibit H-43](#): Public Comment – Elia Arredondo  
[Exhibit H-44](#): Public Comment – Erica Lopez  
[Exhibit H-45](#): Public Comment – Yeelson Chow  
[Exhibit H-46](#): Public Comment – Robert Rosas  
[Exhibit H-47](#): Public Comment – Melissa Wesley  
[Exhibit I](#): American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds Funding Obligations  
[Exhibit J](#): Governor’s Office of Finance Letter from the Director  
[Exhibit K](#): Governor’s Office of Finance American Rescue Plan Act Spreadsheet  
[Exhibit L](#): Department of Business and Industry, Home Means Nevada Initiative, Updated Tables  
[Exhibit M](#): Economic Forum Status Update

## **A. ROLL CALL.**

MELISSA GARVIN (Secretary, Fiscal Analysis Division, Legislative Counsel Bureau [LCB]), called the roll. All members were present except Senator Dondero Loop, Senator Harris, Assemblywoman Brown-May, Assemblywoman Jauregui, Assemblywoman Kasama, Assemblywoman Mosca, Assemblywoman Peters, and Assemblyman Watts, who were excused.

## **B. PUBLIC COMMENT.**

CADENCE MATIJEVICH (Government Affairs Liaison, Washoe County):

I am here today to express support for Agenda Items L.19 and L.20, and to thank the Department of Health and Human Services (DHHS), Division of Public and Behavioral Health (DPBH) and the Governor’s Office for bringing this item forward and to urge your support for these services. They are critically needed in Washoe County. They will make a difference in our community.

Behavioral health has been identified as a priority for Washoe County for the upcoming year. Washoe County will be hiring a Behavioral Health Administrator and looks forward to these services coming online and for an additional opportunity to partner with the state for these critical services.

MIKE LANGTON (Attorney, Nevada Classified School Employees and Public Workers Association):

Mr. Louie Trio, President of the Nevada Classified School Employees and Public Workers Association, sent a letter to the Committee ([Exhibit H-1](#)). In summary, Mr. Trio's letter demonstrates that because allocation of funds is based on full-time equivalent (FTE) under S.B. 231 (82<sup>nd</sup> [2023] Legislative Session), not on salaries paid, each group, teachers and classified, which have been separated in the bill, should be able to negotiate how the funds allocated to those groups are distributed to members of those groups. Some districts, such as Lyon County School District, have agreed on an FTE basis. Most others have or intend to negotiate amounts they determine, such as using a great portion of the funds allocated to the school district to settle with their teachers to the great detriment in some cases to the paraprofessionals and other classified employees. We believe the intent of the Legislature for including classified employees in the amendment supports our position and should be followed by this Committee when considering whether the school district is making an application for partial allocation of funds because they have negotiated a collective bargaining agreement with the teachers. That should be considered because it takes away money from the classified school employees. In nirvana, there would have been two bills, one for teachers and one for classified, but that ship has sailed. When an application for partial allocation of funds is made, the hope is that the Committee will consider that. I know that this would be an unpopular position with the teachers who have already negotiated, but it is an issue of fairness. Is it fair to take money from one group where the school district received, for example, \$1,000 because that person was a classified employee, and give a portion of it to the teacher who was 0.875 of an FTE? That is about as simple as I can make it.

ERICA NUNGARAY (Education Support Professional, Clark County School District, and Member of the Education Support Employees Association):

I am speaking in support of Agenda Item E.3. I would first like to thank the hardworking and dedicated support staff of Clark County School District (CCSD) for playing a crucial role in the education of over 300,000 students in the district. The contributions should be recognized and fairly compensated. Over the years, support staff responsibilities have evolved and expanded. We now undertake a wide range of tasks that are essential to daily operations of schools, often going above and beyond our designated roles. Whether a school district, the Nevada Department of Education, or school administrators, the one question they often have is how to retain support staff employees. Agenda Item E.3 is one part of the answer. Today, the IFC can help with that answer by approving the plan to give hardworking, underpaid support staff employees a reason to continue working in Nevada's public education system. The salary increase is not for the highest paid employees, the raises are for the lowest paid employees in the CCSD. The starting pay for classified employees is \$15 per hour, and most only work 9 months of the year. The starting wage is not even for an 8-hour employee. Not all positions are 8 hours at that rate. For example, if you do the math, the pay will increase for an 8-hour a day employee

working 187 days, making \$25,245 a year and working for 9 months. That amount can barely support an individual and it most certainly cannot support a family in this city. Education Support Professionals (ESPs) will not be buying houses, cars, or taking lavish trips with their raise. What the Committee will hopefully provide today with this raise is an extra tank of gas to go to work and serve Nevada's children, and in many instances, go to their second job. Nevertheless, it is appreciated by the hardworking ESPs in the CCSD and Nevada. We urge the Committee's approval.

AUTUMN TAMPA:

As an ESP, I am one of the 12,000 support staff employees that support CCSD students and teachers in every way possible. Education Support Professionals provide the majority of functions that support teachers and students, from the office staff to the lunchroom employees, bus drivers, all technical employees like electrical, maintenance, and grounds, and every education and instructional assistant in the classroom. We support English language learner (ELL) students in reading and writing and make sure that payroll is processed. Without us, the CCSD would not function. Over the past 25 years, ESPs have not received raises. Salaries were frozen for 10 years and then when that salary freeze was over, they just started where they left off. Education Support Professionals have also been last to receive raises and received the lowest raises. The Education Support Employees Association (ESEA) negotiated in good faith with the CCSD. We all worked together to find a solution and the raises were signed off on by the CCSD and ESEA and voted and approved by support staff. The amount of funds from S.B. 231 is not a significant amount; however, it will improve the lives of ESPs. We are not taking anything away from anyone else. It is simply that ESPs are receiving their fair share. The CCSD support staff are, as my predecessor said, the lowest paid. I wanted to move to a new apartment, but I do not qualify to move anywhere because my salary is too low. Most ESPs work two jobs, they try to work during the summer, they qualify for government assistance. We need more. Honestly, I am thinking of leaving the CCSD and working somewhere else, even though I have spent 25 years here, because I cannot pay my bills. I cannot get out from under debt. I cannot even move to a new apartment to better my life. I really urge the Committee to support this for classified employees, support staff, ESPs, as we are the ones that hold up the districts in the State of Nevada.

Ms. Tampa provided public comment for the record ([Exhibit H-2](#)).

MONIQUE NEWKIRK:

I am here because I am a support staff person, and I am a member of the ESEA. Any amount is fine, but support staff need more to live. Rent and groceries cost more, and it is hard for people. Most ESPs live from paycheck to paycheck. My family is grown, and you would think as a single person now that it would be easier, but I do not make enough money. All I ask is for ESPs to be taken off the clearance rack. We know that the worth of ESPs is very great because without us the CCSD would not function. They need us on their buses, and in the offices and classrooms. For money to go higher than us and then we are on the bottom, that makes a person's worth go down even though our work is 100%. We need the money. We work very hard every day. Some of us arrive early because we are dedicated to the CCSD. We are not asking for the world, but we want to be able to live in the world and travel it also.

BRIAN LEE (Executive Director, Nevada State Education Association [NSEA]):

I wish to speak to Agenda Item E.7 regarding the request for S.B. 231 funds from the Lyon County School District. The NSEA has previously sent a letter to the Committee regarding this matter and rather than just restate the information contained in that letter, I wish to provide additional information.

It is clear on its face that the plan submitted to this Committee is not a salary raise nor is it intended to be such. It is a one-time flat bonus. It is the position of the NSEA that this conflicts with S.B. 231, which does not allow for such use of funds. Assuming *arguendo*, however, that such a use is permitted, it is clear from the legislative history that 1) this Committee reserves the right to review and reject or approve such use of funds under subsection 2 of Section 1 of the underlying bill, the Committee may, rather than shall, approve the expenditures of funds, and 2) it is the clear intent of the Legislature from the testimony given, contemporaneous statements of the bill sponsors, and statements of individual legislators that the funds were meant to support continuing salary increases tied explicitly to the size of the underlying raises. It was a matching system for each educator in the state. The NSEA therefore requests that the Committee reject the plan submitted by Lyon County School District and send the matter back to the district to bring it into compliance with the clear intent of the Legislature.

Additionally, it should be noted that the decision to apply one-time bonus funds was not the product of collective bargaining, but rather a unilateral decision of the board of trustees with minimal notice to the union. During the collective bargaining process, the only references at the bargaining table to the use of this money was a percentage salary increase for all employees. The district never proposed the use as a one-time bonus, nor did it deviate from such a percentage increase. At no time did the district bargain over the specific method that is currently being used or did it reserve to itself the right to unilaterally impose this decision. Rather with short notice to the union, the board of trustees, on a divided vote, voted for this flawed bonus plan. At no time was the union offered the opportunity to bargain over either the merits or the effect of the decision that was made. Simply put, the district rammed this plan through without meeting its collective bargaining obligations under *Nevada Revised Statutes* 288 to meet over either the merits of the decision or the effects of the bargaining. This conflicts with the clear legislative intent, and therefore provides a separate and discrete grounds upon which this plan may be rejected. We therefore ask the IFC to use the discretion the Legislature reserved for itself to reject and remand this proposed plan back to Lyon County School District to meet with the clear intent of the Legislature.

JASON GATELEY (Secretary-Treasurer, Teamsters Local 14):

I am speaking as a designated representative under the ESEA collective bargaining agreement with the CCSD. I am speaking in support of S.B. 231 and hope that this Committee votes today to release the funds for support professionals. Day in and day out, support professionals risk themselves, put themselves on the front lines to make the school district operate. It is the fifth largest school district in the nation. We negotiated the collective bargaining agreement in a timely fashion and in good faith. It is time for the monies that were allocated to be put into the members' pockets without any delay.

MISTY OLMOS (ESEA Paraprofessional Director) provided public comment for the record ([Exhibit H-3](#)).

CHRIS URBANSKI (Vice President, ESEA):

I am speaking on behalf of ESEA President Jan Giles ([Exhibit H-4](#)). In partnership with Teamsters Local 14, we represent approximately 13,000 support professionals at the CCSD. The ESEA worked very hard over the last 8 months to negotiate a new contract with the CCSD. This is the first time in over 20 years support professionals were able to start the school year with a new contract in place. During these negotiations a considerable amount of time was spent negotiating an equitable wage package. The package included the S.B. 231 funds. The ESEA entered negotiations knowing the turnover rate for support professionals at the CCSD had hit a record high. At the same time, the CCSD was unable to fill support professional vacancies at the previous salary schedules, which were no longer competitive in numerous job markets. Due to the extreme staff shortages, many schools and students were in an unsafe environment. In negotiations with the CCSD it became critical that the S.B. 231 funds were properly distributed in an equitable way to the lowest paid employees at the CCSD. For the first time in many years, under the oversight of Dr. Jara and the current CCSD trustees, support professionals have been prioritized as the essential employees they are.

The current CCSD proposal regarding the disbursement of the S.B. 231 funds is an equitable disbursement. This proposal does not take away funds from any other bargaining group. The ESEA believes this disbursement will go far in addition to the recent negotiated pay raises to bring the lowest paid employees at the CCSD up to a living wage. This disbursement is also needed to retain experienced support professionals and to raise the wages of the lowest paid.

The ESEA asks that the Committee move the CCSD proposal for approval so these needed dollars can be disbursed into the hands of support professionals.

DAWN ETCHEVERRY (President, NSEA) provided public comment for the record ([Exhibit H-5](#)).

CAROLINA OSPINA (Teamsters Representative):

I am here to speak on behalf of the 1,500 custodians at the CCSD. These workers clean and sanitize the facilities every day. These employees are some of the lowest paid classifications in the district. This bill is very important for them and for their families.

TAMARA JAMIESON (Business Representative, Teamsters Local 14):

I am asking this Committee to please pass S.B. 231. I represent the CCSD bus drivers and transportation staff. It is very heartfelt to hear drivers tell me that they are being evicted from their apartments because they are unable to pay their rent and are being denied apartment assistance someplace else despite their low income. I look at a lot of people in this room who are working and have good jobs. We probably consider ourselves middle class or upper class, but bus drivers and transportation staff are getting lower class wages. It is hard to encourage someone to hang in there when they look around and see that things are not happening properly, and the economy is getting worse. Their rent is increasing and living wages are not as good as they should be. If we could get them off the clearance rack so that they can support their families, that would be a great thing for this Committee to take into consideration. They cannot even go get a lobster tail because they cannot afford it. They are on food stamps. In the summertime, because they only work nine months, they have to rob Peter to pay Paul. To try to find money to feed their families, going to food banks. I have helped to push them in the right direction of where to go to get food for their families. We are talking about people who have been with the district and have supported the district. These are members that have been with the district 25 to 30 years, still making a little bit of funds. Their wages have been on hold. They have been frozen. They have done everything that the district has asked them to do. It is up to the Committee to look within your hearts to see how quickly this money can go into their pockets, because they are starving. These people and their families are starving. They are starving for money and to live in a better way. They are starving to live in the middle class, and they are not, they are in low-income housing. I am asking the Committee to consider allocating this money as quickly as possible to help improve the working conditions in the CCSD Transportation Department and all over.

JOHNNY ORTEGA (Representative, CCSD Support Staff):

I represent 857 support staff professionals that take care of air conditioning, grounds, maintenance, and chillers. I am in support of this bill. Again, like my colleague said, it is important that we get this money to them as soon as possible. I just want to say thank you for your time and let us do the right thing.

TERRI SHUMAN:

I am here to speak on S.B. 231. Most of my writing has already been stated, but I need you to see the importance of what everybody has already said. The \$58,051,168 may sound like a lot of money to you and me, but to our support staff, it means everything. I work with a support staff person who is holding down three jobs. On Sundays, Mondays and Tuesdays he is working as an Uber driver; on Wednesdays and Thursdays, he goes somewhere else; on Fridays and Saturdays he is a security officer at an apartment complex. Why does this guy who cannot stay awake during the day and takes naps during



lunch have to put up with this? We have the money in front of us to be able to support him in a better lifestyle. So many of our other support staff have to take on so many other positions. We are living beings, we have families, we want to have special things, but we cannot afford it. Because we have this chance, let us not give it up.

As you already heard, many of our support staff hold different positions. There is not a position in our school, and I am telling the truth here, that our support staff does not enter the door at some time of the day. A support staff goes into every single classroom at our school. That is how valuable they are to us. We have already heard that we have positions, cafeteria workers, custodians, teacher family assistants, reading assistants, bus drivers, office staff, and I can go on. You have the chance to impact the lives of many people. I am asking you today to pass S.B. 231. The second part that we can provide these people is a successful life. That is what we are all requesting. We are not asking for anything that is not already on the books waiting to be given. We just need your approval for it today.

TRACY PHILLIPS:

I am a support professional just like others who have spoken about our job families. We are educators as well supporting this district. I am also asking you to please to vote yes and support the distribution of the allocated monies. Yes, the cost of living is astronomical, and we still cannot afford to make ends meet. We are robbing Peter to pay Paul and there is no excuse for that. We are asking you to support us in this effort.

DR. KENT ERVIN (Nevada Faculty Alliance) provided public comment for the record ([Exhibit H-6](#)).

DOUG UNGER (Nevada Faculty Alliance):

I had a statement written but want to get across how disappointed and sad I am that in the first meeting of a legislative committee, the Chair did not recognize the murders of three state employees at the top or the beginning and just continued on with business as usual. It is not business as usual on the University of Nevada, Las Vegas (UNLV) campus after the mass shooting just a week ago. We are still deeply in grief for three of our best teachers who were murdered, one of whom I knew well. The other I knew as a very esteemed and devoted colleague.

It is inconceivable that we will return to campus with bloodstained halls, bashed in doors, broken glass, and triggering memories, but I know we must in January. Our faculty is not going to feel safe, and our faculty and students do not want to return unless there are serious safety improvements to our campus. These safety improvements are going to cost far more than what the insurance will pay. We are asking the IFC of the Nevada Legislature to acknowledge the mass shooting of it is three employees, three state employees, three devoted teachers, and to be able to commit as we work toward a whole series of safety improvements to helping us pay for them very urgently. Nevada has a \$1.23 billion Rainy Day Fund. I am here to tell you that it is raining on the Nevada System of Higher Education right now when it comes to student safety, teacher safety and staff safety. You are all in a position to help us make sure the next rain that happens is not yet another rain of blood.

JOSE CENTENO (Member, Teamsters Local 14, and Fire Sprinkler Technician, CCSD):

I am calling in support of the fund allocation. The Legislature approved these funds nearly a year ago and with the promise of wage increases for staff. We work hard for the district, and we feel we deserve our fair share.

Mr. Centeno provided public comment for the record ([Exhibit H-7](#)).

DAVE WITECKI:

I am a 29-year CCSD employee, proud member of Teamsters Local 14. I am calling to say that you need to allocate the funds and get them out as soon as possible. The district has been ripping us off long enough and it needs to be stopped. Like the one lady said, \$15 an hour comes out to \$25,000 a year, but we have administrators getting \$45,000 to \$50,000 a year raises. The time has come to where the district is going to fall apart. My first 15 years, the district was great, but the last 14 years the district has gone downhill rapidly with unqualified people running it, all the way to the top to Superintendent Jara, the board, and everyone running the maintenance department.

We would really like to get that money out there so we can basically live. The little 6% we got on our contract negotiation, but yet the administrators who already make \$150,000 a year received 10%. If you guys could vote yes today, hopefully we can get that money before the end of December.

RIGOBERTO GARNICA provided public comment for the record ([Exhibit H-8](#)).

JUDGE EGAN K. WALKER (District Court Judge, Second Judicial District Court, Washoe County, Nevada) provided public comment for the record ([Exhibit H-9](#)).

DEE NORFLEET provided public comment for the record ([Exhibit H-10](#)).

JOHN TURNER provided public comment for the record ([Exhibit H-11](#)).

MARTIN LAGUNAS provided public comment for the record ([Exhibit H-12](#)).

BRANDON FLORES provided public comment for the record ([Exhibit H-13](#)).

ADAN SOLORZANO provided public comment for the record ([Exhibit H-14](#)).

RUTH ALFARO provided public comment for the record ([Exhibit H-15](#)).

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YESENIA PANIAGUA provided public comment for the record ([Exhibit H-18](#)).

CHRISTOPHER NAKAGAWA provided public comment for the record ([Exhibit H-19](#)).

JUSTIN MARTINEZ provided public comment for the record ([Exhibit H-20](#)).

SHARONE BRASHELLE HARRIS provided public comment for the record ([Exhibit H-21](#)).

PATRICK MCCUTCHEN provided public comment for the record ([Exhibit H-22](#)).

MARIA MORENO provided public comment for the record ([Exhibit H-23](#)).

EDDIE MEJIA provided public comment for the record ([Exhibit H-24](#)).

MATSIMELA MCMORRIS provided public comment for the record ([Exhibit H-25](#)).

ELINE VALOAGA provided public comment for the record ([Exhibit H-26](#)).

SERGIO GONZALEZ provided public comment for the record ([Exhibit H-27](#)).

MATTHEW BRINK provided public comment for the record ([Exhibit H-28](#)).

VERN BARROW provided public comment for the record ([Exhibit H-29](#)).

JOSHUA MORGAN provided public comment for the record ([Exhibit H-30](#)).

JOHNNY LEE CODY provided public comment for the record ([Exhibit H-31](#)).

MEMBERS OF TEAMSTERS LOCAL 14, CCSD provided public comment for the record ([Exhibit H-32](#)).

DAWN NIELSEN (Director of Samuel S. Lionel Externship Program, UNLV William S. Boyd School of Law) provided public comment for the record ([Exhibit H-33](#)).

CEDRIC BERRY provided public comment for the record ([Exhibit H-34](#)).

TYRONE TANSKI provided public comment for the record ([Exhibit H-35](#)).

DARRELL MOFFATT provided public comment for the record ([Exhibit H-36](#)).

MICHAEL HERMANN provided public comment for the record ([Exhibit H-37](#)).

HECTOR MADRIGAL provided public comment for the record ([Exhibit H-38](#)).

LORCESA LEWIS provided public comment for the record ([Exhibit H-39](#)).

DEE MONTANO provided public comment for the record ([Exhibit H-40](#)).

SCOTT LOMBARDO provided public comment for the record ([Exhibit H-41](#)).

CHEUN SOUKASEUM provided public comment for the record ([Exhibit H-42](#)).

ELIA ARREDONDO provided public comment for the record ([Exhibit H-43](#)).

ERICA LOPEZ provided public comment for the record ([Exhibit H-44](#)).

YEESON CHOW provided public comment for the record ([Exhibit H-45](#)).

ROBERT ROSAS provided public comment for the record ([Exhibit H-46](#)).

MELISSA WESLEY provided public comment for the record ([Exhibit H-47](#)).

CHAIR MONROE-MORENO:

The Committee will be taking a lunch break at 2:00 p.m. today to virtually attend the vigil for the victims of the shooting at UNLV. The shooting has affected the lives of everyone, especially those who know students and faculty at the university.

**C. APPROVAL OF MINUTES OF THE JUNE 14, 2023, MEETING.**

SENATOR CANNIZZARO MOVED TO APPROVE THE MINUTES OF THE JUNE 14, 2023, MEETING.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**D. STATEMENT OF IFC CONTINGENCY ACCOUNT BALANCE.**

SARAH COFFMAN (Assembly Fiscal Analyst, Fiscal Analysis Division, LCB):

The Statement of Contingency Account Balance can be found in Volume I of the meeting packet (page 75, [Exhibit A](#)). There were 15 requests for IFC Contingency Account funds, 4 from the unrestricted General Fund, 1 from the unrestricted Highway Fund, and 10 from the restricted General Fund; however, the Chair has deferred the request from Clark County School District (CCSD). On page 75, the amounts provided on the summary included Clark County so I will go through the revised amounts that no longer include the provision for the CCSD in the restricted General Fund appropriations.

The total balance of the Contingency Account, prior to any actions taken by the Committee today, is \$467 million. There is a total of \$26.9 million in both restricted and unrestricted requests. If all of those are approved today, the total balance of the Contingency Account will be \$440.2 million. There is currently \$24.8 million in unrestricted General Fund appropriations and \$1.2 million is being requested. If approved, there would be \$23.6 million in unrestricted General Fund appropriations.

With respect to the unrestricted Highway Fund, currently there is \$1.6 million in unrestricted Highway Funds. There is a request for \$517,500. If approved today, the balance of the unrestricted Highway Fund will be \$1.1 million.

With respect to the restricted General Fund and Highway Fund, there is currently \$440.7 million and there is a request of \$25.2 million. If everything is approved today, the total balance will be \$415.5 million.

There was no further discussion on this item.

**E. REQUESTS FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO SECTION 1 OF SENATE BILL 231 (2023 LEGISLATIVE SESSION)** (Note: IFC may approve a different amount for an allocation than the amount requested).

1. CARSON CITY SCHOOL DISTRICT - Request for an allocation of \$5,289,991 to support salary increases and benefit costs for certain district staff.

ANDREW FEULING (Superintendent, Carson City School District):

I am the superintendent for Carson City School District. The district is grateful for the allocation from S.B. 231. The Carson City School District was eligible for \$5,289,991.

In negotiations with two bargaining groups—the certified association and the classified association—a two-year contract was finalized for both the 2023-2024 school year and the 2024-2025 school year. Not including funds from S.B. 231, the total cost was almost \$9.9 million. Well in excess of the allocation that is available to the district through S.B. 231. It is essentially the equivalent of a 4.45% increase compared to FY 2023 wages and that increase would be applied equally across all groups. One of the concerns was to ensure that the amount remains stable over these two years. The district does not want people making financial decisions that might not be in their best interest in the long run with these funds. It is important they understand it is stable for two years, and then it will depend on the outcome of the 83<sup>rd</sup> (2025) Legislative Session.

Refer to motion under Agenda Item E.9.

2. CHURCHILL COUNTY SCHOOL DISTRICT - Request for an allocation of \$2,275,960 to support salary increases and benefit costs for certain district staff.

CHAIR MONROE-MORENO:

Churchill County had the wrong time; therefore, representatives will not arrive for more than an hour. This item will be deferred to the next meeting of the IFC.

Refer to motion under Agenda Item E.9.

3. CLARK COUNTY SCHOOL DISTRICT - Request for an allocation of \$58,051,168 to support salary increases and benefit costs for certain district staff.

CHAIR MONROE-MORENO:

Agenda Item E.3 will be deferred to a future meeting of the IFC. Senate Bill 231 (82<sup>nd</sup> [2023] Legislative Session) is not a bill that will be voted on today. This bill was championed by the Senate Majority Leader, Nicole Cannizzaro. The \$250 million came from this legislative body because it understood the need in Nevada schools, especially with support staff. I heard heartbreaking stories during public comment today about wages being frozen from those employed in the Clark County School District (CCSD), which is shameful. The Legislature was aware of that which is why it prioritized that funding to be available for education support professionals and educators. The districts were supposed to present a plan that included budgeted increases for salaries of teachers and education support professionals; however, the plan provided by the CCSD is lacking that component. In addition, yesterday afternoon I received an email informing me that Dr. Jesus Jara, CCSD Superintendent, would not be here to present the plan.

This legislative body hears what you have said and acknowledges it. However, because the CCSD plan is not complete, this item will be deferred until a complete plan is presented to the Committee.

Refer to motion under Agenda Item E.9.

4. DOUGLAS COUNTY SCHOOL DISTRICT - Request for an allocation of \$4,531,142 to support salary increases and benefit costs for certain district staff.

ADAM DEDMON (Executive Director of Human Resources, Douglas County School District [DCSD]):

The DCSD has come to an agreement with all the bargaining groups. All groups received an 11% retroactive raise this year and they will receive a 4% raise next year. The district was very careful to keep the S.B. 231 money separate from the raises that were negotiated to ensure those raises were on the district's budget and locked in moving forward.

The plan is to apply a 4.436% salary increase to all employees based on their new salary at 11% this year and based on 4% for next year. The district's interpretation of the bill was to increase raises that the DCSD had already provided.

SENATOR CANNIZZARO:

Thank you for understanding the intent of this bill. There were very lengthy hearings for S.B. 231. The Legislature knew there may be raises of varying degrees among the districts, so this was supposed to be additional money. I applaud the DCSD for bringing that forward and applying it to all district employees. I think this is exactly what the Legislature intended. I am happy to see that raises will be provided to people who are doing the good work of educating Nevada children.

ASSEMBLYWOMAN ANDERSON:

Was the 4.436% also negotiated or was that part of a memorandum of understanding? How were the employees involved in that discussion?

MR. DEDMON:

The DCSD developed a plan based on what it could afford with the S.B. 231 allocation. That was shared with the employee groups, but it was not a negotiable item because the district wanted to be able to apply the same percentage for all groups. It is worth noting that the district is planning to distribute this money to all the groups, with the exception of site and district administrators, per the district's interpretation of the bill.

Would it be appropriate for me to ask a question?

CHAIR MONROE-MORENO:

Yes.

MR. DEDMON:

The DCSD is anticipating there could be some underspend at the end of FY 2025 through resignations or staff reductions. In that event, the district would like to raise the percentage for everybody and distribute the rest of the money accordingly. I do not know if the Committee could provide guidance on that today or if that is something to address later. The district based the budget on the assumption that every position was and would remain filled for the next two years. In the unlikely event that there is some underspend, the district would like guidance.

CHAIR MONROE-MORENO:

That is a wonderful question. The fact that you want to give people more money is very impressive. I am going to ask Ms. Coffman to answer that question.

SARAH COFFMAN (Assembly Fiscal Analyst, Fiscal Analysis Division, LCB):

With the provisions of S.B. 231, the school districts are allowed to come back to the Committee multiple times. If there are instances in the plan where there may need correction, the district can return to the IFC to seek a re-appropriation for those funds. There is also a provision with S.B. 231 that provides that the school district shall provide a report at the end of the biennium that specifies what was actually spent. If there are just minor changes, such as vacancies or things that needed to be reallocated, that can also be addressed through that reporting requirement.

SENATOR NEAL:

The district is planning to absorb the vacancies to provide a potential increase to salaries. It sounds like the district is operating in a very fair way by giving everyone the same increase. I would like to know how the vacancy absorption would work.

MR. DEDMON:

One thing the DCSD wanted to mention is that it did discuss its allocation with the teachers' association, for example, during negotiations. I think what you are asking is if the district is budgeting for vacancies. For example, right now, the DCSD has several vacant positions. When the district projected this percentage, it was projected as though all positions in the district were filled. I think in reality, the district is anticipating and hoping there will be some vacancies. In a best-case situation, the district will fill all of positions tomorrow and those staff will remain with the district through the end of the next school year, but in anticipation that is unlikely. Also, the DCSD has declining enrollment so the general fund will be going down, which means the staffing allocation will probably go down in the next year. Even if that is one or two people, that would take away from the S.B. 231 allocation, and the district's commitment from day one has been to spend every dollar possible out of that fund for its employees. That is what has really driven the district's plan.

SENATOR NEAL:

Every time I listen to another county, I am always filtering through a CCSD process. The DCSD is going to roll those vacancies, then give the increase. It is not based on the vacancies at individual schools. The vacancy spread will go to everyone.



BRIAN RIPPET (Chief Negotiator, Douglas County Professional Education Association [DCPEA]):

As part of the negotiation process, the DCSD presented its plan and then there were discussions that resulted in an adjusted presentation. One of the things I want to emphasize is there was amazing collaboration and a level of trust that has been built up between the association and the district to allow this to go forward. The DCPEA, the teachers' association in Douglas County, trusted that the district would develop a fair calculation. The percentage moved a bit as there was more clarity on how many people were in positions. We knew there might be money left over so we discussed how to address that situation. In some of the discussions, we agreed to look at it again in the spring of 2024 and make another allocation. We have anticipated some of those things and intend to continue to work together.

I wanted to extend a special thank you to Senate Majority Leader Cannizzaro for leading this for Nevada school employees.

Refer to motion under Agenda Item E.9.

5. EUREKA COUNTY SCHOOL DISTRICT - Request for an allocation of \$338,244 to support salary increases and benefit costs for certain district staff.

TATE ELSE (Superintendent, Eureka County School District [ECSD]):

After the passage of S.B. 231, the board of trustees and I tried to expedite negotiations to ensure that ECSD employees benefit from these funds. Because the ECSD is a hold harmless school district from the passage of S.B. 543 (80<sup>th</sup> [2019] Legislative Session), the district handled it a little different than some of the other school districts. The ECSD tried to back into the numbers to create a sustainable amount that the district could afford for the matching funds. In the process of doing that, the ECSD tried to keep the funds separate during discussions with the bargaining units. The district created a memorandum of understanding with each bargaining unit. I want to thank the bargaining units. They were wonderful to work with when trying to accomplish this in a very quick manner.

In short, the district was able to offer a 2.75% increase from the district's pot of money throughout the 2023-25 biennium for this fiscal year (FY 2024), as well as next year. With the approval of these funds, employees will receive an additional 2.75%, roughly 5.5% throughout the biennium, which is an amazing opportunity.

Oftentimes the work of these types of projects falls on one person. I certainly must thank Devanie Etchegaray who did all of this work. I also want to thank Yuriy Ikovlev and James Malone from the LCB Fiscal Analysis Division for helping the ECSD through many mistakes throughout this process. The district has already been able to provide retroactive pay. District employees will receive the retroactive pay for the district's portion of the raise on tomorrow's payroll.

As soon as the money is received, the district will retroactively pay it, so it is equitable for the Public Employees' Retirement System. The district wants to ensure that each employee receives the increase on every hour they have worked throughout this year.

ASSEMBLYWOMAN ANDERSON:

Thank you for presenting the information. I wanted to verify whether this was negotiated or if this was a memorandum of understanding, because you mentioned very specifically the board as well as the other leadership team. How were the employees involved in the process?

TATE ELSE (Superintendent ECSD):

Yes. The ECSD negotiated with each bargaining unit, but rather than put anything in the negotiated agreement about the S.B. 231 funds, the district created a memorandum of understanding. There are two new contracts for the biennium for each negotiated bargaining unit and a memorandum of understanding with these funds.

ASSEMBLYWOMAN ANDERSON:

The memorandum of understanding ends after the two years. Is that correct?

MR. ELSE:

No, it is very specific to just these funds. Yes, it would end after two years. It is contingent on the district receiving these funds.

Refer to motion under Agenda Item E.9.

6. LANDER COUNTY SCHOOL DISTRICT - Request for an allocation of \$591,359 to support salary increases and benefit costs for certain district staff.

RUSS KLEIN (Superintendent, Lander County School District):

I want to express the district's appreciation to all of you for the monies that have been allocated and the ability to distribute this to employees of Lander County School District. The district has taken a different approach than the other school districts.

One of the first paragraphs in the negotiated contract contains the district's objective to attract and retain the highest quality employees possible for students. In order to attract those employees, Lander County School District has to increase the low-end salaries. In order to retain employees, the district has to acknowledge those at the top end. Thus, Lander County School District chose to implement a flat increase for all teachers. The teachers at the bottom end, as a percentage, will receive more, and the teachers at the high end will receive a little less. Each teacher will receive a \$5,700 increase.

Lander County School District is coming before the Committee with a partial request today. The district has negotiated and settled with the certified employees; however, the district is still in negotiations with the classified employees. Thus, that portion will come later.

The certified teachers have been very supportive in recognizing the district's need to increase the entry-level wage. The starting salary for new teachers will be approximately \$53,000. Lander County School District is excited and appreciative for what this money will do for the teachers.

ASSEMBLYWOMAN ANDERSON:

I love the fact that Lander County School District wants to ensure that individuals working in the district are retained. What was the process of the discussion with the certified employees? How are they part of this plan?

MR. KLEIN:

I am going to answer that because there has been public conversation around this topic. When taking the average of all the district's certified teachers and the average of all the classified staff, it is literally 2-to-1. The \$440,000 for which the district qualified and the additional \$440,000 from the district itself totaled \$880,000. For every \$1,000 provided to the teachers, support staff will receive an equivalent increase. That is how the district allocated the money. It came out to be approximately \$150,000 per \$1,000 unit, which was 5.7 units. That is how the amount of \$5,700 was determined for certified staff.

ASSEMBLYWOMAN ANDERSON:

The math makes sense; however, how were the employees included in the discussion? Were there negotiations, a memorandum of understanding, or did the district make the decision?

MR. KLEIN:

There were full negotiations with the certified staff. The district submitted the signed negotiation agreement.

SENATOR CANNIZZARO:

The way that I am looking at the documents provided to the Committee, it is still a salary increase for district employees using the S.B. 231 funds in addition to other district funds.

MR. KLEIN:

Yes. Unfortunately, health insurance was overspent by \$700,000; therefore, the district had to take much of the increase in educational funding this year to cover losses in health insurance. The district was able to find \$440,000 to draw down the matching \$440,000 from S.B. 231.

SENATOR CANNIZZARO:

I think some of this discussion is from when districts were asked to come during the legislative session to talk about what they foresaw for the next biennium in terms of funds and where any additional funds that might flow through the funding formula may go, so this is familiar to me. It sounds like the district made a different decision in terms of tagging support staff with teachers to make sure they were receiving similar increases. This does cover support staff and teachers, correct?

MR. KLEIN:

The district has only requested the amount for the teachers for which there is a signed contract. The district is currently in negotiations with the classified staff but has reserved that money that is still completely available for them.

SENATOR CANNIZZARO:

This is just for part of the district's teachers, correct?

MR. KLEIN:

This is for all the teachers. That is what the district has negotiated and agreed upon. The district is currently in negotiations for classified staff.

SENATOR CANNIZZARO:

This plan does not include classified staff, correct?

MR. KLEIN:

The request today does not include the classified staff; the district is only requesting the amount needed for the teachers. I expect to return to request the remainder of the funds for the classified staff.

CHAIR MONROE-MORENO:

How many employees are not included in today's plan? Today, Lander County School District is requesting funding for certified and district support, but you said you are still in negotiation with classified employees.

MR. KLEIN:

Correct. The district has between 60 and 65 teachers, and approximately 65 classified staff, and about 7 support staff in the district office. The item before the Committee covers about 55% of district employees.

SENATOR CANNIZZARO:

I think some of the figures before the Committee are different from what the district has stated today. I have some concerns that the Committee has not been provided with a full plan. Please clarify how much the district is requesting.

MR. KLEIN:

I believe the amount is \$591,359.

SENATOR CANNIZZARO:

I may have misunderstood. There is some confusion over the way this was requested and separated out.

MR. KLEIN:

I apologize. The request is only a partial request. The district felt very strongly and had tremendous support from the certified teachers. The district wanted to get the funds into their hands as soon as possible. If approved today, the funds will be on their December 25, 2023, paycheck.

Refer to motion under Agenda Item E.9.

7. LYON COUNTY SCHOOL DISTRICT - Request for an allocation of \$6,228,213 to support salary increases and benefit costs for certain district staff.

WAYNE WORKMAN (Superintendent, Lyon County School District [LCSD]):

With me today is Phil Cowee, President of the Lyon County School District Board of Trustees; Harman Bains, Executive Director of Operations; and Kyle Rodriguez, Fiscal Services Officer.

The LCSD is extremely grateful for the opportunity to present the district's plan this morning. The district was able to successfully complete negotiations with the certified group, the Lyon County Education Association (LCEA), and the

classified group, the Lyon County Classified School Employees Association (LCCSEA) in the summer 2023. Those agreements included language regarding S.B. 231 funding for which the district is extremely grateful. The LCSD was able to successfully negotiate that with both of the bargaining groups.

The LCSD fully believes in the importance of all its educators; the district calls all of its employees “educators,” both teachers and classified individuals. They serve critical needs for the students and staff members.

As shown in the district’s plan, the LCSD is requesting the entire amount of \$6,228,213. As part of the negotiations, outside of the S.B. 231 funding, the district was able to negotiate a cost-of-living increase of approximately 14.5% over the two years with both unions. Specifically for the certified group, that amounts to 12% this year and 2.5% next year. For the classified group, it amounts to 10% this year and 4.5% next year. When all is said and done, it is at that 14.5%. In addition, the district was also able to cover their portion of the Public Employees Retirement Plan (PERS) contribution as part of that negotiation process.

With that and with being able to successfully negotiate those agreements, the district then brought forward a couple of different plans to the board of trustees to consider and ultimately approve. One plan was around a percent increase, and the other plan was around a flat rate increase. Again, knowing the importance of all educators, the board of trustees chose to approve the flat rate increase for presentation to the Committee today. Essentially, that means that in addition to the 14.5% and the PERS increase, the district would be asking for each eligible full-time equivalent (FTE) (approximately 954) to receive an estimated increase of approximately \$6,534 over the next 18 months. With the Committee’s approval, the district’s intention is to implement this beginning January 1, 2024, and over 18 months disperse that \$6,228,213 to all eligible FTEs, which would equate to approximately \$363 per month, per employee.

To provide a rough estimate of what that would look like, a certified teacher in the LCSD with 9 years of experience sitting on the salary scale of a bachelor’s degree plus 32 would receive an increase of approximately 5% in addition to the 14.5%. A bus driver with the same experience would receive an increase of approximately 7% increase to their salary with that flat rate.

I will also mention that negotiations with the certified group also included Nevada State Education Association Executive Director, Brian Lee. That group, in addition to the classified group, have all signed off on the language regarding the S.B. 231 negotiations as well.

ASSEMBLYWOMAN ANDERSON:

Thank you for explaining about the negotiated agreement. I appreciate that the S.B. 231 information was incorporated, including when the funding ends. However, during your presentation, you said that the school board of trustees determined how the increases would be given. I am slightly confused and want to make sure I have got this correct. You came forward to the board of trustees, gave them the two options of either a percentage or a flat rate, and the school board of trustees decided upon the flat rate for both bargaining units. Was that ever a discussion amongst the bargaining units or was that a decision of the school board of trustees?

MR. WORKMAN:

That was the decision of the school board of trustees after negotiating the language.

ASSEMBLYWOMAN ANDERSON:

The language that is present in front of the Committee does not make it clear that the decision would be made at the school board of trustees' level. Is that correct?

MR. WORKMAN:

The language is negotiated, and it is included in the agreements for the certified and classified employees.

ASSEMBLYWOMAN ANDERSON:

If I am looking Article 14b, where it states that any awarded funds will be applied to salary and benefits as permitted by law. Based on that sentence, it appears that the decision to use a flat rate was made by the school board of trustees. That was never part of the negotiated process. I think that is where the confusion lies.

MR. WORKMAN:

I think that is where my confusion is coming from as well because that language was negotiated and accepted, ratified by the union, and then by the board of trustees in a public meeting.

ASSEMBLYWOMAN ANDERSON:

With that, there was never any discussion of the process or what the choices would be amongst the trustees.

MR. WORKMAN:

No, because those agreements were ratified before any of the information was received regarding the amounts that would be awarded, how they would be awarded, or any guidance from the LCB or the Nevada Department of Education.

ASSEMBLYWOMAN ANDERSON:

This was done in a "what if" situation if this goes through, correct? Since it was not exactly clear what could be utilized, that was the decision made from the school district's leadership point of view.

MR. WORKMAN:

And from the unions as they signed off on the negotiated agreements.

SENATOR CANNIZZARO:

The way I understand it is that this is being proposed as a static payment each month to each employee. Is that correct?

MR. WORKMAN:

Correct.

SENATOR CANNIZZARO:

Therefore, this is not an additional increase on a salary, it is structured like a bonus payment.

MR. WORKMAN:

It is very much an increase to their salary. They are receiving an additional \$6,534 as estimated.

SENATOR CANNIZZARO:

Yes, to the extent that they are going to be making more money. However, it is not in the form of a salary increase. Across the board, the employees are receiving bonuses.

MR. WORKMAN:

It all counts as salary. Is that what you are asking?



SENATOR CANNIZZARO:

Obviously, everything goes into their salary. Several school districts have come forward today that have specifically said employees would be receiving a certain percentage increase, and with the S.B. 231 funds, certain employees or bargaining units will be receiving a salary increase of a certain amount. The LCSD plan is different. In looking at the documents that were submitted, this calculated as a lump sum for every employee in the district as opposed to a percentage of increase to their salary. That is where I am struggling because this is very different than what the Committee has seen from other districts and different from what was intended in the bill.

MR. WORKMAN:

I cannot speak to intent; I can merely speak to the fact that the district values every single one of its educators. This disbursement is consistent with the manner in which the district also provided critical labor incentives through the American Rescue Plan Act Elementary and Secondary School Emergency Relief Funds during the course of COVID-19 where the district was able to provide flat rate amounts to employees to make up for extra expenses they incurred during that time.

The LCSD has a history of doing this and has successfully done it in the past. The only difference is that each individual employee may have a bit of a different "percentage," which is why I gave examples of what those percentages may look like depending on the employee status. Does that help?

SENATOR CANNIZZARO:

I understand what the district is doing. I am just perplexed over how it was decided to give a flat rate to every employee similar to an incentive or support payment when it was intended by the Legislature, and it seems as though the other districts did it the same way, as a salary increase.

MR. WORKMAN:

No, I understand what you are saying with the salary increase. However, the district values all of its educators exactly the same. The district needs its classified staff just as much as it needs its certified staff.

SENATOR CANNIZZARO:

I think we agree on that point. That is why I think it is tough when we see other plans that do not encompass all of the employees because that is what was intended with these funds. The intention was to provide a way to give some additional money in the form of raises to all the employees, not just teachers, not just a particular set of support staff. That is some of the history of how that bill came about, and why it includes and attempts to encompass all school

employees, whether they are support staff or an educator, irrespective of whether they fall into one of those few categories, that there would still be a raise associated with it. I think that we agree that everybody is valued, and I appreciate that the LCSD has included everyone. This is just a little different way of allocating the money. I am not sure, at least from my perspective, that this was how this was intended. Not to be an incentive payment, but rather some additional money that can be utilized for across-the-board salary increases.

MR. WORKMAN:

The LCSD obviously cleared this with its legal counsel. I would hope that the LCB would have flagged that for the district if this was not in compliance with S.B. 231. The district's understanding is that this plan is in compliance with the bill.

SENATOR NGUYEN:

Obviously, the LCSD had the opportunity to see what the Committee approved at the October IFC meeting with regard to Humboldt County School District and review every other county's proposal. I am curious why the district decided to use its own interpretation of S.B. 231. I know you indicated that the district did not understand the legislative intent, but it seems like the other school districts did understand the legislative intent. Why does the LCSD's process differ so greatly from the other school districts?

MR. WORKMAN:

I mentioned that the district submitted two plans to the school board of trustees for approval. After much deliberation, the school board of trustees believed that this would be the most reasonable way to honor every educator in the district. That is why it is not just a flat percentage like the other school districts have presented.

I was aware of Humboldt County's presentation. Superintendent Jensen and I are excellent friends and we both shared with each other what our district's plans were from the beginning. I cannot speak to what other school districts are doing, I can only speak to what the LCSD is doing in honoring all employees.

SENATOR NGUYEN:

Again, I see this more as a bonus structure and I have some concerns. You said it was a part of the staff salaries. Is this a salary for the purposes of PERS or is this treated as a one-time bonus?

MR. WORKMAN:

My understanding is that it will be eligible for PERS.

KYLE RODRIGUEZ (Fiscal Services Officer, LCSD):

This will be included in PERS, so it is spread through the 18 months that this will be eligible; therefore, it is in salary in that respect.

MR. WORKMAN:

The district believes that this will be more transparent to employees because there will be a separate item on their check that shows the exact amount each month that they are being paid as opposed to a percent increase where the employee has to guess or do some math to determine whether they received a raise. The district considers this more transparent and better for all employees so that they can understand exactly what they are receiving.

SENATOR NGUYEN:

It is not a part of the salary.

MR. RODRIGUEZ:

It is a part of the salary. The district is going to run this on a supplemental pay run so that it is clear and concise. If I misspoke, I apologize. It is just going to be on a separate paycheck for requesting purposes.

SENATOR NGUYEN:

It sounds like a bonus to me.

ASSEMBLYMAN KOENIG:

To help me understand a little better, the Committee just heard from Lander County. I wrote down quotes, "a \$5,700 flat bonus" where teachers who have been there longer are receiving a lower percentage and teachers who have been there less time are receiving a higher percentage. How is that any different? I am not trying to throw Lander County under the bus too, but to me they are under the same bus as Lyon County. I mean, it slid by with Lander County, and no one said a word about that district calling it a bonus. But now the Committee is condemning my county, Lyon County, for doing the exact same thing as Lander County. Maybe the Committee needs to condemn Lander County too. I do not see the difference.

MR. WORKMAN:

I do not know if that was a question. I do not recommend condemning Lander County, but with that, Lyon County, the school board of trustees, and the district's legal counsel believes this is a fair and consistent manner in which the district can apply this to S.B. 231. I would invite more feedback from the LCB or IFC when crafting language in the future so that we can make sure that this goes exactly how its envisioned. It is tough to read minds.

ASSEMBLYWOMAN BACKUS:

You indicated that S.B. 231 had been negotiated. I was listening during public comment where the ESEA union representative indicated that maybe this was not negotiated, and that it was looking like a bonus or a salary. I am trying to understand. I was looking at the support materials and it appears the two agreements between the support professionals and the teachers for the upcoming fiscal year are negotiated agreements. From the materials, it also appears there was a memorandum that went to the school board of trustees for S.B. 231. I just want to make sure it is clear. Were the S.B. 231 monies negotiated? You said there were two proposals put before the school board of trustees. Were both of those negotiated with the support professionals and the teachers?

MR. WORKMAN:

The district submits board memos on every single agenda item to the school board of trustees, so the board has a clear picture and a full story of what is being presented. As I mentioned before, negotiations took place before any guidance was provided on S.B. 231, including the total amounts that would be allocated. What was negotiated is the language in both the certified and classified negotiated agreements. That language is exactly what was negotiated. The school board of trustees was presented with the two different manners in which the money could be allocated, a percentage increase or a flat rate increase. That was what was presented to the school board of trustees. I hope that answers your question.

ASSEMBLYWOMAN BACKUS:

It does. I thank you for clarifying that it was not negotiated, it was just the options presented to the school board of trustees.

You provided some great examples to show the percent increase as exemplars for teachers of a certain year compared to a bus driver to show a percent increase. What would a percent increase in salary look like for an educational professional in the early stages of their career? In public comment, someone said they usually start at \$15 per hour.

MR. WORKMAN:

I cannot provide an exact number, but the lower the salary, the higher the rate of percentage increase.

CHAIR MONROE-MORENO:

Thank you for the clarification of the negotiation. I know that in public comment the representative from the union said that this was not negotiated, and the bonus came as a surprise. You originally said that it had been negotiated, but you have clarified that this part that would be the bonus in the separate check was not negotiated with the union, but the 14% in the PERS increase was negotiated with the union. Correct?

MR. WORKMAN:

Absolutely, everything that is in the negotiated agreement is what was bargained with the unions. Those were successful negotiations all ratified by each of the respective associations and by the school board of trustees.

Refer to motion under Agenda Item E.9.

8. NYE COUNTY SCHOOL DISTRICT - Request for an allocation of \$4,167,063 to support salary increases and benefit costs for certain district staff.

JOSEPH GENT (Superintendent, Nye County School District):

The district's plan was negotiated with both unions for support staff and teachers. It is an increase.

RAY RITCHIE (Chief Operating Officer, Nye County School District):

The district is grateful for the \$4.1 million from S.B. 231. The district's classified and certified employees will receive a 3.9% increase above and beyond what they already received. The district provided classified and certified staff a 12% increase with a reduction in the 1.875% for PERS this year already. Next year, the district will also be paying a 10% increase to classified and certified employees. Also, with the money that was given through S.B. 231, employees will receive an additional 3.56% on their salary schedule next year.

The focus was on teachers and support staff to show how much the district appreciates them and their hard work.

Refer to motion under Agenda Item E.9.

9. WHITE PINE COUNTY SCHOOL DISTRICT - Request for an allocation of \$991,914 to support salary increases and benefit costs for certain district staff.

ADAM YOUNG (Superintendent, White Pine County School District):

Negotiations with the two bargaining units concluded in late June 2023, just shortly after the legislative session end. As usual, many things were negotiated, but specific to salary, a 10% increase in FY 2024 was negotiated for teachers and support staff, and an additional 5% increase in FY 2025 for teachers and support staff.

As has been intimated a couple times, that was prior to any clear guidance on S.B. 231; therefore, the district and bargaining units came back to the table in late August or early September 2023 to have discussions about how to distribute that money. Through the course of that process and a lot of discussion, we settled on a proposal that is different than some of the ones that have been discussed today. Essentially, the district took the number of teachers and support staff and then divided the district's allocation of approximately \$990,000 by the number of teachers and support staff. That basically created a separate pot of funds for both of those groups of employees. Then the district backed into what the maximum percentage of increase could be to apply to the salary schedules of those two bargaining units. Therefore, in addition to the 10% and 5% already discussed, teachers will receive an additional 6% this year and an additional 1% next year and support staff will receive an additional 8.5% this year and an additional 3.5% next year. All told, teachers will have increases over this biennium of 22% and support staff will have increases of 27%.

That is not the model the district presented at the bargaining table, but in talking with organizations, that is the one that they chose collaboratively. Even though the teachers acknowledged that would mean greater percentage increases for support staff than it did for teachers, they were supportive of that model because some of the lower paid employees are struggling. Thus, the district wanted to approach it in that way and fully supported the input from the bargaining units. Those ideas were ratified through a memorandum of understanding, and that is what is before the Committee today.

ASSEMBLYWOMAN ANDERSON:

I wanted to comment about how much I appreciate you working with the unions and figuring out the model that is best for all employees. I do not think there is any question that the superintendents as well as the board of trustees and almost all the school districts truly care about their employees. I appreciate your openness and the discussion, and also about how the model that was chosen was from the bargaining units.

CHAIR MONROE-MORENO:

The Committee has heard presentations from almost all the districts that were included in Agenda Item E. As stated at the beginning of the discussion, the Committee is going to defer Clark County School District because the district did not present a full plan that included salary increases for teachers and education support professionals. Churchill County School District was unable to be here today so that item will also be deferred. In the discussion with Lander County School District, it was presented that the district did not have a complete plan much like Clark County. To be consistent, Lander County School District will also be deferred to a future IFC meeting. Once that is complete, the district can return to the Committee. I feel that the Committee should be consistent in its work.

SENATOR CANNIZZARO MOVED TO DEFER AGENDA ITEMS E.2, E.3 AND E.6 TO A FUTURE MEETING OF THE INTERIM FINANCE COMMITTEE.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA ITEMS E.1, E.4, E.5, E.8 AND E.9.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

CHAIR MONROE-MORENO:

Lastly, Agenda Item E.7, Lyon County School District, had a lot of discussion. Before taking a motion on that item, I would like to have a discussion about how to proceed. It seems that a number of members feel that the bonus is not in line with the intent of the legislation, and there may be a difference of opinion. I would like to get that on the record before moving forward on this item.

SENATOR SEEVERS GANSERT:

I appreciate the robust discussion. The term "bonus" keeps being used, but it is salary because it is eligible for PERS. I do not know how that entered the equation, but a bonus is not necessarily eligible for PERS. To me, LCSD is choosing to use a fixed amount instead of a percentage, thus the percentage would vary depending upon salary, but it is still salary. I think the district was trying to be more transparent and that is why it is being distributed separately. I think the LCSD is separating it out to recognize the expectation that the district

wants to increase salaries, but there is a limit on funds as far as duration. It will not automatically continue unless this body decides to continue it over the next biennium. To me, the term “bonus” versus “salary” is different. Salary is something that is eligible for PERS. I think the LCSD made that very clear on the record.

SENATOR TITUS:

I concur with Senator Seevers Gansert’s observation. I also want to focus on the component of transparency. I think given the instructions, or lack thereof, for what to do with the money and how to perform; with the district’s intent and using all the resources available to help develop this plan, such as discussing it with the unions and employees’ associations, I think transparency is the key and the employees will understand exactly what they are receiving. Again, the PERS eligibility is a significant component. I am not in favor of deferring the item. I think it is important that the Committee be supportive. The Legislature has asked the school superintendents to take this money and develop a plan, and then the Committee sat here for a long time criticizing the plan. I cannot begin to share my frustration with this process. I support what Lyon County has done.

SENATOR CANNIZZARO:

The legislative intent of S.B. 231 was to provide an additional pot of money for salary increases and cost-of-living adjustments. The funds were intended to be comprehensive in that fashion and not a separate payment. I am struggling with this because on one hand it is being called a salary, but on the other hand it is being disbursed separately, which makes it akin to an incentive payment. It is the same amount but a different percentage for every employee. The Committee also heard there may be concerns over whether this disbursement and plan were approved by the employees.

I apologize for going on about this, but it is frustrating when the intent was to provide salary increases to teachers and school support staff who are valued. I had endeavored that with this bill there would be the ability and resources to push the conversation because the Legislature heard from many education staff about the need for raises. For a long time, raises were hard to come by because funds were not available. The idea was to build salaries that are competitive, bring good people to schools and classrooms, and provide a pathway for people to stay in their jobs long term. Small bonus-looking payments rather than salary increases may not encourage the retention of education personnel.

That is my frustration and my consternation. I appreciate the LCSD discussing the plan it developed, and I appreciate the comments from my colleagues. The Committee requested a plan from each of the districts so the plan could be vetted to ensure the state is investing in education personnel and taking into consideration that each district has a different situation depending on their student population, number of students, and the professionals they employ.



Thus, the Legislature wanted to provide the districts some flexibility while also ensuring that education personnel are paid what they deserve. The plan submitted by the LCSD does not seem to match the legislative intent.

I find it frustrating that under the letter of the law, there is a legal way to implement this plan. However, this Committee also has the discretion to approve or deny the plan. I do not demean the work of the district and I believe these employees are deserving of the funds.

ASSEMBLYWOMAN ANDERSON:

I share those same concerns. I appreciate the comments made during the presentation, that it was very much caring about every employee. I think it is evident the district cares about its staff. I am concerned about how the compensation was decided upon and the role of the bargaining agents in that decision-making process. I agree, it sounds like a bonus. As an individual who has received bonuses, those bonuses can be taken away. That is not the intent of the law, and that is not the intent or anything lined out in this contract. However, I am not comfortable with it at this time. I wish there had been a deeper discussion between the school district and its bargaining agents. I feel that the language is not clear.

ASSEMBLYMAN O'NEILL:

I agree with Senator Seevers Gansert and Senator Titus. For some reason, the Committee has become locked in on the word "bonus." It is a secondary payment. I am impressed with what Lyon County has proposed. There has been discussion about treating everybody equally, which the district has accomplished. The district has a plan, and the labor unions have voted on and agreed to the plan. It is included in the contract and cannot be taken away from those employees. I think the problem is more about the word "bonus" than the actual plan. There are different ways to achieve the same goal and I believe the LCSD has reached that goal in a different manner than other districts. The employees are appreciative and have accepted the proposal. The disbursement is eligible for PERS so it is not an outside payment. I support the district's actions.

CHAIR MONROE-MORENO:

I wanted to clarify one thing that I believe Mr. Workman said on the record. The actual contract that included a 14% raise was negotiated, but the money from S.B. 231 was presented to the school board of trustees. There were two different plans and the trustees decided how to proceed.

ASSEMBLYMAN YEAGER:

There has been a lot of discussion on this, and I am still not clear about the plan, whether the disbursement is salary or a bonus, if it is in the base pay, and whether an employee would include it as part of their salary. The PERS angle is interesting. There are people in attendance on the union side that seem to disagree with the representations that were made by the LCSD. I do not know that this is going to be resolved today. I sense from the Committee that some feel very strongly this should be approved and some feel strongly that it should be denied. Therefore, I would move to defer consideration of this item until the Committee receives additional information. The Committee can direct staff to obtain additional information and have conversations to ensure the Committee is fully informed, because if in fact this is a bonus and does not meet the intent of S.B. 231, I would not want to approve it today. The Legislature was very clear that this was to be base salary increases, not bonuses. I do not feel I have enough information today to be able to support this item.

ASSEMBLYMAN YEAGER MOVED TO DEFER AGENDA ITEM E.7  
TO A FUTURE MEETING OF THE INTERIM FINANCE  
COMMITTEE.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR TITUS:

I will not be supporting the motion. I think the Committee is harming the very people that it strives to protect, which is the personnel of the school districts. I think the LCSD plan is legitimate and was well presented.

SENATOR GOICOECHEA:

I will also be opposing the motion. The plan was negotiated, and it meets the terms of S.B. 231. Yes, it can be called a base pay increase, but technically, it is not because there is an end to S.B. 231. The unions were included in the negotiations. I do not agree the item should be deferred, especially since it is the Christmas season.

SENATOR SEEVERS GANSERT:

In reviewing the material, I think the Committee has caused the confusion, and I think the LCSD was clear. I spoke with Fiscal staff about the other agreements. These were signed agreements, but the other agreements do not have a continuation either. The S.B. 231 money expires at the end of 2023-25 biennium. The dollars that are allocated per that bill do not continue. That might be part of the confusion; the way this was outlined by the county.

I am going to vote against the motion. I do not know how the LCSD can resolve this since the district already has agreements with the unions. In an effort to be transparent, I think it has made it a little more confusing because there will be a separate amount that expires at the end of the biennium for all the unions and counties.

ASSEMBLYMAN O'NEILL:

Senator Goicoechea's closing statement was similar to my thoughts. Going into the holiday season, the employees of the LCSD knew this was going to be heard today. Having been a state employee, I would have brought this into my accounting on what I could spend. I think deferring this item until February is going to cause an undue hardship. I know the employees will still end up with the money, it will be allocated. I think the Committee will agree. I am going to vote against the motion. I am in support of the employees and the LCSD plan.

ASSEMBLYMAN HAFEN:

If the Committee defers the LCSD plan, would that delay payments to the teachers and support staff?

CHAIR MONROE-MORENO:

They will get paid whatever was negotiated in their union contracts. However, the money from S.B. 231 would not be disbursed until it passes this body. They are two separate issues.

ASSEMBLYMAN HAFEN:

The district has two separate line items. My concern is that if the disbursement of the S.B. 231 funds are delayed, the pay increases would not be given to employees before the holiday.

CHAIR MONROE-MORENO:

Correct.

ASSEMBLYWOMAN BACKUS:

To avoid confusion with respect to the request by the LCSD, I wanted to add that in the materials, the district is not seeking these funds until FY 2024.

THE MOTION PASSED WITH THE MEMBERS PRESENT.  
(Senator Goicoechea, Senator Seevers Gansert, Senator Titus, Assemblywoman Dickman, Assemblyman Hafen, Assemblyman Koenig and Assemblyman O'Neill opposed the motion.)

**F. 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 ATTORNEY GENERAL - Request for an allocation of \$127,947 for one Special Counsel position and associated costs.

TERESA BENITEZ-THOMPSON (Chief of Staff, Office of the Attorney General [OAG]):

The requested position was approved unanimously at the December 12, 2023, Board of Examiners (BOE) meeting, and as such, the OAG is requesting funds from the IFC Contingency Account to support the position.

As background, when Senate Bill (S.B.) 135 passed during the 80<sup>th</sup> (2019) Legislative Session, the OAG decided to hold off and did not request additional staff. In the subsequent budget building process during the last biennium, it became obvious that a dedicated staff member was needed to work with the Department of Administration's Division of Human Resource Management (DHRM) on legal matters related to labor relations. The OAG does not currently have dedicated staff for issues related to labor relations. Instead, Deputy Attorney General positions from the OAG Division of Government and Natural Resources are assigned to those tasks. Due to the complexity of the cases, the OAG has determined that a Special Counsel position is necessary.

ASSEMBLYMAN YEAGER:

What are the job responsibilities and workload that led the OAG to determine a new Special Counsel position would be appropriate in lieu of other levels of positions such as a Deputy Attorney General or a Senior Deputy Attorney General?

MS. BENITEZ-THOMPSON:

The OAG did consider utilizing other positions. The OAG is currently recruiting for a Deputy Attorney General position, specifically for labor relations work, that has been vacant since September 2023. The OAG has not received any applications for the position. The OAG has received applications for other Deputy Attorney General positions that are unrelated to labor relations. The complexity of this work requires a senior attorney, and the OAG requires a staff member with labor relations experience. To fill that position, it needs to be at the Special Counsel level. The OAG has three other Special Counsel positions, two that support the Colorado River Commission and one that supports the Department of Administration's State Public Works Division on construction activities. These are highly specialized areas of law with many complexities. The OAG sees labor relations in the same vein.

ASSEMBLYMAN O'NEILL:

Is the salary for the other OAG Special Counsel positions the same as what is being requested today?

MS. BENITEZ-THOMPSON:

The salary is set by the 2023 Pay Bill, Assembly Bill (A.B.) 522 (82<sup>nd</sup> [2023] Legislative Session).

CHAIR MONROE-MORENO:

If the Committee approves this item today, will the OAG continue this position in its adjusted base budget for the 2025-27 biennium but fund the position with transfers from the DHRM budget?

MS. BENITEZ-THOMPSON:

The OAG spoke with the GFO and the DHRM about the fact that the OAG is currently unable to revise the Attorney General cost assessment in the 2023-25 biennium to allow for the creation of this new position. Cost assessments tend to run at about three years in arrears for payment, which is why the OAG needs the funding for the 2023-25 biennium for the position. The position would be built into the base budget for the 2025-27 biennium. The OAG would then pull cost allocation funding from the DHRM budget for the ongoing support of the position. The OAG will not return to the IFC in subsequent biennia for this purpose.

SENATOR CANNIZZARO:

Competitiveness could be an issue with many of the OAG recruitments. Please discuss the duties of the Special Counsel position with respect to the DHRM.

MS. BENITEZ-THOMPSON:

The OAG had many conversations about the details of this position. Part of the consideration was the breadth and depth of the work being done and the fact that the OAG is in a foundational phase at sorting out this chapter and this work. Special Counsel positions perform a wide variety of tasks including negotiating agreements, managing disputes, adhering to Employee-Management Relations Board and district court actions. This reflects the whole realm of work.

According to S.B. 135, 11 units are allowed to organize, 7 of which are currently organized under 5 units. The OAG anticipates there will be more work in the future as more units are organized.

The complexity of the work is such that the position requires someone knowledgeable and experienced in labor relations law. Currently, the Deputy Attorney General positions are being assigned and having to learn this work. They are becoming overwhelmed between carrying their own duties and becoming proficient in labor relations law. The OAG has had a “carousel” of staff assigned to the DHRM because the OAG does not have dedicated staff for labor relations law.

The OAG needs to be able to recruit a seasoned attorney who has experience in this area. The OAG has one attorney who spends half their time on these tasks; however, that individual has given five months’ notice and will be leaving in the summer. The only other option would be to use outside counsel, which would be the least economical option, because the rates for contracting outside counsel are expensive. Consequently, the OAG would incur a large bill based on the number of hours that would be required of outside counsel.

SENATOR CANNIZZARO:

This position would essentially be providing legal guidance to the DHRM on its actions, especially with respect to collective bargaining and how that operates within the state.

MS. BENITEZ-THOMPSON:

Correct, the position would be all-inclusive.

ASSEMBLYWOMAN DICKMAN:

With the complexity of this job, will it be difficult to fill at this salary?

MS. BENITEZ-THOMPSON:

Recruiting for this position is going to be an uphill battle. The OAG is going to be very active in the process. There has been some success in retaining the other Special Counsel positions at the OAG. For those who enjoy this line of work, this could be a great opportunity to grow with the state in the foundational work that is being done in the first few years of establishing labor relations law for state employees. The OAG believes it will be exciting and enticing work. The agency is working hard to hire someone and believes this is the best process.

To accomplish this work, the OAG has also pulled in attorneys from the Solicitor General to help on different types of cases because of the complexity involved with this topic. The OAG has been pulling hours from all different types of attorneys.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA ITEM F.1;

DIRECT THE OFFICE OF THE ATTORNEY GENERAL TO CONTINUE THE SPECIAL COUNSEL POSITION IN THE ADJUSTED BASE BUDGET FOR THE 2025-27 BIENNIUM BUT FUND THE POSITION WITH TRANSFERS FROM THE DEPARTMENT OF ADMINISTRATION'S DIVISION OF HUMAN RESOURCE MANAGEMENT BUDGET; AND

DIRECT THE GOVERNOR'S OFFICE OF FINANCE TO REVIEW THE DEPARTMENT OF ADMINISTRATION'S DIVISION OF HUMAN RESOURCE MANAGEMENT BUDGET RESERVES TO DETERMINE IF THE SPECIAL COUNSEL POSITION COULD BE SUPPORTED IN FY 2025, IN WHOLE OR IN PART, WITH FUND TRANSFERS FROM THAT BUDGET.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

## 2. DEPARTMENT OF EDUCATION

- a) Request for an allocation of \$337,914 to the Account for State Special Education Services created by NRS 388.5243 to reimburse school districts and charter schools for extraordinary program expenses and related services for pupils with significant disabilities.

MEGAN PETERSON (Deputy Superintendent for Student Investment Division, Nevada Department of Education [NDE]):

This request is for IFC Contingency Account funds for special education services. The Churchill County School District has exhausted all options for interventions with a student who has severe needs above and beyond what the district is able to provide. Churchill County School District is requesting support in the amount of \$337,914.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA ITEM F.2a.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

- b) Request for an allocation of \$154,576 to support monies owed from the Distributive School Account to the Carson City School District. **WITHDRAWN ON 11-29-23.**
- c) Request for an allocation of \$498,750 to fund a new vendor contract and associated expenditures relating to support of the State Longitudinal Data System.

Agenda Items F.2c and T.6b were discussed jointly.

MEGAN PETERSON (Deputy Superintendent for Student Investment Division, NDE):

This request is for an amended amount of \$193,750 for a contract with the department's new vendor, new in name but not in services, to support the State Longitudinal Data System.

ASSEMBLYWOMAN BACKUS:

A request for proposal (RFP) was developed and revised in April 2023 that included the enhancements and an increased scope of work beyond maintenance of the current system. This occurred during the 82<sup>nd</sup> (2023) Legislative Session. Why was the additional funding not requested during the 82<sup>nd</sup> (2023) Legislative Session?

MS. PETERSON:

In alignment with the procedures in place during the solicitation process, the department was unable to discuss the terms of the contract because a vendor had not yet been selected. Thus, the NDE was unaware of the total price increase.

ASSEMBLYWOMAN BACKUS:

With respect to this new system, why is the department requesting replacement of the current longitudinal data system contract six months prior to expiration with a more expensive contract using the same vendor? I am aware the vendor has changed names, but is essentially the same, and it appears the state will be paying double for those six months. Please provide clarification.



MS. PETERSON:

The NDE had to extend, through a no-cost extension, the existing contract to ensure support services to maintain the existing software; therefore, there is overlap from the prior contract with the existing contract, which is partially what has led to the decrease in the requested dollar amount. The department worked with the vendor to reduce the cost to avoid overlap of the costs.

ASSEMBLYWOMAN BACKUS:

I understand the new system is more expensive and additional items and features were added. Please discuss the new system features and enhancements included in the AnLar contract.

MS. PETERSON:

The additional features support an increased need for cyber security around personally identifiable information that may be housed in the system. It keeps the NDE in alignment with requirements to protect that data.

ASSEMBLYWOMAN BACKUS:

Please discuss why savings identified in COVID-19 Relief funds cannot be utilized for the new project to enhance the Student Accountability Information Network system, rather than IFC Contingency Account funds.

MS. PETERSON:

Based on the agreement that was entered into with the LCB in April 2023, the intent was to stay within the same vein of project type in terms of reallocating existing COVID-19 Relief dollars to new projects. The dollars that are currently identified as possible savings have already been allocated to similar projects in terms of contracts. The additional funds that are currently identified as potential savings are in the vein of personnel. The department did not believe those were in alignment with the agreement that was made.

CHAIR MONROE-MORENO:

There is \$277 million remaining in Elementary and Secondary School Emergency Relief (ESSER) III funds; however, the NDE does not believe that \$193,750 could be utilized from the ESSER III funding rather than Contingency Account funds. To my knowledge, the LCB does not make agreements. Please provide clarification.

MS. PETERSON:

When the NDE produced budgets and plans for the ESSER and COVID-19 Relief dollars, the department identified its projects at a detailed level that other agencies did not provide. Instead of providing high-level concepts, the NDE provided great details on how the funds would be spent. As time has progressed and projects have been implemented or not due to timing, the department has identified opportunities to reallocate and redirect the dollars. Based on the amount of time to reallocate and redirect funds, the NDE had discussions with the LCB Fiscal Analysis Division regarding the fact that in order to prevent delays and allow flexibility to reallocate those dollars, the department would provide a quarterly report showing the progress of the expenditure of those funds. To prevent discussions along the terms of approvals for redirecting those funds, the NDE would stay within like pots of funding; if there were contracts for the department, the funds would not be redirected to subgrants with school districts, or vice versa. However, changing the direction of that project, for example school-based mental health to reading projects, the department stayed within those same areas. Those were discussions that occurred in April 2023 that precipitated these quarterly reports, but also provided the NDE flexibility to redirect the funds as the project initiatives have changed based on responses to the COVID-19 pandemic.

CHAIR MONROE-MORENO:

As I understand it, there is nothing preventing the department from utilizing a portion of the \$277 million in remaining ESSER I, ESSER II, and ESSER III funds, correct? There is nothing preventing the NDE from changing the method of asking for the funds other than the fact that the department chose to request IFC Contingency Account funds instead of using remaining ESSER funds.

MS. PETERSON:

The department no longer has access to ESSER I funds as that period has expired. Those funds cannot be used for this purpose. The ESSER II funds have also reached their expiration date. Although the department is in late liquidation for projects that have already been approved, those funds cannot be redirected to new projects. The ESSER III funds have been obligated to other projects and have not been identified as savings yet because the funds are obligated and promised to various parties.

CHAIR MONROE-MORENO:

The state lost ESSER I and ESSER II funds because the money was not utilized. If the remaining \$277 million in ESSER III funds is not utilized by September 30, 2024, those funds will also be lost. Please provide documentation about those projects at the next IFC meeting so the

Committee is aware exactly how much funding will go to the projects to ensure that every dollar coming into the state is utilized and funds are not lost when a grant expires, as was the case with ESSER I and ESSER II funds.

During the 82<sup>nd</sup> (2023) Legislative Session, the Legislature approved additional General Fund appropriations of \$11.1 million in FY 2024 and \$13.8 million in FY 2025 to the Account for State Special Education Services to provide a minimum level of state special education funding on a per-pupil basis. That basis was \$4,115 based on projected populations at the time. It was the intent that those monies be provided to Clark County School District, Lyon County School District, the university schools, and charter schools, as they were the only local education agencies that did not meet the statewide average per-pupil amount. Please provide the Committee, at its next meeting on February 8, 2024, a report detailing how the additional funding was distributed to increase the minimum per-pupil amount for those local education agencies. The Legislature is only in session for 120 days, and when session ends, people think the Legislature is not aware of what is happening in the state. However, legislators serve 24/7, 365 days a year, and have the responsibility of making sure that legislation that is passed and directions that are made, are followed.

SENATOR SEEVERS GANSERT:

There was a statement that the state lost \$1.3 million, \$13.0 million, and \$277.3 million in ESSER funds. I believe those funds have not been lost yet. Please provide clarification.

MS. PETERSON:

Those dollars are not lost. The department is still going through the late liquidation process and has not yet reverted those dollars. Although the funding period has ended, the department still has the ability to draw those funds and continue to pay out those dollars.

SENATOR SEEVERS GANSERT:

How much money does the NDE anticipate will be reverted?

MS. PETERSON:

The department is still going through the process and working with subrecipients to get those dollars requested and reimbursed; therefore, the NDE does know how much will be reverted. The department's goal is not to revert any of the funds.

In terms of the \$11.1 million in special education funding, funds were distributed and allocated on a per-pupil basis based on methodologies that were previously used. Any remaining funds after the department increased the roll up with the \$1.5 million for pupils over the 13% cap were awarded on a per-pupil basis to those entities.

CHAIR MONROE-MORENO:

Please provide that information in writing so the Committee knows how much was distributed to Clark County School District, Lyon County School District, the university schools, and the charter schools. That is where the funds were supposed to be directed, not to any other entities.

MS. PETERSON:

The NDE will provide that information to the Committee.

CHAIR MONROE-MORENO:

You stated there are still outstanding bills with ESSER I and ESSER II that will be paid. Please provide documentation about those outstanding bills so the Committee is aware whether there will be any remaining funds.

MS. PETERSON:

The most recent quarterly report contained that information through October 30, 2023. The NDE will provide another update in its next quarterly report.

SENATOR CANNIZZARO MOVED TO DENY AGENDA ITEM F.2c  
AND DIRECT THE NEVADA DEPARTMENT OF EDUCATION TO  
REVIEW FUNDING ALTERNATIVES PRIOR TO THE EXISTING  
CONTRACT EXPIRING JUNE 30, 2024.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

If the Committee denies the request, will there be a gap in services, or will the department be able to continue services and ensure the new platform will go online?

MS. PETERSON:

Without the requested funds, the NDE will not be able to begin the new work because it is not covered under the existing contract.

SENATOR SEEVERS GANSERT:

Would the state be continuing the status quo versus adding the modules to the platform, or does the state not have a system?

MS. PETERSON:

The new work would not be started, but there would be maintenance of the existing system as it is today.

SENATOR CANNIZZARO:

If the Committee denies approval for this Contingency Account request, it will provide an opportunity for the department to return with a request for consideration for FY 2025 to continue the maintenance portion of the contract and then identify any other eligible COVID-19 funding to support the enhancements.

SENATOR SEEVERS GANSERT:

I support this because the department will be able to maintain the existing system. Given that robust funds are available, I think it is worth a second look to see if there is any money that can be transferred out of the existing ESSER dollars. I appreciate that the current work will continue, although the new modules will not be added as soon as anticipated.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS  
PRESENT.

3. STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES -  
Division of State Parks - Request for an allocation of \$225,332 to support three new positions and associated costs at the Ice Age Fossils State Park.

Agenda Items F.3 and T.12b were discussed jointly.

DOMINIQUE ETCHEGOYHEN (Deputy Director, State Department of Conservation and Natural Resources [DCNR]):

The DCNR is requesting an allocation from the IFC Contingency Account in the amount of \$225,332 to support three new positions and associated costs at Ice Age Fossils State Park. This item was heard and approved unanimously by the Board of Examiners on December 12, 2023.

The department will also be hiring a full-time employee for the gift shop located at Ice Age Fossils State Park. That position is separate from the department's other request because it will be funded through the Enterprise Fund account, which is through the sale of goods at the gift shop.

The DCNR is excited to be opening Ice Age Fossils State Park. Thank you for bearing with the department over these last years as there have been challenges in timeframe and costs. The department went through a planning and development phase. In addition, the site had no infrastructure when it was created as a state park. The park was built during the COVID-19 pandemic and the associated challenges. More recently, the department has been navigating the Build America, Buy America Act, which is part of the Infrastructure Investment and Jobs Act of 2021. The DCNR was required to source all materials, particularly steel, iron, and other goods, from American sources because the department used federal funds together with state funds on this project. State funding sources included the Land and Water Conservation Fund and Recreational Trails Program funds.

It is worthy to support U.S. companies, but it has also been challenging, and has created additional timeframes and costs. I am happy to announce that the park is ready to open. The positions requested include a Park Interpreter, Park Maintenance Specialist, Administrative Assistant 3, as well as a gift shop employee.

CHAIR MONROE-MORENO:

This project has been a long time coming; I believe it was started in 2017. The site was just dirt and fossils. If you drive by now, there are buildings and a parking lot, and a mammoth has been installed. The department has made great strides.

When does the agency anticipate the new positions would be hired and how would the operations of the state park be covered until that time? Please elaborate on the federal funding that was mentioned.

MR. ETCHEGOYHEN:

The department is currently recruiting with the hope that this request will be approved. The DCNR is always recruiting for vacant positions and has included the positions requested today. The department has compiled a list of applicants for the Park Interpreter position, and interviews could occur this week and next. The department would be ready to hire upon the Committee's approval of the request. If the request is denied, the department has a couple of positions that would enable the park to open on a limited capacity, probably weekends; however, the park would not be open during the week with limited staff.

ROBERT MERGELL (Administrator, Division of State Parks, DCNR):

There are currently two permanent positions at the park, a Park Supervisor and a Park Interpreter.

CHAIR MONROE-MORENO:

Does the agency anticipate that additional positions will be requested in the future once the park is open and fully operational?

MR. ETCHEGOYHEN:

The department does not anticipate needing additional positions.

MR. MERGELL:

The requested positions should be sufficient for the foreseeable future; however, the number of visitors is unknown. If the park is extremely busy, the agency may require additional positions in the future.

SENATOR TITUS:

Thank you for making progress on this park. One of the things arising from the COVID-19 pandemic is the love of the Nevada outdoors. I am eager to visit when the park is officially open and there are park interpreters. It is exciting to see another opportunity for Nevadans to enjoy the outdoors.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA ITEM F.3 AND DIRECT THE STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF STATE PARKS TO CONTINUE THE THREE POSITIONS IN THE ADJUSTED BASE BUDGET FOR THE 2025-27 BIENNIUM WITH A COMBINATION OF GENERAL FUND APPROPRIATIONS AND PARK USAGE FEES.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

ASSEMBLYMAN YEAGER:

I support the motion and am excited about a new state park. I want to publicly recognize the Helmsley Charitable Trust and its trustee, Walter Panzer, which granted \$3.5 million to the state to finish this state park.

CHAIR MONROE-MORENO:

Yes, the state is most appreciative of those funds.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

CHAIR MONROE-MORENO:

What are the dates for the park's soft opening and the grand opening?

MR. MERGELL:

The ribbon cutting will be January 16, 2024.

- G. REQUESTS FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (HIGHWAY FUND) PURSUANT TO NRS 353.268 (Note: IFC may approve a different amount for an allocation than the amount requested) - DEPARTMENT OF MOTOR VEHICLES** - Request for an allocation of \$517,500 to fund a new vendor contract with WaitWell, Inc. in the Field Services budget account.

JULIE BUTLER (Director, Department of Motor Vehicles [DMV]):

The department is here today to request \$517,500 from the Highway Fund Contingency Account for a contract for a new queuing system in the Field Services budget account. The request was approved unanimously yesterday at the Board of Examiners meeting.

The contract with the current vendor is expiring April 30, 2024. A request for proposal (RFP) was completed and the current vendor was unable to provide the features that were requested in the solicitation. Through the process, there was an unanticipated increase in cost of \$517,500 over the current biennium budget authority in the Information Services category. The budget account does not have the excess authority in any category that can be work programmed to cover this shortfall.

The new systems' features align with the department's vision and mission and will greatly improve the customer experience. In addition, the contract includes a no cost six-month pilot period that will coincide with the phase out of the existing contract to ensure a smooth and successful transition between the systems. If approved, the DMV will build the contractual difference into the adjusted base budget for FY 2026 and FY 2027.

ASSEMBLYWOMAN ANDERSON:

My first question has to do with the funding related to the increased scope of work for the new queuing system that was discussed or requested during the 82<sup>nd</sup> (2023) Legislative Session; however, it was never brought forward to the Legislature. Why?

MS. BUTLER:

The issue was related to timing. The DMV did not go out for solicitation until April 2023 and the department did not finish contract negotiations until July 2023 after the body had adjourned. It was not until the DMV received the proposals and realized there was a significant difference in cost between what had been budgeted in base for the current contract and the new costs.



ASSEMBLYWOMAN ANDERSON:

You mentioned during your presentation that there are some new system features that are not provided currently. Please provide more details about those new features.

RENATO LARA (Deputy Administrator, Field Services Division, DMV):

The new system will provide some features that will allow the DMV to continue with the Department Transformation Effort (DTE) such as Internet Protocol (IP) blocking for websites that tend to sell these appointments. The department knows that DMV appointments are a hot commodity just because they are out. The new vendor will also provide five million outbound text messages and unlimited inbound text messages. To put it into perspective, the current vendor only allows for one million text messages at a cost of \$70,000 per fiscal year. That combines both the outbound and inbound text messages. This functionality will also help any time there are issues with the department, such as snow days or unforeseen closures. The department will be able to communicate with the residents of Nevada about DMV closures, which has been a concern for customers in the past. This is a feature that can enhance the department's communication with the public.

The system would also allow for geofencing, which would allow customers to check in within a set distance from where they are coming to the DMV. They will not have to go into the building to check in. The customer can alert the DMV through the app that they have arrived.

The new system will also integrate with Salesforce, which will be the platform for the system for the DTE effort.

ASSEMBLYWOMAN ANDERSON:

You also mentioned there would be a no cost six-month pilot program. Who would be responsible for determining whether the pilot program is successful?

MR. LARA:

There is a committee that is heading the program. The DMV Director will be on the committee as well as the Deputy Director and me, the Deputy Administrator, and the Administrator of the Field Services Division.

ASSEMBLYWOMAN ANDERSON:

Are there just three members on that committee?

MR. LARA:

There will be other members. The department can provide that information to the Committee, if needed.

ASSEMBLYWOMAN ANDERSON:

Please discuss the department's contingency plan for the customer queuing system if the WaitWell Inc. pilot is not successful.

MS. BUTLER:

If the pilot program is not successful, the DMV would have to begin again; however, the department has no reason to believe that it will not be successful. This vendor has similar contracts for the system in other states. The DMV does not anticipate that happening but would then have to look to extend the existing contract, if the vendor was willing. I do not suppose they would at the current price. The DMV would have to see what happens at that point.

ASSEMBLYWOMAN ANDERSON:

I am sure it will be successful; however, it is good to know there is a plan and the program will not automatically move forward.

Why are the Contingency Funds being requested at this time if the department has until April 14, 2024, to determine whether the pilot program is a success?

MS. BUTLER:

The department is requesting the funds at this time, because in good faith with the vendor, there has been an agreement to a no cost pilot to transition, but the vendor will want to know that the funding is guaranteed. It is a signal to the vendor that the department is serious, has funding available, and is ready to go.

CHAIR MONROE-MORENO:

The funding is available, but the vendor has not proven if the pilot is going to work. I do not agree that having this money move now would show good faith. The DMV could return to the IFC closer to April 2024. Has the pilot program begun yet? It is a no-cost pilot so there is not any money associated with it.

MR. LARA:

The DMV is in discussions to start the pilot. The department has developed a timeline so the pilot is ready to start; however, the department was waiting for approval from the Committee. Most of these vendors will provide a no-fee pilot, but they also want assurance that the DMV is going to be able to pay when the program is implemented.

CHAIR MONROE-MORENO:

Has the DMV done business with this company before that the vendor would think the State of Nevada would renege on a payment?

MS. BUTLER:

No, the DMV has not done business with this vendor.

SENATOR GOICOECHEA:

The discussion is about 41 self-services kiosks and the queuing system, but will it be available in the rural areas? One of the most frequent complaints I receive is how long people have to wait at the DMV in rural areas such as Winnemucca, Elko, and Ely.

MR. LARA:

This queuing system will allow the DMV to customize every location. Yes, the DMV will be able to implement this queuing system in the rural areas and potentially enable appointments at those rural locations.

ASSEMBLYMAN O'NEILL:

Will some of the six-month trial period be conducted in the rural areas?

MR. LARA:

The department will be implementing the pilot program at the Reno office as the metro office. The pilot program will also be implemented in the Reno Commercial Driver's License office, which is similar in size to a rural office, to implement some of these features to see how they will assist the rural offices.

ASSEMBLYMAN O'NEILL:

Is there any chance of implementing the pilot program in one of the rural areas? They do have different areas, the services, the ISPs, are probably as proficient as they are in Reno and Washoe County. Would that be a consideration?

MR. LARA:

The DMV can take that into consideration. Part of the decision for implementing the pilot program at the Reno location is because the department has the support of IT staff. Most of the IT staff is in Carson City or Las Vegas so it takes quite a while to get to some of the rural offices if there are any issues with the hardware or software.

ASSEMBLYMAN O'NEILL:

I appreciate that. I think it would make the rural areas feel that they are part of Nevada and reduce some of the issues. I would appreciate if the DMV could at least try somewhere such as Elko.

CHAIR MONROE-MORENO:

If the work program is approved today and the DMV begins the pilot program but determines it does not meet the scope of expectations, what happens with that funding that would be approved today?

MS. BUTLER:

If the pilot is not successful, the DMV, in consultation with the Purchasing Division, would look to go to the second ranking vendor in the RFP process or reissue the RFP and rebid.

CHAIR MONROE-MORENO:

The next bid could be lower or higher than the current one, correct?

MS. BUTLER:

That is correct.

CHAIR MONROE-MORENO:

The next IFC meeting is in February 2024. The DMV has not started the pilot so it is still uncertain whether it would move forward. What impact, negative or positive, would there be to bring this back at the February IFC after the pilot program has started? This would allow the Committee to see the progress of the pilot.

MS. BUTLER:

The department could come back in February if that is the desire of this body.

ASSEMBLYMAN O'NEILL:

Would it show good faith to the vendor if one of the legislators from this Committee sat on the review process showing that the state is taking this program seriously and would be able to report back to Committee during the next IFC meeting?

CHAIR MONROE-MORENO:

Are you volunteering yourself?

ASSEMBLYMAN O'NEILL:

I want to support the DMV. I have been buried, as I am sure everyone has, particularly in Las Vegas, with these issues with the DMV wait lines and appointments, etc. I can see keeping the money within the Legislature's account, but I do want to show good faith to the vendor that the state is taking this seriously and wants to address this. I just offer that up for consideration.

CHAIR MONROE-MORENO:

I do think this Committee is intent on making sure the DMV functions better and will do whatever is needed to help. I am also concerned that the pilot program has not started. I would like to see the pilot begin and then have the department return to the IFC in February 2024 with an update. The IFC is committed to making sure this program works, but I would like to see that no cost pilot get started first.

MS. BUTLER:

I think there was some question as to whether the DMV could start the contract without the funding and that is why the department is here today. I have been in discussions with the Governor's Finance Office (GFO) about how to move forward. Ultimately, what I want is also what the Committee wants, which is a successful queuing system and to eliminate the issues noted by the public. In conjunction with the GFO Director, the DMV will determine how to begin this pilot program and then return to the IFC in February 2024.

CHAIR MONROE-MORENO:

Thank you. I do not know if a legislator can be on an Executive Branch committee so that would have to be investigated. The DMV can show the video of this hearing to the vendor to let them know the state is committed to making this work.

SENATOR CANNIZZARO MOVED TO DEFER AGENDA ITEM G TO THE  
FEBRUARY 2024 MEETING OF THE INTERIM FINANCE COMMITTEE.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS  
PRESENT.

- H. REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO SECTION 7 OF ASSEMBLY BILL 518 (2023 LEGISLATIVE SESSION) (Note: IFC may approve a different amount for an allocation than the amount requested) - DEPARTMENT OF INDIGENT DEFENSE SERVICES** - Request for an allocation of \$765,583 to comply with the *Davis v. State* consent judgment and to support the costs of training for attorneys who provide indigent defense services.

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

The department is requesting an allocation of \$765,583 from Assembly Bill 518 (82<sup>nd</sup> [2023] Legislative Session), Section 7 funds for FY 2024 to comply with the *Davis v. State* consent judgment in the following areas: compliance with oversight, compliance with training, compliance with workload standards, and compliance with the data collection and reporting requirements. The request the department is presenting today is based upon concerns that the court appointed Davis monitor has expressed in the ninth report. The department's request is to meet those recommendations that she is setting forth for the DIDS to achieve compliance therein.

SENATOR CANNIZZARO:

Please provide an update on the state's compliance with the Davis judgment and whether there are any other areas of concern and recommendations identified by the court monitor that are planned to be addressed in FY 2024.

MS. RYBA:

The biggest area the department has recently come into compliance with is related to workload summary. The department was required to engage in a workload summary that made a recommendation of how many attorneys are needed across the rural counties. The DIDS initially engaged the National Center for State Courts to start that study prior to the COVID-19 pandemic. Of course, due to COVID-19, the study took much longer; however, it was recently accepted and approved by the board in November 2023 and the department has 12 months to obtain compliance with that workload study.

The workload generally recommends that 90 public defenders are needed across the rural counties and currently, there are about 60. Thus, DIDS needs to find 30 more rural public defenders to place into these areas. At the department, the agency has separated the rural counties equally among the Director and Deputy Directors and they are meeting with the counties. The department has contacted every rural county to begin thinking of creative plans to achieve compliance. Future requests from DIDS may include requests for pipelines if it can determine how to get public defenders into those rural areas. The biggest task is finding those attorneys.

The other issue with which DIDS has been struggling is oversight. The department does not have adequate staff to travel to the rural counties and meet the oversight requirements expected by the Davis monitor. She expects someone to be in the courtrooms, talking to judges and defendants, requesting updates, reviewing pleadings, reviewing time spent, and ensuring compliance with the minimum standards as well as Administrative Docket (ADKT) Order 411 and the American Bar Association standards. The monitor believes the stipulated consent judgment requires a very intense level of supervision; however, the three DIDS staff members cannot accomplish this level of supervision in addition to their other duties.

I think the monitor's concern is that the funding provided for public defender training is not on par with the funding provided to prosecutors. She would like to see some parity in the funding. The department is hopeful that with its training plans, DIDS will be able to raise the rural public defenders to a higher level by providing that opportunity to go to different areas.

Regarding compliance with data collection and reporting requirements, the department's request today to provide Westlaw or another case management research program to public defenders is something that may help them comply with data reporting. They are not paid extra to provide the data; they take time out of their own day to give that information to the department. The district attorneys have access to an online research system, which is something the public defenders should also have so there is a level playing field.

The department is hopeful that when these four areas are addressed, DIDS will be able to make substantial steps towards compliance with the stipulated consent judgment. These are the things the department foresees in the next year. The biggest hurdle will be finding attorneys to go into the rural counties.

SENATOR CANNIZZARO:

This request is for funds related to A.B. 518, the majority of which appears to be for the administrative assistant position and two contract attorney positions. Please discuss the reasoning for two contract attorney positions as opposed to having permanent positions in those roles.

TOM QUALLS (Deputy Director, DIDS):

The main reason for contract over salary staff is because the department cannot bring in an attorney position under the state that is competitive with county and private practice. The department learned that through the state public defender's office. The department has struggled to staff that office and had positions open for a very long time without any applicants. Upon review, DIDS reformulated this position to go with contract positions instead of salary positions in an effort to be more successful. The department has measured and managed the hourly rates in the various counties for appointed counsel in different kinds depending on the level of cases and also considered the Criminal Justice Act rate.

SENATOR CANNIZZARO:

As I understand from your description, these positions are probably going to be needed on an ongoing basis even though they are contract attorney positions, correct?

MS. RYBA:

Yes, that is correct. The requirement to provide oversight is specifically set forth in *Nevada Revised Statutes* 180 and it is also an agreement in the stipulated consent judgment. Even if the stipulated consent judgment were to close, the state still has the statutory requirement to provide oversight as set forth by the Legislature.

SENATOR CANNIZZARO:

These contract attorney positions are meant for the purpose of oversight. They are monitoring and providing training and experience and observing. Do you foresee that those are also positions then for oversight that would continue in the future?

MS. RYBA:

Yes, these positions would continue in the future. The department is hoping to find attorneys for the rural counties that are inspirational and have experience that people respect. The department does not want to bring the public defenders down but rather build them up. The department is looking to provide oversight and training and give them inspiration of things they can achieve in their own positions.

SENATOR CANNIZZARO:

I think that is the biggest point I would make in reviewing this request. This is an appropriate use of the A.B. 518 funds, but it seems like because this will be ongoing, the expense should be built into the 2025-27 biennium budget for DIDS rather than setting aside additional funds. Even though the positions are for contract attorneys, this should be built into the department's base budget as positions so the correct amount of funds can be allocated. That way these positions will be accounted for in an appropriate fashion within the budget.

Madam Chair, that would be my request so the Legislature can ensure that ongoing expenditures are included, not just the contract attorney positions, but any other ongoing costs, such as a Westlaw subscription.

SENATOR TITUS:

You mentioned the court appointed reviewer recommended there is a need for 90 public defenders out in the rural areas. That excludes Washoe and Clark Counties, correct?

MS. RYBA:

To clarify, the National Center for the State Courts rural workload study is separate from the state's monitor. The department engaged with the National Center for State Courts to conduct a study and make a recommendation of how many attorneys are needed in the rural counties. That study took about 3 years to complete and was part of the Davis requirements.

Yes, the recommended number of public defenders is for the rural areas only.

SENATOR TITUS:

The recommendation was 90 public defenders and there are currently 60, correct?



Ms. RYBA:

There are 90 full-time equivalent (FTE) public defenders. An FTE public defender is defined at approximately 1,361 attorney hours per year. Many of the rural counties rely on contract attorneys and DIDS believes that contract attorneys could agree to provide more than that amount of time in their contracts per year. As the agency is reaching out to the counties, if attorneys want to work weekends and holidays, they are free to contract for those increased amounts. However, the recommendation is 30 additional FTE attorneys.

SENATOR TITUS:

If 30 additional FTE attorneys are needed, what solutions were available to fill that void? It is not just attorneys that are in demand, health care across the spectrum is in need of staff. The state has considered innovative ways to fill that void. I do not know the process; I am not an attorney. In the medical field, there are internships, externships, and rotations. Is there something similar in the public defender realm and possibly these two oversight positions that would encourage attorneys to enter his profession?

Ms. RYBA:

Part of the agency's request is to use \$13,000 for an internship or externship for William S. Boyd School of Law (Boyd Law School). Historically, the agency has provided a \$6,500 stipend to pay a student to spend the summer at a rural office. There is proof of concept; one of the first interns is working at the Carson City Public Defenders Office. The internship directly led him into the position and made that connection. The department's request today is to continue that fund by requesting \$13,000 to make that opportunity possible again for two students to come into the rural counties and experience how beautiful and wonderful it is and experience the work life in those public defender offices.

The department is also addressing this issue in other ways. For example, DIDS is reviewing the Supreme Court rules. The agency recently had some success in changing a Supreme Court rule so that graduates of law school can go to the rural counties. The department reached across the aisle to district attorneys and worked with them to make this change so graduates can work in rural district attorney and public defender offices upon graduation from law school. Historically, graduates had to wait until they passed the bar before they could begin practicing law. With this change, if the individual is working in an organized office under someone's license, they are able to be hired as an attorney immediately.

The department is also investigating the possibility of increasing the limited license. Currently, if an individual comes from another state and works under someone's license, they are limited to two years, which can be problematic. For example, in Elko an individual has been working under someone else's license for two years, but that individual has not yet passed the bar.

ASSEMBLYMAN YEAGER:

I like this compliance with workload standards idea of stipends for people to work in the rural communities, which has been a challenge. I think that \$13,000 is a modest amount. Is the demand greater than two students? Is this an issue of lack of funding to accommodate the need or is the need generally two students per year?

PETER HANDY (Deputy Director, DIDS):

The department previously received the \$13,000 through a grant from the state bar, which is why the agency decided to use the funds for two students from Boyd Law School to come to one of the rural counties. In the first year, there were only two applicants, both of which accepted positions in rural counties, one in Carson City and one in Elko. Last year, only one applicant was placed; therefore, the department believes that two stipends will be adequate. The department is hoping to expand that in the future if there are interested applicants.

MS. RYBA:

Part of the limitation was that the department received a grant from the state bar which was specifically limited to students from Boyd Law School. The rural counties also draw from other law schools when seeking to find attorneys. If the department was able to open the program to other law schools such as McGeorge School of Law, it is hopeful there would be more applicants.

ASSEMBLYMAN HAFEN:

I would like a copy of the Delphi study showing the 50% increase in the required public defender contracts that are needed throughout the rural counties. I am hopeful that study includes a breakdown per county. If that information is not included in the study, I would appreciate if it could be provided to the Committee.

SENATOR CANNIZZARO:

I would move that the Committee approve the request for allocation of \$765,583 from the IFC Contingency Account pursuant to Section 7 of Assembly Bill 518 from the 82<sup>nd</sup> (2023) Legislative Session and direct the agency to include any continuing expenditures in the base budget so they can be funded with General Funds rather than having to set aside money in the IFC Contingency Account.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA ITEM H AND REQUIRE THE DEPARTMENT OF INDIGENT DEFENSE SERVICES TO INCLUDE RELATED ONGOING EXPENDITURES IN THE DEPARTMENT'S BASE BUDGET.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

Chair Monroe-Moreno called a recess at 1:52 p.m. The Committee reconvened at 3:12 p.m.

- I. **REQUEST FOR AN ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO SECTION 14 OF SENATE BILL 503 (2023 LEGISLATIVE SESSION) (Note: IFC may approve a different amount for an allocation than the amount requested) - DEPARTMENT OF EDUCATION -** Request for an allocation of \$260,320 to support the Teach Nevada Scholarship program. **WITHDRAWN ON 11-28-23.**
- J. **WORK PROGRAM REVISIONS IN ACCORDANCE WITH NRS 353.220(5)(a) - INFORMATIONAL ONLY - APPROVED BY THE GOVERNOR BECAUSE OF AN EMERGENCY AS DEFINED IN NRS 353.263 OR FOR THE PROTECTION OF LIFE OR PROPERTY.**

SARAH COFFMAN (Assembly Fiscal Analyst, Fiscal Analysis Division, LCB):

The following items have been pulled for further discussion: Agenda Items J.1, Office of the Governor, and J.2, Department of Health and Human Services (DHHS), Division of Public and Behavioral Health (DPBH). They will be heard with Agenda Items L.1, L.2, L.17, L.18, L.19, L.20, L.21, L.22.

- 1. **Office of the Governor - COVID-19 Relief Programs - FY 2024**  
Transfer of \$5,716,150 from the Loss Revenue Reserve category to the American Rescue Plan Act Projects category to support an allocation to the Department of Health and Human Services, Division of Public and Behavioral Health to provide care for long-term forensic and civil patients in skilled nursing facilities. **RELATES TO ITEM J.2. Work Program #24FR132705. RECEIVED ON 11-17-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE. REVISED 11-20-23.**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

- 2. **Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2024**  
Addition of \$5,716,150 in federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to provide care for long-term forensic and civil patients in skilled nursing facilities. **RELATES TO ITEM J.1. Work Program #24FRF31614. RECEIVED ON 11-17-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE. REVISED 11-20-23.**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

**K. AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE FISCAL RECOVERY FUNDS.**

1. Statement of American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds obligations and remaining unobligated balance.

BRODY LEISER (Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division, LCB):

I will discuss Agenda Item K.1, the Statement of the American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Fund obligations and remaining unobligated balance.

The table ([Exhibit I](#)) is not included in the meeting packet. Members should have a hard copy; the document is also available on the Committee webpage (<https://www.leg.state.nv.us/App/InterimCommittee/REL/Interim2023/Meeting/33812>).

As the Committee may recall from the October 11, 2023, IFC meeting, this table includes a high-level summary ([Exhibit I](#)). Toward the top of page 1, it demonstrates the actual expenditures for FYs 2022 and 2023; the amounts currently authorized (the amount shown under *Total Currently Authorized* also includes the items pending consideration by the Committee today); and the remaining unobligated balance. If all requests submitted for consideration today are approved, approximately \$25.2 million would remain unobligated. As a reminder, funds must be obligated by December 31, 2024, and expended by December 31, 2026.

There were a handful of minor revisions to existing rows on the table since the October IFC meeting; those are identified in red text in the *Notes* column on the far right of the table. The items submitted for presentation to and/or consideration by the Committee today begin on page 22 of the document ([Exhibit I](#)).

There are 2 work programs submitted as informational items under Agenda Item J. There were 22 work programs submitted for consideration today requesting the use or transfer of Coronavirus State Fiscal Recovery Funds under Agenda Item L; however, Agenda Item L.6 has been withdrawn. The items presented to the Committee today include the following requests:

1. Address forensic mental health capacity needs of the state;
2. Assist state agencies in recruitment efforts to fill vacant positions;
3. Purchase various equipment; and
4. Transfer and/or align authority to carry out previously approved projects.

There was no further discussion on this item.

2. Status report on the administration, obligation and expenditure of American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds (Letter of Intent, 2023 Legislative Session).

AMY STEPHENSON (Director, Governor's Finance Office [GFO]):

I would like to apologize for the lateness of the report from the GFO. With the dynamic nature of the ARPA funds, I wanted to ensure I provided the Committee the most updated information. I know it was a concern at the last meeting, with the data being 60 days out. I wanted to provide the information as close to real time as possible; however, I recognize the need to review the information before the meeting. I am working on refining the process so that it allows time for review before the meeting. I am dedicated to getting this information right so that the ARPA dollars are spent and not returned to the federal government.

Enclosed, there is a statement ([Exhibit J](#)) which is similar to the statement presented by Mr. Leiser for Agenda Item K.1 ([Exhibit I](#)). The GFO statement shows the summary of each allocation as of December 11, 2023. The only difference is that the GFO statement has an extra column which includes the 24 actual expenditures as of December 11, 2023. The *Notes* column has information regarding status and next steps.

As of December 11, 2023, the GFO shows \$26,072,900 in unobligated authority, which is slightly different than Mr. Leiser's report. The GFO still needs to reconcile as the agency is aware of some deobligations that will come to the February 8, 2024, IFC meeting for projects that have been completed or were requested by the agency to be deobligated.

In November 2023, the United States Department of the Treasury (Treasury) issued an obligation interim final rule to address the recipients' questions regarding the definition of "obligation" and provided related guidance and clarification. The definition of obligation has been updated to allow a recipient to use Coronavirus State Fiscal Recovery Funds to cover costs such as payroll related to reporting compliance, monitoring, and single audits that occur after December 31, 2026. To take advantage of this additional flexibility, the GFO must calculate and justify the cost and submit a report to the Treasury by April 30, 2024. Recipients may not include within this estimate any expenditure that is made after December 31, 2026, other than administrative expenditures necessary to close out the Coronavirus State Fiscal Recovery Funds award in accordance with the uniform guidance. With the new obligation guidance from the Treasury and after legal counsel, the GFO has some concern regarding the state's ability to meet the federal obligation requirement for state personnel costs that go beyond December 2024 that are not related to compliance efforts.

For program personnel, a legal obligation incurs after the work has been performed. This affects approximately 105 full-time equivalents (FTE) for the last six months of the second biennium. That is considered non-obligated because the workers have not yet performed the work. Of the 105 FTEs, 83 are vacant positions within the Department of Health and Human Services (DHHS) and are on the agenda today. I have spoken with Richard Whitley, the Director of the DHHS, and those positions could possibly be changed to contract staff. The positions would then be considered obligated and could perform the necessary services. Of the remaining 22 FTEs, 3 are vacant, so the impact is 19. I am working with the Division of Human Resource Management and Director Whitley (because most of the vacancies are with the DHHS) to place those positions in either currently vacant positions or find other means so they will be held harmless; there will be no adverse effects to those employees.

There have been 146 advance payments submitted for processing. The GFO is working on a separate reconciliation to reflect how much of the advance funds have been spent. That information will be provided along with the summary at the February 8, 2024, IFC meeting.

CHAIR MONROE-MORENO:

Given this information, and with the updated definition of the obligation from the Treasury, can the state fund position costs unrelated to compliance efforts with ARPA funds after December 31, 2024?

MS. STEPHENSON:

No.

CHAIR MONROE-MORENO:

Since the state would not be able to fund staff past December 2024, how would it help to change those positions to contract staff? Would the state be able to pay that contract after December 2024 since the state is not compliant?

MS. STEPHENSON:

Since the state would be entering into a long-term contract for contract staff, the Treasury considers that an obligation. The difference with state FTEs is that the state is not legally obligated to pay an employee until they perform the work.

CHAIR MONROE-MORENO:

With the new information the Committee has received and the concerns about funding positions that are not related to compliance efforts after December 31, 2024, please indicate whether it would be appropriate at this time to approve Agenda Items L.17 and L.18, which would include authority to support those 83 FTE positions beginning in December 2024, and also contract positions in Agenda Item L.20 because they have been extended to 2025.

MS. STEPHENSON:

It would not be appropriate to approve the 83 FTE positions in Agenda Items L.17 and L.18, but it would be appropriate to approve the 20 contract positions based on the new definition of obligation from the Treasury.

CHAIR MONROE-MORENO:

A request was submitted to fund the two-year jail-based pilot programs in Clark and Washoe Counties, which would go beyond December 31, 2024. Would the state still be able to fund the program based on the new definition of obligation?

MS. STEPHENSON:

It would depend on whether the state was going to contract specifically with Clark and Washoe Counties. If so, it would meet the definition because the state would be entering into a contractual agreement with another entity.

CHAIR MONROE-MORENO:

If the state entered into a contract with the counties, those counties would then be responsible for hiring staff, which would allow the program to be approved. Is that correct?

MS. STEPHENSON:

I do not have enough knowledge about the program. I would like to talk with Director Whitley before I respond to the question. Regarding obligation, if the state contracts with a third party, local entity, or a vendor, the funds are considered obligated. The concerns are with state FTEs because the funds are not considered obligated until the services are performed by those employees. If the state enters into a contract with contract staff or if the state gives money to an entity and they hire the staff, the funds are considered obligated.

CHAIR MONROE-MORENO:

To confirm, the Committee could approve most of the items under Agenda Item L except Agenda Items L.17 and L.18, correct?

MS. STEPHENSON:

That is correct.

SENATOR NGUYEN:

Has the GFO started to review items that were passed during the 82<sup>nd</sup> (2023) Legislative Session that may be impacted by this new guidance from the Treasury related to ARPA funds? What other programs will potentially be impacted that include state employees and were funded through FY 2025?

MS. STEPHENSON:

The GFO has gone through the items, and the 105 employees that were mentioned earlier are the impacts based on the new guidance.

SENATOR NGUYEN:

The 105 employees are inclusive of everything, correct?

MS. STEPHENSON:

That is correct.

SENATOR NGUYEN:

Do the 105 employees include the 83 requested in the work program?

MS. STEPHENSON:

That is correct.

ASSEMBLYWOMAN ANDERSON:

There are numerous items that are 0% complete, yet the spend plans must be completed by December 31, 2023. What is going to happen if there is no plan, or worse yet, if there is a supply chain delay, which is what happened with the Governor's Office?



MS. STEPHENSON:

The Governor's Office can look to deobligate from some of these programs if they cannot get them off the ground by December 31, 2023, and then reallocate the funds at the February IFC meeting.

ASSEMBLYWOMAN ANDERSON:

Would those items come before the Committee at the February meeting? I hope the information will be submitted to the Committee in advance. Would the funds be reallocated under the same department, or could they be reallocated to anything within the state?

MS. STEPHENSON:

It could be for any agency if it fits in the right category of money, such as revenue replacement or public health infrastructure.

SENATOR CANNIZZARO:

There are many spending plans that need to be received within the next two weeks. Are the agencies aware and in the process of providing those plans? Does the GFO expect them to be submitted by the deadline?

MS. STEPHENSON:

The agencies are aware as the GFO ARPA team has been meeting with the agencies monthly. The GFO hopes to receive the spending plans by the deadline. I have also scheduled a meeting with all the agency Directors next week to discuss the new definition of obligation, discuss each project, and stress the importance of receiving status updates from the agencies. If an agency cannot spend the funds, the state can spend them somewhere else.

SENATOR CANNIZZARO:

My frustration on this issue continues. A lot of money was approved for various items. That money is not yet being spent and spending plans have not been submitted. There is a large amount of money that will be difficult to re-obligate to other programs. Looking at line 67 on the ARPA spreadsheet, there was \$30.0 million for child care provider capacity expansion grants; however, very little of those funds have been spent; there is still \$21.5 million remaining ([Exhibit K](#)). That is just one item on the list.

I know there was a lot of discussion during the 82<sup>nd</sup> (2023) Legislative Session, but if there is an issue that must be addressed as to why the ARPA funds are not being spent then the Committee needs this information. The Committee has not received any indication of what the issue is or why that is the case. This is a large sum of money to either be spent within the timeframe or

reallocated to another program that will be able to utilize the funds in a way that is allowable under the rules and is beneficial for Nevadans. For example, everyone here would easily agree that child care expansion and additional slots on behalf of providers is an essential need for Nevadans.

I know the GFO is doing its best to provide the Committee with this information. This is the second meeting where the Committee has been provided with a very detailed packet of information on the day of the meeting. Thankfully the information provided today is different from the one the Committee received last time, which contained out-of-date information. However, now there is a lack of information or any indication that spending plans are needed. I do not know if the issue is with the agencies not giving the information to the GFO, or not taking this seriously, or if there is some other miscommunication. The Committee cannot be provided with this information the day of the meeting again at the February 2024 IFC meeting because that is not enough time to review the materials.

The lack of information about how the ARPA money will be spent is very frustrating. The Committee wants to be good stewards of this money and ensure the funds reach the programs, especially because there was a lot of work done to vet these programs. If the ARPA funds cannot be spent, the state needs to reallocate the funds or put the money elsewhere. I know the GFO is aware that the Committee does not want to receive last minute requests to reobligate funds; the Committee needs to know why the money was not spent in the first place.

I am not trying to belabor the point or take out frustrations on you personally, because I know you are doing a good job, but this must be the last time that the Committee receives this packet of information the day of the meeting. That is not a way for the Committee or the GFO to perform their jobs, or for the state to serve the people of Nevada.

I have not had sufficient time to review each one of these programs where there is money waiting to help Nevadans. A plan needs to be made to do something to ensure the ARPA funds will be spent. Also, the Committee needs more updated information well in advance of the next IFC meeting, because these reports are not digestible in a short period of time.

SENATOR NEAL:

The new terminology of what obligation means is unclear. In the Federal Register, it says that one of the new changes to the terms includes reporting. "Such expenditures can include the following: reporting and compliance requirements, funds expended to comply with Coronavirus State and Local Fiscal Recovery Funds reporting and compliance requirements in connection with the preparation and submission of recipients' required reports, review of subaward reports, or subrecipient monitoring generally." If a person, entity, or agency wants to create a subaward or do a request for proposal

(RFP), and if it is not solidified by December 31, 2024, is it no longer an eligible expense? Is this because an RFP is not in the category as being in the review of an actual subaward, or looking at a report, or looking at the maintenance of the data for something that has already happened?

MS. STEPHENSON:

I do not understand the question.

SENATOR NEAL:

Hypothetically, if there is currently a project in the queue and an RFP is active; however, no money has been committed, is the expense considered obligated?

MS. STEPHENSON:

If a state agency has not finished the contract, the RFP, or obligated the funds by December 31, 2024, it is not considered obligated. If a state agency subawards to another county and that county has not done the RFP, they are not subject to that same rule. It is the state agency that must have the contract, subaward, or contractual agreement finalized by December 31, 2024, to be considered obligated.

SENATOR NEAL:

At the beginning of this conversation, it was said that it is acceptable if the money operates as a pass through to a county and then the county obligates the funds; however, that is not the case with state agencies. For example, currently there are a blended amount of ARPA funds that are expected to be obligated or expended by June 30, 2025. These programs are currently in the process of completing an RFP. Is the GFO contacting the agencies to warn them that the RFP process must be completed by the deadline, or it will become null and void?

MS. STEPHENSON:

That is correct. I am making agencies aware they must either speed up the RFP process or enter into a contract by December 31, 2024.

SENATOR NEAL:

Despite the approaching holidays and associated time off, the GFO is telling these agencies they need to finalize the RFP or enter into a contract so the state does not lose money, correct?

MS. STEPHENSON:

State agencies have until December 31, 2024, to enter into a contract.

SENATOR TITUS:

You did not personally authorize any of these expenditures, correct? They were approved by the 2023 Legislature.

MS. STEPHENSON:

Correct.

SENATOR TITUS:

These funds have been obligated through a process and the GFO must now hold the agencies accountable for spending this large amount of money they requested.

MS. STEPHENSON:

That is correct.

SENATOR TITUS:

It concerned me from the start that the ARPA funds were being thrown around loosely. I had questions and expressed concerns during committee hearings about how the funds would be spent. I have asked staff to provide updates on whether it is possible to spend these funds and the process for doing so. I think this is what is being seen now as time has passed, that the agencies are going to have a hard time spending some of this money. The state does not want to leave any funds unspent, because there are true needs in Nevada that need to be met. The agencies should be held responsible and if they cannot spend this money, the state will be obligated to put it towards other voids in the state.

I appreciate the GFO is holding agencies accountable and continuing to provide the Committee with updated information. I also appreciated the comments made by Majority Leader Cannizzaro about getting information to the Committee earlier because that is how I feel about receiving information at the last minute for almost every meeting I attend, as the minority party of this Committee.

I share the concern that the Committee needs information in a timely manner, but I appreciate that you are trying to provide current information because the Committee gives the GFO a hard time when the information is not current or too current. I personally want to thank you for doing your job. It is the Committee's obligation to watch out for the taxpayer funds because everybody in this room contributes towards those funds. I would hope that everyone is sensitive about making sure the funds are well spent in a timely manner with an appropriate amount of information.

SENATOR GOICOECHEA:

At what point in this process is the GFO going to look at the agencies that are not going to meet the deadline? There are other shovel ready projects that are definite needs in Nevada, just waiting to start. At what point will the funds be reobligated to other projects that are ready to begin?

MS. STEPHENSON:

It is the goal of the Governor's Office and me to look at this at the beginning of 2024, after the spend plans have been submitted. The idea is to give agencies and programs one last chance to begin those programs with the help of the GFO. After that, other projects will be considered.

CHAIR MONROE-MORENO:

Every request that is on this extensive document was a bill or a request from a department that came through the GFO and then this Committee ([Exhibit K](#)). I have a request and I hope that every agency is listening, because this cannot happen again. I have repeatedly said that I do not want to send any money back to the federal government. A provision was made during the 82<sup>nd</sup> (2023) Legislative Session to do that, but I would rather not use that provision. I would rather have the money utilized for its original purpose. I am requesting that every agency provide a report to the GFO in a timely manner and well before the February 8, 2024, IFC meeting. The report should include a detailed account of approved program allegations that include personnel costs beyond December 31, 2024. The report should include a description of the program; the agency that is conducting the program; the budget account; FTE information including positions' titles and counts; confirmation on whether the positions are currently filled; the total program award allocation; the budgeted authority by fiscal year; and the estimated amount to support the positions beyond December 31, 2024. The report should also include information as to the plans to fund any of the positions that are otherwise budgeted to be funded with ARPA funds beyond December 31, 2024.

For all the programs that have been approved, please provide a detailed update to the GFO, so that the GFO can report those status updates to the Committee. I ask the agencies to be honest with yourselves and with the GFO. If you cannot do the work, if the RFPs are not coming in, or you cannot hire staff, say it now so that the funds can be reobligated.

Ms. Stephenson, I know your job is not easy and the Committee appreciates you. This is a very frustrating position to be in at this point. Thank you for the report and I look forward to receiving the next report long before the February IFC meeting. Agencies, get the information to the GFO so that information can be provided to the Committee.

ASSEMBLYMAN NGUYEN:

At what point in 2024 will the GFO follow up with the agencies? I would like to know an exact date or timeframe.

MS. STEPHENSON:

I have set that deadline internally for December 31, 2023, as seen on the report so that I can have conversations with the Governor's Office on what needs to be sped up or brought before the Committee for reallocation.

ASSEMBLYMAN NGUYEN:

The December 31, 2023, deadline is approaching very quickly and does not seem realistic. Is there a new deadline?

MS. STEPHENSON:

I respectfully disagree that December 31, 2023, is not an attainable deadline. The GFO has been working with these programs for quite a long time. If the agencies do not have a timeline or a plan by that time, then I do not know that they can get the program off the ground. Since this is new guidance for all my fellow Directors, I am taking the personal approach and meeting with them next week so that I can answer questions and explain everything. I will address the new definition for obligation, what that means with regard to RFPs, and brainstorm to figure out the next steps if the agencies cannot get that information to me by the deadline.

CHAIR MONROE-MORENO:

In the report that I requested, if all the agencies could have their information to the GFO 30 days before the next IFC meeting on February 8, 2024, that would give the GFO time review the information and provide a report to the Committee 2 weeks before the February meeting, which would be January 25, 2024. That would then give the Committee adequate time to review the information. Are those dates attainable?

MS. STEPHENSON:

Yes.

CHAIR MONROE-MORENO:

To clarify, the information would have to be to the Committee no later than January 25, 2024. These dates will be final deadlines. Do not request an extension.

There was no further discussion on this item.

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

SARAH COFFMAN (Assembly Fiscal Analyst, Fiscal Analysis Division, LCB):

The following items have been pulled for further discussion: Agenda Items L.1, Office of the Governor; L.2, DHHS, DPBH; L.17, Office of the Governor; L.18, DHHS, DPBH; L.19, Office of the Governor; L.20, DHHS, DPBH; L.21, Office of the Governor; and L.22, DHHS, DPBH. They will be discussed with Agenda Items J.1 and J.2. Agenda Item L.3, Department of Administration, Division of Human Resource Management has also been pulled for further discussion.

Agenda Item L.6, Department of Agriculture, was withdrawn after the agenda was posted.

**1. Office of the Governor - COVID-19 Relief Programs - FY 2024**

Transfer \$14,905,281 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Public Health category to support an allocation to the Department of Health and Human Services, Division of Public and Behavioral Health to fund statewide jail-based programming for forensic clients. Requires Interim Finance approval since the amount transferred to the ARPA Public Health category exceeds \$350,000. **RELATES TO ITEM L.2. Work Program #24FR132703**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

**2. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2024**

Addition of \$14,905,281 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to support statewide jail-based programming for forensic clients. Requires Interim Finance approval since the amount added to the ARPA Jail-Based Programming category exceeds \$350,000. **RELATES TO ITEM L.1. Work Program #24FRF31611**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

**3. Department of Administration - Division of Human Resource Management - FY 2024**

Addition of \$1,000,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to support contract services to assist state agencies in the recruitment and hiring of employees. Requires Interim Finance approval since the amount added to the ARPA Act category exceeds \$350,000. **Work Program #24FRF13632**

MATTHEW TUMA (Deputy Director, Department of Administration):

Agenda Item L.3 requests the addition of \$1.0 million in American Rescue Plan Act (ARPA) funding to the Division of Human Resource Management (DHRM) budget to support contract services to assist state agencies in the recruitment and hiring of employees. This is the continuation and the expansion of a pilot program that has been pursued over the last few months with the Nevada Department of Corrections (NDOC) and there have been some wonderful successes. Deputy Director Kristina Shea from the NDOC will explain the pilot, why the program has been successful, and the reason for expanding the program more broadly.

KRISTINA SHEA (Deputy Director of Support Services, NDOC):

The NDOC is currently sitting at a 33% vacancy rate for correctional officers. The NDOC made a commitment to the Legislature during the 82<sup>nd</sup> (2023) Legislature to make sure Director Dzurenda and I put top priority in recruitment of correctional officers into Nevada's institutions. Fortunately, there has been an increase in NDOC's hiring processes in the last three months due to a new pilot program from the 82<sup>nd</sup> (2023) Legislature. The department has hired approximately 80 correctional officers and retainment. In addition, by partnering with All-Star Talent, the NDOC has about 5,314 leads, 3,000 have passed prescreening, 555 applications have gone into NVAPPS, and 392 leads are available for the department to recruit with an increase of about 30% in the academies. With this success, the NDOC met with the DHRM and the Governor's Finance Office (GFO) to extend this program more broadly to include medical and mental health staff and try to address this as a statewide initiative.

ASSEMBLYMAN YEAGER:

In looking at the backup documentation for this item, I was disappointed that it seemed like some of the policies that were enacted in Senate Bill (S.B.) 431 of the 82<sup>nd</sup> (2023) Legislature, that would transfer some of these processes to the agencies, are not working because the volume of work associated with evaluating candidates and managing recruitment is a lot for agencies. Before I ask questions about the \$1.0 million, which I understand would be targeted to law enforcement and health care positions, are other agencies outside of law enforcement and health care experiencing difficulties in the enactment of S.B. 431? How would utilizing these vendors help if the program were to be expanded beyond those two areas?



MR. TUMA:

During the 82<sup>nd</sup> (2023) Legislative Session, there was a lot of discussion regarding issues and practices related to human resources, and the fundamental governing statutes, and there are many changes the division is in the process of implementing. As that is done, identifying staffing support needs at agencies will be an ongoing evaluation. As well, the structure within the DHRM for staff support is going to be very important as the division evaluates that structure and returns to the 2025 Legislature to request funds for ongoing costs and structural changes.

The funding expected for contract services under this allocation is very different from what state staff has typically been relied on to do, either at the agency or the DHRM level. In the sense that the division has generally been reactive on a staff level. When a position is opened, it is expected that people will find and apply for the position, and it is expected there will be a higher demand of potential applicants for every position than the available number of positions. The vacancies that have been accelerated post-COVID-19 have put the division in a situation where the division is playing catch up. Being in that reactive function on the process side has meant there have not been qualified applicants to go through that process and fill all those positions. This funding is specifically for contract expenses to be proactive about getting applicants and funneling them into the state system so their applications and credentials can be evaluated, helping them get beyond any of the internal hurdles as far as evaluating people, and what needs to be done, and being able to place the applicants in positions.

The division is facing quite a few barriers. Some barriers are being handled from a technological aspect as the DHRM moves forward with the Office of Project Management (OPM) project and the systems that are used so that people can upload their resumes and access the website. However, it is also about being more proactive and finding candidates that might be interested in working for the State of Nevada; ensuring the division is reaching out to applicants and lining them up into positions that people have historically found on their own; and utilizing state staff to evaluate the candidates once applications are submitted.

ASSEMBLYMAN YEAGER:

Looking at the backup documentation, it appears the point is to use social media to target individuals and generate leads and potentially applications. I understand the agency would handle it from that point and not the vendor. How will the division evaluate the success of this contract? Will the success of the contract be determined based on the number of leads or applications, or based on the number of people hired? What metrics will be used to determine whether this kind of program should be extended in law enforcement and health care positions and whether it might be extended beyond to other positions in need?

MR. TUMA:

All those metrics would be used to judge the success of the program. Those are where some successes were found with the pilot program. One of the features of working with a contracting company such as All-Star Talent for the pilot program, is that the company has been able to produce quantifiable data and individual information about people at all stages of a potential lead development as well as tracking when those people dropped off or were hired for a state job. The DHRM would look at the success of getting people that have been identified through these contracts placed in jobs and widening the pool of qualified applicants with which to fill jobs.

CHAIR MONROE-MORENO:

With the changes made in S.B. 431 and having agencies perform their own human resources tasks, this is one-time funding for this vendor contract. Once funding runs out, will the agencies be trained on how to do this themselves? What does this look like in the future? Will the state continue to contract with the vendor, which is counterproductive to S.B. 431, or will the agencies be trained in the process of recruitment and hiring?

MR. TUMA:

There is not a “silver bullet” to solve the state’s problems with recruitment, hiring and retention; it is a series of efforts. Earlier, the DHHS expressed gratitude for the substantive cost-of-living adjustments (COLA) that were authorized by the 82<sup>nd</sup> (2023) Legislature. Compensation is one aspect. How people are trained through the hiring process is going to be an ongoing challenge. I know there were separate appropriations for the training and education components to roll out during the current interim, as well as a separate appropriation for a more comprehensive class and compensation study.

As the Department of Administration also begins rolling out the new Core.NV project, the department will focus on updating tools and interfaces in the application systems that people are going to be utilizing, and having a modern system that is capable of automatic resume upload. Thus, there will be some technological instruments put into place over the coming years, in addition to how workflows and work responsibilities are going to be managed between the DHRM and individual agency’s human resource staff.

This is one-shot funding to pursue contract support where there are current vacancies and to get more people in line to ideally fill the large number of vacancies in the state. The DHRM will need to determine which of these efforts are successful, what to implement on the DHRM organizational structure during the interim, and what will need to be funded either through appropriations or the division’s internal service fund revenue and cost allocation during the 83<sup>rd</sup> (2025) Legislative Session.

This is an ongoing conversation about which things the division wants to continue to implement as well as something that will be done continually as the regulatory structure that governs human resource practices is updated to conform with the statutory changes in S.B. 431.

There are many things happening at one time as the division attempts to fill many vacancies. Again, one thing will not solve all the problems; however, having some continuous effort of things that are successful is helpful. For this funding source and strategy, it is based on the success of the pilot program over the last few months, specifically around NDOC staff and funneling people into the state and trying to fill the vacancy gap.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA  
ITEM L.3.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS  
PRESENT.

**4. Office of the Governor - COVID-19 Relief Programs - FY 2024**

Transfer of \$4,163,994 from the American Rescue Plan Act (ARPA) Universal School Meals category to the Loss Revenue Reserve category to align the remaining project authority. Requires Interim Finance approval since the amount transferred from the ARPA Universal School Meals category exceeds \$350,000. **RELATES TO ITEM L.5. Work Program #24FR132709. RECEIVED ON 11-20-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**5. Department of Agriculture - Nutrition Education Programs - FY 2024**

Deletion of \$4,163,994 of federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to align remaining project authority. Requires Interim Finance approval since the amount deleted from the ARPA Universal School Meals category exceeds \$350,000. **RELATES TO ITEM L.4. Work Program #24FR269101**

Refer to motion for approval under Agenda Item M.

6. **Department of Agriculture - Commodity Foods Distribution Program - FY 2024**  
Addition of \$21,299 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account, transfer of \$2,000,000 from the ARPA Senate Bill (S.B.) 461 Funds category to the ARPA Home Feeds Nevada category, \$187,096 from the ARPA S.B. 461 Funds category to the ARPA Community Food Access category, and \$198,389 transferred from the ARPA S.B. 461 Funds category to the ARPA Commodity Supplemental Food Program Rebrand category to separate ARPA funded projects for transparency. Requires Interim Finance approval since the amount transferred to the ARPA Home Feeds Nevada category exceeds \$350,000. **Work Program #24FR136207**

This item was withdrawn.

7. **Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2024**  
Transfer of \$365,396 from the Personnel category to the American Rescue Plan Act (ARPA) Oversight category for temporary contract staffing to provide oversight for to fiscal, personnel, payroll, grant subawards, and contract management ARPA-related activities. Requires Interim Finance approval since the amount transferred to the ARPA Oversight category exceeds \$350,000. **Work Program #24FRF31452**

Refer to motion for approval under Agenda Item M.

8. **Department of Health and Human Services - Child and Family Services - Northern Nevada Child and Adolescent Services - FY 2024**  
Addition of \$325,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account for a new playground and resurfacing of two existing playgrounds for the Day Treatment program for Northern Nevada. Requires Interim Finance approval since the amount added to the ARPA Day Treatment category exceeds 20% of the legislatively approved amount for that category. **Work Program #24FRF32811**

Refer to motion for approval under Agenda Item M.

9. **Department of Corrections - Director's Office - FY 2024**  
Addition of \$1,066,450 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account for replacement of culinary equipment at the Southern Desert Correctional Center. Requires Interim Finance approval since the amount added to the ARPA Funding category exceeds \$350,000. **Work Program #24FRF37101**

Refer to motion for approval under Agenda Item M.

**10. Department of Corrections - Director's Office - FY 2024**

Addition of \$268,041 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account for replacement equipment for staff work areas, offender monitoring areas, medical facilities and visitation areas. Requires Interim Finance approval since the cumulative amount added to the ARPA Funding category exceeds \$350,000. **Work Program #24FRF37102**

Refer to motion for approval under Agenda Item M.

**11. Department of Public Safety - Records, Communications and Compliance - FY 2024**

Addition of \$767,752 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to replace 15 dispatch communication consoles. Requires Interim Finance approval since the amount added to the ARPA Telecom category exceeds \$350,000. **Work Program #24FR470201**

Refer to motion for approval under Agenda Item M.

**12. Department of Conservation and Natural Resources - Division of State Parks - FY 2024**

Addition of \$7,050,000 in federal American Rescue Plan Act, Coronavirus State and Local Fiscal Recovery Funds transferred from the Water Conservation and Infrastructure account to support water and wastewater facilities projects throughout the park system. Requires Interim Finance approval since the amount added to the Nevada Water Conservation Infrastructure Initiative category exceeds \$350,000. **Work Program #C66264**

Refer to motion for approval under Agenda Item M.

**13. Office of the Governor - COVID-19 Relief Programs - FY 2024**

Transfer of \$2,874,384 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Projects category to fund an allocation to the Department of Health and Human Services, Division of Public and Behavioral Health to support the Nurse Apprenticeship Program. Requires Interim Finance approval since the amount added to the ARPA Projects category exceeds \$350,000. **RELATES TO ITEMS L.14, L.15, and L.16. Work Program #24FR132707. RECEIVED ON 11-14-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**14. Office of the Governor - COVID-19 Relief Programs - FY 2025**

Deletion of ~~\$2,874,384~~ **\$3,420,000** in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds balanced forward to FY 2025 from FY 2024 to fund a projected FY 2024 shortfall in the Nurse Apprentice Program through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred from the ARPA Project category exceeds \$350,000. **RELATES TO ITEMS L.13, L.15, and L.16. Work Program #25FR132704. RECEIVED ON 11-14-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE. REVISED 11-28-23.**

Refer to motion for approval under Agenda Item M.

**15. Department of Health and Human Services - Public and Behavioral Health - Health Care Facilities Regulation - FY 2024**

Addition of \$2,874,384 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund a projected shortfall in the Nurse Apprentice Program (NAP) through the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the ARPA NAP category exceeds \$350,000. **RELATES TO ITEMS L.13, L.14, AND L.16. Work Program #24FR321601. RECEIVED ON 11-14-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**16. Department of Health and Human Services - Public and Behavioral Health - Health Care Facilities Regulation - FY 2025**

Deletion of ~~\$2,874,384~~ **\$3,420,000** in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to reconcile actual project authority and to make funds available in FY 2024 to fund a projected shortfall in the Nurse Apprentice Program (NAP) through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred from the ARPA NAP category exceeds \$350,000. **RELATES TO ITEMS L.13, L.14, AND L.15. Work Program #25FR321601. RECEIVED ON 11-14-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE. REVISED 11-28-23.**

Refer to motion for approval under Agenda Item M.

**17. Office of the Governor - COVID-19 Relief Programs - FY 2025**

Transfer \$7,944,344 from the Loss Revenue Reserves category to the American Rescue Plan Act (ARPA) Services for Specific Populations category to support an allocation to the Department of Health and Human Services, Division of Public and Behavioral Health to increase forensic bed capacity. Requires Interim Finance approval since the amount transferred to the ARPA Services for Specific Populations category exceeds \$350,000. **RELATES TO ITEM L.18, L.21, AND L.22. Work Program #25FRF13275. RECEIVED ON 11-20-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

**18. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2025**

Addition of \$7,944,344 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to support staffing and operational costs for Building 3A for increased forensic bed capacity. Requires Interim Finance approval since the amount added to the ARPA 3A Forensic Renovation category exceeds \$350,000. **RELATES TO ITEM L.17, L.21, AND L.22. Work Program #25FRF31612. RECEIVED ON 11-20-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

**19. Office of the Governor - COVID-19 Relief Programs - FY 2024**

Transfer \$4,920,000 from the Loss Revenue Reserves category to the American Rescue Plan Act (ARPA) Public Health category to support an allocation to the Department of Health and Human Services, Division of Public and Behavioral Health to provide Forensic Professional Services. Requires Interim Finance approval since the amount transferred to the ARPA Public Health category exceeds \$350,000. **RELATES TO ITEM L.20. Work Program #24FR132706. RECEIVED ON 11-20-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

**20. Department of Health and Human Services - Public and Behavioral Health - Lake's Crossing Center - FY 2024**

Addition of \$4,920,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to provide statewide contracted forensic mental health services. Requires Interim Finance approval since the amount added to the ARPA Professional Services category exceeds \$350,000. **RELATES TO ITEM L.19. Work Program #24FRF36451. RECEIVED ON 11-20-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

**21. Office of the Governor - COVID-19 Relief Programs - FY 2024**

Transfer \$7,951,058 from the Loss Revenue Reserves category to the American Rescue Plan Act (ARPA) Services for Special Populations category to support an allocation to the Department of Health and Human Services, Division of Public and Behavioral Health for the renovations of the Southern Nevada Adult Mental Health Services Forensic Building 3A. Requires Interim Finance approval since the amount transferred to the ARPA Services for Specific Populations category exceeds \$350,000. **RELATES TO ITEM L.17, L.18, AND L.22. Work Program #24FR132708. RECEIVED ON 11-20-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly. Refer to testimony and motion for approval under Agenda Item L.22.

**22. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2024**

Addition of \$7,951,058 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account for renovations to the Southern Nevada Adult Mental Health Services Forensic Building 3A. Requires Interim Finance approval since the amount added to the ARPA - 3A Forensic Renovation category exceeds \$350,000. **RELATES TO ITEM L.17, L.18, AND L.21. Work Program #24FRF31615. RECEIVED ON 11-20-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Agenda Items J.1, J.2, L.1, L.2 and L.17 through L.22 were discussed jointly.

BEN KIECKHEFER (Chief of Staff, Office of the Governor):

Agenda Item J was forwarded as an emergency work program where notification of the Governor's approval of two work programs was provided. The work programs authorize the expenditure of American Rescue Plan Act (ARPA) funds to purchase capacity in the community to free up forensic beds and increase the availability of forensic placements out of jails. The decision was made to ultimately process this as an emergency work program following the discovery of risk to the community that the Governor felt needed to be immediately mitigated with the availability of additional beds.



Criminal charges have been dismissed against certain individuals who were thought to pose a risk to the community that had proved out. The Governor thought that implementing this transfer to increase bed capacity immediately would allow more expeditiously contracting with those community providers and making those movements to effectively provide the restoration of services that are needed to maintain people in an appropriate setting.

SENATOR NGUYEN:

I see there are 11 individuals that are being contemplated. Would that mean 11 new forensic beds would be created for some of this ongoing waitlist? How soon would that occur?

MR. KIECKHEFER:

That is exactly the purpose, to transfer long-term patients out of forensic beds to free up individual slots for restorative services and reduce the backlog within the jails. Because restorative services are a few months rather than long term, relocating the 11 long-term patients will allow more individuals requiring restorative services to be processed.

SENATOR NGUYEN:

How were the 11 individuals selected for relocation to a private facility? Was it based on need or the crimes they committed?

ELLEN RICHARDSON-ADAMS (Clinical Program Manager 3, Division of Public and Behavioral Health [DPBH], DHHS):

The 11 individuals met clinical need for a long-term skilled nursing level facility. The individuals are medically compromised and have behavioral health needs. The DPBH has completed a series of assessments, one being cognitive for the patient's current presentation of cognitive with potential of decline. The second assessment was the patient's physical abilities, such as if the patient is mobile and can use the toilet and feed themselves independently. The 11 individuals identified meet the level of need for a skilled nursing facility, which means those patients are essentially bedridden.

SENATOR NGUYEN:

To confirm, the state is fundamentally paying to have these 11 individuals in a skilled nursing facility. Is there any way the individuals would be eligible for Medicaid, or in some cases, Medicare depending on age? If not, will the state continue to pay for their care?

MS. RICHARDSON-ADAMS:

Unfortunately, those who are in an incarcerated state are not eligible for Medicaid or Medicare under the Centers for Medicare and Medicaid Services (CMS) rules. I have done extensive research to confirm that is accurate. In 2016, the CMS provided guidance to all the states as there was an increase of criminal justice intersecting with skilled-nursing-level needs. Therefore, at this time, the state would need to continue to pay for the individuals as a private pay because they are not eligible for that payer source.

SENATOR NGUYEN:

Since these individuals are currently being cared for by the state, will transferring them to a facility, that is arguably more equipped to deal with their medical needs, alleviate or free up any job responsibilities of current state workers?

MS. RICHARDSON-ADAMS:

Yes. Often due to the physical presentation of needs, a nurse may need to help feed an individual versus somebody that is truly needing to be in the hospital that can independently feed themselves. There is a skill development piece that a nurse, mental health technician, etc. would not have to provide for 1:1 care. They would be able to go back to the higher, 3 to 5-person ratio. I am happy to follow up or provide a status report at the next IFC meeting.

CHAIR MONROE-MORENO:

Yes, please provide that information at the next meeting.

ASSEMBLYMAN YEAGER:

I know this was already approved, but I am curious, how long will the \$5.7 million in ARPA funds last for the 11 patients? Does it cover the care only for a certain period such as the 2023-25 biennium? I understand these individuals are high-needs patients, so their care is expensive.

MS. RICHARDSON-ADAMS:

The \$5.7 million will cover the duration of the ARPA timeframe, so it would be until the ARPA dollars are timed out.

ASSEMBLYMAN YEAGER:

I am trying to get a sense of whether this is a long-term plan, or if additional individuals will be transferred. There is obviously going to be a state obligation beyond the ARPA money into the future. I will follow up with the agency offline. I would like to get a sense of the actual cost, and to Senator Nguyen's question of whether this is a net savings for the state versus under state care.

To Mr. Kieckhefer, the Governor approved this item under NRS 353.220(5)(a) for protection of life or property. It seemed that these 11 patients were, and maybe still are, occupying long-term inpatient beds at Rawson-Neal Psychiatric Hospital. Please explain what the protection of life or property was in this instance that led to the Governor approving it under that statute.

MR. KIECKHEFER:

Unrelated to these specific 11 patients, but it is the opportunity to free up the additional forensic services that will allow the state to appropriately treat people who are charged with violent crimes and ensure that they do not get their charges dismissed and are released back into the community.

CHAIR MONROE-MORENO:

What is the plan for the payment of care once the ARPA dollars are depleted?

MR. KIECKHEFER:

This will be an ongoing process as the waitlist in jails for provision of these services is reduced. If there is a continued need to have this bed capacity available, then the Governor's Office will come before the Legislature through the budget process to propose a funding source for more beds. Ultimately, the upcoming work programs will show that significant progress is being made in creating additional capacity, reducing wait lists, and partnering with local government partners in establishing a more comprehensive plan to address the need to provide more timely services to patients who need forensic restoration. It is a bit of a moving target because it is related to health care. The Governor's Office would address that through the budget process if there were a belief that the state will need to continue to pay for these services beyond the life of the ARPA funds.

CHAIR MONROE-MORENO:

What are the average ages and life expectancies of the 11 individuals that were moved to the skilled nursing facility?

MS. RICHARDSON-ADAMS:

The individuals range from 40 to 80 years old. Some of the individuals, due to the complexities of their mental health, and oftentimes heart disease, diabetes, etc., could have a decline in health. These diseases are being seen early onset and more commonly with the older population. In addition to physical assessments, cognitive assessments, etc., a risk assessment is also conducted. The DPBH wants to ensure the individuals that are reviewed will be in a safe community setting and monitored continually. The DPBH will be in there at least monthly, because the division wants the placements to be successful. It is important for the division to partner with the company and the facilities that are going to protect these individuals.

CODY PHINNEY (Administrator, DPBH, DHHS):

Agenda Item L contains several work programs that are steps in the division's larger plan to address the supply and demand for critical competent restoration competency services. In addition, these plans have been designed to use the time-limited ARPA funds before they expire.

The DPBH is asking to renovate Building 3A on the Southern Nevada Adult Mental Health Services (SNAMHS) campus. It currently has 21 licensed psychiatric beds. The renovation will ensure it is safe for forensic patients. Also, by freeing up 20 beds, there will be 60 short-term admissions per year.

The DPBH has proposed additional professional contract staff in the Lake's Crossing Center budget. This staff would work statewide to reduce the wait time between evaluations, and thus the length of stay at the forensic facilities. There is downtime between some of those evaluations and the division has been successful with improving staffing and would like to continue that trend.

Agenda Items L.1 and L.2 are the division's jail-based programs. This program is complementary to the division's inpatient restoration treatment services and will help the community manage the demand for inpatient forensic services. The program helps people receive the correct level of services and decriminalize some of the lower levels of mental illness behavior that becomes criminalized.

In addition to these work programs, the DPBH is working on other aspects. A new Statewide Forensic Programs Director position has been created, which Drew Cross has accepted. This is a step towards establishing an Office of Forensic Services statewide that was recommended to the DPBH. It will be a significant leap forward in modernizing the division's system. The DPBH is working to open the D-pod at Rawson-Neal Psychiatric Hospital for forensic services and depending on whether the rooms are singles or doubles, 20 to 30 additional beds will be available. Those beds would be used for three to four short-term patients per year. That staffing was approved in the last budget, and the DPBH is currently recruiting for those positions.

The DPBH continues to work on new diversion programs, expanding the existing diversion programs, and engaging individuals in the mental health system rather than getting them to the forensic system, such as Rawson-Neal Psychiatric Hospital Misdemeanor Diversion inpatient services. The DPBH is collaborating with Medicaid to ensure that behavioral health services are reimbursed in a manner that encourages their availability.

These are services that could prevent people from getting to this level of care in the community, being available, reimbursed in a way that providers can continue to operate. The Committee approved the design of a new forensic facility, which is underway and going before the Board of Examiners (BOE) in January 2024, in keeping with the master plan for the southern campus.

CHAIR MONROE-MORENO:

This is the second meeting the Committee has discussed these agenda items. At the October 11, 2023, IFC meeting, the Committee did not receive anything in writing. The Committee has since received a little more information, but not as much detail as the Committee was hoping to receive.

SENATOR NEAL:

I remember discussing these agenda items at the October IFC meeting and the Committee did not approve the items because additional detail was needed. There were very specific questions about the chart that was provided related to pharmacy program supplies for the year, how this money was going to be expended in an effective way, and about insight into the type and scale in which these dollars would be expended. Can the DPBH offer any information to the questions that were originally asked at the October IFC meeting?

MS. PHINNEY:

The DPBH made adjustments based on Senator Neal's question about the medication specifically. The division has additional programmatic detail available today. The division's overall goal with this jail-based programming is to ensure that the jails have the flexibility they need to run a program tailored to their facility. The DPBH is endeavoring not to dictate the exact expenditures to give the jails flexibility. That is partially designed to ensure the funds can be obligated in a timely way.

DREW CROSS (Statewide Forensic Program Director, DPBH, DHHS):

Forensic services have experienced a 35% increase in orders between the years 2020 and 2022, with 155 additional commitments reserved for forensic patients in the State of Nevada. Currently, there are approximately 150 individuals awaiting inpatient forensic services. One part of the solution is jail-based programs. The design of jail-based programs allows earlier stabilization of psychiatric symptoms through medication management, specialized program, and monitoring. The goal is to facilitate access to robust mental health services for individuals awaiting competency evaluation or restoration services or who have returned to jail after completing competency restoration. In addition to providing more humane care to defendants, these enhanced mental health services can help decrease the length of stay once individuals admit to a competency restoration program and prevent individuals from being re-referred for competency after restoration is completed.

In the absence of a jail-based program, individuals often decompensate when returned to jail and in some cases require readmission. Data from other states has shown in some cases that 50% of clients involved with this type of treatment no longer require the forensic inpatient setting. The jail-based program is cost effective, reducing the cost per bed by 50% compared to the inpatient forensic

setting. For those treated in a jail-based program and with a level of acuity still requiring the inpatient setting, the program is still beneficial. Another state has illustrated that the length of stay is 57 days for those who have completed this type of program. The length of stay in Nevada for FY 2022 was 111 days. It is with collaboration with community partners, including the Washoe Competency Court, the division believes this program would benefit everyone seeking forensic services statewide.

SENATOR NEAL:

I would like more detail about the anticipated personnel for Clark and Washoe Counties. The proposal for Clark County includes 15 medical providers and 9.4 correctional officers. The proposal for Washoe County is 6.1 medical providers and 11 correctional officers. According to the budget, the two-year total for Clark County is about \$5.5 million and about \$5.0 million for Washoe County. Please discuss the anticipated personnel and how this will work within the model proposed by the division.

I have similar questions to those I had about the large amount of money being spent on personnel versus pharmacy and program supplies and what is known to be acute circumstances that will be encountered. During the October 2023 IFC meeting, I recall that the DPBH is trying to anticipate for what may occur within the system. The division did not provide the level of acuity and level of mental health disease that may be encountered so the Committee could have a better understanding of whether the appropriate ratios exist.

MS. PHINNEY:

To clarify the question, are you asking about the staffing ratio within the jail unit that would serve as this program?

SENATOR NEAL:

If you could provide further details, because there is only a two-year window and a dollar amount for what the division needs in terms of personnel. I would also like clarity on the information that was not provided during the October 2023 IFC meeting. For example, the acuity, type of individuals being managed, and level of staff needed to run this program within the jail.

MS. PHINNEY:

Are you requesting information on the specific types of medical personnel that need to be hired?

SENATOR NEAL:

Please provide more details on these employees and their tasks.

MR. CROSS:

The clients will be anyone who is dealing with the legal entanglement where competency is a question. It will include both the pre-commit evaluation clients and those that are on the waitlist for restoration for inpatient service. As far as acuity for this program, the locked maximum security forensic facility is still available for the highest acuity clients. This program is appropriate for the vast majority of clients. For those clients who require a maximum-security setting, the forensic inpatient setting is still available. To clarify, that would be the primary population. Trained clinicians with a background as a forensic certified evaluator would conduct the screening to determine who enters this program. The DPBH would be willing to consult with county partners to establish how that assessment is done. That would primarily address most of the population involved in this type of program.

SENATOR NGUYEN:

My question relates to Senator Neal's question about how this program will look. I am aware that the program will be modeled after the Miami program. Would someone describe what this program will do? What are the positions, what are their tasks, where do they intervene, and what kind of services are they providing?

JAMES COX (Detention Services Lieutenant, Washoe County Sheriff's Office [WCSO]):

I am currently assigned as the medical and mental health liaison, so I can answer what the jail-based competency program will look like initially. Realistically, the WCSO is dealing with this population no matter what the acuity. The WCSO is the first stop for these individuals and is responsible for their care and to be the custodians while they move through both the forensic competency process and the legal system.

The WCSO is already dealing with this population and has several mechanisms in the ways in which things are done. The WCSO has specific housing units that are solely for the purpose of mental health treatment. The mental health providers are currently working 40 hours a week. The WCSO is constantly updating and working with its partners at Lake's Crossing Center and the district court to treat these individuals.

Currently, the mental health population is spread between four or five different housing units, including those who are eligible for the initial competency and then the evaluation of competency. With this proposal, the WCSO envisions making a single housing unit, basically mirroring Lake's Crossing Center as it relates to competency. For example, the programming starts in the beginning and initially in

identifying the individual almost upon intake. Rather than waiting for pretrial hearings, initial arraignments, or status hearings, the basic treatment can begin, which will then identify the person sooner and possibly get them to diversion sooner.

Regarding staffing levels, the WCSO plans to have approximately 6 clinicians and 10 commission staff. The deputies will receive additional training. Although there are about 200 deputies and they can work in any housing unit assignment, only 10 will be provided forensic training in addition to the standard mental health training that is conducted multiple times a year, to be able to work within that programming. Those 10 deputies are going to have the additional knowledge needed to work with that population, much like Lake's Crossing Center's custody personnel, and will also be working along with the mental health staff since it is an around-the-clock care facility. Even if medical staff are not there, custody staff will be there and must be able to follow the same processes. By mirroring what Lake's Crossing Center has done for decades, this new program should be successful.

SCOTT ZAVSZA (Captain, Las Vegas Metropolitan Police Department [LVMPD]):

I am the south tower captain and I also oversee the medical contract at the Clark County Detention Center (CCDC). Of the total CCDC inmate population, 30% is currently receiving mental health medication. There are 2,600 mental health provider and mid-level psychiatric visits per month. There are currently 25 mental health provider positions at the Detention Services Division with a \$6.0 million dedicated budget to mental health needs. Mental health is the Detention Services Division's largest expense after agency labor and medical services.

When developing the proposal, the CCDC is looking to add additional staff to provide the programming that is needed to help shorten the length of stay at forensic facilities. The CCDC has a waitlist of 113 individuals as of December 11, 2023. The goal is to work with the state on providing the continuum of care at an earlier stage of incarceration to shorten the length of stay. The CCDC has added correctional staff and provides crisis intervention team (CIT) training to all the officers so that officers are well versed in dealing with the mentally ill individuals that are incarcerated in the facility. The mental health providers will also provide group and individualized programming to help shorten stays. The additional mental health staffing was added so that the other mental health providers can concentrate on the great job that they already do with the current population. All these efforts will shorten the gap and relieve the pressure that is currently being seen with the large waitlist.



CHAIR MONROE-MORENO:

Since this would be a transfer of ARPA dollars, those funds will eventually run out. Have both agencies determined how to fund these positions in the future? Hiring can be challenging, especially as it relates to law enforcement. Will the CCDC be able to hire the correctional officers and mental health providers needed for this program?

FRED HAAS (Deputy Chief, LVMPD):

The hiring program has been robust this year. An academy started this year with 88 people on the police side, and recruitment efforts on the corrections side are increasing as well. The current vacancy rate is about 8%, which will increase toward the end of the year. I hope to fill those vacancies by June or July 2024. I am confident in the human resource unit's ability to hire the right people; people who have a passion for doing this kind of work and helping individuals get out of their current situation and through the system. Staffing will be easy; the LVMPD is large enough that staff can be moved around to ensure the program is staffed immediately.

JOANNA JACOB (Government Affairs Manager, Clark County):

My team and I listened to the discussion today with great interest. The issue about these positions being funded with ARPA dollars is why the county originally partnered with the state to have the money come through Clark County. Clark County funds the detention center. The money is going to come to the county, which will then partner with the LVMPD to operate the program.

Clark County has partnered with the LVMPD quite successfully on several programs supported by the board. As the pilot comes to an end, the county would work with the state and the LVMPD to assess future needs. I do not have an answer for the Committee today, but there is a record of successfully partnering with the LVMPD on services in the jails and it would be evaluating that for a future budget.

MR. COX:

The WCSO has already identified staff that would be going into that unit preliminarily. That staff has already received CIT training; I started CIT training around 2005. In partnership with the state, the WCSO is also going to provide forensic training. The sheriff is very proud of the fact that in his five years, he has been very committed to fully staffing the WCSO, and the agency is currently fully staffed. The WCSO is already using commissioned deputies for this unit, so there will not be a training lag, and then the agency will be backfilling with the ARPA funds to take the place from the position of the line.

Washoe County is very committed to this relationship. The sheriff has indicated that the general plan is to assume these positions at the end of the ARPA funding. However, there are different funding issues that could develop, so that is just the general concept at this time. The WCSO sees this as a multifaceted component of what is being done to address mental health. Washoe County has already assisted the WCSO by starting to contract with its current provider for those initial evaluations. Therefore, this is yet another component that Washoe County is committed to providing and funding in the future.

CADENCE MATIJEVICH (Government Affairs Liaison, Washoe County):

The Washoe County Board of County Commissioners has prioritized looking at behavioral health in Washoe County as one of the primary strategic priorities for 2024. Focusing on programs like the jail-based programs will be one of the Behavioral Health Administrator position's key tasks after the position is filled. The county will be exploring long-term funding for those programs when the ARPA funds are depleted. The representative from the WCSO is correct, Washoe County is committed to this program and very optimistic that the pilot program is going to show a significant benefit. The county will invest dollars when that comes to fruition.

ASSEMBLYWOMAN GONZALEZ:

What have the conversations been like with the public defenders, district attorneys, and courts? Are they all in support of these programs?

MS. JACOB:

I spoke with the Clark County public defender, Darin Imlay, and he authorized me to put on the record that he is in support of this proposal and the proposals before the Committee. Mr. Imlay said there is a lot of work to be done on mental health services in this state, and from his perspective, this is a good step forward; he supports anything that can be done to reduce the backlog. I also spoke with my colleague at the district attorney's office today. If the money is approved today, everyone involved in Clark County will meet to discuss the next steps. It is important to note that this is a population detention center. Clark County intends to partner with other criminal justice agencies such as the courts or the district attorney's office as needed.

MR. COX:

As it relates to the WCSO, Chief Deputy Solferino, who is in my direct chain of command and has been before the Committee before, is currently with Washoe County's public defenders, a judge from the district court, and several other people that are very involved with these projects. They all flew to Miami this morning to look at some of these additional programs, so the county can continue to get some innovative ideas as to how to continue to create success.

Yesterday, December 12, 2023, I also had a meeting with Captain Barboza and Judge Egan Walker of the Second Judicial District Court. Judge Walker has committed his time and is taking over much of these competency hearings and is performing those hearings via Zoom at the jail. The public defenders are coming to the jail for the hearings. This has been happening every Thursday for approximately eight weeks.

Washoe County's judicial community and legal community along with Chris Hicks, Washoe County District Attorney, and his representative Zach Young, are very committed to working together to solve this problem holistically rather than individually.

CHAIR MONROE-MORENO:

There are no further questions for Agenda Items L.1 and L.2 so the Committee will move on to Agenda Items L.17 through L.22.

SENATOR NEAL:

My question is about the renovation and operations of the vacant forensic buildings. What is the agency's current vacancy rate? Are there any concerns about hiring additional clinical staff, both contract and state positions, to provide expanded services, if these vacant buildings are renovated?

MR. CROSS:

The current vacancy rate at both Lake's Crossing Center and Southern Nevada Adult Mental Health Services (SNAMHS) is approximately 18%, which is a notable improvement. With the additional contract staff of clinicians hired for Lake's Crossing Center, who are tasked with doing the evaluations and assessments, the current vacancy rate is 4%. These numbers show tremendous success.

MS. PHINNEY:

There has been a significant increase in applications for state positions since the Legislature approved additional funding for salaries. I would like to express my gratitude because it is much appreciated. I would also like to express my appreciation to Clark County and the LVMPD for coming to support these items during a very difficult time. I am also extremely grateful to Washoe County.

SENATOR NEAL:

Regarding the renovation of Building 3A, the agency is requesting funding for renovations; however, it seems like there is still a lot of work that needs to be done on that building. Please elaborate.

SUSAN LYNCH (Hospital Administrator, SNAMHS, DPBH, DHHS):

The SNAMHS has been working in conjunction both with the State Public Works Division and with the Bureau of Health Care Quality and Compliance (HCQC) to develop the full list of renovations that are needed for Building 3A. I will summarize some of the main issues in the building. Three of the things that need updating and renovations are the heating, ventilation, and air conditioning (HVAC) system, aging wood structures in the courtyard area need to be removed, and the roof and windows need to be replaced. Additionally, the SNAMHS is requesting funding to upgrade the anti-ligature features of the building in the patient care areas and the common areas. Those anti-ligature upgrades include furniture, bathroom fixtures, and door hardware. Lastly, funding is being requested to upgrade the camera system and some parts of the fire protection system, such as the sprinklers and fire alarm system.

SENATOR NEAL:

The renovations for Building 3A will cost \$8.0 million for FY 2024 and then the agency believes there may be an additional \$6.7 million in ARPA funds that would be requested in FY 2026. With the information that has been presented today, will this be enough money? Will it be feasible to wait on the \$6.7 million allocation in FY 2026? It seems like there is a lot wrong with this building to make it functional.

MS. LYNCH:

The plan is to time the funding requests according to the extent of the renovations, that is why there are two separate work programs for two different fiscal years. The SNAMHS is confident that the \$8.0 million for the renovations is adequate. However, the SNAMHS will have to reevaluate the request for operating costs and staffing accordingly. As Ms. Finney and Mr. Cross said earlier, the SNAMHS has been actively recruiting for contract and state positions for several years. The SNAMHS is incorporating filling all the holes in its agency as soon as possible with those ongoing recruitment efforts.

SENATOR NEAL:

What funding sources would be considered for the continued staffing and operations of Building 3A beyond FY 2025 as part of the agency's requested budget for the 2025-27 biennium?

MS. LYNCH:

Those costs will need to be built into the SNAMHS budget with requests to the Committee for increases from the General Fund.

CHAIR MONROE-MORENO:

I believe the Committee could approve Agenda Items L.1 and L.2, which would be the coordination of the Clark and Washoe County's jail-based programming for the forensic clients. Agenda Items L.19 and L.20, if I understand correctly, would be contracted staff. As long as the agency enters into a contract, it will be within the Treasury's guidelines for obligated funds, so it would be safe to approve those. Agenda Items L.21 and L.22 involve building renovations, so those items can be approved. However, Agenda Items L.17 and L.18, with the 83 FTEs, would need to be deferred until there is a better understanding of how those positions would be funded.

MS. PHINNEY:

It is my understanding that the dollars for Agenda Items L.17 and L.18 were to be placed in a special use category to be moved to category one. Instead, those funds could be moved to a contract category if that solves the problem, but it makes sense to figure that out now that additional information is available.

CHAIR MONROE-MORENO:

With the additional information that was received today, the Committee will have a better idea at the February 2024 IFC meeting if Agenda Items L.17 and L.18 can move forward.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA ITEMS L.1, L.2, AND L.19 THROUGH L.22.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTIONS PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

SENATOR CANNIZZARO MOVED TO DENY AGENDA ITEMS L.17 AND L.18 AND REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC AND BEHAVIORAL HEALTH TO RESUBMIT WORK PROGRAMS THAT MEET U.S. DEPARTMENT OF THE TREASURY GUIDELINES.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**M. 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.**

SARAH COFFMAN (Assembly Fiscal Analyst, Fiscal Analysis Division, LCB):

The following items have been pulled for further discussion: Agenda Item M.7, Department of Education, which will be heard with Agenda Item M.56, Department of Employment, Training and Rehabilitation, Employment Security Division.

Agenda Items M.5, Department of Administration, Division of Human Resource Management and M.57, Department of Corrections were withdrawn.

SENATOR CANNIZZARO MOVED TO APPROVE THE REMAINING WORK PROGRAM REVISIONS AND POSITION RECLASSIFICATIONS UNDER AGENDA ITEMS J, L AND M.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**1. Office of the Attorney General - Extradition Coordinator - FY 2024**

Transfer of \$570,840 in General Fund appropriations to FY 2024 from FY 2025 to fund a projected shortfall in the Extradition Costs category for the remainder of the fiscal year. Requires Interim Finance approval since funds are being transferred from one fiscal year to the other, pursuant to Section 36 of Senate Bill 511 (2023 Legislative Session), and the amount added to the Extradition Costs category exceeds \$350,000. **RELATES TO ITEM M.2. Work Program #C66630**

Refer to motion for approval under Agenda Item M.

**2. Office of the Attorney General - Extradition Coordinator - FY 2025**

Transfer of \$570,840 in General Fund appropriations from FY 2025 to FY 2024 to fund a projected shortfall in the Extradition Costs category for the remainder of the fiscal year. Requires Interim Finance approval since funds are being transferred from one fiscal year to the other, pursuant to Section 36 of Senate Bill 511 (2023 Legislative Session), and the amount deleted from the Extradition Costs category exceeds \$350,000. **RELATES TO ITEM M.1. Work Program #C66631**

Refer to motion for approval under Agenda Item M.

**3. Department of Administration - Fleet Services Division - Fleet Services Capital Purchase - FY 2024**

Transfer of \$329,300 from the Reserve category to the Vehicle Purchase category to fund the purchase of five vehicles that were approved but could not be purchased in FY 2022 and FY 2023 due to supply chain issues. Requires Interim Finance approval since the amount transferred to the Vehicle Purchase category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66477. WITHDRAWN 11-9-23.**

**4. Department of Administration - Hearings and Appeals Division - FY 2024**

Addition of \$154,950 in Workers' Compensation and Safety funds transferred from the Department of Business and Industry, Division of Industrial Relations to support additional costs related to the implementation of an e-filing system. Requires Interim Finance approval since the amount added to the Information Services category exceeds 20% of the legislatively approved amount for that category. **Work Program #C64971**

Refer to motion for approval under Agenda Item M.

**5. Department of Administration - Division of Human Resource Management - FY 2024**

Transfer of ~~\$444,411~~ **\$453,159** from the Reserve category to the Personnel category, ~~transfer of \$3,433 from the Reserve category to the Out of State Travel category, transfer of \$15,661 from the Reserve category to the In-State Travel category, transfer of \$13,645 from the Reserve category to the Operating category, transfer of \$23,810 from the Reserve category to the Equipment category, transfer of \$37,540 from the Reserve category to the Information Services category, and transfer of \$45,261 from the Reserve category to the Training category to support a reorganization of the division to meet the requirements of Senate Bill 431 and Senate Bill 166 of the 2023 Legislative Session.~~ Requires Interim Finance approval since the amount added to the Personnel category exceeds \$350,000. **Work Program #C66209. REVISED ON 11-28-23.**

This item was withdrawn.

**6. Department of Education - Pupil Centered Funding Plan Account - FY 2024**

Addition of \$5,631,403 in Prior Year Refunds to account for district and charter school year-end true-up payments. Requires Interim Finance approval since the amount added to the Adjusted Base Pupil Funding category exceeds \$350,000. **Work Program #C66052**

Refer to motion for approval under Agenda Item M.

7. **Department of Education - Other State Education Programs - FY 2024**  
Addition of \$1,108,801 in wage assessments transferred from the Department of Employment, Training and Rehabilitation to support an educator preparation program for students pursuing their initial educator licensure. Requires Interim Finance approval since the amount added to the Incentivizing Pathways to Teaching category exceeds \$350,000. **RELATES TO ITEM M.56. Work Program #C66359**

Agenda Items M.7 and M.56 were discussed jointly. Refer to testimony and motion for approval under Agenda Item M.56.

8. **Department of Education - Student and School Support - FY 2024**  
Deletion of \$1,860,794 in federal School Improvement Grant funds due to the expiration of the grant. Requires Interim Finance approval since the amount deleted from the School Improvement Grant category exceeds \$350,000. **Work Program #C66109**

Refer to motion for approval under Agenda Item M.

9. **Department of Education - Individuals with Disabilities Education Act - FY 2024**  
Addition of \$9,937,556 in federal Disability Innovation Fund grant funds to support the Pathways to Partnerships Innovative Model Demonstration Project. Requires Interim Finance approval since the amount added to the Nevada Transitions Roadmap through Innovative Partnerships Project Aid category exceeds \$350,000. **RELATES TO ITEM M.53. Work Program #C66207**

Refer to motion for approval under Agenda Item M.

10. **Nevada System of Higher Education - UNR School of Medicine - FY 2024**  
Addition of \$15,000,000 in academic support payments from Renown Health to continue the Practitioner Upper Payment Limit (UPL) supplemental payment program with Renown Health. Requires Interim Finance approval since the amount added to the Private UPL category exceeds \$350,000. **Work Program #C66455. WITHDRAWN ON 11-28-23.**

Refer to motion for approval under Agenda Item M.



- 11. Nevada System of Higher Education - Prison Education Program - FY 2024**  
Transfer of \$92,532 from the Personnel category, \$97 from the Operating category, and \$264 from the Statewide Cost Allocation Plan category to the College of Southern Nevada (CSN) - Prison Program category; transfer of \$39,565 from the Personnel category, \$97 from the Operating category, and \$264 from the Statewide Cost Allocation Plan category to the Western Nevada College - Prison Program category; and transfer of \$80,588 from the Personnel category, \$97 from the Operating category, and \$264 from the Statewide Cost Allocation Plan category to the Truckee Meadows Community College - Prison Program category to align personnel services and related costs in each institution's specific category. Requires Interim Finance approval since the amount transferred to the CSN - Prison Program category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66531**

Refer to motion for approval under Agenda Item M.

- 12. Department of Agriculture - Registration and Enforcement - FY 2024**  
Addition of \$219,728 in federal United States Department of Agriculture grant funds to support forest, rangeland, and watershed restoration services. Requires Interim Finance approval since the amount added to the United States Forest Service Wildfire Crisis Strategy Landscape Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66074**

Refer to motion for approval under Agenda Item M.

- 13. Department of Agriculture - Registration and Enforcement - FY 2024**  
Deletion of \$89,189 in federal Bureau of Land Management (BLM) Native Seed grant funds and transfer of \$7,391 from the BLM Native Seed category to the Department Cost Allocations category and \$15,800 from the BLM Native Seed category to the Reserve category to align and reconcile grant and budget authority. Requires Interim Finance approval since the amount deleted from the BLM Native Seed category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66147**

Refer to motion for approval under Agenda Item M.

- 14. Department of Agriculture - Nutrition Education Programs - FY 2024**  
Addition of \$634,128 in federal National School Lunch Program (NSLP) Equipment Assistance Grant funds to support the purchase of new and replacement equipment for cafeterias and other food service establishments. Requires Interim Finance approval since the cumulative amount added to the NSLP School Equipment Assistance Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C65321**

Refer to motion for approval under Agenda Item M.

**15. Department of Agriculture - Nutrition Education Programs - FY 2024**

Addition of \$580,834 in federal Child Nutrition Technology Innovation grant funds to provide enhancements to existing technology used for the Child Nutrition Program to process meal claims. Requires Interim Finance approval since the amount added to the Child Nutrition Technology Improvement Grant category exceeds \$350,000. **Work Program #C66438**

Refer to motion for approval under Agenda Item M.

**16. Department of Business and Industry - Division of Mortgage Lending - FY 2024**

Transfer of \$53,248 from the Reserve category to the Mortgage Lending Division (MLD) Database category to fund an increase in the contract for project management services for the implementation of the division's new licensing system. Requires Interim Finance approval since the cumulative amount added to the MLD Database category exceeds \$350,000. **Work Program #C65827**

Refer to motion for approval under Agenda Item M.

**17. Department of Tourism and Cultural Affairs - Division of Tourism - Cultural Affairs Administration - FY 2024**

Transfer of \$260,000 from the Reserve category to the Promotion and Advertising category to fund promotion and marketing activities through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Promotion and Advertising category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66461**

Refer to motion for approval under Agenda Item M.

**18. Department of Health and Human Services - Director's Office - Fund for Resilient Nevada - FY 2024**

Transfer of \$74,848 from the Reserve category to the Personnel category and \$18,393 from the Reserve category to the Operating category to fund salary increases as approved by the 2023 Legislature and increased operating costs and building rent. Requires Interim Finance approval since the amount transferred from the Reserve category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66482**

Refer to motion for approval under Agenda Item M.

**19. Department of Health and Human Services - Director's Office - Grants Management Unit - FY 2024**

Addition of \$674,551 in federal Community Services Block Grant (CSBG) - Coronavirus Aid, Relief, and Economic Security (CARES) grant funds to be awarded to Community Action Agencies to provide an increased level of assistance within their communities. Requires Interim Finance approval since the amount added to the CSBG CARES Grant category exceeds \$350,000. **Work Program #C65765. WITHDRAWN ON 11-17-23.**

**20. Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy and Community Grants - FY 2024**

Addition of \$290,208 in federal Lifespan Respite (LSR) Care Program grant funds to continue the development of a respite care system for children who have behavioral health and developmental disability diagnoses. Requires Interim Finance approval since the amount added to the LSR Dual Diagnosis category exceeds 20% of the legislatively approved amount for that category. **Work Program #C64962**

Refer to motion for approval under Agenda Item M.

**21. Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy, and Community Grants - FY 2024**

Addition of \$409,135 in federal Nevada No Wrong Door Governance (NWDG) Infrastructure grant funding to support the establishment of a steering committee to provide leadership in the design, implementation, and ongoing administration of a No Wrong Door system. Requires Interim Finance approval since the amount added to the NWDG category exceeds \$350,000. **Work Program #C64963**

Refer to motion for approval under Agenda Item M.

**22. Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy, and Community Grants - FY 2024**

Addition of \$812,111 in federal Nevada's Dementia Care Specialist - Alzheimer's Disease Program Initiative grant funds and \$270,706 in Healthy Nevada Funds transferred from the Healthy Nevada Fund account to support the implementation of a Dementia Care Specialist program targeting in-person information, education, resource navigation, and support to individuals affected by dementia and other cognitive changes. Requires Interim Finance approval since the amount added to the Dementia Care Specialist Program category exceeds \$350,000. **Work Program #C65862**

Refer to motion for approval under Agenda Item M.

**23. Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy and Community Grants - FY 2024**

Addition of \$3,532,788 in federal Older Americans Act Title III-B Support Services grant funds, \$195,228 in federal Older Americans Act Title III-C Training grant funds, \$375,536 in federal Older Americans Act Nutrition Services Incentive Program grant funds, \$6,075,787 in federal Older Americans Act Title III-C Nutrition Services grant funds, \$252,295 in federal Title III-D Preventative Health grant funds, and \$2,039,356 in federal Older Americans Act Title III-E Caregiver grant funds to align budget authority and to allow for payments to subrecipients for services provided. Requires Interim Finance approval since the amount added to the Title III-C Nutrition Services category exceeds \$350,000. **This work program requests provisional approval pursuant to Assembly Bill 361 (2023) to accept grant funding that has not yet been awarded by the federal government and to revise the work program to implement the grant. Work Program #C65929**

Refer to motion for approval under Agenda Item M.

**24. Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy, and Community Grants - FY 2024**

Addition of \$375,018 in federal Assistive Technology Act grant funds to provide people with disabilities access to assistive technology and services to help improve their quality of life. Requires Interim Finance approval since the amount added to the Assistive Technology category exceeds \$350,000. **Work Program #C66267**

Refer to motion for approval under Agenda Item M.

**25. Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy and Community Grants - FY 2024**

Addition of \$116,429 in federal Medicare Improvements for Patients and Providers Act (MIPPA) grant funds to continue providing outreach and assistance to Medicare beneficiaries with limited incomes, including people with disabilities. Requires Interim Finance approval since the amount added to the MIPPA Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66275**

Refer to motion for approval under Agenda Item M.

**26. Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy and Community Grants - FY 2024**

Addition of \$230,948 in federal Nevada Senior Medicare Patrol grant funds to align budget authority and to continue to provide Medicare beneficiaries with education on how to detect and report health care fraud in Medicare billing. Requires Interim Finance approval since the amount added to the Senior Medicare Patrol Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66339**

Refer to motion for approval under Agenda Item M.

**27. Department of Health and Human Services - Aging and Disability Services - State Independent Living Council - FY 2024**

Addition of \$221,606 in federal Rehabilitation Act Subchapter B Independent Living Services grant funds to continue the support of community living and independence for people with disabilities. Requires Interim Finance approval since the amount added to the Independent Living Program category exceeds 20% of the legislatively approved amount for that category. **This work program requests provisional approval pursuant to Assembly Bill 361 (2023) to accept grant funding that has not yet been awarded by the federal government and to revise the work program to implement the grant. Work Program #C66280**

Refer to motion for approval under Agenda Item M.

**28. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2024**

Addition of \$399,910 in federal Health Resources and Services Administration - Grants to States to Support Oral Health Workforce Activities grant funds to continue to develop innovative programs to address dental workforce needs. Requires Interim Finance approval since the amount added to the Oral Health Workforce Activity category exceeds \$350,000. **Work Program #C66241**

Refer to motion for approval under Agenda Item M.

**29. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2024**

Addition of \$99,643 in Prior Year audit fees to repay General Funds used to cover shortfalls in FY 2023. Requires Interim Finance approval since the cumulative amount added to the Reserve for Reversion to the General Fund category exceeds \$350,000. **Work Program #C66273**

Refer to motion for approval under Agenda Item M.

**30. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2025**

Transfer of \$309,802 from the Waiver Support category to the Personnel category to establish three new permanent full-time positions for waiver development and support. Requires Interim Finance approval since the amount transferred from the Waiver Support category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66304**

Refer to motion for approval under Agenda Item M.

**31. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2024**

Transfer of \$626,304 from the Personnel category to the Mental Health Tech Services category to cover a projected shortfall for contracted medical, psychological, social work, forensic, casework, and mental health personnel for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Mental Health Tech Services category exceeds \$350,000. **Work Program #C66181**

Refer to motion for approval under Agenda Item M.

**32. Department of Health and Human Services - Public and Behavioral Health - Northern Nevada Adult Mental Health Services - FY 2024**

Transfer of \$184,017 from the State Transitional Housing category to the Mental Health Court category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Mental Health Court category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66085**

Refer to motion for approval under Agenda Item M.

**33. Department of Health and Human Services - Public and Behavioral Health - Northern Nevada Adult Mental Health Services - FY 2024**

Transfer of \$1,086,814 from the Personnel category to the Professional Services category to fund a projected shortfall in contracted psychiatric services costs for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Professional category exceeds \$350,000. **Work Program #C66149**

Refer to motion for approval under Agenda Item M.

**34. Department of Health and Human Services - Public and Behavioral Health - Women, Infant, and Children Food Supplement - FY 2024**

Addition of \$1,026,047 in federal Women, Infants, and Children (WIC), American Rescue Plan Act grant funds to provide outreach, innovation, and program modernization efforts to increase participation and redemption of benefits in the Special Supplemental Nutrition program. Requires Interim Finance approval since the amount added to the WIC Modernization category exceeds \$350,000. **Work Program #C64443**

Refer to motion for approval under Agenda Item M.

**35. Department of Health and Human Services - Public and Behavioral Health - Women, Infants and Children Food Supplement - FY 2024**

Addition of \$557,659 in special supplemental Food Program for Women, Infants and Children (WIC) under the Gretchen Swanson Center for Nutrition non-governmental grant funds and deletion of \$30,201 in federal Gretchen Swanson Center for Nutrition grant funds to continue the integration of online ordering for WIC participants with the WICShopper application. Requires Interim Finance approval since the non-governmental grant amount added to the WICShopper Application category exceeds \$200,000. **Work Program #C64650**

Refer to motion for approval under Agenda Item M.

**36. Department of Health and Human Services - Public and Behavioral Health - Communicable Diseases - FY 2024**

Addition of \$2,291,996 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 Grant category exceeds \$350,000. **Work Program #C64678**

Refer to motion for approval under Agenda Item M.

**37. Department of Health and Human Services - Public and Behavioral Health - Public Health Preparedness Program - FY 2024**

Addition of \$2,026,043 in federal Hospital and Health Care Preparedness grant funds to provide preparedness activities to improve the ability to respond to public health crises and emergencies. Requires Interim Finance approval since the amount added to the Hospital and Health Care Preparedness Grant category exceeds \$350,000. **Work Program #C64608**

Refer to motion for approval under Agenda Item M.

**38. Department of Health and Human Services - Public and Behavioral Health - Health Investigations and Epidemiology - FY 2024**

Addition of \$127,943 in Substance Abuse Prevention and Treatment (SAPTA) Block Grant funds transferred from the Behavioral Health Prevention and Treatment account to support tuberculosis prevention and control activities. Requires Interim Finance approval since the amount added to the Transfer from the BA 3170 SAPTA category exceeds 20% of the legislatively approved amount for that category. **Work Program #C65920**

Refer to motion for approval under Agenda Item M.

**39. Department of Health and Human Services - Public and Behavioral Health - Chronic Disease - FY 2024**

Addition of \$150,000 in Substance Abuse Prevention and Treatment Block Grant funds transferred from the Behavioral Health Prevention and Treatment account to support the Tobacco Control Program. Requires Interim Finance approval since the amount added to the Tobacco Control category exceeds 20% of the legislatively approved amount for that category. **Work Program #C63652. WITHDRAWN 11-7-23.**

**40. Department of Health and Human Services - Public and Behavioral Health - Chronic Disease - FY 2024**

Addition of \$123,167 in federal Building Our Largest Dementia (BOLD) grant funds to provide Alzheimer's and dementia-related services. Requires Interim Finance approval since the amount added to the BOLD Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C65762**

Refer to motion for approval under Agenda Item M.

**41. Department of Health and Human Services - Public and Behavioral Health - Chronic Disease - FY 2024**

Addition of \$294,301 in federal Well-Integrated Screening and Evaluation for Women Across the Nation (WISEWOMAN) grant funds to implement and evaluate evidence-based strategies designed to reduce the risk and complications of heart disease and stroke. Requires Interim Finance approval since the amount added to the WISEWOMEN category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66054**

Refer to motion for approval under Agenda Item M.

**42. Department of Health and Human Services - Public and Behavioral Health - Alcohol Tax Program - FY 2024**

Transfer of \$1,749,607 from the Reserve category to the Alcohol Program category to fund an increase in services targeted to prevent alcohol and drug abuse through detoxification and rehabilitation services. Requires Interim Finance approval since the amount transferred to the Alcohol Program category exceeds \$350,000. **Work Program #C66182**

Refer to motion for approval under Agenda Item M.



**43. Department of Health and Human Services - Welfare and Supportive Services - Administration - FY 2024**

Addition of \$2,722,869 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 through 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 \$350,000. **Work Program #24AR32281**

Refer to motion for approval under Agenda Item M.

**44. Department of Health and Human Services - Welfare and Supportive Services - Administration - FY 2024**

Addition of \$5,957,287 in federal Food and Nutrition Services, Supplemental Nutrition Assistance Program (SNAP), Pandemic Electronic Benefit Transfer (PEBT) grant funds for the continuation of the PEBT program for Nevada's eligible school-aged children. Requires Interim Finance approval since the amount added to the SNAP PEBT Federal category exceeds \$350,000. **Work Program #C66271**

Refer to motion for approval under Agenda Item M.

**45. Department of Health and Human Services - Welfare and Supportive Services - Temporary Assistance for Needy Families - FY 2024**

Addition of \$784,623 in federal American Rescue Plan Act (ARPA) - Temporary Assistance for Needy Families (TANF) Pandemic Emergency Assistance Funds (PEAF) to provide one-time supplemental payments for back-to-school needs for eligible TANF children. Requires Interim Finance approval since the amount added to the TANF ARPA PEAF Grant category exceeds \$350,000. **Work Program #C66294**

Refer to motion for approval under Agenda Item M.

**46. Department of Health and Human Services - Welfare and Supportive Services - Welfare Field Services - FY 2024**

Addition of \$854,670 in federal Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) grant funds to provide participants with skills and supportive services to maintain sustainable employment in available in-demand careers. Requires Interim Finance approval since the amount added to the Federal SNAP E&T category exceeds \$350,000. **Work Program #C66340**

Refer to motion for approval under Agenda Item M.

**47. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2024**

Deletion of \$338,982 in federal Family First Transition Act - Promoting Safe and Stable Families (FFPSA) grant funds to de-obligate funds and realign the grant in the Family Support Programs account. Requires Interim Finance approval since the amount deleted from the FFPSA Transition Funds category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66290**

Refer to motion for approval under Agenda Item M.

**48. Department of Health and Human Services - Child and Family Services - Information Services - FY 2024**

Transfer of \$75,528 from the Personnel category to the Contract Staffing category to support contracted temporary employees through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Contract Staffing category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66437. WITHDRAWN ON 12-1-23.**

**49. Department of Health and Human Services - Child and Family Services - Child Welfare Trust - FY 2024**

Transfer of \$82,218 from the Reserve category to the Refund Social Security (SS)/Client Rural Expense category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Refund SS/Client Rural Expense category exceeds \$75,000. **Work Program #C66202**

Refer to motion for approval under Agenda Item M.

**50. Department of Health and Human Services - Child and Family Services - Family Support Program - FY 2024**

Addition of \$3,264,578 in federal Family First Transition Act - Promoting Safe and Stable Families (FFPSA) grant funds to develop and implement support and services with the goal of preventing children from being removed from their homes and placed into foster care. Requires Interim Finance approval since the amount added to the FFPSA Transition Funds category exceeds \$350,000. **Work Program #C66293**

Refer to motion for approval under Agenda Item M.

**51. Department of Health and Human Services - Child and Family Services - Nevada Youth Training Center - FY 2024**

Transfer of \$138,719 from the Personnel category to the Contract Services category to fund temporary contract positions. Requires Interim Finance approval since the amount transferred to the Contract Services category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66526**

Refer to motion for approval under Agenda Item M.

**52. Department of Employment, Training and Rehabilitation - Rehabilitation Division - Disability Adjudication - FY 2024**

Addition of \$1,835,482 in federal Disability Determination grant funds to provide ongoing quality, timely, and professional decisions to individuals who claim benefits under Social Security Disability programs. Requires Interim Finance approval since the amount added to the Medical Determination category exceeds \$350,000. **Work Program #C66175**

Refer to motion for approval under Agenda Item M.

**53. Department of Employment, Training and Rehabilitation - Rehabilitation Division - Vocational Rehabilitation - FY 2024**

Addition of ~~\$4,416,303~~ **\$4,173,520** **\$4,221,089** in federal Disability Innovation Fund grant funds transferred from the Nevada Department of Education and deletion of \$47,569 in federal State Vocational Rehabilitation Services grant funds to support the Pathways to Partnerships Innovative Model Demonstration Project. Requires Interim Finance approval since the amount added to the Nevada Transitions Roadmap through Innovative Partnerships Project category exceeds \$350,000. **RELATES TO ITEM M.9. Work Program #C66317. REVISED ON 11-28-23.**

Refer to motion for approval under Agenda Item M.

**54. Department of Employment, Training and Rehabilitation - Employment Security Division - Workforce Development - FY 2024**

Addition of \$5,000,000 in federal Workforce Innovation and Opportunity Act Quest Disaster Recovery grant funds to assist individuals who became unemployed due to the COVID-19 pandemic. Requires Interim Finance approval since the amount added to the Quest Disaster Recovery category exceeds \$350,000. **Work Program #C66283**

Refer to motion for approval under Agenda Item M.

**55. Department of Employment, Training and Rehabilitation - Employment Security Division - Workforce Development - FY 2024**

Transfer of \$121,215 from the Reserve category to the Displaced Homemaker Program category to fund contractual obligations. Requires Interim Finance approval since the amount transferred to the Displaced Homemaker Program category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66357**

Refer to motion for approval under Agenda Item M.

**56. Department of Employment, Training and Rehabilitation - Employment Security Division - Workforce Development - FY 2024**

Transfer of \$1,108,801 from the Reserve category to the Client Services category to fund the Incentivizing Pathways to Teaching program through the Nevada Department of Education. Requires Interim Finance approval since the amount transferred to the Client Services category exceeds \$350,000. **RELATES TO ITEM M.7. Work Program #C66400**

Agenda Items M.7 and M.56 were discussed jointly.

CELESTE ARNOLD (Administrative Services Officer 3, Student Investment Division, Nevada Department of Education [NDE]):

The work program before the Committee requests funds from the Department of Employment, Training and Rehabilitation (DETR) to support one of the NDE programs.

SENATOR NGUYEN:

Please confirm how many educator candidates the NDE would support in FY 2024 if the work programs are approved.

JEFF BRISKE (Educator Licensure Director, NDE)

For the Incentivizing Pathways to Teaching grant, approximately \$7.9 million was requested from the education preparation institutions, which represents 1,316 students who are in their final semesters of their program. Many of these students will be student teaching in the spring of 2024.

SENATOR NGUYEN:

Since \$1.1 million of that transfer is one-time funding in FY 2024, how is the agency going to address those funding requests from the universities and colleges in FY 2025?

MR. BRISKE:

For FY 2024, \$6.7 million was allocated, and due to the shortfall, DETR gave the NDE \$1.1 million. For FY 2025, the applications typically go out to the education preparation institutions in February, and then the state board will make those allocations based on available funding in March or April.

SENATOR NGUYEN:

What will be the change of the available funding from FY 2024 to FY 2025?

MR. BRISKE:

I cannot answer that because the NDE does not know how many requests will be received. If the requests remain the same as FY 2024, the NDE will be short again by about \$1.1 million.

ASSEMBLYWOMAN ANDERSON:

How has this program been advertised?

MR. BRISKE:

For the Incentivizing Pathways to Teaching grant, these students are already enrolled and in their final semesters or student teaching. They have already been identified. According to the education preparation institutions, this money has already been allocated to those students who are at the cusp of finishing their program and will be in the classroom this fall.

ASSEMBLYWOMAN ANDERSON:

With this grant, is there an expectation for these students to remain in the county and/or state where they are receiving these funds? I am concerned these educators will move to other states to pursue their careers. Many states are facing the same issues as Nevada when it comes to educator retention.

MR. BRISKE:

According to Assembly Bill (A.B.) 515 (82<sup>nd</sup> [2023] Legislative Session), new educators must teach in Nevada for five years.

CHAIR MONROE-MORENO:

How much is the stipend that students are currently receiving?

MR. BRISKE:

From the federal funds that concluded in September 2023, the NDE decided that the students would receive up to \$2,000 per student for tuition and up to \$8,400 per student, per stipend. However, for the state funding in A.B. 515, there was not a minimum or limit for the stipend or the tuition. The NDE allowed the education preparation institutions to make that decision since they are familiar with the students' financial aid needs and when they will hit their cost of federal cost of attendance.

CHAIR MONROE-MORENO:

Considering the funding is one-time funding for FY 2024 and funding may not be available for FY 2025, has the agency considered splitting the funds between the two fiscal years?

MR. BRISKE:

The NDE has not yet begun those discussions or provided suggestions to the State Board of Education, which is responsible for deciding how to allocate funds. The department looks at what is available and then makes recommendations to the State Board of Education.

CHAIR MONROE-MORENO:

Are there any prohibitions to using the wage assessment money for this purpose?

CHRIS SEWELL (Director, DETR):

As background, Dr. Karin Hilgersom, President of Truckee Meadows Community College, and I were discussing how to help Nevada's youth. At the time, Dr. Hilgersom's son was in his last semester of school to become a teacher. Dr. Hilgersom had heard stories about students who were not finishing their degree because they had to raise a family.

Ultimately, it was decided that Career Enhancement Program (CEP) funding would be used to fund a portion of the Incentivizing Pathways to Teaching program. I am married to a kindergarten teacher, and she agreed with Dr. Hilgersom. There are young people who want to go into the education field; the Incentivizing Pathways to Teaching program is not intended for those individuals. This program is intended for people who are transitioning into a second career or may have been in the military or a different career, and want to become a teacher, but they also have family and other financial obligations.

If I can use CEP funding again in FY 2025, I will. As always, I am going to be very transparent with this Committee. Regardless of how much money is actually available, funding will be put toward the Incentivizing Pathways to Teaching program, because Nevada desperately needs teachers.

CHAIR MONROE-MORENO:

As a wife, mother, and aunt of educators, I agree with you and understand it firsthand. The reason I asked is so there would be more stability for those students knowing there would be funding in FY 2024 and not left wondering if funds would be available in FY 2025.

TROY JORDAN (Deputy Director of Programs, DETR):

The CEP money is received on a quarterly basis, and it comes in with the unemployment taxes. It is the most flexible money that DETR can distribute. I would be willing to project that this level of funding will be available in FY 2025 and DETR could actually earmark money in April 2024 to fund FY 2025, if needed. The CEP money is typically readily available and there is no restriction that would be offended by this program. It is very flexible funding.

SENATOR SPEARMAN:

Since the military was previously mentioned, please explain how DETR is partnering with the military, because for the education benefits, it also includes a housing stipend with the Yellow Ribbon program.

MR. SEWELL:

I was only using the military as an example of someone who might be looking to transition into a new career in education.

SENATOR SPEARMAN:

It might be an opportunity to look at what the military offers in Veterans Affairs (VA) benefits. You might also want to look at the Veterans Services Commission because for the past ten years, housing has been offered with the education benefits. There are also other programs available, such as the Helmets to Hardhats program. These programs could help exponentially and would not add expenses to the budget.

MR. SEWELL:

I appreciate braided funding. The more braided funding DETR can do, the better off everyone will be. The Human Resources Director for DETR is Brian O'Callaghan, the grandson of Nevada's former governor, Mike O'Callaghan. Mr. O'Callaghan came in through the military and has been a major benefit for DETR and the State of Nevada. Mr. O'Callaghan knows all about the military programs so I will discuss the possibilities with him following today's meeting.

ASSEMBLYWOMAN ANDERSON MOVED TO APPROVE  
AGENDA ITEMS M.7 AND M.56.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

SENATOR SPEARMAN:

I would like to make sure that at the February 8, 2024, IFC meeting, DETR will provide follow up with respect to partnering with the VA to assist people who are going into the education field.

MR. SEWELL:

I will provide that information to the Committee.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**57. Department of Corrections - Prison Medical Care - FY 2024**

Transfer of ~~\$2,894,039~~ **\$1,437,677** from the HCV Program category to the Professional Services category to contract with licensed healthcare professionals on a full-time basis as needed. Requires Interim Finance approval since the amount transferred to the Professional Services category exceeds \$350,000. **Work Program #C66484. REVISED ON 11-22-23.**

This item was withdrawn.

**58. Department of Corrections - Correctional Programs - FY 2024**

Addition of \$63,136 in Office of Criminal Justice Assistance subgrant funds transferred from the Department of Public Safety and \$25,701 in funds transferred from the Inmate Welfare account to provide Resident Substance Abuse Treatment (RSAT) training for offenders to successfully reintegrate into the community upon release. Requires Interim Finance approval since the amount added to the RSAT category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66256**

Refer to motion for approval under Agenda Item M.

**59. Department of Corrections - Prison Industry - FY 2024**

Addition of \$195,000 in Miscellaneous Sales Revenue to fund an increase to the Northern Nevada Correctional Center (NNCC) Printing/Bindery Shop category due to an increase in production, shipping, and raw material costs. Requires Interim Finance approval since the amount added to the NNCC Printing/Bindery Shop category exceeds 20% of the legislatively approved amount for that category. **Work Program #C63618**

Refer to motion for approval under Agenda Item M.



**60. Department of Public Safety - Nevada Highway Patrol Division - Highway Safety Grants Account - FY 2024**

Addition of \$1,246,780 in federal United States Department of Transportation Federal Motor Carrier Safety Administration grant funds to provide commercial vehicle enforcement and inspection services. Requires Interim Finance approval since the amount added to the Personnel category exceeds \$350,000. **Work Program #C66325**

Refer to motion for approval under Agenda Item M.

**61. Department of Public Safety - Division of Parole and Probation - FY 2024**

Transfer of \$200,000 from the State Funded House Arrest category to the Going Home Prepared category to cover a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Going Home Prepared category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66399**

Refer to motion for approval under Agenda Item M.

**62. Department of Public Safety - Records, Communications and Compliance Division - Central Repository for Nevada Records of Criminal History - FY 2024**

Addition of \$266,773 in federal Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) grant funds to continue to automate the process to digitize and retrieve case files. Requires Interim Finance approval since the amount added to the SMART Grant category exceeds \$75,000. **Work Program #C66228**

Refer to motion for approval under Agenda Item M.

**63. Department of Public Safety - Office of Traffic Safety - FY 2024**

Addition of \$79,407 in federal United States Department of Transportation National Highway Traffic Safety Administration grant funds to support Preventing Roadside Deaths safety programs. Requires Interim Finance approval since the amount added to the 405H Preventing Roadside Deaths category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66348**

Refer to motion for approval under Agenda Item M.

**64. Department of Public Safety - Office of Traffic Safety - Motorcycle Safety Program - FY 2024**

Transfer of \$50,000 from the Reserve category to the Operating category and \$25,000 from the Instructor Training category to the Operating category to fund additional instructors and moving expenses. Requires Interim Finance approval since the cumulative amount transferred from the Reserve category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66261**

Refer to motion for approval under Agenda Item M.

**65. Department of Public Safety - Office of Traffic Safety - Motorcycle Safety Program - FY 2024**

Transfer of \$50,000 from the Reserve category to the Mobile Classroom category to fund an increase in motorcycle safety course offerings. Requires Interim Finance approval since the amount transferred to the Mobile Classroom category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66569**

Refer to motion for approval under Agenda Item M.

**66. Department of Public Safety - Office of Criminal Justice Assistance - Justice Grant - FY 2024**

Addition of \$603,433 in federal Office of Criminal Justice Assistance funds to improve the criminal justice system. Requires Interim Finance approval since the amount added to the Operating category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66377. WITHDRAWN ON 11-29-23.**

**67. Department of Conservation and Natural Resources - Division of State Parks - FY 2024**

Addition of \$270,000 in federal Eastern Nevada Conservation Recreation and Development grant funds to identify, evaluate, and preserve historic agricultural resources on public land in Lincoln County. Requires Interim Finance approval since the amount added to the 3 Ranches Spring Valley Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66268**

Refer to motion for approval under Agenda Item M.

**68. Department of Conservation and Natural Resources - Division of State Parks - FY 2024**

Addition of \$382,391 in federal Land and Water Conservation Funds - Administrative Funding grant funds to support the administration of the Land and Water Conservation Fund grant program. Requires Interim Finance approval since the amount added to the Land and Water Administrative category exceeds \$350,000. **Work Program #C66270**

Refer to motion for approval under Agenda Item M.

**69. Department of Conservation and Natural Resources - Division of State Parks - FY 2024**

Addition of \$1,157,000 in Reservation System Fees to account for fees collected from the new reservation system. Requires Interim Finance approval since the amount added to the Reservation System Fees category exceeds \$350,000. **Work Program #C66467**

Refer to motion for approval under Agenda Item M.

**70. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2024**

Addition of \$1,000,000 in federal Community Wildfire Defense grant (CWDG) funds to support the implementation of community wildfire protection plans for priority projects to reduce catastrophic impacts of unmitigated wildfires in the Somersett, Sierra Canyon, and Mogul communities in Reno. Requires Interim Finance approval since the amount added to the CWDG Somersett Grant category exceeds \$350,000. **Work Program #C65094**

Refer to motion for approval under Agenda Item M.

**71. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2024**

Addition of \$1,000,000 in federal Inflation Reduction Act - Urban and Community Forestry (IRA-U&CF) grant funds to support competitive subgrant awards for eligible Urban and Community Forestry Program activities. Requires Interim Finance approval since the amount added to the IRA-U&CF category exceeds \$350,000. **Work Program #C65106**

Refer to motion for approval under Agenda Item M.

**72. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2024**

Addition of \$1,033,000 in federal Infrastructure Investment and Jobs Act (IIJA), Bipartisan Infrastructure Law (BIL) - State Forest Action Plans grant funds to carry out initiatives and implement projects on state and private lands. Requires Interim Finance approval since the amount added to the IIJA/BIL - State Forest Action Plan category exceeds \$350,000. **Work Program #C66201**

Refer to motion for approval under Agenda Item M.

**73. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2024**

Addition of \$1,369,000 in federal Humboldt-Toiyabe (H/T) National Forest - Good Neighbor Agreement funds to reduce hazardous fuels and create healthy forests, rangelands, and watersheds within the Sierra and Elko Front Wildfire Crisis Strategy Landscape. Requires Interim Finance approval since the amount added to the H/T National Forest - Sierra/Elko Fronts Good Neighbor category exceeds \$350,000. **Work Program #C66262**

Refer to motion for approval under Agenda Item M.

**74. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2024**

Addition of \$1,065,191 in federal United States Forest Service (USFS) Consolidated Payments Grant (CPG) funds to maintain and improve fire protection efficiency and effectiveness on non-federal lands and promote stewardship on private lands. Requires Interim Finance approval since the amount added to the USFS CPG Grants category exceeds \$350,000. **Work Program #C66281**

Refer to motion for approval under Agenda Item M.

**75. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2024**

Addition of \$1,100,000 in federal Forest Service Fire Project Agreement funds to reduce hazardous fuels and create healthy forests, rangelands, and watersheds in the Humboldt-Toiyabe (H/T) National Forest within the Sierra and Elko Front Wildfire Crisis Strategy Landscape. Requires Interim Finance approval since the amount added to the H/T National Forest Fire Project Agreement category exceeds \$350,000. **Work Program #C66305**

Refer to motion for approval under Agenda Item M.

**76. Department of Conservation and Natural Resources - Natural Heritage - Nevada Natural Heritage - FY 2024**

Addition of \$370,798 in federal Bureau of Land Management (BLM) Plant Conservation and Restoration Management grant funds to address data deficiencies and preservation of genetic diversity for imperiled rare plants in Nevada through monitoring and seed collection. Requires Interim Finance approval since the amount added to the BLM Rare Plant Surveys and Seed Collection category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66402**

Refer to motion for approval under Agenda Item M.

**77. Department of Conservation and Natural Resources - Division of Environmental Protection - Water Pollution Control - FY 2024**

Addition of \$795,000 in federal Sewer Overflow and Stormwater Reuse grant funds and a transfer of \$200,000 from the Reserve category to the Sewer Overflow and Stormwater Reuse category to provide support to local municipalities for costs associated with the planning, design, and construction of eligible water quality improvement and protection projects. Requires Interim Finance approval since the amount added to the Sewer Overflow and Stormwater Reuse category exceeds \$350,000. **Work Program #C66323**

Refer to motion for approval under Agenda Item M.

**78. Department of Conservation and Natural Resources - Division of Environmental Protection - Materials Management and Corrective Action - FY 2024**

Addition of \$551,877 in federal Solid Waste Infrastructure Financing - Save Our Seas grant funds to support long-term planning and data collection to advance post-consumer materials management. Requires Interim Finance approval since the amount added to the Save Our Seas Grant category exceeds \$350,000. **Work Program #C65499**

Refer to motion for approval under Agenda Item M.

**79. Department of Conservation and Natural Resources - Division of Environmental Protection - Materials Management and Corrective Action - FY 2024**

Addition of \$1,255,725 in federal United States Environmental Protection Agency - State and Tribal Response Program grant funds and deletion of \$543,927 in transfers from the Hazardous Waste Management account to support the State Response Brownfields program by providing financial resources to rural communities with underfunded economic initiatives throughout the state. Requires Interim Finance approval since the amount added to the Brownfield Program Grant - Bureau of Corrective Actions category exceeds \$350,000. **Work Program #C65736**

Refer to motion for approval under Agenda Item M.

**80. Department of Conservation and Natural Resources - Division of Environmental Protection - Safe Drinking Water Program - FY 2024**

Addition of \$361,256 in federal Lead Testing in Schools and Childcare Programs Drinking Water in Nevada Project grant funds to align state and federal authority in support of the agency's drinking water screening program for licensed child care facilities and state-sponsored charter schools. Requires Interim Finance approval since the amount added to the Federal Environmental Protection Agency Water Infrastructure Improvements for the Nation Grant - Child Care category exceeds \$350,000. **Work Program #C65901**

Refer to motion for approval under Agenda Item M.

**81. Department of Conservation and Natural Resources - Division of Environmental Protection - Safe Drinking Water Program - FY 2024**

Addition of \$139,832 in federal Public Water System Supervision (PWSS) grant funds to align state and federal authority for the PWSS program. Requires Interim Finance approval since the amount added to the Federal Environmental Protection PWSS Program Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66050**

Refer to motion for approval under Agenda Item M.

**82. Department of Conservation and Natural Resources - Division of Environmental Protection - Safe Drinking Water Program - FY 2024**

Addition of \$18,914,000 in federal Environmental Protection Agency (EPA) Emerging Contaminants Assistance in Small and Disadvantaged Communities (EC SDC) grant funds to address emerging contaminants in drinking water systems serving disadvantaged and small communities. Requires Interim Finance approval since the amount added to the Federal EPA EC SDC Grant category exceeds \$350,000. **Work Program #C66212**

Refer to motion for approval under Agenda Item M.

**83. Department of Wildlife - Data and Technology Services - FY 2024**

Addition of \$677,894 in Application Fees transferred from the Wildlife Fund account to cover a projected shortfall in contractual obligations for the license and registration system for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Application Hunt System category exceeds \$350,000. **Work Program #C66286**

Refer to motion for approval under Agenda Item M.

**84. Department of Wildlife - Conservation Education - FY 2024**

Addition of \$490,875 in federal Sport Fish Restoration grant funds to expand the 12<sup>th</sup> Street Community Pond area in Elko. Requires Interim Finance approval since the amount added to the Angler Education category exceeds \$350,000. **Work Program #C66379**

Refer to motion for approval under Agenda Item M.

**85. Department of Wildlife - Fisheries Management - FY 2024**

Addition of \$200,000 in federal Fish and Wildlife Coordination Act grant funds to prevent the spread of aquatic invasive species at Lahontan Reservoir. Requires Interim Finance approval since the amount added to the Aquatic Invasive Species Outreach and Inspection category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66346**

Refer to motion for approval under Agenda Item M.

**86. Department of Wildlife - Habitat - FY 2024**

Addition of \$267,606 in Upland Game Stamp funds transferred from the Wildlife Fund account and \$150,501 in Duck Stamp funds transferred from the Wildlife Fund account to complete FY 2024 projects approved at the June 2023 Nevada Board of Wildlife Commissioners meeting and to continue prior fiscal year projects. Requires Interim Finance approval since the amount added to the Upland Game category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66224**

Refer to motion for approval under Agenda Item M.

**87. Department of Transportation - Transportation Administration - FY 2024**

Addition of \$698,260 in State Highway Fund Authorizations for the purchase of 12 new vehicles. Requires Interim Finance approval since the amount added to the Equipment category exceeds \$350,000. **Work Program #C66117**

Refer to motion for approval under Agenda Item M.

- 88. Department of Transportation - Transportation Administration - FY 2024**  
Addition of \$860,000 in State Highway Fund Authorizations to complete existing construction projects throughout the state. Requires Interim Finance approval since the amount added to the Land and Building Improvements category exceeds \$350,000. **Work Program #C66396**

Refer to motion for approval under Agenda Item M.

- 89. Department of Transportation - Transportation Administration - FY 2024**  
Addition of \$90,000,000 in federal Highway Administration grant funds and \$100,000,000 in State Highway Fund Authorizations to fund capital outlay for approved road construction and maintenance projects throughout the state. Requires Interim Finance approval since the amount added to the Land and Building Improvements category exceeds \$350,000. **Work Program #C66460**

Refer to motion for approval under Agenda Item M.

- 90. Office of the Military - Division of Emergency Management - FY 2024**  
Addition of \$27,111 in federal Emergency Management Performance Grant (EMPG) funds transferred from the Emergency Management Assistance Grants account to continue to provide support to the Nevada Resilient Communication Project. Requires Interim Finance approval since the cumulative amount added to the EMPG Supplemental category exceeds \$350,000. **Work Program #C66236**

Refer to motion for approval under Agenda Item M.

- 91. Office of the Military - Division of Emergency Management - FY 2024**  
Addition of \$380,164 in Federal Emergency Management Agency (FEMA) - Post Fire Mitigation grant management funding transferred from the Emergency Management Assistance Grants account to support post-fire mitigation programs for state and local governmental agencies. Requires Interim Finance approval since the amount added to the FEMA Post Fire Mitigation category exceeds \$350,000. **Work Program #C66240**

Refer to motion for approval under Agenda Item M.

- 92. Office of the Military - Division of Emergency Management - FY 2024**  
Addition of \$130,640 in federal Emergency Management Performance Grant funds and \$187,719 in federal Homeland Security Grant funds transferred from the Emergency Management Assistance Grants account to support tribal liaison activities. Requires Interim Finance approval since the amount added to the Tribal Support category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66242**

Refer to motion for approval under Agenda Item M.



**93. Office of the Military - Division of Emergency Management - FY 2024**

Addition of \$619,931 in Opioid Settlement funds transferred from the Department of Health and Human Services (DHHS), Director's Office, Fund for Resilient Nevada to continue funding the Mass Spectrometer program. Requires Interim Finance approval since the amount added to the DHHS Spectrometer category exceeds \$350,000. **Work Program #C66303**

Refer to motion for approval under Agenda Item M.

**94. Office of the Military - Division of Emergency Management - FY 2024**

Addition of \$281,388 in Federal Emergency Management Agency Pre-Disaster Mitigation grant funds transferred from the Emergency Management Assistance Grants account to align state and federal budget authority for FY 2024 and continue funding for the state disaster mitigation program. Requires Interim Finance approval since the amount added to the Pre-Disaster Mitigation category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66334**

Refer to motion for approval under Agenda Item M.

**95. Commission on Mineral Resources - Division of Minerals - FY 2024**

Transfer of \$80,000 from the Reserve category to the Special Projects category to fund a new rock, mineral, and general geology display at the Nevada State Museum in Carson City, as approved by the Commission of Mineral Resources. Requires Interim Finance approval since the amount transferred to the Special Projects category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66344. RECEIVED ON 11-14-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**96. Nevada System of Higher Education - University of Nevada, Reno - FY 2024**

Addition of \$1,767,502 in General Fund appropriations transferred from the Nevada System of Higher Education Special Projects account as a grant award pursuant to Senate Bill 375 (2023 Legislative Session) to expand graduate and undergraduate nursing programs. Requires Interim Finance approval since the amount added to the Senate Bill 375 Nursing Program Expansion category exceeds \$350,000. **Work Program #C66685. RECEIVED ON 11-16-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**97. Nevada System of Higher Education - University of Nevada, Las Vegas - FY 2024**

Addition of \$2,892,801 in General Fund appropriations transferred from the Nevada System of Higher Education Special Projects account as a grant award pursuant to Senate Bill 375 (2023 Legislative Session) to expand graduate and undergraduate nursing programs. Requires Interim Finance approval since the amount added to the Senate Bill 375 Nursing Program Expansion category exceeds \$350,000. **Work Program #C66686. RECEIVED ON 11-16-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**98. Nevada System of Higher Education - Great Basin College - FY 2024**

Addition of \$431,679 in General Fund appropriations transferred from the Nevada System of Higher Education Special Projects account as a grant award pursuant to Senate Bill 375 (2023 Legislative Session) to expand undergraduate nursing programs. Requires Interim Finance approval since the amount added to the Senate Bill 375 Nursing Program Expansion category exceeds \$350,000. **Work Program #C66669. RECEIVED ON 11-16-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**99. Nevada System of Higher Education - Western Nevada College - FY 2024**

Addition of \$500,000 in General Fund appropriations transferred from the Nevada System of Higher Education Special Projects account as a grant award pursuant to Senate Bill 375 (2023 Legislative Session) to expand undergraduate nursing programs. Requires Interim Finance approval since the amount added to the Senate Bill 375 Nursing Program Expansion category exceeds \$350,000. **Work Program #C66660. RECEIVED ON 11-16-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**100. Nevada System of Higher Education - Truckee Meadows Community College - FY 2024**

Addition of \$523,547 in General Fund appropriations transferred from the Nevada System of Higher Education Special Projects account as a grant award pursuant to Senate Bill 375 (2023 Legislative Session) to expand undergraduate nursing programs. Requires Interim Finance approval since the amount added to the Senate Bill 375 Nursing Program Expansion category exceeds \$350,000. **Work Program #C66667. RECEIVED ON 11-16-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**101. Nevada System of Higher Education - Nevada State University - FY 2024**

Addition of \$1,859,065 in General Fund appropriations transferred from the Nevada System of Higher Education Special Projects account as a grant award pursuant to Senate Bill 375 (2023 Legislative Session) to expand graduate and undergraduate nursing programs. Requires Interim Finance approval since the amount added to the Senate Bill 375 Nursing Program Expansion category exceeds \$350,000. **Work Program #C66680. RECEIVED ON 11-16-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

Refer to motion for approval under Agenda Item M.

**RECLASSIFICATIONS**

Refer to motion for approval under Agenda Item M.

Agency	Agency/ Account Number	Position Number	Present Class, Code, Grade and Salary	Proposed Class, Code, Grade and Salary
Department of Administration	332 / 1052	0003	Program Officer 3 Code: 7.643 Grade 35/07 Employee/Employer Paid Retirement: \$75,376	Records Analyst 3 2 Code: 4.210 Grade 33/05 Employee/Employer Paid Retirement: \$63,308 <b>REVISED 11-15-23.</b>
Department of Health and Human Services/ Community Services Section	402 / 3278	0440	Grants and Projects Analyst 2 Code: 7.755 Grade 35/01 Employee/Employer Paid Retirement: \$58,025.52	Social Services Program Specialist 2 Code: 12.318 Grade 35/01 Employee/Employer Paid Retirement: \$58,025.52
Department of Conservation & Natural Resources/ State Parks	704 / 4162	0163	Accounting Assistant 3 Code: 2.301 Grade 27/01 Employee/Employer Paid Retirement: \$41,634.72	Administrative Services Officer 1 Code: 7.218 Grade 37/01 Employee/Employer Paid Retirement: \$63,308.16
Department of Conservation & Natural Resources/ Forestry	706 / 4195	0114	Accounting Assistant 3 Code: 2.301 Grade 27/01 Employee/Employer Paid Retirement: \$41,634.72	Accounting Technician 1 Code: 7.143 Grade 30/01 Employee/Employer Paid Retirement: \$47,021.76

**N. STATEMENT OF DISASTER RELIEF ACCOUNT BALANCE.**

SARAH COFFMAN (Assembly Fiscal Analyst, Fiscal Analysis Division, LCB):

The Statement of the Disaster Relief Account can be found on page 47 of Volume VI in the meeting packet ([Exhibit G](#)). I would note that the amount that is being requested was revised by the Board of Examiners yesterday, December 12, 2023; therefore, the amounts are different.

The current Disaster Relief Account balance as of November 27, 2023, was \$10,942,714. The Office of the Military originally requested \$20,537; however, the Board of Examiners revised that amount to \$19,562 on December 12, 2023. These funds are to address weather emergencies that took place in March and August of 2023. If the Committee approves the request, the balance after the December 13, 2023, meeting would be \$10,923,152.

There was no further discussion on this item.

- O. REQUEST FOR APPROVAL OF A GRANT FROM THE DISASTER RELIEF ACCOUNT PURSUANT TO NRS 353.274(2) - OFFICE OF THE MILITARY - Division of Emergency Management** - Request for approval of a grant in the amount of \$20,537 to cover emergency response and management costs associated with the March 2023 atmospheric river event and Hurricane Hilary.

JARED FRANCO (Chief Financial Officer, Division of Emergency Management and Homeland Security, Office of the Military):

Agenda Item O requests a grant from the Disaster Relief Account in the amount of \$19,562 to pay for expenditures that occurred during the spring thaw event and hurricane events that Nevada experienced in 2023.

SENATOR CANNIZZARO MOVED TO APPROVE AGENDA ITEM O IN THE REVISED AMOUNT OF \$19,562.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

- P. REQUEST FOR APPROVAL TO ACCEPT GIFTS AND GRANTS PURSUANT TO NRS 353.335 - STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES.**

1. Division of Environmental Protection - Request for approval to accept grant funds from the United States Environmental Protection Agency in the amount of \$44,622,449 to provide new loans to drinking water facilities throughout Nevada. **WITHDRAWN ON 12-1-23.**
2. Division of Environmental Protection - Request to accept grant funds from the United States Environmental Protection Agency in the amount of \$13,081,040 to provide loans to wastewater and storm water treatment facilities throughout Nevada. **WITHDRAWN ON 12-1-23.**
3. Division of State Parks - Request for approval to accept grant funds from the United States Department of the Interior in the amount of \$7,518,200 to fund outdoor recreation projects. **WITHDRAWN ON 12-1-23.**
4. Division of Water Resources - Request to accept grant funds from the United States Department of Homeland Security in the amount of \$246,000 to fund the flood hazard management program. **WITHDRAWN ON 12-1-23.**

- Q. REQUEST FOR A TEMPORARY ADVANCE FROM THE EDUCATION STABILIZATION ACCOUNT PURSUANT TO NRS 387.1213(6) AS AMENDED BY ASSEMBLY BILL 523 (2023 LEGISLATIVE SESSION) - DEPARTMENT OF EDUCATION** - Request for a temporary advance of \$198,185,855 due to a delay in expected receipts in the State Education Fund. **RECEIVED ON 11-15-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE. WITHDRAWN ON 11-17-23.**

- R. DEPARTMENT OF ADMINISTRATION - State Public Works Division** - Request to modify the scope of CIP Project 21-M30, Housing Unit 4 HVAC System Renovation, Northern Nevada Correctional Center and to increase the authority to receive and expend additional funding of \$1,200,000 to address increased costs for materials due to inflation, pursuant to NRS 341.145(1)(f), and to transfer in identified savings of \$800,000 from CIP Project 21-M28, Replace Emergency Generator, Florence McClure Women's Correctional Center, and \$400,000 from CIP Project 21-M56, Central Plant Renovation, High Desert State Prison, to fund the additional costs for CIP Project 21-M30, pursuant to Section 21 of Assembly Bill 492 (2021 Legislative Session).

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

The division requests an increase in authority to receive and expend funding for materials due to material costs on Capital Improvement Program (CIP) Project 21-M30, which is the housing unit at Northern Nevada Correctional Center (NNCC). The funds would be transferred from CIP Projects 21-M28 and 21-M56, which are complete for a total of \$1.2 million.

SENATOR SPEARMAN MOVED TO APPROVE AGENDA ITEM R.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

- S. 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.

CHRISTINE HESS (Chief Financial Officer, Nevada Housing Division [NHD]):

Administrator Stephen Aichroth sends his regrets to the Committee for not being able to stay as he had a commitment that he was unable to move.

Agenda Item S is an update regarding the Home Means Nevada Initiative (HMNI). The NHD provided an updated spreadsheet as of December 7, 2023 ([Exhibit L](#)).

The HMNI was an award of \$500 million for affordable housing that is being administered by the NHD. As of December 7, 2023, the division has obligated \$277 million to 31 projects, which is about 56.5% of the allocation. The NHD has spent \$51 million, or 10.4%, of the \$500 million. The division anticipates many of the projects being finalized and obligated in the next couple of months.

I will highlight a few of the significant expenditures. On the first page of the spreadsheet ([Exhibit L](#)), the second line item, Ridge at Sun Valley, was the first grant agreement that was signed (January 2023). The Ridge at Sun Valley has spent 76.4% of the \$28.5 million award. It is an affordable housing project in Sun Valley in Northern Nevada.

Next, Pinyon Apartments project closed in October 2023. This is another new affordable housing development in Northern Nevada. This project was awarded and obligated \$13.6 million and has spent 56.0% of the funds.

Moving on to page 3, which is the Home Ownership and Rehabilitation chart ([Exhibit L](#)). The first line item in the Home Ownership and Rehabilitation chart is the division's homeownership program that was started with American Rescue Plan Act (ARPA) funds. The program is called *Home First*, and \$7.5 million was awarded to this program. As of December 7, 2023, the program has spent 46.0% of the funds. The NHD anticipates utilizing the remainder of these funds for the homeownership program by March 2024. The division anticipates many reservations for home loans with this down payment assistance.

The NHD works very closely with the GFO. The division actively provides updated spend reports to the GFO. The NHD will be sure to support the GFO and meet the January 8, 2024, deadline so that the GFO can meet the Committee's deadline.

There was no further discussion on this item.

## **T. INFORMATIONAL ITEMS.**

SARAH COFFMAN (Assembly Fiscal Analyst, Fiscal Analysis Division, LCB):

Agenda Item T.9a(2), DHHS, Division of Health Care Financing and Policy, has been pulled for further discussion.

I would note that Agenda Item T.6b, Department of Education, will be heard with Agenda Item F.2c, Department of Education, and Agenda Item T.12b, Department of Conservation and Natural Resources (DCNR), Division of State Parks, will be heard with Agenda Item F.3, DCNR, Division of State Parks.

- 1) OFFICE OF THE GOVERNOR - Governor's Office of Finance - Budget Division - Quarterly report on Executive Branch agencies contracting with current or former employees of the state, for the period ending June 30, 2023, pursuant to NRS 333.705(5).

There was no discussion on this item.

- 2) OFFICE OF THE STATE TREASURER - Nevada Employee Savings Trust Program Administration - Information on the hiring of three new FTE positions to carry out the provisions of Senate Bill 305 (2023 Legislative Session).

There was no discussion on this item.

- 3) JUDICIAL BRANCH - Supreme Court of Nevada - Report on salary changes approved for the Judicial Department staff for the period July 1, 2023, through September 30, 2023, pursuant to Section 13 of Senate Bill 58 (2023 Legislative Session).

There was no discussion on this item.

- 4) DEPARTMENT OF ADMINISTRATION - State Public Works Division
- a) Capital Improvement Program - Quarterly report on the status of Capital Improvement Program Projects 23-C35, Purchase of Buildings for State Offices, Las Vegas, and 23-C36, Improvements for Buildings Purchased in Las Vegas, for the period July 1, 2023, through September 30, 2023 (letter of intent, 2023 Legislative Session).
  - b) Information regarding the Project Status Exception Report pursuant to NRS 341.100(8)(g).

There was no discussion on these items.

- 5) DEPARTMENT OF TAXATION
- a) Quarterly status report on the Unified Tax System Modernization project for the period ending September 30, 2023 (letter of intent, 2023 Legislative Session). **RECEIVED ON 11-14-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

There was no discussion on this item.

- b) Semiannual status report on Tourism Improvement Districts for the period ending June 30, 2023, pursuant to NRS 271A.105. **RECEIVED ON 11-14-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE. WITHDRAWN ON 11-20-23.**

- 6) NEVADA DEPARTMENT OF EDUCATION
- a) Quarterly reports on Class-Size Reduction variances pursuant to NRS 388.700(5).
    - 1) For the period ending September 30, 2022, of the 2022-23 school year.
    - 2) For the period ending December 31, 2022, of the 2022-23 school year.
    - 3) For the period ending March 31, 2023, of the 2022-23 school year.
    - 4) For the period ending June 30, 2023, of the 2022-23 school year.

There was no discussion on these items.

- b) Quarterly report summarizing the approved projects associated with the Elementary and Secondary School Emergency Relief II, Elementary and Secondary Emergency Relief III (ARP/ESSER), and the Governor's Emergency Education Relief II Funding for the quarter ending September 30, 2023 (letter of intent, 2023 Legislative Session).

Agenda Items F.2c and T.6b were discussed jointly. Refer to discussion under Agenda Item F.2c.

- 7) NEVADA SYSTEM OF HIGHER EDUCATION - Quarterly report on the progress of the University of Nevada, Reno School of Medicine in obtaining federal approval for a research program on the medical use of marijuana as well as the status, activities, and information received through the program for the period ending September 30, 2023, pursuant to NRS 678C.700(5).

There was no discussion on this item.

- 8) DEPARTMENT OF BUSINESS AND INDUSTRY
- a) Division of Industrial Relations - Information on the hiring of three new FTE positions to carry out the provisions of Senate Bill 274 (2023 Legislative Session).
  - b) Housing Division - Annual report on the affordable housing component of the Mixed-Use Microbusiness Park project in Las Vegas and the expenditure and allocation of federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds as requested during the December 13, 2022, meeting of the Interim Finance Committee.

There was no discussion on these items.

- 9) DEPARTMENT OF HEALTH AND HUMAN SERVICES
- a) Division of Health Care Financing and Policy
    - 1. Annual report on Nevada Hospital Activities and Operations with an overview of the state's hospital system and information related to recent trends through a review of hospital finance data, labor statistics, census data and corporate filings for the fiscal year ending June 30, 2023, pursuant to NRS 449.520.

There was no discussion on this item.

- 2. Status update on the implementation of Senate Bill 420 (2021 Legislative Session) as requested during the October 11, 2023, meeting of the Interim Finance Committee. **RECEIVED ON 11-21-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

STACIE WEEKS (Administrator, Division of Health Care Financing and Policy [DHCFP], Department of Health and Human Services [DHHS]):

The division has been actively working with its vendors, stakeholders and agency partners at the Nevada Division of Insurance and Nevada Health Link to meet the statutory deadline of January 1, 2024, for submitting the state's Section 1332 waiver application to the Centers for Medicare and Medicaid Services (CMS), which is required as part of Senate Bill (S.B.) 420 (81<sup>st</sup> [2021] Legislative Session). The agency has also been meeting weekly with vendors as well as its CMS partners to prepare for the waiver submission. Currently, the division is on track to meet the January 1, 2024, deadline.



The draft of the waiver has been posted to the division's website for public review and comment. The federally required 30-day public comment period will end December 20, 2023. To date, the division has hosted two public comment meetings with the general public: November 27, 2023, in Carson City, and December 5, 2023, in Las Vegas. Both meetings offered in-person and virtual options; most people attended virtually. The division also held two tribal meetings to obtain feedback on the application. There were 84 attendees at the first meeting and 90 at the second meeting.

The division has received 20 written public comments to date, with multiple live public comments during these meetings. Over the coming weeks, the division will be summarizing the comments and making last minute adjustments as necessary to the waiver application to meet the deadline. The summary will be posted online with the final draft of the application, all of which will be submitted to the CMS no later than January 1, 2024.

A key requirement of this waiver application includes an independent actuarial analysis as required by federal and state law. The analysis must analyze for federal law, various impacts on access, affordability, coverage, the federal deficit, and must determine whether the reforms Nevada proposes will meet the requirements for federal approval. Milliman, which was hired as the actuary for the waiver, has found that the waiver application meets these requirements for federal approval, and has determined that the state would receive estimated funding of \$279.0 million to \$310.0 million in the first five years, and \$760.0 million to \$844.0 million at the end of the first ten years.

This federal savings is a direct result of two things, the first of which is the premium reduction target set forth in S.B. 420 for the new state-contracted health plans. The state will be required to meet that target starting January 1, 2026. The second item that will result in savings is the new reinsurance program that the Governor is proposing, which will begin in year two of the waiver program. I would note the waiver is a ten-year waiver program as required by federal law.

The savings will occur due to the lower premium rates in the individual market as a result of the two reforms. The federal government will save the amount it would have to spend on Nevada in its health exchange and buying down premiums to meet certain affordability levels for consumers. This savings is what will be captured under the waiver, if approved.

The analysis also found that the Governor's reinsurance program will help reduce the impact of the premium reduction target on providers and carriers by about half. It also found this impact would be further minimized by the fact that the individual market makes up less than 5% of provider revenue in the state for most of the providers, and the fact that the state will be using a new administrative cap on carrier spending in this individual market to ensure carriers do not shift all of the reduction onto their provider networks.

As the Committee will recall, the Governor is proposing to use all the federal savings to finance three new programs, the first of which is a new reinsurance program, which will be the first in the nation to be fully funded by federal dollars with no state cost. The second use of the savings will be a quality incentive payment program, which is also novel nationally; the division is probably the first in the country to do it with the state in the individual market with state-contracted plans. Lastly, the division is offering a loan repayment program that is focused on increasing the number of physicians and other providers, especially in the state's rural areas. This program will largely be tied to physicians that want to come to Nevada to live and work for at least four years. If the physicians leave before four years, they will have to pay back the loan.

SENATOR CANNIZZARO:

I appreciate the Chair allowing this item to be placed on the agenda so the Committee can continue to monitor it, since the public comment period had been open in the past, then was closed. There were some significant concerns over what this was going to look like as the year came to a close, and whether the division would be able to meet the January 1, 2024, deadline to submit the public option waiver. I am glad to hear it is on track.

As I understand it, several positions were approved by the Legislature to help support the public option. How many of those five positions have been hired, and what does that trajectory look like in terms of that staff supporting the public option?

MALINDA SOUTHARD (Deputy Administrator, DHCFP, DHHS):

The DHCFP was granted five positions to support the implementation of S.B. 420. The division has been moving forward in the recruitment and hiring process for these positions as follows.

First, the division recently hired Michael Gordon to serve in the Social Services Chief 3 leadership position over the division's newly developed federal waiver team. While this federal waiver team as a whole is intended to more broadly coordinate federal waiver application materials for certain federal waivers and program authorities under the direction of the division, Mr. Gordon's position is intended to be the primary individual responsible for the overall management, development, oversight, and

compliance of the state's required Section 1332 waiver under NRS 695K to implement and operate a public option and establish and finance a market stabilization program in addition to oversight of other federal waiver programs.

Secondly, the division is actively recruiting for two Social Service Program Specialist 2 positions which are also intended to serve on the division's newly developed federal waiver team, with the distinct responsibility to perform health plan contract monitoring and oversight associated with the Section 1332 waiver and market stabilization program with associated responsibilities, and creating, implementing, and monitoring policies, procedures, and programming to ensure the compliance and quality improvement efforts are maintained.

Lastly, regarding the two remaining positions associated with the implementation of S.B. 420, now codified in NRS 695K, the division is actively discussing and collaborating with the Division of Human Resource Management and seeking final approval of the classification, job description, roles and responsibilities for two Management Analyst positions. These two positions are intended to provide division staff who are overseeing the Section 1332 federal waiver program with the research, tracking, and reporting necessary to establish and monitor new quality and access metrics for the market stabilization program products, and for the design of the reinsurance quality incentive payment program for participating health carriers and the new practice in Nevada incentive program for health care providers.

Additionally, both Management Analyst positions will be expected to analyze and review data regarding Section 1332 federal waiver program participation and outcomes related to quality activities, monitor the availability of resources, and collaborate with the division's program integrity unit to identify and develop appropriate corrective actions when necessary.

SENATOR CANNIZZARO:

I want to discuss the public comment period that just restarted in November. As part of that, there was a revised waiver application and also a second actuarial analysis for the public option that included an evaluation with respect to the premium target reduction as well. Both of those actuarial analyses, as I understand it, will show that the state can meet the premium target reductions; there was only a small change in the second actuarial analysis. I want to make sure that is on the record. There was a big concern when the public option bill was presented during the 81<sup>st</sup> (2021) Legislative Session, and a request to make sure that there was actuarial analysis that supported the public option. Now there is a second analysis that also shows that those premium target reductions can be part of this.

Ms. WEEKS:

Yes, that is correct. The distinct differences with the second actuarial analysis are with the reinsurance program, and how the money will be used. Previously, the money was used for consumer premium subsidies, and this would go to the market stabilization program. The other substantive difference in terms of federal savings that are coming back is that Milliman is assuming, given some of the things occurring at the federal level, that the ARPA premium subsidies that are available in the exchange will probably not be extended beyond the end of 2025. If they had been, the division would be getting even more money back, but that is not the case, and the savings cannot be captured.

SENATOR CANNIZZARO:

I want to make sure that we are all operating on the same page when discussing the public option, because a big piece of that was to create these affordable health care plans, part of which was through the premium reduction targets. I would have preferred the premium supports for consumers over the reinsurance support. Would you detail some of the impact of utilizing the pass-through funding from the federal government to support a reinsurance program for insurance carriers as opposed to utilizing it for premium subsidies for individuals who might not also be receiving any additional enhancements from the ARPA dollars that individuals had been receiving.

Ms. WEEKS:

Regarding that, there are two things I would mention. The reinsurance program takes the heat off the premium reduction targets. Essentially, the state is helping subsidize the reduction. It is not only for those products with which the division is contracting, but also reducing premiums across the state. There is a different level of benefit even for unsubsidized individuals that the other scenario did not address. Reinsurance is also taking the heat off the provider, which is an important piece that the Governor and others have been very concerned about. The reinsurance program and the benefit of it is a valuable one for the waiver.

SENATOR CANNIZZARO:

The purpose of creating the public option was to help provide that affordable cost. The thing that stands out to me is that premium supports, as they go to consumers, provide that affordability piece for people who cannot afford insurance or do not have access to it because they do not qualify for employer-based health insurance, and they might not qualify for other exchange programs or subsidies. I was struck by the fact that less than 5% of the revenue going to insurance companies comes from the individual market, which is a very small portion. I do not want to lose sight of what

I think is the overall goal, which is providing additional options. I agree that premium reductions are an important part of that, so I understand the reinsurance aspect. As this moves forward, the Committee can continue to monitor that piece. I am surprised there is so much focus on these federal pass-through dollars in a place where less than 5% of revenue is for those companies.

You talked about the importance of attracting providers to Nevada. I know that part of this would include a loan repayment program. Please provide details about the loan repayment program and what types of loans that program would cover.

Ms. WEEKS:

The goal after the first year would be to use some of that funding to start a loan repayment program. The second year would be the start of the reinsurance program. Each year the division hopes to add some additional funding into the state for loan repayment. It can be viewed in a variety of ways, though the division has not released guidelines. One option that has been discussed is offering a contract with certain providers that are willing to live and work where there are open positions, especially in rural hospital communities. I just did a rural tour and a couple of communities cannot even get primary care providers in their community. This would be an opportunity for providers to live in great small towns, and if they live and work there for four years, the state will pay off all their loans. If the providers do not remain there for four years, they will have to repay the loans.

There is a similar program in Arkansas, where I worked for the university as a law clerk, and the program functioned well. Many people took the loan, stayed for four or five years, and then started their own families in those communities. It is an effective strategy to get people to come into a community for a job, and then live and work there and become part of that community.

SENATOR CANNIZZARO:

Loan repayment programs where the state can make those work make a lot of sense. Are you talking about student loans, education-based loans, or other types of loans?

Ms. WEEKS:

It would be student loans for education. There could be consideration regarding housing stipends if the state wants to consider that, depending on how the program is structured.

SENATOR CANNIZZARO:

As much as I would prefer that the public option pass-through dollars go toward the consumer premium supports and subsidies, I think the important part of this, which was discussed during the 81<sup>st</sup> (2021) Legislative Session, is that is a requirement to be implemented, that this waiver will give the state the ability to draw down federal dollars. I am glad to see there are pieces that are being directed not just at giving additional money to insurance companies, but also to supporting providers and helping to establish that network. That was a large piece of what the public option was seeking to do.

You spoke about the public comment period and mentioned the division is still in the process of summarizing the public comments. I assume the division is receiving both negative and positive comments. Are the negative comments coming from a particular industry or individual residents? What are the demographics of the public comments?

MICHAEL GORDON (Social Services Chief 3, DHCFP, DHHS):

To date, there have been a lot of individual comments, more in support for the premium reductions as families have been reporting their medical needs and how this would have helped in the past; they are looking forward to that coming forth. There have not been many comments from organizations at this point, though the division is still expecting those to come in within the next few days. The division will summarize the comments when the public comment period ends. There has been a general mix but nothing that has been brought to an upper decision yet.

MS. WEEKS:

I would add that the division received some of the same feedback from both industry and providers that was received before. Their concerns are about the premium reduction target, how it will be met, and what that means financially. That is a general theme that the division is still seeing; however, the division is waiting for formal letters from many of these groups before the comments are summarized.

SENATOR CANNIZZARO:

I am not surprised, as much of the impetus surrounding the conversation on the public option was about creating affordability for people in some of these plans.

To clarify, the pass-through funding from the waiver for the reinsurance program is not going just to plans that are public option plans, it would go to any plan that exists on the individual market, correct?

Ms. WEEKS:

Yes, that is correct.

ASSEMBLYMAN HAFEN:

I appreciate the division's efforts. I did not realize how many people were involved in this process.

As I recall, S.B. 420 was intended to provide an option for people to purchase health insurance at a reduced rate. The end goal is that approximately 100,000 to 200,000 people would be able to purchase health insurance at a reduced rate.

Ms. WEEKS:

Yes, that is still the goal. The division is still implementing the bill. The difference is that the division is using the savings from the federal government to implement a state reinsurance program, and that program complements S.B. 420 and the state-contracted health plans. It complements it in a way that it helps subsidize that premium reduction, making the plans more affordable without putting so much burden on providers and carriers.

SENATOR SEEVERS GANSERT:

As I understand it, there is a balance between the premium reduction target and the reinsurance. The reinsurance enables the state to reduce the risk to the insurance carriers using federal dollars. That will ultimately reduce insurance rates for anybody that is in the individual market, because it will remove part of the risk for the larger claims.

Ms. WEEKS:

Yes, that is correct. However, I would like to clarify that in the first year, plans will be responsible for reaching 3% on their own; initially, the percentage was 4%. Then in year two, using that savings, the division will come down with reinsurance, which will help buy down the high-cost claims in the market. That will also help all plans reduce the cost of high-cost claims and help those state-contracted health plans meet their targets as well, by half, so it is splitting that cost in half.

SENATOR SEEVERS GANSERT:

As far as the reinsurance, the division has been meeting with the CMS weekly and there are not any similar plans. What is the sense as far as the federal government? It is unusual for the federal government not to require a state match.

Ms. WEEKS:

The division has figured out how to get the pass through upfront and use that to pay for the reinsurance. In the past, there was no pass through available to states that have run these programs; states did not receive the money until after reinsurance. The division is using a premium reduction target to get pass-through money, which then becomes state revenue. The division will use those funds to pay for reinsurance.

SENATOR SEEVERS GANSERT:

How many individuals will this affect, and what is the bandwidth? The state is doing this versus potentially expanding Medicaid for a group of people; would the people using the public option be limited to individuals who would have the highest subsidies, or will it be available to anyone in the individual market? Who is it affecting out of those who are either currently insured through the program or are not insured at all because they could not buy into the program?

Ms. WEEKS:

In Nevada, the individual market, which includes people who shop for their health coverage on the exchange, are going to be able to buy into this. People can also buy the product directly from their carrier under state law; that is a requirement in the bill. After the first five years, approximately 50,000 individuals will be enrolled.

SENATOR SPEARMAN:

In 2017, there were some unscrupulous groups that gave “skinny” insurance plans to people and said they had offered insurance and the insurance had been rejected. Thus, the Legislature passed a bill to clarify that if a company is going to offer insurance, the insurance had to fit a certain criterion. It appears the public option will attract many low-wage earners, particularly those who still work for employers for 39.5 hours and do not qualify as a full-time equivalent. Although I can appreciate the pass-through money going to the providers, I am still very concerned about low-wage earners and their ability to at least reach that first rung.

Ms. WEEKS:

One way to think about this is that these plans will look like any other exchange plan. Low-income individuals who are not on Medicaid will be eligible for the tax credits for these products. That will make the plans just as affordable as anyone else who could buy a product on the exchange. Everyone will be eligible for that as well.



You mentioned the “skinny” plans previously offered to some people. The current plans would have to meet all state laws, in addition to the laws under the Affordable Care Act. I do not think these plans would be one of those unscrupulous actors. When it comes to affordability, these plans will be offered on the exchange and have similar premiums, only 3% to 4% lower than what is seen today and growing over time to 15% by the end of four years.

There was no further discussion on this item.

- b) Division of Public and Behavioral Health - Annual report of the Nurse Apprenticeship Program as requested during the February 9, 2022, meeting of the Interim Finance Committee for Fiscal Year 2023.

There was no discussion on this item.

- c) Division of Child and Family Services - Annual report regarding adoption subsidies funded with General Fund appropriations within the Clark County Child Welfare, Washoe County Child Welfare, and Rural Child Welfare budgets; adoption subsidy savings; and federal adoption savings reinvestment requirements, including Nevada’s compliance with these requirements, for the period ending June 30, 2023 (letter of intent, 2021 Legislative Session).

There was no discussion on this item.

- 10) DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION - Employment Security Division - Quarterly report regarding the American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds subgrant issued to the Goodwill of Southern Nevada as part of the nonprofit Community Recovery Grant program for the quarters ending on June 30, 2023, and September 30, 2023, as requested during the February 9, 2022, meeting of the Interim Finance Committee.

There was no discussion on this item.

- 11) DEPARTMENT OF CORRECTIONS - Prison Industries - Report concerning the status of accounts receivable related to a program for the employment of offenders through the period ending September 30, 2023, pursuant to NRS 209.461(1)(i). **RECEIVED ON 11-14-23, AFTER THE 11-13-23 SUBMITTAL DEADLINE.**

There was no discussion on this item.

- 12) STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
  - a) State Historic Preservation Office - Information on the hiring of one new FTE position to oversee the agency’s compliance program.

There was no discussion on this item.

- b) Division of State Parks - Information on the hiring of one new FTE position to be placed at the new gift shop located at the Ice Age Fossils State Park.

Agenda Items F.3 and T.12b were discussed jointly. Refer to discussion under Agenda Item F.3.

- c) Division of Environmental Protection - Information on the hiring of one new FTE position to develop and administer the Clean Trucks and Buses Incentive Program pursuant to Assembly Bill 184 (2023 Legislative Session).

There was no discussion on this item.

- 13) OFFICE OF THE MILITARY - Division of Emergency Management – Emergency Assistance Account
  - a) Quarterly report on the expenditures made from the Emergency Assistance Account for the period ending June 30, 2023, pursuant to NRS 414.135(5).
  - b) Quarterly report on the expenditures made from the Emergency Assistance Account for the period ending September 30, 2023, pursuant to NRS 414.135(5).

There was no discussion on these items.

- U. ECONOMIC FORUM** - Status report required pursuant to NRS 353.228(1)(f) regarding the Economic Forum meeting conducted on December 5, 2023. INFORMATIONAL ONLY.

MICHAEL NAKAMOTO (Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division, LCB):

I am here on behalf of Linda Rosenthal, Chair of the Economic Forum, who was unable to be here today. There is a statutory requirement in subsection 1, paragraph f of NRS 353.228 which requires that after the Economic Forum meeting that is to be held on or before December 10<sup>th</sup> of odd-numbered years, that a report be given by the Chair of the Economic Forum, or staff to the Economic Forum, to the Interim Finance Committee regarding the meeting that was held.

I will be providing an overview of the Economic Forum itself. It is a five-member body that is appointed by the Governor. Three of those members are selected by the Governor, and the other two members are legislative selections; one of which is nominated by the Speaker of the Assembly and the other is nominated by the Senate Majority Leader. In addition to the meetings that are held in the interim, the Economic Forum is required to forecast the unrestricted General Fund before and during legislative sessions. The meetings that are held during the interim are updates, not forecasts, and include any information that the Chair determines to be relevant.

The majority of the December 5, 2023, meeting included presentations by various agencies. David Schmidt from the Department of Employment, Training and Rehabilitation provided a current overview of the state employment outlook. Christopher Wright, the new State Demographer with the Department of Taxation, gave an overview of the state population outlook. The remainder of the presentations were from Economic Forum staff on things such as personal income, employment, wages, etc.

The core of the presentation, included on the tables before the Committee ([Exhibit M](#)), are the General Fund revenues for FY 2024 year to date compared to the Economic Forum's May 1, 2023, forecasts. I will provide a high-level overview of the tables.

Table 1 is on page one of the handout ([Exhibit M](#)). Several columns are highlighted, the first of which is the FY 2023 Actual revenues, where Fiscal Analysis Division staff (Fiscal staff) went through what was determined to be the major General Fund revenues. For example, the Sales and Use Tax finished at \$1.722 billion, or 6.7%, above the actuals for FY 2022. The column titled *EF May 2023 FY Forecast % Change* shows the Economic Forum's projected growth rate. The Economic Forum actually forecast growth of 8.3%. Ultimately, that means that sales tax was approximately \$26.2 million below the FY 2023 forecast. It would go the other way around. For example, the Percentage Fees Tax, which is the Gaming Tax, was 0.6% above FY 2022, whereas the forecast was for growth of 0.1%. Percentage fees finished approximately \$5.0 million above the forecast. The total General Fund revenues after tax credits of \$5.762 billion was an actual growth rate of 5.9% compared to the forecasted growth rate of 5.1%, which is approximately \$43.8 million above the forecast.

Fiscal staff used the same exercise for FY 2024, and this is the Economic Forum's forecast, except the logic for the growth rates is inverted. If the forecast percentage change in that first column is lower than the forecast percentage change based on the FY 2023 actual, it means the actual for FY 2023 was below the forecast, and then vice versa if those are switched.

On page two ([Exhibit M](#)) is the core of these tables. Concerning the tables, I would note that at the Economic Forum meeting on December 5, 2023, Fiscal staff presented information to that body through October of FY 2024, so that is the first two months of Sales and Use Tax, the first four months of the Gaming Percentage Fees, etc. This was done for a few reasons, including technical issues that prevented staff from obtaining the correct data from various agencies. Fiscal staff was able to resolve most of those issues, so the information before the Committee is more current, it is through November 30 for both FY 2023 and FY 2024. However, I would note that Fiscal staff is reporting zeros for the Insurance Premium Tax and all the categories of the Modified Business Tax for the FY 2023 and FY 2024 actuals year to date due to technical issues in the last fiscal year. The Department of Taxation had some issues with taxpayers that did not file in a timely fashion. To avoid distorted information for the collections comparison between FY 2024 and FY 2023, Fiscal staff is reporting both of those years as zeros. Fiscal staff will have better information in the second quarter later in the fiscal year.

On Table 2, the columns highlighted in light orange are the FY 2024 actuals year to date. Fiscal staff does a comparison of those as a FY 2024 forecast year to date in the green columns. The *Dollar Difference: Actual less Forecast*, the next to last column, indicates whether the state is above or below the forecast. For example, for the Sales and Use Tax through three months, the state is approximately \$6.5 million below the forecast. For the Percentage Fees through five months, the state is approximately \$17.3 million above the forecast. The Live Entertainment Tax is approximately \$17.5 million above the forecast, broken out between the gaming portion administered by the Gaming Control Board and the non-gaming portion administered by the Department of Taxation. For the major revenues, the state is approximately \$28.3 million year to date above the forecast through November 2023, excluding the Modified Business Tax and the Insurance Premium Tax. The select non-major General Fund revenues are some of the smaller revenues that are collected by the Department of Taxation, the Office of the Secretary of State, and others. The state is approximately \$7.8 million below the forecast for the non-major General Fund revenues shown on the table. Below that is the total of all other General Fund revenues, which includes over 100 revenues that go into the State General Fund. That combined revenue is approximately \$7.3 million above the forecast through the end of November 2023. Currently, the General Fund revenues, after Commerce Tax credits, is approximately \$27.8 million above the forecast year to date.

It is early in the fiscal year and a lot of revenue has not been reported. The sheets do not include the Modified Business Tax or the Insurance Premium Tax. It also does not account for some of the larger minor revenues that need to be accounted for such as Treasurer's interest income, which is high because of the amount of American Rescue Plan Act money that is in the State Treasury and drawing interest that accrues to the State General Fund. In addition, sales tax through the end of September 2023 is reflected on the sheets. Larger events such as Formula 1, will not be reflected in taxable sales until the end of January 2024. Collections for the Super Bowl will not be seen until the end of April 2024.

Table 3 shows what the collections need to be for the rest of the fiscal year to reach the forecast, as well as the associated growth rates.

Tables 4 and 5 are replications of Tables 1 and 2; however, Tables 4 and 5 account for the tax credits that apply to a number of tax types that are part of the State General Fund, whereas Tables 1 and 2 are before tax credits. In this instance, because of the mechanism of the tax credits and the way they are forecasted, Fiscal staff shows them balancing; however, those figures will be different at the end of the fiscal year. Those tables are included in the packet for reference.

Table 6 is an accounting of the tax credits as they are being used, as most of the tax credits can be used against multiple tax types. For example, Fiscal staff breaks out how many Film Tax credits have been used against the Modified Business Tax versus the Insurance Premium Tax versus the Gaming Percentage Fees.

Lastly, Table 7 is an accounting of all the revenues that go into the State General Fund year to date through the end of November for FY 2023 and FY 2024; this is every revenue item that goes into the General Fund, line by line.

ASSEMBLYWOMAN ANDERSON:

Looking at Table 2 as well as the backup documents, do you have any idea why the Live Entertainment Tax is so much higher than anticipated? Is that because of the Taylor Swift and Beyoncé concerts?

MR. NAKAMOTO:

Many of the events that I could discuss either on the gaming side or the non-gaming side may or may not figure into this, and part of it is due to timing. For the non-gaming portion administered by the Department of Taxation, the tax is remitted to the department when the tickets are sold. For the gaming portion administered by the Gaming Control Board, the tax is administered when the event occurs. For example, before the meeting I was in Las Vegas, and I went to see Depeche Mode at T-Mobile Arena. The Live Entertainment Tax that was paid for the ticket that I bought was remitted to the Department of Taxation as soon as I bought the ticket, several months prior to the concert; however, the ticket that I bought for Barry Manilow the following evening was purchased right before the concert, and Westgate is not required to remit those proceeds to the Gaming Control Board until after the event occurs. This is something Fiscal staff is trying to figure out because many of the tickets for these events go on sale months before the event. For example, I believe that the Legislature was still in session when Taylor Swift tickets went on sale, even though the concert was later. The same with Formula 1, even though the event happened in November 2023, many of the tickets went on sale during spring 2023. The state was beginning to see some collections for Formula 1 in FY 2023 rather than FY 2024.

In terms of why that is so overproducing, I could point to any number of events that are subject to the Live Entertainment Tax, the list seems to be increasing, and that is something Fiscal staff tries to monitor. Las Vegas does a very good job of bringing events to the strip and to facilities in the valley.

ASSEMBLYMAN YEAGER:

Regarding the Sales and Use Tax, you said it was through the first three months. I noticed that it is not down much, it is 1.5%, but the number looks big at \$6.5 million. Can you confirm that historically, in Nevada, the summer months have less collection in terms of Sales and Use Tax because the state tends to have less visitor volume in places like Las Vegas during July, August, and September? Is there any historical perspective on whether the Sales and Use Tax in particular experiences a downward trend in the summer months?

MR. NAKAMOTO:

That is correct. There is seasonality to the Sales and Use Tax and most of the taxes the state collects. Visitor volumes are down in Nevada for the simple reason that not many people want to come to Nevada when it is 110°F. The methodology used by Fiscal staff does not account for that seasonality. When comparing the actuals to the forecast,

Fiscal staff uses the same Sales and Use Tax growth rate for each month. For example, if the forecast is 5.5%, then Fiscal staff expects all the months to grow by that amount, and that is how a year-to-date forecast is determined. Realistically, the growth rate will not remain the same month to month, because some months are busier than others. For example, July, August, and September do not look like November, December, January, or February on the strip when there is a lot of activity from tourists. Likewise, July looks a lot different from November or December in a retail store because of holiday shopping. That is something that Fiscal staff considers when looking at the year-to-date actuals compared to the forecast. Although \$6.5 million is a lot of money, compared to a forecast of \$1.7 billion, it is not a large amount. Fiscal staff is keeping that perspective, but the Sales and Use Tax is definitely a tax source that is being monitored because it did end FY 2023 down about \$26.0 million, which the seasonality could very well be playing into.

There was no further discussion on this item.

## **V. PUBLIC COMMENT.**

TERRI SHUMAN:

I am going to be speaking on what happened this morning, as Agenda Item E was pulled from the agenda. Support staff who showed up this morning were very unhappy with that. This morning, I came with hope and expectancy, thinking that since the funds had already been approved, that it was just going to be a formality. I am still in shock. How dare the Committee stab me and 13,000 other support staff employees in the back just because teachers cannot get their act together.

Superintendent Jara, as I was told, had turned in everything that he needed to turn in, except for the part that he was unable to because the teachers have not reached agreement on their contract. That is not the fault of support staff. Yet to withhold the money from myself and the 13,000 others who work in the CCSD is wrong.

Senator Lange, you represent District 7, where I live. I have always looked up to you and supported you. I always told everyone at the schools where I worked that I am lucky to be in Senator Lange's district because she supports the support staff. Today you turned your back on us too. I do not understand that. I have endorsed you by voting for you, yet today I could not get your vote.

I have heard it said that because teachers cannot get their act together in getting a contract, that again, it is reflected on support staff. How is this justifiable? How can I go back to my school tomorrow? Just two days ago, Monday, support staff was talking about what is going on with S.B. 231. I was thinking by Thursday I would let support staff know because I know they are looking forward to that money. Christmas is right around the corner. Do you think they are going to have a very merry Christmas when they know that money that was due to them will not be received? It is us who come to represent other support staff who are unable to attend. They will get mad when we tell them. That is not fair either.

What can be done to separate Clark County Education Association from support staff? Not in the classrooms of course, because I work great with my teacher. I told a story this morning about Josh and how he has to come to school after working a night job, just to support himself. He is living with his brother and pays half the rent. How can we help support staff when we cannot get the Committee's support? This needs to be done before the next IFC meeting in February. It should be done as close to January, right after Christmas, as possible, because support staff was looking forward to being a part of this.

Senator Cannizzaro, I appreciate the way that you emphasize to other school districts that all support staff should be involved with the S.B. 231 money.

There has been some confusion in the CCSD as to whether all support staff will be receiving the money. We need to make sure this is taken care of and that all support staff are acknowledged.

I look up to you and I enjoy visiting you in Carson City. I enjoy coming to speak in front of this Committee. I take it upon myself to represent the other support staff who cannot be here, but we need the Committee's help. Do not turn your back on us. We need the Committee's vote, and again, separate us from the Clark County Education Association. They have not had it together in I do not know how long, but support staff is working hard to keep it together and we need the Committee's vote.

CHAIR MONROE-MORENO:

During today's lunch break, the Committee members stepped away so that they could all be a part of the vigil for the UNLV tragedy. Unfortunately, that is not the only tragedy that has happened in Nevada in the last month. Nevada lost two heroes in the community; two public safety officers went to work with every intention of going home to their families that night, but due to the acts of a person who appears to have been under the influence, those officers gave their lives in protection of the country. Before this meeting adjourns, I would like to observe a moment of silence for them, their families and children, who will have to grow up without their fathers, and also for the families of those lost at UNLV, the students who were traumatized, the parents as they had to wait and now have to work through their children's trauma.

**W. ADJOURNMENT.**

Chair Monroe-Moreno adjourned the meeting at 6:35 p.m.

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Assemblywoman Daniele Monroe-Moreno, Chair  
Interim Finance Committee

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