MEETING NOTICE AND AGENDA

NEVADA LEGISLATURE'S
INTERIM FINANCE COMMITTEE

Place of Meeting: Nevada Legislature Office Building, Room 165
7230 Amigo Street
Las Vegas, Nevada, 89119

Note: The public may observe the meeting and provide testimony through a simultaneous videoconference conducted in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, 89701. Additionally, this meeting can be listened to or viewed live over the Internet. The address for the Nevada Legislature's website is https://www.leg.state.nv.us. Click on the link: "Scheduled Meetings."

Date and Time of Meeting: **Thursday, December 12, 2024**
9:00 a.m.

VOLUME I

Agenda Items Included

C. MINUTES OF THE FEBRUARY 8, 2024, MEETING.

D. MINUTES OF THE MARCH 13, 2024, MEETING.

E. STATEMENT OF IFC CONTINGENCY ACCOUNT BALANCE.

F. REQUESTS FOR ALLOCATIONS FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO NRS 353.268.

G. REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT PURSUANT TO SECTIONS 4.3 (GENERAL FUND) AND 4.7 (HIGHWAY FUND) OF ASSEMBLY BILL 468 OF THE 82ND (2023) LEGISLATIVE SESSION.

H. REQUEST FOR A TEMPORARY ADVANCE FROM THE EDUCATION STABILIZATION ACCOUNT PURSUANT TO NRS 387.1213(6) - Department of Education.

I. REQUESTS FOR ALLOCATIONS FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) TO IMPLEMENT LANGUAGE ACCESS PLANS PURSUANT TO SECTION 1 OF ASSEMBLY BILL 480 OF THE 82ND (2023) LEGISLATIVE SESSION.

STATE OF NEVADA
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NICOLE CANNIZZARO, *Senator, Chair*

INTERIM FINANCE COMMITTEE (775) 684-6821
DANIELE MONROE-MORENO, *Assemblywoman, Chair*
Sarah Coffman, *Fiscal Analyst*
Wayne Thorley, *Fiscal Analyst*

MEETING NOTICE AND AGENDA

Name of Organization: Interim Finance Committee
(*Nevada Revised Statutes* [NRS] 218E.400)

Date and Time of Meeting: Thursday, December 12, 2024
9:00 a.m.

Place of Meeting: Nevada Legislature Office Building, Room 165
7230 Amigo Street
Las Vegas, Nevada 89119

Note: Some members of the Committee may be attending remotely, and some members may be attending in person. Individuals may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following location:

Legislative Building, Room 4100
401 South Carson Street
Carson City, Nevada 89701

Advisory: The east entrance to the Legislative Building in Carson City is now open. All persons attending the meeting in Carson City must enter the building through the east entrance. All other entrances are closed to the public.

To provide public comment or testimony telephonically, dial **(888) 475-4499** on the date of the meeting. When prompted, provide Meeting ID **865 4881 5922**, and then press #. When prompted for a Participant ID, press #.

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We are pleased to make reasonable accommodations for members of the public with a disability. If accommodations for the meeting are necessary, please notify the Fiscal Analysis Division of the Legislative Counsel Bureau, in writing, at fiscal@lcb.state.nv.us, or call the Fiscal Analysis Division at (775) 684-6821, as soon as possible.

Please provide the meeting secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes. Copies of testimony and visual presentations may also be emailed to IFC@lcb.state.nv.us, mailed to the Fiscal Analysis Division, 401 South Carson St., Carson City, NV 89701, or faxed to (775) 684-6475.

Items on this agenda may be taken in a different order than listed. Two or more agenda items may be combined for consideration. An item may be removed from this agenda or discussion relating to an item on this agenda may be delayed at any time.

A. ROLL CALL.

B. PUBLIC COMMENT.

Public testimony under this agenda item may be presented in person, by phone, or by written comment.

Because of time considerations, each person offering testimony during this period of public comment will be limited to not more than 2 minutes. To call in to provide testimony during this period of public comment in the meeting any time after 8:30 a.m. on Thursday, December 12, 2024, dial **(888) 475-4499**. When prompted to provide the Meeting ID, please enter **865 4881 5922** and then press #. When prompted for a Participant ID, please press #. To resolve any issues related to dialing in to provide public comment for this meeting, please call **(775) 684-6990**.

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For Possible Action

C. APPROVAL OF MINUTES OF THE FEBRUARY 8, 2024, MEETING.

For Possible Action

D. APPROVAL OF MINUTES OF THE MARCH 13, 2024, MEETING.

E. STATEMENT OF IFC CONTINGENCY ACCOUNT BALANCE.

For Possible Action

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

1. DEPARTMENT OF EDUCATION
   a) Request for an allocation of $154,634 to fund a shortfall in the 1/5 Retirement Credit Purchase Program for FY 2025.
   b) Request for an allocation of $374,572 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.
2. DEPARTMENT OF HEALTH AND HUMAN SERVICES - Division of Child and Family Services - Request for an allocation of ~~$796,160~~ ***$823,120*** to support the Adoption Subsidy program within the Rural Child Welfare budget account. **REVISED 11-27-24.**
3. DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION
   a) Bureau of Vocational Rehabilitation - Request for an allocation of $1,216,748 to support an increase in services provided to Nevadans with disabilities and to provide a state match required to draw additional federal State Vocational Rehabilitation Services grant funds. **RELATES TO AGENDA ITEM N.88.**
   b) Bureau of Services to Persons Who Are Blind or Visually Impaired - Request for an allocation of $78,728 to support an increase in services provided to Nevadans with disabilities and to provide a state match required to draw additional federal State Vocational Rehabilitation Services grant funds. **RELATES TO AGENDA ITEM N.91.**
4. DEPARTMENT OF CORRECTIONS - Request for an allocation of ~~$3,759,855~~ ***$448,228*** to fund costs associated with the Peer Support ~~and evidence-based~~ program.~~ pursuant to Senate Bill 413 of the 82nd (2023) Legislative Session~~ **REVISED 11-20-24,11-26-24, AND 11-27-24.**
5. DEPARTMENT OF PUBLIC SAFETY - Request for an allocation of $87,921 to fund travel and operational costs associated with providing dignitary protection. **WITHDRAWN 12-4-24**.
6. DEPARTMENT OF SENTENCING POLICY - Request for an allocation of $57,712 to fund a new Management Analyst position and associated costs for the remainder of FY 2025 to address the increased workload associated with the Subcommittee on Misdemeanors of the Nevada Sentencing Commission established pursuant to NRS 176.01332.

For Possible Action

G. REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT PURSUANT TO SECTIONS 4.3 (GENERAL FUND) AND 4.7 (HIGHWAY FUND) OF ASSEMBLY BILL 468 OF THE 82ND (2023) LEGISLATIVE SESSION (Note: IFC may approve a different amount for an allocation than the amount requested) - GOVERNOR'S FINANCE OFFICE - Office of Project Management - Request for allocation of $1,575,537 from the General Fund and $369,571 from the Highway Fund for costs associated with the implementation of the Enterprise Resource Planning System.

For Possible Action

H. REQUEST FOR A TEMPORARY ADVANCE FROM THE EDUCATION STABILIZATION ACCOUNT PURSUANT TO NRS 387.1213(6) - DEPARTMENT OF EDUCATION - Request for a temporary advance of $845,796,784 due to a delay in the receipt of expected revenues in the State Education Fund.

For Possible Action

I. REQUESTS FOR ALLOCATIONS FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) TO IMPLEMENT LANGUAGE ACCESS PLANS PURSUANT TO SECTION 1 OF ASSEMBLY BILL 480 OF THE 82ND (2023) LEGISLATIVE SESSION. (Note: IFC may approve a different amount for an allocation than the amount requested) (Reference List I).

For Possible Action

J. REQUEST PURSUANT TO SECTION 7(1)(b) OF SENATE BILL 504 OF THE 82ND (2023) LEGISLATIVE SESSION - NEVADA SYSTEM OF HIGHER EDUCATION - University of Nevada, Reno School of Medicine - Request for an exemption to establish $12,000,000 in revenue authority to receive academic support payments from Renown Health and Western Emergency Physicians. **RELATES TO AGENDA ITEM N.26.**

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

1. Statement of American Rescue Plan Act, Coronavirus State Fiscal Recovery Fund obligations and remaining unobligated balance.
2. Status report on the administration, obligation and expenditure of American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds (Letter of Intent, 82nd [2023] Legislative Session).

L. WORK PROGRAM REVISION SUBMITTED IN ACCORDANCE WITH NRS 353.220(5)(b) - <u>INFORMATIONAL ONLY</u> - REQUIRED EXPEDITIOUS ACTION WITHIN 15 DAYS - NEVADA SYSTEM OF HIGHER EDUCATION - Performance Funding Pool - Deletion of $109,487,799 in Budgetary Transfers to distribute funding based on performance outcomes to the universities and community colleges. **Work Program #C73088**. **RECEIVED 10-25-24**.

For Possible Action

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

For Possible Action

N. 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. (Reference List N).

For Possible Action

O. REQUEST FOR TRANSFER FROM THE INTERIM FINANCE COMMITTEE'S ACCOUNT FOR FORECLOSURE MEDIATION ASSISTANCE PURSUANT TO NRS 107.080(13)(b) - Request for the transfer of $15,964 to Home Means Nevada, Inc. for support of the program for foreclosure mediation.

For Possible Action

P. DEPARTMENT OF ADMINISTRATION - State Public Works Division

1. Request to modify the scope of CIP Project 21-E01, Loading Dock, North Las Vegas Readiness Center, and to increase the authority to receive and expend additional funding of $222,995 for additional site work, pursuant to NRS 341.145(1)(f). The additional funding is comprised of a transfer-in of identified savings of $75,597 from CIP Project 21-E04, Security Fence Addition, Carlin Readiness Center, pursuant to Section 21 of Assembly Bill 492 of the 81st (2021) Legislative Session, and $147,398 in federal grant funds from the Office of the Military, pursuant to NRS 341.121.
2. Request to cancel CIP Project 21-M49, Purchasing Warehouse Renovation, pursuant to NRS 341.145(1)(j).
3. Request to cancel CIP Project 21-P01, Advance Planning, Grant Sawyer Office Building Remodel, pursuant to NRS 341.145(1)(j).
4. Request to modify the scope of CIP Project 23-P04, Advance Planning: North Las Vegas State Veterans Home to increase the size of the facility from 120,000 square feet to 156,700 square feet to align the 128-bed facility with space requirements of the U.S. Department of Veterans Affairs and to accommodate the new lot size and shape of the new building site, pursuant to NRS 341.145(1)(f).
5. Request to modify the scope of CIP Project 23-P06, Advance Planning: Southern Nevada Forensic Facility to increase the size from a single facility of 196,000 square feet to 360,200 square feet encompassing a forensic facility, administrative building, intermediate care facility and a therapy building, pursuant to NRS 341.145(1)(f).
6. Request to *cancel* ~~modify the scope and funding of~~ CIP Project 19-C16, Renovation of Collections Storage Building 19, Stewart Campus, due to the estimated construction cost exceeding the current budget, pursuant to NRS 341.145(1)(j). **RELATES TO AGENDA ITEM M.11. REVISED 12-3-24.**

For Possible Action

Q. STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES - Division of State Lands - Request for approval of a land lease agreement with Molasky Ventures LLC for occupancy and use of land at 1054 Commerce Street, Las Vegas, Nevada, pursuant to NRS 321.335.

R. 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.

S. INFORMATIONAL ITEMS (Reference List S).

T. ECONOMIC FORUM - Status report regarding the Economic Forum meeting conducted on December 2, 2024. INFORMATIONAL ONLY.

For Possible Action

U. RESCIND ACTIONS TAKEN ON ITEMS H.9 AND H.16 AT THE AUGUST 15, 2024, MEETING OF THE INTERIM FINANCE COMMITTEE AND CONSIDER THE FOLLOWING REQUESTS FOR TRANSFER OF AMOUNTS BETWEEN FISCAL YEARS PURSUANT TO SECTIONS 36 AND 37 OF SENATE BILL 511 OF THE 82ND (2023) LEGISLATIVE SESSION:

1. DEPARTMENT OF HEALTH AND HUMAN SERVICES
   a) Division of Public and Behavioral Health - Problem Gambling - Request to transfer $71,176 in the Problem Gambling budget account from FY 2024 to FY 2025 to support initiatives with community partners for gambling addiction prevention and treatment services, pursuant to Section 36 of Senate Bill 511 of the 82nd (2023) Legislative Session.
   b) Division of Child and Family Services - Northern Nevada Child and Adolescent Services - Request to transfer $70,910 in the Northern Nevada Child and Adolescent Services budget account from FY 2024 to FY 2025 to continue funding deferred maintenance projects, pursuant to Section 37 of Senate Bill 511 of the 82nd (2023) Legislative Session.

V. PUBLIC COMMENT.

Public testimony under this agenda item may be presented in person, by phone, or by written comment.

Because of time considerations, each person offering testimony during this period of public comment will be limited to not more than 2 minutes. To provide public testimony by telephone during this period of public comment, members of the public may call any time after the Chair announces this second period of public comment on Thursday, December 12, 2024. To call in, dial **(888) 475-4499**. When prompted to provide the Meeting ID, please enter **865 4881 5922** and then press #. When prompted for a Participant ID, please press #. To resolve any issues related to dialing in to provide public comment for this meeting, please call (775) 684-6990.

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W. ADJOURNMENT.

Notice of this meeting was posted at the Legislative Building, 401 South Carson Street, Carson City, NV 89701, at the Nevada Legislature Office Building, 7230 Amigo Street, Las Vegas, NV 89119, and on the Internet through the Nevada Legislature's website at www.leg.state.nv.us.

Supporting public material provided to Committee members for this meeting may be requested from Melissa Garvin or Carla Ulrych, Fiscal Secretary, Fiscal Analysis Division, Legislative Counsel Bureau, 401 South Carson Street, Carson City, NV 89701, at (775) 684-6821 or by email at fiscal@lcb.state.nv.us. Supporting public material for this meeting is/will also be available through the Nevada Legislature's website at www.leg.state.nv.us. Click on the link "Scheduled Meetings" followed by "Interim Finance Committee."

C.

MINUTES OF THE FEBRUARY 8, 2024, MEETING

MINUTES OF THE FEBRUARY 8, 2024
MEETING OF THE
INTERIM FINANCE COMMITTEE

Acting Chair Shea Backus called a regular meeting of the Interim Finance Committee (IFC) to order at 9:28 a.m. on February 8, 2024, in Room 4401 of the Grant Sawyer Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada.

COMMITTEE MEMBERS PRESENT:
Assemblywoman Shea Backus, Acting Chair for Assemblywoman Monroe-Moreno
Senator Marilyn Dondero Loop, Vice Chair
Senator Nicole Cannizzaro
Senator Pete Goicoechea
Senator Dallas Harris
Senator Dina Neal
Senator Rochelle Nguyen
Senator Heidi Seevers Gansert
Senator Robin Titus
Assemblywoman Natha Anderson
Assemblywoman Tracy Brown-May
Assemblywoman Jill Dickman
Assemblywoman Michelle Gorelow
Assemblyman Gregory Hafen II
Assemblywoman Sandra Jauregui
Assemblywoman Heidi Kasama
Assemblywoman Erica Mosca
Assemblyman Philip P.K. O'Neill
Assemblywoman Sarah Peters
Assemblyman Howard Watts
Assemblyman Steve Yeager

COMMITTEE MEMBERS EXCUSED:
Assemblywoman Daniele Monroe-Moreno, Chair

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:
Brenda Erdoes, Director
Sarah Coffman, Assembly Fiscal Analyst, Fiscal Analysis Division
Wayne Thorley, Senate Fiscal Analyst, Fiscal Analysis Division
Brody Leiser, Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division
Cathy Crocket, Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division
Karen Hoppe, Principal Deputy Fiscal Analyst, Fiscal Analysis Division
Julie Waller, Principal Deputy Fiscal Analyst, Fiscal Analysis Division
Asher Killian, Legislative Counsel, Legal Division
Eileen O'Grady, Chief Deputy Legislative Counsel, Legal Division
Jessica Dummer, Deputy Legislative Counsel, Legal Division
Tom Weber, Committee Secretary, Fiscal Analysis Division
Melissa Garvin, Committee Secretary, Fiscal Analysis Division

EXHIBITS:

Exhibit A: Meeting Packet – Volume I
Exhibit B: Meeting Packet – Volume II
Exhibit C: Meeting Packet – Volume III
Exhibit D: Meeting Packet – Volume IV
Exhibit E: Meeting Packet – Volume V
Exhibit F: Meeting Packet – Volume VI
Exhibit G: Meeting Packet – Volume VII
Exhibit H: Public Comment – Andrew Woods, Director, Center for Business and Economic Research, University of Nevada, Las Vegas (UNLV)
Exhibit I: Public Comment – Dr. Kent Ervin, Director of Government Relations, Nevada Faculty Alliance
Exhibit J: Public Comment – Alex Pike on behalf of Maurice Page, Executive Director, Nevada Housing Coalition
Exhibit K: Public Comment – Loraine De La Torre, President, Lyon County Education Association
Exhibit L: Public Comment – Frederick Steinmann, Director, University Center for Economic Development, University of Nevada, Reno (UNR)
Exhibit M: Public Comment – Doug Unger, UNLV Chapter President, Nevada Faculty Alliance
Exhibit N: Public Comment – Susie Martinez, Executive Secretary-Treasurer, Nevada State AFL-CIO
Exhibit O: Agenda Item K.1 – ARPA CSFRF Funding Obligations
Exhibit P: Agenda Item K.2 – GFO ARPA Spreadsheet
Exhibit Q: Agenda Item R – Updated Figures for the Home Means Nevada Initiative

A. ROLL CALL.

MELISSA GARVIN (Secretary, Fiscal Analysis Division, Legislative Counsel Bureau [LCB]), called the roll. All members were present except Chair Monroe-Moreno, who was excused.

B. PUBLIC COMMENT.

ANDREW WOODS (Director, Center for Business and Economic Research, UNLV) provided public comment for the record (Exhibit H).

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

I ask the Committee to use its discretion granted by Senate Bill (S.B.) 231 (82nd [2023] Legislative Session) to remand the funding plan for the Lyon County School District to allow for negotiations over a mid-contract change in compensation that was unilaterally implemented by the school board without negotiations. *Nevada Revised Statutes* (NRS) 288 requires bargaining over all mandatory subjects of bargaining, including compensation. If there are changes to compensation during the term of the agreement, there remains an obligation to meet and confer regarding the change. This is the heart of collective bargaining.

As was made clear at the December 13, 2023, IFC meeting, the method of distribution in S.B. 231 was not negotiated but was instead imposed by the school board upon the members without notice to the union. This clearly violates NRS 288. As established at the December IFC meeting, the Committee refused to approve a plan for S.B. 231 funds for Lander County School District, based partially on the fact that negotiations over S.B. 231 were not fully complete. This Committee's past actions display a respect for the bargaining process in a tacit requirement for such bargaining.

When the Lyon County School District comes to the table today, the Committee will hear about a zipper clause and that negotiations are closed; this is an error. A leading treatise on labor law states that a generally awarded zipper clause does not operate to terminate the union's ability to bargain, it responds to mid-contract changes. Since to constitute a waiver, the right must be clear and unmistakable in the contract language and must be specific to the matter present. As established at the December IFC meeting, no such unmistakable waiver referring to the method of distributing S.B. 231 funds exists. Negotiations on this point are available to the parties.

Rather than negotiating with the duly elected representatives of the teachers over the S.B. 231 funds, Lyon County School District has engaged in unfair labor practices; refusing to bargain, bypassing the exclusive bargaining representatives, and having members of management send their subordinates emails asking them to contact this Committee and report back when they have done so.

It is also uncontroverted that district superintendent Wayne Workman sent a memo to all employees attacking this Committee, stating that partisanship, not policy making, was at the heart of the Committee's decision at the December IFC meeting. I ask that this Committee reaffirm its commitment to collective bargaining as contained in NRS 288 and remand the plan back to the Lyon County School District.

JASON MILLS (President, Nevada Justice Association [NJA]):

The NJA is here today to support Agenda Item M.32, the Department of Business and Industry, Division of Industrial Relations' request for funding for additional staffing regarding the implementation of S.B. 274 (82nd [2023] Legislative Session). The NJA indicates that Administrator Victoria Carreon has done a fantastic job in working with the members of the community as well as the NJA in the adoption of regulations. It is clear to the NJA that additional staffing is necessary per the request. The NJA asks for the Committee's support for this additional funding under Agenda Item M.32.

DR. KENT ERVIN (Director of Government Relations, Nevada Faculty Alliance) provided public comment for the record (Exhibit I).

ALEX PIKE provided public comment on behalf of MAURICE PAGE (Executive Director, Nevada Housing Coalition) for the record (Exhibit J).

CALEB CAGE (Executive Director, Nevada Battery Coalition [NBC]):

The NBC is a statewide trade association composed of companies along the lithium supply chain. The entity's mission is to inform public and private sector partners regarding the economic, environmental, and national security benefits associated with the battery supply chain to strengthen Nevada's position as a leading battery center in North America. The NBC supports the transfer of funding to provide a subaward to the Economic Development Authority of Western Nevada. Approval of this work program will enhance economic vitality and strengthen workforce development while investing in technology and infrastructure and accelerating the growth in electric vehicle, battery, and lithium economies. This funding will provide critical support for the state's effort to attain status as a federal tech hub and receive the associated benefits in terms of grants and building out this industry within the state.

ROB BENNER (Executive Secretary Treasurer, Building and Construction Trades Council of Northern Nevada [BCTC]):

The BCTC represents 6,000 members and 13 affiliates, as well as approximately 600 to 700 apprentices on their way to middle class jobs. The BCTC supports Agenda Item T.1. The BCTC has been working very closely with the tech hub coalition. The BCTC believes the jobs that will be created are going to be transformational for many people.

Under this proposal, the BCTC is looking to add 50,000 to 75,000 people. The jobs will be high paying, permanent jobs in the areas of advanced manufacturing and distribution. These are jobs that pay higher wages in addition to the jobs in the building trades.

LORAINE DE LA TORRE (President, Lyon County Education Association) provided public comment for the record (Exhibit K).

BETHANY KHAN (Culinary Union):

The culinary union stands in solidarity with the Nevada State Education Association and the Lyon County Education Association in urging the Committee to reject the Lyon County School District's proposed S.B. 231 plan. Nevada teachers have a right to bargain over their wages and that right should be respected. Children and communities are better off when teachers are treated with the respect that is deserved. Therefore, the culinary union is urging the Committee today to stand in solidarity with Nevada's teachers.

CODY HOSKINS (Political Director, Service Employees International Union [SEIU], Local 1107):

The SEIU Local 1107 stands with the Nevada State Education Association and the Lyon County Education Association. As a fellow union with over 10,000 public sector employees, the SEIU understands the importance of protecting and enforcing collective bargaining. The SEIU asks Lyon County School District to meet with the teachers union and collectively bargain before approving a budget to disperse the S.B. 231 funds.

JONATHON NORMAN (Nevada Coalition of Legal Service Providers):

Agenda Item Q is a request for a transfer from the IFC to the foreclosure mediation program. The foreclosure mediation program began at a time when one out of every ten homes in Nevada was embroiled in a foreclosure action. The program provides two key benefits. First, it empowers Nevadans at risk of foreclosure with the ability to negotiate effectively with lenders. Secondly, it serves as an essential counterweight to Nevada's rapid non-judicial foreclosure process, which is the most prevalent form of foreclosure in Nevada. Before a foreclosure sale can proceed, the foreclosure mediation program mandates that mortgage lenders must demonstrate their authority to foreclose by presenting the necessary documentation during mediation. All too often, lenders have failed to meet this burden and their illegal attempts to foreclose have been stopped due to the safeguards imposed by the foreclosure mediation program.

The Nevada foreclosure mediation program plays a crucial role in preserving homeownership and ensuring fair and transparent foreclosure processes. The COVID-19 pandemic showed Nevadans that stable times do not always last. Although foreclosures are currently down, it can be anticipated that an economic downturn would result in a rise in foreclosures. By supporting this program, the groundwork will be ready for when there is another economic downturn and Nevadans face foreclosures again.

DORA MARTINEZ (Nevada Disability Peer Action Coalition):

I am here in support of public comment from Alex Pike and Maurice Page about the Guinn Center for Policy Priorities and affordable housing. I also wanted to let the Committee know that the agenda item regarding the Nevada Department of Education was not accessible to me as a blind person. I could not read the agenda item thoroughly.

Some students are taking dual credit classes at the higher education level and their parents are asking me if there is funding to support these students. For example, a student at Reno High School or McQueen High School could also take English 101 or 102 at the same time. I tried to look for information on funding for this during the 82nd (2023) Legislative Session, however, I could not find anything.

FRED STEINMANN (President, Director, University Center for Economic Development, UNR) provided public comment for the record (Exhibit L).

DOUG UNGER (UNLV Chapter President, Nevada Faculty Alliance) provided public comment for the record (Exhibit M).

SUSIE MARTINEZ (Executive Secretary-Treasurer, Nevada State AFL-CIO) provided public comment for the record (Exhibit N).

C. STATEMENT OF IFC CONTINGENCY ACCOUNT BALANCE.

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

I will walk through the statement of the IFC Contingency Account balance, which can be found in Volume I of the meeting packet (Exhibit A). I have some revised numbers to present to the Committee. The total Contingency Account balance prior to the requests before the Committee today totals $450,279,533.07. The total requests on the agenda total $57,177,206. If each of the items are approved, the balance of the Contingency Account would be $393,102,327.07. Of that amount, the balance of the unrestricted General Fund prior to actions taken by the Committee today is $24,054,697.72. There are three unrestricted General Fund requests totaling $300,805. If each of those are approved, that would leave a balance in the unrestricted General Fund of $23,753,892.72. The current balance of the unrestricted Highway Fund is $1,638,068.35. There is one request on the agenda for $517,500. If that is approved as requested, that would leave a balance of $1,120,568.35. The remaining balance within the Contingency Account is what is referred to as the restricted General Fund and Highway Fund. That balance prior to any action today totals $424,586,767. There are seven requests on the agenda for S.B. 231 funds totaling $56,358,901. If each of those are approved, that would leave the restricted balance at $368,227,866.

SENATOR TITUS:

On the spreadsheet, it notes a reversion to the IFC of $803 million. What is the origin of the reversion?

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

The reversion is based off funds that were not utilized in the prior year.

SENATOR TITUS:

Is a breakdown available showing who did not utilize those funds?

MS. COFFMAN:

Yes, Fiscal staff will provide you with that information.

There was no further discussion on this item.

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

   DERILD PARSONS (Superintendent, Churchill County School District):

Churchill County School District was able to offer a 12.75% increase to the base this year for the licensed association for teachers and a 12% increase for classified staff. The school district also negotiated a 4% increase for both unions for next year on the base increase.

Churchill County School District worked with the associations on the S.B. 231 funds and submitted the documentation to be included in the agreements. Ultimately, the school district and the associations would like to implement a 4.52% increase in the current year. If approved by the Committee, the increase would be reflected on the payroll for February 20, 2024. Next year, the increase will be 4.25%. The district and the associations agreed that spreading the increase evenly among all staff was best for everyone.

Churchill County School District has worked hard to meet all the requirements of S.B. 231, and the associations have been involved in the process.

SENATOR CANNIZZARO:

To clarify, there will be a 12.75% increase in the first year and a 4% increase on top of that, and the S.B. 231 funds represent another 4%, correct?

MR. PARSONS:

Yes, that is correct. It is an additional 4% in addition to the increases the district has already provided.

SENATOR CANNIZZARO:

During the 82nd (2023) Legislative Session, the Legislature endeavored to ensure there was money. The school districts were asked to discuss their budgets and the challenges that each district faces. I am pleased to see plans brought forward that include substantial increases for school employees. That is what the Legislature was trying to accomplish during the last legislative session. All educational personnel provide a very necessary and deserving service.

In looking at Churchill County School District's plan with a 16% increase in addition to the S.B. 231 funds, I want to thank you and everyone in your district who help students. I hope these funds are meaningful and will help encourage and retain teachers in Nevada.

Refer to motion under Agenda Item D.7.

2. ELKO COUNTY SCHOOL DISTRICT - Request for an allocation of $7,388,490 to support salary increases and benefit costs for certain district staff.

CLAYTON ANDERSON (Superintendent, Elko County School District):

Elko County School District has two options to present to the Committee, because the district was aware of the discussion during the December 2023 IFC meeting.

After negotiations, the district's certified and classified staff will receive an 8.5% increase this year and a 2.5% increase in FYs 2024 and 2025. That equates to an 11% increase over two years. During negotiations and prior to the discussion at the IFC meeting in December 2023, and with 100% unanimity between the unions, their Nevada State Education Association representative, and the school district, the unions proposed to have the funds distributed equitably by full-time equivalent (FTE). Included in the backup documentation submitted by Elko County School District are two letters—one from the Elko County Support Staff Organization and one from the Elko County Classroom Teachers Association—expressing their agreement to the proposal (pages 46 and 47, Exhibit A).

To avoid further delay in distributing the funds, the school district has provided a second option in which the unions are amenable to distributing an equitable percentage to all staff; however, their preference is the first option.

The first option is mathematically straightforward; the total amount allocated to the district divided by the total number of FTEs less the Public Employees' Retirement System (PERS) contribution and benefits. The remainder of the funds will be applied to the salary schedule for each employee. Option two shows equitable percentages. Those percentages were revised until a percentage was determined that would ensure every dollar was utilized. After the PERS contribution and benefits, the percentage will be in the high 3% range.

SENATOR CANNIZZARO**:**

I want to address the reason I believe Elko County School District has presented two options and some of the questions that I have asked since the last December 2023 IFC meeting. The purpose of S.B. 231 was to incentivize using money in the Pupil-Centered Funding Plan to provide raises to school employees, and to help supplement that with some funds distributed by the school districts. The Legislature wanted to see salaries and compensation levels for each of these positions reflect a total increase. It is part of the incentivizing to ensure raises are provided. The intention was to help build in base salary raises for education professionals in the state, which makes more sense as a percentage increase. I think the way S.B. 231 allocated the money lent itself to the dollar amounts that the Elko County School District has put forward. Because it was allocated to the districts based on employee counts, each district received a certain amount of money.

Regarding the first option, will the money that is going to be distributed to employees be subject to the PERS contribution?

MR. ANDERSON:

Yes.

SENATOR CANNIZZARO:

Will the funds be distributed in a separate check, or will they see it as an additional amount on their paystub?

MR. ANDERSON:

In the employees' contract, it will state with which fund they are being paid. The funds are not separated out as a line item, it will be listed as their new salary.

SENATOR CANNIZZARO:

Moving forward into the 83rd (2025) Legislative Session, discussions will begin about money for education and ensuring that educational staff continue to be paid. You mentioned a payment of a particular amount; however, if there was a mechanism available, would those funds be applied so that district employees truly receive a salary increase and not just a bonus payment?

MR. ANDERSON:

I will speak for myself, but I would guess most of the district superintendents would agree. The school district would appreciate if there was a permanent mechanism so that these funds continue to be available. In the case of the Elko County School District, the district is not just divvying up the S.B. 231 funds over a certain number of months and then adding that amount to each paycheck; the funds are being put toward the steps on the salary schedule.

SENATOR CANNIZZARO:

I appreciate that because the point I was trying to make at the December 2023 IFC meeting was that the intent of S.B. 231 was to help build additional monies into those salaries rather than provide a one-time bonus. This would allow the Legislature to know the cost of those positions.

I am grateful for you answering my questions because I think that helps the Committee understand that although some adjustments may be necessary, the school districts are committed to building the funds into the salaries. From my perspective, that is the most important part—building the funds into the salaries. I agree with option one as long as the district is committed to working with the Legislature to build those funds into the salaries.

ASSEMBLYWOMAN ANDERSON:

I appreciate Mr. Anderson stressing that this plan resulted from discussions with the employee groups and that option one was their preference. I appreciate that the district employees were respected in that way.

Refer to motion under Agenda Item D.7.

3. 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):

Lander County School District has utilized the funds to provide a flat increase to staff. The district has found it difficult to retain employees who have been with the district less than five years, and the flat increase has allowed the district to offer a larger increase. However, it does not imply that the increase is a bonus because it is a flat increase. Lander County School District is matching $2,850 per teacher, which means teachers will receive an increase of $5,700. Those funds are considered wages and are eligible for PERS contribution.

Lander County School District's proposal is what I presented last time. The district has three different types of staff—certified staff, such as teachers; classified staff, such as support staff; and approximately a dozen staff, such as administrative assistants, who do not have an association. The district is in final negotiations with classified staff so that portion of the plan is not yet available. A tentative agreement has been reached on 80% of the items in the negotiations. The certified staff and district office staff have already agreed to the proposal.

The request before the Committee is to approve the proposal to allow the district to distribute funds to teachers and district office staff beginning February 25, 2024.

SENATOR CANNIZZARO:

I appreciate you explaining the proposal to the Committee to ensure everyone is on the same page. It is helpful to understand that the district will be matching the S.B. 231 funds and that those funds will be built into salaries and not acting as a bonus payment. As I understand it, Lander County School District is committed to ensuring that the increase remains part of the overall compensation package for each of the employees.

MR. KLEIN:

To clarify, the reason the district is adding that second line item on the paystub is because the district is concerned that employees will take a cut in pay if the Legislature is not able to continue that piece in the future. The district's portion is guaranteed and that is in perpetuity. The items are separate on the paystub because the Legislature can only fund by a biennium.

SENATOR CANNIZZARO:

The primary task of the Legislature is to fund the state, including education, for a two-year period. Due to recent circumstances, including the COVID-19 pandemic, the state experienced budget shortfalls and there were cuts to various state programs in an effort to balance the budget considering decreased revenues throughout the state. Consequently, there is apprehension about putting more money into things because it is important to ensure those monies still exist.

I remain committed to making sure that education continues to receive the funding it deserves, including compensation for school employees who do great work. I appreciate the district's commitment to continuing to work with the Legislature so that school staff are compensated appropriately and that the district is willing to build that increase into staff salaries. I am more comfortable that the proposal includes a flat rate for all employees.

It sounds as though there are ongoing negotiations which are nearly complete; therefore, the Committee should expect to see another presentation from Lander County School District. I would request that the proposal include increases to overall salaries rather than a bonus structure.

MR. KLEIN:

Yes, even in those ongoing negotiations, the district has taken the same direction as with the other proposals.

Refer to motion under Agenda Item D.7.

4. LINCOLN COUNTY SCHOOL DISTRICT - Request for an allocation of $872,278 to support salary increases and benefit costs for certain district staff.

PAM TEEL (Superintendent, Lincoln County School District):

Lincoln County School District worked with the unions on the proposal. The unions had already settled in the summer for 10.0% during the current school year and 5.0% in the next school year, and S.B. 231 funds would be used for increases above and beyond that of 5.1% this year and 4.2% next year. The increase in the value of adding to the salaries for the district's hardworking teachers and staff is greatly appreciated and well deserved.

ACTING CHAIR BACKUS:

I understand the district will be providing a 10.0% increase for educators. What is the increase for support staff?

MS. TEEL:

The 10% increase was for all the unions.

ACTING CHAIR BACKUS:

That increase is in year one. The 5.1% in FY 2024 would apply to educators and support personnel as well as 4.20% the following year. Does the district anticipate including the increase as part of staff salaries rather than being distributed as a bonus?

MS. TEEL:

Correct, the funds will be distributed in their salary.

SENATOR CANNIZZARO:

In the district's proposal with all the inclusions there is a 5.1% increase in year one and then a 4.2% increase in year two. The S.B. 231 funds will be distributed as a cost-of-living percentage, correct?

MS. TEAL:

The funds would be above and beyond the 10.0% and the 5.0% that was negotiated with the unions.

SENATOR CANNIZZARO:

It will be a percentage increase rather than a flat payment, correct?

MS. TEEL:

Correct, it was a percentage, which is how the 5.1% and 4.2% was determined over the two-year period.

ASSEMBLYWOMAN ANDERSON:

This proposal was decided upon with employee input through the bargaining process or through a memorandum of understanding. I want to confirm there was employee discussion about utilizing the funds in this fashion. Is that correct?

MS. TEEL:

That is correct.

SENATOR TITUS:

You mentioned that this raise was agreed to by all unions, but all your employees, even non-union members, will receive this raise, correct?

MS. TEEL:

Correct. The collective bargaining agreement is privy to the union members, but it is privy to every employee that sits in that classification.

Refer to motion under Agenda Item D.7.

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

HARMAN BAINS (Director of Operations, Lyon County School District [LCSD]):

The LCSD appreciates the opportunity to present its plan again. The district is requesting the entire allocation of S.B. 231 funds. If the plan is approved, the district is ready to begin distributing the funds this month.

At the December 2023 IFC meeting, the IFC elected to defer approval of the LCSD plan, allowing this Committee to ask additional questions and have further conversation to better understand the plan. The district is grateful for those who reached out. Those conversations were very promising and productive and cleared up a lot of misinformation that has been shared and continues to be purposefully shared regarding the LCSD plan. The district has successfully negotiated this past summer with all three associations: administrators, certified, and classified. As it relates to S.B. 231 funds, the district and the certified and classified associations agreed on a cost-of-living increase of 14.5% over the biennium. This is in addition to their PERS, which was also increased, and the district has consumed that cost.

Within both agreements, specific language for the S.B. 231 funds was also negotiated. This is the same language that has been used by several school districts statewide and it is the same language the Committee approved for other school districts during the October and December 2023 IFC meetings. The LCSD has held firm to the language that was written, and the district is hopeful the Committee understands.

Due to the deferral of the district's plan, there was a slight change to the figures. All eligible employees will receive a slightly larger amount since there are 17 months remaining in the biennium. That amount is $385 per month. At the December 2023 IFC meeting, there was also some confusion or misinformation regarding this being a bonus or a one-time payment. This is not a bonus or a one-time payment. It has been confirmed several times that all S.B. 231 funds will be an increase to base wages and therefore eligible for PERS contributions.

PHIL COWEE (Board President, Board of Trustees, LCSD):

I believe it is important to clear the record and talk about how this plan was approved by the LCSD board of trustees. I would also note that the board of trustees approved the negotiated agreements. When the board of trustees makes a decision, the board bases that decision on the best information. The board of trustees reviewed the two plans that were presented by the LCSD. I read S.B. 231 multiple times and it is clear that the money was allocated based on the number of FTEs and not wages. If the Legislature wanted S.B. 231 to be based on wages, that is how the funds would have been allocated, but the funds were clearly allocated on an FTE-basis.

Regarding the negotiated agreement and what was negotiated between the unions it should be noted that as the S.B. 231 funds are received, the district will follow the law. I think Wayne Workman, Superintendent, expressed this the last time, the district values all its employees equally. In addition to teachers, bus drivers, support personnel, operations staff, and maintenance staff all allow the district to run well. It seems as though the district receives more complaints when a bus is late or a classroom is hot than about a teacher in the classroom. I believe the Committee received a letter of support from the Lyon County Education Association (LCEA) (Exhibit K). It is also interesting to note that the LCEA stated no objection to the plan that was presented to the board of trustees.

The process used by the LCSD was not unique. The district allocated Elementary and Secondary School Emergency Relief funds to all the employee units in the past, on two separate occasions. Those funds were also allocated on an FTE-basis.

The Nevada State Education Association (NSEA) released a letter trying to "muddy the waters" on the LCSD plan. The NSEA tried to bully the members of this Committee and I do not think that the information was correct. The LCSD is hopeful the Committee will vote to approve the plan so the district can begin distributing the funds immediately to employees. To date, I have not received any complaints from teachers about the way the LCSD allocated the funding. I believe the teachers value the classified support personnel.

ACTING CHAIR BACKUS:

It was indicated the S.B. 231 funds are consistent with the collective bargaining agreements. Would the LCSD also agree that the S.B. 231 salary negotiations are consistent with NRS 288?

DAWN HUCKABY (Executive Director of Human Resources, LCSD):

That is correct.

ASSEMBLYWOMAN ANDERSON:

I want to make sure it is clear that I do believe that the LCSD cares about all of its employees regardless of their position. However, some statements made earlier were concerning to me, one of which is the possibility that the superintendent gave employees the impression that they were expected to write letters to the Committee. I received at least five letters in early January, four of which told me that it was not appropriate how they were being treated and that they were in support of the Committee not approving the plan. A similar statement was made during public comment today. It is unusual for management to tell employees they need to write a letter. Would someone from the district like to comment on that matter?

MR. BAINS:

I do not want to speak for Superintendent Workman and his intent with that, but he was inundated with questions from staff after the December 2023 IFC meeting about how they could support the district's proposal and move it along. Unfortunately, it was not in his hands; therefore, he expressed his opinion to staff and administrators that the approval of the proposal was in the hands of the IFC, and it would be in the best interest of staff to reach out to the Committee.

ASSEMBLYWOMAN ANDERSON:

Someone sent me the wording from the communication from Superintendent Workman. Essentially, it was an expectation for principals to tell him how many people had written letters. That is where a large part of my concern comes from as someone who has an employer.

I was also very concerned when the bargaining agent reached out following the December 2023 IFC meeting to ask for a discussion and the request was denied. Please explain why that decision was made. I have made it clear that I am a proponent of employee rights, and employees should have a chance to speak. A decision was made not to have a discussion and instead utilize the zipper clause.

MS. HUCKABY:

The LCSD was not contacted by the LCEA to request bargaining until much later. When the board of trustees made its decision regarding the two plans, a request for bargaining had not been received, nor had a request been received prior to the IFC meeting on December 13, 2023. The LCSD received a demand for bargaining letter on December 28, 2023. No one reached out to me as Director of Human Resources until that demand letter was received. And yes, that language is currently in the negotiated agreement.

ASSEMBLYWOMAN ANDERSON:

Thank you for clarification that the issue was related to timing. The dates mentioned seem a little too convenient for me when I look at the fact that the ask happened on December 28, 2023, and the date that was provided for when principals were asked how many employees wrote letters was also December 28, 2023. That might be coincidental, but it is very concerning to me.

Is there any new information that was presented today that is different from what was presented at the December 2023 IFC meeting, or is it the same information that was presented previously?

MR. BAINS:

The only change to the district's plan that is being presented is the fiscal change, which means that employees will receive a larger amount due to the change in months.

ASSEMBLYWOMAN ANDERSON:

I believe in the voices of the workers. I am very uncomfortable with the district's plan.

SENATOR TITUS:

As a representative of Lyon County, I received a lot of contact about the S.B. 231 funds. Many employees, particularly support staff, were quite concerned. I directed them to send letters sharing their concerns with the Committee. I do not know about Superintendent Workman's direction to send letters but when people reached out to me about how to obtain the funds, I suggested they write letters to each member of the Committee.

SENATOR CANNIZZARO:

From the December 2023 meeting, my concerns stemmed from how the money was proposed to be distributed in a certain amount to every employee. There was a lengthy conversation about this issue. I believe Senator Seevers Gansert had asked about the funds being eligible for PERS, and the district confirmed the funds were eligible. I expressed concern about how the funds would be distributed because that was not the intent of S.B. 231. I understand after some additional conversations how others have reached the same point.

My initial concern was how the money would be allocated. Please confirm whether these amounts that are part of the S.B. 231 funds are eligible for PERS.

MR. BAINS:

Yes.

SENATOR CANNIZZARO:

I spoke with Superintendent Workman to have him walk me through how this money was going to be given to employees. One of the things discussed at the December 2023 IFC meeting was these funds would be reflected on paychecks as an additional amount being paid each pay period to the employees. Is that still the plan?

MR. BAINS:

Yes, that is still part of the plan. The plan is still the same as it was in December.

SENATOR CANNIZZARO:

This calculation came because of how the funds were distributed and allocated through S.B. 231 on an FTE-basis. I think the Committee has heard a similar sentiment from some of the other districts.

MR. BAINS:

That is correct. Based on the district's understanding of S.B. 231, money was received on an FTE-basis, therefore, the plan created by the LCSD is to share on an FTE-basis.

SENATOR CANNIZZARO:

Superintendent Workman walked me through how the district made its decision, which was very helpful. He gave me additional information from the December meeting related to my concern that the distribution of funds appeared more like bonus payments rather than salary increases. I have talked about this today with some of the other districts that the intent of S.B. 231 was salary increases; the districts would use their Pupil-Centered Funding Plan money for salary increases, and the state would essentially match that with S.B. 231 funds. Superintendent Workman indicated these funds would be part of that compensation, and the intent of the district is to include the funds as an overall increase in individual salaries.

MR. BAINS:

Absolutely. The district's intent is to increase salaries. Because the funds will be distributed in the same amount across the board, it will be beneficial to the lowest earners as they will be compensated equal to staff in higher salary brackets. This will help recruit new teachers, especially in the rural districts.

SENATOR CANNIZZARO:

I appreciate the commitment that as the 83rd (2025) Legislature strives to ensure there is appropriate funding for all those positions, the district will include the funds as part of the overall compensation package for staff.

It is unfortunate that the Committee is being asked to adjudicate what seems like labor disputes; that is not the job of the IFC. The Committee is put in a difficult position when it must ask clarifying questions about the issue between the district and bargaining units. I received an email in early January 2024, which was well after the December meeting. All IFC members were copied on an email of a letter that was sent to Lyon County. The Committee also received information from Superintendent Workman that there had been some language included in the contract that was meant to address S.B. 231 funds so that they would be allocated. Yesterday afternoon, I was copied on another email of a letter. My concerns from the last meeting were directed more at the plan and how those monies would be allocated, because it appeared more like a bonus structure. After receiving additional information, I understand that is not the case.

I do not have a lot of concerns about how that plan relates to S.B. 231 funds or to staff raises. The Committee has heard from a couple counties that had similar implementation plans. The difficulty for the Committee is that it is now in the midst of the situation regarding contract negotiations. I have a couple questions and then I would also like the Legal Division to weigh in on this issue.

Regarding the language in the agreement, was it intended for the S.B. 231 funds or just general language for the contract?

MS. HUCKABY:

That is language that is in the district's approved negotiated agreement. It was not specifically for S.B. 231 funds.

SENATOR CANNIZZARO:

This plan had been proposed in October 2023. What requests had been made prior to that time? Or, after the district was aware of the allocation amount of S.B. 231 funds, were there requests to bargain over that money?

MS. HUCKABY:

As stated earlier, the district had no knowledge of the LCEA's desire to go back to the bargaining table until December 28, 2023, which was 15 days after the December IFC meeting. When the board of trustees approved the plan in October, the district had not yet received the LCEA's request.

SENATOR CANNIZZARO:

I think that is where I am having some difficulty with this and why I contacted the Legal Division. I wanted to be aware of what this Committee would be getting into. The Committee has heard allegations of unfair labor practices, issues with negotiations, what is and is not subject to NRS 288, the impact of contract language, and the intent of the parties. I reached out to legal counsel to get clarification on these issues that need to be addressed quickly.

ASHER KILLIAN (Legislative Counsel, Legal Division, LCB):

Senate Bill 231 itself was agnostic as to the question of collective bargaining. Within the bill itself, it contains no requirement that the money appropriated by S.B. 231 for staff pay increases be collectively bargained. The question is not before the IFC for the approval of S.B. 231 money to evaluate whether it was collectively bargained, the quality of that collective bargaining, or whether any violations occurred during that collective bargaining process. That said, the statutes must be read together in harmony, and Chapter 288 of NRS does provide a mechanism for collective bargaining for local governments. Under NRS 288.150, one of the mandatory subjects of collective bargaining is compensation. The union generally would have the ability to request bargaining on any topic; that is a mandatory topic of collective bargaining. Generally, under the law, they would have the ability to request that at any time, whether it is during the normal bargaining process or in the middle of the term of a bargaining agreement, if circumstances have changed, to enable further bargaining on one of those topics of mandatory bargaining. Under NRS 288.270, subsection 1, paragraph e, it is a prohibited practice for the employer to refuse to bargain in good faith if the union has properly requested bargaining. The recourse to determine whether a prohibited practice has occurred and what the consequences of that prohibited practice would be is for the affected party to file a complaint with the government Employee Management Relations Board (Board) pursuant to NRS 288.280 and then to have the Board resolve that complaint. Obviously, it is a fact specific question as Senator Cannizzaro touched on, the IFC is not privy to all the facts that may be relevant to the situation and the IFC is not privy to what the positions of the parties were during the bargaining when the clause in question was agreed to, or what concessions may have been made in exchange for a clause that prohibits reopening the bargaining agreement during its term. That is the purpose of the Board. The Board is a fact-finding body to perform those investigations, to adjudicate complaints, and determine whether prohibited practices have occurred. That is not something the IFC is equipped to do nor is the IFC required to do it pursuant to S.B. 231 when determining whether to release money appropriated by that bill for pay raises.

The short answer is there is a state body that exists to evaluate these kinds of complaints and determine whether prohibited actions have been taken; however, that body is not the IFC.

SENATOR TITUS:

Based on S.B. 231, this body could allocate the funds as requested by the LCSD. However, that does not prohibit the bargaining units from filing a complaint if they still want to be bargained. Is that correct?

MR. KILLIAN:

This is correct. Releasing this money pursuant to S.B. 231 to fund a plan does not prohibit the employee association from filing a complaint and the Board from possibly changing the distribution of the money that has been released to the district. There is not a prohibition on this body acting today, nor does it preclude a complaint from being adjudicated by the Board in the future.

SENATOR TITUS:

It does not interfere with future discussions based on the Committee releasing the funds per NRS that does not mention anything about collective bargaining. Is that correct?

MR. KILLIAN:

That is correct.

Refer to motion under Agenda Item D.7.

6. STOREY COUNTY SCHOOL DISTRICT - Request for an allocation of $337,763 to support salary increases and benefit costs for certain district staff.

TODD HESS (Superintendent, Storey County School District [SCSD]):

With me is Joe Girdner, Human Resources Director, and proud to say that last night, the board of trustees moved to approve Mr. Girdner to be the next Superintendent in the SCSD. I will be retiring in June 2024 after 30 years of serving Nevada students and their families.

The SCSD is fortunate to have incredible relationships with the certified and classified groups. We have worked hand-in-hand to negotiate these funds over the course of the summer. All of the groups were eager to sign off on the plan.

JOE GIRDNER (Human Resources Director, SCSD):

Negotiations with the certified and classified associations concluded August 23, 2023. Certified employees will receive a cost-of-living adjustment (COLA) of 7.5% for the 2023-2024 school year and a COLA of 2.5% for the 2024-2025 school year. Classified employees will receive a COLA of 2.5% for the 2023-2024 school year and a COLA of 2.5% for the 2024-2025 school year.

I would like to address why certified staff will receive more than classified staff this year. The reason is that last year the SCSD experienced a critical shortage in bus drivers and other classified positions and gave significant increases during the last school year for all classified groups. The district removed the first four steps on the salary schedule, which bumped all employees up between 11.0% and 14.0%. The purpose of the pay raises this year was to make increases for both groups equitable over the three-year time period that the negotiated agreements would be in place. If the SCSD is approved for the requested S.B. 231 funds, the district will match the 7.5% and 2.5% for certified staff and match the 2.5% and 2.5% for classified staff.

Over a three-year period, certified and classified employees will receive a 20.0% raise, which includes the S.B. 231 funds. As mentioned by others previously, the district is very hopeful these funds will be made permanent in the 2025-27 Biennium.

If the Committee approves the allocation of the S.B. 231 funds, the district is prepared to start distributing the funds to employees on March 15, 2024. Additionally, employees will receive retroactive pay for the 2.5% back to the beginning of the school year. Employees will receive this funding on their regular paychecks so the funds will be eligible for PERS.

The SCSD is thankful for this opportunity that will benefit all employees.

MR. HESS:

I would also like to thank the LCB. The LCB was very instrumental in helping the district compile all these statistics. With the efforts of the Legislature and the district, I am proud to be able to tell families that the SCSD is fully staffed with high-quality employees.

SENATOR CANNIZZARO:

It appears that starting wages have increased by 11.0% to 14.0% in addition to the COLAs. I would like to commend the district on offering those increases for staff. It is important and met the intentions of the Legislature.

MR. HESS:

Yes, those amounts are correct.

Refer to motion under Agenda Item D.7.

7. WASHOE COUNTY SCHOOL DISTRICT - Request for an allocation of $38,665,038 to support salary increases and benefit costs for certain district staff.

DR. KRISTEN MCNEILL (Interim Superintendent, Washoe County School District [WCSD]):

The WCSD is thankful for the S.B. 231 funding, which is historic. As a former teacher and principal, the school districts have never had this type of funding for schools. The district is hopeful the funding will continue because it is important for students.

MARK MATHERS (Chief Financial Officer, WCSD):

I am happy to report that the district was able to reach an agreement with certified, classified, unrepresented, and school police employees and that is part of the packet. Those groups represent more than 95.0% of eligible employees for S.B. 231 payments. The WCSD will come back to the Committee when agreements have been finalized with the remaining groups. Next Tuesday, the district will have a collective bargaining agreement with the Professional and Technical Administrators staff.

Certified staff will receive a COLA of 14.0% in year one and 2.0% in year two. Classified staff and all other groups will receive a COLA of 13.2% in year one and 2.0% in year two. The district proposed with the associations to do an equal calculation on a percentage basis of S.B. 231 monies. Preliminarily, that equated to a 4.0% COLA for those groups. Combined with the per pupil funding, the district was able to provide certified staff with a total increase of 20.0% over two years. Classified staff and other employees will receive a total increase of 19.2% over two years. These increases are truly life-changing and historic, and the district is very appreciative.

This was a time when employees, the board of trustees, the Legislature, and district management were in sync and aligned on the need to address longstanding compensation wage gaps, and these funds have gone a tremendous way in covering those gaps.

The district consulted and received approval from the employee associations on this equal percentage approach and have continued to speak with them. The employee associations agree with that approach. The funds are eligible for PERS. After a retroactive payment to July 1, the S.B. 231 payments will be made on a monthly basis to eligible employees.

SENATOR CANNIZZARO:

I appreciate that so many of the school districts are presenting plans that show a willingness to compensate all staff who work in the school districts. I have worked with Dr. McNeill and Mr. Mathers as well as with the previous

superintendent since before the 82nd (2023) Legislative Session. It has been a pleasure, and it is how everyone should approach working with the Legislature to help this happen.

The WCSD has done a phenomenal job. It is overwhelming to hear that WCSD teachers and support staff will receive 20.0% and 19.2% raises, respectively. I will take a point of personal privilege. I am the first person in my family to graduate from high school and the first person to have any sort of opportunity after graduation. That was because I was able to receive a very good education from teachers and staff who cared about me and made sure that a child like me did not slip through the cracks. When the state and the district value employees who give opportunities to children, it makes a difference. It gives me a lot of hope for students and education.

For those on the Committee, Washoe County reached out during session to talk about the details. Throughout the legislative session, the district was very helpful in making S.B. 231 a possibility so it would be functional for school districts. Since then, the WCSD has reached out every time the district had a question or needed clarification. The district has been diligent about creating a plan and briefing members of the Committee so that those members would know what to expect.

During the process there was some discrepancy in some of the numbers. The WCSD made it a priority to make up the difference to honor the percentage raise that was promised to staff even though the S.B. 231 funds would not be enough to reach that percentage. I believe it was 3.85% initially and the district made up the difference to ensure it was 4.0% as agreed upon. I appreciate that the district has been a partner in this process; its willingness to communicate concerns; its commitment to honoring its word; and placing the focus on employees. I could not be more thrilled with what the district has accomplished. That is not intended to diminish the work of the other school districts that have brought forward plans. I understand that the WCSD is in a unique position to be able to offer this level of compensation. I think it bears recognition for overall doing a fantastic job of partnering together and then demonstrating what can be done and what is achievable when everyone works as partners committed to education, children, and opportunities.

SENATOR DONDERO LOOP:

I would like to thank all the superintendents for being here and understanding the importance of this matter.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEMS D.1, D.3, D.4, D.6, AND D.7.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM D.2, OPTION 1, TO PROVIDE AN EQUAL PAYMENT AMOUNT OF $3,267, INCLUDING BENEFIT COSTS, FOR FULL-TIME EQUIVALENT TEACHER AND SCHOOL SUPPORT STAFF IN EACH YEAR OF THE 2023-25 BIENNIUM.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM D.5.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED WITH THE MEMBERS PRESENT. (Assemblywoman Anderson opposed the motion.)

Acting Chair Backus called a recess at 12:15 p.m. The meeting reconvened at 1:01 p.m.

E. 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 GOVERNOR - Office for New Americans - Request for an allocation of $21,880 to cover a shortfall in grant revenue.

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

Agenda Item E pertains to a request for IFC Contingency Account funding of $21,880 to cover a shortfall in grant funding.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM E.1.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

2. DEPARTMENT OF PUBLIC SAFETY - Request for an allocation of $85,175 to cover travel and operational costs associated with providing dignitary protection.

KRISTI DEFER (Chief Fiscal Officer, Department of Public Safety [DPS]):

Through Agenda Item E.2, the DPS Division of Dignitary Protection is requesting an allocation of $85,175 from the IFC Contingency Account to fund projected in-state and out-of-state travel and operating expenses through the remainder of FY 2024.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM E.2.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

3. NEVADA DEPARTMENT OF EDUCATION - Request for an allocation of $193,750 to fund an increase in the State Longitudinal Data System contract expenditures. **RECEIVED ON 1-26-24, AFTER THE 1-11-24 SUBMITTAL DEADLINE.**

JHONE EBERT (Superintendent of Public Instruction, Nevada Department of Education [NDE]):

Through Agenda Item E.3, the NDE is requesting $193,750 to fund the Statewide Longitudinal Data System. This item was first brought before the Committee in December 2023, during which the NDE was asked to determine whether the system could be funded with federal dollars. The NDE received a response from the U.S. Department of Education stating federal funding could not be used to support the system. Based on this information, the NDE is requesting funding from the IFC Contingency Account.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM E.3.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

F. 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.

TONYA LANEY (Deputy Director, Department of Motor Vehicles [DMV]):

At the December 13, 2023, IFC meeting, DMV Director Julie Butler came before the Committee to ask for Contingency Account funding of $517,500 from the Highway Fund to fund a contract for a new queuing system in the DMV's field offices. The contract was approved unanimously by the Board of Examiners at its November 14, 2023, meeting, and the DMV is here to provide an update regarding the intention of a pilot program to be conducted in the department's Reno and Fallon field offices for a queuing system. The Committee was not comfortable approving the funding for the program at its December 2023 meeting because the pilot program had not yet begun, thus the DMV could not provide a definitive answer on whether it believed the queuing system was going to be successful because data had not yet been collected. I would note the pilot program is currently on track to be successful.

Additionally, the DMV is amending its Highway Fund contingency request from $517,500 to $453,383, which is a reduction of $64,117. The reason for the reduction is because existing invoices with the current vendor were lower than expected; therefore, the department now has additional funding available. One of the things the DMV has seen from the public-facing pilot program demonstrating the program's success is that wait times in the Reno field office went from a six to eight-week average down to now being able to get in for an appointment in two weeks. As such, the DMV's new appointment system is performing as expected.

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

The new customer queuing system also allows the DMV to interact with and receive feedback from customers. As of Friday, February 2, 2024, the rating for the DMV's Reno field office is 4.3 out of 5 stars. Per the Committee's recommendation, the DMV also expanded its pilot program to its Fallon field office in rural Nevada, which received a rating of 4.6 out of 5 stars, which is higher than the Reno field office in metropolitan Nevada. Regarding communication with DMV customers, from January 8, 2024, when the pilot program began, to February 2, 2024, there were a total of 15,684 appointments. Based on the communication component of the queuing system, customers have been able to cancel 4,522 appointments, freeing up those appointment slots for use by other residents.

The new queuing system can also be utilized for the DMV's walk-in customers. From January 8, 2024, to February 2, 2024, the total number of walk-in customers visiting the Reno field office was 6,478 customers, with the queuing system allowing customers to cancel their appointment and remove themselves from the queue in real time. During that same time, 240 individuals opted to cancel their appointments and leave the queue, which allowed space for additional customers during the DMV's walk-in Wednesdays. At the DMV's Fallon field office, the total walk-in customers from January 8, 2024, to February 2, 2024, totaled 2,727 customers. Of these individuals, 52 opted to cancel their appointment during that time, freeing up appointment slots for other residents.

SENATOR HARRIS:

Why is the department planning to determine the success of the pilot program by March 1, 2024, which is 45 days prior to the contract date of April 14, 2024? Why is the department making its determination so early?

MR. LARA:

The initial intent of the pilot program was to have a set day to tentatively rollout the program to the rest of the DMV's offices. However, the department is still currently evaluating the pilot program, and even though March 1 was the date by which it intended to measure the program's success, the department believes it still needs more time to evaluate and gather valuable data to make a true determination of success. The DMV also has a checklist that encompasses IT elements, the scope of work, and employee training, with each element having subcategories with information that can also be shared with the Committee. As such, the DMV has a process to evaluate the pilot programs moving forward.

SENATOR HARRIS:

Is the March 1, 2024, date aspirational, and is likely not going to be the date by which the DMV determines the success of the pilot program? Will the date to measure the program's success now be closer to the contract date of April 14, 2024?

MR. LARA:

That is correct. The DMV is still evaluating the data as it comes in, but the data looks promising. The department wants to do its due diligence and make sure the pilot program is going to be successful, not only for its metropolitan offices, but also for its rural offices.

SENATOR GOICOECHEA:

It is hard for the DMV to perform any worse, especially in the rural areas. Even though the pilot program was also implemented at the DMV's Fallon field office, its Elko field office is bigger and probably receives more visitors. I receive a lot of calls regarding the Elko field office and am wondering when the DMV will implement its queuing system there.

MR. LARA:

I do not want to make any promises regarding when the DMV will implement the new system at its Elko field office without looking at the data again to make sure the pilot program is successful. The DMV is considering a tentative date no later than May 1, 2024, to implement the new queuing system in the Elko field office.

ACTING CHAIR BACKUS:

I appreciate that the DMV is still open to reviewing the data on the pilot program and is optimistic that the program will move forward. However, I want to confirm that if the pilot program is a failure, the DMV is not going to enter into the contract and any money that is approved today would be reverted back. Is that correct?

MS. LANEY:

That is correct.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM F IN THE REVISED AMOUNT OF $453,383.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

G. 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 $229,401 to comply with the *Davis v. State* consent judgment and to provide pay parity for attorneys who provide indigent defense services and reimbursement for travel to White Pine County. **WITHDRAWN ON 1-25-24.**

H. 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 1-25-24.**

I. REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO SECTION 1 OF ASSEMBLY BILL 525 (2023 LEGISLATIVE SESSION) (Note: IFC may approve a different amount for an allocation than the amount requested) - NEVADA SYSTEM OF HIGHER EDUCATION - University of Nevada, Las Vegas - Request for $500,000 for the "Expanding the Leaderverse" initiative to increase the diversity of the leadership in the gaming industry. **WITHDRAWN ON 2-6-24.**

J. REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO SECTION 1 OF ASSEMBLY BILL 480 (2023 LEGISLATIVE SESSION) (Note: IFC may approve a different amount for an allocation than the amount requested) - DEPARTMENT OF WILDLIFE - Request for an allocation of $200,431 to fund the department's language access plan. **WITHDRAWN 1-25-24.**

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):

   Agenda Item K.1 pertains to the statement of American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Fund obligations and remaining unobligated balances (Exhibit O). The top of the table on page 1 (Exhibit O) provides a high-level summary demonstrating expenditures for FY 2022 and FY 2023, the amounts currently authorized (including the requests before the Committee today), and the remaining unobligated balance. If all requests submitted for consideration today are approved, approximately $24.6 million in unobligated funds will remain. As a reminder, funds must be obligated by December 31, 2024, and expended by December 31, 2026.

   Regarding unobligated authority, I will provide some context around the difference between the amounts presented as unobligated funds of $24.6 million in the table for Agenda Item K.1 on page 1 (Exhibit O) compared to the $38.8 million displayed as unobligated funds on the table that the Office of the Governor, Governor's Finance Office (GFO) will present for Agenda Item K.2 (Exhibit P). The difference in the unobligated funding amounts shown in the two tables is mainly attributable to two areas: first, the 15-day expeditious requests for funding under Agenda Item T were submitted on January 31, 2024, after the table presented under Agenda Item K.2 (Exhibit P) was submitted; the expeditious requests are reflected in (Exhibit O) but not (Exhibit P). Second, there are several program allocations in which the GFO has identified savings after reviewing the status of funding and spending plans in collaboration with state agencies. While the table prepared by the GFO and presented under Agenda Item K.2 (Exhibit P) reflects all the projected savings, if authority remains within the agency's approved budget associated with the projected

savings, a work program revision would be required to remove the authority before the savings would be reflected in the table under Agenda Item K.1 (Exhibit O). The LCB Fiscal Division is working in collaboration with the GFO to ensure that the budget authority in the state accounting system is in sync with the information presented to the Committee relating to these funds and anticipates that work programs will be submitted so that existing budget authority associated with any savings can be removed, and therefore made available for reallocation.

There were a number of revisions to existing rows on the table in (Exhibit O) following the December 13, 2023, IFC meeting, which are identified in red text in the *Notes* column on the far right of the table. The revisions mainly fall under updates to reflect savings that have been confirmed with the GFO and in which authority does not exist or has been removed from the agency's budget. The items submitted for presentation to and/or consideration by the Committee today begin on page 24 of (Exhibit O). There are four requests for funding facilitated through one work program submitted under Agenda Item L, and five work programs submitted as 15-day expeditious action items by the Governor under Agenda Item T for consideration today requesting the use or transfer of Coronavirus State Fiscal Recovery Funds. The items that will be presented to the Committee today include requests to support Capital Improvement Program projects, replacement of a content management system, and funding to serve as matching funds for a grant application to support the Nevada Tech Hub Consortium.

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, GFO, Office of the Governor):

There are a couple of differences in the spreadsheet that the GFO submitted for Agenda Item K.2 (Exhibit P) compared to the spreadsheet the Fiscal Division submitted for Agenda Item K.1 (Exhibit O). Regarding the *Notes* column in the table for (Exhibit O), funding for 90% of the GFO's projects is obligated under the U.S. Department of the Treasury's (Treasury) new guidance that was submitted in November. This is exciting, because the first hurdle when dealing with the ARPA funding is that per Treasury rules, the funding must be obligated by December 31, 2024.

ASSEMBLYWOMAN KASAMA:

Will there be any issues with the GFO meeting the requirements to allocate the remaining 10% of the ARPA funding that has not yet been obligated by the end of calendar year 2024?

MS. STEPHENSON:

I do not foresee any issues because the GFO is currently in discussions with agencies to determine different ways to obligate the ARPA funding. Through utilizing contracts, third-party subgrant agreements, and purchase orders, the GFO has given state agencies an internal date of February 29, 2024, to obligate funding for projects. If the agencies are unable to obligate the funding by that time, the GFO will deobligate the funding and apply it toward another project that is ready to go.

ACTING CHAIR BACKUS:

The December 13, 2023, IFC meeting was held right after the Treasury came out with the ruling that certain administrative costs could no longer be included in the use of ARPA funding after a particular time. Please discuss this further and elaborate on the table shown on page 33 of (Exhibit P) that describes positions that cannot be funded with ARPA funds after December 31, 2024.

MS. STEPHENSON:

Per Treasury rules, there are certain administrative costs associated with fiscal monitoring and compliance of a grant or subgrant that can be paid after the December 31, 2024, obligation date; there are also certain staff that cannot be paid for after the obligation deadline. There are currently 186 positions funded with ARPA funds, of which 101 of those positions are considered programmatic and unable to be paid for using ARPA funds after the December 31, 2024, allocation deadline. Of those 101 positions, 39 are vacant and will remain vacant. The GFO is working with state agencies to put the other 62 positions into contract positions, if available, or find other means for the positions.

ACTING CHAIR BACKUS:

It was surprising when the Treasury came out with its ruling stating ARPA funding must be obligated by December 31, 2024. I appreciate that the GFO can deobligate funding and put it toward other projects that are ready to go so the state does not lose out on any federal funding.

ASSEMBLYWOMAN ANDERSON:

Certain food banks have stated it is possible to use ARPA funding to help pay for the U.S. Department of Agriculture's Summer Electronic Benefit Transfer (Summer EBT) Program for Children. However, some of the organizations have been told that ARPA funds cannot be used as matching funds to establish the Summer EBT program. I realize the Summer EBT program was impacted by the threat of the federal government shutdown in late 2023, but please explain why ARPA funds cannot be used as matching funds for the Summer EBT program.

MS. STEPHENSON:

This information was also relayed to the GFO prior to today's meeting, and I believe this is a miscommunication. I will investigate the issue and provide the Committee with an update.

ASSEMBLYWOMAN ANDERSON:

A lot has happened since the Treasury's new guidance came out, but it would be helpful for the GFO to share that information with the Committee because the Summer EBT program is incredibly important to all children in Nevada. I prefer that ARPA funding be used as matching funds for grants so the reserve funding of state agencies can be used for the intended purpose.

ASSEMBLYMAN YEAGER:

If possible, I want to make sure that Nevada does not return a single dollar of taxpayer money to the federal government. It is a tricky time right now because the state must ensure the ARPA funding is obligated by the end of this year and expended by December 31, 2026, and there is also a deadline coming up to appropriate money through Assembly Bill (A.B.) 526 (82nd [2023] Legislative Session). There have also been additional savings of ARPA funds, and it is not surprising that some state agencies were not able to accomplish what the ARPA money was originally intended for. I am glad the GFO is considering how to reallocate some of the ARPA money that has been saved, but it is important to remember that state agencies must also be able to spend the money by the end of 2026. It is difficult for the Legislature to know everything regarding an agency's ability to spend the ARPA funding, and a conservative approach should be taken so that any unspent money can be reallocated to help nonprofit organizations with their work in the communities.

SENATOR GOICOECHEA:

Discussions also took place during the December 2023 IFC meeting regarding the reobligation of ARPA funding to certain nonprofit organizations. There are many local government projects that are shovel ready, especially in rural Nevada, and there are nonprofit organizations that are ready to begin work. What is the timeframe for reobligating ARPA funding to the nonprofits?

MS. STEPHENSON:

The April and June IFC meetings are going to be busy. The GFO is working with Fiscal Division staff to reconcile its books and the GFO has a list of shovel-ready projects it is currently vetting. If agencies cannot get their projects off the ground by the end of February 2023, the GFO will propose to reobligate funding toward shovel-ready projects.

SENATOR CANNIZZARO:

How long will it take the GFO to reobligate the ARPA funding?

MS. STEPHENSON:

The 10% of ARPA funding that has not yet been obligated will hopefully go toward shovel-ready projects. By the end of February 2024, the GFO will know which state agencies could enter into a contract and obligate their ARPA funding, and if not, the GFO will reallocate the funding.

SENATOR CANNIZZARO:

Deadlines for allocating the ARPA funding are approaching. There are currently shovel-ready projects, and I look forward to working with the GFO to determine how to reallocate available funding. However, there is also a July 2024 deadline to start identifying the ARPA funding that can be appropriated to nonprofit organizations through A.B. 526. That is not a lot of time, and there will not be many IFC meetings before July.

The Committee will be disappointed if an agency comes before this body in a budget hearing during the 83rd (2025) Legislative Session to state it has been keeping ARPA dollars knowing it was not going to be able to obligate them but was afraid of letting the funding go. I would rather sit in a budget hearing and listen to how the Committee needs to approve more General Funds or other funds to cover situations where ARPA funding was spent than listening to how much ARPA funding remains unobligated. It will not reflect well on the GFO and state agencies if unused ARPA funds are not identified for deobligation and must be sent back to the federal government.

I appreciate the work the GFO has done to provide this information to the Committee in a timely fashion and look forward to working together to put the funds to good use.

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.

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

Agenda Item L.1, Office of the Governor, has been identified for additional discussion. It will be discussed with Agenda Item P.4, Department of Administration, State Public Works Division.

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

Transfer of $1,500,000 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) State Agency Allocations category to support an allocation to the State Public Works Division for the support of Capital Improvement Program Project 21-C04, Cave Creek Dam Rehabilitation, Cave Lake State Park. Requires Interim Finance approval since the amount transferred to the ARPA State Agency Allocations category exceeds $350,000. **RELATES TO AGENDA ITEM P.4. Work Program #24FR132710.**

Agenda Items L.1 and P.4 were discussed jointly. Refer to discussion and motion under Agenda Item P.4.

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.

MR. LEISER:

The following items have been identified for additional discussion: Agenda Items M.3, Office of the Governor, State Energy Office; M.4, Office of the Governor, State Energy Office; M.13, Department of Education; and M.33, Department of Business and Industry, Taxicab Authority. Agenda Items M.40, Department of Health and Human Services (DHHS), Division of Health Care Financing and Policy (DHCFP); M.42, DHHS, DHCFP; M.43, DHHS, DHCFP; and M.44, DHHS, DHCFP, will be heard together. Agenda Items M.75, Department of Public Safety, Office of Traffic Safety; M.84, Department of Conservation and Natural Resources, Division of Environmental Protection; and M.91, Office of the Military, Division of Emergency Management, have also been identified for additional discussion.

All of the position reclassifications for the DHHS Aging and Disability Services Division and the DHHS Division of Welfare and Supportive Services has been identified for additional discussion.

SENATOR DONDERO LOOP MOVED TO APPROVE THE REMAINING WORK PROGRAM REVISIONS AND POSITION RECLASSIFICATIONS UNDER AGENDA ITEM M.

ASSEMBLYMAN WATTS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

1. Office of the Governor - Office of the Chief Information Officer - Computer Facility - FY 2024

Transfer of $105,917 from the Reserve category to the Utilities category to fund higher than anticipated utility costs. Requires Interim Finance approval since the amount transferred to the Utilities category exceeds 20% of the legislatively approved amount for that category. **Work Program #C67094**

Refer to motion for approval under Agenda Item M.

2. Office of the Governor - Office of the Chief Information Officer - Network Transport Services - FY 2024

Transfer of $96,197 from the Digital Microwave category to the Utilities category to fund higher than expected costs for electric and propane. Requires Interim Finance approval since the amount transferred to the Utilities category exceeds 20% of the legislatively approved amount for that category. **Work Program #C67038**

Refer to motion for approval under Agenda Item M.

3. Office of the Governor - State Energy Office - Office of Energy - FY 2024

Addition of $1,043,290 in federal U.S. Department of Energy - State Energy Program (SEP) - Energy Efficiency Revolving Loan Fund (EERLF) grant funds and deletion of $71,500 in Transfer from Renewable Energy Funds to provide a revolving loan fund for energy efficiency projects. Requires Interim Finance approval since the amount added to the SEP EERLF 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 #C66852**

ASSEMBLYMAN WATTS:

I am excited to see this request come forward and know that the Office of Energy has been upfront regarding its activities. The office assured the Committee it was going to pursue every federal funding opportunity available, and now some of that funding has come into the state. There is a lot of funding available due to many different federal laws, and the office works hard to seek that funding. I also appreciate the office's partnership with the Nevada Clean Energy Fund, which recently helped bring $7.0 million into the state. I am glad the Nevada Clean Energy Fund can help the office administer additional federal funding.

Is there an estimate of how many small- to medium-size businesses in Nevada are anticipated to benefit from the U.S. Department of Energy's Energy Efficiency Revolving Loan Program?

BRIAN DEEM (Energy Program Manager, Office of Energy, Office of the Governor):

If approved, the office expects to initially provide four loans per year with the funding. There is also an expectation that funding will increase moving forward.

ACTING CHAIR BACKUS:

Will those four loans per year only help that many businesses?

MR. DEEM:

Yes, that is correct, but it is better to look at this initiative more like a pilot program where additional funds will be coming in from other grants and sources to increase the number of businesses receiving loans.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM M.3.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

4. Office of the Governor - State Energy Office - Office of Energy - FY 2024
Addition of $1,767,140 in federal U.S. Department of Energy - Energy Efficiency and Conservation Block Grant Program (EECBG) - Bipartisan Infrastructure Law 2021 grant funds and deletion of $61,923 in Transfer from Renewable Energy Funds to provide grants for energy efficiency and conservation. Requires Interim Finance approval since the amount added to the EECBG 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 #C66854**

JEANNE STONEMAN (Deputy Director, Office of Energy, Office of the Governor):

The Office of Energy intends to seek every dollar available to aid all Nevadans.

ASSEMBLYMAN WATTS:

The bulk of funding available for this program will be used for grants to help upgrade some of Nevada's government buildings and facilities. The office will also use the federal funding to establish a Loan Loss Reserve for the Energy Efficiency Revolving Loan Program. How many Nevada residents are anticipated to benefit from the Loan Loss Reserve funds?

MR. DEEM:

The office anticipates approximately 340 households per year will benefit from the Loan Loss Reserve funds.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM M.4.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

5. Office of the Governor - State Energy Office - Renewable Energy Account - FY 2024

Transfer of $436,057 from the Reserve category to the Nye County Refund category to refund a real property tax overpayment due to reassessment. Requires Interim Finance approval since the amount transferred to the Nye County Refund category exceeds $350,000. **Work Program #C64729**

Refer to motion for approval under Agenda Item M.

6. Office of the Secretary of State - Help America Vote Act Election Reform - FY 2024

Transfer of $4,384,544 from the Help America Vote Act (HAVA) Title 1 Reserve category to the Administration of Elections category to continue to fund the implementation of a centralized database that collects and stores voter preregistration and registration information. Requires Interim Finance approval since the amount transferred to the Administration of Elections category exceeds $350,000. **Work Program #C66780**

Refer to motion for approval under Agenda Item M.

7. Department of Administration - Fleet Services Division - Fleet Services - FY 2024

Transfer of $789,986 from the Reserve category to the Vehicle Operation category to fund higher than anticipated fuel, vehicle maintenance, and vehicle repair costs. Requires Interim Finance approval since the amount transferred to the Vehicle Operation category exceeds $350,000. **Work Program #C66766**

Refer to motion for approval under Agenda Item M.

8. Department of Administration - Fleet Services Division - Fleet Services - FY 2024

Addition of $256,056 in Outside Vehicle Rental revenue to support increased travel by State of Nevada employees. Requires Interim Finance approval since the amount added to the Outside Rental Vehicles category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66845**

Refer to motion for approval under Agenda Item M.

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

Transfer of $367,978 from the Reserve category to the Vehicle Purchase category to fund the purchase of seven vehicles. Requires Interim Finance approval since the amount transferred to the Vehicle Purchase category exceeds $350,000. **Work Program #C66495**

Refer to motion for approval under Agenda Item M.

10. Department of Administration - Mail Service Division - Mail Services - FY 2024

Addition of $702,399 in Postage revenue and a transfer of $28,209 from the Reserve category to the Postage category to fund higher than anticipated mail costs. Requires Interim Finance approval since the amount added to the Postage category exceeds $350,000. **Work Program #C66872**

Refer to motion for approval under Agenda Item M.

11. Department of Administration - State Public Works Division - Engineering and Planning - FY 2024

Addition of $104,795 in Inspection Fees to fund an unanticipated increase in travel associated with the purchase of the McCarran Complex in Las Vegas, Nevada. Requires Interim Finance approval since the amount added to the In-State Travel category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66822**

Refer to motion for approval under Agenda Item M.

12. Department of Education - COVID-19 Funding - FY 2024

Deletion of $205,444,955 in federal Elementary and Secondary School Emergency Relief (ESSER) grant funds to align grant authority and transfer of $68,846,040 from the ESSER III Admin category to the ESSER III State Education Agency category to assist with Nevada's recovery from COVID-19. Requires Interim Finance approval since the amount deleted from the ESSER III Local Education Agencies Distribution category exceeds $350,000. **Work Program #C66554**

Refer to motion for approval under Agenda Item M.

13. Department of Education - Data Systems Management - FY 2024
Addition of $562,369 in federal Statewide Longitudinal Data Systems (SLDS) grant funds to expand and enhance the ability to collect and report on school-level finance data. Requires Interim Finance approval since the amount added to the SLDS 84.372A category exceeds $350,000. **Work Program #C66576**

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

The request through Agenda Item M.13 is to provide additional authority in the amount of $562,369 for a new grant that the NDE has received to support work within the Statewide Longitudinal Data System.

ASSEMBLYWOMAN ANDERSON:

Since additional funds have been awarded from the Statewide Longitudinal Data Systems grant, please indicate why the additional funding is not being proposed to support the two existing positions previously supported by the grant, in lieu of the General Fund appropriation that was approved by the 82nd (2023) Legislature in anticipation of the grant expiring and not being renewed.

MS. PETERSON:

The two positions that were funded with General Fund dollars are supporting ongoing maintenance and continuing work that has previously been done. Even though this is a new grant that was unanticipated, the grant focuses on new areas and increasing capacity and understanding within the state system. The 2019 Statewide Longitudinal Data Systems grant is different from the current grant and has a distinctly different focus.

ASSEMBLYWOMAN ANDERSON:

Even if the current federal grant has a different focus, is there going to be a need to continue funding the new positions during the 83rd (2025) Legislative Session, or will the NDE need to return to the IFC to request money to continue funding the two positions?

MS. PETERSON:

It is anticipated that the two positions will require ongoing funding, which will be included in the agency request budget.

ASSEMBLYWOMAN ANDERSON:

There appears to be a long-term plan to fund the two existing positions. It also appears that the Statewide Longitudinal Data System is being utilized in different ways. Please provide an overview of the enhanced financial reporting objectives for the new Statewide Longitudinal Data Systems grant and how they differ from the previous grant's objectives.

GLENN MEYER (Information Technology [IT] Director, NDE):

The prior Statewide Longitudinal Data Systems grant focused specifically on technical enhancements for the NDE's Statewide Longitudinal Data System, including the implementation of a new identity management system to enhance the security and availability of the information contained in the longitudinal data system. The NDE also moved its infrastructure for the longitudinal data system from a hosted internal system to a cloud-based system, which was another technical enhancement. The 2023 Statewide Longitudinal Data Systems grant is specifically meant to expand the NDE's longitudinal data system to include financial data, focusing on district-level financial data with the hopes the NDE can eventually reach down to school-level data. The NDE is using the data to correlate financial expenditures at the district level with school and student performance, which is why it is so important that the NDE get this data into its longitudinal system so the data can then be reported. The NDE also contributes data to the Nevada Pre-K to Workforce Reporting (NPWR) system, which is the consolidated statewide system that also includes information from the Nevada System of Higher Education and the Department of Employment, Training and Rehabilitation. Having this fiscal data available to the NPWR system will also open the data up for further research and evaluation.

ASSEMBLYWOMAN ANDERSON:

The Statewide Longitudinal Data System also allows for other systems to speak to each other. With that, are there increased security measures? Increased security measures are even more important now that the NDE is moving its data to a cloud-based system and with the increasing data breaches nationwide. Are increased security measures part of the longitudinal data system that is under consideration, or will the measures be implemented by another entity that would need to be funded separately?

MR. MEYER:

The intent of the 2019 Statewide Longitudinal Data Systems grant was to provide increased security measures. Additionally, with the implementation of its new identity management system, the NDE also greatly increased and enhanced the security mechanisms that support the longitudinal data system. As a result, the data will be able to take advantage of the same enhancements that were made with the 2019 grant, and the NDE does not anticipate implementing any additional security enhancements with this particular grant.

ASSEMBLYWOMAN ANDERSON:

The NDE's ability to connect and expand its existing data is a new endeavor. Does the department anticipate more work associated with this grant, which could create an ongoing need or expectation for more staff? Would this also justify the need for a full-time position once the grant expires?

MR. MEYER:

There is a request in this grant for one additional Management Analyst position, which would be an ongoing position and serve as a bridge between the technical IT office, the longitudinal data system, and the NDE's fiscal office.

ASSEMBLYWOMAN ANDERSON:

Has the NDE researched a way to revise its grant application to determine if there is any way that federal money can be utilized in addition to the grant funding? Could the department revise and/or tailor the duties and responsibilities of the Management Analyst position to meet the objectives and purposes of future federal grants so the position could continue to be supported with federal funds instead of General Funds in the future?

MR. MEYER:

The stipulations of the grant allow for funding of positions that are specifically meant to meet the grant's objectives but not for positions that will oversee additional ongoing maintenance or operations of the systems that are built with the funding. As far as the Statewide Longitudinal Data Systems grant funding goes, the NDE has not considered other avenues to fund the positions. However, there may be other federal funds the NDE could leverage to fund the positions.

ASSEMBLYWOMAN ANDERSON:

During the NDE's presentation before the Joint Interim Standing Committee on Education on Monday, February 5, 2024, the department noted it was short-staffed. Identifying additional federal funding is a way for the NDE to determine how it can hire more staff while utilizing funding in the best way possible.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM M.13.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

14. Department of Education - Student and School Support - FY 2024
Transfer of $83,917 from the Neglected or Delinquent - Admin category to the Neglected/Delinquent Aid category to continue providing supplemental support to eligible students enrolled in educational programs at state-operated facilities. Requires Interim Finance approval since the amount transferred to the Neglected/Delinquent Aid category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66490**

Refer to motion for approval under Agenda Item M.

15. State Public Charter School Authority - FY 2024
Addition of $1,494,251 in federal Early Childhood Innovative Literacy Program (ECILP) grant funds transferred from the Early Childhood Literacy and Readiness account to support early childhood literacy and readiness programs for children less than six years of age. Requires Interim Finance approval since the amount added to the Pre-K ECILP category exceeds $350,000. **Work Program #C66953**

Refer to motion for approval under Agenda Item M.

16. State Public Charter School Authority - FY 2024
Addition of $726,071 in Nevada Ready State Pre-K grant funds transferred from the Nevada Department of Education to continue supporting the Nevada Ready State Pre-K program. Requires Interim Finance approval since the amount added to the Preschool Development category exceeds $350,000. **Work Program #C67010**

Refer to motion for approval under Agenda Item M.

17. State Public Charter School Authority - FY 2024
Addition of $358,186 in federal Substance Abuse and Mental Health Services - Project Aware grant funds transferred from the Nevada Department of Education to increase mental health awareness, screenings, and connections to community-based mental health services. Requires Interim Finance approval since the amount added to the Project Aware category exceeds $350,000. **Work Program #C67011**

Refer to motion for approval under Agenda Item M.

18. State Public Charter School Authority - FY 2024
Addition of $3,484,407 $5,027,816 in federal Individuals with Disabilities Education Act - Part B grant funds transferred from the Nevada Department of Education to continue special education services in all eligible sponsored charter schools. Requires Interim Finance approval since the amount added to the Federal Special Education category exceeds $350,000. **Work Program #C67012. REVISED 1-25-24.**

Refer to motion for approval under Agenda Item M.

19. State Public Charter School Authority - FY 2024

Addition of $83,366 in federal Individuals with Disabilities Education Act - Part B, Section 619 grant funds transferred from the Nevada Department of Education to continue providing special education and related services. Requires Interim Finance approval since the amount added to the Federal Special Education - Early Childhood category exceeds 20% of the legislatively approved amount for that category. **Work Program #C67018**

Refer to motion for approval under Agenda Item M.

20. State Public Charter School Authority - FY 2024

Addition of $3,673,107 in federal Title I - Part A Grants to Local Educational Agencies and Section 1003(a) School Improvement grant funds transferred from the Nevada Department of Education to continue supporting schools with high percentages of pupils from low-income families. Requires Interim Finance approval since the amount added to the Federal Title I - Part A category exceeds $350,000. **Work Program #C67019**

Refer to motion for approval under Agenda Item M.

21. State Public Charter School Authority - FY 2024

Addition of $2,542,375 in federal Title II - Part A Improving Teacher Quality grant funds transferred from the Nevada Department of Education to continue increasing academic achievement by improving teacher and principal quality. Requires Interim Finance approval since the amount added to the Federal Title II - Part A category exceeds $350,000. **Work Program #C67020**

Refer to motion for approval under Agenda Item M.

22. State Public Charter School Authority - FY 2024

Addition of $481,185 in federal Title III English Language Acquisition grant funds transferred from the Nevada Department of Education and transfer of $3,505 from the Federal Title III English Language Immigrant Part A category to the Federal Title III English Language Learners Part A category to continue improving the education of limited English proficient children and youth. Requires Interim Finance approval since the amount added to the Federal Title III English Language Learners Part A category exceeds $350,000. **Work Program #C67021**

Refer to motion for approval under Agenda Item M.

23. State Public Charter School Authority - FY 2024

Addition of $203,952 in federal Title IV - Part A grant funds transferred from the Nevada Department of Education to continue improving academic achievement. Requires Interim Finance approval since the amount added to the Federal Title IV - Part A category exceeds 20% of the legislatively approved amount for that category. **Work Program #C67028**

Refer to motion for approval under Agenda Item M.

24. Department of Agriculture - Agriculture Administration - FY 2024
Transfer of $111,576 from the Reserve category to the Utilities category to cover higher than anticipated utility costs. Requires Interim Finance approval since the amount transferred to the Utilities category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66609**

Refer to motion for approval under Agenda Item M.

25. Department of Agriculture - Registration and Enforcement - FY 2024
Addition of $320,487 in federal U.S. Fish and Wildlife Service grant funds to support wildfire rehabilitation efforts in the Great Basin. Requires Interim Finance approval since the amount added to the Great Basin Native Seed category exceeds 20% of the legislatively approved amount for that category**. Work Program #C67061**

Refer to motion for approval under Agenda Item M.

26. Department of Agriculture - Measurement Standards - FY 2024
Transfer of $221,694 from the Reserve category to the Equipment category to fund a portion of the costs for the purchase of a specialty vehicle. Requires Interim Finance approval since the amount transferred to the Equipment category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66654**

Refer to motion for approval under Agenda Item M.

27. Department of Agriculture - Measurement Standards - FY 2024
Transfer of $7,983 from the Reserve category to the Equipment category to fund a portion of the costs for the purchase of a vehicle. Requires Interim Finance approval since the cumulative amount transferred to the Equipment category exceeds $350,000. **Work Program #C67054**

Refer to motion for approval under Agenda Item M.

28. Department of Agriculture - Measurement Standards - FY 2024
Transfer of $290,612 from the Reserve category to the Equipment category and $37,584 from the In-State Travel category to the Equipment category to fund the purchase of six vehicles. Requires Interim Finance approval since the amount transferred to the Equipment category exceeds 20% of the legislatively approved amount for that category. **Work Program #C67139**

Refer to motion for approval under Agenda Item M.

29. Department of Agriculture - Nutrition Education Programs - FY 2024

Transfer of $68,058 from the Department Cost Allocation category to the Farm 2 School category to realign grant authority within the categories. Requires Interim Finance approval since the cumulative amount transferred to the Farm 2 School category exceeds $350,000. **Work Program #C66499**

Refer to motion for approval under Agenda Item M.

30. Department of Agriculture - Commodity Foods Distribution Program - FY 2024

Addition of $174,000 in federal U. S. Department of Agriculture - The Emergency Food Assistance Program (TEFAP) - Commodity Credit Corporation (CCC) grant funds to fund supply chain challenges and elevated food costs. Requires Interim Finance approval since the amount added to the TEFAP CCC Bonus category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66890**

Refer to motion for approval under Agenda Item M.

31. Department of Business and Industry - New Markets Performance Guarantee - FY 2024

Deletion of $96,392 in Budgetary Transfers to move one Management Analyst position and associated operating costs in accordance with Senate Bill 240 (2023) to the Business and Industry Administration budget account. Requires Interim Finance approval since the amount deleted from the Personnel category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66656. WITHDRAWN 1-25-24.**

32. Department of Business and Industry - Division of Industrial Relations - FY 2025

Addition of $265,719 in Workers' Compensation and Safety Fund funds to support the addition of one Compliance/Audit Investigator position, two Administrative Assistant positions, and associated costs to carry out the provisions of Senate Bill 274 (2023). Requires Interim Finance approval since the cumulative amount added to the Personnel category exceeds $350,000. **Work Program #C67110**

Refer to motion for approval under Agenda Item M.

33. Department of Business and Industry - Taxicab Authority - FY 2025
Transfer of $609,285 from the Reserve category to the Personnel category, $8,998 from the Reserve category to the Operating category, $1,776 from the Technology Reserve category to the Records Management System category, $2,112 from the Technology Reserve category to the Information Services category, and $818 from the Reserve category to the Training category to support four new Compliance/Enforcement Investigator positions and associated costs to respond to a sustained increase in industry activity. Requires Interim Finance approval since the amount transferred to the Personnel category exceeds $350,000. **Work Program #C67104**

TODD PARK (Interim Administrator, Taxicab Authority, Department of Business and Industry):

The Taxicab Authority is requesting four new positions and associated costs through Agenda Item M.33.

ASSEMBLYWOMAN GORELOW:

How would the addition of four Compliance/Enforcement Investigator positions improve the agency's ability to carry out its regulatory and enforcement duties?

MR. PARK:

The Taxicab Authority has been hit with a couple of different situations over the past several years. In 2015, transportation network companies were allowed to operate in the State of Nevada, which was detrimental to the state's taxicab industry, especially in Clark County. The taxicab industry started to recover but then the COVID-19 pandemic hit, bringing the taxicab industry down further. The Taxicab Authority uses 2019 as a staffing baseline, having lost several positions since then. Approval to utilize reserve reductions to get the four positions back will help the Taxicab Authority in its recovery and allow it to regulate the industry more effectively.

ASSEMBLYWOMAN GORELOW:

The Taxicab Authority's enforcement staff was previously on duty 24 hours a day, 7 days a week. What repercussions has the Taxicab Authority experienced after reducing its operating hours from a 24/7 schedule?

MR. PARK:

The Taxicab Authority operated under a 24/7 schedule before the transportation network companies came into the state and for a short while afterward. Currently, the Taxicab Authority's enforcement staff can only work two swing shifts a week on Friday and Saturday nights due to the positions it lost. Losing the positions has affected the agency quite a bit in the way it must handle the enforcement and regulation of the industry. The safety of Nevada's traveling

public is a top concern for the Taxicab Authority, and this is in jeopardy due to a lack of positions and resources. Eliminating the 24/7 schedule negatively impacted the agency.

ASSEMBLYWOMAN GORELOW:

Is it the Taxicab Authority's goal to eventually resume 24/7 operations?

MR. PARK:

The Taxicab Authority would like to consider using the 24/7 schedule again in the long term, but currently the agency is still trying to return to baseline. After the Taxicab Authority reaches its baseline, the agency will be able to better evaluate its operations and determine whether the 24/7 schedule is necessary. One of the things to take into consideration is that the Harry Reid International Airport in Las Vegas slows down; therefore, a 24/7 schedule may not be needed, especially not until more positions are brought on.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM M.33.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

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

Transfer of $3,613,297 from the Reserve category to the Transfer to Tourism category to fund expanding marketing campaigns and efforts through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Transfer to Tourism category exceeds $350,000. **RELATES TO ITEM M.35. Work Program #C67045**

Refer to motion for approval under Agenda Item M.

35. Department of Tourism and Cultural Affairs - Division of Tourism - Tourism Development Fund - FY 2024

Addition of $3,613,297 in Lodging Tax Revenue transferred from the Cultural Affairs Administration account to fund expanding marketing campaigns and efforts through the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Promotion and Advertising category exceeds $350,000. **RELATES TO ITEM M.34. Work Program #C67060**

Refer to motion for approval under Agenda Item M.

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

Addition of $488,466 in federal Centers for Disease Control and Prevention - National Initiative grant funds transferred from the Chronic Disease account to continue providing a network of resource providers and protocols which promote increased accessibility and improved health care. Requires Interim Finance approval since the amount added to the Health Disparity Minority Health category exceeds $350,000. **RELATES TO ITEM M.56. Work Program #C66889**

Refer to motion for approval under Agenda Item M.

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

Addition of $644,414 in federal State Health Insurance Assistance Program (SHIP) grant funds to continue to provide information and counseling services to Medicare beneficiaries. Requires Interim Finance approval since the amount added to the SHIP 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 #C66370**

Refer to motion for approval under Agenda Item M.

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

Addition of $331,174 in federal Lifespan Respite Care Program grant funds to continue to enhance respite and caregiver support. Requires Interim Finance approval since the amount added to the Lifespan Respite Recruitment category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66597**

Refer to motion for approval under Agenda Item M.

39. Department of Health and Human Services - Health Care Financing and Policy - Intergovernmental Transfer Program - FY 2024

Addition of $9,053,715 in Practitioner Upper Payment Limit (UPL), $15,398,692 in Inpatient Public UPL, $1,945,503 in Graduate Medical Education, $1,000,675 in outpatient Public UPL, $45,374,226 in Managed Care Organization Enhanced Rate, $6,859,738 in Treasurer's Interest, and $456,678 in Private UPL revenues to align revenues and associated expenditures for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Transfer to the Medicaid Program category exceeds $350,000. **Work Program #C66993**

Refer to motion for approval under Agenda Item M.

40. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2024
Addition of $103,500 in federal Title XIX grant funds and $103,500 in Hospital Provider Assessment funds transferred from the Improve Health Care Quality and Access account to support research and recommend strategies to enhance behavioral health services for Medicaid-eligible children. Requires Interim Finance approval since the cumulative amount added to the Operating Expense category exceeds $350,000. **RELATES TO ITEM M.42. Work Program #C66653**

Agenda Items M.40, M.42, M.43, M.44, and S.7b were discussed jointly. Refer to discussion and motion for approval under Agenda Item M.44.

41. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2024
Addition of $3,688,046 in Unmet Hospital Indigent Freecare Obligation revenue to support the Indigent Free Care Obligation program. Requires Interim Finance approval since the amount added to the Unmet Free Care Obligations category exceeds $350,000. **Work Program #C67108**

Refer to motion for approval under Agenda Item M.

42. Department of Health and Human Services - Health Care Financing and Policy - Improve Health Care Quality and Access - FY 2024
Transfer of $103,500 from the Reserve category to the Transfer to Division of Health Care Financing and Policy (DHCFP) Admin category to support research and recommend strategies to enhance behavioral health services for Medicaid-eligible children. Requires Interim Finance approval since the amount transferred to the Transfer to DHCFP Admin category exceeds 20% of the legislatively approved amount for that category. **RELATES TO ITEM M.40. Work Program #C66850**

Agenda Items M.40, M.42, M.43, M.44, and S.7b were discussed jointly. Refer to discussion and motion for approval under Agenda Item M.44.

43. Department of Health and Human Services - Health Care Financing and Policy - Improve Health Care Quality and Access - FY 2024
Transfer of $81,076,017 from the Reserve category to the Transfer to Medicaid category to fund projected supplemental payments for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Transfer to Medicaid category exceeds $350,000. **RELATES TO ITEM M.44. Work Program #C66982**

Agenda Items M.40, M.42, M.43, M.44, and S.7b were discussed jointly. Refer to discussion and motion for approval under Agenda Item M.44.

44. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2024

Addition of $81,076,017 in Provider Hospital Assessment funds transferred from the Improve Health Care Quality and Access account to fund projected supplemental payments for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Offline category exceeds $350,000. **RELATES TO ITEM M.43. Work Program #C67009**

Agenda Items M.40, M.42, M.43, M.44, and S.7b were discussed jointly.

STACIE WEEKS (Administrator, DHCFP, DHHS):

Agenda Items M.40 and M.42 are related and pertain to the transfer of approximately $103,500 in federal Centers for Medicare and Medicaid Services (CMS) funds and $103,500 in private hospital provider assessment funds from the Improve Health Care Quality and Access budget to support Nevada Medicaid's efforts in improving access to services for children with serious behavioral health disorders. The funds will be used to support the existing contract with Health Management Associates through December 2024 and will assist the DHCFP in constructing a timeline and plan for implementing the requirements of the state settlement agreement with the U.S. Department of Justice (DOJ). As the Committee may recall, the state was found to be in violation of the Americans with Disabilities Act (ADA) regarding children with serious behavioral health disorders and has been negotiating a settlement agreement with the DOJ to come into compliance with the ADA. Negotiations between the DHCFP and the DOJ have been ongoing for the last 12 months.

As a state, when Nevada invests any public dollars into health care, it cannot solely focus those dollars on services that will lead primarily to institutionalization. As a result, the DHCFP needs to consider more home and community-based services and supports for Nevada's children and families. Thanks to Governor Joe Lombardo and lawmakers during the 82nd (2023) Legislative Session, Nevada Medicaid has ongoing resources to support these efforts, which include critically important new services for children with behavioral health disorders and rate increases for providers that serve this population. The resources come from a portion of the revenue received from the private hospital provider tax that Nevada Medicaid can use to match federal Medicaid dollars used to build out services and supports that will keep children, and hopefully adults too, out of emergency rooms, inpatient settings, and residential treatment settings and allow them to be treated in their communities.

As of today, the DHCFP is still in negotiations with the DOJ, so I cannot speak to the details of the services, rate increases, and other program changes that the division will be proposing. However, the requests through Agenda Items M.40 and M.42 represent the first step in the process and will provide the DHCFP with the support and capacity it needs to build out its plan and seek federal approval to move forward. If approved, all the proposed changes will be brought back to the Committee for its approval over the coming months.

LYNNETTE AARON (Administrative Services Officer, DHCFP, DHHS):

Agenda Items M.43 and M.44 are specific to the non-federal share of the supplemental payments that the division distributes to hospitals through the private hospital provider tax program. When the DHCFP originally built the budget, it anticipated only distributing half of the payments in FY 2024 due to the timing of when the first assessment would be due from the hospitals which began in January 2024. However, the DHCFP received CMS approval to make the supplemental payments for the Upper Payment Limit programs for the full year of FY 2024.

MS. WEEKS:

Agenda Item S.7b pertains to an update on the private hospital provider tax program. As of today, the DHCFP has received all three federal approvals to move forward with the program. Typically, the third federal approval for state-directed payments can take months to receive, but the division was pleased that it received all approvals to move forward by mid-December 2022. To date, the DHCFP is currently midway through the first quarter of the private hospital provider tax program and has issued two rounds of tax invoices to private hospitals which have all been paid. Subsequently, the DHCFP will also be submitting two rounds of payments this quarter.

To give Committee members a sense of the amount of these payments, the division is showing that by the end of FY 2024, Nevada private hospitals will have received a total of $552.6 million in new Medicaid supplemental payments. By the end of FY 2025, the DHCFP projects to pay a total of approximately $927 million to Nevada private hospitals through the new tax and payment program. Multiple parties have worked very hard in implementing the program, and a large part of the success of the program is due to the partnership the DHCFP has with the Nevada Hospital Association, which was key in ensuring the division was able to successfully implement the program for all hospitals in the state.

SENATOR NGUYEN:

When does the DHCFP anticipate submitting a plan to expend funds to support behavioral health programs with private hospital provider assessment revenue the state receives?

MS. WEEKS:

It depends on when the private hospitals sign their assessment agreements. The DHCFP anticipates the agreements will be signed soon and is currently working on its proposal to expend funding. The division hopes to submit its plans to the Committee by the June 13, 2024, IFC meeting.

SENATOR NGUYEN:

Since it is taking longer to get the agreements approved and for the DHCFP to come up with a plan to expend the resources, would the funds be backdated toward existing funds that are accumulating?

MS. WEEKS:

It depends on how the DHCFP implements the program. For example, if new services are added, the division will need time to put things together. One of the reasons the division is requesting funding today is to help its contracted vendor, Health Management Associates, to begin that work. It may also depend on federal approval. For example, if the DHCFP submits a proposal in July 2024 for CMS approval, the division can ask for a retroactive effective date. Regardless, funding will continue to be in the account, and the DHCFP can use the funding when it is ready and has federal approval to match the funding. Currently, for FY 2024, the DHCFP is estimating it will have $28 million available when it is ready to start moving forward with services.

SENATOR TITUS:

One of the arguments for the provider tax was that federal money was being left on the table, and that by implementing the provider tax, the DHCFP would be drawing in more than it paid out. Is it correct that providers paid $552 million in taxes, but the DHCFP is set to drawback $927 million?

MS. WEEKS:

By the end of FY 2025, the DHCFP projects to pay a total of approximately $927 million to private hospitals through the new tax and payment program. When considering how much providers paid in the state share in addition to federal money, the total payment for FY 2024, not including the amount providers paid, is $552 million in new Medicaid payments. When subtracting the amount providers paid in taxes for the second year of the program, the total payment equals $927 million.

MS. AARON:

The total supplemental and directed payments to hospital providers made by the DHCFP is $552 million, but the amount hospitals had to pay in taxes was only about $190 million.

SENATOR TITUS:

That is a good reason to approve this funding request.

SENATOR CANNIZZARO:

The total payment for FY 2024 was $552 million, and the total payment for the second year of the program equals $927 million, which is the total less the approximate $190 million that providers paid in taxes for this year; the rest of the money is paid back to providers. Is that correct?

MS. WEEKS:

That is correct. For example, the approximate $190 million providers paid in taxes in FY 2024 will be used to draw down the additional $363 million that will be used to pay new supplemental payments on an ongoing quarterly basis and will essentially be used to build up the providers' payments and claims to higher rates.

SENATOR CANNIZZARO:

Please clarify the $190 million is what the tax providers paid and that the total payment, inclusive of the $190 million, is $552 million in FY 2024 and $972 million in FY 2025, and that the payments made to hospitals are not being made with General Funds. The state does not want to leave federal money on the table, and it is great to draw down the payments using federal funds. It is great that the federal funding will be available to Nevada. In most circumstances, federal funding is drawn down into the state for specific programs that exist within the state's budget, but in this situation, federal funding is being drawn down to make payments to private hospitals.

MS. WEEKS:

That is correct. The same can be said for Medicaid behavioral health services for children, because for the first time ever, Nevada will have an ongoing resource to support children's behavioral health in the form of provider taxes, which will not cost the State General Fund any money.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEMS M.40, M.42, M.43, AND M.44.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

45. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2024

Addition of $45,904,950 in federal Title XIX grant funds to fund higher than anticipated certified public expenditures for ground emergency medical transportation services through the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Pass Thru to Local Government category exceeds $350,000. **Work Program #C67115**

Refer to motion for approval under Agenda Item M.

46. Department of Health and Human Services - Health Care Financing and Policy - Prescription Drug Rebate - FY 2024

Transfer of $3,144,036 from the External Quality Review Organization (EQRO) Drug Rebate category to the Medical Federal Medical Assistance Percentage (FMAP) Drug Rebate category, $4,048,534 from the Enhanced FMAP Drug Rebate category to the Medical FMAP Drug Rebate category, $88,552,571 from the Affordable Care Act FMAP Drug Rebate category to the Medical FMAP Drug Rebate category, $16,911,053 from the Managed Care Organization Drug Rebate category to the Medical FMAP Drug Rebate category, $126,411 from the EQRO Drug Rebate category to the Drug Rebate Interest category, $653,487 from the EQRO Drug Rebate category to the Family Planning Drug Rebate category, and $334,432 from the Breast and Cervical Drug Rebate category to the Family Planning Drug Rebate category to realign projected drug rebates for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the EQRO Drug Rebate category exceeds $350,000. **Work Program #C66967**

Refer to motion for approval under Agenda Item M.

47. Department of Health and Human Services - Public and Behavioral Health - Crisis Response - FY 2024

Addition of $2,178,040 in federal Substance Abuse and Mental Health Services 988 Cooperative grant funds to continue improving responses to 988 calls, chats, and texts by recruiting, unifying 988 responses, and expanding staffing. Requires Interim Finance approval since the amount added to the Nevada 988 State and Territory Improvement category exceeds $350,000. **Work Program #C66777. REVISED 1-25-24.**

Refer to motion for approval under Agenda Item M.

48. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2024

Addition of $7,229,070 in federal Opioid Strategic Response grant funds to continue to support the comprehensive response to the opioid epidemic. Requires Interim Finance approval since the amount added to the Opioid Response Grant State Opioid Response category exceeds $350,000. **Work Program #C66843**

Refer to motion for approval under Agenda Item M.

49. Department of Health and Human Services - Public and Behavioral Health - Health Statistics and Planning - FY 2024

Transfer of $32 from the Reserve category to the In-State Travel category, $39,333 from the Reserve category to the Operating category, and $102,162 from the Reserve category to the Division Cost Allocation category to cover unanticipated costs through the remainder of the state fiscal year. Requires Interim Finance approval since the amount added to the Division Cost Allocation category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66861**

Refer to motion for approval under Agenda Item M.

50. Department of Health and Human Services - Public and Behavioral Health - Immunization Program - FY 2024

Addition of $3,880,074 in federal Centers for Disease Control and Prevention - Immunization and Vaccines for Children grant funds to provide under and uninsured adults with COVID-19 vaccinations, as well as increase access and promote vaccinations within the state. Requires Interim Finance approval since the amount added to the Vaccines for Children category exceeds $350,000. **Work Program #C66472**

Refer to motion for approval under Agenda Item M.

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

Addition of $7,379,448 in federal U.S. Department of Agriculture - Food and Nutrition Service grant funds to supplement the diets of pregnant, postpartum, and breastfeeding women, infants, and children under the age of five who have limited income and have been determined to be at nutritional risk. Requires Interim Finance approval since the amount added to the Aid to Individuals category exceeds $350,000. **Work Program #C66839**

Refer to motion for approval under Agenda Item M.

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

Addition of $252,448 $252,736 in federal U.S. Department of Housing and Urban Development, Housing Opportunities for Persons with AIDS (HOPWA) Program grant funds to provide housing assistance to individuals with Human Immunodeficiency Virus and Acquired Immunodeficiency Virus. Requires Interim Finance approval since the amount added to the HOPWA category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66524. REVISED 1-18-24.**

Refer to motion for approval under Agenda Item M.

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

Addition of $3,602,956 in federal Public Health Emergency Preparedness grant funds to continue to provide emergency preparedness activities through the end of the fiscal year. Requires Interim Finance approval since the amount added to the Public Health Preparedness Program category exceeds $350,000. **Work Program #C66842**

Refer to motion for approval under Agenda Item M.

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

Addition of $64,574 in private Council of State and Territorial Epidemiologist (CSTE) grant funds to continue to fund the Influenza and Zoonoses Education Among Youth in Agriculture program. Requires Interim Finance approval since the cumulative amount added to the CSTE Youth in Agriculture category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66751**

Refer to motion for approval under Agenda Item M.

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

Addition of $243,007 in federal Preventative Health and Health Services grant funds to continue to address health concerns and meet the objectives of the Preventative Health and Health Services Block Grant. Requires Interim Finance approval since the amount added to the Preventative Health Services category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66146**

Refer to motion for approval under Agenda Item M.

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

Addition of $376,045 in federal Centers for Disease Control and Prevention - Nevada's Initiative to Address COVID-19 Health Disparities to High-Risk and Medically Under-Served Populations grant funds to continue to strengthen public health infrastructure, preparedness, and response capabilities and services in underserved populations. Requires Interim Finance approval since the amount added to the Health Disparity category exceeds $350,000. **RELATES TO ITEM M.36. Work Program #C66389. REVISED 1-18-24.**

Refer to motion for approval under Agenda Item M.

57. Department of Health and Human Services - Public and Behavioral Health - Maternal Child and Adolescent Health Services - FY 2024

Addition of $1,034,792 in federal Maternal, Infant, and Early Childhood Home Visiting grant funds to continue to deliver home visiting services statewide. Requires Interim Finance approval since the amount added to the Home Visiting Program category exceeds $350,000. **Work Program #C66833**

Refer to motion for approval under Agenda Item M.

58. Department of Health and Human Services - Public and Behavioral Health - Maternal Child and Adolescent Health Services - FY 2024

Addition of $139,324 in federal Sexual Risk Avoidance Education (SRAE) grant funds to continue to provide sexual risk avoidance education throughout the state. Requires Interim Finance approval since the amount added to the Nevada SRAE Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66857**

Refer to motion for approval under Agenda Item M.

59. Department of Health and Human Services - Public and Behavioral Health - Maternal Child and Adolescent Health Services - FY 2024

Addition of $277,592 in federal Preventing Maternal Deaths grant funds to provide ongoing reviews of maternal deaths and severe maternal morbidity. Requires Interim Finance approval since the amount added to the Preventing Maternal Deaths category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66931**

Refer to motion for approval under Agenda Item M.

60. Department of Health and Human Services - Public and Behavioral Health - Office of Health Administration - FY 2024

Addition of $407,687 in federal Centers for Disease Control and Prevention - Epidemiology and Laboratory Capacity - Enhancing Detection Expansion (EDX) grant funds transferred from the Office of Public Health Investigations and Epidemiology (OPHIE) account to increase cyber security and technology due to the COVID-19 pandemic. Requires Interim Finance approval since the amount added to the Transfer from OPHIE EDX category exceeds $350,000. **Work Program #C66491**

Refer to motion for approval under Agenda Item M.

61. Department of Health and Human Services - Public and Behavioral Health - Office of Health Administration - FY 2024

Transfer of $147,101 from the Reserve category to the Data Infrastructure Grant category to support behavioral health information technology platforms and training. Requires Interim Finance approval since the amount transferred to the Data Infrastructure Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66536**

Refer to motion for approval under Agenda Item M.

62. Department of Health and Human Services - Public and Behavioral Health - Emergency Medical Services - FY 2024

Transfer of $153,920 from the Reserve category to the Helmsley Grant category to fund the purchase of and provide the training for Automatic External Defibrillators. Requires Interim Finance approval since the amount transferred to the Helmsley Grant category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66465**

Refer to motion for approval under Agenda Item M.

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

Transfer of $127,743 from the Personnel category to the Temporary Contract Staffing category to implement provisions of legislative measures and for contract management. Requires Interim Finance approval since the amount transferred to the Temporary Contract Staffing category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66725**

Refer to motion for approval under Agenda Item M.

64. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2025

Addition of $319,468 in federal Title IV-E Foster Care grant funds, $26,000 in federal Title IV-E Family First Prevention Services Act grant funds, and $111,111 in federal Title IV-B - Subpart 2 - Promoting Safe and Stable Families, Family First Transition Act grant funds transferred from the Family Support Program account to fund an increase in the Nevada Partnership in Training interlocal agreements and cost of living adjustments. Requires Interim Finance approval since the amount added to the Specialized Training category exceeds $350,000. **Work Program #C66312**

Refer to motion for approval under Agenda Item M.

65. Department of Health and Human Services - Child and Family Services - Rural Child Welfare - FY 2024

Transfer of $248,644 from the Personnel category to the Temporary Contract Staffing category to cover vacancies in hard-to-fill child welfare positions. Requires Interim Finance approval since the amount transferred to the Temporary Contract Staffing category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66729**

Refer to motion for approval under Agenda Item M.

66. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2024

Transfer of $2,753,939 from the Personnel category to the Professional Contract Services category to ensure appropriate staffing levels are maintained for the agency's mental health programs. Requires Interim Finance approval since the amount transferred to the Professional Contract Services category exceeds $350,000. **Work Program #C66666**

Refer to motion for approval under Agenda Item M.

67. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2024

Addition of $1,348,718 in federal Substance Abuse and Mental Health Services Administration - System of Care (SOC) Implementation grant funds to align state and federal authority and provide continued support for the Nevada System of Care program. Requires Interim Finance approval since the amount added to the SOC for Serious Emotional Disorder Youth category exceeds $350,000. **Work Program #C66753**

Refer to motion for approval under Agenda Item M.

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

Transfer of $6,208,452 from the Reserve category to the Client Services category to fund contractual obligations and EmployNV hubs to assist job seekers and meet the needs of Nevadan's using these services. Requires Interim Finance approval since the amount transferred to the Client Services category exceeds $350,000. **Work Program #C66846**

Refer to motion for approval under Agenda Item M.

69. Department of Corrections - Prison Medical Care - FY 2024
Addition of $1,500,000 in Budgetary Transfers and a transfer of $500,000 from the Personnel category to the Professional Services category to contract with licensed health care professionals on a full-time basis as needed. Requires Interim Finance approval since the amount added to the Professional Services category exceeds $350,000. **RELATES TO ITEM M.70. Work Program #C67052**

Refer to motion for approval under Agenda Item M.

70. Department of Corrections - Correctional Programs - FY 2024
Deletion of $1,586,669 in Budgetary Transfers to fund higher than anticipated costs within the department for the remainder of the fiscal year. Requires Interim Finance approval since the amount deleted from the Personnel category exceeds $350,000. **RELATES TO ITEM M.69. Work Program #C67121**

Refer to motion for approval under Agenda Item M.

71. Department of Public Safety - Nevada Highway Patrol Division - FY 2024
Addition of $71,283 in federal Highway Safety Grant funds transferred from the Office of Traffic Safety (OTS) to fund vehicle crash training. Requires Interim Finance approval since the cumulative amount added to the OTS-Crash Training category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66932**

Refer to motion for approval under Agenda Item M.

72. Department of Public Safety - Division of Parole and Probation - FY 2024
Transfer of $288,655 from the Personnel category to the Psychosexual Evaluations category to fund higher than anticipated costs through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Psychosexual Evaluations category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66836**

Refer to motion for approval under Agenda Item M.

73. Department of Public Safety - Investigation Division - FY 2024
Transfer of $120,960 from the Personnel category to the SafeVoice Expansion category to support contracted staff costs. Requires Interim Finance approval since the amount transferred to the SafeVoice Expansion category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66308**

Refer to motion for approval under Agenda Item M.

74. Department of Public Safety - Investigation Division - FY 2024
Addition of $520,254 in federal State Homeland Security Program (SHSP) grant funds transferred from the Division of Emergency Management to support ongoing activities of the Nevada Threat Analysis Center. Requires Interim Finance approval since the amount added to the Division of Emergency Management 2010 SHSP Grant category exceeds $350,000. **Work Program #C66894**

Refer to motion for approval under Agenda Item M.

75. Department of Public Safety - Office of Traffic Safety - FY 2024
Addition of $630,949 in federal Alcohol Incentive grant funds to continue to support impaired driving programs. Requires Interim Finance approval since the amount added to the Impaired Driving - 405D category exceeds $350,000. **Work Program #C66950**

AMY DAVEY (Administrator, Office of Traffic Safety [OTS], DPS):

The OTS is requesting authority alignment for federal grant funds for the Impaired Driving program.

SENATOR TITUS:

I understand this relates to grant funds and that it is for a good cause. However, in reviewing the backup documentation, I have concerns with the 75% increase in polysubstance fatalities and the other things mentioned in that documentation (page 384, Exhibit D). What caught my interest is the grant match requirement. How will the agency provide the grant match funds if this item is approved?

MS. DAVEY:

These are the standard funding sources from the National Highway Traffic Safety Administration. The grant matching funds are built into the agency's budget, and it is a very small component. Additionally, the OTS is allowed to use soft match or in-kind match for these grant funds, so the agency frequently uses other forms of match such as trooper time on the road, cost for vehicles, etc. However, the OTS does not typically have problems meeting the match requirement. The agency receives between $7 million and $10 million per year in federal grant funds, and match requirements are always built into that calculation.

SENATOR TITUS:

Can the agency use another grant to match for this particular grant?

MS. DAVEY:

To clarify, the OTS is not matching federal funds with federal funds. The agency has a state component in its budget that is used for overall match, and then the agency also passes through match requirements to subrecipients. For example,

if the OTS gives a grant to a Driving Under the Influence (DUI) Treatment Court, the court has a match requirement on these funds. Those two forms of funding will meet the federal match requirement.

SENATOR TITUS:

If the Committee approves this request, the OTS will not need to return to the IFC to request additional funds for the match requirement, correct?

MS. DAVEY:

Yes, absolutely. The funds are received every year, and I believe the funds are from 2022 or 2023; therefore, this work program is for the authority since the funds have already been received by the state.

SENATOR TITUS MOVED TO APPROVE AGENDA ITEM M.75.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

76. Department of Public Safety - Office of Traffic Safety - FY 2024
Addition of $1,334,105 in federal Alcohol Penalty grant funds to continue to support alcohol-impaired driving programs. Requires Interim Finance approval since the amount added to the 164 Grant category exceeds $350,000. **Work Program #C66961**

Refer to motion for approval under Agenda Item M.

77. Department of Public Safety - Office of Traffic Safety - FY 2024
Addition of $123,689 in federal National Highway Traffic Safety Administration grant funds to support impaired driving programs. Requires Interim Finance approval since the amount added to the Motorcycle Safety Grant Funds category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66962**

Refer to motion for approval under Agenda Item M.

78. Department of Public Safety - Office of Criminal Justice Assistance - Justice Assistance Act - FY 2024
Addition of $200,000 of federal Office of Community Oriented Policing Services (COPS) grant funds to provide activities related to mental health. Requires Interim Finance approval since the amount added to the COPS Grant Mental Health category exceeds 20% of the legislatively approved amount for that category. **Work Program #C67051**

Refer to motion for approval under Agenda Item M.

79. Department of Public Safety - Office of Criminal Justice Assistance - Justice Assistance Grant Trust Account - FY 2024

Addition of $748,643 in federal Bureau of Justice Assistance Grant (JAG) grant funds to continue the Edward Byrne Memorial Justice Assistance Grant program. Requires Interim Finance approval since the amount added to the JAG Grant category exceeds $350,000. **Work Program #C66544**

Refer to motion for approval under Agenda Item M.

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

Transfer of $56,467 from the Interagency Wildland Fire Dispatch category to the Utilities category to properly assign utility costs to the correct category. Requires Interim Finance approval since the cumulative amount transferred to the Utilities category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66712**

Refer to motion for approval under Agenda Item M.

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

Addition of $77,510 in federal Bearpoppy Species Program grant funds to conduct a survey of the state's endangered Las Vegas Bearpoppy. Requires Interim Finance approval since the amount added to the U. S. Fish and Wildlife Service Bearpoppy Species category exceeds 20% of the legislatively approved amount for that category. **Work Program #C66776**

Refer to motion for approval under Agenda Item M.

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

Addition of $500,000 in federal Wetlands Protection Development grant funds to continue the development of the Nevada Wetland Program. Requires Interim Finance approval since the amount added to the U.S. Environmental Protection Agency 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 #C66930**

Refer to motion for approval under Agenda Item M.

83. Department of Conservation and Natural Resources - Division of Environmental Protection - Administration - FY 2024
Addition of $683,140 in federal Department of Energy grant funds to provide programmatic and regulatory oversight, monitoring, and analysis at the Nevada National Security Site and surrounding locations. Requires Interim Finance approval since the amount added to the Transfer to State Agencies category exceeds $350,000. **Work Program #C66525**

Refer to motion for approval under Agenda Item M.

84. Department of Conservation and Natural Resources - Division of Environmental Protection - Industrial Site Cleanup - FY 2024
Addition of $31,341,000 in Remediation and Reclamation Agreement settlement funds to provide for the environmental remediation and reclamation of the Three Kids Mine site. Requires Interim Finance approval since the amount added to the Three Kids Mine category exceeds $350,000. **Work Program #C64952**

RICK PERDOMO (Deputy Administrator, Division of Environmental Protection [NDEP], Department of Conservation and Natural Resources [DCNR]):

Work Program #C64952 is a request to receive and expend $31,341,000 for remediation work and response cost expenditure by the division related to the Three Kids Mine project site in Clark County, Nevada.

The Three Kids Mine project site is approximately 1,200 acres of federal and non-federal land. It is an abandoned mine site in Clark County and under a Mine Remediation and Reclamation Agreement and Administrative Order on Consent, the NDEP and its partners, Pulte Homes of Nevada (Pulte) and Lakemoor Ventures, LLC (Lakemoor), as well as the City of Henderson, seek to clean up and eventually redevelop the property.

The $31,191,000 will be held as financial assurance in cash by the division to ensure remediation work is completed. On top of that, $150,000 will be held by the division as a retainer to ensure division response costs are paid. The $31,341,000 in financial assurance will be drawn down as the project is completed because financial assurance is not needed to cover parts of the project that have been remediated. The idea is that the funds for financial assurance will eventually be drawn down to near zero. The amount of the financial assurance is based on a current estimate for remediation work at the site, and the $150,000 is based on an estimate of one year of division response costs. The $150,000 in division response costs are intended to serve as a replenishing retainer where the division can draw down the money, submit a periodic bill to the responsible party that received payment, and replenish the $150,000.

ASSEMBLYMAN WATTS:

You provided a very good description of how this will work on the financial side. Please provide a high-level overview of the remediation work that will be done at the Three Kids Mine site.

ALAN PINEDA (Engineer, NDEP, DCNR):

The plan for the remediation is to move the asbestos and municipal solid waste that is on the surface of the mine site currently to an offsite landfill and then excavate the mine waste and impacted soil that is currently on the surface of the site, place it into the three open pits that are on the site as well to backfill. After that has occurred, the site will be covered with ten feet of native unimpacted soil to ensure that the health of the public and the environment is protected.

ASSEMBLYMAN WATTS:

What, if any, are the consequences if the division determines that Pulte is out of compliance with this agreement or any state, local, or federal laws?

MR. PERDOMO:

The Mine Remediation and Reclamation Agreement and Administrative Order on Consent has several mechanisms in place, one of which are stipulated penalties the division can enforce through non-compliance with the agreement. The agreement also indicates that the division does not waive any of its statutory and regulatory authorities. Also, if Pulte is repeatedly deficient, a work takeover by the division is possible. That is under paragraph 91 of the agreement, and that is also the purpose of the financial assurance. If the NDEP begins a work takeover, then the division is starting the process to gain access to the financial assurance. At that point, the division would take the remaining money in the financial assurance and use it to potentially remediate the property.

SENATOR GOICOECHEA:

The majority of these lands are federal lands. Will the federal government retain ownership in the end?

MR. PERDOMO:

The project came about because of the Three Kids Mine Project Act, which was a Congressional Act passed in 2014. The act requires the responsible parties—Lakemoor and Pulte—to satisfy certain conditions, which the division believes are nearly satisfied, to transfer the federal lands through the City of Henderson and ultimately to the responsible parties. Under the act, once those conditions are met, the federal lands will be patented and become private lands.

SENATOR NEAL:

I have a question on the ten feet of earth that will cover the area. I remember this discussion from my time in the Assembly when it got transferred to the redevelopment area. Is housing still being contemplated for this area?

MR. PERDOMO:

Yes, the intention is for the site to eventually be redeveloped into residential use.

SENATOR NEAL:

If a potentially hazardous area is being covered over with ten feet of dirt, how will the site be redeveloped for housing?

MR. PERDOMO:

The act requires that cleanup be compliant with all federal, state, and local regulations with respect to exposure risks to human health. The agreement also requires a circular protective cleanup, which analyzes the exposure risks. In addition, this site has been studied for quite a while, and there is a record of decision. The record of decision requires a circular protective cleanup, which means acceptable risk to human health. The division is confident that with the amount of studying, the record of the decision, and the remedy that has been selected, which includes ten feet of cover, the requirements included in the act, federal, state, and local regulations, and in the agreement will be met.

SENATOR NEAL:

In terms of water and water access to the Three Kids Mine area for residential, what does the agreement say about protecting the water and pipelines that will transfer water to humans. I am inquiring because I did not like when this was passed in the Assembly. It was going to be a 30-year problem for the remediation. I wonder if consideration has been given that certain areas should not be built upon.

MR. PERDOMO:

On page 19 of the agreement, there is a section that specifically addresses property requirements and contains access and use limitations as well as covenants so that future users of this land do not dig too deep. Those are all included and there will be institutional controls which prevent exposure risks from becoming unacceptable. There is an entire section of the agreement that addresses limiting potential access to what is considered remediation work.

SENATOR NEAL:

For the landfill piece, hazardous materials will be dumped into a landfill; however, that does not avoid seepage. How will that be addressed?

J.D. DOTCHIN (Chief, NDEP, DCNR):

The NDEP has performed seepage studies on the material which shows it does not seep into the soil below where it is going to be impounded. The water is 100 feet or more below the bottom of the pit.

Regarding the piping beneath the homes, ten feet is the base layer and then another two to three feet of type 2 material will be added. That is where all the piping and utilities would be located so they would not be near any native soil. The ten foot of soil is designed to allow residents to do the usual things with their yard, such as plant trees, install a pool, etc. Anything beyond ten feet would reach the native soil, which is fine, but there is not a guarantee that it is safe to be at that level. Therefore, institutional controls are in place as a safety precaution so that utilities, contractors, and residents do not dig too deep.

SENATOR NEAL:

Who is going to monitor this to ensure that a contractor does not dig too deep and put a family at risk? I have many concerns about this plan which could be an environmental hazard. Not all land is good land and perhaps there should be a limit to how someone tries to advance a community for profit.

ACTING CHAIR BACKUS:

When Pulte begins work after the remedial measures are complete, will additional geotechnical work and testing be performed?

MR. DOTCHIN:

Yes, a geotechnical report will evaluate it, and the NDEP will oversee the entire project.

ASSEMBLYWOMAN GORELOW:

Is the ten feet of soil a requirement or a recommendation?

MR. DOTCHIN:

It is a requirement in the Administrative Order on Consent and other documents that ten feet of buffer be put in place.

MR. PERDOMO:

The agreement requires Pulte and Lakemoor to submit a remedial design, which is under review by the division, and requires approval. Presumably, that ten feet of cover will be in that remedial design and will be approved and become enforceable under the Administrative Order on Consent.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM M.84.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

85. Department of Conservation and Natural Resources - Division of Environmental Protection - Air Quality - FY 2024
Addition of $1,327,458 in federal State Clean Diesel Grant Program grant funds to assist with efforts to reduce diesel emissions and exposure throughout the state. Requires Interim Finance approval since the amount added to the Clean Diesel Grant Program category exceeds $350,000. **Work Program #C66587**

Refer to motion for approval under Agenda Item M.

86. Department of Wildlife - Game Management - FY 2024
Addition of $353,810 in Predator Fees transferred from the Wildlife Fund account to fund approved predator management projects for the remainder of the year. Requires Interim Finance approval since the amount added to the Predation Management Wildlife Service category exceeds $350,000. **Work Program #C66229**

Refer to motion for approval under Agenda Item M.

87. Department of Wildlife - Habitat - FY 2024
Addition of $829,588 in Habitat Conservation Fees transferred from the Wildlife Fund account to support wildlife habitat rehabilitation and restoration projects through the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Habitat Rehabilitation and Restoration category exceeds $350,000. **Work Program #C66349**

Refer to motion for approval under Agenda Item M.

88. Department of Wildlife - Habitat - FY 2024
Addition of $500,000 in federal United States Department of Agriculture, Forest Service grant funds to improve forest, rangeland, and watershed resources on the Sierra and Elko Fronts, Wildfire Crisis Strategy Landscape. Requires Interim Finance approval since the amount added to the Nevada Partners for C & D Program category exceeds $350,000. **Work Program #C66701**

Refer to motion for approval under Agenda Item M.

89. Office of the Military - FY 2024
Addition of $531,863 in federal Department of Defense grant funds to continue to support activities and functions in the Air Fire Programs. Requires Interim Finance approval since the amount added to the Air Fire Program category exceeds $350,000. **Work Program #C67033**

Refer to motion for approval under Agenda Item M.

90. Office of the Military - FY 2024
Addition of $221,076 in federal Department of Defense grant funds to continue support of activities and functions in the Air Security Programs. Requires Interim Finance approval since the amount added to the Air Security category exceeds 20% of the legislatively approved amount for that category. **Work Program #C67040**

Refer to motion for approval under Agenda Item M.

91. Office of the Military - Division of Emergency Management - FY 2024
Addition of $7,486,549 in Federal Emergency Management Agency (FEMA) - Disaster Relief and Emergency Assistance grant funds to support the state's FEMA COVID-19 Pandemic Disaster Relief program. Requires Interim Finance approval since the amount added to the FEMA 4523 COVID-19 Pandemic category exceeds $350,000. **Work Program #C66337**

JARED FRANCO (Administrative Services Officer, Division of Emergency Management and Homeland Security, Office of the Military):

The division is requesting to align state authority and the Federal Emergency Management Agency (FEMA) 4523 COVID-19 Pandemic authority, which has already been approved. If approved, this will reduce the number of work programs and provide the division with adequate funding to pay expenses in a timely manner.

SENATOR TITUS:

These are funds that have already been spent by different groups and communities. Were the funds awarded through a grant process?

MR. FRANCO:

This funding is only the management and administration of the COVID-19 federal grant. These are the funds the division receives to ensure the proper management and operation of this grant funding. The funds are used for salaries, supplies, and operational costs.

SENATOR TITUS:

These funds were not meant to reimburse any agencies for money spent, correct?

MR. FRANCO:

That is correct.

SENATOR TITUS:

How much of these funds did the agency spend?

MR. FRANCO:

The division received 10% of the overall approved amount that was able to be passed through. Currently, the division has $7 million in authority remaining.

SENATOR TITUS MOVED TO APPROVE AGENDA ITEM M.91.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

92. Office of the Military - Division of Emergency Management - Emergency Management Assistance Grants - FY 2024
Addition of $9,958,984 in federal Homeland Security Grant Program Urban Area Security Initiative grant funds to continue to provide reimbursements to local jurisdictions, state agencies, and tribal nations. Requires Interim Finance approval since the amount added to the Urban Area Security Initiative category exceeds $350,000. **Work Program #C64328**

Refer to motion for approval under Agenda Item M.

93. Office of the Military - Division of Emergency Management - Emergency Management Assistance Grants - FY 2024
Addition of $8,850,829 in federal Homeland Security Grant Program grant funds to continue to reimburse local jurisdictions, state agencies and tribes for building and sustaining capabilities to prevent, protect against, respond to, and recover from threats of terrorism. Requires Interim Finance approval since the amount added to the Homeland Security Grant Program category exceeds $350,000. **Work Program #C65878**

Refer to motion for approval under Agenda Item M.

94. Office of the Military - Division of Emergency Management - Emergency Management Assistance Grants - FY 2024

Addition of $2,070,149 in federal Department of Energy Emergency Preparedness Working Group grant funds to continue to provide reimbursements to Nevada counties that accept waste shipments. Requires Interim Finance approval since the amount added to the Department of Energy Emergency Preparedness Working Group category exceeds $350,000. **Work Program #C66885**

Refer to motion for approval under Agenda Item M.

RECLASSIFICATIONS

Agency	Agency/ Account Number	Position Number	Present Class, Code, Grade and Salary	Proposed Class, Code, Grade and Salary
Department of Administration/ Hearings and Appeals Division	089/1015	0118	Legal Office Manager Code: 2.154 Grade 33/10 Employee/Employer Paid Retirement: $78,884.64	Management Analyst 2 Code: 7.625Grade 35/10 Employee/Employer Paid Retirement: $86,150.88
Department of Health and Human Services/ Office of Analytics	400/3203	0207	Health Program Specialist 2 Code: 10.238 Grade: 37/07 Employee/Employer Paid Retirement: $82,434.24	Management Analyst 4 Code:7.612 Grade: 39/07 Employee/Employer Paid Retirement: $90,180.72
Department of Health and Human Services/ Aging and Disability Division	402/3266	2014	Health Care Coordinator 2 – Nurse Code:12.334 Grade: 36/01 Employee/Employer Paid Retirement: $60,635.52	Management Analyst 2 Code: 7625 Grade: 35/013 Employee/Employer Paid Retirement: $58,025.52
Department of Health and Human Services/ Aging and Disability Division	402/3266	2010	Health Care Coordinator 2 – Nurse Code:12.334 Grade: 36/01 Employee/Employer Paid Retirement: $60,635.52	Management Analyst 2 Code: 7625 Grade: 35/013 Employee/Employer Paid Retirement: $58,025.52
Department of Health and Human Services/ Aging and Disability Division	402/3278	0316	Program Officer 3 Code: 7.643 Grade 35/01 Employee/Employer Paid Retirement: $58,025.32	Social Service Program Specialist 2 Code: 12.318 Grade 35/01 Employee/Employer Paid Retirement: $58,025.32
Department of Health and Human Services/ Aging and Disability Division	402/3278	0611	Health Program Specialist 1 Code: 10.237 Grade 35/07 Employee/Employer Paid Retirement: $75,376.80	Social Services Program Specialist 2 Code: 12.318 Grade: 35/07 Employee/Employer Paid Retirement: $75,376.80
Department of Health and Human Services/ Aging and Disability Division	402/3278	0612	Grants and Projects Analyst 2 Code: 7.755 Grade 35/10 Employee/Employer Paid Retirement: $86,150.88	Social Services Program Specialist 2 Code: 12.318 Grade: 35/10 Employee/Employer Paid Retirement: $86,150.88
Department of Health and Human Services/ Division of Welfare and Supportive Services	407/~~4682~~ **4862** **REVISED 1-25-24**	0008	Program Officer 1 Code: 7.649 Grade: 31/07 Employee/Employer Paid Retirement: $63,308.16	Family Services Supervisor 1 Code: 12.328 Grade: ~~34/08~~ **34/06** Employee/Employer Paid Retirement: ~~$75,376.80~~ **$69,008.40**

Department of Health and Human Services/ Division of Welfare and Supportive Services	407/~~4682~~ **4862** **REVISED 1-25-24**	0200	Program Officer 1 Code: 7.649 Grade: 31/04 Employee/Employer Paid Retirement: $55,603.44	Family Services Supervisor 1 Code: 12.328 Grade: ~~34/05~~ **34/03** Employee/Employer Paid Retirement: ~~$66,043.44~~ **$60,635.52**
Department of Health and Human Services/ Division of Welfare and Supportive Services	407/4862	0110	Administrative Assistant 4 Code: 2.210 Grade: 29/04 Employee/Employer Paid Retirement: $51,072.48	Family Service Specialists Code: 12.679 Grade: 29/04 Employee/Employer Paid Retirement: $51,072.48
Department of Health and Human Services/ Division of Welfare and Supportive Services	407/4862	0150 0153 0261 0262 0265	Administrative Assistant 4 Code: 2.210 Grade: 29/10 Employee/Employer Paid Retirement: $66,043.44	Family Service Specialists Code: 12.679 Grade: 29/10 Employee/Employer Paid Retirement: $66,043.44
Department of Health and Human Services/ Division of Welfare and Supportive Services	407/4862	0130 0151 0152	Administrative Assistant 4 Code: 2.210 Grade: 29/02 Employee/Employer Paid Retirement: $47,021.76	Family Service Specialists Code: 12.679 Grade: 29/02 Employee/Employer Paid Retirement: $47,021.76
Department of Health and Human Services/ Division of Welfare and Supportive Services	407/4862	0263 0264 0266 8000 8009 8010 8011 8012 8013 8014 8015	Administrative Assistant 4 Code: 2.210 Grade: 29/01 Employee/Employer Paid Retirement: $45,184.32	Family Service Specialists Code: 12.679 Grade: 29/01 Employee/Employer Paid Retirement: $45,184.32
Department of Corrections	440/3710	0665	Accounting Assistant 4 Code: 2.300 Grade: 29/01 Employee/Employer Paid Retirement: $45,184.32	Personnel Analyst ~~2~~ ***1*** Code: 7.527 Grade: 32/01 Employee/Employer Paid Retirement: $51,072.48 **REVISED 1-18-24 and 1-26-24**
Department of Corrections	440/3759	0366	Administrative Aid ~~2~~ Code: 2.221 Grade: 21/01 Employee/Employer Paid Retirement: $32,969.52 **REVISED 1-26-24**	Personnel Analyst 2 Code: 7.521 Grade: 34/01 Employee/Employer Paid Retirement: $55,603.44
Department of Public Safety/ Director's Office	650/4706	0310	Electronics Technician 2 Code: 6.981 Grade: 31/08 Employee/Employer Paid Retirement: $66,043.44	Business Process Analyst 1 Code: 7.657 Grade: 34/07 Retirement: $72,119.52
Department of Transportation/ Traffic Safety	800/4660	816011	Supervisor 2/ Associate Engineer Code: 6.211 Grade: 38/01 Employee/Employer Paid Retirement: $66,043.44	Transportation Planner/ Analyst 4 Code: 7.705 Grade: 41/01 Employee/Employer Paid Retirement: $75,376.80
Office of the Military/ Adjutant General Office	431/3650	0011	Grounds Maintenance Worker 3 Code: 9.635 Grade 23/01 Employee/Employer Paid Retirement: ~~$82,434.24~~ ***$35,516.88*** **REVISED 1-18-24**	Architectural Engineering Drafter Code: 6.355 Grade: 33/01 Employee/Employer Paid Retirement: $53,390.16

JEFF DUNCAN (Agency Manager, Aging and Disability Services Division [ADSD], DHHS):

The ADSD has reclassification requests for two budget accounts. In the first budget account there are a couple of realignments of the classification to align the duties. In the second budget account, there are reclassifications for a couple positions that have been extremely hard to fill. The division would like to reclassify those positions to help with federal compliance.

ASSEMBLYWOMAN BROWN-MAY:

If approved by the Committee, please discuss how the requested position reclassifications would benefit the division.

LADONNE KNIGHTEN (Chief of Community Services, ADSD, DHHS):

The reclassifications for Budget Account 3278 include Position Control Numbers (PCNs) 0316, 0611, and 0612. The division is realigning those positions to the series that most fits program development, which will help the ADSD support its community partners in providing more efficient and effective services.

MR. DUNCAN:

Regarding the reclassification requests for the second budget account, the two positions were transferred to the ADSD through Medicaid waivers. At that time, the positions were intended to perform person-centered planning and those positions were nurses. Nurse positions are extremely hard to fill, and those two positions have remained vacant for a very long time.

As the programs have evolved, some things have occurred related to quality assurance and federal compliance; therefore, the ADSD would like to reclassify the two positions to Management Analyst positions to help with compliance, data collection, etc.

SENATOR CANNIZZARO:

Regarding the reclassification of the positions in Budget Account 3278, please provide additional information on the reason for those reclassifications.

MR. DUNCAN:

Those positions are currently filled; however, the division would like to change the classification series to the Social Services Program Specialist series, which is more in line with the duties of those positions.

The two positions in Budget Account 3266 have been vacant for a very long time. I do not believe those positions have ever been filled.

SENATOR CANNIZZARO:

The issues with these positions appear to be longstanding. Why is the division requesting reclassification at an IFC meeting rather than during a legislative session? Reclassifications are typically handled during the budget process.

MR. DUNCAN:

Regarding the positions in Budget Account 3278, the division attempted to reclassify those positions during the 82nd (2023) Legislative Session; however, due to timing, the division did not meet some of the benchmarks, so the reclassifications were not included in the agency request budget. The same is true of the positions in Budget Account 3266.

SENATOR CANNIZZARO:

I appreciate the explanation, and the reclassification requests seem sensible; however, the hesitation is that this is something that should be done during the budgeting process. Although reclassifications can be done during the interim through the IFC, that should not be the norm.

> SENATOR DONDERO LOOP MOVED TO APPROVE THE RECLASSIFICATION REQUESTS FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AGING AND DISABILITY SERVICES DIVISION.
>
> ASSEMBLYMAN YEAGER SECONDED THE MOTION.
>
> THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

ROBERT THOMPSON (Administrator, Division of Welfare and Supportive Services [DWSS], DHHS):

The DWSS is requesting to reclassify 22 Energy Assistance Program (EAP) positions. The EAP has historically been case managed by Administrative Assistant 4 positions, which are Grade 29 positions. That job classification allows those staff to determine eligibility for one eligibility program. In July 2023, a classification study was completed for the Family Services Specialist series. The Family Services Specialist staff handle case management for the majority of the DWSS programs—Supplemental Nutrition Assistance Program, Medicaid and Temporary Assistance for Needy Families (TANF). In that job classification study, the Division of Human Resource Management (DHRM) approved a change for the Family Services Specialist positions that specifically indicated Family Services Specialist 1 positions are appropriate for the simple programs of a singular program, such as the EAP. That changed triggered the need to reclassify the Administrative Assistant 4 positions in the EAP to Family Services Specialist 1 positions. When the division looked at the team as a whole, the Family Services Specialist 1 positions would be supervised by Program Officer 1 positions, which is how it has always been since the EAP came into existence; however, Program Officer 1 positions are not appropriate in the job classifications to supervise Family Services Specialists. Instead,

those positions should be supervised by Family Services Specialist Supervisors. This was triggered by the job classification study for Family Services Specialists on the other side of the house in July 2023.

SENATOR NEAL:

How would the reclassifications affect the EAP?

MR. THOMPSON:

The reclassifications would not have a negative impact on the EAP. The positions that are currently filled are a Grade 29 and they would transition as a Grade 29, because those employees meet the minimum qualifications. The positive impact is that the division will have the ability to utilize Family Services Specialists in other programs if the EAP becomes backlogged or have more vacancies than it is able to handle. The EAP only has 20 case managers; thus, when there is high turnover, or quick turnover for a promotion, it causes a hardship on the program. This change aligning the job classifications would free up the Deputy Division Administrator to have temporary movement when needed.

SENATOR CANNIZZARO:

When was the study conducted that recommended changing the classification, and what is the timeline between when the study was conducted and the division's request before the Committee?

MR. THOMPSON:

The job classification study was employee-initiated, not agency-initiated. If I recall, the request was submitted in March or May 2023, and the final outcome was received in July 2023.

SENATOR CANNIZZARO:

Why not wait and include this in the agency request budget for the 2025-27 Biennium?

MR. THOMPSON:

The DHRM announced and published the revised job specifications in July 2023, and EAP employees are aware they are now in the wrong job classifications.

SENATOR CANNIZZARO:

If the IFC has not yet approved the reclassifications, why do the job specifications not match the positions as currently occupied? Why would the DHRM post something that is different from the original job specifications?

MR. THOMPSON:

The EAP in Budget Account 4862 has approximately 22 employees. Historically, there have not been Family Services Specialist positions in that budget. The job classification study that was done was for employees in Budget Account 3233 for Family Services Specialists. The Family Services Specialist 1 positions used to be a Grade 28 and after one year, they automatically progressed to a Grade 31 as paraprofessional employees. When the job classification study was done for Family Services Specialists in the SNAP, Medicaid and TANF programs, the study specifically indicated that singular programs such as the EAP should be handled by Family Services Specialist 1 positions. It was not the EAP that caused this job classification study, it was the SNAP, TANF, and Medicaid programs positions that were reclassified. However, there was a secondary impact to Budget Account 4862 that is now published and showing EAP staff they are in the wrong job classification.

There are positive impacts to this that allow the Deputy and the Chief to share those positions differently during vacancies, and it would be a positive move to be able to do this; however, it was the job classification study in a different program that caused the necessity for the division to come forward today.

SENATOR CANNIZZARO:

That does make sense, but I am confused why the DHRM is posting these changes that are causing discrepancies among the people working for the division. I understand there are a lot of job classification studies, either employee-initiated or within a particular department. I believe the 82nd (2023) Legislature authorized a study for state workers overall to assess some of these issues. But again, this is typically something that is done during the budgeting process.

I am not going to delay this item, but I am going to note that I have some concerns about seeing two separate requests for reclassifications. Some of those reclassifications resulted from a study, which typically comes before the Legislature during a legislative session.

I will remain vigilant if there are additional reclassification requests at future IFC meetings. I hope that other agencies are aware this is part of the budget process.

> SENATOR DONDERO LOOP MOVED TO APPROVE THE RECLASSIFICATION REQUESTS FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF WELFARE AND SUPPORTIVE SERVICES.
>
> ASSEMBLYMAN YEAGER SECONDED THE MOTION.
>
> THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

N. REQUEST FOR APPROVAL TO ACCEPT GIFTS AND GRANTS PURSUANT TO NRS 353.335 - DEPARTMENT OF HEALTH AND HUMAN SERVICES - Division of Child and Family Services - Request for approval to accept a donation of up to $80,000 in gift cards enabling Child Protective Services employees to purchase clothing and hygiene items to support youth while in the custody of the Rural Child Welfare program. **WITHDRAWN 1-18-24.**

O. 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 ~~$252,525,831~~ **$735,108,724** due to a delay in expected receipts in the State Education Fund. **REVISED 1-25-24.**

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

Through Agenda Item O, the NDE is requesting authority for an advance of $735.1 million from the Education Stabilization Account. The request is being brought forward as a worst-case scenario in the event that revenues are not received in a timely manner in order for the NDE to make its monthly payments for the Pupil-Centered Funding Plan. The NDE equates this request to a payday advance loan, and once revenues come in, the department would be able to return the funds to the Education Stabilization Account at the end of the year.

SENATOR NEAL:

If the Committee approves the provision of the full year temporary advance authority, the NDE would not be required to return to the IFC with future requests for additional temporary advance authority. Please discuss this further.

MS. PETERSON:

The intent of this request is to ensure there is sufficient authority to transfer any funds that are needed from the Education Stabilization Account to make a monthly payment for the Pupil-Centered Funding Plan. If the revenues, by virtue of an increase in enrollment, should exceed this authority amount, the NDE would need to return to the IFC and request additional authority to transfer the funds. However, when it comes time to make the payment for the Pupil-Centered Funding Plan, the NDE will only transfer the amount necessary to make the full payment.

SENATOR NEAL:

It seems like the Committee's oversight was put in place for a reason, but I understand why the NDE is seeking temporary advance authority. However, it does concern me that the NDE would not be required to return to the IFC in the future to request additional temporary advance authority. How long will the department not be required to return to the IFC for future requests?

MS. PETERSON:

This advance request is specific to FY 2024 only. The reason the NDE is asking for such a large amount of funding is because the management of the revenues change on a day-to-day basis. For example, the number of taxpayers paying their property taxes can vary from month-to-month, and by the time the funds reach the NDE, the amount the department would have to request may change. To try and normalize what the request might look like and cover any shortfall that might occur unexpectedly, the NDE is requesting $735.1 million to ensure timely payment to school districts and charter schools.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM O.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

P. DEPARTMENT OF ADMINISTRATION - State Public Works Division

1. Request to transfer $1,070,000 from CIP Project 23-C36, Improvements for Buildings Purchased in Las Vegas, to fund an additional property purchase for CIP Project 23-C35, pursuant to Section 23 of Assembly Bill 1 (34th Special Session).

MATTHEW TUMA (Deputy Director, Department of Administration):

I would like to introduce Wilfred Lewis, the Administrator for the State Public Works Division (SPWD). This is Mr. Lewis' first IFC meeting as the SPWD Administrator.

The request to transfer $1.07 million from CIP Project 23-C36 is to fund an additional property purchase under CIP Project 23-C35. This is for the acquisition of 74 additional parking spaces at a cost equivalent to what the state has paid for additional parking locations at the same site.

SENATOR NEAL:

Please provide an update on the completed building and tenant improvements as well as agency moves to the new state office buildings in Las Vegas. Also, please confirm that if the transfer of $1.07 million from CIP Project 23-C36 to CIP Project 23-C35 is approved, there will be sufficient funding in the project budget to fund the remaining planned building and tenant improvements.

MR. TUMA:

Yes, CIP Project 23-C36 will still have sufficient funding for tenant improvements at the acquired properties. The SPWD has provided some of the updated information to Fiscal staff, and the division will submit the most up-to-date copy

of what has been committed and what is under contract. The agency also provides updated numbers and information in the quarterly reports for both projects. Those reports are submitted to the IFC and the Fiscal staff.

Refer to motion for approval under Agenda Item P.4.

2. Request to modify the scope of CIP Project 23-C35, Purchase of Buildings for State Offices, Las Vegas, and to increase the authority to receive and expend an additional $150,000 in interest earned on escrow deposits for closing costs and title fees that were not part of the project budget. **WITHDRAWN 1-25-24.**

3. Request to accept and expend $433,024 in federal grant funds from the Office of the Military for CIP Project 21-C07, Construct Organizational Parking, Washoe County Armory, pursuant to NRS 341.121, and to modify the project scope to address increased project costs pursuant to NRS 341.145(1)(f).

   MATTHEW TUMA (Deputy Director, Department of Administration):

   Agenda Item P.3 is a request to accept and expend an additional $433,024 in federal grant funds from the Office of the Military for CIP Project 21-C07, Construct Organizational Parking, Washoe County Armory.

   Refer to motion for approval under Agenda Item P.4.

4. Request to receive and expend $1,500,000 in federal American Rescue Plan Act funds transferred from the COVID-19 Relief Programs account for CIP Project 21-C04, Cave Creek Dam Rehabilitation, Cave Lake State Park, pursuant to NRS 341.121, and to reduce agency funds of $1,500,000 to be received from the Department of Wildlife for CIP Project 21-C04. **RELATES TO AGENDA ITEM L.1. RECEIVED ON 1-26-24, AFTER THE 1-11-24 SUBMITTAL DEADLINE.**

   Agenda Items L.1 and P.4 were discussed jointly.

   MATTHEW TUMA (Deputy Director, Department of Administration):

   I would invite the Nevada Department of Wildlife (NDOW) to join the SPWD at the testifying table as Agenda Item P.4 relates to Agenda Items L.1 and S.3.

   ALAN JENNE (Director, NDOW):

   Agenda Item L.1 is a request to transfer $1.5 million from the Loss Revenue Reserve category to support the Cave Creek Dam Rehabilitation, CIP Project 21-C04.

   SENATOR TITUS:

   The Committee has heard about the Cave Creek Dam rehabilitation for quite a while. Is this project moving forward?

MR. JENNE:

The project is approximately 75% complete. The contractor is in a seasonal hold because of the weather. The anticipated completion date is July 2024.

SENATOR TITUS:

Will I be able to take my fly rod up there in the near future?

MR. JENNE:

That depends on the recovery of the pool behind the dam. The agency is hopeful it will be available by the summer of 2025.

SENATOR TITUS:

I appreciate the department's efforts to complete the project. I look forward to visiting this beautiful area again.

ASSEMBLYWOMAN BACKUS:

Mr. Lewis, is there anything you would like to put on the record today?

WILFRED LEWIS (Administrator, SPWD):

I am humbled and appreciative, this is an unexpected blessing. I served as the Director of Planning and Design at the College of Southern Nevada for ten years, and I began serving at the SPWD on January 9, 2024. Thank you for the opportunity to serve.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEMS L.1, P.1, P.3, AND P.4.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

Q. REQUEST FOR TRANSFER FROM THE INTERIM FINANCE COMMITTEE'S ACCOUNT FOR FORECLOSURE MEDIATION ASSISTANCE PURSUANT TO NRS 107.080(13)(b) - Request for the transfer of $83,146 to Home Means Nevada, Inc. for support of the program for foreclosure mediation.

PERRY FAIGIN (Deputy Director, Department of Business and Industry, and President, Board of Homes Means Nevada, Inc.):

The request before the Committee is for $83,146 to the foreclosure mediation program to continue its operation for a few more months.

I would like to provide the Committee an update on the program. This will considerably reduce the amount in the account because foreclosures in the State of Nevada have decreased, which is a good thing. Notices of default are the primary funding source for this program. The program is currently running behind compared to this time last year, and I would anticipate approximately 3,000 notices of default will be filed again this year. The program is currently running flat and is about 150 to 200 notices of default below this time last year. Thus, the funding mechanism will continue to struggle. The program came before the IFC in June 2023 to request IFC Contingency Account funds because the program does not have any other options as the budget account is owned by the Legislature. Funding sources are limited unless the Legislature makes a change.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEM Q.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

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

STEVE AICHROTH (Administrator, Housing Division, B&I):

This agenda item relates to the Home Means Nevada Initiative and the $500 million in ARPA Coronavirus State Fiscal Recovery Funds for the development, preservation, and advancement of affordable housing in the state.

The Committee has been provided an updated spreadsheet from January 31, 2024 (Exhibit Q). There are a couple additions to the usual items on that spreadsheet, which relate to the earlier comments regarding the timelines established for use of these funds.

I would like to focus on the projects highlighted in yellow on the spreadsheet (Exhibit Q). The division reached out to those developers and projects that are indicated in yellow and required the awardees to respond to obligation and expenditure deadlines. That information is noted on pages 4 and 5 of the spreadsheet (Exhibit Q). As the Committee is aware, there is layered financing involved in these projects and they are complex; however, the division is confident that the entirety of the money will be obligated and expended within the timelines.

There was no further discussion on this item.

S. INFORMATIONAL ITEMS.

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

Agenda Items S.1.a, Office of the Governor, and S.4, Department of Education have been identified for additional discussion. Agenda Item S.7b has been identified for additional discussion and will be heard with Agenda Items M.40, DHHS, DHCFP; M.42, DHHS, DHCFP; M.43, DHHS, DHCFP; and M.44, DHHS, DHCFP. Agenda Item S.10.a, Department of Transportation has also been identified for additional discussion.

1) OFFICE OF THE GOVERNOR - Governor's Office of Finance

a) Quarterly report on the CORE.NV Enterprise Resource Planning project for the period July 1, 2023, through September 30, 2023 (letter of intent, 2023 Legislative Session).

BRIAN BOWLES (Administrator, Office of Project Management [OPM]):

The OPM is currently engaged in implementing the CORE.NV project for the State of Nevada. The quarterly status report that the OPM and the executive committee which governs the OPM has been presented to the Committee for the reporting period of July 1, 2023, to September 30, 2023. I will provide some highlights from that report.

The two significant highlights of what the OPM and the CORE.NV project was engaged in during the reporting period includes the solicitation and purchasing vehicle to find a new vendor and a new product. The OPM engaged, with the assistance of the executive committee and the Purchasing Division, in a novel procurement vehicle called an "invitation to negotiate" (ITN) process, wherein seven proposals from prospective vendors were received and scored. Ultimately, the contract was awarded to CGI Technology and Solutions Incorporated for the CORE.NV implementation. That contract was approved by the Board of Examiners in September 2023, and the agency began working with the new vendor immediately toward implementing the project.

The other highlight of this reporting period was the rollback from the SAP solution that was implemented partially by the Silver State Modernization Approach for Resources and Technology in the 21st Century (SMART 21) project and reversion to the state's legacy systems. That rollback included revitalizing those solutions so the state could continue operations as well as keeping the success factors and other elements of the SAP product so that a data extraction could be performed to retrieve all the state's data. That process took a lot of time, and it was the majority of the work during the reporting period.

ACTING CHAIR BACKUS:

Is the project still on track to meet the projected go-live dates?

MR. BOWLES:

Yes, as of today, the project is on schedule and under budget.

ACTING CHAIR BACKUS:

Is the OPM also covering the part for the Office of the State Controller?

MR. BOWLES:

Are you referring to the Tyler Technologies contract?

ACTING CHAIR BACKUS:

Yes.

MR. BOWLES:

Yes, the OPM has been working with the Office of the State Controller to replace the https://open.nv.gov/ website. The OPM is involved in this from a funding perspective as well as modernizing this website, an outlet for the State of Nevada, to ensure it integrates correctly with the new enterprise resource planning (ERP) system. The OPM has been engaged in work through this reporting period to contract and begin work in collaboration with Office of the State Controller and the Office of the Chief Information Officer. I believe the Governor's Office will be managing any future releases of information about that project as the work has been ongoing since this reporting period.

ACTING CHAIR BACKUS:

How will the solution align with the intent of procuring a minimum viable solution for the state's core financial and human resource systems?

MR. BOWLES:

Are you referring to the Tyler Technologies contract, or the methodologies going forward for the first part of CORE.NV?

ACTING CHAIR BACKUS:

I am referring to the Tyler Technologies work.

MR. BOWLES:

There is a statutory requirement that the state provide transparency of all financial information to the citizens of Nevada. That is a critical part of the integration piece for the ERP. The modernization of this website was necessary due to the increase and advancement of the technology of the ERP, and it was a project that could be addressed early.

ACTING CHAIR BACKUS:

The https://open.nv.gov/ website is easy for users to access information. Will there be more release of information with Tyler Technologies, or will the information still be limited and protected?

MR. BOWLES:

I am awaiting the final demonstration on Monday, February 12, 2024, so that I can see that for myself; however, it is my understanding that all sensitive information will still be protected, but I believe there will be an increased amount of information available on the upgraded site.

There was no further discussion on this item.

b) Special Appropriations

1) Lou Ruvo Center for Brain Health - Final report on expenditures made from the money appropriated for research, clinical studies, operations and educational programs at the Lou Ruvo Center for Brain Health for the period ending June 30, 2023, pursuant to Section 5(2) of Assembly Bill 355 (2021 Legislative Session).
2) Nevada Blind Children's Foundation - Final report on expenditures made from the money appropriated for operations and educational programs and services at the Nevada Blind Children's Foundation for the period ending June 30, 2023, pursuant to Section 6(2)(b) of Assembly Bill 355 (2021 Legislative Session).

There was no discussion on these items.

2) OFFICE OF THE STATE TREASURER - Account for Student Loan Repayment for Providers of Health Care in Underserved Communities - Information on the hiring of one new full time equivalent position to carry out the provisions of Assembly Bill 45 (2023 Legislative Session).

There was no discussion on this item.

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

There was no discussion on this item.

4) NEVADA DEPARTMENT OF EDUCATION - Report detailing the funds allocated for special education services issued by the Nevada Department of Education to Clark and Lyon Counties, university schools, and charter schools in FY 2024 as requested during the December 13, 2023, meeting of the Interim Finance Committee.

JHONE EBERT (Superintendent of Public Instruction, NDE):

The NDE was asked questions regarding the special education funding that was allocated during the 82nd (2023) Legislature and Agenda Item S.4 pertains to the response the department provided to the Committee regarding how the funding was allocated.

ASSEMBLYWOMAN GORELOW:

Why has the department included the one-time $1.5 million related to special education enrollment in excess of 13.0% from FY 2023 in the initial base funding for FY 2024?

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

Consistent with past practice since 2019, and to maintain the maintenance of effort requirement that school districts are required to meet, the NDE included the $1.5 million in the base funding for every year.

SENATOR SEEVERS GANSERT:

It is my understanding there was a change in the methodology used to determine how much per pupil funding is to be used for special education. With the way this proposal is being presented, and with the NDE rolling one-shot funding into the base budget using the 2% rollup, the variance from the average between what certain counties receive for special education has increased. During the 82nd (2023) Session, the Legislature decided to add additional funding to ensure that the average dollar amount per student for special education was the same across the board. Several school districts, including Clark County School District, Lyon County School District, Davidson Academy of Nevada, and the State Public Charter School Authority (SPCSA), were previously below the average, and the intent of the funding was to ensure that special education students from every county would receive as close to the average amount of funding as possible. Additionally, it was recognized that the average amount of funding was not always the same due to certain school districts growing more rapidly than others while still utilizing one funding source. Based on the methodology used by the NDE, the difference from the average amount of funding provided across school districts and the SPCSA is not the same. I do not understand why the NDE is not using the money that was specifically meant to help all students, including special education students, receive the average amount of per pupil funding.

MS. PETERSON:

During the 82nd (2023) Legislature, the NDE committed to working with WestEd to review its special education funding allocation model and return to the Legislature with recommendations on how to address any issues moving forward. While the $1.5 million related to special education enrollment in excess of 13% is identified as one-shot funding, it is also considered a maintenance of effort requirement for Nevada's school districts. If the NDE did not include the $1.5 million in the base funding, it would be taking money away from certain school districts to allocate new dollars to school districts that were below the average funding amount. As a result, the NDE maintained its methodology knowing it will be working on updating its allocation methodology with WestEd in the future.

The reason the per pupil funding amounts are decreasing is twofold. It is due to continual increases in special education growth within the school districts and charter schools. As a result, when the NDE addresses funding for special education in the state-sponsored charter schools, enrollment in these schools increases at a higher rate. Additionally, because the charter schools are each treated as a local education agency, their per pupil funding will decrease when an average calculation is used. The issue was compounded when student enrollment across the state grew by 5% after it had previously been declining, and while an investment was made, it was not sufficient to address the growth that was experienced at the local education-level for the charter schools. The NDE expects this to change over time and is the reason the department is working with WestEd to identify an appropriate way to manage this issue in the future.

SENATOR SEEVERS GANSERT:

Based on information provided by Fiscal staff, the funding received by Clark County School District, Lyon County School District, Davidson Academy of Nevada, and the SPCSA is off by approximately $270 per pupil for special education when compared to the average. The intent of the money was to provide all school districts and the SPCSA with an average amount of funding, but the disparity between districts seems to be growing, even when considering the districts with special education enrollment above 13%. The per pupil funding for all school districts needs to be brought closer to the average to ensure special education students are not at a disadvantage.

ACTING CHAIR BACKUS:

I echo the comments of Senator Seevers Gansert. I appreciate the NDE working with WestEd to meet the Legislature's intended policy, but I also ask that the NDE work with Fiscal staff to bring the per pupil special education funding amount closer to the average for all school districts and the SPCSA.

ASSEMBLYWOMAN ANDERSON:

I am grateful the NDE realizes there is a problem with the funding allocations but am also wondering if the NDE is working with the Commission on School Funding to investigate this issue. I would like that to be discussed further at a future IFC meeting.

MS. EBERT:

The NDE is working with WestEd to finalize its report so that the information can then be provided to the Commission on School Funding and disseminated elsewhere.

There was no additional discussion on this agenda item.

5) DEPARTMENT OF BUSINESS AND INDUSTRY - Report on the progress to establish a program for the relocation of persons residing in single-family residences in the Windsor Park neighborhood of the City of Las Vegas, pursuant to Section 11(7) of Senate Bill 450 (2023 Legislative Session).

There was no discussion on this item.

6) GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT
   a) Report from the research universities and the Desert Research Institute concerning the use of allocations from the Knowledge Account for the period November 1, 2022, through October 31, 2023, pursuant to NRS 231.1595(1)(i).
   b) Report on the Catalyst Fund Account/Transferable Tax Credit Catalyst Account for FY 2023 pursuant to NRS 231.0535, 231.1555, 231.1573, and 231.1577. **RECEIVED ON 1-26-24, AFTER THE 1-11-24 SUBMITTAL DEADLINE.**

There was no discussion on these items.

7) DEPARTMENT OF HEALTH AND HUMAN SERVICES
   a) Aging and Disability Services Division - Information on the increase of one part-time Developmental Specialist 3 position to a full-time position to ensure Medicaid compliance duties are maintained with all agency service coordinators.

      There was no discussion on this item.

   b) Division of Health Care Financing and Policy - Semiannual report on the implementation and status of the private hospital provider tax program for the period ending December 31, 2023 (letter of intent, 2023 Legislative Session). **RECEIVED ON 1-26-24, AFTER THE 1-11-24 SUBMITTAL DEADLINE**.

      Agenda Items M.40, M.42, M.43, M.44, and S.7b were discussed jointly. Refer to discussion under Agenda Item M.44.

c) Division of Public and Behavioral Health - Annual report on the Diapering Resources Account for the period January 1, 2023, through December 31, 2023, pursuant to NRS 422A.675(6)(b)(1).

There was no discussion on this item.

d) Division of Welfare and Supportive Services
   1) Quarterly report concerning the American Rescue Plan Act Child Care Stabilization grant funds and expenditures for the period July 1, 2023, through September 30, 2023, as requested during the August 18, 2021, meeting of the Interim Finance Committee.
   2) Annual report on unspent and unencumbered money in the Fund for Energy Assistance and Conservation for the period ending December 31, 2023, pursuant to NRS 702.275(1).

There was no discussion on these items.

e) Division of Child and Family Services - Report on the progress regarding the implementation of the Extended Young Adult Support Services Program, pursuant to Senate Bill 380 (2023 Legislative Session).

There was no discussion on this item.

8) 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 November 30, 2023, pursuant to NRS 209.461(1)(i).

There was no discussion on this item.

9) STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
   a) Water Conservation and Infrastructure - Quarterly report regarding the allocation of $100.0 million in American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds for the period ending September 30, 2023, as requested during the October 20, 2022, meeting of the Interim Finance Committee.
   b) Division of State Lands - Semiannual report on the status of the state's Environmental Improvement Program Fund to Protect the Lake Tahoe Basin for the period ending June 30, 2023, pursuant to Chapter 514, Statutes of Nevada 1999.

There was no discussion on these items.

10) DEPARTMENT OF TRANSPORTATION

a) Report on the Brightline West high speed rail project.

TRACY LARKIN-THOMASON (Director, Nevada Department of Transportation [NDOT]):

I would like to thank the Committee for supporting transportation. I believe transportation is a fundamental supporting ingredient for everything else in the state.

The announcement of the $3 billion grant in December 2023 is an historic event for NDOT and the state. Not only does it mark a serious investment in passenger rail for Nevada but also for the nation. In early conversations with the Federal Railroad Administration and the White House, NDOT encouraged support of rail projects moving off the coast and into the interior if the administration was serious about the expansion of passenger rail in the United States. NDOT is pleased there was agreement and happy to note that Nevada will be the first in the nation to have a high-speed rail.

NDOT is excited for this project and the conversation that is spurring on other passenger rail efforts. Discussions have begun with the Utah Department of Transportation and Northern Nevada on how to bring in more reliable passenger rail via Amtrak, BNSF Railway, and others. While this is far in the future, it takes steps like this to bring those ideas to fruition.

NDOT is continuing to work with Brightline West and the Federal Railroad Administration on the project details. The NDOT project team is meeting with the Federal Railroad Administration on a regular basis to ensure all requirements are met. NDOT plans to come before the IFC again for work programs as needed. A future work program will be noted in the presentation.

I would like to hand the discussion over to Ryan Wheeler, NDOT Project Manager for the Brightline West project.

RYAN WHEELER (Project Manager, NDOT):

NDOT is excited to discuss an amazing project that will benefit the State of Nevada and the State of California. The project would not be possible without Brightline West. NDOT appreciates Adrian Share, Executive Vice President of Rail Infrastructure, Brightline West, being here today. NDOT and Brightline West have collaborated on this project for the last five years. Both agencies agreed to be transparent with each other and have developed a relationship of integrity and respect.

NDOT will discuss the grant, project overview, schedule, roles and responsibilities, and financing. On December 5, 2023, President Biden came to Nevada to announce NDOT has received $3 billion in grant funding. Since then, the department has been moving at an accelerated pace, and Brightline West is on track to begin construction sometime this year.

Brightline West is the proposed project, but Brightline West has existing operations in Florida. Brightline West operates a passenger rail service between Miami and Orlando. Thus, Brightline West is a proven entity and is bringing its expertise and experience to this proposed project in Nevada and California.

The proposed alignment is a 218-mile trip between Las Vegas, Nevada and Rancho Cucamonga, California. It is proposed to be run with all electric trains and will be in a protected corridor within Interstate 15. The trains will reach up to 186 miles per hour being true high-speed rail; that is also true high-speed rail in the first of it is kind within the United States. The expected passenger count per year is approximately 11 million one-way passengers. Interstate 15 currently handles about 50 million passengers per year. Thus, the railway will capture about 20% of that market.

The plan is to connect the proposed system to the California high-speed rail system in the future. As the station is proposed in Rancho Cucamonga, it is a dual station where Brightline West trains will come into the station but also with Metrolink, which is already serving that station in Rancho Cucamonga. Passengers will be able to depart a Brightline West train and board a Metrolink train to Union Station within Los Angeles, thereby capturing that other mode of transportation which allows people to move well within the Los Angeles Valley.

The 218-mile trip will be built primarily within the Interstate 15 corridor and primarily within the median of northbound and southbound directions within the corridor. Approximately 95% of the railway will be in the median of the corridor except for the terminus in Las Vegas and Rancho Cucamonga. The all-electric trains will be capable of reaching 200 miles per hour. Total travel time will be about 2 hours and 10 minutes.

The train sets that will be purchased will be fully electric-powered trains capable of 200 plus miles per hour. The trains will carry about 450 passengers per train; however, the trains can be coupled to double that capacity. The initial train set order will be ten sets and those sets are also interoperable with the California high-speed rail.

The plan is primarily single track for the entire distance with the caveat that there will be four passing sightings. Trains will leave each station at an hour timeframe. Along the way, as those trains move toward each other, passing sightings will be planned to allow the trains to continue to move to their projected destination. The passing sightings will allow the trains to pass each other and then get back on the single track and continue to their destination. There will be 180 miles of single track, of which 37.4 miles will be passing sightings.

When the train crosses the Nevada state line, it will be within the median of Interstate 15 for about 27 miles right before Saint Rose Parkway. It will depart from the median and transfer to the east side of the Interstate 15 right-of-way. The train will remain on the east side of the Interstate 15 right-of-way from Saint Rose Parkway to Blue Diamond. The station is proposed to be located north of Blue Diamond and south of Warm Springs, east of Interstate 15 and west of Las Vegas Boulevard.

A proposed vehicle maintenance facility will be located west of Sloan Road. The trains will also be housed at this location when they are not operating. Track maintenance will also be at this location; the entire alignment will be maintained from the vehicle maintenance facility. The passenger trains will operate 19 to 20 hours per day. During non-operational hours, the maintenance trains will be used to maintain the tracks.

The railway will boost Nevada's economy and provide long-term jobs at the vehicle maintenance facility.

Brightline West has purchased 110 acres in Las Vegas. It is a near shovel-ready project with a projected cost of $12 billion. Brightline West has already invested $600 million and there is also the $3 billion grant from the Federal Railroad Administration. The right-of-way, permits, and environmental documents have been obtained. The groundbreaking is expected to occur later this year and the project is expected to be completed prior to the 2028 Summer Olympics in Los Angeles, California.

Next, I will be discussing the roles and responsibilities between Brightline West and NDOT over the last four to five years and moving forward into the construction phase. Brightline West is the developer of the project, thus, Brightline West oversees the funding, design and construction, and operation and maintenance of the rail system. Brightline West will deliver the project within its budget, schedule, and in compliance with all Federal Railroad Administration requirements. Brightline West will manage contract administration, claims management, change management, and stakeholders, as well as the safety and workforce of the traveling public. Brightline West will communicate the project strategy goals within Nevada and California.

Regarding NDOT’s role, the department is a partner with Brightline West. I would note this is not an NDOT project and state funds are not being used for the project. NDOT partnered with Brightline West to apply for the Federal-State Partnership for Intercity Passenger Rail grant of $3 billion dollars that was awarded to NDOT by the Federal Railroad Administration. Because NDOT is the applicant of that grant, the department will perform grant administration responsibilities.

NDOT is essentially a pass-through entity for those funds as they are obligated to this project for the completion of the project. NDOT will enter into a grant agreement with the Federal Railroad Administration and many of the terms and conditions to which NDOT agrees will be passed to Brightline West through a subrecipient agreement. The department is currently working on both of those agreements.

NDOT will continue to manage its right-of-way and the department will manage construction oversight of NDOT-altered infrastructure. Brightline West is proposing to slightly alter the state's freeways and some interchanges. The department will also manage the agreements between Brightline West and NDOT.

The total project costs for Brightline West are $12 billion. To date, Nevada has received $3 billion, and $2.5 billion in Private Activity Bonds from the U.S. Department of Transportation. In addition, Brightline West was awarded a $25 million grant through the San Bernardino County Transportation Authority. Also, Brightline West was awarded private activity bonds of $1 billion in 2020. To date, Brightline West has secured more than half of the project costs and is actively working to secure the remaining $5 billion through additional private activity bonds, construction debt, and equity.

NDOT is before the Committee today to request a new non-executive budget account for the $3 billion over approximately five years. This account will be established solely for the pass through of the $3 billion federal grant from the Federal Railroad Administration to NDOT and then to Brightline West. All NDOT costs will come out of the department's Executive budget account and will be reimbursed by Brightline West. To date, NDOT's staff and consultant time has been billed to Brightline West and will continue.

As Brightline West incurs invoices for the project, it will request from the Federal Railroad Administration that a percentage of the invoices be reimbursed with the $3 billion. Brightline West will submit invoices to NDOT for review to ensure all federal requirements are met and those invoices will then be forwarded to the Federal Railroad Administration. The reimbursed funds will be placed in the new non-executive budget account to avoid confusion with the department's other budget accounts. The funds would then be reimbursed to Brightline West.

ASSEMBLYMAN YEAGER:

The state has been talking about this project for a long time and it is nice to see it moving forward. Concerning administrative staff time, it appears staff time will be equivalent to one full-time equivalent over 4.5 years. Of that time, approximately 75% will be for grant administration and 25% will be for billing and budgeting. I understand that NDOT will be reimbursed for that time. Please discuss the impact of utilizing department staff time to support the project, including whether current staff can absorb the responsibilities required for the Brightline West project.

MR. WHEELER:

This is the first high-speed rail project in the United States; therefore, NDOT had to make its best estimates. NDOT has a team assembled, which has been in place for five years. The department is planning to bring on construction crew augmentation to help with construction management oversight and design reviews as Brightline West plans to alter NDOT's infrastructure. The department has estimated close to $30 million of staff time and consultant time, all of which will be reimbursed by Brightline West.

FELICIA DENNEY (Assistant Director of Administrative Services, NDOT):

Time will be shared among a variety of staff. In addition, the estimate may change. The department is continually learning how to best administer the grant.

SENATOR DONDERO LOOP:

I frequently drive by that area, where there is already heavy traffic, especially weekends. I understand the concept of traveling there by car to take a train rather than driving, but I am concerned about that stretch of road becoming even more congested. People who are local to the area will need to seek alternate routes. To clarify, I am referring to the area of Interstate 215 and Las Vegas Boulevard, heading toward Southpointe. How will the traffic be managed so people can navigate the area without too much congestion?

MR. WHEELER:

Is your question primarily about Las Vegas Boulevard, or Interstate 15 as well?

SENATOR DONDERO LOOP:

I would say specifically Las Vegas Boulevard where the signs are already posted and where I assume people will be entering/exiting the station.

MR. WHEELER:

Brightline West is planning to conduct a traffic study where the new station will be located. Las Vegas Boulevard is a county road so Brightline West will be performing the traffic study in collaboration with Clark County. Based on the outcome of that study, Brightline West will have to ensure the movement of traffic in and out of the station is sufficient.

Regarding Interstate 15, NDOT currently has an active construction project from Blue Diamond to Sloan Road to add an extra lane in each direction to assist with better movement of people and goods along that stretch.

ADRIAN SHARE (Executive Vice President of Rail Infrastructure, Brightline West):

That is correct, Brightline West is working closely with Clark County on a transportation plan for that area.

SENATOR DONDERO LOOP:

I am not reassured. I hope the traffic study is performed properly unlike past traffic studies.

It appears the rendering of the station is incorrect. The property is located between Las Vegas Boulevard and Interstate 15 on the west side. If someone was on the property looking south, they would not be facing the Las Vegas Strip.

MR. WHEELER:

The rendering of the station is from the perspective of someone on the south side of the station looking north.

SENATOR DONDERO LOOP:

We can disagree, but the rendering is not accurate.

MR. WHEELER:

Warm Springs Road runs east and west and goes over the interstate, which can be seen in the rendering looking north from the south side of the property.

ASSEMBLYWOMAN MOSCA:

Is there an estimated price point for tickets?

MR. SHARE:

The railway is several years away from opening, but the plan is that tickets will cost approximately $100 one way.

ASSEMBLYMAN HAFEN:

Regarding the traffic study, I have concerns about Highway 160, Blue Diamond Road. That area, just west of Interstate 15, is at full buildup. There is not any additional road right-of-way to expand it further. In my opinion, it is over capacity during rush hour. I am aware the Department of Motor Vehicles (DMV) is proposing to use that as a route for its new commercial driver's license (CDL) location. I believe the actual location is off Cactus Road, but CDL traffic will be directed down Highway 160.

I understand it will be addressed in the traffic study, but I have concerns because I frequently travel that road. I would request the traffic study include Highway 160 and its current issues, as well as the DMV's proposal with the CDL traffic so that mitigation can occur. I assume alternative routes will be needed, but hopefully that will all be addressed during the traffic study.

I would like to see the traffic study when it becomes available, because as I mentioned, it is a main thoroughfare for me to travel to and from Las Vegas.

SENATOR NEAL:

It appears the NDOT costs will come out of the NDOT Executive budget account. What are the reimbursement timelines?

MR. WHEELER:

As Brightline West starts incurring costs, it will send a monthly invoice to NDOT. The invoice will be processed and sent to the Federal Railroad Administration. Upon approval, NDOT will distribute the funds to Brightline West. This process will occur monthly through the duration of the project.

SENATOR NEAL:

I do not see the grant information in the backup documentation. I would like to see the details, such as NDOT's responsibilities. How will the construction debt be structured?

MR. WHEELER:

This project is fully financed by Brightline West; NDOT is not directly contributing any funds toward the project. However, through the partnership with Brightline West, NDOT applied to the Federal Railroad Administration for this grant and will be a pass-through agency for those funds as Brightline West incurs costs so that the $3 billion will be a reimbursable amount for Brightline West.

MR. SHARE:

I would summarize what Mr. Wheeler said in that the entirety of the financing is the responsibility of Brightline West. Brightline West partnered with NDOT because only public entities could apply for the grant; however, the program allowed private partners. Brightline West is responsible for all the funds and is fortunate to have receipt of the $3 billion from the federal government that will go through NDOT. Brightline West is also responsible for raising the remainder of the financing, which is currently underway.

SENATOR NEAL:

To confirm, the full faith and credit of the state is not at stake, correct?

MR. SHARE:

Any funds spent by NDOT to date have already been reimbursed, and that will continue through the entirety of the project.

SENATOR NEAL:

Is there anything in the grant that allows for diversity related to subcontracts, awards, etc.?

MR. SHARE:

Yes, very much so. Part of the application included developing commitments throughout the entirety of the construction process to ensure there is plenty of opportunities. There is an entire workforce program that includes opportunities for participation by Disadvantaged Business Enterprise (DBE) businesses, women-owned businesses, and other disadvantaged entities.

SENATOR NEAL:

Is that Brightline West's DBE plan?

MR. SHARE:

Yes, it is Brightline West's plan, and the entity is committed to that plan. Brightline West is following NDOT's guidelines; however, it is Brightline West's program.

SENATOR NEAL:

I wondered whether Brightline West was following NDOT DBE guidelines. That has always been a subject of historical discontent. Has there been an update based on several disparity studies that have been performed? There have been several instances of civil rights officers investigating NDOT; however, a clear positioning of DBE contracts and subawards. If something has changed in the past three years, it will be helpful to see. I started focusing on this issue around 2011.

MR. SHARE:

Brightline West would be happy to offer a follow-up meeting. This is not my area of expertise, but I am happy to have someone follow up from Brightline West who is familiar with this topic.

MR. WHEELER:

I have already witnessed Brightline West working with local companies as far as DBE opportunities. Brightline West has a plan in place. The entity has been working with the NDOT civil rights team as well and going above and beyond NDOT's requirements as well as the requirements of the Federal Railroad Administration.

Mr. Share has a counterpart at Brightline West who is handling this area. NDOT has been in communication with that individual to ensure there are many diversified opportunities. In addition, a project labor agreement is in place with the unions in Nevada and California. Brightline West has been thinking about this issue for the last two years and has been reaching out to DBEs about opportunities to be part of this project.

MS. LARKIN-THOMASON:

Moving forward, outside of the commitments to the unions, approximately 8% to 9% of the $3 billion is committed to DBEs. That is a large percentage considering the size of the project.

SENATOR TITUS:

I share the concerns of my colleagues regarding the traffic around the area that is not going to the train station.

The $3 billion grant is going into a non-executive budget account. Will the state receive the grant funds, or will the federal government provide reimbursement each time Brightline West submits an invoice? Also, where are the funds held and who receives the interest on those funds? Lastly, who will be held responsible if the project fails?

MR. WHEELER:

The Federal Railroad Administration will hold the grant funds. When NDOT requests reimbursement, the funds will be placed in the non-executive budget account and then passed on to Brightline West. The $3 billion will not come to the non-executive budget account. Interest is not being accumulated in the account.

SENATOR TITUS**:**

Will NDOT have to return to the IFC every time Brightline West submits an invoice for reimbursement?

MS. DENNEY:

The idea would be that NDOT would not have to come back to the IFC for every bill. The idea behind the non-executive budget account was that appropriations would not be needed so that things could continue moving quickly; however, the account needed to be separate for the sake of transparency.

MR. WHEELER:

Brightline West is a private developer coming into interstate right-of-way, and is therefore, ultimately responsible if the project should fail. NDOT has worked diligently with the Office of the Attorney General to make those points clear in several agreements. NDOT is entering into additional agreements with Brightline West and the Federal Railroad Administration to ensure that is solidified.

MR. SHARE:

I would add that Brightline West does not anticipate the project will fail. The agreements include secured bonds for removal, if needed, of anything that has been built to date. Brightline West will have to put up a bond to remove everything that got built if the project should fail; however, as stated, Brightline West fully expects the project will be successful.

SENATOR TITUS:

I would like clarification on a previous statement about transparency. How will it be transparent if everything goes through the non-executive budget account?

MR. SHARE:

The project costs will be entirely reimbursable. Brightline West will provide an invoice showing what has been spent and requesting reimbursement. NDOT will review those invoices and there will also be independent oversight by the Federal Railroad Administration. Brightline West will be reimbursed approximately 30 cents on the dollar: about one-third of the cost.

SENATOR TITUS:

How will the IFC know when NDOT is reimbursing Brightline West? Will NDOT be providing the Committee with periodic updates?

MR. SHARE:

Oversight of the entirety of the program will be done through an independent engineer, which is typical for projects of this scale. In this case, that independent engineer will serve two entities: the project lenders and the Federal Railroad Administration. The independent engineer will draft monthly reports that will speak to the progress of the project, note any issues, ensure the project is on

budget and on schedule, ensure payments are being made, and ensure that all commitments are being met. Those reports will be passed on to NDOT for submission to the Federal Railroad Administration.

MS. DENNEY:

I would also like to add that if it is the desire of the Committee, NDOT can provide regular status reports. Also, all the department's books and records flow through the state financial system and the Office of the State Controller, so they are available for review at any time.

There was no further discussion on this item.

b) Annual report including: (1) the plan for measuring performance of the Department of Transportation for the period ending December 31, 2023, pursuant to NRS 408.133(2)(b)(2); and (2) as required by NRS 244A.638(2)(b), information on all projects undertaken with the money deposited in the State Highway Fund, pursuant to NRS 244A.637. THE ANNUAL REPORT IS ON FILE IN THE FISCAL ANALYSIS DIVISION AND IS AVAILABLE FOR REVIEW UPON REQUEST.

There was no discussion on this item.

11) DEPARTMENT OF PUBLIC SAFETY - Semiannual report on the status of the Nevada Criminal Justice Information System modernization project for the period ending December 31, 2023 (letter of intent, 2023 Legislative Session). **RECEIVED ON 1-26-24, AFTER THE 1-11-24 SUBMITTAL DEADLINE**.

There was no discussion on this item.

12) Reports on the use of consultants for the July 1, 2023, through December 31, 2023, reporting period:
a) Reports from school districts pursuant to NRS 391.155.
b) Reports from boards and commissions pursuant to NRS 333.705(7).
c) Reports from the Nevada System of Higher Education, pursuant to NRS 333.705(7).

There was no discussion on these items.

T. APPROVAL OF WORK PROGRAM REVISIONS FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE FISCAL RECOVERY FUNDS SUBMITTED IN ACCORDANCE WITH NRS 353.220(5)(b) - REQUIRES EXPEDITIOUS ACTION WITHIN 15 DAYS.

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

All items under Agenda Item T have been identified for additional discussion. Agenda Items T.2, Office of the Governor, and T.3, Office of the Governor, will be heard together. Agenda Items T.4, Office of the Governor and T.5, Office of the Military, Division of Emergency Management will be heard together.

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

Transfer of $7,500,000 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Projects category to provide a subaward to the Economic Development Authority of Western Nevada to support regional efforts to build a self-sustaining and globally competitive full lithium lifecycle cluster. Requires Interim Finance approval since the amount transferred to the ARPA Projects category exceeds $350,000. **Work Program #24FR132711. RECEIVED ON 1-31-24.**

BRIAN SANDOVAL (President, University of Nevada, Reno [UNR]):

Joining me is Fred Steinmann, Director, University Center for Economic Development, UNR, and Taylor Adams, Chief Executive Officer, Economic Development Authority of Western Nevada (EDAWN).

The Committee is aware there is a Tech Hubs program, which was authorized by the bipartisan CHIPS and Science Act. The goal of the program was to invest directly in high potential United States regions and aims to transform them into globally competitive innovation centers. Nevada is a global leader in the lithium economy. Nevada is unique in that the state has lithium resources, the ability to process it, make it part of the advanced manufacturing process, and also recycle it back into the advancement of the manufacturing process.

The U.S. Department of Commerce sought applications for the tech hub designation. A consortium of over 60 Nevada entities was assembled, which includes entities in economic development authorities, counties, municipalities, private business, universities, community colleges, all of which reside in every county in Nevada. It is a statewide effort along with the tribes throughout the state. Nationwide, 489 applications received the tech hub designation; it was an extremely competitive process. Only 31 applicants were selected to become a tech hub, and thankfully EDAWN was selected, and that was phase one.

Phase two is the opportunity as a tech hub to seek a grant of $75 million to help fund the tech hub and it is efforts. That application is due at the end of February 2024. A condition of that application is a 10% state match for the $75 million.

I do not recall ever having an opportunity like this to position Nevada as a global leader in an industry that is very important to the future of the United States and Nevada.

FRED STEINMANN (Director, University Center for Economic Development, UNR):

As President Sandoval noted, this represents a once in a generational opportunity to continue to support the growth of an emerging industry sector that will drive economic growth for the State of Nevada over the next 100 years. EDAWN will be aggressive in its efforts to support business creation, attraction, retention, and expansion efforts, with the goal of creating 3,000 new businesses, expanding 2,000 existing businesses, and creating 50,000 new direct and indirect jobs throughout the state over the next 5 years.

The phase two notice of funding opportunity requires that the application address critical community concerns regarding infrastructure, community capacity, and housing, as well as working with various Native American tribal and indigenous populations throughout the state and other underserved populations. In working again with more than 60 consortium members, which span the private sector, public sector, and nonprofit and community-based organizations, six comprehensive projects have been developed that I feel, as the principal investigator of this grant, address those concerns. Not only do the projects support economic development and growth and diversification throughout the state that is consistent with the state's plan for economic development but will also significantly contribute to national security.

TAYLOR ADAMS (Chief Executive Officer, EDAWN):

I think President Sandoval and Mr. Steinmann covered everything; however, I will add that this a statewide initiative that impacts all of the economic development offices in the state and also provides incredible opportunity in workforce training at the universities and community colleges. Finally, as President Sandoval said, this differentiates all of Nevada from any other community in the country and possibly the world.

ASSEMBLYMAN YEAGER:

Going from 489 applications to 31 is impressive. I understand the state would need to contribute $7.5 million, which is the 10% match for the potential $75 million grant. How many of the 31 tech hubs will be receiving the $75 million grant from the federal government?

MR. STEINMANN:

The U.S. Economic Development Administration has indicated that approximately 8 of the 31 tech hubs will receive funding.

ASSEMBLYMAN YEAGER:

The state is hopeful that Nevada will be one of the tech hubs selected. If not, would the $7.5 million still be needed, and if so, what is the intended use for those funds? Could the funds be used for a modified project related to the tech hub?

MR. ADAMS:

Yes, EDAWN would seek to utilize those funds to begin this work. The work that Mr. Steinmann's done contemplates six individual projects that benefit the entire state. The first of those projects, which is the initiating action that would get the tech hub moving, could be supported for two years with this funding. That would be funding through to the end of 2026, which is an important timeframe. EDAWN would ask that it be given the opportunity to begin this work.

MR. STEINMANN:

It is also important to keep in mind that EDAWN is a designated regional technology and innovation hub. Regardless of what happens in phase two, that tech hub designation will remain in place. Because of that designation, there are expectations from the Department of Commerce and the Economic Development Administration that something is accomplished with the tech hub. As Mr. Adams indicated, in the interim, EDAWN would pare down to focus primarily on supply chain enhancement efforts, consistent with the underlying expectations of the phase to notice of funding opportunity. Other federal agencies such as the U.S. Department of Agriculture, Rural Development, the U.S. Department of Housing and Urban Development, the Small Business Administration, etc. are currently in the process of standing up and funding other federal funding programs that only regional technology hubs will be able to access. The $7.5 million would allow EDAWN to put "wins" on the board early and allow time to aggressively seek other federal funding programs when those funding announcements are released.

ACTING CHAIR BACKUS:

When will the grant selection occur?

MR. STEINMANN:

An exact date has not been provided; however, most likely the awards will be announced in the late summer 2024. The awards will be announced before October 1, 2024, as that is the start of the phase two implementation phase.

ACTING CHAIR BACKUS:

If the request is approved today, the Committee would like to receive a status report concerning phase one. The Committee would also like to be informed whether EDAWN is awarded the funds in phase two.

SENATOR SEEVERS GANSERT:

I wanted to thank UNR and EDAWN for being here today and for all their efforts. Receiving the tech hub determination was significant.

I trust that EDAWN will be able to use this money as matching for this grant, potentially, but maybe others as well. I want to confirm that these funds will be considered obligated per the federal government's requirements related to ARPA funds once the funds are provided to EDAWN on behalf of this project or other projects.

MR. ADAMS:

Yes, that is correct.

SENATOR CANNIZZARO:

It is always exciting to be part of discussions pertaining to Nevada leading the way. To be in a position where the State of Nevada is one of only a handful of finalists is a great opportunity. I am excited to hear about the progress of this, and I am hopeful that Nevada is one of the final awardees.

SENATOR DONDERO LOOP:

This project has repeatedly been referred to as the western tech hub and the discussion has centered around western Nevada. I would note that the $75 million will be awarded to the state as a whole. What assurances and details can you provide about how the entire State of Nevada will benefit?

MR. SANDOVAL:

As the Committee will recall, Andrew Woods, Director of the University of Nevada, Las Vegas (UNLV), Center for Business and Economic Research, testified earlier in support of this item. EDAWN is working with UNLV and intends to continue to work with the university because this is a statewide initiative. This initiative will be something that puts the entire state on the map.

MR. STEINMANN:

I would confirm that the University Center for Economic Development at UNR and the Center for Business and Economic Research at the UNLV Lee Business School have worked together over the decades on several joint programs and initiatives with statewide impact.

Currently, the budgets are being finalized and should be submitted to the U.S. Economic Development Administration before February 29, 2024. To date, $3 million has been allocated over five years to the UNLV Center for Business and Economic Research. Andrew Woods at the UNLV Center for Business and Economic Research has agreed to oversee and run all the metric, supply chain,

and employment data that must be collected and reported to the U.S. Economic Development Administration every six months. That data will also be provided to all the other Nevada System of Higher Education (NSHE) campuses, especially the community colleges to support their workforce development efforts, as well as other state agencies including the Office of Workforce Innovation. Not only is this an NSHE program, but it is also a statewide initiative involving all 17 counties.

SENATOR DONDERO LOOP:

I would echo that if the Committee should approve this request, the Committee would like to receive a status report to ensure the funds are being used for their intended purpose.

> ASSEMBLYMAN O'NEILL MOVED TO APPROVE AGENDA ITEM T.1 AND REQUIRE THE ECONOMIC DEVELOPMENT AUTHORITY OF WESTERN NEVADA TO PROVIDE A STATUS REPORT ON PHASE 1, INCLUDING THE USE OF FUNDS, AT THE JUNE 2024 INTERIM FINANCE COMMITTEE MEETING.
>
> SENATOR CANNIZZARO SECONDED THE MOTION.
>
> THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

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

Transfer of $2,500,000 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) State Agency Allocations category to support an allocation to the Office of the Governor, Office of the Chief Information Officer for the Content Management System replacement. Requires Interim Finance approval since the amount transferred to the ARPA State Agency Allocations category exceeds $350,000. **RELATES TO ITEM T.3. Work Program #24FR132712. RECEIVED ON 1-31-24.**

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

3. Office of the Governor - Office of the Chief Information Officer - Application Support - FY 2024

Addition of $2,500,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs budget to replace the Content Management System. Requires Interim Finance approval since the amount added to the ARPA Funding category exceeds $350,000. **RELATES TO ITEM T.2. Work Program #24FRF13651. RECEIVED ON 1-31-24.**

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

TIMOTHY GALLUZI (Chief Information Officer [CIO], Office of the Chief Information Officer [OCIO], Office of the Governor):

A content management system is the platform used to host websites and the digital media accessible through the web platform. The current content management

system, Ektron, has been in service for over a decade with the first websites being launched in 2013. Since then, it has grown to house over 120 agency websites with over 250,000 documents, web pages and media files. The singular focus in state government is to provide services to Nevadans. Often, state websites are the first places that Nevadans turn to when they need assistance. This is where people go to access information, apply for services, and seek help.

Additionally, the state has a duty to provide reliable and equitable communication and access to services to all Nevadans. That is why over the past few biennia, the OCIO has built a program for compliance and remediation of the Americans with Disabilities Act (ADA).

When this initiative kicked off, the CIO at that time reported that with the amount of content and based on current staffing levels, it would take approximately 20 years to remediate all of the documents housed in the state's environment. As I reported to this body during the 82nd (2023) Legislative Session, the OCIO has made remarkable progress through the hard work of the OCIO web team as well as teams across the state.

I say this because the first step in solving a problem is being able to identify the problem. As I mentioned, the state content management platform houses approximately 120 agency websites. There are at least 70 agency websites that are external to the state platform for a variety of reasons. The only way to address the ADA issues was through the uniform deployment of tools across all websites and content hosted in the environment. Of the state websites that are deemed compliant (compliance is deemed as a score of 90 out of 100), 95% of the sites hosted within the state's environment are compliant, versus 25 of the sites outside the state environment reaching a level of compliance. Of note, this effort has drastically lowered the risk of potential litigation for the compliant websites.

Knowing what content is out there is the first step, not only in ADA remediation work, but also in cybersecurity. The OCIO cannot protect what it cannot see. Currently, I cannot confidently describe to the Committee the security posture of the websites that are outside of the Ektron environment. I cannot tell you on which platform these websites are hosted, if those websites are current on patching, if those websites are being scanned for vulnerabilities, nor that the baseline security measures are implemented. I can take agencies' word for it, and I can hope, but I would rather be able to scan and see the data myself. State websites are not just a vehicle for posting pictures and press releases. They are often the portal for applications and forms. These sites process and handle sensitive information; information that constituents have entrusted the state to protect. The state has a shared responsibility to the public to secure the information to the highest level possible.

The most common reasons that agencies choose to host outside of the state's environment is that the current platform lacks functionality, user friendly interface, features, or design that they require to serve their constituencies. Unfortunately, with the current platform, which is over a decade old, I must agree with them. For this to work, Nevada needs a state web platform that can meet modern business

needs. The state needs a state web platform that can continue to stay relevant, not only in the features and functionality, but responsiveness to the constantly evolving cybersecurity landscape. Not only does the state have a shared responsibility for the security of constituent data, but the state is also responsible for efficient use of taxpayer dollars.

Much like network server hosting, telephone, and security services, a content management system or web platform is a foundational piece of enterprise technology due to the ability to rapidly leverage economies of scale. Collaboration on a state-hosted solution would reduce the per website cost statewide by leveraging the collective buying power. Now is the time for this to move forward. The Ektron platform in the state is no longer being supported by the vendor. I cannot go into specifics in this forum due to NRS 242.105(1)(b), but what I can tell the Committee that time is incredibly limited. With each month that passes, the risk to the state platform only grows. This is only compounded by the unknown risk with the sites outside of the state-hosted environment.

ACTING CHAIR BACKUS:

In seeing all the technology updates during the 82nd (2023) Legislative Session, I understand that $2.5 million is a considerable amount of money. Are there any guarantees that this amount will be adequate to meet the need?

MR. GALLUZI:

The OCIO purposefully used a conservative estimate because of the funding source. The agency wanted to ensure it could get this amount of funding obligated and allocated in the quickest path forward to implement a state platform that can serve all state agencies.

ACTING CHAIR BACKUS:

Is this just a starting point? Will the OCIO submit another request in the future for additional funds? I understand that technology is quite expensive. I wanted to ensure the project can be completed. Is the $2.5 million conservative because it is a low estimate or because it will ensure it will cover the cost of the technology being sought?

MR. GALLUZI:

The estimate is conservative based off the estimates the OCIO received. This effort and the planning and solution discovery has been ongoing. The OCIO has already conducted a request for information and received dozens of responses. Being good stewards of taxpayer dollars, the OCIO is not going to select a product beyond what is necessary. The estimate is conservative because it will be adequate to begin the project.

The OCIO has noticed that these platforms have moved to an operational expenditures (OpEx) model versus a capital expenditures (CapEx) model. There are a lot more subscription-based costs in these commercial off-the-shelf-type solutions, so there would be ongoing maintenance, licensing, and hosting costs in future biennia, which would be addressed during the budget building process.

ACTING CHAIR BACKUS:

Do you have an idea or an estimate what those ongoing costs will be for the state?

MR. GALLUZI:

The current estimate is approximately $500,000 per fiscal year.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEMS T.2 AND T.3.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

4. Office of the Governor - COVID-19 Relief Programs - FY 2024
Transfer of $1,000,000 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) State Agency Allocations category to support an allocation to the Office of the Military, Division of Emergency Management to support a portion of the remodel costs for the division's facility in compliance with the Americans with Disabilities Act. Requires Interim Finance approval since the amount transferred to the ARPA State Agency Allocations category exceeds $350,000. **RELATES TO ITEM T.5. Work Program #24FR132713. RECEIVED ON 1-31-24.**

Agenda Items T.4 and T.5 were discussed jointly. Refer to discussion and motion for approval under Agenda Item T.5.

5. Office of the Military - Division of Emergency 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 budget to increase the existing project authority approved for an upgrade at the Nevada Operations Center for compliance with the Americans with Disabilities Act. Requires Interim Finance approval since the amount added to ARPA category exceeds $350,000. **RELATES TO ITEM T.4. Work Program #24FR367301. RECEIVED ON 1-31-24.**

Agenda Items T.4 and T.5 were discussed jointly.

JARED FRANCO (Chief Financial Officer, Division of Emergency Management and Homeland Security, Office of the Military):

The division is requesting approval of $1 million in ARPA funding to remodel the Nevada Operations Center to ensure the agency is accommodating all staff and

visitors access and functional needs, move electrical, and purchase furniture. The division currently has employees that cannot access most areas of the emergency operations center because of mobility issues. The division has collaborated with the State Public Works Division (SPWD) and has been assured that the funds can be obligated quickly with the statewide contracts the SPWD has in place with private contractors. The project can be completed well before the December 2026 deadline.

ACTING CHAIR BACKUS:

Does this project meet the requirements of the ARPA Coronavirus State Fiscal Recovery Funds?

MR. FRANCO:

Yes, all costs of this project are allowable.

ASSEMBLYWOMAN BROWN-MAY:

The backup documents state that the division is working to become compliant with the ADA, but there are additional regulations that have been passed since then which are more forgiving for wider wheelchairs and accessibility issues. Is that the intended outcome of this project?

MR. FRANCO:

Yes, the division is striving to meet all ADA guidelines and regulations. The project will allow all wheelchairs and employees and visitors with disabilities to be able to access all parts of the emergency operations center.

SENATOR DONDERO LOOP MOVED TO APPROVE AGENDA ITEMS T.4 AND T.5.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

U. PUBLIC COMMENT.

There was no public comment.

V. ADJOURNMENT.

Acting Chair Backus adjourned the meeting at 4:08 p.m.

_____
Assemblywoman Shea Backus, Acting Chair
Interim Finance Committee

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

D.

MINUTES OF THE MARCH 13, 2024, MEETING

MINUTES OF THE MARCH 13, 2024
MEETING OF THE
INTERIM FINANCE COMMITTEE

Chair Daniele Monroe-Moreno called a special meeting of the Interim Finance Committee (IFC) to order at 1:36 p.m. on March 13, 2024, in Room 4401 of the Grant Sawyer Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada.

COMMITTEE MEMBERS PRESENT:
Assemblywoman Daniele Monroe-Moreno, Chair
Senator Marilyn Dondero Loop, Vice Chair
Senator Nicole Cannizzaro
Senator Pete Goicoechea
Senator Dallas Harris
Senator Dina Neal
Senator Rochelle Nguyen
Senator Heidi Seevers Gansert
Senator Robin Titus
Assemblywoman Natha Anderson
Assemblywoman Shea Backus
Assemblywoman Tracy Brown-May
Assemblywoman Jill Dickman
Assemblywoman Michelle Gorelow
Assemblyman Gregory Hafen II
Assemblywoman Sandra Jauregui
Assemblywoman Heidi Kasama
Assemblywoman Erica Mosca
Assemblyman Philip P.K. O'Neill
Assemblyman Howard Watts
Assemblyman Steve Yeager

COMMITTEE MEMBERS EXCUSED:
Assemblywoman Sarah Peters

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
Melissa Garvin, Fiscal Analysis Division Secretary

EXHIBITS:
Exhibit A: Meeting Packet – Volume I
Exhibit B: Agenda Item C.1 – ARPA CSFRF Funding Obligations
Exhibit C: Agenda Item C.2 – GFO SLFRF

A. ROLL CALL.

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

B. PUBLIC COMMENT.

DOUG UNGER (Nevada Faculty Alliance):

Faculty, staff, and students no longer feel safe after the December 6, 2023, mass shooting on the University of Nevada, Las Vegas (UNLV) campus. The campus is still grieving the murders of three beloved teachers, all of whom were minority professors, and a visiting professor who was wounded. In the aftermath of the shooting, UNLV has been addressing support for a traumatized community's mental health and well-being first, followed by improving safety and security so that students and faculty will feel secure. To that end, UNLV is formulating short-term, mid-term, and long-term plans. Among the most immediate measures Nevada System of Higher Education (NSHE) leaders have implemented is increased security staffing, which is some small comfort to most of us, though by no means all of us. The $2.6 million requested for NSHE from American Rescue Plan Act (ARPA) funds in Agenda Item D.25 is a start to fund this additional staffing. Soon, far more will be asked of the state for infrastructure and other improvements, with some amount of urgency.

As long as the culture continues to sacrifice humane values to the cult of the gun, as long as society makes it normative to address grievances with guns, as long as the body politic tolerates gun violence like a disease it is unwilling to cure, it is our responsibility to take every action possible to protect the lives of students and those who teach them. NSHE is hard at work on effective practical proposals for safety and security improvements which will make the most careful use of these urgently needed funds.

Thank you for voting to approve, and for your service to the state.

C. AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE FISCAL RECOVERY FUNDS.

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

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

   I will discuss Agenda Item C.1, the Statement of the ARPA Coronavirus State Fiscal Recovery Fund obligations and remaining unobligated balance.

The table (Exhibit B) 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/).

At the top of page 1 is a high-level summary displaying expenditures for FY 2022 and FY 2023 (Exhibit B), the amounts currently authorized, inclusive of the requests before the Committee today, and the remaining unobligated balance. If all requests submitted for consideration today are approved, approximately $47.8 million would remain unobligated. As a reminder, the funds must be obligated by December 31, 2024, and expended by December 31, 2026.

There were several revisions to existing rows on the table following the February 8, 2024, IFC meeting; those are identified in red text in the *Notes* column on the far right of the table (Exhibit B). These revisions were made to update identified savings amounts as confirmed with the Governor's Finance Office (GFO), as well as making minor adjustments to actual FY 2023 expenditures for certain programs based on reconciliation information provided by the Department of Agriculture. As a reminder, the table generally lists program descriptions and amounts in chronological order based on the approval date. The items submitted for consideration by the Committee today begin on page 24 of the table (Exhibit B).

Under Agenda Item D, there are 19 requests to deobligate funding facilitated through 21 work programs. These items are listed on rows 251 through 269 on pages 24 and 25 of the table (Exhibit B), and if approved, would deobligate $23.8 million of previously approved authority. There are 6 items that will have revisions requested to ensure that project tracking is in alignment with the state budget authority. The revised amounts are reflected on the table and are noted in red text. In addition to those deobligation requests, there are 4 requests for new funding allocations facilitated through 6 work programs under Agenda Item D and the action item under Agenda Item E, as shown on rows 270 to 273 on page 25 of the table (Exhibit B). If approved, those 4 requests would allocate a total of $4.1 million to support a CIP (Capital Improvement Program) project at the Stewart Campus; an affordable housing study; a camera system upgrade for two Division of Child and Family Services (DCFS) facilities; and contracted security for NSHE. The Committee will have an opportunity to hear each of these items and receive additional details about the requests.

The table lists program descriptions in chronological order based on the approval date (Exhibit B). All requested items for consideration today are grouped together at the end of the table; therefore, the deobligation work programs listed on rows 251 through 269 are associated with an existing row higher up on the table. As indicated in the *Notes* column, if these deobligation requests are approved, the reduction will be shown on the row containing the initial approval of the program on future statements presented to this body. Understanding that it would be helpful to see this information together now, a section was added to the statement starting on page 26 to include a table that summarizes all the deobligation work program requests so the reduction can be seen alongside the originally approved amount.

On page 26 of the handout, there is a new section of the statement that was added for this meeting (Exhibit B) that is a summary of the requests to deobligate authority of previously approved programs. I will briefly walk the Committee through the format of the table. Moving from left to right in the columns, the far-left column will note the agenda item associated with the requests before the Committee today. The next column will identify when these programs were originally approved, some of which go back as early as April 2022 for their initial approval. That column also references the row on the statement with which these deobligations are associated.

The description column is the description that mirrors the original program description from the earlier section of the table. Then it shows the originally approved allocation, and the FY 2023 actual expenditures, if any, for these programs. If there have been any savings or deobligations that have already been approved, those are reflected in the column titled: *Approved Savings/Deobligation*. There is a column to show the current remaining authority. The next column, titled: *Deobligation Request at March 13, 2024, IFC,* is the amount associated with the work program or work programs as revised, that are being requested to have the authority removed from the budget.

On the far right is the *Notes and Project Reduction Reason* column that includes additional information, either about the request today and/or if prior adjustments have been made, as well as the reason provided for the reduction. That information comes from the work program material submitted by the agencies and the GFO, and/or based on information that was received from the state agencies. This additional section was provided in a separate table so Committee members, as well as those watching the meeting, can see the entire picture for the deobligation requests compared to the amounts as originally approved.

ASSEMBLYWOMAN KASAMA:

Thank you for adding the deobligation work program summary. In the first row, which contains the program summary, funding for the Department of Health and Human Services (DHHS) has a current remaining authority of $1.5 million and a deobligation of $1.3 million. Does that mean there is $200,000 left from the original authorization that can be used?

MR. LEISER:

That is correct. For that particular program, the $200,000 was expended on planning efforts that had gotten underway and were required to be paid.

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, 82nd [2023] Legislative Session).

AMY STEPHENSON (Director, GFO):

The master spreadsheet provided at every meeting of the IFC is being updated for actual expenses and will be ready for the April 11, 2024, IFC meeting. The table before the Committee today (Exhibit C) is a summary of the $23.0 million in deobligations and $4.1 million in new requests Mr. Leiser mentioned in his presentation. The numbers on the left side of the table coincide with Mr. Leiser's spreadsheet for easy cross-referencing; line 49 on the GFO's table is the same as line 49 on the Fiscal Division's table.

SENATOR NEAL:

Has the GFO ensured that all budgeted allocations of the ARPA funds will meet the federally obligated deadline of December 31, 2024?

MS. STEPHENSON:

Yes. The GFO has ensured that all budgeted allocations are either in contract or have been subgranted to meet the federally obligated deadline.

There was no further discussion on this item.

D. APPROVAL OF WORK PROGRAM REVISIONS FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE FISCAL RECOVERY FUNDS SUBMITTED IN ACCORDANCE WITH NRS 353.220(5)(b) - REQUIRES EXPEDITIOUS ACTION WITHIN 15 DAYS.

1. Office of the Governor - COVID-19 Relief Programs - FY 2024
Transfer of $2,626,486 from the American Rescue Plan Act (ARPA) Projects category, $250,000 from the ARPA State Agency Allocations category, $877,731 from the ARPA Childrens Mental Health category, $3,624,276 from the ARPA Public Health category, and $4,067,033 from the ARPA Services for Specific Populations category to the Loss Revenue Reserve category to deobligate previously approved funding authority. Requires Interim Finance approval since the amount transferred from the ARPA Services for Specific Populations exceeds $350,000. **RELATES TO ITEMS D.2, D.3, D.4, D.5, D.6, D.7, D.8, D.9, D.10, D.11, D.12, D.13, D.14, D.15, D.16, D.17, D.18, and D.19. Work Program #24FR132716. RECEIVED 3-1-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

2. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2024
Deletion of $1,302,785 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for the renovation project at the City of Las Vegas detention center since the project has been terminated. Requires Interim Finance approval since the amount deleted from the ARPA Forensic Las Vegas Jail Renovation category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF31613. RECEIVED 2-27-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

3. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2024
Deletion of $4,795,745 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for Stein Forensic Hospital renovations due to the completion of the project. Requires Interim Finance approval since the amount deleted from the ARPA Stein Renovation category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF31616. RECEIVED 2-28-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

4. **Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy and Community Grants - FY 2024**
Deletion of $1,788,960 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for the Mobile Respite Program. Requires Interim Finance approval since the amount deleted from the ARPA Planning Advocacy Community Unit Activities category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF32782. RECEIVED 2-29-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

5. **Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy and Community Grants - FY 2024**
Deletion of $400,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for the Home-Delivered Meals for Older Adults project. Requires Interim Finance approval since the amount deleted from the ARPA Planning Advocacy Community Unit Activities category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF32783. RECEIVED 2-29-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

6. **Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy and Community Grants - FY 2024**
Deletion of $2,000,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for the Personal Care Workforce Impact project. Requires Interim Finance approval since the amount deleted from the ARPA Planning Advocacy Community Unit Activities category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF32784. RECEIVED 2-29-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

7. **Department of Health and Human Services - Aging and Disability Services - Planning, Advocacy and Community Grants - FY 2024**
Deletion of $500,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for the Resource and Service Navigation project. Requires Interim Finance approval since the amount deleted from the ARPA Planning Advocacy and Community Unit Activities category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF32785. RECEIVED 2-28-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

8. Department of Health and Human Services - Child and Family Services - Northern Nevada Child and Adolescent Services - FY 2024
Deletion of $162,013 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account with an equal reduction to the Personnel category due to staff vacancies. Requires Interim Finance approval since the cumulative amount deleted from the Personnel category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF32813. RECEIVED 2-27-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

9. Department of Health and Human Services - Child and Family Services - Northern Nevada Child and Adolescent Services - FY 2024
Deletion of $736,487 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account with an equal reduction to the Personnel category due to staff vacancies. Requires Interim Finance approval since the amount deleted from the Personnel category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF32814. RECEIVED 2-27-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

10. Department of Health and Human Services - Child and Family Services - Northern Nevada Child and Adolescent Services - FY 2024
Deletion of $248,239 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account with an equal reduction to the Personnel category due to staff vacancies. Requires Interim Finance approval since the cumulative amount deleted from the Personnel category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF32815. RECEIVED 2-27-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

11. Department of Health and Human Services - Public and Behavioral Health - Lake's Crossing Center - FY 2024
Deletion of $660,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate unspent salaries for the Lake's Crossing outpatient services program due to recruitment difficulties. Requires Interim Finance approval since the amount deleted from the ARPA Professional Services category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF36453. RECEIVED 2-27-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

12. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2024
Deletion of $105,394 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account with an equal reduction to the Personnel category due to staff vacancies. Requires Interim Finance approval since the cumulative amount deleted from the Personnel category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF36464. RECEIVED 2-27-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

13. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2024
Deletion of $238,801 of federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account with an equal reduction to the Personnel category due to staff vacancies. Requires Interim Finance approval since the cumulative amount deleted from the Personnel category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF36465. RECEIVED 2-28-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

14. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2024
Deletion of $362,085 of federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account with an equal reduction to the Personnel category due to staff vacancies. Requires Interim Finance approval since the amount deleted from the Personnel category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FRF36466. RECEIVED 2-8-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

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

Deletion of $250,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for the study on the return on investment for targeted wage increases for state employees enrolled in Medicaid. Requires Interim Finance approval since the amount deleted from the ARPA Studies Professional Services category exceeds 20% of the legislatively approved amount for that category. **RELATES TO ITEM D.1. Work Program #24FR315807. RECEIVED 2-28-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

16. Department of Health and Human Services - Public and Behavioral Health - Crisis Response - FY 2024

Deletion of $1,956,000 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds (FRF) transferred from the COVID-19 Relief Programs account to deobligate funds for the Nevada Resilience Project. Requires Interim Finance approval since the amount deleted from the ARPA-FRF NV Resilience Program category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FR316501. RECEIVED 2-28-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

17. Department of Health and Human Services - Public and Behavioral Health - Crisis Response - FY 2024

Deletion of $4,799,969 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds (FRF) transferred from the COVID-19 Relief Programs account to deobligate funds for the Crisis Stabilization Centers project. Requires Interim Finance approval since the amount deleted from the ARPA-FRF Crisis Stabilization Centers category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FR316502. RECEIVED 2-28-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

18. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2024

Deletion of $964,276 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for the Newborn Opioid Screening Panel. Requires Interim Finance approval since the amount deleted from the ARPA Newborn Opioid Screening category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FR317011. RECEIVED 2-28-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

19. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2024

Deletion of $2,226,486 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate funds for the Long-Term Care Funding for Assisted Living and Nursing Facility Workforce project. Requires Interim Finance approval since the amount deleted from the Long-Term Workforce-ARPA category exceeds $350,000. **RELATES TO ITEM D.1. Work Program #24FR324301. RECEIVED 2-29-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

20. Office of the Governor - COVID-19 Relief Programs - <u>FY 2025</u>

Transfer of $420,086 from the American Rescue Plan Act (ARPA) State Agency Allocations category to the Loss Revenue Reserve category to deobligate previously approved funding authority. Requires Interim Finance approval since the amount transferred from the ARPA State Agency Allocations category exceeds $350,000. **RELATES TO ITEM D.21. Work Program #25FR132705. RECEIVED 3-1-24.**

Agenda Items D.1 through D.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.21.

21. Department of Health and Human Services - Public and Behavioral Health - Office of Health Administration - FY 2025

Deletion of $420,086 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to deobligate projected unspent salaries for state full-time equivalent positions due to vacancies. Requires Interim Finance approval since the amount deleted from the Personnel category exceeds $350,000. **RELATES TO ITEM D.20. Work Program #25FR322301. RECEIVED 2-28-24.**

Agenda Items D.1 through D.21 were discussed jointly.

AMY STEPHENSON (Director, GFO):

Agenda Item D.1 was revised; the updated numbers are as follows: "Transfer of $9,378,231 from the ARPA Projects category, $250,000 from the ARPA State Agency Allocations category, $4,799,969 from the ARPA Crisis Care category, $8,666,753 from the ARPA Children's Mental Health category, $3,624,276 from the ARPA Public Health category, and $4,562,177 from the ARPA Specific Population category," which totals the $23,481,406 transferred to the Loss Revenue Reserve category to deobligate previously approved funding authority.

CHAIR MONROE-MORENO:

Would you please repeat the revision for Category 31 [ARPA Children's Mental Health]?

MS. STEPHENSON:

The revised amount for Category 31 is $866,753.

SENATOR NGUYEN:

Please clarify the difference compared to the original total, or was the total just allocated differently?

MS. STEPHENSON:

The revision was a reallocation as well as to ensure the funds are taken from the correct categories and reverted to the Loss Revenue Reserve category.

SENATOR NEAL:

How much funding and how many of the projects have been approved through the budget process that have not yet met the federal obligation requirement as a result of the pending contract approvals or for other reasons?

MS. STEPHENSON:

The items that have not met the requirements are the items before the Committee today. Additional items will be brought to the April 11, 2024, and June 13, 2024, IFC meetings. I am uncertain of the total number of projects, but approximately another $9.0 million for the April 11, 2024, IFC meeting.

SENATOR NEAL:

In the list, there is a mobile crisis team in Washoe County whose money is being reduced. Are there talks about transferring some of that money to the Clark County mobile crisis team where there is a larger population and more need for response on the street?

MS. STEPHENSON:

That would be a question for the agency. I do not know if the agency has discussed that as an option, but I would be happy to provide that information to the Committee.

MARLA MCDADE WILLIAMS (Division Administrator, DCFS, DHHS):

The DCFS currently administers the mobile crisis response teams in both Clark and Washoe Counties. The deobligations are due to the salary component; under the new guidelines where the agency was unable to hire staff within the appropriate timeframe, the agency had to deobligate those funds. The deobligation applies to both Clark and Washoe Counties.

SENATOR NEAL:

Is the money only to be used for salaries, not for the program?

MS. MCDADE WILLIAMS:

The program is all salaries; individual salaried positions respond to crises directly.

SENATOR NEAL:

Clark County was unable to fill any additional positions in the county?

MS. MCDADE WILLIAMS:

That is correct. The agency has challenges hiring within the state system. The new guidelines do not allow the agency to use positions that were funded as state positions after December 2024. If the agency is unable to fill those positions by the deadline, there is no opportunity to redirect the money toward something else in the same program, regardless of the county. Both counties were in the same position at some point, where the hiring processes and lack of applicants prevented the agency from being able to fill the positions and meet the timelines.

ASSEMBLYMAN YEAGER:

Senator Neal just asked about the crisis stabilization centers. Were those answers related to Agenda Item D.17 or another item?

MS. MCDADE WILLIAMS:

I am uncertain whether the question was related to a specific agenda item.

ASSEMBLYMAN YEAGER:

It is disheartening to see that much of the deobligation is coming from the DHHS, given the needs in the community. This is one of the reasons the Legislature makes a concerted effort to allocate money to nonprofits in the community, to supplement the work that state agencies cannot do, either due to capacity or hiring.

Agenda Item D.17 stood out as a substantial reduction because the initial allocation for that program was $20.0 million, and the deobligation amount is $5.0 million, which is 25% of the program. I thought the deobligation was because crisis intervention centers could not be established in the rural communities. Is the $5.0 million that is being deobligated for salaries, or structural or procedural challenges in establishing programs?

CODY PHINNEY (Division Administrator, Division of Public and Behavioral Health [DPBH], DHHS):

Agenda Item D.17 is a request from the DPBH. The reason for the deobligation is that staff has been working with several agencies to establish crisis stabilization centers but have been unable to do so. In the original proposal for $20.0 million, the agency set aside $5.0 million specific to rural services. The organization working with the DPBH on rural crisis stabilization identified it had other needs to put in place before it could establish more crisis stabilization services. There is, however, one rural crisis stabilization center currently in operation. The agency wants to deobligate the $5.0 million for the specific purposes of a crisis stabilization center, because of the design in funding, so the money can potentially be used in the necessary timeframe for another mental health service. The agency continues to work on supporting the establishment of crisis stabilization in the Reno and Las Vegas areas.

ASSEMBLYMAN YEAGER:

Discussions about crisis stabilization have been ongoing for a decade. It is a particular issue in the rural communities in terms of the resources it takes to transport people from rural communities to forensic hospitals, as forensic hospitals are generally in urban areas. One of the motivations for establishing crisis stabilization services in the rural areas is to prevent taking from law enforcement and transport service resources. It sounds like the DPBH is still doing work in Clark and Washoe Counties. I understand the agency is deobligating the $5.0 million because the state wants to ensure the funds do not revert back to the

federal government. Is there still a plan in place to address crisis stabilization in the rural communities? It sounded like there was a vendor that wanted some of the groundwork laid first. Is that still in process, or is it back to the beginning in the rural communities?

MS. PHINNEY:

This funding was specific to the crisis stabilization center, which in its current form needs to be associated with a hospital. The agency will continue working to establish crisis stabilization centers wherever there is a need. The issue of transportation to psychiatric facilities, which is sometimes handled by law enforcement, was not addressed by the crisis stabilization center project; however, the agency continues to work on projects for transportation of individuals in need of psychiatric care.

Regarding forensic hospitals, those patients are already in the custody of law enforcement, making it different than a civil setting. The crisis stabilization center is in the civil setting. Forensic transportation is likely to remain with law enforcement.

ASSEMBLYMAN YEAGER:

I understand there is a difference on the criminal forensic side versus the mental health crisis side. As I understand it, the $5.0 million being deobligated was not going to address the transportation piece. There are not enough adequate facilities in the rural communities to colocate a crisis stabilization center at a hospital or health care facility, which is the issue with this particular program as envisioned.

MS. PHINNEY:

Yes, this program was not specifically directed at transportation. The hope was that the agency could establish some centers that would limit the need for transportation; however, this program was for that capital improvement type of activity that has not come to fruition in the timeframe that this funding allows.

SENATOR NGUYEN:

There are quite a few deobligation requests before the Committee today. I know some substantial ongoing projects with long-term strategic plans are taking place between the City of Las Vegas and Clark County around these crisis stabilization centers. Do any of the deobligated funds relate to those existing programs and plans?

MS. PHINNEY:

This deobligation is particular to the piece set aside specific to the rural areas.

CHAIR MONROE-MORENO:

With the deobligated funds, if there are crisis stabilization centers under construction in Washoe and Clark Counties, adjacent or not adjacent to county hospitals like the University Medical Center (UMC), could that $4.0 million be redirected to those crisis stabilization centers?

MS. PHINNEY:

The language the agency used in soliciting information set those funds aside specifically for the rural areas. I am currently unaware of a proposal for additional funding. The rest of the $20.0 million is being allocated to those other areas, and I am unaware of any additional current needs. I am not aware of any rule that prohibits the $5.0 million from being allocated in the manner described.

CHAIR MONROE-MORENO:

If not, the Committee would have to talk to the GFO about an additional work program at a future date.

ASSEMBLYWOMAN BACKUS:

Beyond the requests submitted today for consideration, has the GFO identified any additional savings from previously approved Coronavirus State Fiscal Recovery Funds (CSFRF) as a result of meeting with state agencies, and when does the GFO anticipate submitting work programs to reflect those savings?

MS. STEPHENSON:

After meetings with the state agencies, the GFO has identified approximately $9.5 million in savings, with more savings possible. The work programs are being transmitted today, which is the deadline for the April 11, 2024, IFC meeting. I am uncertain if the $9.5 million will be coming over for the April IFC meeting or the June IFC meeting.

ASSEMBLYWOMAN BACKUS:

Please discuss what projects the Governor is considering funding with the remaining unobligated CSFRF. That would include the $9.5 million for future items plus $23.0 million before the Committee today, and the possibility of more funds. Is there a plan in place?

MS. STEPHENSON:

Yes. The Governor submitted eight priority projects today for the April 11, 2024, IFC meeting. Some of the projects included are Office of the Military for $850,000; Washoe County for a West Hills facility rehabilitation for $14.5 million; Boys and Girls Club for early learning centers for $16,765,000; Department of Corrections, High Desert State Prison culinary equipment for approximately $1.8 million; Vitality Unlimited, to finish creating an integrated mental health and addiction treatment campus for $3.0 million; and Opportunity Village for Betty's Village North for $5.0 million. That totals approximately $41.0 million.

ASSEMBLYWOMAN BACKUS:

For the money going to the Boys and Girls Club for early learning, is that throughout the state or just one location?

MS. STEPHENSON:

I believe it is throughout the state. I will provide the Committee with an answer.

ASSEMBLYWOMAN BACKUS:

I understand there are also revised amounts for Agenda Items D.8 through D.14. What are those revised amounts?

MS. STEPHENSON:

These amounts align with Agenda Item D.1, which is a pitcher and a catcher, and will align with the categories mentioned in Agenda Item D.1.

- Agenda Item D.8 should be revised to "Deletion of $160,586 in federal ARPA CSFRF with an equal reduction to the Personnel category."
- Agenda Item D.9 should be revised to, "Deletion of $733,715 with an equal reduction to the Personnel category."
- Agenda Item D.10 should be revised to, "Deletion of $245,864 with an equal reduction to the Personnel category."
- Agenda Item D.12 should be revised to, "Deletion of $104,443 with an equal reduction to the Personnel category."
- Agenda Item D.13 should be revised to, "Deletion of $236,717 with an equal reduction to the Personnel category."
- Agenda Item D.14 should be revised to, "Deletion of $355,860 with an equal reduction to the Personnel category."

SENATOR NEAL:

Is the $3.0 million going toward mental health?

MS. STEPHENSON:

Yes, the funds will go to Vitality Unlimited to create an integrated mental health and addiction treatment campus for $3.0 million.

SENATOR NEAL:

Will the facility be located in Washoe or Clark County?

MS. STEPHENSON:

It will be in Carson City.

SENATOR NEAL:

How many people will be impacted by this facility in Carson City?

MS. STEPHENSON:

I do not have the details on those programs, but I can provide that information to the Committee.

SENATOR NEAL:

What is the Governor's plan around the mental health rollout of these dollars if the money is redistributed? Whenever mental health is discussed, homelessness comes up immediately, but what is the global plan for impacting the mental health space? Addiction, crisis, mobile team needs, and homelessness are part of the broader umbrella under which those services usually reside. When the GFO returns for the April 11, 2024, IFC meeting, will there be work programs that will impact mental health in the state? I do not understand how these programs are helping with the global need in the state.

MS. STEPHENSON:

I can send the Committee the plan showing the impact. Currently, all the projects are being aligned to the Governor's three-year policy matrix, and mental health is in the matrix under health and wellness.

SENATOR DONDERO LOOP:

How did the overestimation of funds occur? I am thinking about the programs the Legislature allocated money to during the 82nd (2023) Legislative Session; there were people who could have used the money but did not receive anything. Will the funds from programs in Southern Nevada be reallocated to other programs in Southern Nevada, and the same for Northern Nevada? I hope the deobligated funds are not stockpiled in one area and instead, the money is allocated throughout the state. There are more people living in Southern Nevada, so the services may be in need at a different level.

MS. STEPHENSON:

Currently, all projects coming in for possible deobligation are being vetted to make sure they meet the federal requirements for obligation, adhere to the ARPA rules, and align with the Governor's strategic plans, after which the Governor's Office is prioritizing the projects.

ASSEMBLYMAN WATTS:

I understand the difficulty in finding vendors and hiring staff; it is unfortunate that should cause these reductions. I also understand that sometimes programs get cut due to tight timelines for the obligation and expenditure of funds. While some projects are being reduced, others, such as the mobile respite program and the Nevada Resilience project, are being completely deobligated. Over $20.0 million in health care, including significant investments toward mental and behavioral health, is being deobligated. I am concerned that although the GFO plans to reobligate the money, not all the money will necessarily go into health care or mental health with a statewide scope. It makes sense for these programs to be deobligated, but I hope when some of that funding is reconsolidated, it will be invested in programs that can be successful, or if not, that at least some of the money will go toward critical needs instead of potentially moving the funds to other areas.

Ms. Stephenson, you noted that mental health is one of the focus areas for the Governor; what is the plan for additional investments or reinvestments of this funding into health care and behavioral health programs? Are the facilities in Washoe and Clark Counties all that the DHHS currently has planned?

MS. STEPHENSON:

I will defer to the DHHS team to answer that question.

RICHARD WHITLEY (Director, DHHS):

The DHHS partnered with Washoe County years ago to address homelessness issues by focusing on priority populations such as adolescents, pregnant women, and families. The department has been successful in partnering with Washoe County to provide housing, services, and a pathway to more permanent, independent living by addressing underlying mental health and substance abuse issues for those populations.

One of the ARPA projects from the DHHS was a master plan for the Southern Nevada Adult Mental Health Services campus on Charleston Boulevard; that is the product of the funding. The division continues to work with the stakeholders in Clark County to actualize that plan. I can provide a report to the Committee showing the most recent updates. The DHHS is in different phases of the plan in different parts of the state. The department is working hard with critical access hospitals in the rural areas to build off existing infrastructure. Carson Tahoe Regional Medical Center serves a role to many of the rural hospitals, and it has an

acute psychiatric unit. The DHHS is working on various geographically based strategies. I will follow up with the plan so that these individual projects, which by themselves do not tell the whole picture, can be connected to the overall plan and where it stands; it might be helpful when discussing the individual projects.

The goal is to serve people with serious emotional illness or substance abuse issues at the lowest level possible in the community. The unhoused population is probably the most challenging, so the priority in Southern Nevada is to look for transitional living and temporary residential housing as a vehicle to stability, then move on to more long-term housing and employment. Tackling populations such as the elderly, pregnant women, and adolescents are populations that the DHHS has quantified, and in many ways, as was experienced in Northern Nevada, are winnable battles when broken down, and when looking at the challenges. It is a complicated question and requires a complicated response. Geographically, the needs are different because communities are at different places with their capacity.

ASSEMBLYMAN WATTS:

A follow up will not be necessary; however, I would like to see that plan. My bottom line is that state resources should continue to be dedicated toward advancing and actualizing that plan. I want to ensure that continues throughout the 2023-24 Interim as the state works to manage and ensure that all the ARPA funds are obligated and spent.

SENATOR NEAL:

Is the Southern Nevada Adult Mental Health Services campus project included in the $100.0 million that was dedicated by the Legislature?

MR. WHITLEY:

It certainly could be part of that funding. Discussions are ongoing with the stakeholders looking to maximize that opportunity. I would be more comfortable providing a follow up with the plan, but that project is included. The DHHS is trying to avoid missing any opportunities, and it is all hinged on the master plan, paid for with ARPA funds for the campus to serve these populations. That master plan is still relevant today.

Yes, the DHHS is engaging, but it has not landed in terms of contracts; the department is still in the planning stages. When it comes to health care services, the DHHS is being deliberate so there is not a service cliff where everything abruptly stops. The department is working on a timeline with Medicaid to ensure that when some of these services in the community need a waiver or some action on Medicaid's part for reimbursement, it is synced up so that as the services are stood up, they can also be sustained. It is anchored to that plan that was invested in by the state.

It is best looked at geographically with the overall goal that no pregnant woman, adolescent, or elderly person with health conditions should be unhoused. The DHHS is starting with those populations because the service needs are apparent. They are populations in which the department could intervene. If I could pull together the master plan, it would be informative for Southern Nevada.

In the rural areas, the DHHS has to be strategic and work with partners. Some of the rural access hospitals identify a mental health need, but no one has responded to the DHHS request for proposal with interest in establishing a crisis stabilization center attached to their hospital, other than Carson Tahoe Regional Medical Center.

CHAIR MONROE-MORENO:

It is known, collectively, that there is an ongoing health care crisis in Nevada, especially relating to mental health. These dollars, going back to April 2022, were allocated to address that crisis. However, staffing for state employees has also been a crisis in the state, which is why the Legislature made a point to ensure adequate compensation for state employees; to put employees in a better place than they were before the 82nd (2023) Legislative Session, and to make hiring easier, but that will not happen overnight.

As the DHHS moves forward and develops a master plan, I am eager to see the plan to ensure these dollars will go to the intended programs and to areas of the state where the need is greatest. Although there is a need everywhere in the state, some areas have a greater need. I look forward to seeing those work programs and where the funds will be reobligated, because the need is ongoing.

ASSEMBLYWOMAN BACKUS MOVED TO APPROVE AGENDA ITEMS D.1 THROUGH D.21 AS REVISED.

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

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

Transfer of $521,653 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) State Agency Allocations category to support an allocation to the Department of Administration, State Public Works Division for a scope increase for CIP Project 19-C16, Renovation of Collections Storage Building 19, Stewart Campus. Requires Interim Finance approval since the amount transferred to the ARPA State Agency Allocations category exceeds $350,000. **RELATES TO ITEM E. Work Program #24FR132714. RECEIVED 2-28-24.**

Agenda Item D.22 and Agenda Item E were discussed jointly. Refer to discussion and motion for approval under Agenda Item E.

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

Transfer of $150,000 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Projects category to provide a subaward to the Guinn Center to conduct a statewide study on affordable housing in Nevada. Requires Interim Finance approval since the cumulative amount transferred to the ARPA Projects category exceeds $350,000. **Work Program #24FR132715. RECEIVED 2-28-24.**

MICHAEL STEWART (Research Director, Kenny C. Guinn Center for Policy Priorities):

The Kenny C. Guinn Center for Policy Priorities (Guinn Center) is requesting $150,000 for a housing study.

SENATOR DONDERO LOOP:

Would the findings of the Guinn Center's study on affordable housing be completed and available prior to the beginning of the 83rd (2025) Legislative Session? There have been multiple studies over the years where nothing appears to be done with the results. I hesitate to give money for one more study and not do anything with the results. Would the recommendations provided in the study be incorporated into The Executive Budget for the 2025-27 Biennium?

MEREDITH LEVINE (Director of Economic and Fiscal Policy, Kenny C. Guinn Center for Policy Priorities):

Yes, that is the intent. This project has a completion date of October 31, 2024. The idea is timeliness and relevance. The Guinn Center is aware there are many studies; however, the Guinn Center's goal is to provide a menu of policy solutions that are formulated and evidence-based that will be useful to the Committee and others moving into the 83rd (2025) Legislative Session.

SENATOR DONDERO LOOP:

I will be at a loss for words if I see one more housing study upon which no action is taken.

SENATOR NEAL:

In the study, will the Guinn Center take into account the Southern Nevada Regional Transportation Study and Southern Nevada Strong? There is a direct correlation between housing patterns and transportation. Will the study be multimodal? Southern Nevada has density in the center, but it thins out on the outer edges. Will the study also consider housing other than single-family homes, such as townhomes, due to limited space and limited water? I am curious about the other factors that will be intersecting with this study.

MS. LEVINE:

There is an intersection of many facets in this study, including housing, health, and education. As a result of the timeline and scope, the Guinn Center cannot address every issue, but because of the particular intersections, it is important to take those factors into account. There are various housing options; if I started to outline them now, there would be no need for a study. Part of the justification is to look at the most innovative solutions that tackle the thornier challenges.

SENATOR NEAL:

Will the study look at how planning commissions move as well as zoning regulations because they have a significant influence in how the state builds and moves forward, and whether that trajectory will change? The planning agencies, whether it is at the city or county level, are at the front line deciding how the state builds and also the stakeholders that are on the outside.

MS. LEVINE:

Yes, that is correct.

SENATOR CANNIZZARO:

The work program mentions that part of the process is meeting with stakeholders. Who will be part of what this study is working toward?

MS. LEVINE:

Everybody who would have a stake in housing will be part of this study, which could mean the community at large. The Guinn Center does not want to be too narrow and say exactly who will be involved, but the Guinn Center is talking to housing authorities, local governments, state government, the housing coalition, and the Nevada Housing Division. The Guinn Center will be soliciting input to inform that stakeholder list because community input is important, including indigenous tribal communities, disadvantaged communities, etc. The Guinn Center wants to cast the net and hear from all voices affected by housing, which is a lot of people in Nevada, and that is why this study is important.

SENATOR CANNIZZARO:

Part of the Committee's struggle with this request is that there are already many housing studies. There is a lot of information, including annual reports provided by Washoe and Clark Counties, and studies by the Legislature. The study that correlates the most is from the 79th (2017) Legislative Session and the corresponding 2018 report. The recommendations included in that report were adopted by the Legislature and those bills were passed and signed into law.

Not only are there prior legislative studies, but there are also ongoing studies by the Guinn Center, studies being brought forward by local governments, subcommittees on issues from homelessness to housing, as well as regular reports by the Nevada Housing Division.

I struggle to understand what is in this report that is not already being done by universities, local governments, the housing authority, the federal government, and previous studies by the Guinn Center and the Legislature. It is as though the state is looking for other solutions to a problem that it knows exists because it does not like the original recommendations.

MS. LEVINE:

I do not disagree with that point. There are many studies, solutions, formulations, and policy options. The Guinn Center is not trying to be duplicative, but at the same time, there may be some tried-and-true solutions in previous studies. The Guinn Center is trying to identify the most evidence-based solutions that have had the most impact in other jurisdictions where there have been real, demonstrable outcomes. There have been reports that show this, but performing a nationwide scan and winnowing down actionable options can have an impact on moving this forward into the 83rd (2025) Legislative Session.

SENATOR CANNIZZARO:

Is the Guinn Center's position that all the other studies from the Nevada Housing Division, the Guinn Center, Washoe and Clark Counties, various municipalities, and the federal government, do not take into account what is happening across the United States, and therefore, that is the missing piece?

MS. LEVINE:

Many of those studies do take that into account. The piece that is missing is combining that information in one place and showing optimal impact, then looking at how that information intersects with existing laws and regulations to see how it can be customized and moved forward.

SENATOR CANNIZZARO:

The cost of housing, rental increases, and the unavailability of houses that can be purchased by individual buyers for a whole host of reasons, is no surprise to any of the members of this Committee who have talked to their constituents. The issues and barriers to obtaining housing is evident, including homelessness and some of the causes thereof. The state has invested a lot of money into affordable housing.

At every meeting of the IFC, the Committee receives a report on different investments that have been made in affordable housing units. I do not discount that there should be ongoing discussions about how to make housing more affordable, but the state has experienced these issues in the past. There were

multiple bills during the 80th (2019) Legislative Session from the prior study; those bills were all passed by the Legislature and signed into law to deal with many of these issues. There was legislation during the 82nd (2023) Legislative Session that addressed issues such as how to help people keep their houses, how to ensure there are more houses available for individual buyers as opposed to corporate buyers, and how to ensure that issues of rental availability and stability can be addressed. I think some people just dislike those answers.

I recognize it may be useful to combine these different pieces into one place, but it is frustrating to talk about a study for a problem for which many of the answers are already known. I sincerely hope that what comes of this study is not just trying to find alternative solutions to the solutions already proposed, because Nevadans who cannot afford housing need policy solutions.

MS. LEVINE:

I hear your concerns and understand your frustration. There is certainly a lot of discussion around housing. I want to reassure you that some of those tried-and-true solutions, the ones that break the logjam, those solutions likely could be identified in the study as a reinforcement of a path forward because the crisis is persistent. I acknowledge that this will be yet another study; however, it will allow previous options to be reconsidered and evaluated for their effectiveness and efficacy. The study will also consider some novel solutions that may be complementary. That is what the Guinn Center hopes to offer through this study and that the Legislature will take under advisement.

SENATOR SEEVERS GANSERT:

I appreciate this discussion. The Legislature is always looking for different types of funds and it seems like this is something that may need to be chased. Many times, there are federal programs. Will part of this study be around the different buckets of funds that may be available that have not yet been identified? I know the state is always looking for solutions, but it also has to be able to find the money to implement those solutions; sometimes the money gets rolled out piecemeal, and the agencies have to know to apply for those grants. Will the Guinn Center also be looking at sources of funds for any programs chosen for development?

MS. LEVINE:

Absolutely. Part of this study is about the various funds. Discussions can center around different interventions from a regulatory and/or a statutory standpoint, but Nevada could be improving its pathways to federal dollars, and great work has been seen in that area. To the extent practicable, those dollars can be brought into Nevada, and that is what can make a difference and have the biggest return on investment. There are different ways to approach housing, such as tax credit programs, including property tax. The Guinn Center wants to be as inclusive as possible to the various methods of approaching the housing crisis.

SENATOR SEEVERS-GANSERT:

Money is often the issue, and it is a moving and evolving target. I appreciate the work the Guinn Center has done on other types of issues in Nevada.

ASSEMBLYWOMAN JAUREGUI:

Senator Cannizzaro is correct, many studies are going on throughout the state. The Nevada Housing Division collects information annually about the need for affordable housing throughout the state. The Legislature passed Assembly Bill (A.B.) 213 during the 82nd (2023) Legislative Session, requiring the cities and counties to start collecting information on the need for housing at all levels, and those reports are available. Nevada has invested $500.0 million in affordable housing. I would like the Nevada Housing Division to come to the testifying table so I can ask about the information the Housing Division collects on an annual basis and whether that is adequate or if there is a need for another report. Additionally, is the Guinn Center working in conjunction with local governments, as they will be collecting information as well?

CHRISTINE HESS (Chief Financial Officer, Nevada Housing Division, Department of Business and Industry):

The Nevada Housing Division issues the *Annual Housing Progress Report* (AHPR). The timing of the report is a little different this year because A.B. 213 adjusted the timing so the report coincides with the fiscal year. The AHPR is amazing; however, the report is specific to subsidized housing—housing that has income restrictions.

It is a very thorough report with ample information, but it is limited in scope. The local jurisdictions provide information to the division around their affordable housing progress and what is being done in that space, but that is limited to housing that has income restrictions. The division will also be collecting and compiling information and providing some analysis as a result of A.B. 213, which goes beyond that in terms of requiring the jurisdictions to provide information about their housing that is not just subsidized, but also their housing plans over the next five years, and measures being taken to promote those plans. Assembly Bill 213 also requires local jurisdictions to prioritize affordable housing, so there is a lot of opportunity for follow up. That process is being led by the division's Economist, which is currently a vacant position; however, the division will be contracting with its former Economist, Betsy Fadali, who can help guide that process. In addition, the division will either hire or contract that position before the report is due.

The second report is a new report, and per A.B. 213, the division is only required to compile the report. The local governments are working on that report and doing an amazing job. I know it was a difficult mandate per the legislation for the local governments, but they also already have this information. In the first meetings with the local governments, the division learned that local governments are working together regionally. The north is different than the south, so it is important that local governments work together by region. Additionally, it is important to note that both the AHPR and the new report do not take into account the rural areas, which have their own challenges and needs and are also experiencing a housing affordability crisis.

I welcome the opportunity to understand additional solutions by having the Guinn Center looking at that; I do not think the division has that information in just a single report at this time.

ASSEMBLYWOMAN JAUREGUI:

You mentioned the AHPR the division publishes has income restrictions and only covers affordable housing; that is the point I was trying to make. The request before the Committee is for money to fund a statewide study on affordable housing, not all housing. It appears to be duplicative, and I think it is missing the mark. The Guinn Center will be collecting information on something the Nevada Housing Division already provides.

MS. HESS:

I do not have that information so that would be a question for the Guinn Center. As far as affordable housing, I do not know if the Guinn Center's report is specific to housing that is subsidized, or if the Guinn Center is looking at the word affordable more broadly. In statute, affordable is defined in three tiers. Tier one is below 60% of area median income, which is the space in which the Nevada Housing Division primarily functions. Tier two is 60% to 80% of area median income, and the division functions only minorly in that space. Tier three is 80% to 120% of area median income; in terms of inventory, the division is not functioning in that space, though it does support down payment assistance that can help homeowners. I am not sure about the details of the Guinn Center's report.

ASSEMBLYWOMAN JAUREGUI:

I would like more specifics on what the Guinn Center will be studying.

MS. LEVINE:

The Guinn Center is looking at the more broadly construed understanding of affordability, which includes workforce housing, etc. Unfortunately, it is one of those terms that has become a catch-all used colloquially. Because it has that understanding, the Guinn Center used it here, but it is fair to say that the Guinn Center is looking across the distribution in terms of how to break some of the supply and demand logjams that were seen from the 2017-18 Interim findings report, and start to make housing affordable for all Nevadans, which might in turn, reduce housing prices in different brackets.

ASSEMBLYWOMAN JAUREGUI:

To confirm, the Guinn Center's report is focused on affordability in housing, not the traditional definition of affordable housing to which the Committee is accustomed.

MS. LEVINE:

Yes, that is correct.

SENATOR NEAL:

I believe Clark County has a white paper on workforce housing because it is currently moving in that space. How will that be integrated into the Guinn Center's efforts to avoid duplicating existing efforts?

MS. LEVINE:

I need to familiarize myself with that report before I can answer that question. I am happy to circle back with the Committee. I would note that the Guinn Center's study will be a statewide study; therefore, to the extent that the white paper is at the county level, it is something the Guinn Center would want to adapt to the broader state as a whole.

SENATOR NEAL:

Clark County is building workforce housing in North Las Vegas. Dagny Stapleton, who came from the Nevada Association of Counties, is working on housing. Maybe a conversation is needed to determine how the county decided to build workforce housing and the related obstacles, because it would play into that study.

Will the study discuss mitigating corporate activity that is occurring within the housing space, such as hedge funds and corporations that have recently purchased more than 234 housing units? There were bills in the 82nd (2023) Legislative Session aimed at limiting aggregate purchases and corporate activity. That activity is part of the reason housing is spiking and changing. Is the Guinn Center going to address how to mitigate that issue and propose legislative policy solutions around some of these issues or look at vetoed policy that may or may not have changed the game?

MS. LEVINE:

That is one of the choke points that is seen in the system. That research has been seen nationwide, but particularly in many western states. Looking at that and examining what kind of opportunities might exist is part of the suite of options that would potentially be taken under advisement based on evidence revealed within the course of the study.

SENATOR NEAL:

Clark County is embarking on workforce housing in a certain area. How did the county get to this place? Was there a white paper or any preliminary study that determined the county should build workforce housing in particular?

JOANNA JACOB (Government Affairs Manager, Clark County, Nevada):

The county did not prepare a white paper. I started with Clark County in 2019, prior to the pandemic; however, I previously worked as a Regional Social Service Provider in Clark County and was aware that workforce housing was a need.

Clark County has multiple programs in progress. I have listened to this discussion with interest and am appreciative of the Guinn Center's work. The county has years of data it could share to make this study productive and fill in the gaps of what is not being done under A.B. 213. One of those data points, for example, includes four years of data in which the county mitigated fees and prioritized affordable housing projects; however, Clark County has had minimal developer interest in the county's requests for proposal. The county has some good developer partners, so that is not a criticism. Clark County is looking at some of what has been put in place to determine if the county should reassess.

Regarding workforce housing, I believe you are referring to some of the initiatives that Clark County put forward with its community housing fund. The county put $180.0 million in ARPA funds in the community housing fund. Clark County was eligible for revenue replacement because its revenue loss exceeded what the county received in local funds. Clark County put the revenue replacement into its general fund and then funded the community housing fund, which removed some of the funding restrictions being debated today. The community housing fund is geared toward affordable housing, but the county's future plans also focus on permanent supportive housing with that fund, as well as a community lands trust, which is going to be single-family ownership, deed-restricted to keep it affordable. Workforce housing is also part of that initiative.

The project you were speaking of in North Las Vegas may be something Commissioner William McCurdy also championed. It began with a federal appropriation request, and then seeded it from there because one of the county's priorities is the sustainability of projects after utilizing one-shot funding.

Clark County did not do a white paper or a study, because as the social service provider in the state, the county knows there is tremendous need everywhere. The county looks at where land can be acquired, because that is a serious barrier to housing development, and also determines where the need is based on feedback, to try to spread it throughout the region.

SENATOR NEAL:

Is Clark County a stakeholder in the study?

MS. JACOB:

If not today, because the study is still in its infancy, I will insist that Clark County be included as a stakeholder. There was some discussion earlier about A.B. 213, and I would note that Clark County is a regional collaborator with the cities in Southern Nevada. I cannot give many details because those discussions are ongoing, but the county and cities are trying to share the costs of the study that was mandated by A.B. 213. Discussions have been ongoing with planning staff, government affairs staff, and affordable housing community development staff in all the jurisdictions. There will be a contract for that study and the costs will be shared regionally. I have a lot of interest in making sure the work is not duplicative, and that the county can work on what is already underway.

SENATOR TITUS:

I am hearing a lot of conversations about the needs in Clark County and what has already been done. What I am hearing about this study is the Guinn Center will be looking at statewide issues and concerns. In the rural areas, I hear from my constituents, especially in Douglas County, about affordable housing as well as worker housing in places like South Lake Tahoe, and how to make it work. It would be helpful to look at all the facts and issues that are statewide problems. It is not just about building affordable housing, there are transit and other issues.

One of the issues mentioned by one of my colleagues was regarding corporate investment in housing. One area that I find concerning is the amount of foreign investors that are buying property and housing, and the resulting issues from those purchases. Something I would like to see in the Guinn Center's study is the amount of land that is bought for investment by people such as Chinese investors who are not necessarily friendly to state and federal government. Hopefully, this study will look at some of the other aspects of housing and why it is not affordable. Also, will the study expand on who is actually buying the houses and who owns the land?

MS. LEVINE:

That information will be uncovered to the extent possible. As you are aware, some of this information is behind trusts and is otherwise private. There is a question around vacancy rates and investor-owned properties, so that is pushing into different areas. The Guinn Center wants to take a closer look at all the dimensions. Nothing is off the table for this study.

MR. STEWART:

I have been taking notes throughout this conversation and want to reassure the Committee that the Guinn Center is taking in all of this information. Part of the goal is to do landscape analysis that Ms. Levine was discussing. The ultimate goal is to give these evidence-based, actionable policy considerations to the Legislature. The Guinn Center wants the Committee to know it is committed to that as well as providing deep-dive, evidence-based recommendations that can be used during the 83rd (2025) Legislative Session. The Guinn Center is pleased with these conversations and the partnerships the Guinn Center hopes to forge going through the process.

SENATOR NEAL:

Sean McCoy from UNLV has been tracking corporate investors to see who is buying properties. I worked with him for almost a year on a bill that was vetoed, and he was extremely helpful.

ASSEMBLYMAN YEAGER:

I know the Guinn Center does great work. The Committee is focusing on items that would be meaningful during the 83rd (2025) Legislative Session. I want to recommend speaking with former Senator Julia Ratti, who probably knows more about constructing affordable housing than anyone I have ever met in the state.

During the 82nd (2023) Legislative Session, Assemblywoman Jauregui sponsored A.B. 298, which did three basic things that addressed the question of how to keep people in housing and ensure that housing remains affordable. First, the bill prevented landlords from collecting multiple application fees when they were not doing any work for that fee, because individuals said they had to apply to 30 to 40 places at a time and none of those application fees were returned. Second, it made sure that fees being charged were specified and detailed, and that landlords could not charge fees that were not listed in the rental documents. Finally, it created a 10% cap on rent increases for seniors, defined as people over 62 years of age, and people who are more vulnerable or disabled. The idea was that these are people who are generally on fixed incomes and if rent increases more than 10% a year, they will not be able to afford the increase and will likely be evicted. This bill would have provided relief to the people it was targeting. The bill passed out of the Legislature; however, it was vetoed by the Governor. Will part of the stakeholder discussion involve talking to people who would have benefitted from that bill? That is important to know—the practicality of what something like that bill

would have done for people. I know $150,000 is not a lot of money and the Guinn Center will not have a lot of time, but I think it would be valuable to hear from people and try to quantify how many could have remained in what is now affordable housing, but may no longer be affordable due to fees and rent increases.

MS. LEVINE:

I welcome this conversation. It is important, when doing robust rigorous work, that the right questions be asked, and that is a good use of fiscal dollars. My full title is Director of Economic and Fiscal Policy, so that topic matters to me.

You are right, the Guinn Center is under a time constraint, and I do not want to overpromise and underdeliver and tell you the Guinn Center is going to be able to quantify that information; however, the lived experience of people in the community experiencing challenges around housing could not be more salient. To the extent the Guinn Center can have those conversations and hear about what that looks like for people, that is important to this report because those are the barriers that also need to be reidentified and solidified to make for a strong report.

CHAIR MONROE-MORENO:

Although this request is for a small dollar amount compared to other items heard today, it is a very important issue for the Legislature as displayed in several pieces of legislation during the 82nd (2023) Legislative Session.

There have been many comments today that are not included in the backup documentation of what the study will include. I am aware the Guinn Center needs to begin this study, and the approval of these funds will allow that study to be completed promptly so the Legislature will have it available for the 83rd (2025) Legislative Session. However, because of the discussion and many other things that were not included as well as the lack of the exact stakeholders, I would request that the Guinn Center provide an informational item at the April 11, 2024, IFC meeting containing a list of stakeholders, so the Committee knows with whom the Guinn Center is communicating. The informational item should also include everything the Committee heard today that was not included in the backup documentation but will be included in the study.

MS. LEVINE:

I am happy to return to the next IFC meeting and provide that information to the Committee.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE AGENDA ITEM D.23 AND REQUIRE THE KENNY C. GUINN CENTER FOR POLICY PRIORITIES TO PROVIDE ADDITIONAL INFORMATION RELATED TO THE STATEWIDE STUDY ON AFFORDABLE HOUSING AT THE APRIL 11, 2024, MEETING OF THE INTERIM FINANCE COMMITTEE.

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

24. Office of the Governor - COVID-19 Relief Programs - FY 2024
Transfer of $2,603,241 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Projects category to support an allocation to the Nevada System of Higher Education to fund supplemental contract security staffing. Requires Interim Finance approval since the amount transferred to the ARPA Project category exceeds $350,000. **RELATES TO ITEM D.25. Work Program #24FR132718. RECEIVED 2-29-24.**

Agenda Items D.24 and D.25 were discussed jointly. Refer to discussion and motion for approval under Agenda Item D.25.

25. Nevada System of Higher Education - System Administration - FY 2024
Addition of $2,603,241 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account for supplemental contract security staffing. Requires Interim Finance approval since the amount added to the Contract Security Staffing category exceeds $350,000. **RELATES TO ITEM D.24. Work Program #24FR298601. RECEIVED 2-29-24.**

Agenda Items D.24 and D.25 were discussed jointly.

PATRICIA CHARLTON (Interim Chancellor, NSHE):

I want to first recognize the December 6, 2023, events that occurred at UNLV; the campus had a situation where the most unfortunate event that can happen on a college campus or in any public space, was realized: an active shooter and the loss of three faculty members and a significant injury to a fourth faculty member. NSHE also wants to recognize the amazing response received from the Las Vegas Metropolitan Police Department, first responders and police departments throughout the municipalities in Southern Nevada, the fire departments, and hospitals. I would be remiss if I did not also recognize the UNLV Police Department and Chief Garcia and his team who were able to address the situation promptly; it could have been far worse.

Following the events of December 6, 2023, I established an ad hoc committee on public safety that brought together institutions throughout Nevada's higher education system; stakeholders, including Doug Unger with the Nevada Faculty Alliance,

faculty, students, classified staff, every NSHE stakeholder group, and emergency management personnel throughout Nevada to support efforts that will ensure a safe and secure environment within Nevada's higher education system for faculty, staff, students, and the community that engages on NSHE's open campuses.

The request for $2.6 million is specific to Southern Nevada. These funds and expenditures will occur through UNLV's system office to support and augment staffing needs. This is not the last time I will be coming before the Committee because NSHE has additional needs. However, the highest priority need is to put individuals in front of NSHE campuses, specifically UNLV, as that is the environment in which the incident occurred. NSHE has leveraged the insurance processes, so this funding will pick up from where the insurance processes have occurred, until the end of the calendar year.

Chief Garcia has been actively engaged in recruiting. It has been challenging to recruit and retain police professionals and public safety personnel, but NSHE is hopeful that it will have its currently funded line items secured by the end of the calendar year and be able to support this moving forward. NSHE will also be leveraging its ask, but not limited to personnel costs, it will also leverage resources across its federal delegation and other grant opportunities. NSHE recognizes that resources are limited but also realizes that it needs to work collectively with its institutions to identify other resources.

NSHE will also be making requests through the legislative process and is trying to do this collectively by prioritizing needs through the ad hoc committee. In addition to being the UNLV Police Chief and Vice President of Public Safety, Mr. Garcia is also the Chair of the Committee of Public Safety for the Chancellor's Office. NSHE is prioritizing its request with the institutions.

CHAIR MONROE-MORENO:

Thank you to you and your staff for your efforts to keep students and staff as safe as possible on December 6, 2023. It was a heartbreaking situation, but NSHE staff stepped up and were heroes that day.

ASSEMBLYWOMAN MOSCA:

The Legislature is working on the NSHE funding formula. Please explain how these funds might be integrated with the work happening there in the future.

CHRIS VITON (Vice Chancellor of Budget and Finance/Chief Financial Officer, NSHE):

NSHE is here today specifically to look at this contract through the end of the fiscal year. There will be additional items as NSHE works through the budget requests from the campuses. NSHE anticipates bringing some of those requests forward in the 83rd (2025) Legislative Session, whether through the funding formula or otherwise as enhancements.

ASSEMBLYWOMAN MOSCA:

It is important to consider how this will be supported in the long term for both students and faculty.

ASSEMBLYWOMAN BROWN-MAY:

I want to reiterate previous comments. December 6, 2023, was a day we should have been celebrating birthdays, but instead, were concerned about the whereabouts of students and colleagues. It was a traumatic day for many in the Las Vegas Valley. I can only offer my congratulations for your quick response.

My questions relate to the contract security services and how this contract will address the safety and security needs at UNLV and throughout all NSHE institutions. How will the contracted positions be utilized given the fact there are vacancies? It states in the work program that NSHE anticipates being able to fill vacancies going forward, and this request is only until the end of the year. Please provide further explanation.

Also, funding this through NSHE provides the authority to utilize these contracted security positions anywhere, but it appears the intention is to only use these positions at UNLV. Could those positions be moved to any other high-risk NSHE institution in Southern Nevada?

ADAM GARCIA (Vice President of Public Safety Services/Director of University Police Services Southern Command):

This contract reaches across all higher education institutions in Southern Nevada, including UNLV, Desert Research Institute (DRI), Nevada State University, College of Southern Nevada (CSN), and the NSHE facilities in the south.

Currently, the contract calls for eight officers to be assigned to the UNLV main campus and the DRI, and seven officers to be assigned to the CSN and Nevada State University.

I went before the Board of Regents in December 2022 and requested a critical hire designation, meaning NSHE could hire individuals who are Public Employees' Retirement System retirees. I made a similar request earlier this month, so with that and the support of the Legislature during the 82nd (2023) Legislative Session, during which my employees received a considerable raise, NSHE is looking to fill most, if not all, of the vacant positions. There are currently 28 vacancies in the south that NSHE is on track to fill by the end of this calendar year. That will allow NSHE to provide the visibility required for the Southern Nevada campuses and will no longer need the visibility of the contractor group.

MS. CHARLTON:

I wanted to clarify that the expenditures will occur through UNLV. There is a Consolidated Police Force and University Police Command in the south, for which Chief Garcia is the facilitator. UNLV serves as the host institution for all the coordination of public safety. Chief Garcia manages all the Southern Nevada command and Chief Eric James manages the Northern Nevada command. The requested funds are specific to Southern Nevada and under the auspices of Chief Garcia.

ASSEMBLYWOMAN BROWN-MAY:

For clarification, the proposal is to hire contracted security as opposed to filling vacant positions with NSHE. I am curious to learn about the training or qualifications of the entities bidding to fill these contracts. There are certain expectations for employees and staff; are those expectations comparable for the organizations that are bidding on these contracts?

MR. GARCIA:

Yes. The criteria established for this security company is much higher than what would typically be seen with a security company. Many of the guards are either prior military or prior law enforcement and undergo a rigorous background check as well as training protocols established within the department, giving a higher level of comfort in using these individuals.

The guards have been in place for just over two months, and one of the officers has already saved the life of a student who likely would have passed away from a separate event, not related to the discussion today. The guards are highly trained and have prior experience; they all have the necessary skills to be employed by NSHE.

There will be a request for proposal (RFP) process and all those requirements will be included in the RFP. The security positions are not being filled in lieu of police officer positions; the police officer positions are being filled as quickly as possible. The security guard contract will be used to support and augment those efforts and provide visibility that is important on the campuses.

SENATOR DONDERO LOOP:

I would also like to thank Chief Garcia, Interim Chancellor Charlton, and everyone on the campus that day who kept the safety of the students in mind while dealing with that unfortunate incident.

I would like confirmation that every student will be safe, but also to ensure there is some focus on where this incident took place at UNLV, so that it is fresh in the minds of students when they are on campus.

In addition, how quickly will the hiring occur, and will personnel be hired in batches or all at once? Please provide a general timeline and clarification on the hiring process.

MR. GARCIA:

NSHE has invited the current security contractor to bid on the new RFP. Given that, the security contractor is aware of the expectations relating to the number of personnel needed. Currently, this group is working at UNLV specifically. The contract will continue if the RFP and funding is approved, at which point they will expand to other campuses. The timeline is to continue at UNLV with the existing contract and then expand to the other campuses within 30 days after the RFP is awarded.

ASSEMBLYWOMAN KASAMA:

Thank you for all your work and service during this difficult time. I fully support this request. It is critically important to protect everyone on the NSHE campuses. It is good that this request proposes to bring back retired police officers, which is important because they are already trained, and it will not risk their retirement benefits.

SENATOR NEAL:

Of the $2.6 million, will any money be used for an environmental design change? I am specifically interested in lighting on and within a mile of campus, including sidewalks. Significant risks occur on sidewalks and lighting reduces crime.

MS. CHARLTON:

NSHE has established the Chancellor's Committee on Public Safety, which is a very broad-based committee looking comprehensively at all public safety elements: lighting, door locking systems, video surveillance, emergency notifications, and training for faculty, staff, students, and those visiting the campuses.

Today's request is only to augment the personnel for the Southern Nevada command. NSHE will be returning to the IFC to prioritize the needs of the entire higher education system. NSHE recognizes this is not unique to higher education; it transcends into the state and state agencies as well. NSHE has open campuses and open landscapes. NSHE welcomes over 100,000 students, 15,000 employees, and countless community members who interact with the campuses. NSHE wants every person who comes in contact with higher education to feel safe, of which lighting is a vital component. NSHE will be prioritizing those needs and coming forward with subsequent IFC requests as well as through the budgetary process; however, NSHE is also leveraging that with either public or private grant opportunities through the federal delegation. NSHE recognizes the state's resources are limited but also recognizes that everyone needs to step up and ensure people feel safe.

MR. GARCIA:

Two committees have been formed. The first is UNLV-centric, formed by President Keith Whitfield, which will look at processes, protocols, and safety enhancements at UNLV. Interim Chancellor Charlton's ad hoc committee, of which I am the Chair, is going to look at a holistic approach across all of NSHE, both north and south.

I have established several things for the ad hoc committee. First, the committee will not just discuss recommendations, it will take action. Within the first 30 to 60 days, the committee will make recommendations to Interim Chancellor Charlton on potential safety enhancements. Within the first 6 months, the committee will make additional recommendations that can be implemented within a short period of time. Finally, the committee will make recommendations for what can be accomplished beyond 12 months to enhance security.

I have made it clear to the subcommittees of the ad hoc committee to look at this from a holistic approach, and come at it from that perspective, with those milestones in place.

ASSEMBLYWOMAN BACKUS MOVED TO APPROVE AGENDA ITEMS D.24 AND D.25.

SENATOR DONDERO LOOP SECONDED THE MOTION.

ASSEMBLYMAN YEAGER:

I want to publicly thank Chief Garcia. Nobody knows if they will rise to the occasion when put in that position. All the discussions I had with people who were there when the incident occurred, and also during the after-action review, indicate you and your department's actions were heroic and saved lives that day. On behalf of the Legislature and on behalf of the Committee as a whole, thank you for rising to the occasion and making sure that the incident was limited as much as possible.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

26. Office of the Governor - COVID-19 Relief Programs - FY 2024
Transfer of $873,360 from the Loss Revenue Reserves category to the American Rescue Plan Act (ARPA) State Agency Allocations category to support an allocation to the Department of Health and Human Services, Division of Child and Family Services to upgrade the security camera systems at Summit View Youth Center and Northern Nevada Youth Training Center. Requires Interim Finance approval since the amount transferred to the ARPA State Agency Allocations category exceeds $350,000. **RELATES TO ITEM D.27. Work Program #24FR132719. RECEIVED 3-1-24.**

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

27. Department of Health and Human Services - Child and Family Services - Juvenile Justice Services - FY 2024
Addition of $873,360 in federal American Rescue Plan Act (ARPA), Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to upgrade the security camera systems at Summit View Youth Center and Northern Nevada Youth Training Center. Requires Interim Finance approval since the amount added to the ARPA Security Camera Project category exceeds $350,000. **RELATES TO ITEM D.26. Work Program #24FRF13831. RECEIVED 3-1-24.**

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

MARLA MCDADE WILLIAMS (Division Administrator, DCFS, DHHS):

These items relate to upgrading security cameras at the Northern Nevada Youth Training Center and Summit View Youth Center at a cost of $873,360. Agenda Item D.26 allocates funding from the COVID-19 Relief Programs account and Agenda Item D.27 allocates funding to the DCFS for the agency to spend.

CHAIR MONROE-MORENO:

Will this put the agency in compliance with Section 889 of the federal National Defense Authorization Act and the Prison Rape Elimination Act?

MS. MCDADE WILLIAMS:

Yes.

ASSEMBLYWOMAN BACKUS MOVED TO APPROVE AGENDA ITEMS D.26 AND D.27.

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

E. DEPARTMENT OF ADMINISTRATION - State Public Works Division - Request to receive and expend $521,653 in federal American Rescue Plan Act, Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account for CIP Project 19-C16, Renovation of Collections Storage Building 19, Stewart Campus, for the Department of Tourism and Cultural Affairs, pursuant to NRS 341.121, and to modify the project scope to address collapsed pipes, failed floors and other hazards identified during the design phase of the project, pursuant to NRS 341.145(1)(f). **RELATES TO AGENDA ITEM D.22.**

Agenda Item D.22 and Agenda Item E were discussed jointly.

WIL LEWIS (Administrator, State Public Works Division [SPWD], Department of Administration):

Agenda Item E is a request to receive and expend an additional $521,653 of ARPA funds for CIP Project 19-C16, the renovation of the collection storage building at the Stewart Facility in Carson City.

ASSEMBLYWOMAN BACKUS:

With the anticipated change and the request for $521,653 in additional funds, does the SPWD anticipate that will be sufficient and no additional funding will be required to complete the project?

MR. LEWIS:

Yes, the SPWD performed a cost estimate and feels the requested funds will more than cover the additional modification of the scope being requested.

> ASSEMBLYWOMAN BACKUS MOVED TO APPROVE AGENDA ITEM D.22 AND AGENDA ITEM E.
>
> SENATOR DONDERO LOOP SECONDED THE MOTION.
>
> THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

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

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

This is a quick update to the spreadsheets provided for today's meeting. The division has now expended $74 million, which is about 15% of the Home Means Nevada award. There is a Friday submission deadline for the Board of Finance items, so the division expects a couple more projects to come through at the April Board of Finance meeting, which will change those agreement statuses that are included on the handout. The division received indications from several projects using U.S. Department of Housing and Urban Development (HUD) funding that the HUD funding has been approved. As the Committee is aware, there is a layered financing capital stack in all of these projects, so effectively, one of those critical components is HUD funding sources. The division has received indications from some of the outstanding developments that those are moving forward.

The division will provide additional updates, including photographs, at the April 11, 2024, IFC meeting.

G. PUBLIC COMMENT.

There was no public comment.

H. ADJOURNMENT.

Chair Monroe-Moreno adjourned the meeting at 3:53 p.m.

_____

Assemblywoman Daniele Monroe-Moreno, Chair
Interim Finance Committee

_____

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

STATEMENT OF IFC CONTINGENCY ACCOUNT BALANCE

E.

Interim Finance Contingency Account
Fiscal Year 2025
December 12, 2024 Meeting
Revised December 4, 2024 4:00 PM

	Total	UNRESTRICTED General Fund	UNRESTRICTED Highway Fund	RESTRICTED General and Highway Fund
Funding Available - FY 2025				
Beginning Balance July 1, 2024	$ 156,676,900.39	$ 13,174,826.04	$ 1,184,685.35	$ 142,317,389.00
2025 Appropriations (Effective July 1, 2024)	$ 18,447,681.00	$ -	$ -	$ 18,447,681.00
Reversions to IFC	$ 3,637,319.17	$ 3,183,936.17	$ 453,383.00	$ -
Total Funding Available - FY 2025	$ 178,761,900.56	$ 16,358,762.21	$ 1,638,068.35	$ 160,765,070.00
Allocations / Loans				
Allocations	$ (22,376,726.00)	$ (1,029,310.00)	$ -	$ (21,347,416.00)
Meeting Costs	$ (27,430.27)	$ (27,430.27)	$ -	$ -
Total Allocations / Loans	$ (22,404,156.27)	$ (1,056,740.27)	$ -	$ (21,347,416.00)
Balance Prior to Actions of IFC	$ 156,357,744.29	$ 15,302,021.94	$ 1,638,068.35	$ 139,417,654.00
FY 2025 Allocations Pending December 12, 2024, Meeting	$ (9,594,369.00)	$ (3,126,782.00)	$ -	$ (6,467,587.00)
FY 2025 Balance Following December 12, 2024, Meeting	$ 146,763,375.29	$ 12,175,239.94	$ 1,638,068.35	$ 132,950,067.00

Interim Finance Contingency Account
Fiscal Year 2025
December 12, 2024 Meeting
Revised December 4, 2024 4:00 PM

	Total	UNRESTRICTED General Fund	UNRESTRICTED Highway Fund	RESTRICTED General and Highway Fund	RESTRICTED A.B. 468 (2023) Section 4.3 General Fund	RESTRICTED A.B. 468 (2023) Section 4.7 Highway Fund	RESTRICTED A.B. 480 (2023) Section 1 General Fund	RESTRICTED S.B. 231 (2023) Section 1 General Fund
Funding Available								
Beginning Balance July 1, 2024	**$ 156,676,900.39**	**$ 13,174,826.04**	**$ 1,184,685.35**	**$ 142,317,389.00**	**$ 81,606,294.00**	**$ 19,142,217.00**	**$ 25,000,000.00**	**$ 354,583.00**
2025 Appropriations	**$ 18,447,681.00**		**$ -**	**$ 18,447,681.00**				
Reversions to IFC								
Office for New Americans		$ 21,880.00						
Office of the Attorney General		$ 47,267.44						
Governor's Finance Office		$ 0.31						
Department of Education		$ 193,750.00						
Office of the Military		$ 88,382.00						
Office of the Military		$ 235,030.30						
Department of Corrections		$ 2,291,375.59						
DCNR - State Parks		$ 24,952.40						
DCNR - Division of Forestry		$ 114,156.00						
Department of Business and Industry		$ 69,756.51						
Department of Public Safety		$ 12,210.62						
Department of Motor Vehicles			$ 453,383.00					
Department of Public Safety		$ 85,175.00						
Total Reversions to IFC	**$ 3,637,319.17**	**$ 3,183,936.17**	**$ 453,383.00**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Total Funding Available FY 2025	**$ 178,761,900.56**	**$ 16,358,762.21**	**$ 1,638,068.35**	**$ 160,765,070.00**	**$ 81,606,294.00**	**$ 19,142,217.00**	**$ 25,000,000.00**	**$ 354,583.00**
Allocations								
Department of Business and Industry (6-13-2024)	$ (218,889.00)	$ (218,889.00)						
NSHE - WICHE Administration (6-13-2024)	$ (8,076,132.00)			$ (8,076,132.00)				
Lander County School District (7-16-2024)	$ (237,369.00)			$ (237,369.00)				$ (237,369.00)
Department of Indigent Defense Services (8-15-24)	$ (686,103.00)			$ (686,103.00)				
DHHS - Aging and Disability Services Division (8-15-24)	$ (126,600.00)			$ (126,600.00)			$ (126,600.00)	
DHHS - Division of Child and Family Services (8-15-24)	$ (79,763.00)			$ (79,763.00)			$ (79,763.00)	
Department of Motor Vehicles (8-15-24)	$ (244,157.00)			$ (244,157.00)			$ (244,157.00)	
Department of Wildlife (8-15-24)	$ (174,556.00)			$ (174,556.00)			$ (174,556.00)	
Office of the Military - DEM (10-10-24)	$ (306,483.00)	$ (306,483.00)						
Department of Veterans Services (10-10-24)	$ (503,938.00)	$ (503,938.00)						
Office of the Governor - Office for New Americans (10-10-24)	$ (68,766.00)			$ (68,766.00)			$ (68,766.00)	
DCNR - State Parks (10-10-24)	$ (180,419.00)			$ (180,419.00)			$ (180,419.00)	
Department of Indigent Defense Services (10-10-24)	$ (92,000.00)			$ (92,000.00)				
Nevada Gaming Control Board (10-10-24)	$ (5,500,000.00)			$ (5,500,000.00)				
DHHS-ADSD-Home and Community-Based (10-10-24)	$ (2,283,978.00)			$ (2,283,978.00)				
DHHS-ADSD-Adult Protective Services (10-10-24)	$ (2,128,964.00)			$ (2,128,964.00)				
DHHS-ADSD-Long-Term Care Ombudsman (10-10-24)	$ (1,468,609.00)			$ (1,468,609.00)				
Total Allocations	**$ (22,376,726.00)**	**$ (1,029,310.00)**	**$ -**	**$ (21,347,416.00)**	**$ -**	**$ -**	**$ (874,261.00)**	**$ (237,369.00)**
Meeting Costs	**$ (27,430.27)**	**$ (27,430.27)**						
Total Allocations	**$ (22,404,156.27)**	**$ (1,056,740.27)**	**$ -**	**$ (21,347,416.00)**				
Balance Prior to Actions of IFC	**$ 156,357,744.29**	**$ 15,302,021.94**	**$ 1,638,068.35**	**$ 139,417,654.00**	**$ 81,606,294.00**	**$ 19,142,217.00**	**$ 24,125,739.00**	**$ 117,214.00**

Interim Finance Contingency Account
Fiscal Year 2025
December 12, 2024 Meeting
Revised December 4, 2024 4:00 PM

	Total	UNRESTRICTED General Fund	UNRESTRICTED Highway Fund	RESTRICTED General and Highway Fund	RESTRICTED A.B. 468 (2023) Section 4.3 General Fund	RESTRICTED A.B. 468 (2023) Section 4.7 Highway Fund	RESTRICTED A.B. 480 (2023) Section 1 General Fund	RESTRICTED S.B. 231 (2023) Section 1 General Fund
FY 2025 Allocations Pending December 12, 2024 Meeting								
Department of Education	$ (154,634.00)	$ (154,634.00)						
Department of Education	$ (374,572.00)	$ (374,572.00)						
DHHS - Division of Child and Family Services	$ (823,120.00)	$ (823,120.00)						
DHHS - DETR - Rehabilitation Division	$ (1,216,748.00)	$ (1,216,748.00)						
DHHS - DETR - Rehabilitation Division	$ (78,728.00)	$ (78,728.00)						
Department of Corrections	$ (448,228.00)	$ (448,228.00)						
Department of Sentencing and Policy	$ (57,712.00)	$ (57,712.00)						
Governor's Finance Office	$ (1,945,108.00)			$ (1,945,108.00)	$ (1,575,537.00)	$ (369,571.00)		
Governor's Finance Office - Office of Project Management	$ (35,716.00)			$ (35,716.00)			$ (35,716.00)	
Administration - NSLA	$ (75,375.00)			$ (75,375.00)			$ (75,375.00)	
Department of Taxation	$ (247,339.00)			$ (247,339.00)			$ (247,339.00)	
Department of Agriculture	$ (127,736.00)			$ (127,736.00)			$ (127,736.00)	
Department of Business and Industry	$ (209,400.00)			$ (209,400.00)			$ (209,400.00)	
Department of Tourism and Cultural Affairs - Division of Tourism	$ (360,800.00)			$ (360,800.00)			$ (360,800.00)	
DHHS - Division of Public and Behavioral Health	$ (39,700.00)			$ (39,700.00)			$ (39,700.00)	
DHHS - Division of Welfare and Supportive Services - Administration	$ (2,430,000.00)			$ (2,430,000.00)			$ (2,430,000.00)	
DHHS - Division of Welfare and Supportive Services-Welfare Field Services	$ (142,732.00)			$ (142,732.00)			$ (142,732.00)	
DPS - Director's Office	$ (320,000.00)			$ (320,000.00)			$ (320,000.00)	
DPS - Division of Records, Communications, and Compliance	$ (471,423.00)			$ (471,423.00)			$ (471,423.00)	
DPS - Parole Board	$ (8,671.00)			$ (8,671.00)			$ (8,671.00)	
Total FY 2025 Allocations Pending December 12, 2024, Meeting	**$ (9,567,742.00)**	**$ (3,153,742.00)**	**$ -**	**$ (6,414,000.00)**	**$ (1,575,537.00)**	**$ (369,571.00)**	**$ (4,468,892.00)**	**$ -**
FY 2025 Balance December 12, 2024, Meeting	**$ 146,790,002.29**	**$ 12,148,279.94**	**$ 1,638,068.35**	**$ 133,003,654.00**	**$ 80,030,757.00**	**$ 18,772,646.00**	**$ 19,656,847.00**	**$ 117,214.00**

Restricted Bills Summary

A.B. 468 (2023) Section 4.3 - CORE.NV, Implementation of the Enterprise Resource Planning System.
A.B. 468 (2023) Section 4.7 - CORE.NV, Implementation of the Enterprise Resource Planning System.
A.B. 480 (2023) Section 1 - State agencies to implement language access plans.
S.B. 231 (2023) Section 1 - Matching funds to increase teacher salaries.

Interim Finance Contingency Account
Fiscal Year 2025
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	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED
	S.B. 342 (2023) Section 2 General Fund	S.B. 490 (2023) Section 1.5 General Fund	A.B. 518 (2023) Section 7 General Fund	A.B. 518 (2023) Section 7 General Fund	S.B. 342 (2023) Section 3 General Fund	S.B. 503 (2023) Section 14 General Fund	S.B. 511 (2023) Section 74 General Fund	S.B. 511 (2023) Section 75 General Fund	S.B. 511 (2023) Section 76 General Fund
Funding Available									
Beginning Balance July 1, 2024	**$ 8,000,000.00**	**$ 5,500,000.00**	**$ 2,714,295.00**						
2025 Appropriations				**$ 6,613,033.00**	**$ 76,132.00**	**$ 3,208,023.00**	**$ 2,352,270.00**	**$ 2,418,818.00**	**$ 1,468,609.00**
Reversions to IFC									
Office for New Americans									
Office of the Attorney General									
Governor's Finance Office									
Department of Education									
Office of the Military									
Office of the Military									
Department of Corrections									
DCNR - State Parks									
DCNR - Division of Forestry									
Department of Business and Industry									
Department of Public Safety									
Department of Motor Vehicles									
Department of Public Safety									
Total Reversions to IFC	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Total Funding Available FY 2025	**$ 8,000,000.00**	**$ 5,500,000.00**	**$ 2,714,295.00**	**$ 6,613,033.00**	**$ 76,132.00**	**$ 3,208,023.00**	**$ 2,352,270.00**	**$ 2,418,818.00**	**$ 1,468,609.00**
Allocations									
Department of Business and Industry (6-13-2024)									
NSHE - WICHE Administration (6-13-2024)	$ (8,000,000.00)				$ (76,132.00)				
Lander County School District (7-16-2024)									
Department of Indigent Defense Services (8-15-24)			$ (686,103.00)						
DHHS - Aging and Disability Services Division (8-15-24)									
DHHS - Division of Child and Family Services (8-15-24)									
Department of Motor Vehicles (8-15-24)									
Department of Wildlife (8-15-24)									
Office of the Military - DEM (10-10-24)									
Department of Veterans Services (10-10-24)									
Office of the Governor - Office for New Americans (10-10-24)									
DCNR - State Parks (10-10-24)									
Department of Indigent Defense Services (10-10-24)			$ (92,000.00)						
Nevada Gaming Control Board (10-10-24)		$ (5,500,000.00)							
DHHS-ADSD-Home and Community-Based (10-10-24)							$ (2,283,978.00)		
DHHS-ADSD-Adult Protective Services (10-10-24)								$ (2,128,964.00)	
DHHS-ADSD-Long-Term Care Ombudsman (10-10-24)									$ (1,468,609.00)
Total Allocations	**$ (8,000,000.00)**	**$ (5,500,000.00)**	**$ (778,103.00)**	**$ -**	**$ (76,132.00)**	**$ -**	**$ (2,283,978.00)**	**$ (2,128,964.00)**	**$ (1,468,609.00)**
Meeting Costs									
Total Allocations									
Balance Prior to Actions of IFC	**$ -**	**$ -**	**$ 1,936,192.00**	**$ 6,613,033.00**	**$ -**	**$ 3,208,023.00**	**$ 68,292.00**	**$ 289,854.00**	**$ -**

Interim Finance Contingency Account
Fiscal Year 2025
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	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED	RESTRICTED
	S.B. 342 (2023) Section 2 General Fund	S.B. 490 (2023) Section 1.5 General Fund	A.B. 518 (2023) Section 7 General Fund	A.B. 518 (2023) Section 7 General Fund	S.B. 342 (2023) Section 3 General Fund	S.B. 503 (2023) Section 14 General Fund	S.B. 511 (2023) Section 74 General Fund	S.B. 511 (2023) Section 75 General Fund	S.B. 511 (2023) Section 76 General Fund
FY 2025 Allocations Pending December 12, 2024 Meeting									
Department of Education									
Department of Education									
DHHS - Division of Child and Family Services									
DHHS - DETR - Rehabilitation Division									
DHHS - DETR - Rehabilitation Division									
Department of Corrections									
Department of Sentencing and Policy									
Governor's Finance Office									
Governor's Finance Office - Office of Project Management									
Administration - NSLA									
Department of Taxation									
Department of Agriculture									
Department of Business and Industry									
Department of Tourism and Cultural Affairs - Division of Tourism									
DHHS - Division of Public and Behavioral Health									
DHHS - Division of Welfare and Supportive Services - Administration									
DHHS - Division of Welfare and Supportive Services-Welfare Field Services									
DPS - Director's Office									
DPS - Division of Records, Communications, and Compliance									
DPS - Parole Board									
Total FY 2025 Allocations Pending December 12, 2024, Meeting	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
FY 2025 Balance December 12, 2024, Meeting	$ -	$ -	$ 1,936,192.00	$ 6,613,033.00	$ -	$ 3,208,023.00	$ 68,292.00	$ 289,854.00	$ -

Restricted Bills Summary

S.B. 342 (2023) Section 2 - WICHE - Tuition stipends for students earning a degree in veterinary medicine at Utah State University.
S.B. 490 (2023) Section 1.5 - GCB - Replace the information technology system.
A.B. 518 (2023) Section 7 - Department of Indigent Defense Services - Fund costs for the provision of indigent defense services.
S.B. 511 (2023) Section 74 - Fund staff and operating costs for Home- and Community-Based Services.
S.B. 511 (2023) Section 75 - Fund staff and operation costs for Adult Protective Services.
S.B 511 (2023) Section 76 - Fund staff and operation costs for Long-Term Care Ombudsman.

Interim Finance Contingency Account
Fiscal Year 2025
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	RESTRICTED S.B. 511 (2023) Section 77 General Fund	RESTRICTED S.B. 511 (2023) Section 78 General Fund
Funding Available		
Beginning Balance July 1, 2024		
2025 Appropriations	**$ 586,956.00**	**$ 1,723,840.00**
Reversions to IFC		
Office for New Americans		
Office of the Attorney General		
Governor's Finance Office		
Department of Education		
Office of the Military		
Office of the Military		
Department of Corrections		
DCNR - State Parks		
DCNR - Division of Forestry		
Department of Business and Industry		
Department of Public Safety		
Department of Motor Vehicles		
Department of Public Safety		
Total Reversions to IFC	**$ -**	**$ -**
Total Funding Available FY 2025	**$ 586,956.00**	**$ 1,723,840.00**
Allocations		
Department of Business and Industry (6-13-2024)		
NSHE - WICHE Administration (6-13-2024)		
Lander County School District (7-16-2024)		
Department of Indigent Defense Services (8-15-24)		
DHHS - Aging and Disability Services Division (8-15-24)		
DHHS - Division of Child and Family Services (8-15-24)		
Department of Motor Vehicles (8-15-24)		
Department of Wildlife (8-15-24)		
Office of the Military - DEM (10-10-24)		
Department of Veterans Services (10-10-24)		
Office of the Governor - Office for New Americans (10-10-24)		
DCNR - State Parks (10-10-24)		
Department of Indigent Defense Services (10-10-24)		
Nevada Gaming Control Board (10-10-24)		
DHHS-ADSD-Home and Community-Based (10-10-24)		
DHHS-ADSD-Adult Protective Services (10-10-24)		
DHHS-ADSD-Long-Term Care Ombudsman (10-10-24)		
Total Allocations	**$ -**	**$ -**
Meeting Costs		
Total Allocations		
Balance Prior to Actions of IFC	**$ 586,956.00**	**$ 1,723,840.00**

Interim Finance Contingency Account
Fiscal Year 2025
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	RESTRICTED S.B. 511 (2023) Section 77 General Fund	RESTRICTED S.B. 511 (2023) Section 78 General Fund
FY 2025 Allocations Pending December 12, 2024 Meeting		
Department of Education		
Department of Education		
DHHS - Division of Child and Family Services		
DHHS - DETR - Rehabilitation Division		
DHHS - DETR - Rehabilitation Division		
Department of Corrections		
Department of Sentencing and Policy		
Governor's Finance Office		
Governor's Finance Office - Office of Project Management		
Administration - NSLA		
Department of Taxation		
Department of Agriculture		
Department of Business and Industry		
Department of Tourism and Cultural Affairs - Division of Tourism		
DHHS - Division of Public and Behavioral Health		
DHHS - Division of Welfare and Supportive Services - Administration		
DHHS - Division of Welfare and Supportive Services-Welfare Field Services		
DPS - Director's Office		
DPS - Division of Records, Communications, and Compliance		
DPS - Parole Board		
Total FY 2025 Allocations Pending December 12, 2024, Meeting	**$ -**	**$ -**
FY 2025 Balance December 12, 2024, Meeting	**$ 586,956.00**	**$ 1,723,840.00**

Restricted Bills Summary

S.B. 511 (2023) Section 77 - DCFS - Fund personnel and associated expenditures at Desert Willow Treatment Center

S.B. 511 (2023) Section 78 - Fund reopening of Tonopah Conservation Camp.

REQUESTS FOR ALLOCATIONS FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO NRS 353.268

F.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 29, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Venus B. Fajota, Executive Branch Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

NEVADA DEPARTMENT OF EDUCATION

Agenda Item Write-up:
Pursuant to NRS 353.268, the department requests an allocation of $154,634 from the Interim Finance Committee Contingency Account to continue supporting the 1/5 PERS Hiring Incentive Program for Clark and Washoe counties.

Additional Information:
Prior to July 1, 2007, Nevada Revised Statutes (NRS) 391.165 required the purchase of 1/5 of a year of retirement service credit for teachers in at-risk schools, psychologists, and teachers in the fields of mathematics, science, special education and English as a second language. However, Assembly Bill (AB) 1 of the 23rd Special Session repealed the statutory language of NRS 391.165. Instead, AB 1 provided an option for those employees participating in the program prior to July 1, 2007, to continue the purchase of retirement credits until they received an additional one full year of retirement service credit.

The 2013 Legislature did not continue funding for the program of incentive pay for licensed educational personnel beginning in the 2013-2015 biennium, but the 1/5 Retirement Credit Purchase Program will continue to be funded until all eligible participants as of July 1, 2007, have earned one full year of retirement service credit.

The 1/5 Retirement Credit Purchase Program (Budget Account 2616) currently has $78,994 in funding available. For fiscal year 2025, Clark County School District and Washoe County School District submitted reimbursement requests for eligible teachers for totaling $233,627.70; therefore, there is a shortfall of $154,633.70. Relates to work program #C73001.

Statutory Authority:
NRS 353.268

REVIEWED: _____

GFO ACTION ITEM: 3K

LCB AGENDA ITEM: _____

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of Public Instruction

Southern Nevada Office
2080 E. Flamingo Road, Suite 210
Las Vegas, Nevada 89119-0811
Phone: (702) 486-6458
Fax: (702) 486-6450

STATE OF NEVADA
DEPARTMENT OF EDUCATION

700 E. Fifth Street | Carson City, Nevada 89701-5096
Phone: (775) 687-9200 | www.doe.nv.gov | Fax: (775) 687-1116

MEMORANDUM

TO: Amy Stephenson, Clerk of the Board of Examiners
State of Nevada Board of Examiners

FROM: Megan Peterson, Deputy Superintendent
Student Investment Division

DATE: October 28, 2024

SUBJECT: Request for Fiscal Year 2025 Contingency Funds for Budget Account 2616

The Nevada Department of Education (NDE) seeks approval from the Board of Examiners to request funds in the amount of $154,634.00 from the Interim Finance Committee Contingency Account to fully fund 1/5 PERS Incentives for fiscal year 2025.

Currently, Budget Account 2616 has $78,994.00 funding available. In fiscal year 2025 Clark County School District submitted $194,199.57 and Washoe County School District submitted $39,428.13, totaling $233,627.70. This request for contingency funds will address the shortfall of $154,633.70.

cc: Celeste Arnold, Administrative Services Officer III, Office of Fiscal Operations, Nevada Department of Education

State of Nevada Work Program

WP Number: C73001

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/21/24	101	300	2616	NDE - 1/5 RETIREMENT CREDIT PURCHASE PROGRAM

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	154,634	0	154,634
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		154,634		154,634
			Total Budgetary & Revenue GLs		154,634		

Expenditures

CAT	Amount	CAT	Amount
51	154,634		
Sub Total Category Expenditures	154,634		

Remarks

The purpose of this work program is to request contingency funds for the payments for the 1/5 PERS Hiring Incentive Program.

Total Budgetary General Ledgers and Category Expenditures (AP) 154,634

psmorr1
Authorized Signature

10/23/24
Date

Controller's Office Approval

Does not require Interim Finance approval since This work program supports an Action item request for appropriation from the Interim Finance Committee Contingency Fund.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 25, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Michael Rankin, Executive Branch Budget Officer MR
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

NEVADA DEPARTMENT OF EDUCATION

Agenda Item Write-up:
Pursuant to NRS 353.268, the department requests an allocation of $374,572 from the Interim Finance Committee Contingency Account to replenish the Account for State Special Education Services.

Additional Information:
The Department reimbursed Churchill County School District for extraordinary special education expenditures in fiscal year 2024. The amount balanced forward to fiscal year 2024 did not bring the account to the level required pursuant to Senate Bill 503, section 7.7 of the 2023 Legislative Session. This request will replenish the account to maintain the required balance. Relates to work program #C73054.

Statutory Authority:
NRS 353.268

REVIEWED: _____

ACTION ITEM: _____ 3L

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of Public Instruction

Southern Nevada Office
2080 E. Flamingo Road, Suite 210
Las Vegas, Nevada 89119-0811
Phone: (702) 486-6458
Fax: (702) 486-6450

STATE OF NEVADA
DEPARTMENT OF EDUCATION

700 E. Fifth Street | Carson City, Nevada 89701-5096
Phone: (775) 687-9200 | www.doe.nv.gov | Fax: (775) 687-1116

MEMORANDUM

TO: Amy Stephenson, Clerk of the Board of Examiners
State of Nevada Board of Examiners

FROM: Megan Peterson, Deputy Superintendent
Student Investment Division

DATE: October 23, 2024

SUBJECT: Request for Fiscal Year 2025 Contingency Funds for Budget Account 2619

The Nevada Department of Education (NDE) seeks approval from the Board of Examiners to request funds in the amount of $374,572.00 from the Interim Finance Committee Contingency Account to replenish the Contingency Account for Special Education to the amount reflected in the legislatively approved budget of $2,000,000 in accordance with NRS 388.5243 and Senate Bill 503 Section 7.7.

The following expended in State Fiscal Year 2024 was used to reimburse school districts for extraordinary special education expenditures:

Churchill County School District	$374,572.00

This request allows NDE to maintain the $2,000,000 funding in the account which contributes to the state's federal maintenance of effort requirements for special education funding. The balance forward from fiscal year 2024 did not bring the account to the level required.

cc: Celeste Arnold, Administrative Services Officer III, Office of Fiscal Operations, Nevada Department of Education

State of Nevada Work Program

WP Number: C73054

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/23/24	101	300	2619	NDE - ACCOUNT FOR STATE SPECIAL EDUCATION SERVICES

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	374,572	0	374,572
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		374,572		374,572
			Total Budgetary & Revenue GLs		374,572		

Expenditures

CAT	Amount	CAT	Amount
20	374,572		
Sub Total Category Expenditures	374,572		

Remarks

This work program requests the addition of $374,914.00 in the Interim Finance contingency funds to restore the account to the legislatively approved amount of $2,000,000 as required in SB 503, Sec. 7.7 of the 2023 Legislative session.

Total Budgetary General Ledgers and Category Expenditures (AP) 374,572

psmorr1
Authorized Signature

10/23/24
Date

_____
Controller's Office Approval

Does not require Interim Finance approval since This work program supports an Action item request for appropriation from the Interim Finance Committe Contingency Fund.

STATE OF NEVADA
NDE - DEPARTMENT OF EDUCATION

Budget Account 2619 - NDE - ACCOUNT FOR STATE SPECIAL EDUCATION SERVICES
Work Program C73054
Fiscal Year 2025

Submitted October 23, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Contingency Account for Special Education Services allows the state to reimburse school districts and charters schools for extraordinary program expenses and related services which are not ordinarily present in the typical special education service and delivery system at a public school, are associated with the implementation of an individualized education program of a pupil with significant disabilities and the costs of which exceed the total funding available to the school district or charter school for the pupil. Statutory Authority: NRS 388.5243

Purpose of Work Program

This work program requests the addition of $374,914.00 in the Interim Finance contingency funds to restore the account to the legislatively approved amount of $2,000,000 as required in SB 503, Sec. 7.7 of the 2023 Legislative session.

Justification

This work program will replenish the Special Education Contingency Account at the required amount of $2,000,000 pursuant to SB 503, Sec. 7.7 of the 2023 Legislative session.

Expected Benefits to be Realized

The expected benefit is the Special Education Contingency account will be replenished pursuant to SB 503, Sec. 7.7 of the 2023 Legislative session.

Explanation of Projections and Documentation

FY 25 BA 2619 BSR
FY 25 BA 2619 Fund Map
Interim Finance Contingency memo
SB 503, Section 7.7

Summary of Alternatives and Why Current Proposal is Preferred

There is no viable alternative to this work program. Without this work program the Special Education Contingency Account will not be replenished per SB 503, Sec. 7.7 of the 2023 Legislative session.

Budget Account 2619 Fund Map

2619 NDE -CONTINGENCY ACCOUNT FOR SPECIAL EDUCATION TOTAL

Budget Period: FY 2025

RGL	Description	2501 APPROPRIATION CONTROL	2510 REVERSIONS	2511 BALANCE FORWARD FROM PREVIOUS YEAR		Current Authority	PENDING WP 4654 C73054	Revised Authority
2501	APPROPRIATION CONTROL	252,791,713.00	-	-		252,791,713.00		252,791,713.00
2510	REVERSIONS	-	-	-		-		-
2511	BALANCE FORWARD FROM PREVIOUS YEAR	-	-	1,625,428.00		1,625,428.00	-	1,625,428.00
2512	BALANCE FORWARD TO NEW YEAR	-	-	-		-		-
4654	TRANSFER FROM INTERIM FINANCE	-	-	-		-	374,572.00	374,572.00
						-		-
	Total Revenue:	252,791,713.00	-	1,625,428.00	-	254,417,141.00	374,572.00	254,791,713.00
CAT	**Description**							
19	SPECIAL EDUCATION	251,291,713.00	-	-		251,291,713.00		251,291,713.00
20	SPEC ED CONTINGENCY	-	-	1,625,428.00		1,625,428.00	374,572.00	2,000,000.00
21	STUDENTS WITH DISABILITES	1,500,000.00	-	-		1,500,000.00		1,500,000.00
						-		-
	Total Expenditures:	252,791,713.00	-	1,625,428.00	-	254,417,141.00	374,572.00	254,791,713.00
	Check balance	-	-	-	-	-	-	-

Senate Bill No. 503–Committee on Finance

CHAPTER.....

AN ACT relating to education; ensuring sufficient funding for K-12 public education for the 2023-2025 biennium; apportioning the State Education Fund for the 2023-2025 biennium; authorizing certain expenditures; making appropriations relating to base per pupil funding, weighted funding and other educational purposes; revising provisions relating to at-risk pupils; and providing other matters properly relating thereto.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. The total public support for school districts, charter schools and university schools for profoundly gifted pupils for Fiscal Year 2023-2024 is an estimated average of $12,863 per pupil.

2. As used in this section, "total public support" includes all money appropriated directly for the support of the public schools in this State, including, without limitation, the statewide base per pupil funding amount, adjusted base per pupil funding, additional weighted funding and all money appropriated for a specific program or purpose in support of the public schools, and all other money projected to be received for the support of the public schools from taxes, fees and other revenues authorized by state law, excluding any money provided by the Federal Government directly to a public school or school district or otherwise provided on a one-time basis in response to an emergency.

Sec. 2. 1. The total public support for school districts, charter schools and university schools for profoundly gifted pupils for Fiscal Year 2024-2025 is an estimated average of $13,368 per pupil.

2. As used in this section, "total public support" includes all money appropriated directly for the support of the public schools in this State, including, without limitation, the statewide base per pupil funding amount, adjusted base per pupil funding, additional weighted funding and all money appropriated for a specific program or purpose in support of the public schools, and all other money projected to be received for the support of the public schools from taxes, fees and other revenues authorized by state law, excluding any money provided by the Federal Government directly to a public

(b) "Stead Attendance Area" means the portion of the Washoe County School District located on the grounds of the Sierra Nevada Academy Charter School.

Sec. 7. 1. There is hereby appropriated from the State General Fund to the Account for State Special Education Services created by NRS 388.5243 for the support of pupils with disabilities the following amounts:

For the Fiscal Year 2023-2024 ..... $245,688,753
For the Fiscal Year 2024-2025 ..... $252,791,713

2. Expenditure of $2,000,000 in both Fiscal Year 2023-2024 and Fiscal Year 2024-2025 from money in the Account for State Special Education Services created by NRS 388.5243 that was not appropriated from the State General Fund is hereby authorized for expenditure for the support of pupils with disabilities.

3. The Department of Education shall transfer from the Account for State Special Education Services created by NRS 388.5243 the following sums for pupils with disabilities:

For the Fiscal Year 2023-2024 ..... $244,188,753
For the Fiscal Year 2024-2025 ..... $251,291,713

4. The money transferred pursuant to subsection 3 must be used only to fund the school districts, charter schools and university schools for profoundly gifted pupils for the enrollment of pupils with disabilities in accordance with the statewide multiplier calculated by the Department of Education pursuant to subsection 1 of NRS 387.122.

5. The Department of Education shall transfer from the Account for State Special Education Services created by NRS 388.5243 the following sums for pupils with disabilities:

For the Fiscal Year 2023-2024 ..... $1,500,000
For the Fiscal Year 2024-2025 ..... $1,500,000

6. The money transferred pursuant to subsection 5 must be used only to fund the school districts, charter schools and university schools for profoundly gifted pupils for the enrollment of pupils with disabilities in accordance with the funding multiplier calculated by the Department of Education pursuant to subsection 2 of NRS 387.122.

7. The Department of Education may transfer from the Account for State Special Education Services created by NRS 388.5243 the following sums for pupils with disabilities:

For the Fiscal Year 2023-2024 ..... $2,000,000
For the Fiscal Year 2024-2025 ..... $2,000,000

8. The money transferred pursuant to subsection 7 must be used only to carry out the purposes of subsection 4 of NRS 388.5243.

9. Any remaining balance of the sums transferred pursuant to subsections 3 and 5 for Fiscal Year 2023-2024 and Fiscal Year 2024-2025 must not be committed for expenditure after June 30 of each fiscal year and must be reverted to the State General Fund on or before September 20, 2024, and September 19, 2025, for each fiscal year respectively.

Sec. 8. 1. There is hereby appropriated from the State General Fund to the Other State Education Programs Account in the State General Fund the following sums:

For the Fiscal Year 2023-2024 ..... $44,286,630

For the Fiscal Year 2024-2025 ..... $44,286,630

2. The money appropriated by subsection 1 must be expended in accordance with the allotment, transfer, work program and budget provisions of NRS 353.150 to 353.246, inclusive. Transfers to and from allotments must be allowed and made in accordance with NRS 353.215 to 353.225, inclusive, after separate consideration of the merits of each request.

3. The Department of Education shall transfer from the Other State Education Programs Account the sum of $19,260,398 for both Fiscal Year 2023-2024 and Fiscal Year 2024-2025 for distribution by the Superintendent of Public Instruction to school districts for the support of courses which are approved by the Department of Education as meeting the course of study for an adult standard high school diploma as approved by the State Board of Education. In each fiscal year of the 2023-2025 biennium, the sum transferred must be allocated among the various school districts in accordance with a plan or formula developed by the Department of Education to ensure that the money is distributed equitably and in a manner that permits accounting for the expenditures of school districts.

4. The Department of Education shall, not later than November 1, 2023, and November 1, 2024, provide a written report to the Governor, the Joint Interim Standing Committee on Education and the Director of the Legislative Counsel Bureau that describes, for the immediately preceding fiscal year, each expenditure made from the amount transferred pursuant to subsection 3 or pursuant to subsection 4 of section 8 of chapter 473, Statutes of Nevada 2021, at page 2909, as applicable, and the performance results of the participants of the Adult High School Diploma program.

5. Any remaining balance of the allocations made pursuant to subsection 3 for Fiscal Year 2023-2024 must be added to the money

Joe Lombardo
Governor

Amy Stephenson
Director

Vacant
Deputy Director

Jim Rodriguez
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: November 27, 2024

To: Amy Stephenson, Clerk of the Board
Governor's Finance Office

From: Philene O'Keefe, Executive Branch Budget Officer
Governor's Finance Office

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee (IFC) meeting.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES –
DIVISION OF CHILD AND FAMILY SERVICES**

Agenda Item Write-up:
Pursuant to NRS 353.268, the department requests an allocation of ~~$796,160~~ $823,120 from the Interim Finance Committee Contingency Account to support the Adoption Subsidy program within the Rural Child Welfare budget account (Budget Account 3229).

Additional Information:
The Adoption Subsidy category provides adoption assistance to adoptive parents through the Federal Title IV-E grant under NRS Chapter 127. Federal Public Law 96-272, the Child Welfare and Adoption Assistance Act of 1980, requires states to establish an adoption subsidy program for children with special needs who are eligible for Title IV-E funding under the Social Security Act.

The division has seen an increase in caseload as well as an increase in the average negotiated rates. The total projected shortfall is ~~$1,893,377.34~~ $1,933,378 for state fiscal year 2025, of which the General Fund portion is ~~$796,160~~$823,120. Work Program C72583 requests the General Fund increase and Work Program C72640 requests the addition of Federal Title IV-E funds.

Statutory Authority:
NRS 353.268

REVIEWED: _____

GFO ACTION ITEM: _____

LCB AGENDA ITEM: _____

REVISED 11-27-24
F.2

State of Nevada Work Program

WP Number: C72583

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
09/27/24	101	409	3229	HHS-DCFS - RURAL CHILD WELFARE

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	823,120	0	823,120
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		823,120		823,120
			Total Budgetary & Revenue GLs		823,120		

Expenditures

CAT	Amount	CAT	Amount
09	823,120		
Sub Total Category Expenditures	823,120		

Remarks

This work program requests the addition of $823,120 in Interim Finance Committee Contingency funds to continue to provide Adoption Subsidy payments to adoptive parents of special-needs children.

This work program is a companion to work program #C72640.

Total Budgetary General Ledgers and Category Expenditures (AP) 823,120

chadwic1
Authorized Signature

10/23/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Pursuant to NRS 353.268 requesting allocation for the contingency account.

STATE OF NEVADA
DHHS - DIVISION OF CHILD AND FAMILY SERVICES

Budget Account 3229 - HHS-DCFS - RURAL CHILD WELFARE
Work Program C72583
Fiscal Year 2025

Submitted October 23, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Division of Child and Family Services (DCFS) Rural Region Child Welfare supports child protective services and other related child welfare services to the 15 rural counties in the state through its Rural Region offices. The DCFS Rural Region is separated into four districts, each providing services to multiple counties. Child Welfare services include emergency response (child protection) and the continuum of ongoing services to families through a comprehensive case planning process that provides initial assessment and comprehensive case management services that support the child, the parents and the caregivers. The continuum includes in home services, emergency shelter care, foster family care (including relative placements), group home care, therapeutic foster care, residential treatment care for both in- and out-of-state placements, Interstate Compact for the Placement of Children, foster care licensing, independent living services, permanency services to include reunification, guardianship, other planned living arrangements, and adoption. Additional services to support the child and their family include in-home counseling, Intensive Family Services, early childhood services, and designated outpatient services. Statutory Authority: NRS Chapters 432 and 432B.

Purpose of Work Program

This work program requests the addition of $823,120 in Interim Finance Committee Contingency funds to continue to provide Adoption Subsidy payments to adoptive parents of special-needs children.

This work program is a companion to work program #C72640.

Justification

The Adoption Subsidy category provides adoption assistance to adoptive parents through the Federal Title IV-E grant under NRS Chapter 127. Public Law 96-272, the Child Welfare and Adoption Assistance Act of 1980, requires states to establish an adoption subsidy program for children with special needs who are eligible for Title IV-E funding under the Social Security Act. Eligible children may receive financial and/or medical assistance. The subsidy payment must be based on the child's special needs rather than the family's income; and may not exceed the foster care payment rate. Federal law mandates that the resources of the adoptive parents cannot be considered when determining a child's eligibility for Title IV-E adoption assistance, however, the circumstances of the family and the needs of the child must both be taken into consideration when determining the nature and amount of assistance. The division has seen an increase in caseload, which the average budgeted caseload in the legislative approved budget is 524 and the current and projected caseload is 585 based on data pulled from UNITY as of September 27, 2024.

The total projected shortfall is $1,933,377.34 for state fiscal year 2025. Work program #C72640 requests $1,110,257 in federal Title IV-E funds and work program #C72583 requests $823,120 in Contingency Funds.

Expected Benefits to be Realized

Approval of this work program will allow the Rural Child Welfare budget to continue to provide financial, medical, and social services assistance to adoptive parents to encourage and support the adoption of special-needs children.

Explanation of Projections and Documentation

Attachment A - Budget Status Reports
Attachment B - FY25 Fund Maps
Attachment C - Work Program Need
Attachment C1 - Adoption Rates
Attachment D - Detail Summary
Attachment D1 - 3229 Summary
Attachment E - 3229 FY25 Contingency Memo
Attachment F - First Page of WPC72640

Summary of Alternatives and Why Current Proposal is Preferred

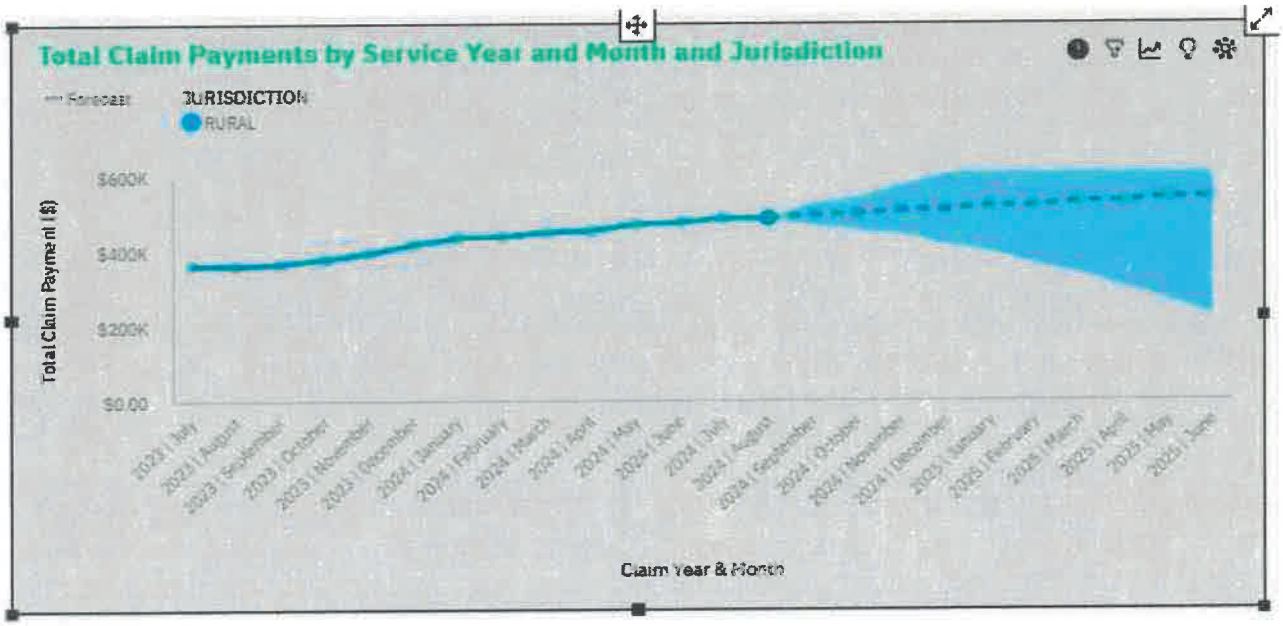
The alternative is to not approve this work program. The current proposal is preferred to allow Rural Child Welfare to meet its obligations to adoptive parents or provide incentive to continue the adoption of special-needs children.

DHHS-Division of Child and Family Services
B/A 3229
FY 2025 Adoption Subsidy Category 09

CLAIM_YEAR	CLAIM_MONTH_NAME	JURISDICTION	TOTAL BILLED	STATE_FISCAL_YEAR	BUDGET_SOURCE	Month
2023	July	RURAL	$362,584.09	SFY 2024	09 ADOPT SUBSID	7
2023	August	RURAL	$361,039.94	SFY 2024	09 ADOPT SUBSID	8
2023	September	RURAL	$366,034.26	SFY 2024	09 ADOPT SUBSID	9
2023	October	RURAL	$378,801.36	SFY 2024	09 ADOPT SUBSID	10
2023	November	RURAL	$394,436.87	SFY 2024	09 ADOPT SUBSID	11
2023	December	RURAL	$418,013.21	SFY 2024	09 ADOPT SUBSID	12
2024	January	RURAL	$434,946.96	SFY 2024	09 ADOPT SUBSID	1
2024	February	RURAL	$438,129.74	SFY 2024	09 ADOPT SUBSID	2
2024	March	RURAL	$449,585.74	SFY 2024	09 ADOPT SUBSID	3
2024	April	RURAL	$453,151.35	SFY 2024	09 ADOPT SUBSID	4
2024	May	RURAL	$470,198.50	SFY 2024	09 ADOPT SUBSID	5
2024	June	RURAL	$474,982.31	SFY 2024	09 ADOPT SUBSID	6
2024	July	RURAL	$485,907.52	SFY 2025	09 ADOPT SUBSID	7
2024	August	RURAL	$485,894.82	SFY 2025	09 ADOPT SUBSID	8
2024	September	RURAL	$496,774.00	SFY 2025	09 ADOPT SUBSID	9
2024	October	RURAL	$496,921.00	SFY 2025	09 ADOPT SUBSID	10
2024	November	RURAL	$507,919.00	SFY 2025	09 ADOPT SUBSID	11
2024	December	RURAL	$507,945.00	SFY 2025	09 ADOPT SUBSID	12
2025	January	RURAL	$519,064.00	SFY 2025	09 ADOPT SUBSID	1
2025	February	RURAL	$518,970.00	SFY 2025	09 ADOPT SUBSID	2
2025	March	RURAL	$530,209.00	SFY 2025	09 ADOPT SUBSID	3
2025	April	RURAL	$529,995.00	SFY 2025	09 ADOPT SUBSID	4
2025	May	RURAL	$541,354.00	SFY 2025	09 ADOPT SUBSID	5
2025	June	RURAL	$541,019.00	SFY 2025	09 ADOPT SUBSID	6
2025	Various	RURAL	$40,000.00	Non-Recurring Legal Fees		

*** This projection comes out of the UNITY System

		$6,201,972.34	Total actual/projection
FMAP Rate	60.22%	$4,268,595.00	leg approved
Rural Pentration Rate	95.36%	$1,933,377.34	WP needed
		$1,110,257.25	Title IV-E - Feds WPC72640
		$823,120.09	General Funds WPC72583



DHHS-Division of Child and Family Services
B/A 3229
FY 2025 Adoption Subsidy Category 09

Month	$ Paid/Projected	# of Children	Average Rate per month
Jul-24	$485,907.52	568	$855.47
Aug-24	$485,894.82	557	$872.34
Sep-24	$496,774.00	569	$873.07
Oct-24	$496,921.00	570	$871.79
Nov-24	$507,919.00	578	$878.75
Dec-24	$507,945.00	579	$877.28
Jan-25	$519,064.00	590	$879.77
Feb-25	$518,970.00	591	$878.12
Mar-25	$530,209.00	598	$886.64
Apr-25	$529,995.00	599	$884.80
May-25	$541,354.00	609	$888.92
Jun-25	$541,019.00	611	$885.46

$877.70	**Average Rate PerMonth Per Child**
585	**Average Children Per Month Receiving Subsidy**

Joe Lombardo
Governor

Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES

Helping people. It's who we are and what we do.

Marla McDade Williams, MPA
Administrator

MEMORANDUM

Date: November 26, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Richard Whitley, Director
Department of Health and Human Services

Subject: Request allocation from Interim Finance Committee Contingency Account

Pursuant to NRS 353.268, the Division of Child and Family Services respectfully requests a recommendation from the Interim Finance Committee for an allocation from the Interim Finance Committee Contingency Account to support the Adoption Subsidy category (Category 09) within the Rural Child Welfare budget account (Budget Account 3229).

The Adoption Subsidy category provides adoption assistance to adoptive parents through the Federal Title IV-E grant under NRS Chapter 127. Public Law 96-272, the Child Welfare and Adoption Assistance Act of 1980, required States to establish an adoption subsidy program for children with special needs who are eligible for Title IV-E funding under the Social Security Act. Eligible children may receive financial and/or medical assistance. The subsidy payment must be based on the child's special needs rather than the family's income; and may not exceed the foster care payment rate. Federal law mandates that the resources of the adoptive parents cannot be considered when determining a child's eligibility for Title IV-E adoption assistance, however, the circumstances of the family and the needs of the child must both be taken into consideration when determining the nature and amount of assistance.

The total projected shortfall is $1,933,377.34 for state fiscal year 2025, the General Fund portion is $823,120.09. Rural Child Welfare continues to try and minimize the projected shortfall, however, the services in question are critical to supporting adoptive parents and therefore cannot be significantly reduced and/or eliminated without detrimental consequences to the youth population served. The division has seen an increase in caseload, which the average budgeted caseload in the legislative approved budget is 544 and the current and projected caseload is 585 based on data pulled from UNITY as of 09/27/2024. In addition, the average negotiated rates budgeted in the legislatively approved budget is $648.31 and in FY 2025 the negotiated average rate is $877.90.

Work programs C72583 and C72640 have been created to support this request.

State of Nevada Work Program

WP Number: C72640

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
09/30/24	101	409	3229	HHS-DCFS - RURAL CHILD WELFARE

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			3562	FED - TITLE IV-E	1,110,258	6,292,657	7,402,915
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		1,110,258		7,402,915
			Total Budgetary & Revenue GLs		1,110,258		

Expenditures

CAT	Amount	CAT	Amount
09	1,110,258		
Sub Total Category Expenditures	1,110,258		

Remarks

This work program requests the addition of federal Title VI-E grant funds to continue to provide Adoption Subsidy payments to adoptive parents of special-needs children.

This work program is a companion to work program #C72583.

Total Budgetary General Ledgers and Category Expenditures (AP) 1,110,258

chadwic1
Authorized Signature

10/23/24
Date

Controller's Office Approval

Requires Interim Finance approval since WP is equal to or exceeds $350,000 cumulative for category

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 15, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Lesley Volkov, Executive Branch Budget Officer
Budget Division

Subject: INTERIM FINANCE COMMITTEE ACTION ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF EMPLOYMENT, TRAINING, AND REHABILITATION

Agenda Item Write-up:
Pursuant to NRS 353.268, the department requests an allocation of $1,216,748 from the Interim Finance Committee Contingency Account to support an increase in services being provided to Nevadans with disabilities.

Additional Information:
The grant received from the Rehabilitation Services Administration requires all federal funds drawn down must be matched in an amount equivalent to at least 21.3%. The additional state funds will allow for federal draws to be made to support the increase in Vocational Rehabilitation applications since the development of a website and online application process.

Statutory Authority:
NRS 353.268

REVIEWED: MR
ACTION ITEM: ✓

3N

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Nevada
Vocational Rehabilitation

JOE LOMBARDO
GOVERNOR

CHRISTOPHER SEWELL
DIRECTOR

DRAZEN ELEZ
ADMINISTRATOR

DATE: October 15, 2024

TO: State Board of Examiners (BOE)

SUBJECT: December 2024 - Interim Finance Committee - Contingency Request - Budget Account 3265

The Bureau of Vocational Rehabilitation (BVR) seeks approval from the Board of Examiners to request funds in the amount of $1,216,748 from the Interim Finance Committee Contingency Account to support an increase in services being provided to Nevadans with disabilities.

The Bureau has seen an increase in the need for its services since coming out of the COVID-19 pandemic. Prior to the COVID-19 pandemic, Nevada VR received approximately 150 new paper applications per month. Now, with the development of a website and online application process, Nevada VR applications have grown to approximately 350-400 per month which is a 267% increase.

The state funds being requested are also needed to fulfill the match requirement for the federal grant award that the Bureau receives from the Rehabilitation Services Administration (RSA). Per the terms of the award, all Federal funds drawn down for use must be matched in an amount equivalent to at least 21.3% of the total amount expended under the VR program. The additional $1,216,748 in state funds will allow the Bureau to draw down an additional $4,495,684 in federal funds.

Thank you for your attention to this matter,

Drazen Elez 10/15/2024

DRAZEN ELEZ
Rehabilitation Administration
Administrator

Phone: (702) 486-0506
Cell: (702) 239-3481
d-elez@detr.nv.gov
VRNevada.org

DETR
Nevada Department of Employment, Training and Rehabilitation

3016 W. Charleston Blvd. Suite210
Las Vegas, NV 89102

State of Nevada Work Program

WP Number: C69007

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
09/16/24	101	901	3265	DETR - VOCATIONAL REHABILITATION

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	1,216,748	0	1,216,748
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		1,216,748		1,216,748
			Total Budgetary & Revenue GLs		1,216,748		

Expenditures

CAT	Amount	CAT	Amount
09	1,216,748		
Sub Total Category Expenditures	1,216,748		

Remarks

This work program requests an increase in State General Funds through the Interim Finance Committee Contingency funds, to the Client Services category, to fund a projected shortfall for the remainder of the fiscal year

Total Budgetary General Ledgers and Category Expenditures (AP) 1,216,748

bmartin7
Authorized Signature

10/15/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Pursuant to NRS 353.268

STATE OF NEVADA
DETR - REHABILITATION DIVISION

Budget Account 3265 - DETR - VOCATIONAL REHABILITATION
Work Program C69007
Fiscal Year 2025

Submitted October 15, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Bureau of Vocational Rehabilitation provides vocationally motivated services to eligible individuals with disabilities to assist them in preparing for and obtaining competitive, integrated employment. The services available under this program are tailored to meet the individual needs of the consumer and may include a broad variety of vocational assessments, career counseling, training, education, job development, job placement, work readiness training, medical treatment/restoration, transportation, and assistive technology to help the individual to prepare for or achieve employment.

Purpose of Work Program

This work program requests an increase in State General Funds through the Interim Finance Committee Contingency funds, to the Client Services category, to fund a projected shortfall for the remainder of the fiscal year

Justification

VR is requesting general fund appropriations to use as the State's required match for the Federal Section 110 grant award received from the Rehabilitation Services Administration (RSA). Per the terms of the grant award, "All Federal VR funds drawn down for use, including the amount reserved for the provision of pre-employment transition services, must be matched in an amount equivalent to at least 21.3% of the total amount expended under the VR program." In State Fiscal Year (SFY) 2024 VR drew $20.268 million of the Federal Section 110 grant, a $3.122 million or 18%, increase to the legislatively approved authority. For SFY 2025 the Agency expects expenses to continue to rise mainly due to salary increases, client services, and departmental and divisional cost allocation and is projecting an approximate 12% increase in federal funds drawn when compared to the SFY 2024 total.
Additionally, there has been an increase in services being provided since the State started the recovery from the shut down due to the pandemic in 2020. The current Category 09, Client Services, budget was based off SFY 2022 actuals when the state was still partially recovering, and this does not properly reflect expenses that occur currently due to a large decrease in services during the shutdown. In SFY 2024 VR spent $6.68 million in Category 09, a $964,000 or 17%, increase to the legislatively approved authority. For SFY 2025 the Agency expects client services to continue to grow and is projecting an approximate 20% increase when compared to the SFY 2024 total.
This work program is a companion to work program C68779

Expected Benefits to be Realized

The additional authority will allow VR to continue to carry out its mission, which is to provide vocational services to eligible individuals with disabilities to assist them in preparing for and obtaining competitive, integrated employment. The services provided under this program are tailored to meet the individual needs of the client and include vocational assessments, career counseling, training, education, job development, job placement, work readiness training, medical treatment and restoration, transportation, and assistive technology.

Explanation of Projections and Documentation

DAWN BSR
Budget Projections and Charts
Fund Map
BOE Memo

Summary of Alternatives and Why Current Proposal is Preferred

The alternative would be for the agency to not be able to cover all the expenses which will impact its ability to carry out its mission. The current proposal is preferred to establish sufficient authority for the upcoming expenses through the remainder of the fiscal year.

#1

STATE MATCH SOURCES	AMOUNT	
APPROPRIATIONS	$3,703,309	
BEN BA 3253 PROJECTED MATCH	$1,200,000	
CATETGORY 88 MATCH	$58,989	
TOTAL PROJECTED STATE MATCH ACTUAL	$4,962,298	A

#2

GRANTS	PROJETED DRAWN	REQUIRED STATE MATCH	STATE %	
3442-FED SECTION 110 GRANT	$ 22,816,743.85	$6,175,307	21.30%	
3594-FED SUPPORTED EMPLOYMENT	$ 71,036.20	$3,739	5.00%	
TOTAL PROJECTED STATE MATCH NEEDED		$6,179,046		B

#3

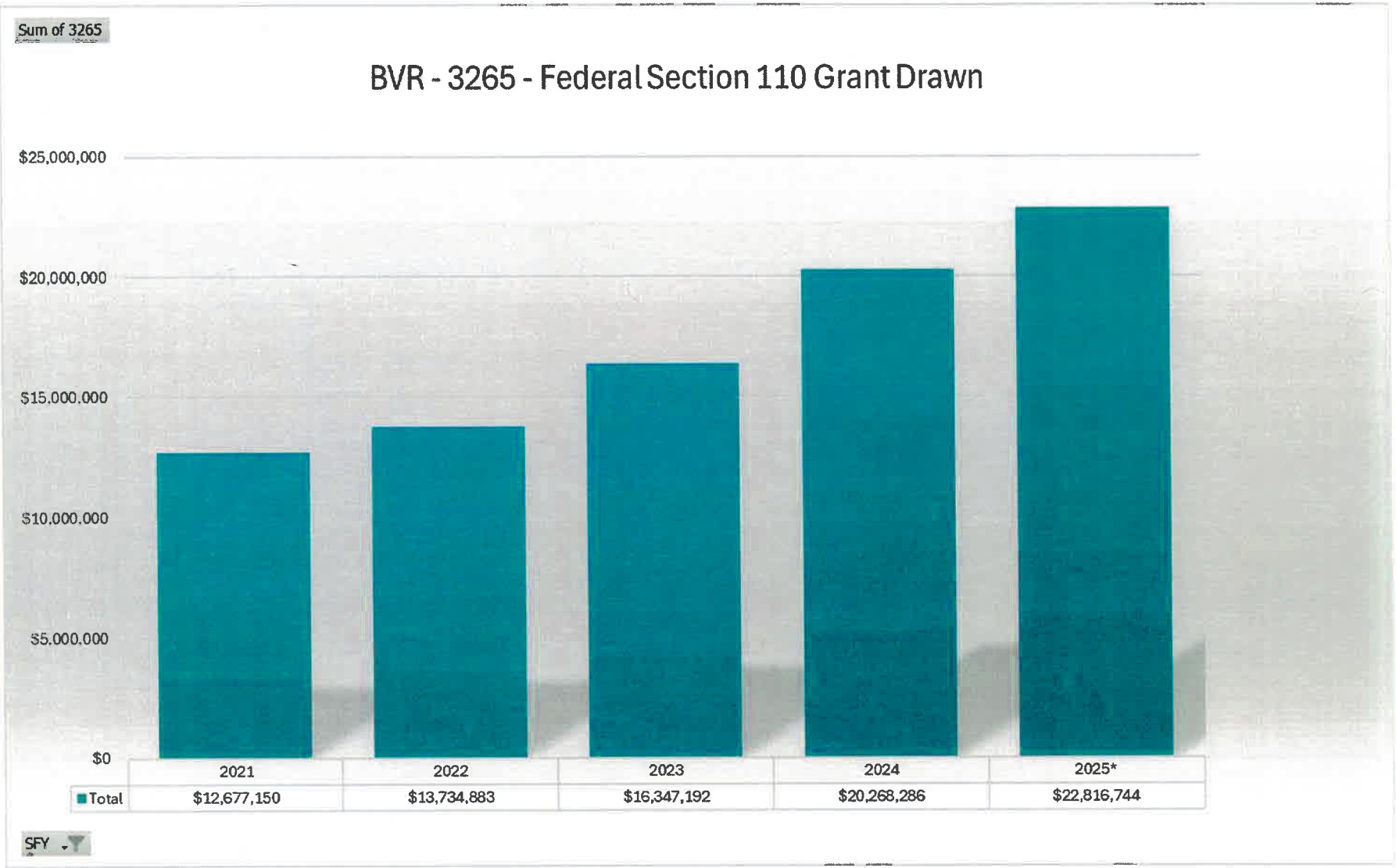
ADDITIONAL STATE MATCH NEEDED	AMOUNT		
TOTAL PROJECTED STATE MATCH ACTUAL	$4,962,298	A	
TOTAL PROJECTED STATE MATCH NEEDED	$6,179,046	B	
SURPLUS / (SHORTFALL)	($1,216,748)	<<<IFC CONTINGENCY REQUEST	

SFY	BEN Match	Federal Funds Generated
2022	973,061.12	3,595,300.95
2023	1,031,826.38	3,812,428.93
2024	1,428,386.40	5,277,653.04

Three Year Average	1,144,424.63

	2019	2020	2021	2022	2023	2024	2025
Sum of Total	$2,824,461	$2,674,468	$2,235,340	$3,027,632	$3,309,525	$4,160,384	$4,920,057
Sum of IFC Contingency				$615,035	$888,974	$492,216	$1,216,748
Sum of Appropriations	$2,824,461	$2,674,468	$2,235,340	$2,412,597	$2,420,551	$3,668,168	$3,703,309

SFY


Sum of 3265
BVR - 3265 - Federal Section 110 Grant Drawn
$25,000,000
$20,000,000
$15,000,000
$10,000,000
$5,000,000
$0
2021
2022
2023
2024
2025*
Total
$12,677,150
$13,734,883
$16,347,192
$20,268,286
$22,816,744
SFY

U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND
REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, D.C. 20202

TECHNICAL ASSISTANCE CIRCULAR
RSA-TAC-23-01
DATE: February 27, 2023

ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES
STATE REHABILITATION COUNCILS
CLIENT ASSISTANCE PROGRAMS
CONSUMER ADVOCACY ORGANIZATIONS

SUBJECT: Allowable Sources of Non-Federal Share for the State Vocational Rehabilitation Services Program

PURPOSE:

The Rehabilitation Services Administration (RSA) provides this technical assistance circular (TAC) to promote a better understanding of the various allowable sources of non-Federal match available under the State Vocational Rehabilitation (VR) program. With this improved knowledge and understanding of available sources of match, State VR agencies should be able to maximize the expenditure of available Federal funds to increase competitive integrated employment and supported employment outcomes and self-sufficiency for individuals with disabilities participating in the VR program, thereby minimizing the amount of Federal VR funds left unspent each year. RSA is reissuing, with updates, RSA-TAC-11-02: Sources of Non-Federal Share for the Vocational Rehabilitation Program, previously issued on August 16, 2011. RSA has updated legal citations and examples of other allowable sources of match, such as certain expenditures incurred under the Randolph-Sheppard Vending Facilities Program (RSVFP).

RSA routinely receives inquiries regarding options available to VR agencies to obtain non-Federal matching funds so they may more easily satisfy the matching requirement for the VR program required by the Rehabilitation Act of 1973 (Rehabilitation Act), and VR program regulations. Although the specifics of these inquiries differ, they all describe an existing or potential deficit in non-Federal funding for the VR program and seek guidance pertaining to Federal requirements governing the scope and use of allowable sources of State match. Therefore, RSA is providing guidance regarding the various allowable sources of non-Federal match available for use in the VR program.

TECHNICAL ASSISTANCE:

The VR program is administered through a Federal and State partnership, with the Federal government contributing no more than 78.7 percent of the total program expenditures. In

recognition of this Federal-State partnership, each State must contribute a non-Federal share equal to at least 21.3 percent of total VR program expenditures (34 C.F.R. § 361.60(a)(1) and (b)(1)). By contributing the required non-Federal share through State-appropriated funds or other allowable sources, States are able to receive approximately $3.69 Federal VR dollars for every non-Federal dollar to pay for the costs of administering the VR program and, most importantly, providing critical services to individuals with disabilities, including individuals with the most significant disabilities, as they pursue employment.

When determining what expenditures can count toward the match requirement of the VR program, the VR agency must first determine whether the cost is allowable with Federal funds under that program. If the cost is allowable with Federal VR funds, then that same cost is allowable as a non-Federal expenditure under the VR program and can be used toward satisfying the program's match requirement. If the cost is not allowable for any reason, then it may not be used toward satisfying the match requirement.

In general, the following sources of funds are allowable sources for acquiring match funds for purposes of the VR program:

- State-appropriated funds;
- Third-Party Cooperative Arrangements;
- Interagency transfers;
- Contributions by private entities;
- Establishment, development, and improvement of community rehabilitation programs; and
- Certain RSVFP expenditures (Business Enterprise Program).

We will discuss each of the above in more detail separately below.

A. Allowable Sources of Match

State-Appropriated Funds

In support of the Federal-State partnership, States typically contribute the required non-Federal share for the VR program through appropriated funds, thus demonstrating their commitment to the program. State appropriations offer certain advantages as match for the VR program. Importantly, VR agencies have flexibility to use these funds for allowable administrative costs of the VR program, in addition to the cost of services, without adhering to specific requirements associated with other allowable sources of match (i.e., non-State-appropriated funds). Because State-appropriated funds can be used to support the full range of costs associated with the administration and operation of the program, VR agencies can use such funds in a highly flexible manner, directing them toward allowable costs in an area of need more easily.

Third-Party Cooperative Arrangements

VR agencies and other State and local public agencies can enhance and improve the provision of VR services to individuals with disabilities by entering third-party cooperative arrangements (TPCAs), which must adhere to the following requirements in 34 C.F.R. § 361.28:

1. The cooperating agency must provide part or all of the non-Federal share of the costs of the arrangement (34 C.F.R. § 361.28(a));
2. The services provided by the cooperating agency are not the customary or typical services provided by that agency but are new services that have a VR focus or existing services that have been modified, adapted, expanded, or reconfigured to have a VR focus (34 C.F.R. § 361.28(a)(1));
3. The services provided through the cooperative arrangement must be provided only to individuals who are applicants for, or recipients of, VR services from the designated State unit (including students with disabilities as defined in 34 C.F.R. § 361.5(c)(51) who are potentially eligible for the VR program) (34 C.F.R. § 361.28(a)(2));
4. The VR agency must maintain administrative supervision over the program expenditures and the personnel providing the services (34 C.F.R. § 361.28(a)(3));
5. The provision of services through the cooperative arrangement must be consistent with the VR services portion of the Unified or Combined State Plan, including the implementation of an order of selection (34 C.F.R. § 361.28(a)(4));
6. The services must be provided statewide, unless the VR agency receives a waiver of statewideness pursuant to 34 C.F.R. § 361.26 (34 C.F.R. § 361.28(b));
7. If a waiver of statewideness is required, the following additional conditions must be met for RSA to approve the waiver:
   - The non-Federal share of the cost of these services must be provided by a local public agency (34 C.F.R. § 361.26(a)(1));
   - The services must be likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments (34 C.F.R. § 361.26(a)(2)); and
   - The State must include a request for a waiver of statewideness in the VR services portion of the Unified or Combined State Plan for approval by the Secretary of Education (34 C.F.R. § 361.26(b)); and
8. The cooperating agency's contribution toward the non-Federal share required under the arrangement may be made through—
   - Cash transfers to the VR agency, which should be deposited into the VR agency's account (34 C.F.R. § 361.28(c)(1));
   - Certified personnel expenditures including salary and fringe benefits for the portion of cooperating agency staff time spent directly providing VR services under the arrangement (34 C.F.R. § 361.28(c)(2)); and
   - Other direct expenditures (e.g., supplies) incurred by the cooperating agency directly related to providing VR services under the arrangement (34 C.F.R. § 361.28(c)(3)).

Interagency Transfers

VR agencies can receive non-Federal funds from other State or local public agencies to enhance and improve the provision of VR services to individuals with disabilities, including persons with developmental disabilities or mental illness. When expended for VR purposes, VR agencies may use the non-Federal funds received through such transfers to satisfy the VR program matching requirements (34 C.F.R. §§ 361.60(b); 2 C.F.R. § 200.306(b)).

It has been RSA's longstanding policy that State VR agencies could use interagency transfers from other State and local public agencies toward satisfying their match requirements under the VR program (notice of proposed rulemaking, 60 Fed. Reg. 64476 (December 15, 1995); final regulations, 62 Fed. Reg. 6308, 6332 (February 11, 1997)). In 2016, when the Department amended the VR program regulations, the Department codified a cross reference to 2 C.F.R. § 200.306(b) in the provisions governing match for the VR program. In so doing, the Department made clear that the government-wide non-Federal share requirements of 2 C.F.R. § 200.306(b) applied to the VR program, unless specifically excluded.

As is true for any other Federal grantee, 2 C.F.R. § 200.306(b), in pertinent part, permits VR program grantees to use interagency transfers toward satisfying their match requirements so long as the expenditures paid with such funds—

- Are verifiable from the grantee's records;
- Are not used as match for any other grant award;
- Are necessary for accomplishing the objectives of the VR program;
- Are allowable under the Federal cost principles;
- Are not paid by the Federal government under another Federal award, unless specifically authorized by Federal statute; and
- Conform to applicable requirements of 2 C.F.R. part 200.

Contributions by Private Entities

In addition to non-Federal funds from public sources, VR agencies may report match from allowable VR expenditures incurred with cash contributions from private entities, deposited into the State VR agency's account, and earmarked for meeting, in whole or in part, the agency's non-Federal share of expenditures under the VR program for—

- Establishment or construction of a Community Rehabilitation Program (CRP) (34 C.F.R. § 361.60(b)(3)(i));
- Particular geographic areas when the State cannot otherwise provide the non-Federal share (34 C.F.R. § 361.60(b)(3)(ii)); and
- Other VR purposes **provided the expenditures do not benefit the donor** in any way (34 C.F.R. § 361.60(b)(3)(iii)).

Establishment, Development, or Improvement of CRPs

VR agencies may receive contributions from public sources or private donations for non-Federal match purposes that expand the capacity of CRPs to provide VR services and assist individuals with disabilities to achieve employment outcomes. When engaging in the establishment, development, or improvement of a public or nonprofit CRP for the purpose of providing VR services that promote integration into the community and that prepare individuals with disabilities for competitive integrated employment, including supported employment and customized employment (Section 103(b)(2)(A) of the Rehabilitation Act and 34 C.F.R. § 361.49(a)(1)), VR agencies must—

1. Prior to establishing, developing, or improving a CRP, conduct substantial planning activities, including a comprehensive statewide needs assessment demonstrating the need for such activity, the development of goals and priorities related to the need, and the selection of strategies for the achievement of the goals, all of which must be included in the agency's VR services portion of the Unified or Combined State Plan (Sections 101(a)(15)(A), (C) and (D) of the Rehabilitation Act and 34 C.F.R. §§ 361.29(a), (c), and (d));
2. Develop and maintain written policies covering the nature and scope of VR services that will be provided to groups of individuals with disabilities, set forth the criteria under which these services will be provided, and include policies involving the establishment, development, or improvement of CRPs (34 C.F.R. § 361.49(b)(1)); and
3. Deliver the VR services provided through establishment projects only to applicants for, or recipients of, VR services (Section 103(b)(2)(A) of the Rehabilitation Act and 34 C.F.R. § 361.5(c)(16)(i) – (iii)).

VR agencies can use the establishment authority for the sole benefit of individuals with disabilities served through the VR program by, for example, expanding the availability of service providers in areas where resources are lacking, particularly in rural locations, or improving the types of services offered by existing CRPs.

Certain RSVFP expenditures (Business Enterprise Program (BEP))

In many States, the RSVFP is commonly known as the "Business Enterprise Program" or "BEP." Although the RSVFP is authorized under the Randolph-Sheppard Act, Section 103(b)(1) of the Rehabilitation Act creates a nexus between the VR program and RSVFP. In so doing, Congress authorized the VR program to use Title I VR funds to cover many of the costs incurred in establishing vending facilities and purchasing equipment under the RSVFP. Therefore, the VR program requirements must be read in conjunction with those under the Randolph-Sheppard Act to give meaning to both.

Specifically, Section 103(b)(1) of the Rehabilitation Act and 34 C.F.R. § 361.49(a)(5) permit the VR agencies to use Federal funds for small business enterprises, including those established under the Randolph-Sheppard Act, for the provision of—

- The management and supervision provided by the VR agency;
- Acquisition by the State agency of vending facilities or other equipment;
- Initial stocks and supplies; and
- Initial operating expenses.

The VR agency that serves individuals who are blind or visually impaired also is the State licensing agency (SLA) for the RSVFP. The SLA is authorized to issue licenses to blind individuals to operate vending facilities on Federal and other properties and administers the State's RSVFP (34 C.F.R. § 395.1(v)).

In addition to the above activities specifically identified in the Rehabilitation Act and its implementing regulations for the benefit of the RSVFP, the VR agency also may use Federal VR funds to pay for the costs of maintenance associated with the vending facilities and equipment, consistent with the requirements given to all Federal grantees by 2 C.F.R. § 200.452 and longstanding RSA policy.

As is true with any VR program activity, these VR costs incurred for the benefit of the RSVFP may be paid with Federal VR grant funds or non-Federal funds used for match purposes under the VR program. The three most common sources of non-Federal funds used for match purposes for expenditures incurred under the VR program for the benefit of the RSVFP are—

- State-appropriated funds (discussed previously in this TAC);
- RSVFP unassigned Federal vending machine income; and
- RSVFP set-aside funds.

RSVFP Unassigned Federal Vending Machine Income and RSVFP Set-Aside Funds

Unassigned Federal vending machine income, for purposes of the RSVFP, is that income from vending machines on Federal property that accrues to the SLA from a property management department, agency, or instrumentality of the United States in accordance with 34 C.F.R. § 395.32 (34 C.F.R. §§ 395.1 and 395.8(a)).

Regulations implementing the Randolph-Sheppard Act at 34 C.F.R. § 395.1(s) define "set-aside funds" as funds that accrue to the SLA from an assessment against the net proceeds of each vending facility in the State's vending facility program and any income from vending machines on Federal property that accrues to the SLA.

The RSVFP regulations at 34 C.F.R. §§ 395.8(c) and 395.9(b) authorize many different uses for the unassigned Federal vending machine income and set-aside funds, respectively; however, only the following RSVFP expenditures, which are also allowable under the VR program, may be used for match purposes:

- Maintenance and replacement of equipment;
- Purchase of new equipment; and
- Management services.

Therefore, any allowable expenditures incurred for these purposes with RSVFP unassigned Federal vending machine income or set-aside funds may be used toward the VR program match requirement.

B. Considerations When Determining Use of Other Sources for Non-Federal Match

Sources Other than State Appropriations

While other sources of match may involve State or local public funds (i.e., TPCAs and interagency transfers), establishment projects may include local or private funds, depending on the nature of the CRP (i.e., whether it is a public or private nonprofit CRP).

When considering the use of TPCAs as a source of match, VR agencies should be aware that the implementation of an order of selection by a VR agency can affect the availability and provision of services provided under a TPCA for eligible individuals with disabilities who are placed in a closed category on a waiting list for services. However, students with disabilities receiving pre-employment transition services under a TPCA while potentially eligible for the VR program may continue to receive pre-employment transition services after an eligibility determination that places them on a waiting list.

Some VR agencies rely upon TPCAs to obtain a significant portion of the required non-Federal share for the VR program due to the lack of State-appropriated funds for the program. However, cooperating agencies experiencing budgetary changes may be limited in their ability to continue participating in these arrangements or to serve adequate numbers of individuals with disabilities. These changes can affect or reduce the level of non-Federal funds available for match and, consequently, the amount of Federal funds available for use in the VR program.

Funding constraints resulting from decreases in State appropriations or budgetary fluctuations also may affect the ability of another State or local agency to transfer non-Federal funds, which may be used to satisfy match requirements under the VR program, to a VR agency. For this reason, VR agencies may not be able to rely consistently on interagency transfers from other agencies as a source of non-Federal share.

In addition, reliance on interagency transfers for significant amounts of the non-Federal share can raise some of the same issues associated with TPCAs. For instance, the implementation of an order of selection could dictate that too few of the transferring agency's population would be able to receive VR services through the program, thus making the continuation of such transfers less attractive to the transferring agency. Also, other agencies may find interagency transfers somewhat limiting or inadequate for their intended purposes, since the VR agency must retain sole responsibility for determining eligibility for the individuals served, the services they would receive, and the expenditure and allocation of all funds (34 C.F.R. § 361.13(c)).

When considering the use of establishment projects for non-Federal match, VR agencies are reminded that the use of VR program funds is limited to—

- Establishing a CRP's facility with additional limitations imposed regarding the square footage and size, appraised value, and other aspects of the facility (34 C.F.R. §§ 361.5(c)(16)(i) and (17));
- Building the staff capacity of a CRP for a maximum period of four years, with Federal financial participation available at the applicable matching rate of 78.7 percent, applied to a declining range of 100 percent of staffing costs in the first year to 45 percent in the fourth and final year (34 C.F.R. § 361.5(c)(16)(ii)); and
- Other expenditures that are necessary to make the CRP "functional or increase its effectiveness in providing [VR] services… but are not ongoing operating expenses of the program" (34 C.F.R. § 361.5(c)(16)(iii)).

The utility of this mechanism for the purpose of obtaining non-Federal matching funds is limited for some of the same reasons described above in connection with TPCAs. CRPs may not possess the financial ability to provide the expected level of non-Federal share. In addition, VR agencies may not be able to use the establishment authority to address a loss of non-Federal share from other sources in a timely manner, if they have not engaged in the necessary planning activities or have yet to adopt written policies governing the nature and scope of establishment projects, both of which can take considerable time to complete. Furthermore, establishment projects may not be well suited as a long-term source of non-Federal match, because they are inherently short-term in nature, and should last only as long as it takes to complete program development, construction, and (when applicable) the maximum four years of staffing support.

Non-Federal Expenditures

The receipt of non-Federal share (e.g., appropriations, interagency transfers) does not in itself constitute match under the VR program. The funds must be expended for a VR service, as that term is defined at 34 C.F.R. § 361.5(c)(57), or an administrative cost, as that term is defined at 34 C.F.R. § 361.5(c)(2) (34 C.F.R. § 361.3). To be an allowable expenditure under the VR services portion of the Unified or Combined State Plan, all VR program requirements, as applicable, must be satisfied. This includes the requirements governing the non-delegable functions of the DSU related to the determination of eligibility, the provision of services, and the expenditure and allocation of funds (34 C.F.R. § 361.13(c)). The services also must be available statewide in accordance with 34 C.F.R. § 361.25.

VR expenditures counted and reported as non-Federal share must be incurred during the Federal fiscal year (FFY) of appropriation (i.e., the FFY in which the grant was awarded). Obligations may only be counted and reported as non-Federal share when obligated in the FFY of appropriation of an award (i.e., by September 30 of the FFY in which the grant was awarded) and liquidated by the end of the liquidation period for the award (i.e., within 120 days of the end of the period of performance for that grant award). Non-Federal obligations that are cancelled during the carryover period, if applicable, or otherwise not liquidated after the FFY of appropriation, may not be used toward satisfying the match requirement. Therefore, any Federal VR funds carried over on the basis of those obligations for use in the subsequent year, pursuant to Section 19 of the Rehabilitation Act, are no longer available for use by the program in the event those obligations are cancelled or otherwise de-obligated.

Certified Time as Non-Federal Share

As previously noted, a VR agency may enter TPCAs under 34 C.F.R. § 361.28 for providing VR services with another State or local public agency that is furnishing part or all of the non-Federal share under the program. If the third party is contributing funds to provide VR services, those dollars may be used as part of the VR agency's non-Federal share once expended (e.g., staff salaries paid by the third party that are allowable matching expenditures). If, on the other hand, the VR agency enters an arrangement under which a third party provides access to its equipment or property in the administration of the VR program, the costs associated with those items cannot be used as non-Federal share because in-kind expenditures are not permitted as match.

Certified expenditures for staff time under TPCAs are not considered in-kind contributions. To be counted as non-Federal share, certified expenditures for staff time must be incurred for VR purposes before they can be considered match. Therefore, certified expenditures for staff time are only considered match after the staff time in support of the TPCA has been worked and certified. Certified expenditures for staff time, absent a TPCA, would not be an allowable source of match. In contrast, space, equipment, and other property (e.g., supplies) would be considered third-party in-kind contributions and would not be allowable as match under the VR program unless, for example, supplies were specifically purchased for use in the provision of direct services during the time in which the TPCA was effective (34 C.F.R. § 361.28(c)(3)).

Reversion to Donor for Private Contributions

If a business provides funds directly to the VR agency for use as match for the VR program, pursuant to 34 C.F.R. § 361.60(b)(3)(iii), regarding contributions by private entities, the prohibition against reversion to donor is triggered. This means the VR agency would not be permitted to pay the business directly for services provided to VR program participants unless the business was paid through a contract that was implemented under the State's regular competitive procurement procedures, even if the VR agency is typically exempt from some or all of those procedures.

SUMMARY:

The information presented in this guidance is intended to encourage VR agencies to minimize the return of and maximize the use and expenditure of available Federal VR program funds through the understanding and exploration of the various allowable sources of non-Federal match. Certain advantages are inherent in the use of State-appropriated match for the VR programs, chief among them being the flexibility VR agencies possess in the way these funds can be used to support the administrative and service-related costs of the program. VR agencies may also give thoughtful and strategic consideration to the use of other allowable sources of non-Federal match to maximize their ability to expend all available Federal funds to serve individuals with disabilities. When pursuing other sources of non-Federal match, VR agencies must meet specific requirements pertaining to various sources of match, including TPCAs, establishment projects, and interagency transfers. The use of sources of match other than State appropriations can affect the availability of VR program funding, both on the State and Federal levels, as these methods of service provision may be affected by circumstances experienced by

other public and nonprofit agencies, resulting in fluctuations in or withdrawal of their participation with the VR program. Above all, when considering how or whether to engage in these activities to increase non-Federal match, VR agencies should determine that they are of sound programmatic benefit to the individuals with disabilities served through the VR program.

CITATIONS:

Rehabilitation Act of 1973, Sections 101(a)(15), and 103(b)

Vocational Rehabilitation Program Regulations at 34 C.F.R. §§ 361.5(c)((2), 16), (17), and (57); 361.28; 361.29; 361.49; and 361.60

Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 C.F.R. Part 200

RSVFP Regulations: 34 C.F.R. §§ 395.1, 395.8, 395.9, and 395.32

INQUIRIES:

David Steele, Chief
Fiscal Unit
(202) 245-6520
David.Steele@ed.gov

/s/

Carol L. Dobak
Deputy Commissioner,
delegated the authority to perform the
functions and duties of the Commissioner

cc: Council of State Administrators of Vocational Rehabilitation
National Council of State Agencies for the Blind
Consortia of Administrators of Native American Rehabilitation
National Disability Rights Network

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 17, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Lesley Volkov, Executive Branch Budget Officer
Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF EMPLOYMENT, TRAINING, AND REHABILITATION

Agenda Item Write-up:
Pursuant to NRS 353.268, the department requests an allocation of $78,728 from the Interim Finance Committee Contingency Account to support an increase in services being provided to Nevadans with disabilities.

Additional Information:
The grant received from the Rehabilitation Services Administration requires all federal funds drawn down must be matched in an amount equivalent to at least 21.3%. The additional state funds will allow for federal draws to be made to support the increase in Vocational Rehabilitation applications since the development of a website and online application process.

Statutory Authority:
NRS 353.268

REVIEWED: MR
ACTION ITEM: ✓

30

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Nevada
Vocational Rehabilitation

JOE LOMBARDO
GOVERNOR

CHRISTOPHER SEWELL
DIRECTOR

DRAZEN ELEZ
ADMINISTRATOR

DATE: October 15, 2024

TO: State Board of Examiners (BOE)

SUBJECT: December 2024 - Interim Finance Committee - Contingency Request - Budget Account 3254

The Bureau of Services to the Blind and Visually Impaired (BSBVI) seeks approval from the Board of Examiners to request funds in the amount of $78,728 from the Interim Finance Committee Contingency Account to support an increase in services being provided to Nevadans with disabilities.

The Bureau has seen an increase in the need for its services since coming out of the COVID-19 pandemic. Prior to the COVID-19 pandemic, Nevada VR received approximately 150 new paper applications per month. Now, with the development of a website and online application process, Nevada VR applications have grown to approximately 350-400 per month which is a 267% increase.

The state funds being requested are also needed to fulfill the match requirement for the federal grant award that the Bureau receives from the Rehabilitation Services Administration (RSA). Per the terms of the award, all Federal funds drawn down for use must be matched in an amount equivalent to at least 21.3% of the total amount expended under the VR program. The additional $78,728 in state funds will allow the Bureau to draw down an additional $290,887 in federal funds.

Thank you for your attention to this matter,

Drazen Elez

10/15/2024

DRAZEN ELEZ
Rehabilitation Administration
Administrator

Phone: (702) 486-0506
Cell: (702) 239-3481

d-elez@detr.nv.gov
VRNevada.org

DETR
Nevada Department of Employment, Training and Rehabilitation

3016 W. Charleston Blvd. Suite210
Las Vegas, NV 89102

State of Nevada Work Program

WP Number: C72730

FY 202

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/04/24	101	901	3254	DETR - SERVICES TO BLIND OR VISUALLY IMPAIRED

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
2501	APPROPRIATION CONTROL	78,728					
Subtotal Budgetary General Ledgers		78,728	Subtotal Revenue General Ledgers(RB)		0		
			Total Budgetary & Revenue GLs		78,728		

Expenditures

CAT	Amount	CAT	Amount
09	78,728		
Sub Total Category Expenditures	78,728		

Remarks

This work program requests an increase in State General Funds through the Interim Finance Committee Contingency funds, to the Client Services category, to fund a projected shortfall for the remainder of the fiscal year.

Total Budgetary General Ledgers and Category Expenditures (AP) 157,456

bmartin7
Authorized Signature

10/15/24
Date

Controller's Office Approval

Requires Interim Finance approval since IFC Contingency Funds Request

STATE OF NEVADA
DETR - REHABILITATION DIVISION

Budget Account 3254 - DETR - SERVICES TO BLIND OR VISUALLY IMPAIRED
Work Program C72730
Fiscal Year 2025

Submitted October 15, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Bureau of Services to Persons who are Blind or Visually Impaired (Bureau) provides a full range of services to persons who are blind, deaf/blind and/or severely visually impaired to assist them in preparing for and achieving competitive, integrated employment and self-sufficiency. Additionally, under the Randolph-Sheppard Act, the Bureau serves as the State Licensing Agent for the Blind Business Enterprise of Nevada Program statewide.

Purpose of Work Program

This work program requests an increase in State General Funds through the Interim Finance Committee Contingency funds, to the Client Services category, to fund a projected shortfall for the remainder of the fiscal year.

Justification

BSBVI is requesting general fund appropriations to use as the State's required match for the Federal Section 110 grant award received from the Rehabilitation Services Administration (RSA). Per the terms of the grant award, "All Federal VR funds drawn down for use, including the amount reserved for the provision of pre-employment transition services, must be matched in an amount equivalent to at least 21.3% of the total amount expended under the VR program."
For SFY 2025 the Agency expects expenses to continue to rise mainly due to salary increases, client services, and departmental and divisional cost allocation and is projecting an approximate 17% increase in federal funds drawn when compared to the SFY 2024 total.
Additionally, there has been an increase in services being provided since the State started the recovery from the shut down due to the pandemic in 2020. The current Category 09, Client Services, budget was based off SFY 2022 actuals when the state was still partially recovering, and this does not properly reflect expenses that occur currently due to a large decrease in services during the shutdown. In SFY 2024 BSBVI spent $766k in Category 09, a $117k, or 18%, increase to the legislatively approved authority. For SFY 2025 the Agency expects client services to continue to grow and is projecting an approximate 18% increase when compared to the SFY 2024 total.
This work program is a companion to work program C72731.

Expected Benefits to be Realized

The additional authority will allow BSBVI to continue to carry out its mission, which is to provide vocational services to eligible individuals with disabilities to assist them in preparing for and obtaining competitive, integrated employment. The services provided under this program are tailored to meet the individual needs of the client and include vocational assessments, career counseling, training, education, job development, job placement, work readiness training, medical treatment and restoration, transportation, and assistive technology.

Explanation of Projections and Documentation

DAWN BSR
Budget Projections and Charts
Fund Map
BOE Memo

Summary of Alternatives and Why Current Proposal is Preferred

The alternative would be for the agency to not be able to cover all the expenses which will impact its ability to carry out its mission. The current proposal is preferred to establish sufficient authority for the upcoming expenses through the remainder of the fiscal year.

DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION
BLIND BUSINESS ENTERPRISE OF NEVADA
BUDGET ACCOUNT : 3254
MONTHLY FINANCIAL STATUS REPORT
STATE FISCAL YEAR 2025
SEPTEMBER

			APPROVED	PENDING	PENDING	PENDING					
	REVENUES	LEGISLATIVELY APPROVED BUDGET	WORK PROGRAM C72269	WORK PROGRAM C72606	WORK PROGRAM C72730	WORK PROGRAM C72731	ADJUSTED BUDGET AUTHORITY	ACTUAL YTD AMOUNT	PROJECTED AMOUNT	ACTUAL + PROJECTED TOTAL	PROJECTED BALANCE
2501	APPROPRIATION CONTROL	$ 570,360.00					$ 570,360.00	$ 570,360.00	$ -	$ 570,360.00	$ -
2510	REVERSIONS	$ -					$ -	$ -	$ -	$ -	$ -
3410	FED OLDER AMER INDEP LVG GRANT	$ 303,795.00					$ 303,795.00	$ 45,762.07	$ 258,032.93	$ 303,795.00	$ -
3433	FED SSA PROGRAM INCOME	$ 70,925.00					$ 70,925.00	$ 27,029.80	$ 96,232.10	$ 123,261.90	$ (52,336.90)
3442	FED SECTION 110 GRANT	$ 2,175,295.00	$ 23,000.00	$ 16,750.00		$ 174,250.00	$ 2,198,295.00	$ 373,972.64	$ 2,067,557.53	$ 2,441,530.17	$ (243,235.17)
3802	CLIENT CHARGE	$ 5,000.00					$ 5,000.00	$ -	$ -	$ -	$ 5,000.00
4611	TRANSFER IN FED ARPA	$ -					$ -	$ -	$ -	$ -	$ -
4654	TRANSFER FROM INTERIM FINANCE	$ -			$ 78,728.00		$ -	$ -		$ 78,728.00	$ (78,728.00)
4761	TRANSFER FROM TRAFFIC SAFETY-A	$ -					$ -	$ -	$ -	$ -	$ -
	TOTAL REVENUES	$ 3,125,375.00	$ 23,000.00	$ 16,750.00	$ 78,728.00	$ 174,250.00	$ 3,148,375.00	$ 1,017,124.51	$ 2,500,550.56	$ 3,517,675.07	$ (369,300.07)
	EXPENDITURES										
01	PERSONNEL	$ 1,522,140.00					$ 1,522,140.00	$ 344,396.50	$ 1,275,656.00	$ 1,620,052.50	$ (97,912.50)
02	OUT-OF-STATE TRAVEL	$ -	$ 12,000.00				$ 12,000.00	$ -	$ 11,588.23	$ 11,588.23	$ 411.77
03	IN-STATE TRAVEL	$ 12,760.00	$ 8,000.00				$ 20,760.00	$ 3,169.54	$ 17,150.53	$ 20,320.07	$ 439.93
04	OPERATING EXPENSES	$ 209,012.00					$ 209,012.00	$ 51,254.66	$ 164,646.69	$ 215,901.35	$ (6,889.35)
08	OLDER BLIND SERVICES	$ 143,366.00					$ 143,366.00	$ 19,084.18	$ 124,281.82	$ 143,366.00	$ -
09	CASE SERVICES	$ 649,035.00			$ 78,728.00	$ 174,250.00	$ 649,035.00	$ 130,008.26	$ 771,964.49	$ 901,972.75	$ (252,937.75)
26	INFORMATION SERVICES	$ 19,615.00					$ 19,615.00	$ 2,554.06	$ 16,886.00	$ 19,440.06	$ 174.94
27	CLIENT INFORMATION SYSTEM	$ 75,043.00					$ 75,043.00	$ 40,019.67	$ 35,023.33	$ 75,043.00	$ -
28	PHONE SYSTEM	$ -					$ -	$ -	$ -	$ -	$ -
30	TRAINING	$ 53.00	$ 3,000.00				$ 3,053.00	$ -	$ 3,010.00	$ 3,010.00	$ 43.00
32	SSA PROGRAM INCOME	$ 15,441.00					$ 15,441.00	$ -	$ -	$ -	$ 15,441.00
59	UTILITIES	$ 808.00					$ 808.00	$ 112.30	$ 893.55	$ 1,005.85	$ (197.85)
80	DIVISION COST ALLOCATION	$ 96,307.00		$ 16,750.00			$ 96,307.00	$ -	$ 112,756.61	$ 112,756.61	$ (16,449.61)
81	DEPARTMENTAL COST ALLOCATION	$ 359,174.00					$ 359,174.00	$ 39,997.79	$ 330,599.85	$ 370,597.64	$ (11,423.64)
87	PURCHASING ASSESSMENT	$ 2,437.00					$ 2,437.00	$ 609.25	$ 1,827.75	$ 2,437.00	$ -
88	STATEWIDE COST ALLOCATION PLAN	$ 20,184.00					$ 20,184.00	$ 5,046.00	$ 15,138.00	$ 20,184.00	$ -
	TOTAL EXPENDITURES	$ 3,125,375.00	$ 23,000.00	$ 16,750.00	$ 78,728.00	$ 174,250.00	$ 3,148,375.00	$ 636,252.21	$ 2,881,422.86	$ 3,517,675.07	$ (369,300.07)
		$ -	$ -	$ -	$ -	$ -	$ -			$ -	

#1

STATE MATCH SOURCES	AMOUNT	
APPROPRIATIONS	$570,360	
BEN BA 3253 PROJECTED MATCH	$40,000	
CATETGORY 88 MATCH	$5,463	
TOTAL PROJECTED STATE MATCH ACTUAL	$615,823	A

#2

GRANTS	PROJETED DRAWN	REQUIRED STATE MATCH	STATE %	
3442-FED SECTION 110 GRANT	$ 2,441,530.17	$660,795	21.30%	
3410-FED OLDER AMER INDEP LVG GRANT	$ 303,795.00	$33,755	10.00%	
TOTAL PROJECTED STATE MATCH NEEDED		$694,550		B

#3

ADDITIONAL STATE MATCH NEEDED	AMOUNT	
TOTAL PROJECTED STATE MATCH ACTUAL	$615,823	A
TOTAL PROJECTED STATE MATCH NEEDED	$694,550	B
SURPLUS / (SHORTFALL)	($78,728)	<<<IFC CONTINGENCY REQUEST

SFY	BEN Match	Federal Funds Generated
2022	973,061.12	3,595,300.95
2023	1,031,826.38	3,812,428.93
2024	1,428,386.40	5,277,653.04

Three Year Average	1,144,424.63

ALLOWABLE MATCH - GROUPS (1), (2), (3), (5) FROM RSA-15
'3253
'SETFY

TOTAL SFY22 BEN MATCH 971,061.12
FEDERAL FUNDS GENERATED 3,595,300.95

(1) PURCHASE OF NEW EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7460	16,844.88	'5491	[illegible]	15,670.92
'10	'7465	0.00	'5491	0.00	0.00
'10	'8270	0.00	'5491	0.00	0.00
'10	'8271	23,433.40	'5491	[illegible]	14,666.68
'10	'8371	0.00	'5491	0.00	0.00
				SUB-TOTAL	30,337.60

(2) MAINTENANCE OF EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7050	3,040.87			3,040.87
'10	'7093	0.00			0.00
'10	'7140	0.00			0.00

CAT	GL	AMT		AMT	TOTAL
'10	'7060	217,452.52	'5492	[illegible]	217,218.52
'10	'7060		'5493	0.00	0.00
'10	'7060		'6031	[illegible]	[illegible]
'10	'7060		'6048	0.00	0.00
'10	'7060		'6049	0.00	0.00
				SUB-TOTAL	216,069.39

(3) REPLACEMENT OF EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7460		'5491	1,173.96	1,173.96
'10	'7465		'5491	0.00	0.00
'10	'8270		'5491	0.00	0.00
'10	'8271		'5491	8,766.72	8,766.72
'10	'8371		'5491	0.00	0.00
				SUB-TOTAL	9,940.68

(5) MANAGEMENT SERVICES

CAT	GL	AMT		AMT	TOTAL
'10	'7060		'5493	0.00	0.00
'10	'7060		'6048	0.00	0.00
'10	'7060		'6049	0.00	0.00
'10	'7120		'5493	0.00	0.00
'10	'7304		'6049	0.00	0.00

CAT	GL	AMT		AMT	TOTAL
'10	'7020	1,609.66	'5492	0.00	1,609.66
'10	'7020		'6049	0.00	0.00
'10	'7250	229.64	'5492	0.00	229.64
'10	'7430	750.00	'6031	0.00	750.00

CAT	GL	AMT		AMT	TOTAL
'10	'7030	0.00			0.00
'10	'7053	50,769.19			50,769.19
'10	'7080	0.00			0.00
'10	'7294	330.06			330.06
'10	'7302	0.00			0.00
'10	'7340	1,407.00			1,407.00
'10	'7370	0.00			0.00
'10	'7371	3,500.00			3,500.00
'10	'7750	0.00			0.00
'10	'7760	0.00			0.00

CAT		AMT		AMT	TOTAL
'01		452,249.71			452,249.71
'02		0.00			0.00
'03		13,745.36			13,745.36
'04		48,532.21			48,532.21
'14		0.00			0.00
'26		10,151.52			10,151.52
'28		1,468.09			1,468.09
'29		0.00			0.00
'30		0.00			0.00
'59		0.00			0.00
'80		28,543.24			28,543.24
'81		86,339.77			86,339.77
'87		4,100.00			4,100.00
'88		12,988.00			12,988.00
				SUB-TOTAL	716,713.45

TOTAL SFY23 BEN MATCH 1,031,826.38
FEDERAL FUNDS GENERATED 3,812,428.93

(1) PURCHASE OF NEW EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7460	5,205.29	'5491	[illegible]	4,459.27
'10	'7465	0.00	'5491	0.00	0.00
'10	'8270	24,394.26	'5491	0.00	24,394.26
'10	'8271	25,881.92	'5491	[illegible]	20,839.98
'10	'8371	0.00	'5491	0.00	0.00
				SUB-TOTAL	49,693.51

(2) MAINTENANCE OF EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7090	2,233.50			2,233.50
'10	'7093	0.00			0.00
'10	'7140	0.00			0.00

CAT	GL	AMT		AMT	TOTAL
'10	'7060	207,179.85	'5492	0.00	207,179.85
'10	'7060		'5493	0.00	0.00
'10	'7060		'6031	[illegible]	[illegible]
'10	'7060		'6048	[illegible]	[illegible]
'10	'7060		'6049	0.00	0.00
				SUB-TOTAL	191,934.35

(3) REPLACEMENT OF EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7460		'5491	746.02	746.02
'10	'7465		'5491	0.00	0.00
'10	'8270		'5491	0.00	0.00
'10	'8271		'5491	5,041.94	5,041.94
'10	'8371		'5491	0.00	0.00
				SUB-TOTAL	5,787.96

(5) MANAGEMENT SERVICES

CAT	GL	AMT		AMT	TOTAL
'10	'7060		'5493	0.00	0.00
'10	'7060		'6048	12,700.00	12,700.00
'10	'7060		'6049	0.00	0.00
'10	'7120		'5493	0.00	0.00
'10	'7304		'6049	0.00	0.00

CAT	GL	AMT		AMT	TOTAL
'10	'7020	3,192.79	'5492	0.00	3,192.79
'10	'7020		'6049	0.00	0.00
'10	'7250	0.00	'5492	0.00	0.00
'10	'7430	11,815.00	'6031	0.00	11,815.00

CAT	GL	AMT		AMT	TOTAL
'10	'7030	0.00			0.00
'10	'7053	67,014.47			67,014.47
'10	'7080	0.00			0.00
'10	'7294	0.00			0.00
'10	'7302	580.00			580.00
'10	'7340	2,468.00			2,468.00
'10	'7370	0.00			0.00
'10	'7371	3,500.00			3,500.00
'10	'7750	817.50			817.50
'10	'7760	3,604.47			3,604.47

CAT		AMT		AMT	TOTAL
'01		437,104.09			437,104.09
'02		0.00			0.00
'03		12,241.72			12,241.72
'04		54,801.87			54,801.87
'14		0.00			0.00
'26		8,439.88			8,439.88
'28		2,691.80			2,691.80
'29		0.00			0.00
'30		350.00			350.00
'59		0.00			0.00
'80		34,246.72			34,246.72
'81		107,521.25			107,521.25
'87		3,422.00			3,422.00
'88		17,899.00			17,899.00
				SUB-TOTAL	784,410.56

TOTAL SFY24 BEN MATCH 1,428,186.40
FEDERAL FUNDS GENERATED 5,277,653.04

(1) PURCHASE OF NEW EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7460	1,126.93	'5491	0.00	1,126.93
'10	'7465	0.00	'5491	0.00	0.00
'10	'8270	24,003.66	'5491	0.00	24,003.66
'10	'8271	86,898.73	'5491	[illegible]	71,688.85
'10	'8371	0.00	'5491	0.00	0.00
				SUB-TOTAL	96,819.44

(2) MAINTENANCE OF EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7090	4,643.00			4,643.00
'10	'7093	0.00			0.00
'10	'7140	0.00			0.00

CAT	GL	AMT		AMT	TOTAL
'10	'7060	338,450.80	'5492	0.00	338,450.80
'10	'7060		'5493	0.00	0.00
'10	'7060		'6031	[illegible]	[illegible]
'10	'7060		'6048	0.00	0.00
'10	'7060		'6049	0.00	0.00
				SUB-TOTAL	335,810.12

(3) REPLACEMENT OF EQUIPMENT

CAT	GL	AMT		AMT	TOTAL
'10	'7460		'5491	0.00	0.00
'10	'7465		'5491	0.00	0.00
'10	'8270		'5491	0.00	0.00
'10	'8271		'5491	15,209.88	15,209.88
'10	'8371		'5491	0.00	0.00
				SUB-TOTAL	15,209.88

(5) MANAGEMENT SERVICES

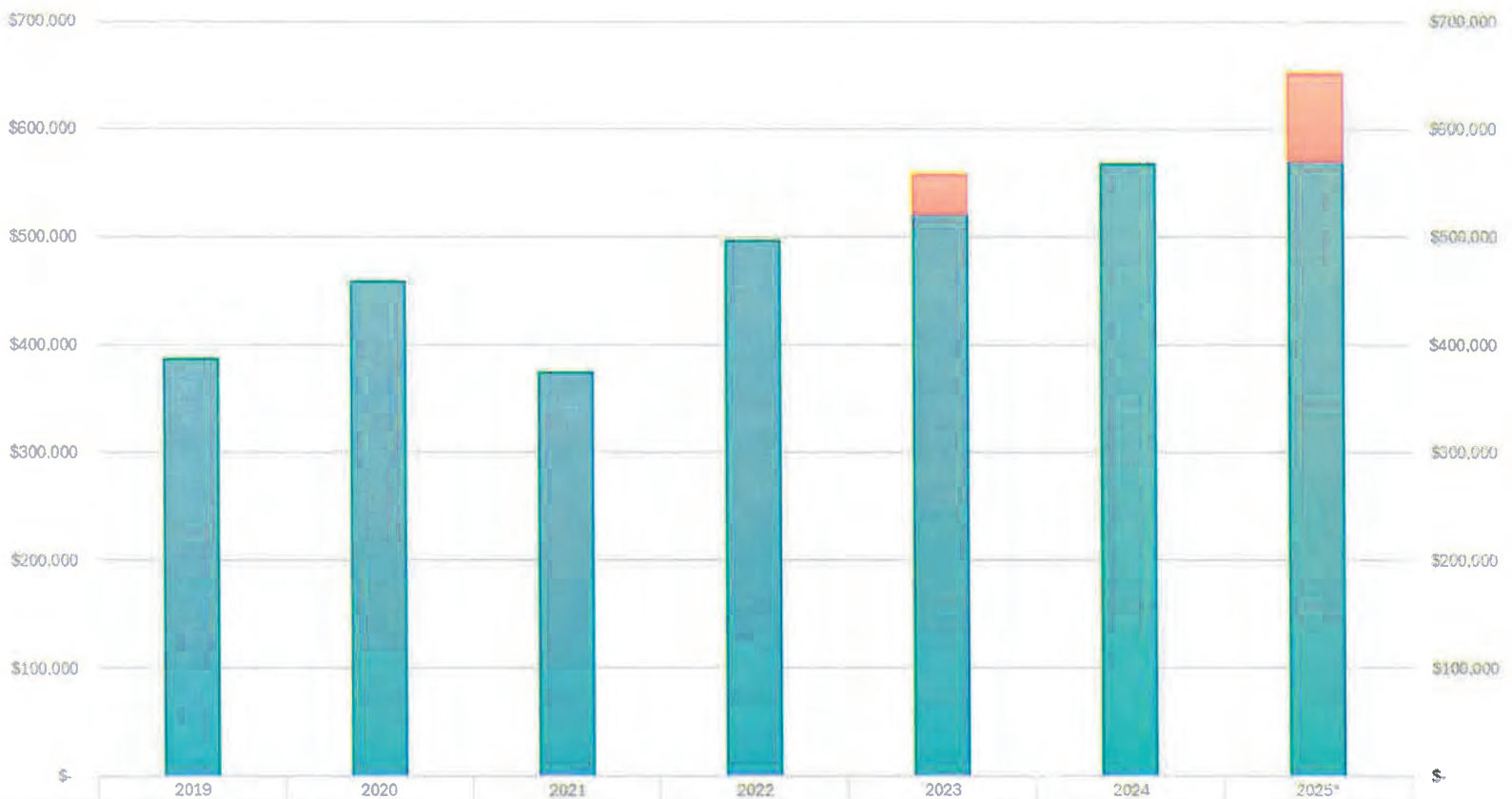
CAT	GL	AMT		AMT	TOTAL
'10	'7060		'5493	0.00	0.00
'10	'7060		'6048	0.00	0.00
'10	'7060		'6049	0.00	0.00
'10	'7120		'5493	0.00	0.00
'10	'7304		'6049	0.00	0.00

CAT	GL	AMT		AMT	TOTAL
'10	'7020	7,347.79	'5492	0.00	7,347.79
'10	'7020		'6049	0.00	0.00
'10	'7250	0.00	'5492	0.00	0.00
'10	'7430	0.00	'6031	0.00	0.00

CAT	GL	AMT		AMT	TOTAL
'10	'7030	275.00			275.00
'10	'7053	78,524.19			78,524.19
'10	'7080	0.00			0.00
'10	'7294	0.00			0.00
'10	'7302	2,029.56			2,029.56
'10	'7340	4,302.00			4,302.00
'10	'7370	0.00			0.00
'10	'7371	3,500.00			3,500.00
'10	'7750	0.00			0.00
'10	'7760	23,807.04			23,807.04

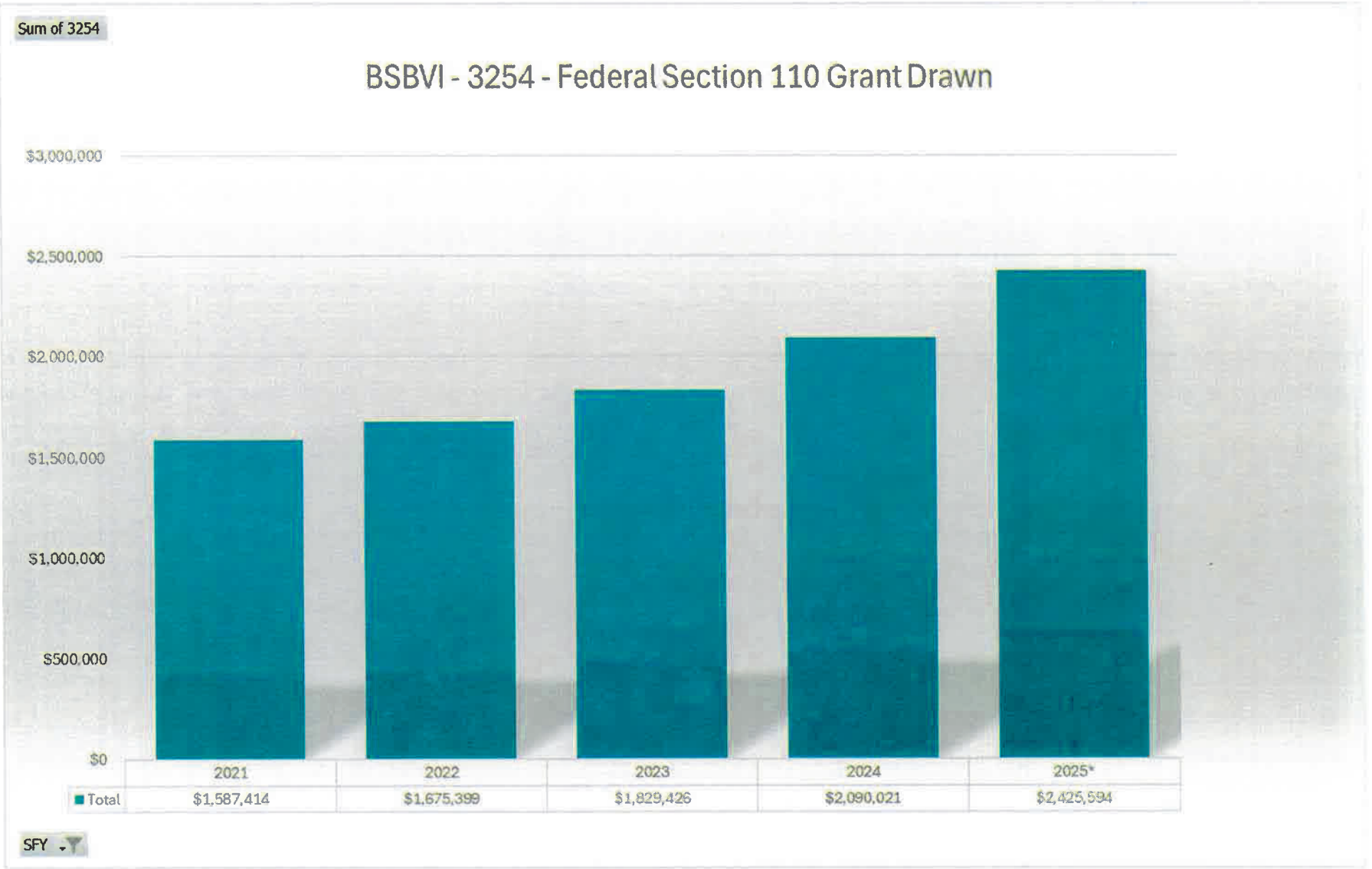
CAT		AMT		AMT	TOTAL
'01		580,445.09			580,445.09
'02		7,608.63			7,608.63
'03		14,133.27			14,133.27
'04		55,834.67			55,834.67
'14		0.00			0.00
'26		12,220.67			12,220.67
'28		0.00			0.00
'29		0.00			0.00
'30		450.00			450.00
'59		0.00			0.00
'80		37,449.86			37,449.86
'81		115,961.19			115,961.19
'87		782.00			782.00
'88		36,376.00			36,376.00
				SUB-TOTAL	981,046.96

Sum of Appropriations | Sum of IFC Contingency | Sum of Total | Sum of Special Consideration



	2019	2020	2021	2022	2023	2024	2025*
Sum of Total	$386,637	$458,119	$374,027	$496,294	$556,732	$566,910	$650,360
Sum of Special Consideration							
Sum of IFC Contingency					$35,620		$80,000
Sum of Appropriations	$386,637	$458,119	$374,027	$496,294	$521,112	$566,910	$570,360

SFY


Sum of 3254
BSBVI - 3254 - Federal Section 110 Grant Drawn
$3,000,000
$2,500,000
$2,000,000
$1,500,000
$1,000,000
$500,000
$0
2021
2022
2023
2024
2025*
Total
$1,587,414
$1,675,399
$1,829,426
$2,090,021
$2,425,594
SFY

U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND
REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, D.C. 20202

TECHNICAL ASSISTANCE CIRCULAR
RSA-TAC-23-01
DATE: February 27, 2023

ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES
STATE REHABILITATION COUNCILS
CLIENT ASSISTANCE PROGRAMS
CONSUMER ADVOCACY ORGANIZATIONS

SUBJECT: Allowable Sources of Non-Federal Share for the State Vocational Rehabilitation Services Program

PURPOSE:

The Rehabilitation Services Administration (RSA) provides this technical assistance circular (TAC) to promote a better understanding of the various allowable sources of non-Federal match available under the State Vocational Rehabilitation (VR) program. With this improved knowledge and understanding of available sources of match, State VR agencies should be able to maximize the expenditure of available Federal funds to increase competitive integrated employment and supported employment outcomes and self-sufficiency for individuals with disabilities participating in the VR program, thereby minimizing the amount of Federal VR funds left unspent each year. RSA is reissuing, with updates, RSA-TAC-11-02: Sources of Non-Federal Share for the Vocational Rehabilitation Program, previously issued on August 16, 2011. RSA has updated legal citations and examples of other allowable sources of match, such as certain expenditures incurred under the Randolph-Sheppard Vending Facilities Program (RSVFP).

RSA routinely receives inquiries regarding options available to VR agencies to obtain non-Federal matching funds so they may more easily satisfy the matching requirement for the VR program required by the Rehabilitation Act of 1973 (Rehabilitation Act), and VR program regulations. Although the specifics of these inquiries differ, they all describe an existing or potential deficit in non-Federal funding for the VR program and seek guidance pertaining to Federal requirements governing the scope and use of allowable sources of State match. Therefore, RSA is providing guidance regarding the various allowable sources of non-Federal match available for use in the VR program.

TECHNICAL ASSISTANCE:

The VR program is administered through a Federal and State partnership, with the Federal government contributing no more than 78.7 percent of the total program expenditures. In

recognition of this Federal-State partnership, each State must contribute a non-Federal share equal to at least 21.3 percent of total VR program expenditures (34 C.F.R. § 361.60(a)(1) and (b)(1)). By contributing the required non-Federal share through State-appropriated funds or other allowable sources, States are able to receive approximately $3.69 Federal VR dollars for every non-Federal dollar to pay for the costs of administering the VR program and, most importantly, providing critical services to individuals with disabilities, including individuals with the most significant disabilities, as they pursue employment.

When determining what expenditures can count toward the match requirement of the VR program, the VR agency must first determine whether the cost is allowable with Federal funds under that program. If the cost is allowable with Federal VR funds, then that same cost is allowable as a non-Federal expenditure under the VR program and can be used toward satisfying the program's match requirement. If the cost is not allowable for any reason, then it may not be used toward satisfying the match requirement.

In general, the following sources of funds are allowable sources for acquiring match funds for purposes of the VR program:

- State-appropriated funds;
- Third-Party Cooperative Arrangements;
- Interagency transfers;
- Contributions by private entities;
- Establishment, development, and improvement of community rehabilitation programs; and
- Certain RSVFP expenditures (Business Enterprise Program).

We will discuss each of the above in more detail separately below.

A. Allowable Sources of Match

State-Appropriated Funds

In support of the Federal-State partnership, States typically contribute the required non-Federal share for the VR program through appropriated funds, thus demonstrating their commitment to the program. State appropriations offer certain advantages as match for the VR program. Importantly, VR agencies have flexibility to use these funds for allowable administrative costs of the VR program, in addition to the cost of services, without adhering to specific requirements associated with other allowable sources of match (i.e., non-State-appropriated funds). Because State-appropriated funds can be used to support the full range of costs associated with the administration and operation of the program, VR agencies can use such funds in a highly flexible manner, directing them toward allowable costs in an area of need more easily.

Third-Party Cooperative Arrangements

VR agencies and other State and local public agencies can enhance and improve the provision of VR services to individuals with disabilities by entering third-party cooperative arrangements (TPCAs), which must adhere to the following requirements in 34 C.F.R. § 361.28:

1. The cooperating agency must provide part or all of the non-Federal share of the costs of the arrangement (34 C.F.R. § 361.28(a));
2. The services provided by the cooperating agency are not the customary or typical services provided by that agency but are new services that have a VR focus or existing services that have been modified, adapted, expanded, or reconfigured to have a VR focus (34 C.F.R. § 361.28(a)(1));
3. The services provided through the cooperative arrangement must be provided only to individuals who are applicants for, or recipients of, VR services from the designated State unit (including students with disabilities as defined in 34 C.F.R. § 361.5(c)(51) who are potentially eligible for the VR program) (34 C.F.R. § 361.28(a)(2));
4. The VR agency must maintain administrative supervision over the program expenditures and the personnel providing the services (34 C.F.R. § 361.28(a)(3));
5. The provision of services through the cooperative arrangement must be consistent with the VR services portion of the Unified or Combined State Plan, including the implementation of an order of selection (34 C.F.R. § 361.28(a)(4));
6. The services must be provided statewide, unless the VR agency receives a waiver of statewideness pursuant to 34 C.F.R. § 361.26 (34 C.F.R. § 361.28(b));
7. If a waiver of statewideness is required, the following additional conditions must be met for RSA to approve the waiver:
   - The non-Federal share of the cost of these services must be provided by a local public agency (34 C.F.R. § 361.26(a)(1));
   - The services must be likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments (34 C.F.R. § 361.26(a)(2)); and
   - The State must include a request for a waiver of statewideness in the VR services portion of the Unified or Combined State Plan for approval by the Secretary of Education (34 C.F.R. § 361.26(b)); and
8. The cooperating agency's contribution toward the non-Federal share required under the arrangement may be made through—
   - Cash transfers to the VR agency, which should be deposited into the VR agency's account (34 C.F.R. § 361.28(c)(1));
   - Certified personnel expenditures including salary and fringe benefits for the portion of cooperating agency staff time spent directly providing VR services under the arrangement (34 C.F.R. § 361.28(c)(2)); and
   - Other direct expenditures (e.g., supplies) incurred by the cooperating agency directly related to providing VR services under the arrangement (34 C.F.R. § 361.28(c)(3)).

Interagency Transfers

VR agencies can receive non-Federal funds from other State or local public agencies to enhance and improve the provision of VR services to individuals with disabilities, including persons with developmental disabilities or mental illness. When expended for VR purposes, VR agencies may use the non-Federal funds received through such transfers to satisfy the VR program matching requirements (34 C.F.R. §§ 361.60(b); 2 C.F.R. § 200.306(b)).

It has been RSA's longstanding policy that State VR agencies could use interagency transfers from other State and local public agencies toward satisfying their match requirements under the VR program (notice of proposed rulemaking, 60 Fed. Reg. 64476 (December 15, 1995); final regulations, 62 Fed. Reg. 6308, 6332 (February 11, 1997)). In 2016, when the Department amended the VR program regulations, the Department codified a cross reference to 2 C.F.R. § 200.306(b) in the provisions governing match for the VR program. In so doing, the Department made clear that the government-wide non-Federal share requirements of 2 C.F.R. § 200.306(b) applied to the VR program, unless specifically excluded.

As is true for any other Federal grantee, 2 C.F.R. § 200.306(b), in pertinent part, permits VR program grantees to use interagency transfers toward satisfying their match requirements so long as the expenditures paid with such funds—

- Are verifiable from the grantee's records;
- Are not used as match for any other grant award;
- Are necessary for accomplishing the objectives of the VR program;
- Are allowable under the Federal cost principles;
- Are not paid by the Federal government under another Federal award, unless specifically authorized by Federal statute; and
- Conform to applicable requirements of 2 C.F.R. part 200.

Contributions by Private Entities

In addition to non-Federal funds from public sources, VR agencies may report match from allowable VR expenditures incurred with cash contributions from private entities, deposited into the State VR agency's account, and earmarked for meeting, in whole or in part, the agency's non-Federal share of expenditures under the VR program for—

- Establishment or construction of a Community Rehabilitation Program (CRP) (34 C.F.R. § 361.60(b)(3)(i));
- Particular geographic areas when the State cannot otherwise provide the non-Federal share (34 C.F.R. § 361.60(b)(3)(ii)); and
- Other VR purposes **provided the expenditures do not benefit the donor** in any way (34 C.F.R. § 361.60(b)(3)(iii)).

Establishment, Development, or Improvement of CRPs

VR agencies may receive contributions from public sources or private donations for non-Federal match purposes that expand the capacity of CRPs to provide VR services and assist individuals with disabilities to achieve employment outcomes. When engaging in the establishment, development, or improvement of a public or nonprofit CRP for the purpose of providing VR services that promote integration into the community and that prepare individuals with disabilities for competitive integrated employment, including supported employment and customized employment (Section 103(b)(2)(A) of the Rehabilitation Act and 34 C.F.R. § 361.49(a)(1)), VR agencies must—

1. Prior to establishing, developing, or improving a CRP, conduct substantial planning activities, including a comprehensive statewide needs assessment demonstrating the need for such activity, the development of goals and priorities related to the need, and the selection of strategies for the achievement of the goals, all of which must be included in the agency's VR services portion of the Unified or Combined State Plan (Sections 101(a)(15)(A), (C) and (D) of the Rehabilitation Act and 34 C.F.R. §§ 361.29(a), (c), and (d));
2. Develop and maintain written policies covering the nature and scope of VR services that will be provided to groups of individuals with disabilities, set forth the criteria under which these services will be provided, and include policies involving the establishment, development, or improvement of CRPs (34 C.F.R. § 361.49(b)(1)); and
3. Deliver the VR services provided through establishment projects only to applicants for, or recipients of, VR services (Section 103(b)(2)(A) of the Rehabilitation Act and 34 C.F.R. § 361.5(c)(16)(i) – (iii)).

VR agencies can use the establishment authority for the sole benefit of individuals with disabilities served through the VR program by, for example, expanding the availability of service providers in areas where resources are lacking, particularly in rural locations, or improving the types of services offered by existing CRPs.

Certain RSVFP expenditures (Business Enterprise Program (BEP))

In many States, the RSVFP is commonly known as the "Business Enterprise Program" or "BEP." Although the RSVFP is authorized under the Randolph-Sheppard Act, Section 103(b)(1) of the Rehabilitation Act creates a nexus between the VR program and RSVFP. In so doing, Congress authorized the VR program to use Title I VR funds to cover many of the costs incurred in establishing vending facilities and purchasing equipment under the RSVFP. Therefore, the VR program requirements must be read in conjunction with those under the Randolph-Sheppard Act to give meaning to both.

Specifically, Section 103(b)(1) of the Rehabilitation Act and 34 C.F.R. § 361.49(a)(5) permit the VR agencies to use Federal funds for small business enterprises, including those established under the Randolph-Sheppard Act, for the provision of—

- The management and supervision provided by the VR agency;
- Acquisition by the State agency of vending facilities or other equipment;
- Initial stocks and supplies; and
- Initial operating expenses.

The VR agency that serves individuals who are blind or visually impaired also is the State licensing agency (SLA) for the RSVFP. The SLA is authorized to issue licenses to blind individuals to operate vending facilities on Federal and other properties and administers the State's RSVFP (34 C.F.R. § 395.1(v)).

In addition to the above activities specifically identified in the Rehabilitation Act and its implementing regulations for the benefit of the RSVFP, the VR agency also may use Federal VR funds to pay for the costs of maintenance associated with the vending facilities and equipment, consistent with the requirements given to all Federal grantees by 2 C.F.R. § 200.452 and longstanding RSA policy.

As is true with any VR program activity, these VR costs incurred for the benefit of the RSVFP may be paid with Federal VR grant funds or non-Federal funds used for match purposes under the VR program. The three most common sources of non-Federal funds used for match purposes for expenditures incurred under the VR program for the benefit of the RSVFP are—

- State-appropriated funds (discussed previously in this TAC);
- RSVFP unassigned Federal vending machine income; and
- RSVFP set-aside funds.

RSVFP Unassigned Federal Vending Machine Income and RSVFP Set-Aside Funds

Unassigned Federal vending machine income, for purposes of the RSVFP, is that income from vending machines on Federal property that accrues to the SLA from a property management department, agency, or instrumentality of the United States in accordance with 34 C.F.R. § 395.32 (34 C.F.R. §§ 395.1 and 395.8(a)).

Regulations implementing the Randolph-Sheppard Act at 34 C.F.R. § 395.1(s) define "set-aside funds" as funds that accrue to the SLA from an assessment against the net proceeds of each vending facility in the State's vending facility program and any income from vending machines on Federal property that accrues to the SLA.

The RSVFP regulations at 34 C.F.R. §§ 395.8(c) and 395.9(b) authorize many different uses for the unassigned Federal vending machine income and set-aside funds, respectively; however, only the following RSVFP expenditures, which are also allowable under the VR program, may be used for match purposes:

- Maintenance and replacement of equipment;
- Purchase of new equipment; and
- Management services.

Therefore, any allowable expenditures incurred for these purposes with RSVFP unassigned Federal vending machine income or set-aside funds may be used toward the VR program match requirement.

B. Considerations When Determining Use of Other Sources for Non-Federal Match

Sources Other than State Appropriations

While other sources of match may involve State or local public funds (i.e., TPCAs and interagency transfers), establishment projects may include local or private funds, depending on the nature of the CRP (i.e., whether it is a public or private nonprofit CRP).

When considering the use of TPCAs as a source of match, VR agencies should be aware that the implementation of an order of selection by a VR agency can affect the availability and provision of services provided under a TPCA for eligible individuals with disabilities who are placed in a closed category on a waiting list for services. However, students with disabilities receiving pre-employment transition services under a TPCA while potentially eligible for the VR program may continue to receive pre-employment transition services after an eligibility determination that places them on a waiting list.

Some VR agencies rely upon TPCAs to obtain a significant portion of the required non-Federal share for the VR program due to the lack of State-appropriated funds for the program. However, cooperating agencies experiencing budgetary changes may be limited in their ability to continue participating in these arrangements or to serve adequate numbers of individuals with disabilities. These changes can affect or reduce the level of non-Federal funds available for match and, consequently, the amount of Federal funds available for use in the VR program.

Funding constraints resulting from decreases in State appropriations or budgetary fluctuations also may affect the ability of another State or local agency to transfer non-Federal funds, which may be used to satisfy match requirements under the VR program, to a VR agency. For this reason, VR agencies may not be able to rely consistently on interagency transfers from other agencies as a source of non-Federal share.

In addition, reliance on interagency transfers for significant amounts of the non-Federal share can raise some of the same issues associated with TPCAs. For instance, the implementation of an order of selection could dictate that too few of the transferring agency's population would be able to receive VR services through the program, thus making the continuation of such transfers less attractive to the transferring agency. Also, other agencies may find interagency transfers somewhat limiting or inadequate for their intended purposes, since the VR agency must retain sole responsibility for determining eligibility for the individuals served, the services they would receive, and the expenditure and allocation of all funds (34 C.F.R. § 361.13(c)).

When considering the use of establishment projects for non-Federal match, VR agencies are reminded that the use of VR program funds is limited to—

- Establishing a CRP's facility with additional limitations imposed regarding the square footage and size, appraised value, and other aspects of the facility (34 C.F.R. §§ 361.5(c)(16)(i) and (17));
- Building the staff capacity of a CRP for a maximum period of four years, with Federal financial participation available at the applicable matching rate of 78.7 percent, applied to a declining range of 100 percent of staffing costs in the first year to 45 percent in the fourth and final year (34 C.F.R. § 361.5(c)(16)(ii)); and
- Other expenditures that are necessary to make the CRP "functional or increase its effectiveness in providing [VR] services… but are not ongoing operating expenses of the program" (34 C.F.R. § 361.5(c)(16)(iii)).

The utility of this mechanism for the purpose of obtaining non-Federal matching funds is limited for some of the same reasons described above in connection with TPCAs. CRPs may not possess the financial ability to provide the expected level of non-Federal share. In addition, VR agencies may not be able to use the establishment authority to address a loss of non-Federal share from other sources in a timely manner, if they have not engaged in the necessary planning activities or have yet to adopt written policies governing the nature and scope of establishment projects, both of which can take considerable time to complete. Furthermore, establishment projects may not be well suited as a long-term source of non-Federal match, because they are inherently short-term in nature, and should last only as long as it takes to complete program development, construction, and (when applicable) the maximum four years of staffing support.

Non-Federal Expenditures

The receipt of non-Federal share (e.g., appropriations, interagency transfers) does not in itself constitute match under the VR program. The funds must be expended for a VR service, as that term is defined at 34 C.F.R. § 361.5(c)(57), or an administrative cost, as that term is defined at 34 C.F.R. § 361.5(c)(2) (34 C.F.R. § 361.3). To be an allowable expenditure under the VR services portion of the Unified or Combined State Plan, all VR program requirements, as applicable, must be satisfied. This includes the requirements governing the non-delegable functions of the DSU related to the determination of eligibility, the provision of services, and the expenditure and allocation of funds (34 C.F.R. § 361.13(c)). The services also must be available statewide in accordance with 34 C.F.R. § 361.25.

VR expenditures counted and reported as non-Federal share must be incurred during the Federal fiscal year (FFY) of appropriation (i.e., the FFY in which the grant was awarded). Obligations may only be counted and reported as non-Federal share when obligated in the FFY of appropriation of an award (i.e., by September 30 of the FFY in which the grant was awarded) and liquidated by the end of the liquidation period for the award (i.e., within 120 days of the end of the period of performance for that grant award). Non-Federal obligations that are cancelled during the carryover period, if applicable, or otherwise not liquidated after the FFY of appropriation, may not be used toward satisfying the match requirement. Therefore, any Federal VR funds carried over on the basis of those obligations for use in the subsequent year, pursuant to Section 19 of the Rehabilitation Act, are no longer available for use by the program in the event those obligations are cancelled or otherwise de-obligated.

Certified Time as Non-Federal Share

As previously noted, a VR agency may enter TPCAs under 34 C.F.R. § 361.28 for providing VR services with another State or local public agency that is furnishing part or all of the non-Federal share under the program. If the third party is contributing funds to provide VR services, those dollars may be used as part of the VR agency's non-Federal share once expended (e.g., staff salaries paid by the third party that are allowable matching expenditures). If, on the other hand, the VR agency enters an arrangement under which a third party provides access to its equipment or property in the administration of the VR program, the costs associated with those items cannot be used as non-Federal share because in-kind expenditures are not permitted as match.

Certified expenditures for staff time under TPCAs are not considered in-kind contributions. To be counted as non-Federal share, certified expenditures for staff time must be incurred for VR purposes before they can be considered match. Therefore, certified expenditures for staff time are only considered match after the staff time in support of the TPCA has been worked and certified. Certified expenditures for staff time, absent a TPCA, would not be an allowable source of match. In contrast, space, equipment, and other property (e.g., supplies) would be considered third-party in-kind contributions and would not be allowable as match under the VR program unless, for example, supplies were specifically purchased for use in the provision of direct services during the time in which the TPCA was effective (34 C.F.R. § 361.28(c)(3)).

Reversion to Donor for Private Contributions

If a business provides funds directly to the VR agency for use as match for the VR program, pursuant to 34 C.F.R. § 361.60(b)(3)(iii), regarding contributions by private entities, the prohibition against reversion to donor is triggered. This means the VR agency would not be permitted to pay the business directly for services provided to VR program participants unless the business was paid through a contract that was implemented under the State's regular competitive procurement procedures, even if the VR agency is typically exempt from some or all of those procedures.

SUMMARY:

The information presented in this guidance is intended to encourage VR agencies to minimize the return of and maximize the use and expenditure of available Federal VR program funds through the understanding and exploration of the various allowable sources of non-Federal match. Certain advantages are inherent in the use of State-appropriated match for the VR programs, chief among them being the flexibility VR agencies possess in the way these funds can be used to support the administrative and service-related costs of the program. VR agencies may also give thoughtful and strategic consideration to the use of other allowable sources of non-Federal match to maximize their ability to expend all available Federal funds to serve individuals with disabilities. When pursuing other sources of non-Federal match, VR agencies must meet specific requirements pertaining to various sources of match, including TPCAs, establishment projects, and interagency transfers. The use of sources of match other than State appropriations can affect the availability of VR program funding, both on the State and Federal levels, as these methods of service provision may be affected by circumstances experienced by

other public and nonprofit agencies, resulting in fluctuations in or withdrawal of their participation with the VR program. Above all, when considering how or whether to engage in these activities to increase non-Federal match, VR agencies should determine that they are of sound programmatic benefit to the individuals with disabilities served through the VR program.

CITATIONS:

Rehabilitation Act of 1973, Sections 101(a)(15), and 103(b)

Vocational Rehabilitation Program Regulations at 34 C.F.R. §§ 361.5(c)((2), 16), (17), and (57); 361.28; 361.29; 361.49; and 361.60

Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 C.F.R. Part 200

RSVFP Regulations: 34 C.F.R. §§ 395.1, 395.8, 395.9, and 395.32

INQUIRIES:

David Steele, Chief
Fiscal Unit
(202) 245-6520
David.Steele@ed.gov

/s/
Carol L. Dobak
Deputy Commissioner,
delegated the authority to perform the
functions and duties of the Commissioner

cc: Council of State Administrators of Vocational Rehabilitation
National Council of State Agencies for the Blind
Consortia of Administrators of Native American Rehabilitation
National Disability Rights Network

Department of Employment, Training & Rehabilitation
3254 Services to the Blind
Fund Map SFY 2025

Approved Budget Authority

CAT	DESCRIPTION	2501 - Appropriation Control	3410 - Fed Older Amer. Indep. Living	3433 - Fed SSA Program Income	3442 - Fed Section 110 Grant	3802 - Client Charge	4654 - Trans from Interim Finance	Total	PENDING WORK PROGRAMS C72606	C72731	TOTAL (Including Pending)
0	REVENUE:	570,360	303,795	70,925	2,198,295	5,000	0	3,148,375	16,750	174,250	3,339,375
0	2511 BALANCE FORWARD							0			-
	TOTAL REVENUE:	570,360	303,795	70,925	2,198,295	5,000	0	3,148,375	16,750	174,250	3,339,375
1	PERSONNEL	258,894	149,239	0	1,114,007			1,522,140			1,522,140
2	OUT OF STATE TRAVEL	0	0	0	12,000			12,000			12,000
3	IN-STATE TRAVEL	2,680	301	0	17,779			20,760			20,760
4	OPERATING EXPENSES	25,287	18,515	57,883	107,327			209,012			209,012
8	OLDER BLIND SERVICES	14,337	129,029	0	0			143,366			143,366
9	CASE SERVICES	137,179	0	0	506,856	5,000		649,035		174,250	823,285
26	INFORMATION SERVICES	6,497	6,602	0	6,516			19,615			19,615
27	CLIENT INFORMATION SYSTEM	15,984	0	0	59,059			75,043			75,043
30	TRAINING	11	0	0	3,042			3,053			3,053
32	SSA PROGRAM INCOME	4,996	0	6,012	4,433			15,441			15,441
59	UTILITIES	159	109	0	540			808			808
80	DIVISION COST ALLOCATION	20,216	0	0	76,091			96,307	16,750		113,057
81	DEPARTMENTAL COST ALLOCATION	80,551	0	0	278,623			359,174			359,174
87	PURCHASING ASSESSMENT	519	0	0	1,918			2,437			2,437
88	TRANSFER TO GENERAL FUND	3,050	0	7,030	10,104			20,184			20,184
	TOTAL EXPENDITURE:	570,360	303,795	70,925	2,198,295	5,000	0	3,148,375	16,750	174,250	3,339,375
		0	0	0	0	0	0	0	0	0	

C72730

CAT	DESCRIPTION	2501 - Appropriation Control	3410 - Fed Older Amer. Indep. Living	3433 - Fed SSA Program Income	3442 - Fed Section 110 Grant	3802 - Client Charge	4654 - Trans from Interim Finance	Total
0	REVENUE:	78,728						78,728
0	2511 BALANCE FORWARD							0
	TOTAL REVENUE:	78,728	0	0	0	0	0	78,728
1	PERSONNEL							0
2	OUT OF STATE TRAVEL							0
3	IN-STATE TRAVEL							0
4	OPERATING EXPENSES							0
8	OLDER BLIND SERVICES							0
9	CASE SERVICES	78,728						78,728
26	INFORMATION SERVICES							0
27	CLIENT INFORMATION SYSTEM							0
30	TRAINING							0
32	SSA PROGRAM INCOME							0
59	UTILITIES							0
80	DIVISION COST ALLOCATION							0
81	DEPARTMENTAL COST ALLOCATION							0
87	PURCHASING ASSESSMENT							0
88	TRANSFER TO GENERAL FUND							0
	TOTAL EXPENDITURE:	78,728	0	0	0	0	0	78,728
		0	0	0	0	0	0	0

Revised Authority

CAT	DESCRIPTION	2501 - Appropriation Control	3410 - Fed Older Amer. Indep. Living	3433 - Fed SSA Program Income	3442 - Fed Section 110 Grant	3802 - Client Charge	4654 - Trans from Interim Finance	Total	PENDING WORK PROGRAMS C72606	C72731	TOTAL (Including Pending)
0	REVENUE:	649,088	303,795	70,925	2,198,295	5,000		3,227,103	16,750	174,250	3,418,103
0	2511 BALANCE FORWARD	0	0	0	0	0		0	-	-	-
	TOTAL REVENUE:	649,088	303,795	70,925	2,198,295	5,000	0	3,227,103	16,750	174,250	3,418,103
1	PERSONNEL	258,894	149,239	0	1,114,007	0		1,522,140	-	-	1,522,140
2	OUT OF STATE TRAVEL	0	0	0	12,000	0		12,000	-	-	12,000
3	IN-STATE TRAVEL	2,680	301	0	17,779	0		20,760	-	-	20,760
4	OPERATING EXPENSES	25,287	18,515	57,883	107,327	0		209,012	-	-	209,012
8	OLDER BLIND SERVICES	14,337	129,029	0	0	0		143,366	-	-	143,366
9	CASE SERVICES	215,907	0	0	506,856	5,000		727,763	-	174,250	902,013
26	INFORMATION SERVICES	6,497	6,602	0	6,516	0		19,615	-	-	19,615
27	CLIENT INFORMATION SYSTEM	15,984	0	0	59,059	0		75,043	-	-	75,043
30	TRAINING	11	0	0	3,042	0		3,053	-	-	3,053
32	SSA PROGRAM INCOME	4,996	0	6,012	4,433	0		15,441	-	-	15,441
59	UTILITIES	159	109	0	540	0		808	-	-	808
80	DIVISION COST ALLOCATION	20,216	0	0	76,091	0		96,307	16,750	-	113,057
81	DEPARTMENTAL COST ALLOCATION	80,551	0	0	278,623	0		359,174	-	-	359,174
87	PURCHASING ASSESSMENT	519	0	0	1,918	0		2,437	-	-	2,437
88	TRANSFER TO GENERAL FUND	3,050	0	7,030	10,104	0		20,184	-	-	20,184
	TOTAL EXPENDITURE:	649,088	303,795	70,925	2,198,295	5,000	0	3,227,103	16,750	174,250	3,418,103
		0	0	0	0	0	0	0	0	0	

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 687-0260

Date: November 20, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Vince Young-Brown, Executive Branch Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF CORRECTIONS

Agenda Item Write-up:
Pursuant to NRS 353.268, the ~~department~~ Department of Corrections requests ~~a recommendation to the Interim Finance Committee for~~ an allocation of ~~$3,759,855~~ $448,228 from the Interim Finance Committee Contingency Account to cover costs associated with the peer-support ~~and evidence-based~~ programs. ~~in accordance with Senate Bill 413 of the 82nd Legislature.~~

Additional Information:
The Nevada Department of Corrections is requesting contingency funds to allow the department to establish its authority in the Directors Office to provide funding to ~~explore best practices in evidence-based programs and evaluation of programs in corrections, offer evidence-based programs to its northern facilities including Lovelock Correctional Center and Ely State Prison, and peer-support and training for correctional officers, and conduct a pilot program and evaluation for new innovations in programming, and address deferred maintenance in its institutions.~~ .cover costs associated with enhancement of peer-support training for Correctional Officers.

Statutory Authority:
NRS 353.268

REVIEWED: _____

GFO ACTION ITEM: _____

LCB AGENDA ITEM: _____

State of Nevada Work Program

WP Number: C72889

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/14/24	101	440	3710	NDOC - DIRECTOR'S OFFICE

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	448,228	0	448,228
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		448,228		448,228
			Total Budgetary & Revenue GLs		448,228		

Expenditures

CAT	Amount	CAT	Amount
30	448,228		
Sub Total Category Expenditures	448,228		

Remarks

The purpose of this work program is to request a transfer from the Interim Finance Contingency fund to the Nevada Department of Corrections (NDOC) to fund a comprehensive needs assessment and research surrounding the wellness of NDOC staff.

Total Budgetary General Ledgers and Category Expenditures (AP) 448,228

kdesoci1
Authorized Signature

11/08/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Action item submitted for the December 12, 2024 IFC meeting per NRS 353.268

STATE OF NEVADA
DEPARTMENT OF CORRECTIONS

Budget Account 3710 - NDOC - DIRECTOR'S OFFICE
Work Program C72889
Fiscal Year 2025

Submitted November 8, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Nevada Department of Corrections' (NDOC) mission is to improve public safety by ensuring a safe and humane environment that incorporates proven rehabilitation initiatives that prepare individuals for successful reintegration into our communities. The NDOC philosophy is to pursue this mission with integrity, act in a professional and ethical manner, be responsible for its actions and raise the department to the highest standards. The NDOC provides professional staff to protect the community and provides opportunities for offenders to successfully re-enter the community through education, training, treatment, work, spiritual development and being sensitive to the rights and needs of victims. Major tasks of the Director's Office include long-range planning, classification of inmates, inmate records, transportation of inmates, investigations, information services, food services, plant operations, safety and health assurance, accounting, fiscal and personnel services, training, contract services and procurement. Statutory Authority: NRS 209 and the Nevada Constitution Article V, Section 21.

Purpose of Work Program

The purpose of this work program is to request a transfer from the Interim Finance Contingency fund to the Nevada Department of Corrections (NDOC) to fund a comprehensive needs assessment and research surrounding the wellness of NDOC staff.

Justification

The Nevada Department of Corrections (NDOC) is requesting funding to allow the Department to establish authority in the Director's Office budget to provide funding for a comprehensive needs assessment. The assessment will include an evaluation of current initiatives, identification of gaps and available resources, determine findings, and generate strategic recommendations, wellness initiatives for staff, as well as an on-going organizational health survey and outcome evaluation to determine the overall effectiveness of these initiatives.

Expected Benefits to be Realized

NDOC expects to use the data and recommendations gathered from the research and needs assessment to then enhance peer-support training for Correctional Officers including train-the-trainer, crisis response teams, and coaching/mentoring frameworks with evidence-based practices in peer support and well-being. It is anticipated that this data and recommendations will also allow the Department to better understand NDOC education platforms, curriculum changes, de-escalation techniques, and other innovations including training for academy staff.

Explanation of Projections and Documentation

Attached Documentation Includes:
FY25 BSR's
Fund Map

Summary of Alternatives and Why Current Proposal is Preferred

The alternative to approving this work program is not to approve it, however, without the approval of this work program, the NDOC will not have the authority to conduct the research and needs assessment necessary to adequately address the wellness of staff.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: November 4, 2024

To: Amy Stephenson, Clerk of the Board
Governor's Finance Office

From: Bridgette Mackey-Garrison, Executive Branch Budget Officer
Governor's Finance Office

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF SENTENCING POLICY

Agenda Item Write-up:
Pursuant to NRS 353.268, the Department of Sentencing Policy requests an allocation of $57,712 from the Interim Finance Committee Contingency accounts to fund a new Management Analyst 2 position and associated costs for the remainer of fiscal year 2025.

Additional Information:
The department provides staff support to the Nevada Sentencing Commission (NSC) to fulfill its statutory reporting. In the 82nd Legislative Session, additional workload was added to the department when Senate Bill 103 passed and created a subcommittee within the NSC to study misdemeanor laws, policies, and practices in Nevada and in other states, and requires the NSC to submit a report and recommendations to the Legislature of the 83rd session.

Pursuant to the meeting minutes of the Senate Committee on Finance 82nd Legislative Session on May 25, 2023, Senate Bill 103 was passed with an amendment removing the funding for the new Management Analyst 2 (MA2) position from the fiscal note that the agency had submitted. The Committee requested that the department return to IFC if it needs the new MA2 position in addition to the other two new positions that were approved in the department's budget account. Please see full meetings notes attached as backup. Relates to work program #C72663.

Joe Lombardo
Governor

Joy Grimmer
Director

Bob Ragar
Deputy Director

Daniel Marlow
Administrator

STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
ADMINISTRATIVE SERVICES DIVISION
209 E. Musser Street, Suite 304 | Carson City, Nevada 89701
Phone: (775) 531-3200 | www.adminsvcs.nv.gov | Fax: (775) 684-5846

DATE: October 7, 2024

TO: Bridgette Mackey-Garrison, EBBO
Governor's Finance Office

FROM: Daniel Marlow, Administrator

THROUGH: Jorja Powers, Director
Nevada Department Sentencing Policy

SUGJECT: Fiscal Year 2025 Interim Finance Committee (IFC) Contingency Funds for Additional Staff to Comply with Senate Bill (SB) 103 of the 82nd Legislature

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This request is for approval for the Nevada Department of Sentencing Policy (NDSP) to seek additional funding of $57,712 from the Interim Finance Committee (IFC) Contingency Account to request a new position, Management Analyst II and associated costs.

The purpose of this request is to provide an additional position, Management Analyst II for the NDSP to handle the increased workload created by SB103 of the 82nd Legislative Session while still ensuring the department can meet their statutory requirements.

In the 82nd Legislative Session, additional workload was added to NDSP when SB103 passed and created a subcommittee within the Nevada Sentencing Commission (NSC) to study misdemeanor laws, policies, and practices in Nevada and in other states, and requires the NSC to submit a report and recommendations to the Legislature of the 83rd session. The NDSP provides staff support to the NSC to fulfill its statutory reporting.

NDSP must collect data from every law enforcement agency, jail, prosecutor, public defender, district, justice, and municipal court in Nevada to conduct the study. Misdemeanor data collected will be raw and at the case level. The raw data will then need to be cleaned, filtered, organized, and housed to make it functional for analysis and to provide reporting.

This position, Management Analyst II was put in contingency upon the passing of SB103 should the agency need additional support as a result of the passage of SB103. NDSP respectfully requests for one new full-time Management Analyst II and associated operating costs to the next Board of Examiners and Interim Finance Committee meetings. Work program C72663 has been submitted for this request.

State of Nevada Work Program

WP Number: C72663

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/07/24	101	161	1010	DEPARTMENT OF SENTENCING POLICY

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	57,712	0	57,712
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		57,712		57,712
			Total Budgetary & Revenue GLs		57,712		

Expenditures

CAT	Amount	CAT	Amount
01	57,251		
04	120		
26	341		
Sub Total Category Expenditures	57,712		

Remarks

This work program requests a position and associated operating costs from the Interim Finance Committee Contingency Account to comply with Senate Bill (SB) 103 of the 82nd Nevada Legislative Session. This request is contingent upon Board of Examiner's approval in November 2024.

Total Budgetary General Ledgers and Category Expenditures (AP) 57,712

dcarlso4
Authorized Signature

10/09/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Submitted an IFC Action Item for IFC Contingency Pursuant to NRS 353.268.

STATE OF NEVADA
DEPARTMENT OF SENTENCING POLICY

Budget Account 1010 - DEPARTMENT OF SENTENCING POLICY
Work Program C72663
Fiscal Year 2025

Submitted October 9, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

This program supports the 27-member Sentencing Commission, which provides legislative bodies with data-driven proposed legislation and recommendations on matters relating to elements of the system of criminal justice that affect certain sentences; evaluates the effectiveness and fiscal impact of various sentencing policies; recommends changes in the structure of sentencing; facilitates the development and maintenance of a statewide sentencing database; provides training regarding sentencing and related issues; evaluates the impact of various programs, identifies areas of sentencing disparities, and recommends statutory sentencing guidelines; collects data from certain agencies to track and assess outcomes resulting from the enactment of Assembly Bill 236 (2019); and identify gaps in the state's data tracking capabilities related to the criminal justice system and make recommendations for filling any such gaps. Not later than January 1 of each odd-numbered year submit a comprehensive report to the Governor and Legislature which recommends changes to sentencing and recommendations for proposed legislation; not later than the second full week of each regular session of the Legislature submit a report to the Governor and Legislature which includes recommendations for improvements, changes, budgetary adjustments, and additional recommendations for future legislation and policy options to enhance public safety and control corrections costs; adopt a formula to calculate the amount of costs avoided because of the enactment of AB 236 (2019) and submit not later than December 1 of each fiscal year a statement of the these costs avoided; not later than August 1 of each even-numbered year submit a report containing the projected amount of costs avoided and recommendations for reinvestment of the amount of those costs avoided to provide financial support to programs and services that address behavioral health needs of persons involved in the criminal justice system in order to reduce recidivism. Statutory authority: NRS 176.0134, NRS 176.01343, and NRS 176.01347.

Purpose of Work Program

This work program requests a position and associated operating costs from the Interim Finance Committee Contingency Account to comply with Senate Bill (SB) 103 of the 82nd Nevada Legislative Session. This request is contingent upon Board of Examiner's approval in November 2024.

Justification

SB103 of the 82nd Nevada Legislative Session passed to create a subcommittee within the Nevada Sentencing Commission (NSC) to study misdemeanor laws, policies, and practices in Nevada and in other states, and requires the NSC to submit a report and recommendations to the Legislature.

The Nevada Department of Sentencing & Policy (NDSP) is statutorily required to collect data from every criminal justice agency to build a statewide database, but currently focuses on felony charges. The impact of SB103 requires NSC to study misdemeanors in Nevada and requires the NSC to submit a report and recommendations to the Legislature during the 83rd Nevada Legislative Session of 2025. Due to workload and expertise required to collect the raw data from these numerous criminal justice agencies and then update and maintain this data moving forward, NDSP will require one additional full-time position and associated operating costs. The addition of one staff will provide the skills and expertise needed to collect, clean, enter, and aggregate data, and then create tables and graphs to provide to the Director and the NSC to use in reports.

This full-time position and the associated operating costs was put in contingency upon passage of SB103. NDSP is requesting the position and associated operating costs to comply with SB103 of the 82nd Nevada Legislative Session.

Expected Benefits to be Realized

The expected benefit to be realized is NDSP will have sufficient staffing to comply with SB103 of the 82nd Nevada Legislative Session and be able to provide the required misdemeanor reports to the 83rd Nevada Legislature.

Explanation of Projections and Documentation

The attached documentation includes:
Budget Status Report - showing current authority, revenue, and obligations
Fund Map - showing current authority and proposed changes
NPD19 - showing Management Analyst II request and detail position information
NEBS130 Report - showing personnel costs for this work program
NEBS210 Report - showing line-item detail and summary for this work program
File Maintenance Form - establishing RGL 4654 - Transfer from Interim Contingency
SB103 Hearing and Passage - showing minutes from hearing advising agency to request position and associated costs through the Interim Finance Committee
Senate Bill 103 Fiscal Note - indicating costs for new position to help collect and organize data
Memo to BOE - requesting position and associated costs

Summary of Alternatives and Why Current Proposal is Preferred

The alternative to this work program is to deny this request, resulting in NDSP being out of compliance and not being able to fulfill requirements as outlined in SB103. The current proposal is preferred as it will allow NDSP to comply with SB103.

STATE OF NEVADA
POSITION QUESTIONNAIRE

Initiated By:
- ☒ Agency
- ☐ Employee

- ☒ Interim
- ☐ Budget Build Decision Unit

Type of Classification Request
- ☒ New Position
- ☐ New Position - Short Form
- ☐ Reclassify Filled Position
- ☐ Reclassify Vacant Position
- ☐ Legislative Review FY /

POSITION INFORMATION

DEPARTMENT/DIVISION/AGENCY/SECTION: Nevada Department of Sentencing Policy				DIVISION OF HUMAN RESOURCE MANAGEMENT date stamp
AGENCY ID # (3 digits): 161	**BUDGET # (4 digits):** 1010	**POSITION CONTROL #:** NEW		
CURRENT CLASS TITLE: NEW		**CLASS CODE:**	**GRADE:**	
REQUESTED CLASS TITLE: Management Analyst 2		**CLASS CODE:** 7.612	**GRADE:**	
INCUMBENT NAME:		**EMAIL:**		**PHONE#:**
SUPERVISOR NAME AND TITLE: Jenna Buonacorsi, Deputy Director		**EMAIL:** jennabuonacorsi@ndsp.nv.gov		**PHONE#:** 775.684.7390
APPOINTING AUTHORITY OR DESIGNEE NAME AND TITLE: Jorja Powers, Executive Director		**EMAIL:** jorjapowers@ndsp.nv.gov		**PHONE#:** 775.684.7390
HUMAN RESOUCE REPRESENTATIVE NAME AND TITLE: Jorja Powers, Executive Director		**EMAIL:** jorjapowers@ndsp.nv.gov		**PHONE#:** 775.684.7390

APPOINTING AUTHORITY/INCUMBENT CERTIFICATION

AGENCY PERSONNEL OFFICE date stamp

I certify that I have read the NPD-19 instructions and that the statements provided in this NPD-19 and the attached organizational chart are accurate and complete to the best of my knowledge.

Short Form Use Only: I further certify that the requested position(s) will perform essentially all of the type and level of duties and responsibilities described in the proposed job title and the requested class is listed on the NPD-19 Short Form Class List.

Position Duties or Changed Duties were/will be Effective:	Date: 12.30.2024
Appointing Authority or Designee Signature:	Date: 10.07.2024
Incumbent Signature:	Date:

Is this request being submitted with agency: knowledge? ☒ Yes ☐ No approval? ☒ Yes ☐ No

FOR COMPLETION BY BUDGET DIVISION ONLY

BUDGET DIVISION date stamp

☐ **Approved - Effective Date if Change is Approved by DHRM**	Date:
☐ **Approved - Date to be Determined and Change Approved by DHRM**	
☐ **Disapproved**	Expiration Date:
Budget Representative Name:	
Budget Representative Signature:	Date:
Note:	

FOR COMPLETION BY DHRM ONLY

INSTRUCTIONS TO APPOINTING AUTHORITY

Incumbent meets MQ's: ☐ Yes ☐ No

☐ Use Hiring Process
☐ Preliminary Approval Pending FY ____/____ Budget approval and no changes to the duties
☐ Other:

IFC/Legislative approval required? ☐ Yes, Date Approved: ☐ No			Study#:
Agency ID#:	Agency Org/Budget#:		Effective Date:
Class Code:	Class Option:	Grade:	Expiration Date:
Class Title:			
Analyst Signature:			Date:
Supervisor Signature:			Date:

1. What is the major purpose of this request?

Senate Bill 103 (2023) passed to create a subcommittee within the Nevada Sentencing Commission (NSC) to study misdemeanor laws, policies, and practices in Nevada and in other states, and also requires the NSC to submit a report and recommendations to the Legislature for the 83rd session. The Nevada Department of Sentencing Policy (NDSP) provides staff support to NSC to fulfill its statutory duties. The MA2 will provide the skills and expertise needed to collect, clean, enter, and aggregate data, and then create tables and graphs to provide to the Director and the NSC to use in reports. This MA2 position was requested in a fiscal note during the 82nd Legislative session and placed in contingency.

2. Are there similar positions in the agency with like duties of this position to compare to?

Yes, current MA3, MA2, and MA1 positions

3. What are the duties performed by this position? *Describe the duties in detail. Put an asterisk (*) next to each new duty or new function within an existing duty. Note: Additional duties can be added by placing the curser in the desired row and right clicking. Next select "Insert", then either "Insert Rows Above" or "Insert Rows Below".*

DUTY NUMBER	DUTY STATEMENT
#1	Data Analysis and Oversight: 1. Assist in collection and analysis of criminal justice data from agencies and stakeholders. 2. Assist with maintainence a statewide sentencing database. 3. Lead in the storage and sharing of misdemeanor criminal justice data collected from agencies and stakeholders. 4. Evaluate the impact of pretrial, sentencing diversion, incarceration and post release from the data collected from state and local agencies. 5. Curate visualizations of data to include in reports and deliverables created by NDSP.
#2	Program Development and Oversight: 1. Develop, implement, and oversee multiple programs related to data collection and storing. 2. Assist in complex statistical methods required to analyze, project and present criminal justice effects. 3. Research best practices for collecting, storing, and sharing criminal justice data. 4. Participate in meetings as the department subject matter expert in a statistical and informational analysis expert on misdemeanor and other data.
#3	Legislative Session Duties: 1. During the Legislative session, review research data based on bills that have been submitted to the legislature for impacts to agencies. 2. Assist in the preparation of Bill Draft Requests and amendments when necessary to present data to accompany requests. 3. Assist in preparation of fiscal notes when necessary to include data. 4. Prepare data reports. 5. Research effects of proposed Legislation on criminal justice agencies.

4. **Does this position function as a lead worker? What is the class title and position control number of all employees that this position functions as a lead worker for. Describe, in detail, the extent of lead worker responsibility exercised by this position.**

☐ Yes ☒ No

Check applicable boxes:

☐ Work Assignment ☐ Training ☐ Other (Specify):
☐ Work Review ☐ Scheduling

5. **Does this position function as a supervisor? What is the class title and position control number of all employees that are supervised by this position? Describe, in detail, the extent of supervisory responsibilities exercised by this position.**

☐ Yes ☒ No

Direct Supervision:

Indirect Supervision:

Check applicable boxes:

☐ Performance Appraisal ☐ Work Performance Standards ☐ Scheduling
☐ Work Assignment ☐ Work Review ☐ Discipline
☐ Final Selection ☐ Training ☐ Other (Specify):

6. **What is the extent of supervision exercised over this position?**

Position will be assigned projects by Deputy Director, Executive Director and sometimes Management Analyst 3. Position will work in conjunction with team but primarily autonomously with available assistance and guidance when needed. Decisions will be required daily based on the analysis of information and statistical data. Decisions will need to be made regarding the accuracy and appropriateness of data required for recurring Commission and Department reports, including the timely submission of reports. Problem solving skills will be used to resolve data discrepancies, while maintaining sound judgement to remain in compliance with state and federal rules and regulations.

7. **Are there any licenses, certificates, degrees, or credentials required by statute or required by the department/division/agency for this position?**

No

8. **Which statutes, rules, procedures, or guidelines are used in performing the duties of this position?**

Nevada Revised Statutes (NRS)
Nevada Administrative Code (NAC)
State Administrative Manual (SAM)
Code of Federal Regulations, Title II (Uniform Guidance/Super Circular)

Federal Grant Guidance
Generally Accepted Accounting Principles (GAAP)
Departmental Polices and Procedures
Departmental Internal Controls

9. Is there any additional information which may support this classification request?

The individual who fills this position must possess advanced Excel skills and preferably Power-BI, SQL, and R.

NEBS130

State of Nevada - Budget Division
Payroll/Position Detail
2023-2025 Biennium (FY24-25)
SB103 SB103 FISCAL NOTE

10/8/24 9:17 AM

Section C: Position Cost Details

Budget Account: 1010 DEPARTMENT OF SENTENCING POLICY

Type	Description	PCN	Class	FTE Actual	FTE WP	FTE Y1 / Y2	Salary Y1 / Y2	Ret.	Grp. Ins	Worker's Comp	Pers Assmt	Unemp. Ins.	Pyrl Assmt	Ret. Grp.	Medicare	Benefits Y1 / Y2
E365 PROMOTING HEALTHY, VIBRANT COMMUNITIES																
SC Sentencing Commission																
4	MANAGEMENT ANALYST 2	000010	07625	0.00	0.00	0.00	0	0	0	0	0	0	0	0	0	0
						1.00	33,260	5,821	4,552	878	0	0	0	1,058	482	12,791
	TOTAL FOR LINE ITEM POSITION GROUP SC			0.00	0.00	1.00	33,260									12,791
	TOTAL FOR DECISION UNIT E365			0.00	0.00	1.00	33,260									12,791
	TOTAL FOR BUDGET ACCOUNT 1010			0.00	0.00	1.00	33,260									12,791

Salary/Fringe $46,051
12% COLA = $5,526.12
Total = $51,577.12
11% COLA = $5,673.48
Total = $57,250.60

Section A1: Line Item Detail by GL
Budget Account: 1010 DEPARTMENT OF SENTENCING POLICY

Item No	Description	Actual 2021-2022	Work Program 2022-2023	SB103 Year 1 2023-2024	SB103 Year 2 2024-2025
E365	PROMOTING HEALTHY, VIBRANT COMMUNITIES				
REVENUE					
2501	APPROPRIATION CONTROL	0	0	0	461
	TOTAL REVENUES FOR DECISION UNIT E365	0	0	0	461
EXPENDITURE					
01	PERSONNEL SERVICES				
5100	SALARIES	0	0	0	33,260
5200	WORKERS COMPENSATION	0	0	0	878
5300	RETIREMENT	0	0	0	5,821
5500	GROUP INSURANCE	0	0	0	4,552
5750	RETIRED EMPLOYEES GROUP INSURANCE	0	0	0	1,058
5800	UNEMPLOYMENT COMPENSATION	0	0	0	0
5840	MEDICARE	0	0	0	482
	TOTAL FOR CATEGORY 01	0	0	0	46,051
04	OPERATING				
7020	OPERATING SUPPLIES	0	0	0	120
	TOTAL FOR CATEGORY 04	0	0	0	120
26	INFORMATION SERVICES				
7073	SOFTWARE LICENSE/MNT CONTRACTS	0	0	0	86
7289	EITS PHONE LINE AND VOICEMAIL	0	0	0	113
7547	EITS BUSINESS PRODUCTIVITY SUITE	0	0	0	142
	TOTAL FOR CATEGORY 26	0	0	0	341
	TOTAL EXPENDITURES FOR DECISION UNIT E365	0	0	0	46,512
	TOTAL REVENUES FOR BUDGET ACCOUNT 1010	0	0	0	461
	TOTAL EXPENDITURES FOR BUDGET ACCOUNT 1010	0	0	0	46,512

Salary/Fringe $46,051
12% COLA = $5,526.12
Total = $51,577.12
11% COLA = $5,673.48
Total = $57,250.60

MINUTES OF THE
SENATE COMMITTEE ON FINANCE

Eighty-second Session
May 25, 2023

The Senate Committee on Finance was called to order by Chair Marilyn Dondero Loop at 8:12 a.m. on Thursday, May 25, 2023, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Marilyn Dondero Loop, Chair
Senator Roberta Lange (Substitute for Senator Nicole J. Cannizzaro)
Senator Dallas Harris
Senator Dina Neal
Senator Rochelle T. Nguyen
Senator Pete Goicoechea
Senator Heidi Seevers Gansert
Senator Robin L. Titus

COMMITTEE MEMBERS ABSENT:

Senator Nicole J. Cannizzaro, Vice Chair (Excused)

GUEST LEGISLATORS PRESENT:

Senator Fabian Doñate, Senatorial District No. 10
Senator Ira Hansen, Senatorial District No. 14
Senator Melanie Scheible, Senatorial District No. 9

STAFF MEMBERS PRESENT:

Wayne Thorley, Senate Fiscal Analyst
Cathy Crocket, Chief Principal Deputy Fiscal Analyst
Paul Breen, Committee Assistant
Joko Cailles, Committee Secretary
Helen Wood, Committee Secretary

The SOS submitted a fiscal note indicating a fiscal impact related to the preparation and printing of the procedures manual and costs related to paying for the local election officials to attend the training. However, costs related to attending the training would be reimbursable from the Reserve for Statutory Contingency Account. The only cost to the General Fund would be $8,104 in FY 2023-2024 and $3,242 in FY 2024-2025 related to the elections procedures manual.

Testimony was provided in support from the Campaign Legal Center and Silver State Voices. Opposition testimony was provided by the Independent American Party, Barbara Jones and the Nevada Republican Party. There was no testimony provided in neutral. There were no amendments discussed during the hearing.

If the Committee would like to move this bill with funding for the elections procedures manual, the motion would be to amend and do pass as amended with approximately $8,000 in FY 2023-2024 and $3,000 in FY 2024-2025 for the manual.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 54 WITH APPROXIMATELY $8,000 IN FY 2023-2024 AND $3,000 IN FY 2024-2025 FOR THE ELECTIONS PROCEDURES MANUAL.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY. (SENATOR TITUS VOTED NO.)

* * * * *

CHAIR DONDERO LOOP:
We will close S.B. 54 and move to S.B. 103.

SENATE BILL 103: Revises provisions governing the Nevada Sentencing Commission within the Department of Sentencing Policy. (BDR 14-308)

MS. CROCKET:
Senate Bill 103 was heard in Committee on May 20, 2023. It revises the membership, powers and duties of the Nevada Department of Sentencing Policy (NDSP), Nevada Sentencing Commission (NSC) and requires NSC to conduct an Interim study concerning the sentences imposed for misdemeanor offenses in

the State. The bill becomes effective upon passage and approval for the purpose of performing any preparatory administrative tasks necessary to carry out the provisions of this act and on July 1, 2023, for all other purposes. Testimony was provided by the director of the NSC and noted the bill was from the Joint Interim Standing Committee on Judiciary.

The NDSP submitted a fiscal note indicating a cost of $71,237 in FY 2023-2024 and $96,577 in FY 2024-2025 for a new management analyst II position to help collect and organize data. The Department confirmed on May 17, 2023, the position is still needed if the bill passes even though the Money Committees added an additional management analyst position to the Agency's budget that was not recommended by the Governor in closing the budget.

There was testimony and support provided by the Administrative Offices of the Courts and one other individual. There was no testimony in opposition or neutral.

The proposed amendment creates a subcommittee within NSC to allow for the study of misdemeanors and to create working groups.

If the Committee wishes to take action on the bill, an appropriate motion would be to amend and do pass to add the funding, or choose to not add the funding and have the Agency approach the IFC for contingency account allocation if unable to absorb the workload with the additional staff approved by the Money Committees.

SENATOR NGUYEN:
I remember we added an additional position in its closing. Is the NSC indicating it needs this additional position as well?

MS. CROCKET:
Yes, that is what it has indicated to Fiscal staff.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 103 WITHOUT FUNDING ASKING NSC TO COME BACK TO IFC IF IT NEEDS A NEW MANAGEMENT ANALYST II POSITION.

SENATOR HARRIS SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:
I want to make sure we keep track of everything we set aside. We think they may need to come to IFC. We need to keep rolling totals so we do not get overwhelmed. We are passing this bill with the assumption NSC does not need the position. But if it does, it will have to get added to something.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR DONDERO LOOP:
We will close S.B. 103 and move to S.B. 145.

SENATE BILL 145 (1st Reprint): Revises provisions related to employee misclassification. (BDR 53-159)

MR. THORLEY:
Senate Bill 145 revises the existing treatment of administrative penalties and investigative costs by requiring the monies to be deposited to a separate account to pay for added staff for the OLC and revises administrative penalties that may be imposed in instances of employee misclassification. It was presented in Senate Finance on May 16, 2023, by Senator Roberta Lange. The effective date on the bill is July 1, 2023.

The bill revises and clarifies provisions related to sharing of otherwise confidential information between the OLC; the Division of Industrial Relations; the Employment Security Division of the Nevada Department of Employment, Training, and Rehabilitation; the Nevada Department of Taxation; and the AGs Office pertaining to employee misclassification. The bill also eliminates the Task Force on Employee Misclassification.

There were no fiscal notes submitted on the bill. Fiscal staff identified a likely fiscal impact because of a section 1 change to statute that would allow all administrative penalties and investigative costs collected to be deposited in a separate account which the OLC could use for additional staff. That money currently goes to the General Fund. By an estimate based on FY 2021-2022 collections, S.B. 145 would reduce the General Fund by approximately $381,000 each year.

Fiscal Notes - Fiscal Note ID 2280

NOTE: This document was printed by the listed agency from the Fiscal Note System and is not the official fiscal note prepared by the Fiscal Analysis Division pursuant to NRS 218D.480.

Document: BDR 14-308 (Redo 0) / SB103 (As Introduced)
Fiscal Node ID: 2280
Printed by: vfgonzalez

Department of Sentencing Policy Response To Fiscal Notes Request

Line Items

Category Type	Items of Revenue or Expense or Both	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Effect on Future Biennia
— Expense	Employee Wages (CAT 01)	$0	$50,020	$69,642	$139,284
— Expense	Other New Employee Costs	$0	$19,133	$25,791	$51,582
— Expense	Operating (CAT04)	$0	$120	$120	$240
— Expense	Information Services (CAT 26)	$0	$1,096	$1,024	$2,048
— Expense	New Furnishings	$0	$868	$0	$0
Totals		$0	$71,237	$96,577	$193,154

Organizational Input

Explanation: BDR 14-308 (SB 103) requires the Nevada Sentencing Commission (NSC) to study misdemeanors in Nevada and requires the NSC to submit a report and recommendations to the Legislature for the 83rd session. The Nevada Department of Sentencing Policy (NDSP) provides staff support to NSC to fulfill its statutory duties. SB 103 will require the NDSP to collect data from every law enforcement agency, jail, prosecutor, public defender, and district, justice, and municipal court in Nevada. To conduct the study, the data collected will need to be raw and at the case level. The raw data will need to cleaned, filtered, organized and housed to make it useful to be analyzed. Additionally, the data will need to be presented in tables and graphs appropriate for reports and presentations. The data will need to be updated and maintained after the report is submitted to provide updated analysis and measure outcomes. NDSP is already statutorily required to collect data from every criminal justice agency to build a statewide database. Updating and maintaining the data collected will advance the fulfillment of this mandate and enhance the data currently collected from the Department of Corrections (NDOC) and the Division of Parole and Probation (NPP). Due to the workload and expertise required to collect the raw data from all of these agencies and then update and maintain this data moving forward, NDSP will require one additional full-time employee, a Management Analyst II. The additional staff will provide the skills and expertise needed to collect, clean, enter, and aggregate data, and then create tables and graphs to provide

to the Director and the NSC to use in reports. Currently, the two analysts at NDSP clean, aggregate, and prepare visuals for data collected from NDOC and NPP. Their current workload does not have the capacity to process data that will be required to conduct this study and then update and maintain the data to provide ongoing analysis and measure outcomes.

Organizational Impact: Has Impact

Signed by: Victoria Gonzalez

Title: Executive Director

Attached Files

NEBS210_SB103_FN.pdf
Attachment is not an exhibit

REPORT_NEBS130.pdf
Attachment is not an exhibit

REQUEST FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT PURSUANT TO SECTIONS 4.3 (GENERAL FUND) AND 4.7 (HIGHWAY FUND) OF ASSEMBLY BILL 468 OF THE 82ND (2023) LEGISLATIVE SESSION

G.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: 10-29-24

To: Amy Stephenson, Director
Governor's Finance Office

From: David Johnson, Executive Deputy Director
Governor's Finance Office

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

GOVERNOR'S FINANCE OFFICE
OFFICE OF PROJECT MANAGEMENT

Agenda Item Write-up:
Pursuant to Assembly Bill 468 of the 2023 Legislative Session, the Office of Project Management (OPM) requests $1,575,537 from the General Fund and $369,571 from the Highway Fund for costs associated with the implementation of the Enterprise Resource Planning (ERP) System project known as CORE.NV.

Additional Information:
CORE.NV is the project launched in 2023 to provide the State of Nevada with a new ERP System that will integrate all of the core business processes for the State; Finance, Human Resources, and others. A solicitation was conducted in 2023 for a business partner to deliver a modern ERP to the State, and CGI Technologies and Solutions, Inc. was chosen as the provider and implementor of their Advantage 4 ERP solution; refer to Statewide Contract # 99SWC-NV24-17722 for details. The implementation of the CORE.NV project will be a phased approach, focusing on minimum viable product first, with delivery of the base system functionality by January 1, 2025, for Finance, and June 30, 2025, for HR, with business transformation and additional functionality realized in future phases.

CORE.NV is managed by the OPM within the Office of Finance within the Office of the Governor. OPM is requesting a total amount of $1,945,108 as delineated above, for costs associated with the implementation of the ERP, which are not to be committed for

expenditure after June 30, 2025, and not be spent for any purpose after September 19, 2025, pursuant to the provisions of the aforementioned legislation.

Statutory Authority:
AB468

REVIEWED: _____
GFO ACTION ITEM: _____ 3T
LCB AGENDA ITEM: _____

State of Nevada Work Program

WP Number: C72990

FY 20

	Add Original Work Program	XXX	Modify Work Program

BUDGET DIVISION USE ONLY
DATE 10/29/24
APPROVED ON BEHALF OF THE GOVERNOR BY
djohns37

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/18/24	101	015	1325	GOVERNOR'S OFFICE OF FINANCE - CORE.NV

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	1,945,108	0	1,945,1
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		1,945,108		1,945,1
			Total Budgetary & Revenue GLs		1,945,108		

Expenditures

CAT	Amount	CAT	Amount
01	1,185,732		
09	753,939		
11	5,437		
Sub Total Category Expenditures	1,945,108		

Remarks

The purpose of this work program is to request allocation approval from the Interim Finance Committee to implement the provisions of Assembly Bill 468, approved by the 82nd session the Legislature. AB468 provides appropriations to the Office of Finance, Budget Account 1325, for costs associated with the implementation of an Enterprise Resource Planning System.

Total Budgetary General Ledgers and Category Expenditures (AP) 1,945,108

dcarlso4
Authorized Signature

10/29/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Dependent on approval of an Action Item on the IFC agenda pursuant to the provisions of AB468 of the 82nd Legislative Session .

Joe Lombardo
Governor

CORE.NV
STATE OF NEVADA
OFFICE OF PROJECT MANAGEMENT
3850 Arrowhead Dr. | Carson City, Nevada 89706
Telephone 775-687-7220 | opm@nv.gov

Executive Committee:
Amy Stephenson, Director GFO
Joy Grimmer, Director DOA
Andy Matthews, Controller

Brian Bowles, Project Director
Brady Phillips, Administrator
Office of Project Management

MEMORANDUM

Date: October 23, 2024

To: Nevada Legislature, Interim Finance Committee

From: Brady Phillips – Administrator, Office of Project Management

Subject: BA 1325 Work Program Request WPC72990

The Office of Project Management (OPM) is requesting this work program due to projected shortfalls within the OPM budget for Fiscal Year 2025. This work program is being submitted to ensure that budgetary authority is available throughout the remainder of the fiscal year for the needs of CORE.NV. Requests herein include overtime costs for both OPM personnel and subject matter experts from other agencies assigned to the CORE.NV Project, personnel costs for two FTEs for the help desk of CORE.NV, costs due to the creation of a training room in Las Vegas for CORE.NV, and additional funding for a contract extension of vendor Berry Dunn.

To ensure the successful implementation of the CORE.NV Project, increased staffing and overtime are essential to meet project deadlines and maintain quality standards during peak periods. OPM is anticipating additional overtime costs will be realized through go-live in January and throughout the Spring and Summer in preparation for the Human Resources Technical Upgrade in June 2025. These overtime costs are creating a salary shortfall for OPM.

In addition, two positions on the CORE.NV Help Desk were inadvertently defunded during the previous Legislative session. The help desk is currently tasked with handling initial calls for human resources support. This work alone routinely inundates the remaining personnel. Upon deployment of CORE.NV in January, the help desk will assume responsibility for the initial calls for financial help desk support as well. These positions will ensure adequate staffing levels are available to support State employee's needs post go-live. The Division of Human Resources Management and the State Controller's Office will continue to support CORE.NV with help desk requests needing a higher level of functional expertise. The above summarizes our Category 01 request totaling $1,185,732.

OPM has identified a pending shortfall in Category 09 due to cost increases in several areas. Berry Dunn is our Project Management Office vendor. Our contract with Berry Dunn is being extended past the end of the fiscal year, from its current expiration date in March of 2025. Extending our vendor contract will allow for continuity in service, ensuring that we maintain operational efficiency without disruption. With the extension of this contract, OPM is requesting additional authority to utilize Berry Dunn's experience and guidance to ensure successful deployment of CORE.NV until the end of the fiscal year, with future funding being built into OPM's budget.

Several State agencies have provided staffers to OPM as subject matter experts which the State is contractually obligated to provide pursuant to the CORE.NV/CGI contract. Most of these agencies are paying the salary and benefits of these employees while assigned to OPM. These agencies have not budgeted, nor do they have authority for, overtime accrued by these State experts while assigned to OPM. Due to this, OPM is paying the overtime costs for these employees to ensure their experience and knowledge is utilized towards successful implementation of CORE.NV. In addition, two agencies have provided grant funded employees to OPM for the same purpose. These employees must be paid with State funds due to their work on CORE.NV. Therefore, OPM is paying the salary, benefits and overtime for these two individuals throughout the fiscal year. The above summarizes our Category 09 request totaling $753,939.

Lastly, Category 11 is projected to have a shortfall due to additional expenses incurred by OPM while creating and funding a computer lab for end user training in Las Vegas. This training lab was funded in conjunction with the Office of the Chief Information Officer and the Department of Administration within the new State complex in Las Vegas. CORE.NV user acceptance testing, and end user training, will be the purpose of this training lab for the coming years as CORE.NV continues. The request for Category 11 totals $5,437.

All funding is being requested from the Interim Finance Committee's Contingent Reserve Account as articulated in Assembly Bill 468 of the 2023 Nevada Legislature for the CORE.NV Project.

H.

REQUEST FOR A TEMPORARY ADVANCE FROM THE EDUCATION STABILIZATION ACCOUNT PURSUANT TO NRS 387.1213(6) - Department of Education

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 24, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: David Lenzner, Executive Branch Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF EDUCATION

Agenda Item Write-up:

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 $845,796,784 due to a delay in expected receipts in the State Education Fund.

Additional Information:

NRS 387.1213 was amended by Assembly Bill 523 of the 2023 Legislative Session to enable the department to access funds from the Education Stabilization Account if the Superintendent of Public Instruction determines that the money due from the State Education Fund exceeds the amount of money available in the State Education Fund. The State Education Fund must repay any temporary advance back to the Education Stabilization Account by August 31 following the end of the fiscal year in which the temporary advance is made.

Statutory Authority:

NRS 387.1213(6)

REVIEWED: _____

ACTION ITEM: _____

State of Nevada Work Program

WP Number: C73065

FY 202

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE
APPROVED ON BEHALF OF
THE GOVERNOR BY

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/23/24	203	300	2608	NDE - EDUCATION STABILIZATION ACCOUNT

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		0		
			Total Budgetary & Revenue GLs		0		

Expenditures

CAT	Amount	CAT	Amount
08	845,796,784		
86	(845,796,784)		
Sub Total Category Expenditures	0		

Remarks

This work program is to seek permission to transfer funding from the Education Stabilization Account (BA 2608) to supplement unrealized funding in the Pupil-Centered Funding Account (BA 2609).
This is a companion work program to WP C73066

Total Budgetary General Ledgers and Category Expenditures (AP) 0

psmorr1
Authorized Signature

10/23/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Action Item Pursuant to NRS 387.1213(6).

State of Nevada Work Program

WP Number: C73066

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/23/24	203	300	2609	NDE - PUPIL-CENTERED FUNDING PLAN ACCOUNT

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4669	TRANS FROM OTHER B/A SAME FUND	845,796,784	0	845,796,784
Subtotal Budgetary General Ledgers		**0**	**Subtotal Revenue General Ledgers(RB)**		**845,796,784**		**845,796,784**
			Total Budgetary & Revenue GLs		**845,796,784**		

Expenditures

CAT	Amount	CAT	Amount
90	845,796,784		
Sub Total Category Expenditures	845,796,784		

Remarks

This work program is to provide NDE the ability to transfer funding from the Education Stabilization Account (BA 2608) to supplement realized funding in the Pupil-Centered Funding Account (BA 2609) if realized revenues are not sufficient to meet expected demand.
This is a companion work program to WP C73065

Total Budgetary General Ledgers and Category Expenditures (AP) **845,796,784**

psmorr1
Authorized Signature

10/23/24
Date

_____
Controller's Office Approval

Does not require Interim Finance approval since Action Item Pursuant to NRS 387.1213(6).

I.

REQUESTS FOR ALLOCATIONS FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) TO IMPLEMENT LANGUAGE ACCESS PLANS PURSUANT TO SECTION 1 OF ASSEMBLY BILL 480 OF THE 82ND (2023) LEGISLATIVE SESSION

I. REQUESTS FOR ALLOCATIONS FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) TO IMPLEMENT LANGUAGE ACCESS PLANS PURSUANT TO SECTION 1 OF ASSEMBLY BILL 480 OF THE 82ND (2023) LEGISLATIVE SESSION.

1. Office of the Governor - Governor's Office of Finance - CORE.NV - FY 2025
Request for an allocation of $35,716 to implement a language access plan in accordance with NRS 232.0081.

2. Department of Administration - State Library - FY 2025
Request for an allocation of $75,375 to implement a language access plan in accordance with NRS 232.0081.

3. Department of Taxation - FY 2025
Request for an allocation of $247,339 to implement a language access plan in accordance with NRS 232.0081.

4. State Department of Agriculture - Administrative Services - FY 2025
Request for an allocation of ~~$181,323~~ ***$127,736*** to implement a language access plan in accordance with NRS 232.0081. **REVISED 11-27-24**.

5. Department of Business and Industry - Business and Industry Administration - FY 2025
Request for an allocation of $209,400 to implement a language access plan in accordance with NRS 232.0081.

6. Department of Tourism and Cultural Affairs - Cultural Affairs Administration - FY 2025
Request for an allocation of ~~$366,200~~ ***$360,800*** to implement a language access plan in accordance with NRS 232.0081. **REVISED 11-27-24.**

7. Department of Health and Human Services - Division of Public and Behavioral Health - Office of Health Administration - FY 2025
Request for an allocation of $39,700 to implement a language access plan in accordance with NRS 232.0081.

8. Department of Health and Human Services - Division of Welfare and Supportive Services - Welfare Administration - FY 2025
Request for an allocation of $2,430,000 to implement a language access plan in accordance with NRS 232.0081.

9. Department of Health and Human Services - Division of Welfare and Supportive Services - Welfare Field Services - FY 2025
Request for an allocation of $142,732 to implement translation of documents in accordance with NRS 232.0081.

10. Department of Public Safety - Director's Office - FY 2025

Request for an allocation of $320,000 to implement a language access plan in accordance with NRS 232.0081.

11. Department of Public Safety - Records, Communications and Compliance Division - FY 2025

Request for an allocation of $471,423 to implement a new dispatch system in accordance with NRS 232.0081.

12. Department of Public Safety - State Board of Parole Commissioners - FY 2025

Request for an allocation of $8,671 to provide inmates with certified translation services at parole hearings in accordance with NRS 232.0081.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: 10-30-24

To: Amy Stephenson, Director
Governor's Finance Office

From: David Johnson, Deputy Director
Governor's Finance Office

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

GOVERNOR'S FINANCE OFFICE
OFFICE OF PROJECT MANAGEMENT

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the Office of Project Management requests $35,716 from the Interim Finance Committee to implement language access plans in accordance with NRS 232.0081.

Additional Information:
CORE.NV is the project launched in 2023 to provide the State of Nevada with a new ERP System that will integrate all the core business processes for the State; Finance, Human Resources, and others. A solicitation was conducted in 2023 for a business partner to deliver a modern ERP to the State, and CGI Technologies and Solutions, Inc. was chosen as the provider and implementor of their Advantage 4 ERP solution; refer to Statewide Contract # 99SWC-NV24-17722 for details. The implementation of the CORE.NV project will be a phased approach, focusing on minimum viable product first, with delivery of the base system functionality by January 1, 2025, for Finance, and June 30, 2025, for HR, with business transformation and additional functionality realized in future phases.

CORE.NV is managed by the OPM within the Office of Finance within the Office of the Governor. OPM is requesting a total amount of $35,716 as delineated above, for costs associated with the implementation of the ERP, which are not to be committed for

expenditure after June 30, 2025, and not be spent for any purpose after September 19, 2025, pursuant to the provisions of the aforementioned legislation.

Statutory Authority:
AB480

REVIEWED: _____

GFO ACTION ITEM: _____ 3M

LCB AGENDA ITEM: _____

State of Nevada Work Program

WP Number: C73057

FY 20

	Add Original Work Program	XXX	Modify Work Program

BUDGET DIVISION USE ONLY
DATE
APPROVED ON BEHALF OF
THE GOVERNOR BY

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/24/24	101	015	1325	GOVERNOR'S OFFICE OF FINANCE - CORE.NV

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	35,716	1,945,108	1,980,8
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		35,716		1,980,8
			Total Budgetary & Revenue GLs		35,716		

Expenditures

CAT	Amount	CAT	Amount
09	35,716		
Sub Total Category Expenditures	35,716		

Remarks

This work program requests an appropriation from the Interim Finance Committee (IFC) Contingency fund in accordance with Nevada Revised Statute 232.0081 for the implementation of the Office of Project Management Language Access Plan.

Total Budgetary General Ledgers and Category Expenditures (AP) 35,716

dcarlso4
Authorized Signature

10/28/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Dependent on approval of an Action Item on the IFC agenda.

Joe Lombardo
Governor

CORE.NV
STATE OF NEVADA
OFFICE OF PROJECT MANAGEMENT
3850 Arrowhead Dr. | Carson City, Nevada 89706
Telephone 775-687-7220 | opm@nv.gov

Executive Committee:
Amy Stephenson, Director GFO
Joy Grimmer, Director DOA
Andy Matthews, Controller

Brian Bowles, Project Director
Brady Phillips, Administrator
Office of Project Management

MEMORANDUM

Date: October 23, 2024

To: Nevada Legislature, Interim Finance Committee

From: Brady Phillips – Administrator, Office of Project Management

Subject: BA 1325 Work Program Request WPC73057

The Office of Project Management (OPM) is requesting this work program due to a need for funding surrounding the Language Access Plan requirements as outlined in NRS 232.0081. Due to the costs associated with interpretive services, projected shortfalls within the OPM budget for Fiscal Year 2025 are anticipated. This work program is being submitted to ensure that budgetary authority is available throughout the remainder of the fiscal year for the needs of CORE.NV.

OPM is requesting funding for interpreter services during end user training. Throughout the initial round of fiscal training, two State users requested interpretive services in accordance with the Language Access Plan. These services are costly to the State and were unanticipated during the previous legislative session. OPM anticipates further requests will be forthcoming in the Spring when additional finance training, as well as human resources training, will be delivered. The total request for funding related to these services is $35,716.

All funding is being requested from the Interim Finance Committee's Contingent Reserve Account as articulated in Assembly Bill 480 of the 2023 Nevada Legislature for the CORE.NV Project.

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

20 ~~~~ 23

NRS 232.0081 Language access plan: Development and biennial revision; requirements; public comment; legislative recommendations; inclusion of necessary funding in proposed budget of agency. [Effective May 20, 2024.]

1. The head of each agency of the Executive Department shall designate one or more employees of the agency to be responsible for developing and biennially revising a language access plan for the agency that meets the requirements of subsection 2.

2. A language access plan must assess existing needs of persons served by the agency for language services and the degree to which the agency has met those needs. The plan must include recommendations to expand language services if needed to improve access to the services provided by the agency. The plan must:

(a) Outline the compliance of the agency and any contractors, grantees, assignees, transferees or successors of the agency with existing federal and state laws and regulations and any requirements associated with funding received by the agency concerning the availability of language services and accessibility of the services provided by the agency or any contractors, grantees, assignees, transferees or successors to persons with limited English proficiency;

(b) List the relevant demographics of persons served by or eligible to receive services from the agency, including, without limitation:

(1) The types of services received by such persons or for which such persons are eligible;

(2) The preferred language and literacy level of such persons;

(3) The ability of such persons to access the services of the agency electronically;

(4) The number and percentage of such persons who are indigenous; and

(5) The number and percentage of such persons who are refugees;

(c) Provide an inventory of language services currently provided, including, without limitation:

(1) Procedures for designating certain information and documents as vital and providing such information and documents to persons served by the agency in the preferred language of such persons, in aggregate and disaggregated by language and type of service to which the information and documents relate;

(2) Oral language services offered by language and type;

(3) A comparison of the number of employees of the agency who regularly have contact with the public to the number of such employees who are fluent in more than one language, in aggregate and disaggregated by language;

(4) A description of any position at the agency designated for a dual-role interpreter;

(5) Procedures and resources used by the agency for outreach to persons with limited English proficiency who are served by the agency or eligible to receive services from the agency, including, without limitation, procedures for building relationships with community-based organizations that serve such persons; and

(6) Any resources made available to employees of the agency related to cultural competency;

(d) Provide an inventory of the training and resources provided to employees of the agency who serve persons with limited English proficiency, including, without limitation, training and resources regarding:

(1) Obtaining language services internally or from a contractor;

(2) Responding to persons with limited English proficiency over the telephone, in writing or in person;

(3) Ensuring the competency of interpreters and translation services;

(4) Recording in the electronic records of the agency that a person served by the agency is a person with limited English proficiency, the preferred language of the person and his or her literacy level in English and in his or her preferred language;

(5) Communicating with the persons in charge of the agency concerning the needs of the persons served by and eligible to receive the services from the agency for language services; and

(6) Notifying persons with limited English proficiency who are eligible for or currently receiving services from the agency of the services available from the agency in the preferred language of those persons at a literacy level and in a format that is likely to be understood by such persons; and

(e) Identify areas in which the services described in paragraph (c) and the training and resources described in paragraph (d) do not meet the needs of persons with limited English proficiency served by the agency, including, without limitation:

(1) Estimates of additional funding required to meet those needs;

(2) Targets for employing persons who are fluent in more than one language;

(3) Additional requirements necessary to ensure:

(I) Adequate credentialing and oversight of translators and interpreters employed by or serving as independent contractors for the agency; and

(II) That translators and interpreters used by the agency adequately represent the preferred languages spoken by persons served by the agency or eligible to receive services from the agency; and

(4) Additional requirements, trainings, incentives and recruiting initiatives to employ or contract with interpreters who speak the preferred languages of persons with limited English proficiency who are eligible for or currently receiving services from the agency and ways to partner with entities involved in workforce development in imposing those requirements, offering those trainings and incentives and carrying out those recruiting initiatives.

3. If there is insufficient information available to develop or update the language access plan in accordance with the requirements of this section, the employee or employees designated

pursuant to subsection 1 shall develop procedures to obtain that information and include the information in any revision to the language access plan.

4. Each agency of the Executive Department shall:

(a) Solicit public comment concerning the language access plan developed pursuant to this section and each revision thereof;

(b) Make recommendations to the Legislature concerning any statutory changes necessary to implement or improve a language access plan; and

(c) Include any funding necessary to carry out a language access plan, including, without limitation, any additional funding necessary to meet the needs of persons with limited English proficiency served by the agency as identified pursuant to paragraph (e) of subsection 2, in the proposed budget for the agency submitted pursuant to NRS 353.210.

5. As used in this section:

(a) "Agency of the Executive Department" means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

(b) "Dual-role interpreter" means a multilingual employee who:

(1) Has been tested for language skills and trained as an interpreter; and

(2) Engages in interpreting as part of his or her job duties.

(c) "Language services" means oral language services and translation services.

(d) "Oral language services" means services to convey verbal information to persons with limited English proficiency. The term:

(1) Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services and non-governmental interpreters.

(2) Does not include family members, friends and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.

(e) "Person with limited English proficiency" means a person who reads, writes or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.

(f) "Translation services" means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.

(Added to NRS by 2021, 3234; A 2021, 3237, effective May 20, 2024)

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

A'Keia Sanders
Executive Director

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Office of Federal Assistance

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.ofa.nv.gov | Fax: (775) 684-0260

Language Access Plan

For the Governor's Finance Office, Governor's Office of Federal Assistance, and Office of Project Management

This Language Access Plan (LAP) was created to provide access for our agency's services to Limited English Proficient (LEP) Individuals and is divided into the following seven sections:

I. Purpose and Authority - This section provides the legal basis for the agency's plan and protocol and connects the plan and protocol to the State Agency's mission.
II. Language Access Plan Agency Application – This section explains what agencies and departments this Language Access Plan applies to.
III. Existing Services – This section details existing services that the GFO provides to comply with statutory regulations and accommodate LEP individuals.
IV. General Policy - This section explains the policy of the agency. It is the commitment of the agency and its employees to ensure meaningful language access.
V. The GFO Language Access Services and Procedures – This section details the types of services the agency provides, as required by SB318 Section 7.2.c.
VI. Implementing the GFO's Language Access Services – This section details the agency's procedures for training its staff to use its language access services, as required by SB318 Section 7.2.d.
VII. Evaluation of and Recommendations for the GFO's Language Access Plan – This section details how the agency's language access policies and procedures have met the need, and what is required to improve those services if the need is not being fully met, as required by SB318 Section 7.2.f.

I. Purpose and Authority – This section provides the legal basis for the agency's plan and protocol and connects the plan and protocol to the State Agency's mission.

The State of Nevada, through Nevada Revised Statute Chapter 232 and Federal guidance in Title VI, address the barriers persons with limited English proficiency (LEP) face in accessing governmental programs and services. Persons with limited English proficiency require and deserve both meaningful and timely access to government services in their preferred language. Moreover, it is the responsibility of government to provide that access:

> State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

The Governor's Finance Office (GFO) is committed to compliance with NRS 232.0081 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) in ensuring meaningful access to State services and programs for individuals with limited English proficiency. The purpose of this document is to establish an effective plan and protocol for the GFO personnel to follow when providing services to, or interacting with, LEP individuals.

II. **Language Access Plan Agency Applicability** – This section explains what agencies and departments this Language Access Plan applies to.

While written for the Governor's Finance Office, this Language Access Plan also extends its applicability to the Nevada Governor's Office of Federal Assistance and the Office of Program Management, which closely collaborate with the Governor's Finance Office.

III. **Existing Services** - This section details existing services that the GFO provides to comply with statutory regulations and accommodate LEP individuals.

In general, the GFO provides services to the State and its' agencies, rather than "persons" as referenced in NRS 232.0081. Due to this, much of the statutory guidance is not applicable.

The GFO does not have any compliance concerns, nor has the GFO received any funding for language services as outlined in NRS 232.0081. The OP does not have any demographics on or information of persons who are served or eligible to receive services from the GFO, as there have not been any recorded incidents of this nature. The GFO does not have any currently provided language services.

The GFO has created this plan in the spirit of assuring that personnel have protocols to follow when interacting with individuals who have limited English proficiency, in order to fulfill our vision of propelling Nevada's government towards streamlined efficiency, transparency, and effectiveness.

IV. General Policy - This section explains the policy of the agency. It is the commitment of the agency and its employees to ensure meaningful language access.

The GFO recognizes that the population eligible to receive its services includes LEP individuals. It is the policy of the GFO to ensure meaningful access to LEP individuals. The GFO adopts the following policies and procedures to ensure that LEP individuals can gain equal access to the GFO's services and communicate effectively.

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English. The GFO intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. The GFO seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

With this goal in mind, the GFO endorses the following policies:

- The GFO is committed to equity and will take all reasonable steps to provide LEP individuals with meaningful access to all its services, programs, and activities.
- The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.
- No staff may suggest or require that an LEP individual provide an interpreter to receive agency services.

V. The GFO's Language Access Services and Procedures – This section details the types of language services the GFO provides, as required by SB318 Section 7.2.c.

The GFO has secured the language access services described below to enable LEP individuals to access the information they seek. In every case, the GFO ensures that all language service providers are fully competent to provide these services.

- State Agency Outreach: The GFO will rely upon applicable State agency Language Access Plans to provide information and assistance to individuals with inquiries about agency programs and will utilize on-line Language Access Plan agency documents to obtain referral procedures and resource information.

- Oral, Sign Language and Written Language Services: The GFO has staff members and subject matter experts from around the State, within its' office regularly. Due to this, at intermittent times the GFO may have bilingual speakers available telephonically. If these employees are not available, and for all other oral or sign language needs, the GFO will utilize contract translation and interpreter services offered by the state which are located at: https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation
- Community Outreach and Engagement: The GFO is committed to ensuring that the LEP community as a whole is aware of how to access available language services.
- Providing Notice of Language Assistance Services: The GFO will provide notice of LEP resources within its office.

VI. **Implementing the GFO's Language Access Services** – This section details the agency's procedures for training its staff to use its language access services, as required by SB318 Section 7.2.d.

In order to fulfill the goals of this Plan, the GFO will provide staff with the necessary training to ensure that staff are familiar with this document, related policies, and resources available for LEP individuals.

This training will include:

- How to respond to LEP individuals via phone, writing, or in person,
- How to seek assistance with State approved language access resources,
- How to document the mode of communication and preferred language of a LEP individual and communicate this information,
- How to report these interactions to the Language Access Coordinator,
- How the Language Access Coordinator will log services to the LEP individual in order to maintain demographic data related to a LEP individual's interaction with the GFO, and
- Cultural competency.

VII. **Evaluation of and Recommendations for the GFO's Language Access Plan**- This section details how the agency's language access policies and procedures have met the need, and what is required to improve those services if the need is not being fully met, as required by SB318 Section 7.2.f.

The GFO is committed to providing limited English proficient individuals full access to state services and is committed to monitoring the policies and procedures stated above to ensure that limited English proficiency Nevadans are receiving equitable access to services.

The GFO will solicit public comment regarding this Language Access Plan through posting of this Plan to the GFO public facing website. Our agency's Language Access Coordinator (LAC) will monitor the implementation of the plan to confirm we comply.

The Language Access Coordinator will:

- Continue to develop and monitor this plan, updating it biennially based on language accommodation requests documented by staff and any other data obtained through public comment,
- Track any costs that may be incurred by using external, State approved resources,
- Estimates for additional funding needs to the GFO in relation to the Language Access Plan, and
- Identifying targeted needs for employing person(s) fluent in specific languages.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 30, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Roxana Gifford, Executive Branch Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF ADMINISTRATION –
NEVADA STATE LIBRARY, ARCHIVES, AND PUBLIC RECORDS

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the Department of Administration, Nevada State Library, Archives, and Public Records Division requests an allocation of $75,375 from the Interim Finance Committee to implement translation of documents in accordance with NRS 232.0081.

Additional Information:
Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. Relates to work program #C73068.

Statutory Authority:

Assembly Bill 480, Section 1 (2023)

REVIEWED: _____

GFO ACTION ITEM: 3A

LCB AGENDA ITEM: _____

Joe Lombardo
Governor

Joy Grimmer
Director

Bob Ragar
Deputy Director

Mike Strom
Division Administrator

STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Nevada State Library, Archives and Public Records
100 N. Stewart Street | Carson City, NV 89701
Phone: (775) 684-3339 | TDD: (775) 687-8338 | Fax: (775) 684-3311

10/21/2024

Assemblywoman Monroe-Moreno, Chair
Interim Finance Committee
401 South Carson Street
Carson City, Nevada 89701

AB 480 of 82nd Legislative Session

Dear Chair Monroe-Moreno,

Pursuant to Nevada Revised Statute 232.0081 the Nevada State Library, Archives and Public Records is requesting $75,375 of restricted Interim Finance Committee funds for the implementation of the Nevada State Library, Archives and Public Records's Language Access Plan.

The Nevada State Library, Archives and Public Records has identified the following gaps in services provided:

> The Nevada State Library, Archives and Public Records has documented requests for translation services for the Talking Books program by individuals with Limited English Proficiency (LEP) dating back to 2019. Past requests have been in Spanish and based on the percentage of the population that identify as Spanish speakers in Nevada; we will be starting with translation into Spanish. One user self-identified as speaking Spanish, English, and Tagalog. If requests are made in other languages, we will translate as necessary and make a request for additional funding in the 2026-2028 biennium.
>
> The Nevada State Library Archives & Records Center provides access to records that document the history of Nevada's government dating back to 1851. To make those records more accessible, we plan to translate 4 vital documents from English into Spanish. They have not recorded any requests in the past 5 years, but there has been limited outreach to the LEP community.
>
> Library Services provides support to State of Nevada agencies and employees, as well as serves Nevada's academic, school, public, and special libraries, and residents of the Silver State. The State Library signage is currently only in English or English and Braille and we would like to update that to include Spanish. Forms are only available in English, so we plan to translate

vital documents from English into Spanish, and we want to have an "I Speak" document available to assist staff in determining what language is being spoken by LEP individuals.

Many of our public libraries struggle to provide basic services to LEP individuals and have limited access to training and materials. In accordance with NRS 378.081 (h), we would like to provide them with training and documents and provide them with access to materials in Spanish, Tagalog, Chinese, and Vietnamese through materials purchased and held at NSLAPR.

To address these gaps, Nevada State Library, Archives and Public Records has identified the following resources needed with estimated cost:

The documented requests have come through the Talking Books program, which has had vital documents available in Spanish through the National Library Services for several years, but we anticipate that there will be requests for both Library Services and Archives, once the vital documents for each of those departments have been completed. We also anticipate additional request through Talking Books once we have better established policies and procedures for translation services. In addition to the cost of having 8 vital documents translated from English to Spanish, we are projecting the need for up to 24 written translations at approximately 434 words each and 25 oral translations lasting approximately 1 hour each.

After comparing rates for the various services, we are basing our costs for translation services on the costs from Homeland Language Services. Homeland Language Services provides both written and oral translation services and were one of the least expensive vendors available from the provided vendor list. An average of two requests per month were made from January through September of 2024, but staff stated that they felt more requests would be made if users knew that translation services were readily available from the Nevada State Library, Archives and Public Records.

To assist with oral translation services at NSLAPR public service desks and for use in outreach, we plan to purchase fifteen TimeKettle Fluenttalk T1 Mini translation devices for use at the Nevada State Library, Archives and Public Records for translation into 40 different languages.

Current signage in the library is available in English or English and Braille, we would like to update our signage throughout the library to make it available in English and Spanish with selected signs in Braille; we would also like to add a digital sign at the entrance to the library with welcome messages in four languages and update with other important messages as needed; and purchase retractable banners for outreach and events in English, Spanish, and Tagalog.

We would also like to create an "I Speak" document translated into the 15 most spoken languages in Nevada; translate "What is a Library" into an additional seven languages; provide ten workshop seats in Spanish for Librarians for NSLAPR staff; and develop small core collections of materials in Spanish, Tagalog, Chinese, and Vietnamese to be housed at the Nevada State Library and available upon request to the public libraries.

The Library Planning and Development Services program of the Nevada State Library, Archives and Public Records provides support for Nevada's public libraries. To assist them in their work with LEP individuals, NSLAPR would like to provide a training workshop for public libraries on how to serve LEP patrons, offer forty workshop seats for Spanish for Librarians, and purchase one hundred thirty-five TimeKettle T1 Mini translation devices for distribution to the state's public libraries.

Estimated Budget:

Vital Documents	$325.00
Oral Translations via phone	$930.00
Written Translations	$960.00
15 TimeKettle Translators	$2,250.00
"I speak" document in 15 languages	$600.00
Translation of "What is a Library" into 7 additional languages	$560.00
10 Workshop seats in Spanish for Librarians for NSLAPR Staff	$2,000.00
Wayfinding signage	$1,000.00
End of Range Signs for Bookshelves	$6,000.00
Wall Signs for Doors/Offices	$6,000.00
Retractable Banners for Outreach	$2,500.00
Digital Sign for Library	$5,000.00
Language Collections in Spanish, Tagalog, Chinese, and Vietnamese	$15,000.00
Training for NSLAPR library staff on how to serve LEP patrons	$2,000.00
135 Time Kettle Translators (public libraries)	$20,250.00
40 Workshop seats Spanish for Librarians (public libraries)	$8,000.00
Training for public library staff on how to serve LEP patrons	$2,000.00
Total	**$75,375.00**

Attached is Nevada State Library, Archives and Public Records's Language Access Plan and detailed resource needs for successful implementation.

Thank you for consideration and if further information is needed, please contact:

Cielle Quillen
Access Services Program Manager
cquillen@admin.nv.gov/775-684-3372

Respectfully yours,

Michael Strom
Administrator

cc: Joy Grimmer, Director, Department of Administration

Nevada State Library, Archives and Public Records

100 N. Stewart Street, Carson City, Nevada 89701

LANGUAGE ACCESS PLAN

September 30, 2024

I. PURPOSE AND AUTHORITY

Nevada's Senate Bill 318 (2021) and the federal guidance on Title VI of the Civil Rights Act of 1964, both agree language should not be a barrier to accessing governmental programs and services. As SB 318 puts it, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." 2021 Stat. Nev. 3230. Moreover, it makes clear that it is the responsibility of government to provide that access: State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access to persons with Limited English Proficiency (LEP) to the programs and services of those agencies and entities. 2021 Stat. Nev. 3230.

The Nevada State Library, Archives and Public Records (NSLAPR) is committed to compliance with SB 318 (2021), codified at NRS 232.0081, and Title VI of the Civil Rights Act of 1964 in ensuring meaningful access to State services and programs for individuals with limited English proficiency.

The purpose of this Language Access Plan (LAP) is to establish a reasonable and effective plan and protocol for the Nevada State Library, Archives and Public Records personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency. Following this plan and protocol is essential to the success of our mission:

Mission: The Nevada State Library, Archives and Public Records' mission is to provide state agencies and Nevadans with equitable access to information by preserving the historical record of Nevada, enhancing the service capacity of the library community, guiding public agencies in the efficient maintenance of their records, and meeting the research and reading needs of all Nevadans.

Acronyms and Definitions

Acronym	Definition
ADA	American with Disabilities Act
CFR	Code of Federal Regulations
DHHS	Department of Health and Human Services
DHRM	Department of Administration Human Resources Management
DOJ	Department of Justice
LAC	Language Access Coordinator
LAP	Language Access Plan
LEP	Limited English Proficient
NRS	Nevada Revised Statutes
NSLAPR	Nevada State Library, Archives and Public Records

SB	Senate Bill

II. GENERAL POLICY

NSLAPR recognizes that the population eligible to receive its services includes individuals with Limited English Proficiency. It is the policy of NSLAPR to ensure meaningful access to these individuals. NSLAPR adopts the following policies and procedures to ensure these patrons can gain equal access to its services and communicate effectively. This plan applies to all NSLAPR programs and services including, but not limited to:

- State Library Services
- State Archives
- Nevada Talking Books Services
- Library Planning & Development Services
- Records Management
- Imaging and Preservation Services

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English. NSLAPR intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. NSLAPR seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

Towards this end, NSLAPR endorses the following policies:

- NSLAPR is committed to equity and will take all reasonable steps to provide Limited English Proficient (LEP) individuals with meaningful access to all its services, programs, and activities.
- The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.
- No staff may suggest or require that an LEP individual provide an interpreter to receive agency services.

NSLAPR Language Access Coordinator

Cielle Quillen (Access Services Librarian, cquillen@admin.nv.gov, 775-684-3360) is the Language Access Coordinator. The LAC will review and update (if needed) the NSLAPR LAP biennially. All NSLAPR staff will report language access needs to the LAC.

III. PROFILE OF NSLAPR LEP PATRONS AND CLIENTS

NSLAPR is committed to tracking the languages preferred for communication with potential NSLAPR patrons so it can better provide meaningful, timely access to its services and programs without regard to any language impediments. NSLAPR will track the oral, written, and visual language services, in a manner consistent with public records laws including NRS 239.013, provided to its LEP clients. NSLAPR's LAC will develop a means to track client data required for compliance with Title VI of the Civil Rights Act and SB 318 (2021), as well as the cost for these services.

The U.S. Census Bureau's American Community Survey of Nevada queries respondents on languages spoken at home. In 2022 respondents who reported speaking English less than "very well" spoke Spanish, Tagalog (including Filipino), Chinese (including Mandarin and Cantonese), and Vietnamese at home. Table B16001: https://data.census.gov/table/ACSDT1Y2022.B16001?q=b16001&t=Language%20Spoken%20at%20Home&g=040XX00US32

IV. NSLAPR LANGUAGE ACCESS SERVICES AND PROCEDURES

NSLAPR will employ the language access services described below to enable our LEP patrons to access our services and programs more fully. In every case, NSLAPR ensures that all language service providers are fully competent to provide these services. Any future language access needs will be addressed in the following manner.

Oral/Sign and Written Language Access Services

NSLAPR does not have any employees who are trained or certified to provide language services. When the need arises, NSLAPR will contract with a State-approved vendor for language services from the list of approved vendors located on the Department of Administration's Purchasing Division website: https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/.

The Nevada Department of Administration's Human Resources Management division maintains a list of bilingual state employees who can provide translation for various languages including Spanish, Arabic, French, Chinese, Mandarin, Filipino, Korean, and

Serbian/Croation. There is one employee on the list who can provide American Sign Language Services.

Community Outreach

NSLAPR does not have any employees who are trained or certified to provide language services in-house for languages other than English. NSLAPR will take steps to publicize the availability of language access services on the https://nsla.nv.gov/ website.

NSLAPR will utilize translation services from approved vendors to produce information pamphlets and handouts when requested.

Cultural Competency Resources

NSLAPR will provide resources for its staff to improve their cultural competency and ability to work with diverse groups by utilizing the educational materials and tools on the Nevada Department of Health and Human Services' (DHHS) Cultural Literacy Strategies website: https://dhhs.nv.gov/Programs/CHA/MH/Toolkit/culturalliteracystrategies/.

V. IMPLEMENTING NSLAPR'S LANGUAGE ACCESS SERVICES

NSLAPR is committed to providing LEP members of the public full access to its services and programs. Moreover, NSLAPR is committed to 100% compliance with these procedures and provides staff with the training described below to help ensure that all staff are familiar with these procedures and recognize their importance to NSLAPR's mission.

Language Assistance Measures

NSLAPR will develop methods for identifying LEP individuals who contact NSLAPR through correspondence (via U.S. mail, fax, email, or website inquiry), telephonically, or in person, and who may need language assistance. Upon determining the need for language assistance, NSLAPR will take reasonable steps to ensure that its communications and materials pertinent to the program or service, are conducted with the use of a qualified interpreter or translator, through telephonic or video interpretation with qualified interpreters, or through a bilingual staff member. NSLAPR will take reasonable steps to ensure that vital documents related to NSLAPR's programs, services, and activities are translated into the most frequently encountered language(s) of those LEP individuals affected by the programs, services, or activities or are interpreted for LEP individuals. NSLAPR staff who interact with the public will be trained on language access policies and procedures, including how to access policies and procedures, how to access language assistance services, and how to identify and work with LEP individuals, interpreters, and translators. NSLAPR staff who encounter and identify LEP individuals should maintain a

record of their contact and the primary language spoken. NSLAPR's Language Access Coordinator will facilitate compliance with this LEP Plan.

NSLAPR uses the Aspen Discovery System for its online public access catalog and knowledge base. Aspen integrates machine translation via the user's browser allowing researchers to toggle between English, Spanish, and Chinese.

Point of First Contact – Identification of LEP Individuals

At the first point of contact with an LEP individual, NSLAPR will make an initial assessment of the need for language assistance services and arrange for such services if they are needed to effectively communicate with the individual.

To identify the individual's primary language, staff may rely on self-identification by the LEP individual. Staff may also use a bi-lingual staff member and NSLAPR will research telephonic interpretation services to assist with identifying an LEP individuals' language.

During telephone or in-person contact, if relatives, friends, acquaintances, neighbors, or children are present with the individual, staff may rely on these individuals to conduct a first inquiry as to the primary language of the LEP individual.

To identify an individual's primary language, staff may use one or more of the following:

a. Self-identification by the LEP individual or companion. Staff can ask the LEP individuals to identify their language by using an "I Speak" card or other effective resources (https://www.lep.gov/translation) and will arrange for interpretation services either while on site or as soon as possible thereafter.

b. Verification by a bilingual staff member; and/or

c. Contracted interpretation services.

Staff Training

NSLAPR's Language Access Coordinator will take the lead in developing and providing training to NSLAPR's personnel. The training materials will address the main components of this Plan. The focus of the training will include ensuring NSLAPR employees have access to the LAP, vital Plan guidance, and procedures. Training may include but is not limited to:

1. Providing and explaining NSLAPR's requirements under Title VI of the Civil Rights Act and SB 318 (2021).

2. Identifying language need for an LEP individual.

3. Providing instruction on how to properly access language resources, including translation, in-person interpretation, and telephonic interpretation services.

4. How to track and maintain information about contact with an LEP individual.
5. Tips on providing effective meaningful access to LEP individuals.
6. Providing examples of best practices for interaction with LEP individuals.
7. How to proactively provide meaningful access to LEP public.

VI. EVALUATION OF AND RECOMMENDATIONS FOR NSLAPR's LANGUAGE ACCESS PLAN

NSLAPR is committed to monitoring the performance of the above policies, procedures, and resources to ensure that its LAP is responsive to the needs of both NSLAPR and the people it serves. At a minimum, NSLAPR will review, evaluate, and update (if needed) its LAP biennially.

NSLAPR Language Access Cost Estimates

1. Written Document Translations **$325.00**

Homeland Language Services (approved vendor)

Library	**# words**	**Spanish ($0.09/word, minimum $40 document)**
Ask a librarian	188	$40.00
Registration (Aspen)	49	$40.00
Rules of conduct	476	$42.84
		$122.84
Archives		
Ask an archivist	120	$40.00
Registration form	640	$57.60
Reading room policy	422	$40.00
Fee policy	221	$40.00
		$177.60
Estimate for Spanish		$300.44

2. Oral Translations via Phone **$930.00**

Homeland Language Services (approved vendor)

	Spanish ($0.62/minute)
Over the phone - 60 minutes	$37.20
Estimated Transactions	25
Estimated Cost	$930.00

3. Written Patron Interactions **$960.00**

Homeland Language Services (approved vendor)

	Spanish ($0.09/word, minimum $40 document)
434 Total Words*	$40.00
Estimated annual Transactions**	24
Estimated Annual Cost	$960.00

*A study by Aweber.com, an email marketing company, found that the average length of emails was 434.48 words and took approximately 3.3 minutes to read.

4. A 15 TimeKettle Fluentalk T1 Mini Translators **$2,250.00**

https://www.timekettle.co/

$150 x 15

5	**"I speak" document in 15 languages** Homeland Language Services (15 languages X $40)	**$600.00**
6	**Translation of "What is a Library" into 7 additional languages** Homeland Language Services (7 languages X 500 words X $0.16)	**$560.00**
7. A	**10 Workshop seats in Spanish for Librarians for NSLAPR Staff** https://infopeople.org/civicrm/event/info?id=1122&reset=1 $200 per learner x 10	**$2,000.00**
8	**Wayfinding signage 24 X 36 for collection areas)** https://www.shopbrodart.com/Library-School-Equipment/Signage/Overhead-Signs/_/Sign-Shop-Economical-Custom-Sintra-Signage10/ $52.85 X 16 signs + shipping + translation of signage text into Spanish	**$1,000.00**
9.	**End of Range Signs for Bookshelves** https://www.demco.com/deflect-o-reg-wall-mount-border-sign-holders $23.79 X 200 + shipping for signs (approximately $5000) $1000 for translation of signage text into Spanish	**$6,000.00**
10.	**Wall Signs for Doors/Offices** https://www.demco.com/classic-wall-sign-holders $95 per sign X 60 + shipping + translation of signage text into Spanish	**$6,000.00**
11.	**Retractable Banners for Outreach** $219 per banner + $40 per translation (English, Spanish, Tagalog; total of 10) https://www.vistaprint.com/signs-posters/retractable-banners	**$2,500.00**
12.	**Digital Signs for Library** https://www.demco.com/brightshow-trade-rugged-all-in-one-wall-mounted-digital-signs https://www.demco.com/cloud-service-upgrade-for-brightshow-trade-all-in-one-digital-signs (2) 32" Digital Signs + Software Update (if needed) and shipping (2 x $1899 + 2 X $349 + shipping)	**$5,000.00**
13.	**Language Collections in Spanish, Tagalog, Chinese, and Vietnamese** (Approximately 375 books at an approximate cost of $40 per for the book, cataloging records, and processing)	**$15,000.00**
14. A	**Training for NSLAPR library staff on how to serve LEP patrons** Training costs based on cost of training provided earlier this year.	$2,000.00

4. B.	**135 Time Kettle Fluentalk T1 Mini Translators (public libraries)** https://www.timekettle.co/ 135 X $150	**$20,250.00**
7. B	**40 Workshop seats Spanish for Librarians (public libraries)** https://infopeople.org/civicrm/event/info?id=1122&reset=1 $200 per learner x 40	**$8,000.00**
14. B	**Training for public library staff on how to serve LEP patrons** Training costs based on cost of training provided earlier this year.	**$2,000.00**
	TOTAL	**$75,375.00**

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

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Date: October 18, 2024

To: Amy Stephenson, Clerk of the Board
Governor's Finance Office

From: Karen Hall, Executive Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF TAXATION

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the Department of Taxation requests an allocation of $247,339 from the Interim Finance Committee to implement translation of documents in accordance with NRS 232.0081.

Additional Information:
Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. Relates to work program #C70240.

Statutory Authority:
Assembly Bill 480, Section 1 (2023)

REVIEWED: KL
GFO ACTION ITEM: _____
LCB AGENDA ITEM: _____

3AA

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October 16, 2024

Assemblywoman Monroe-Moreno, Chair
Interim Finance Committee
401 South Carson Street
Carson City, Nevada 89701

RE: AB 480 of 82nd Legislative Session (Language Access)

Dear Chair Monroe-Moreno,

Pursuant to NRS 232.0081, the Department of Taxation ("Department") is requesting $247,339 of restricted Interim Finance Committee funds for the implementation of the Department's Language Access Plan.

The Department has identified the following gaps in services to the public:

- Ability to provide equal access to services or programs regardless of a person's ability to speak, understand, read, or write English;
- Ability to provide appropriate language services at no cost to the public; and
- Ability to provide in-person or phone assistance from staff at initial points of contact to identify and record language needs.

To address these gaps, the Department has identified the following resources needed with estimated cost:

- Contractors for the online translation of the Department's website and assistance in developing instructional videos at an estimated cost of $240,000;
- Contractor for the translation of six forms (hard copy) at an estimated cost of $680;
- Contractor for the translation and transcription at public meetings and hearings at an estimated cost of $1,100; and
- Purchase of technology equipment and licenses at an estimated cost of $5,559.

Attached is the Department's Language Access Plan and detailed resource needs for successful implementation.

Thank you for consideration. If further information is needed, please contact:

Nicholas Wilhelm, Auditor 3 or Kathleen Douglas, Management Analyst 4 at taxdiversity@tax.state.nv.us.

Respectfully,

Shellie Hughes
Executive Director

cc: Amy Stephenson, Director, Governor's Finance Office
Karen Hall, Executive Branch Officer I, Governor's Finance Office
Kelli J. Lay, Executive Branch Officer I, Governor's Finance Office
Adriane Roberts-Larson, Deputy Executive Director, Department of Taxation

2024

Department of Taxation Language Access Plan

August 2024

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I. Purpose and Authority

Purpose and Authority

Nevada's Senate Bill 318 (SB318) and federal guidance on Title VI both emphasize that language should not be a barrier to accessing governmental programs and services. SB318 states, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." It is the responsibility of government to provide such access.

State and local agencies receiving public funds have an obligation to ensure meaningful, timely access for individuals with limited English proficiency to their programs and services. Nevada Department of Taxation is committed to compliance with Nevada Senate Bill 318 and Title VI of the Civil Rights Act of 1964, ensuring meaningful access to State services and programs for individuals with limited English proficiency. This document establishes an effective plan and protocol for Nevada Department of Taxation personnel when interacting with individuals who have limited English proficiency, aligning with our mission to provide fair, efficient, and effective administration of tax programs for the State of Nevada.

II. General Policy

General Policy

Nevada Department of Taxation recognizes that the population it serves includes limited English proficient (LEP) individuals. Our policy is to ensure meaningful access for LEP individuals. To achieve this, Nevada Department of Taxation adopts the following policies and procedures across all programs and services:

- **Equal Access**: Nevada Department of Taxation grants access to services or programs regardless of an individual's ability to speak, understand, read, or write English.
- **Responsibility**: The Department, not the LEP individual, bears the responsibility for providing appropriate language services at no cost to the LEP individual.
- **Language Needs Identification**: Staff at initial points of contact must identify and record language needs.

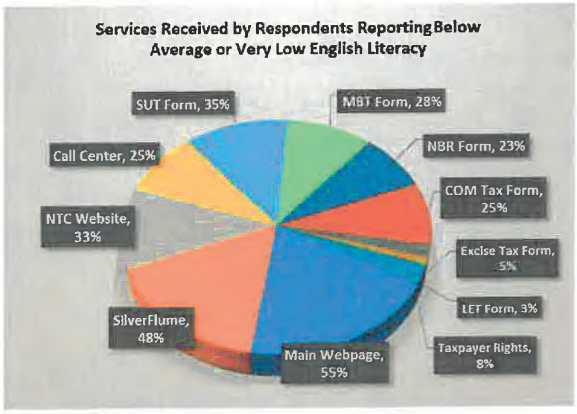
Nevada Department of Taxation Language Access Coordinators: Nicholas Wilhelm & Kathleen Douglas. Email: taxdiversity@tax.state.nv.us

III. Profile of Nevada Department of Taxation's LEP Taxpayers

This section focuses on identifying specific communities that participate in Nevada Department of Taxation's services and programs, including both direct and indirect interactions.

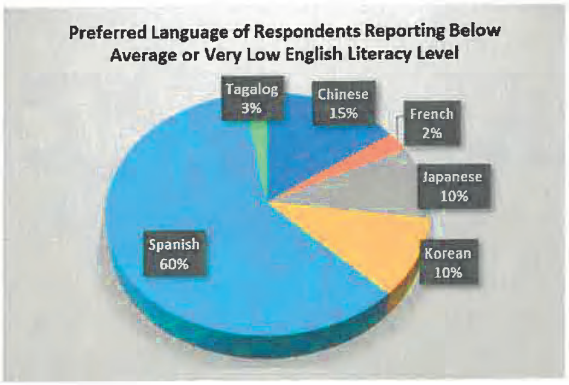
1. **Type of Services Received by Relevant Groups**

   Limited English proficiency (LEP) taxpayers responded in our survey that they primarily utilize the various websites: Taxation's main webpage (55%); SilverFlume (48%); and Nevada Tax Center/Online Tax (33%). 25% of LEP respondents reported accessing the Department's Call Center, while 23% said they had used the NBR form. Tax forms most commonly mentioned were: SUT (35%); MBT (28%); and Commerce tax (28%). Only 5% of LEP taxpayers in the survey reported using Excise tax forms.



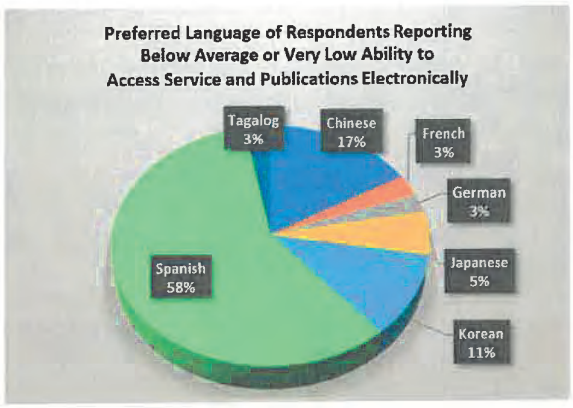
2. **Preferred Language and Literacy Levels of LEP Persons Served by the Department**

   According to the Department's taxpayer survey, the preferred language of respondents with below average or very low English literacy was predominantly Spanish (60%).[1] This was followed by: Chinese (15%); Japanese and Korean (both 10%); and, Tagalog and French (both 2½%).



3. **Ability to Access Department Services Electronically**

Of the 188 respondents reporting a preferred language other than English, *33* also reported having below average or very low ability to access services and publications electronically. (See breakdown by preferred language below.) Of these individuals, 70% also reported having a below average or very low English literacy level.



4. **Number and Percentage of Indigenous and Refugee Taxpayers Responding to the Survey**

Among the 4000 survey respondents, 114 individuals (approximately 2.77%) identified as "indigenous people"; while 24 respondents (about 0.58%) declared themselves to be "refugees".

IV. Nevada Department of Taxation Language Access Services and Procedures

Oral/Sign Language Services:

1. **In-House Multilingual Staff**: Nevada Department of Taxation employs a number of Spanish-speaking employees in each office who provide voluntary assistance to taxpayers by translating and interpreting forms, applications, collection actions, basic business information, audit findings, and general questions:
    - Carson City: 4 Revenue Officers and 3 Call Center Tax Examiners
    - Reno: 1 Tax Examiner, 2 Revenue Officers and an Administrative Assistant
    - Las Vegas: 4 Supervisors and 4 - 5 Tax Examiners

    There are approximately 200 employees who regularly have contact with the public. There are no positions designated as a dual-role interpreter.

2. **Public Meetings Interpreters**: Upon request interpreters are provided during hearings conducted by the Administrative Law Judge (ALJ), as well as meetings conducted by the Nevada Tax Commission, State Board of Equalization, Committee on Local Government Finance, the Appraiser Certification Board, and the Mining Oversight and Accountability Commission. Additionally, sign language interpreters are available through the Aging and Disability Services Division, although there is a cost to the public.

Written Language Services:

1. **Identifying Vital Information**: Nevada Department of Taxation has a process for identifying documents containing vital information. These include written communications between Nevada Department of Taxation and LEP individuals, as well as public-facing documents.
2. **Translation of Vital Documents**: Documents identified as vital are translated into the most commonly used languages.
3. **Documents Translated**: The Department has posted Spanish translations of the Taxpayer Bill of Rights, Use Tax Questions and Answers, and the Sales and Use Tax Publication on the Taxation website.

Publicizing Language Services:

1. **Outreach to LEP Communities**: Nevada Department of Taxation actively engages with LEP communities. We inform them about the availability of free language access services. (Currently in the process of being fully implemented.)
2. **Applicant and Recipient Communication**: Nevada Department of Taxation informs current applicants and recipients about available language access services. (Currently in the process of being fully implemented.)

Nevada Department of Taxation is committed to providing equitable access to all individuals, regardless of language barriers.

V. Implementing Nevada Department of Taxation's Language Access Services

Procedures for Efficient Language Services:

1. **Telephone Calls from LEP Individuals**:
   - Staff should promptly identify if a caller requires language assistance.
   - Properly document the language used during the call.
2. **Informing LEP Individuals about Available Language Assistance Services**:
   - Staff should clearly communicate, both verbally and in written format, the availability of language services to LEP taxpayers. (Currently in the process of being fully implemented.)
   - Provide information on how to access oral/sign language services and translated documents.
3. **Identifying Language Needs of LEP Individuals**:
   - Staff should actively listen and assess the language needs of LEP Taxpayers.
   - Determine the appropriate language service (oral or written) based on taxpayer preferences.
4. **Handling Correspondence (Letters and Emails) from LEP Individuals**:
   - Ensure that written communication is available in the taxpayer's preferred language.
   - Translate vital documents as needed.
5. **Bilingual Staff Utilization**:
   - Bilingual staff can assist with LEP services within their approved skillset.
   - Avoid assigning bilingual staff to tasks beyond their language proficiency.
6. **Obtaining Translations of Documents**:
   - Follow the process for translating vital documents into the most commonly spoken languages.
   - Maintain a repository of translated materials.
7. **Processing Language Access Complaints**:
   - Staff should address complaints related to language services promptly.
   - Investigate and resolve issues to improve future services.
8. **Staff Resources and Training**:
   - Emphasize the importance of meaningful language services in fulfilling the Department's mission.
   - Promote a culture of inclusion and cultural competency.

Publicizing Language Services:

- Nevada Department of Taxation will regularly inform staff about language services through internal communications.
- Notices about language assistance services will be posted within the Department's premises and on the website.
- Staff will be encouraged to participate in cultural competency training.

Remembering that meaningful language access is integral to Department's commitment to equitable service delivery, we will continue fostering an inclusive environment for all taxpayers!

Integration of Digital Accessibility and Language Access:

The State of Nevada is committed to ensuring equitable access to information and services for all individuals, including those with disabilities and those with limited English proficiency. To achieve this, we are integrating our Digital Accessibility and Language Access Plans to create a more inclusive environment.

1. **Digital Accessibility:**

    - In accordance with the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) 2.2 Levels A & AA and the Web Accessibility Initiative Accessible Rich Internet Applications Suite (WAI-ARIA) 1.0, we are dedicated to making our electronic and information technology accessible to individuals with disabilities. This encompasses all Department of Taxation web pages, as well as PDFs and Word documents hosted on our site.

2. **Language Access:**

    - We recognize the importance of providing access to information and services for individuals with limited English proficiency. Our long-term Language Access Plan aims to ensure that vital documents and web content are available in multiple languages, and that interpretation services are provided when necessary.

3. **Commitment to Compliance:**

    - As mandated by NRS Chapter 242, specifically NRS 242.131, and the Americans with Disabilities Act (ADA), we are committed to providing accessible electronic data and ensuring compliance with all relevant guidelines and regulations. This includes both digital accessibility and language access requirements.

4. **Standards and Best Practices:**

    We strive to meet the following standards for both digital accessibility and language access:

    - **Perceivable:** Information and user interface components must be presentable in ways that all users, including those with disabilities and limited English proficiency, can perceive.
    - **Operable:** User interface components and navigation must be operable through various modes, including assistive technologies and language interpretation services.
    - **Understandable:** Information and the operation of user interfaces must be understandable to users of all abilities and language proficiencies.
    - **Robust:** Maximize compatibility with current and future technology, including assistive technologies and multilingual support.

5. **Ongoing Efforts:**

   - We continuously evaluate and update our digital content and language access services to ensure ongoing compliance and effectiveness. This includes providing training and resources to staff and third parties to support these efforts.
   - By integrating digital accessibility and language access, the Department of Taxation reaffirms its commitment to creating an inclusive environment that ensures all citizens have equitable access to information and services.

6. **Areas In Which the Needs of LEP Taxpayers Can be Better Served**

   - Provide cultural competency resources to all staff.
   - Implement training and testing to ensure the proficiency of Department translators and interpreters.
   - Develop written procedures and training for responding to LEP taxpayers.

Remembering that meaningful language access is integral to Department's commitment to equitable service delivery, we will continue fostering an inclusive environment for all taxpayers!

VI. Evaluation of and Recommendations for Nevada Department of Taxation's Language Access Plan

The development of a Language Access Plan (LAP) is an ongoing process, requiring regular review and revision to ensure its effectiveness and responsiveness to changing needs. SB318 mandates biennial reviews. As part of the evaluation process, public input on the LAP is actively sought.

Reporting Requirements:

1. **Estimates of Additional Funding**:
    - Assess the financial resources needed to meet the language access needs of LEP taxpayers.
    - Consider costs related to interpreter services, translation, and staff training.
2. **Representation of Preferred Languages**:
    - Evaluate how well our language services align with the preferred languages of LEP taxpayers.
    - Address any gaps or disparities.
3. **Recruitment and Retention Efforts**:
    - Develop strategies to attract and retain staff proficient in various languages.
    - Consider incentives, training, and career development opportunities.

Key Considerations for LAP Evaluation:

1. **Responsibility and Approval**:
    - Clearly define roles and responsibilities for LAP development, monitoring, and updates.
    - Specify who has final approval authority for the initial LAP and subsequent revisions.
2. **Data Tracking**:
    - Regularly track data related to language services:
        - Types of services provided (oral, written, interpreter, translation).
        - Languages served and frequency of use.
        - Staff and taxpayer satisfaction levels.
        - Time spent by multilingual staff.
        - Interpreter and translation costs.
        - Impact of community outreach efforts.
3. **Methods for Assessment**:
    - Survey staff on their experiences with language assistance services.
    - Conduct customer satisfaction surveys among LEP taxpayers.
    - Observe Department interactions with LEP individuals.
    - Seek feedback from community organizations and stakeholders as required by SB318.
    - Solicit public comment:
        - Both in 2022 and 2024 surveys were posted online and/or distributed to the Department Listserv requesting taxpayer input on Taxation's language access plan.

Recommendations and Future Actions:

1. **Document Translation & Distribution:**
    - Translate additional forms, documents, informational materials into Spanish.
    - Publish digital copies of documents on the Taxation website, including tax form instructions in Spanish to aid with tax return completion.
    - Produce physical copies of Spanish forms and documents for distribution within offices.
2. **Online Translation:**
    - Translate the future public-facing website, MYNT (My Nevada Tax), into Spanish.
    - Hire two contractors to assist with the translation of the MYNT computer system into Spanish.
3. **On-Demand Interpreting Service:**
    - Consider contracting with a language service provider to offer telephonic and video remote interpreters, as well as translation services for taxpayer correspondence.
4. **Instructional Videos:**
    - Develop instructional videos that explain processes and policies in Spanish.
5. **Governor's Office Best Practices:**
    - Create and document procedures that adhere to the best practices and standards recommended by the Governor's office for New Americans.
    - Regularly review and update these procedures to ensure they remain effective and relevant.
    - Train staff on these procedures to ensure consistent implementation.
6. **Budget Proposals:**
    - Approach the IFC to secure funding for language access plans, as outlined in SB 480.
    - Include funding requests for language access in the upcoming Department budget, while emphasizing the critical role that language services play in accomplishing the Department's goals.

Providing meaningful language services is integral to our Department's mission. We are continuously evaluating and refining our Language Access Plan (LAP) in order to better serve our diverse community.

Addendum

2024 LAP Budget Proposal:

Proposed Budgetary Requirements to Implement the Department of Taxation's Language Access Plan during Fiscal Year 2024-2025 for a total estimate of $247,399 (rounded):

- $240,000 Contractor Positions:
  - Two contractors at $120,000 each for maintenance of online translation and assistance for PIO for translation services for taxpayers and assistance in developing instructional videos.
- $680 for Document Translation:
  - Translation of 6 forms (hard copy)
  - This will provide additional language options for forms utilized by Taxpayers who may have English as a second language.
  - Forms to be translated:
    - Nevada Business Registration
    - Close Account Form
    - Universal Request for Waiver of Penalty and Interest
    - Current Sales and Use Tax Return
    - Current Consumer Use Tax Return
    - Universal Petition for Redetermination
- $1,100 Translation for Public Hearings and Meetings:
  - This will provide for translation services upon request for persons with limited English proficiency during an appeal of their matter before the Department's Administrative Law Judges and various Boards and Commissions.
- $5,559 Technology Equipment and Licenses:
  - $4,476.75 for the purchase of three Microsoft Surface Pro to be used for English/English to Spanish live interface between the taxpayer and agent at each office location.
  - $938.25 for Business Productivity Suite (e-mail, Microsoft products, and support) at a cost of $34.75 x 3 licenses x 9 months.
  - $144 for Deep Freeze Standard for Windows 11 x 3 licenses.

State of Nevada Work Program

WP Number: C70240

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE
APPROVED ON BEHALF OF THE GOVERNOR BY

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/16/24	101	130	2361	DEPARTMENT OF TAXATION

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	247,339	0	247,339
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		247,339		247,339
			Total Budgetary & Revenue GLs		247,339		

Expenditures

CAT	Amount	CAT	Amount
12	247,339		
Sub Total Category Expenditures	247,339		

Remarks

This work program requests an allocation from the Interim Finance Committee Restricted Contingency Fund for a new Language Access Plan category to fund the implementation of the department's Language Access Plan in fiscal year 2025.

Total Budgetary General Ledgers and Category Expenditures (AP) 247,339

Authorized Signature

Date

Controller's Office Approval

Does not require Interim Finance approval since Per Assembly Bill 480 / 2023 Legislative Session - Action Item for Agenda

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

20 ~~~~~ 23

NRS 232.0081 Language access plan: Development and biennial revision; requirements; public comment; legislative recommendations; inclusion of necessary funding in proposed budget of agency. [Effective May 20, 2024.]

1. The head of each agency of the Executive Department shall designate one or more employees of the agency to be responsible for developing and biennially revising a language access plan for the agency that meets the requirements of subsection 2.

2. A language access plan must assess existing needs of persons served by the agency for language services and the degree to which the agency has met those needs. The plan must include recommendations to expand language services if needed to improve access to the services provided by the agency. The plan must:

(a) Outline the compliance of the agency and any contractors, grantees, assignees, transferees or successors of the agency with existing federal and state laws and regulations and any requirements associated with funding received by the agency concerning the availability of language services and accessibility of the services provided by the agency or any contractors, grantees, assignees, transferees or successors to persons with limited English proficiency;

(b) List the relevant demographics of persons served by or eligible to receive services from the agency, including, without limitation:

(1) The types of services received by such persons or for which such persons are eligible;

(2) The preferred language and literacy level of such persons;

(3) The ability of such persons to access the services of the agency electronically;

(4) The number and percentage of such persons who are indigenous; and

(5) The number and percentage of such persons who are refugees;

(c) Provide an inventory of language services currently provided, including, without limitation:

(1) Procedures for designating certain information and documents as vital and providing such information and documents to persons served by the agency in the preferred language of such persons, in aggregate and disaggregated by language and type of service to which the information and documents relate;

(2) Oral language services offered by language and type;

(3) A comparison of the number of employees of the agency who regularly have contact with the public to the number of such employees who are fluent in more than one language, in aggregate and disaggregated by language;

(4) A description of any position at the agency designated for a dual-role interpreter;

(5) Procedures and resources used by the agency for outreach to persons with limited English proficiency who are served by the agency or eligible to receive services from the agency, including, without limitation, procedures for building relationships with community-based organizations that serve such persons; and

(6) Any resources made available to employees of the agency related to cultural competency;

(d) Provide an inventory of the training and resources provided to employees of the agency who serve persons with limited English proficiency, including, without limitation, training and resources regarding:

(1) Obtaining language services internally or from a contractor;

(2) Responding to persons with limited English proficiency over the telephone, in writing or in person;

(3) Ensuring the competency of interpreters and translation services;

(4) Recording in the electronic records of the agency that a person served by the agency is a person with limited English proficiency, the preferred language of the person and his or her literacy level in English and in his or her preferred language;

(5) Communicating with the persons in charge of the agency concerning the needs of the persons served by and eligible to receive the services from the agency for language services; and

(6) Notifying persons with limited English proficiency who are eligible for or currently receiving services from the agency of the services available from the agency in the preferred language of those persons at a literacy level and in a format that is likely to be understood by such persons; and

(e) Identify areas in which the services described in paragraph (c) and the training and resources described in paragraph (d) do not meet the needs of persons with limited English proficiency served by the agency, including, without limitation:

(1) Estimates of additional funding required to meet those needs;

(2) Targets for employing persons who are fluent in more than one language;

(3) Additional requirements necessary to ensure:

(I) Adequate credentialing and oversight of translators and interpreters employed by or serving as independent contractors for the agency; and

(II) That translators and interpreters used by the agency adequately represent the preferred languages spoken by persons served by the agency or eligible to receive services from the agency; and

(4) Additional requirements, trainings, incentives and recruiting initiatives to employ or contract with interpreters who speak the preferred languages of persons with limited English proficiency who are eligible for or currently receiving services from the agency and ways to partner with entities involved in workforce development in imposing those requirements, offering those trainings and incentives and carrying out those recruiting initiatives.

3. If there is insufficient information available to develop or update the language access plan in accordance with the requirements of this section, the employee or employees designated pursuant to subsection 1 shall develop procedures to obtain that information and include the information in any revision to the language access plan.

4. Each agency of the Executive Department shall:

(a) Solicit public comment concerning the language access plan developed pursuant to this section and each revision thereof;

(b) Make recommendations to the Legislature concerning any statutory changes necessary to implement or improve a language access plan; and

(c) Include any funding necessary to carry out a language access plan, including, without limitation, any additional funding necessary to meet the needs of persons with limited English proficiency served by the agency as identified pursuant to paragraph (e) of subsection 2, in the proposed budget for the agency submitted pursuant to NRS 353.210.

5. As used in this section:

(a) "Agency of the Executive Department" means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

(b) "Dual-role interpreter" means a multilingual employee who:

(1) Has been tested for language skills and trained as an interpreter; and

(2) Engages in interpreting as part of his or her job duties.

(c) "Language services" means oral language services and translation services.

(d) "Oral language services" means services to convey verbal information to persons with limited English proficiency. The term:

(1) Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services and non-governmental interpreters.

(2) Does not include family members, friends and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.

(e) "Person with limited English proficiency" means a person who reads, writes or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.

(f) "Translation services" means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.

(Added to NRS by 2021, 3234; A 2021, 3237, effective May 20, 2024)

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

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Date: October 28, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Dustin Speed, Executive Branch Budget Officer DS
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

STATE DEPARTMENT OF AGRICULTURE – ADMINISTRATIVE SERVICES

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the State Department of Agriculture – Administrative Services requests an allocation of ~~$181,323~~ $127,736 from the Interim Finance Committee to implement language access plans in accordance with NRS 232.0081.

Additional Information:
Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. The Department is requesting funds to comply with the requirements of NRS 232.0081 and AB 480 of the 82nd Legislative Session. Relates to work program #C70836.

Statutory Authority:
Assembly Bill 480, Section 1 (2023)

REVIEWED: BM

GFO ACTION ITEM: _____

LCB AGENDA ITEM: _____

JOE LOMBARDO
Governor

STATE OF NEVADA

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November 26, 2024

Dustin Speed
Executive Branch Budget Officer
209 E Musser, Suite 200
Carson City, NV 89701

RE: AB 480 of 82nd Legislative Session

Dear Mr. Speed,

Pursuant to Nevada Revised Statute 232.0081, the Nevada Department of Agriculture (NDA) is requesting $127,736 of restricted Interim Finance Committee funds for the implementation of the NDA's Language Access Plan.

The NDA has identified the following gaps in services provided. These gaps hinder effective communication and service delivery, impacting the NDA's ability to serve all constituents, stakeholders and customers equitably. These gaps significantly affect the NDA's ability to provide inclusive and accessible services to all individuals, particularly those with Limited English Proficiency.

1. Translation of Vital Documents:
    a. The NDA currently lacks the resources to accurately and efficiently translate vital documents, including forms, informational brochures, and regulatory guidelines. This gap prevents constituents with Limited English Proficiency from accessing critical information and services, leading to potential misunderstandings, non-compliance and public health risk.
2. Interpretation Services:
    a. NDA staff interact with the public in office settings, at events and out in the field. To provide constituents with Limited English Proficiency with the same level of resources, information and service, it is important to have an interpretation resource available that can be accessed from anywhere.
3. Cultural Competency Training:
    a. Currently, NDA staff lack adequate training to effectively engage and support individuals with Limited English Proficiency. This puts the Department at risk of being liable for inappropriate interactions with individuals they may try to communicate with in the office or in the field.

To address these gaps, the NDA has identified the following resources needed with estimated costs totaling $127,736 based on the quotes attached to the NDA Language Access Plan:

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- $29,570 for contract services to translate vital documents.
  - *Attachment C: This requested dollar amount is based on current vital documents that will need to be translated as well as additional documents that will be created by each division. The quote provided in Attachment C was for resources from a single division and will need to be multiplied by five (5) to complete the translation of resources from each of the divisions to equal $29,570.*
- $3,172 for contract services to interpret via video or phone.
  - *Attachment D-1: This quote is based on current phone logs and interactions with Spanish speakers as well as additional calls that may come up. The estimate of $6,344 has been divided by two, to reflect the six-month funding period from Jan. 1, 2025-June 30, 2025, instead of the full year. The rate guide used to calculate this number can be found in Attachment D-2.*
- $37,500 for contract services to deliver required staff training to increase cultural competency.
  - *Attachment E: This quote includes virtual training for the entire department.*
- $57,494 towards annual salary, fringe and benefits for a Public Information Officer I position with dedicated responsibilities to lead the implementation of the department's LAP and diversity and inclusion efforts with minority groups.
  - *Attachment F: Shows the cost breakdown for the position.*

Included here is the NDA's Language Access Plan and detailed resource needs for successful implementation.

Thank you for your consideration.

Respectfully,

Melanie Sanchez Hernandez
Public Information Officer I
mshernandez@agri.nv.gov or 775-842-3530

JOE LOMBARDO
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Nevada Department of Agriculture
Language Access Plan
November 2024

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I. Purpose and Authority

The Nevada Department of Agriculture (NDA) is committed to meeting the requirements of Senate Bill (SB) 318 and Title VI to ensure all individuals can use our services, including those who may not be fluent in English, are deaf or hard of hearing, or are visually impaired.

The purpose of this document is to establish a plan and procedures for NDA staff to ensure all customers, including those who may have language barriers, are able to access and use NDA services. It's important for the Department to follow this plan to achieve our mission to "preserve, protect and promote Nevada agriculture.

II. General Information

The NDA serves the general public and its customers, including people who may have limited English skills, are deaf or hard of hearing, or are blind or visually impaired. The goal of the Department is to ensure everyone is able to use the services provided. This plan covers all NDA programs and services, such as:

- Public health and safety programs;
- Community and school nutrition programs to fight food insecurity; and, but not limited to,
- Programs needed for business licenses and operations.

The NDA Language Access Coordinator (*as of October 2024)*:

Melanie Sanchez Hernandez, Public Information Officer
mshernandez@agri.nv.gov; 775-842-3530

The coordinator will update the plan every year to ensure the NDA is providing access to all services to people with limited English skills, who are deaf or hard of hearing, or who are visually impaired with access to all services. The coordinator will also help staff use tools and resources to provide language services as needed.

For the purposes of this plan, the NDA will refer to individuals with Limited English Proficiency (LEP) as individuals who don't speak English as their main language and/or may have trouble reading, writing, speaking or understanding English. Throughout the plan, "LEP" will be used to reference this larger group.

The use of the tools and resources outlined in this Language Access Plan is dependent upon the NDA receiving adequate funding to provide these services. This information is outlined under section **VI. Evaluation of and Recommendations for the NDA's Language Access Plan**.

III. Profile of the NDA's Customers

The public uses NDA services and gets information in different ways: in person, by phone, through paper documents or online (email, website, social media, etc.).

The NDA provides services through its five divisions:

- Division of Administrative Services
- Division of Animal Industry
- Division of Food and Nutrition

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- Division of Measurement Standards
- Division of Plant Health and Compliance

Nevada Demographic Data

The following information comes from the U.S. Census Bureau's 2020 American Community Survey, which looked at households where English isn't the main language. The information below represents the percentage of households in Nevada that speak languages that are not English:

- Spanish – 19.2%
- Other Indo-European languages – 3.4%
- Asian and Pacific Island languages – 6.7%
- Other languages – 1.3%

NDA Self-Assessment

The NDA asked its five divisions to review the Department's language needs. There was not enough data available to determine whether the NDA's customer base is reflective of Nevada's demographic data from the U.S. Census Bureau (above). It was noted that Spanish is the second most common language after English, but more information is needed to fully understand the language needs of NDA customers.

Data Collection

The NDA is committed to tracking the preferred languages of customers, so we can provide them with timely and effective services.

Currently, the Department does not collect or track language needs. To address this, the NDA will begin requesting all customers complete the NDA's Customer Service Survey, which will gather information on their preferred language, if they are deaf or hard of hearing, if they are blind or visually impaired, and what their education level is, as required by Senate Bill 109.

Plain language

The NDA does not currently collect literacy information. However, the Department aims to provide all public information at a seventh grade reading level, including this plan. This helps ensure all documents and communications are clear, organized and easy to understand.

IV. NDA Language Access Services and Procedures

The NDA will use a variety of resources to help the public access services and programs. The department will use state-approved contractors to ensure all language service providers are qualified.

Verbal and sign language services

A. Contracted language access providers:

The NDA will hire a state-approved vendor to offer:

- Over-the-phone language interpretation;
- Video language interpretation and sign language; and
- Document translation.

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Using a state-approved vendor ensures the department works with qualified service providers who provide a variety of languages. *Potential vendors will be found in Attachment A.*

B. Telephone relay services:
Individuals with hearing or speech disabilities can contact the NDA using a telecommunications relay service. This free service can be reached by dialing 711 through Relay Nevada. NDA staff can also use Relay Nevada to communicate with people who use a text telephone (TTY) or similar device.

Written language services
The NDA follows certain steps to identify important written information for its services and programs, including both paper and electronic communications. These steps help us identify important written communication between the NDA and customers, as well as communication aimed at the general public.

Vital documents identification procedure
The NDA will use the following considerations to decide if new or updated communications (including print, website, videos, news releases, forms and applications) should be translated into other languages. This depends on staff availability and budget, and the following three factors:

1. Number of individuals impacted: How many people with LEP are likely to use the program?
2. Importance of Program: How important is the program, activity or service to LEP individuals, especially if it's related to public safety, emergencies, accessing food or running a business in Nevada?
3. Resources and Costs: What resources are available and how much will it cost to provide interpretation or translation services?

NDA programs will carefully consider these three factors and the needs of LEP individuals to decide the best way to provide language assistance. All materials published on the NDA website should first meet ADA-compliance standards.

Community outreach and engagement
The NDA is committed to ensuring individuals know about and can use language services. The NDA will promote available language services in the community and notify people about these services at all key points of contact, including through partners. We will also provide resources to help our staff improve their cultural understanding and ability to work with diverse groups.

The NDA has engaged in the following outreach activities:

- News Releases: NDA news releases are sent to Spanish media outlets.
- Food Assistance Information: Important information about food assistance programs is shared through Spanish media outlets.
- Media Interviews: NDA experts periodically do interviews with Spanish media outlets. These interviews are conducted in English and then translated or dubbed in Spanish.
- ADA Compliance: All materials published on the NDA website are ADA-compliant.

Providing notice of language assistance services:
The NDA will create a list of resources with all language assistance options and available language services from approved contracted providers and other resources through the following methods:

- Website: Information will be posted on the NDA website at agri.nv.gov.
- Public areas: Language identification guides and language assistance service notices will be posted in public areas and lobbies of NDA offices.
- Public-facing staff: Staff who interact with the public will have access to language identification guides to inform LEP individuals about free language services.
- Public meetings: NDA rulemaking procedures and public meeting notifications will be updated to specify available language assistance services and how to access them.
- Events: Language identification guides will be posted at NDA-hosted events and activities that serve or engage minority or LEP individuals.

Cultural competency resources:
The NDA will provide the following resources to staff to improve their ability to work with diverse groups:

- Language access policies: Policies and procedures will be reviewed with new employees during onboarding.
- Training materials: Training materials and Standard Operating Procedures will be updated for staff who interact with the public (*to be completed by June 30, 2025*). Staff will annually complete Cultural Competency Training *(potential vendors can be found in Attachment B)*.
- Interpreter training: Training on how to work with interpreters to communicate with LEP and deaf or hard of hearing individuals via phone, video, or in-person, will be provided through contracted services (*to be completed by June 30, 2025, pending budget approval*).
- Plain language training: NDA communications staff will provide training on plain language principles (*to be completed by June 30, 2025, pending budget approval*).

V. Implementing the NDA's language access services

The NDA is dedicated to providing full access to our services and programs for people whose English is limited, those who are deaf, or hard of hearing. Staff must follow the procedures below to ensure everyone can use language services to access resources and information. The NDA is committed to 100% compliance with these procedures and will provide the necessary training to help staff understand their importance to the NDA's mission. Information on how to access language services will be available to all staff on the NDA SharePoint intranet.

Identifying customer language needs and preferred language

NDA staff must follow these steps to (1) meet the needs of all customers, (2) inform them about available language services, (3) determine their preferred language, and (4) record their language preferences for reference in future interactions with the NDA:

1. Initial contact: At the first point of contact, remember that not everyone speaks, or prefers to speak English.
2. Informing of language services: Tell individuals they have the right to receive information about NDA programs and services in their preferred language at no cost.
3. Language identification guide: Use the guide to help customers identify their preferred language.
4. Record the customer's language preferences.

Accessing appropriate verbal/sign language services

Staff will utilize professional interpreters to provide verbal interpretation or sign language services:

- Professional Interpreters: Staff can use professional, contracted phone or video interpreters. Depending on the mode of communication and preferred language, staff will use:
    - Phone Relay Services (711): For communicating with individuals who are deaf or hard of hearing.
    - Video Interpretation: For customers who require sign language.
    - Phone/Video Interpretation: For other languages using NDA's contracted service provider.

Special notes for staff to consider when providing language services:

- Minors (children under 18 years of age) should not be used to interpret unless it's for identifying the preferred language or in life-threatening emergencies.
- Friends/Family: If an individual brings a friend or family member to interpret, ask them to help identify the preferred language. Explain NDA's policy on using credentialed interpreters and the process for connecting with one.

Accessing appropriate written language services

As noted in this plan, all documents and other written resources and communications identified as being "vital" will be translated. Staff should follow these steps to access qualified written language services. This applies to documents for broad distribution and communications between the NDA and individual customers.

1. Determining vital documents: If staff think a public-facing document might be "vital," they should work with the NDA Communications Team to confirm and get the document translated through contracted service providers.
2. Plain language review: Before making any document public or translating it, review it for plain language. This ensures documents are clear, organized and concise, using common words and short sentences. Staff should work with the Communications Team and the LAP coordinator for help with this review.
3. Case-by-case translations: Individual customer communications requiring translation will be handled on a case-by-case basis. Staff should discuss with their division administrator about using contracted service providers for written translation or oral interpreter services based on the information being shared.

Maintaining records of language access services provided to LEP individuals

Staff shall complete an NDA Language Access Services Report form and submit to the LAP coordinator following direct delivery of services to a customer. Staff shall also record in program specific databases the individual's primary language and/or preferred language access services, to the extent possible in the current systems capabilities.

Declared emergency/natural disaster

When there is a declared emergency or natural disaster, it's very important to communicate clearly with the public to prepare, respond and recover. The NDA wants to ensure that LEP individuals get important information quickly and clearly. This might involve translating information into key languages and offering other language services to ensure everyone gets the information they need.

Language Services Quality Assurance

The NDA is dedicated to ensuring all language service providers are skilled and reliable. To ensure quality, the NDA will work with state-approved vendors for language services. The LAP coordinator will gather feedback from staff and customers about these vendors to review their performance each year. If the feedback is negative, the NDA will reassess their contracts.

Staff Training

The NDA believes that providing good language services is crucial to its mission. To achieve this, the NDA will make sure its staff understand and follow language access policies and procedures. All NDA staff will receive training on the Language Access Plan (LAP) regardless of whether the staff member is providing interpretation services to the department.

- Annual review: Staff and contractors will review and acknowledge language access policies and procedures annually.
- New employee onboarding: New employees will learn about language access during their orientation.
- Position-specific training: Training for roles that interact with the public will include instructions on using language services. Each division will identify these positions and update training materials and standard operating procedures to include this information.
- Cultural competence and confidentiality training: Staff will receive training on how to effectively interact with customers from different cultural backgrounds and maintain confidentiality. The NDA will hire a vendor to provide this training annually.

VI. Evaluation of and recommendations for the NDA's language access plan

The NDA is committed to tracking how well the language access policies, procedures and resources are working. This ensures that the Language Access Plan (LAP) meets the needs of both the NDA and the people it serves. At least once a year, the NDA will review, assess and update the LAP as necessary.

Parties responsible for LAP maintenance:

The Language Access Plan Coordinator (as identified in section **II. General Information**) is responsible for the LAP and diversity and inclusion considerations in all communications to the public. The NDA is requesting a new staff position to fulfill these roles. The LAP Coordinator will oversee the following:

- Implementation of the LAP: Making sure the LAP is put into action effectively.
- Management of contract services: Overseeing services related to the LAP.
- Coordination with Human Resources: Ensuring cultural competency training for all staff.
- Tracking and reporting data: Collecting and reporting information related to the LAP and the needs of individuals with LEP, hard of hearing customers and visually impaired.
- Annual LAP review process: Conducting a detailed review of the LAP every year
- Reporting language access needs: Informing the NDA deputy director about language access needs to help with resource and funding requests and policy updates.

Criteria and methods for LAP evaluation:

The NDA will track the LAP's performance using the following criteria and methods:

JOE LOMBARDO
Governor

Las Vegas Office:
2300 E. St. Louis Ave.
Las Vegas, NV 89104-4211
(702) 668-4590
Fax (702) 668-4567

STATE OF NEVADA
DEPARTMENT OF AGRICULTURE
405 South 21st Street
Sparks, Nevada 89431-5557
Telephone (775) 353-3601 Fax (775) 353-3661
Website: http://www.agri.nv.gov

J.J. GOICOECHEA, DVM
Director

Elko Office:
4780 E. Idaho Street
Elko, NV 89801-4672
(775) 738-8076
Fax (775) 738-2639

- Customer access to information: Translating customer surveys into identified languages to collect feedback from customers.
- Tracking LEP participation/engagement in NDA programs: Collecting both numbers and detailed feedback on programs or resources communicated or distributed in identified languages.
- Staff ability to support LEP customers: Adding questions to the annual NDA Employee Survey to measure staff comfort in implementing language access policies, procedures and services.

Performance monitoring data

Since the NDA has not implemented the LAP yet, there is no previous data available on the criteria above. The LAP will be reviewed annually, and this section will be updated as data becomes available.

Proposed budgetary implications

Existing NDA funding is not enough to implement the LAP as outlined. The NDA has identified the following expenses and submitted them as a budget request for state fiscal year (FY) 2025. These items are included for possible implementation as the budget allows.

Proposed Budget FY 2025 – *This budget is based on funds requested from IFC's $25 million pool for LAP improvements, with implementation from Jan. 1, 2025 – June 30, 2025.*

- $29,570 for contract services to translate vital documents.
  - *Attachment C: This requested dollar amount is based on the current vital documents that will need to be translated as well as additional documents that will be created by each division. The quote provided in Attachment C was for resources from a single division and will need to be multiplied by five (5) to complete the translation of resources from each of the divisions to equal $29,570.*
- $3,172 for contract services to interpret via video or phone.
  - *Attachment D-1: This quote is based on current phone logs and interactions with Spanish speakers as well as additional calls that may come up. The estimate of $6,344 has been divided by two, to reflect the six-month funding period from Jan. 1, 2025-June 30, 2025, instead of the full year. The rate guide used to calculate this number can be found in Attachment D-2.*
- $37,500 for contract services to deliver required staff training to increase cultural competency.
  - *Attachment E: This quote includes virtual training for the entire department.*
- $57,494 towards salary, fringe and benefits for a Public Information Officer I position with dedicated responsibilities to lead the implementation of the department's LAP and diversity and inclusion efforts with minority groups.
  - *Attachment F: Shows the cost breakdown for the position.*

Proposed Budget FY 2026 – The NDA will submit a budget enhancement for the implementation of these *LAP improvements and resources for all future years.*

- *$29,570 for contract services to* translate vital documents
  - *Budget based on FY 2025*
- $6,344 for contract services to interpret via video or phone.
  - *Budget based on FY 2025*
- $37,500 for contract services to deliver required staff training to increase cultural competency.
  - *Budget based on FY 2025*

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- $114,868 towards annual salary, fringe and benefits for a Public Information Officer I position with dedicated responsibilities to lead the implementation of the department's LAP and diversity and inclusion efforts with minority groups.
    - *Attachment F: Shows the cost breakdown for the position.*

Suggested Legislative amendments
Based on the NDA's experience with language access, the following revisions to SB 318 are recommended:

Recommendation A:
The NDA asks the Legislature to consider the requirements of SB 318 and provide resources to the Office of Employee Development within the Department of Administration Human Resource Management. These resources would help create and provide diversity and language interpretation trainings across the state.

Justification: If equity and access are goals, it is important that all departments provide relevant training to their employees. A statewide program would ensure all State employees receive the necessary training.

Recommendation B:
The NDA suggests that the Legislature align SB 318 with existing federal language access plan requirements.

Justification: The NDA runs programs and services funded by the federal government. Different requirements between state and federal rules could make data collection difficult. The department might not be able to collect additional state-required data through federal forms and would need to find other ways to get the required information.

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VII. Definitions

- **"Diversity & Inclusion Liaison" -** An assigned department staff person who makes sure customers understand and use the language services offered. This person also helps other staff members access resources to ensure access is available to all.
- **"In-language" -** Services provided in a language other than English, without using an interpreter. For example, someone who speaks more than one language may still be able to provide these services even if they are not a certified interpreter.
- **"Interpretation" -** Changing spoken or signed words from one language to another. For example, changing what someone says in American Sign Language into spoken English.
- **"Language access" –** Providing resources and services for individuals speak English without making them pay for it.
- **"Language services" -** Help provided by the Department for people who don't speak English or are hard of hearing or visually impaired. This includes interpreting spoken words and translating written documents.
- **"Limited English proficiency (LEP)" -** People who don't speak English as their main language and/or may have trouble reading, writing, speaking or understanding English.
- **"Meaningful access" -** Ensuring people who don't speak English, are blind or visually impaired, or deaf or hard of hearing can use services and get help without delays or being denied.
- **"Plain language" -** Writing that is easy to understand, clear and well-organized.
- **"Telephonic interpretation" -** Interpreting spoken words over the phone.
- **"Translation" -** Changing written text from one language to another while keeping the same meaning.
- **"Vital document" -** Important documents and resources containing information needed to get government services or benefits. These include applications, complaint forms, notices about program rules or eligibility, and notices related to public safety.

Attachment A

Potential Translation & Interpretation Vendors

Division of Administrative Services

Nevada Department of Agriculture

NAME	SUPPORT MOST COMMON LANGUAGES	SERVICES	VENDOR NUMER (STNV)
United Language Group https://www.unitedlanguagegroup.com/translation-services	Yes	Document translation for multiple industries, on-demand phone interpreting	T29045110
GLOBO https ://www.helloglobo.com/	Yes	Document translation and on-demand interpreting	T29047125
Volatia https ://www.volatia.com/languages	Yes	On-demand interpreting (video, phone or scheduled in-person)	T32013574
Language Link https://language.link/	**Yes**	On-demand interpreting (video, phone or scheduled in-person)	T32000889

Attachment B

Potential Cultural Competency Training Vendors

Division of Administrative Services

Nevada Department of Agriculture

NAME	SERVICES
The DEI Institute	Provides DEI training, surveys, research, and culture planning.
FIG Strategy	Provides cultural competency training and develops DEI plans and strategies.
Vegas Cultural Competency	Provides cultural competency training for specific industries.

Attachment C

LANGUAGE LINK
A BIG LANGUAGE COMPANY

Quotation #: 178655
Date: 06/17/2024
Contract / PO #: 99SWC-NV20-4360

To:	**Melanie Sanchez-Hernandez**	By:	Brian LeVene
Company:	**Nevada Dept. of Agriculture**	Email:	Brian.LeVene@Language.Link
Email:	mshernandez@agri.nv.gov	Phone:	(360) 433-0413
Phone:	702-668-4571	Fax:	(360) 433-0413

QUOTE SPECIFICATIONS

Hi Melanie,

Thank you for the opportunity to provide you with the translation quotation of the Fact Sheets from English into Latin American Spanish.

There are 32,676 words, and we will require 67 hours of Design and Development time for this project. We will deliver an INDD file along with an accompanying PDF for reference within 25 business days of quote approval.

We appreciate your feedback and invite you to contact us to discuss the details of this proposal. We look forward to your response and the opportunity to work with you.

Best Regards,

Daniel Montesano

LANGUAGE LINK
A BIG LANGUAGE COMPANY

Quotation #: 178655
Date: 06/17/2024
Contract / PO #: 99SWC-NV20-4360

To:	**Melanie Sanchez-Hernandez**	By:	**Brian LeVene**
Company:	**Nevada Dept. of Agriculture**	Email:	Brian.LeVene@Language.Link
Email:	mshernandez@agri.nv.gov	Phone:	(360) 433-0413
Phone:	702-668-4571	Fax:	(360) 433-0413

Description: Fact Sheets

Turnaround Time: 25 Business Days

Task and Description	Language Pair	Units	Rate	Amount
Desktop Publishing (DTP)	English to Spanish (LA)	67 hour(s)	$39.50	$2,646.50
Translation/Editing	English to Spanish (LA)	32,676 word(s)	$0.10	$3,267.60
			Subtotal	**$5,914.10**

Grand Total **$5,914.10**

Turnaround Time: 25 Business Days

QUOTE TERMS & ADDITIONAL INFORMATION ABOUT YOUR TRANSLATION SERVICE INQUIRY

ESTIMATE VS FIXED QUOTE: If final requirements are different from the above or if materials received differ from those described/received for quotation, the quote will be revised as applicable. When no electronic word count is available, Language Link shall provide a rough estimate based on the anticipated word count. However, Language Link shall not be held responsible for discrepancies between projected and actual word count. Please note that depending on target language and scope of project, such discrepancies can be significant.

WORD COUNT: Amounts quoted above are based on the estimated source word count and required delivery specifications. For projects where electronic source files are unavailable, translation will be charged on target word count irrespective of the projected estimate. In an effort to provide consistency in the quote, amount per word will be itemized as a non-variable.

CHANGES AND REVISIONS: Changes to the source material(s) by the Client following acceptance of this proposal may affect the quoted price and will be billed accordingly. Revisions to document(s) may be subject to a revised quote.

VOLUME DISCOUNTS: Volume discount plans are available for companies and organizations with an ongoing need for translation services. If your department or another division/department of your company has a need for translation of documentation and materials on a regular basis, please ask your Language Link representative about our volume discount programs.

LINGUISTIC EXPECTATIONS: The translated document must convey the original message in the target language and may require an adaptation for appropriate cultural context. To do this correctly requires the translators and editors to have fluency in both languages and an expertise in the subject matter. In certain cases, Language Link may request clarification or assistance in developing a glossary of terms to maintain the integrity of the terminology.

INTELLECTUAL PROPERTY: Client attests that the provided source material to be translated and/or voiced is not protected intellectual property or, if it is protected intellectual property, that Client has secured the appropriate licensing rights to translate and/or voice said material.

FONT POLICY: All production fonts must be properly licensed. In the event the Client is using a font that Language Link does not have in its font library, Language Link will substitute a similar font. If the Client requires a specific font for company branding, image, or documentation design or layout, Language Link may purchase the necessary font license(s). Establishing the correct fonts is part of the quote process. For more detailed information, please contact your Language Link representative. Through its many years of experience, Language Link has identified fonts that are ideal for many languages. Language Link will default to the use of these fonts unless otherwise specified by the client.

LAYOUT POLICY: Unless otherwise specified, Language Link will make minor adjustments to Layout (font size, leading, etc.) to accommodate language growth. For Text box Overlay (TBO) projects, some elements of design will not be kept (such as color, highlighting, etc). In addition, slight shifts in layout may occur (leading, font size, etc.).

AUDIOVISUAL PROJECTS: Rates include full buyouts and become the property of Client. Audiovisual (AV) files remain the property of Language Link until paid in full. A 24-hour cancellation notice is required for all AV recording assignments. In the absence of such notices, voice talent, director, and studio supervisor fees will be charged in full. Studio fees, or a portion thereof, may also be assessed.

REVIEW POLICY: Client shall have the option to review proof of translation. To exercise this option, Client must notify Language Link at the start of the project and must adhere to our required edit process which requires annotating the delivered PDF with all requested changes (as a second option, MS-Word documents may be marked up by utilizing the track changes feature). Client shall have 10 business days to submit edits and requested changes after the delivery of the project. If edits/changes cannot be submitted within the 10 day time frame, Client shall notify Language Link of the need for an extension. Any edits/changes submitted after 10 business days, without prior notification to Language Link, will incur additional fees. Any changes to the source material or extensive changes conveying stylistic preferences will also incur additional charges. Edits/changes requested after the first proof may incur additional charges. Although Language Link makes every attempt to ensure accuracy in all projects, we assume no obligation for possible errors, omissions, or inaccuracies that may be delivered undetected. With the exception of replacing text deemed inaccurate, Language Link is not responsible for any costs that may occur from printing or distribution, or any other costs that may be incurred as a result of receiving an inaccurate translation.

TURNAROUND TIME: Turnaround time is always relative to current production load. Project timelines for quote approvals received after 12:00PM (Pacific Standard time) will start the next business day.

RUSH SERVICE: Rush or expedited services are available upon request. If a shorter turnaround time is required, additional rush charges may apply. Contact your Language Link representative for additional information.

FILE MANAGEMENT: Request for digital archives 6 months after completion of the project will be billed at $50 per file. Cost of delivery other than via regular mail shall be borne by Client.

CANCELLATION POLICY: In case of cancellation after start of project, Client shall be responsible for all incurred expenses.

PAYMENT TERMS: Net 30 for existing accounts with approved credit application. Invoices not paid within 30 days will be billed a 1.5% finance charge.

1. C.O.D. (Collect On Delivery) for new accounts. Net 30 terms may be extended upon completion of a credit application and submission of credit card reference as a bona fide warrant. Credit card shall be debited if Client fails to meet the specified payment terms.
2. All projects exceeding $5,000 require a 40% deposit via credit card or check, with the balance due Net 30. Project delivery will not occur until Language Link has received deposit.
3. We offer a 2% discount for invoices greater than $250 paid in advance and/or paid on a Net 10 basis. The 2% discount does not apply to invoices paid by credit card.
4. For your convenience, Language Link accepts Visa, MasterCard and American Express. The maximum allowable credit card charge is $8,000 per month.

QUOTE APPROVAL

This Quote is valid for a period of 30 days beyond which price and turnaround time are subject to re-quote.
Your signature below indicates that our terms, policies and disclaimer as hereby outlined are acceptable, and authorizes us to proceed. Please sign and fax your completed approval to (360) 314-3445 or email to Brian.LeVene@Language.Link.

Print Name		PO Number
Signature	Title	Date

I, the undersigned, authorize Language Link to debit this credit card for the above-specified amount.

Credit Card # (specify VISA, MasterCard, AmEx)	Expiration Date	Credit Card Code (CVV)
Name (as it appears on card)	Billing Address of Cardholder	Signature

Attachment D-1

Over-The-Phone Interpretation

Division of Administrative Services

Nevada Department of Agriculture

Over-the-Phone Interpretation	Division	Rate	Average Call Length	Estimated Number of Calls Per Month	Estimated Costs for Interpretation Per Month
Over-the-Phone Interpretation (OPI) Services for the most requested language: Spanish, Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	Division of Administrative Services	.57/per minute	25 minutes	5 calls	$71.25
Over-the-Phone Interpretation (OPI) Services for the most requested language: Spanish, Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	Division of Food and Nutrition	.57/per minute	30 minutes	5 to 7 calls	$102.60

Over-the-Phone Interpretation (OPI) Services for the most requested language: Spanish, Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	Division of Measurement Standards	.57/per minute	15 minutes	1 to 2 calls	$12.82
Over-the-Phone Interpretation (OPI) Services for the most requested language: Spanish, Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	Division of Animal Industry	.57/per minute	30 to 45 minutes	10 calls, plus interactions on the field that will require interpreters	$213.75
Over-the-Phone Interpretation (OPI) Services for the most requested language: Spanish, Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	Division of Plant Health and Compliance	.57/per minute	30 to 45 minutes	5 to 7	$128.25

					TOTAL ESTIMATE PER MONTH $528.67 x 12 MONTHS **$6,344.04**

Attachment D-2

NASPO Rate Sheet			
Item No.	**Description**	**Unit Price**	
	Over-the-Phone Interpretation		
1a.	Over-the-Phone Interpretation (OPI) Services for the most requested language: **Spanish**	**.57**	/min
1b.	Over-the-Phone Interpretation (OPI) Services for the twelve most requested languages (other than Spanish): Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	**.57**	/min.
1c.	Over-the-Phone Interpretation (OPI) Services for Bosnian-Serbo Croatian, Bulgarian, Czech, Danish, Dutch, Finnish, Flemish, Greek, Hungarian, Norwegian, Polish, Romanian, Slovak, Slovenian, Swedish, Turkish, Ukrainian	**.57**	/min
1d.	Over-the-Phone Interpretation (OPI) Services for all other languages specified in *Attachment B,* **as well as for all unlisted languages that may be provided through the resultant Contract**.	**.57**	/min.
	Video Remote Interpretation		
2a.	Video Remote Interpretation (VRI) Services for the top VRI language: American Sign Language (ASL) if other than proposed for 2b.	**1.99**	/min.
2b.	Video Remote Interpretation (VRI) Services for the twelve most requested languages: Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	**.89**	/min.
2c.	Video Remote Interpretation (VRI) Services for all other languages specified in *Attachment B,* **as well as for all unlisted languages that may be provided through the resultant Contract**.	**.89**	/min
	Document Translation Services		
3a.	Standard Document Translation Services for the most requested language: **Spanish**	**0.10**	/word
3b.	Standard Document Translation Services for the twelve most requested languages: Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	**0.15**	/word
3c.	Standard Document Translation Services for Bosnian-Serbo Croatian, Bulgarian, Czech, Danish, Dutch, Finnish, Flemish, Greek,	**0.16**	/word
	Hungarian, Norwegian, Polish, Romanian, Slovak, Slovenian, Swedish, Turkish, Ukrainian		
3d.	Standard Document Translation Services for all other languages specified in specified in Attachment B, as well as for all unlisted languages that may be provided through the resultant Contract.	**0.17**	/word
3e.	Expedited Document Translation Services for the most requested language: Spanish	**0.13**	/word
3f	Expedited Document Translation Services for Bosnian-Serbo Croatian, Bulgarian, Czech, Danish, Dutch, Finnish, Flemish, Greek, Hungarian, Norwegian, Polish, Romanian, Slovak, Slovenian, Swedish, Turkish, Ukrainian	**0.21**	/word

3g.	Expedited Document Translation Services for the twelve most requested languages: Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	**0.195**	/word
3h.	Expedited Document Translation Services for all other languages specified in specified in Attachment B, as well as for all unlisted languages that may be provided through the resultant Contract.	**0.22**	/word
3i.	Desktop Publishing (DTP)	**39.50**	/hour
3j.	Minimum Charge	**75.00**	
	Combined Services for Over-the Phone and Video Remote Interpretation		
4a.	Over-the Phone Interpretation (OPI) Services for twelve most requested languages: Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	**.85**	/min.
4b.	Over-the-Phone Interpretation (OPI) Services for all other languages specified in *Attachment B,* **as well as for all unlisted languages that may be provided through the resultant Contract.**	**.85**	/min.
4c.	Video Remote Interpretation (VRI) Services for the twelve most requested languages: Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	**.85**	/min.
4d.	Video Remote Interpretation (VRI) Services for all other languages specified in specified in *Attachment B,* **as well as for all unlisted languages that may be provided through the resultant Contract**.	**.85**	/min.
4e.	Video Remote Interpretation (VRI) Services for American Sign Language (ASL) if other than proposed for 4b.	**1.99**	/min.

Item No.	Optional Pricing Models	Equipment Available	Cost or % Discount off MSRP
6.	Contractors should submit any associated equipment available for use under the resultant contract.		
	Dual Handset Phones (Analog & Digital versions available)	Yes	**$150**
	Analog	Yes	**$150**
	Digital Adapters	Yes	**$150**
	Y-Cable and additional headset	Yes	**$35**
	Language Link's VRI software is available for download free of charge. Client should please supply computer, microphone, headset and high-speed internet connection.	Yes	**No Charge**

Attachment E

FIG

STRATEGY & CONSULTING

PRESENTED TO:

Melanie Sanchez Hernandez

PRESENTED BY:

TaChelle Lawson

June 17, 2024

Nevada Department of Agriculture
Attn: Melanie Sanchez Hernandez
Date TBD

RE: Cultural Competence Virtual Training

Dear Melanie:

Cultural competency is not just a popular catchphrase but a catalyst for creating agency-wide inclusion based on a culture of respect.

The Nevada Department of Agriculture is a government agency with employees from all over the world, all with unique backgrounds, experiences, and perspectives. Showing awareness and respect for diverse cultures promotes innovation and teamwork.

During a cultural competency session with FIG, we will explore the following:

- The power of diverse culture. We will discuss authentic ways to show up, be yourself and promote inclusion and diversity in the workplace.
- Cultural awareness: discuss strategies for navigating the intersection of cultural diversity and authenticity while respecting the values and norms of other cultures.
- Practical tools and tips: provide actionable, real-time advice to promote and create cultural awareness and respect in the workplace, from daily communication to leadership.

The 90-min virtual session will be designed as follows:

- Introduction & relevancy (5 mins)
- Key discussion (40 mins)
- Takeaways (20 mins)
- Q&A (15 mins)
- Final Thoughts (5 mins)
- Wrap up & CTA (5 mins)

$37,500 (staff facilitator)
Includes one pre-planning call (45 minutes)

$52,550 (TaChelle as facilitator)
Includes one pre-planning call (45 minutes)

(pricing based on 300 attendees)

Upon acceptance of the proposal, FIG will send an invoice and agreement. A 20% deposit is due upon proposal acceptance. Final payment is due ten business (10) days before the engagement.

Thank you for your consideration, and I look forward to hearing from you soon.

Sincerely,

TaChelle Lawson
President
FIG Strategy & Consulting
tlawson@figfirm.com

FIG

STRATEGY & CONSULTING

tlawson@figfirm.com
dei@figfirm.com

Attachment F

	A	B	C	D	E	F	G	H	I	J
1	Budget Account Line Items									
2	Date: 6/25/24 5:13 PM									
3	Budget Period: 2025-2027 Biennium (FY26-27)									
4	Budget Account: 4554 AGRI - Administration									
5	Version: 001 PIO									
6	Decision Unit: Display All Decision Units									
7										
8	DU	Catg	GL	Description	Actual	Work Pgm	Year 1	Year 2	Salary Increases Year 2 (FY25)	Schedule
9	M100	01	5100	SALARIES	0	0	48,126	66,568	$ 81,878.64	PAYROLL
10	M100	01	5200	WORKERS COMPENSATION	0	0	1,829	1,422	$ 1,422.00	PAYROLL
11	M100	01	5300	RETIREMENT	0	0	8,422	11,649	$ 11,649.00	PAYROLL
12	M100	01	5400	PERSONNEL ASSESSMENT	0	0	197	197	$ 197.00	PAYROLL
13	M100	01	5500	GROUP INSURANCE	0	0	6,831	9,108	$ 9,108.00	PAYROLL
14	M100	01	5700	PAYROLL ASSESSMENT	0	0	37	37	$ 37.00	PAYROLL
15	M100	01	5750	RETIRED EMPLOYEES GROUP INSURAN	0	0	1,530	2,117	$ 2,117.00	PAYROLL
16	M100	01	5840	MEDICARE	0	0	698	965	$ 965.00	PAYROLL
17	M100	04	7050	EMPLOYEE BOND INSURANCE	0	0	3	3	$ 3.00	PAYROLL
18	M100	04	7054	AG TORT CLAIM ASSESSMENT	0	0	116	116	$ 116.00	PAYROLL
19	M100	26	7554	EITS INFRASTRUCTURE ASSESSMENT	0	0	308	308	$ 308.00	PAYROLL
20	M100	26	7556	EITS SECURITY ASSESSMENT	0	0	108	108	$ 108.00	PAYROLL
21									$ 107,908.64	
22										

State of Nevada Work Program

WP Number: C70836

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
08/13/24	101	550	4554	AGRI - ADMINISTRATIVE SERVICES

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	127,736	0	127,736
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		127,736		127,736
			Total Budgetary & Revenue GLs		127,736		

Expenditures

CAT	Amount	CAT	Amount
08	127,736		
Sub Total Category Expenditures	127,736		

Remarks

This work program requests an increase in revenue from the Interim Finance Committee Restricted Contingency Fund to the Nevada Department of Agriculture's new Language Access Plan category to fund implementation of the department's Language Access Plan in Fiscal Year 2025

Total Budgetary General Ledgers and Category Expenditures (AP) 127,736

cbalcon
Authorized Signature

10/23/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Submitted as an action item on the IFC agenda

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: November 5, 2024

To: Amy Stephenson, Clerk of the Board
Governor's Finance Office

From: Jenny Helton, Executive Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF BUSINESS AND INDUSTRY

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the Department of Business and Industry requests an allocation of $209,400 from the Interim Finance Committee to implement the department's language access plan as required by NRS 232.0081.

Additional Information:
Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. The department is requesting an allocation of $209,400 for written translation services, audio and video interpretation, and mobile translation devices for in-field use. Relates to work program #C73000.

Statutory Authority:
Assembly Bill 480, Section 1 (2023)

REVIEWED: AT
GFO ACTION ITEM: BI
LCB AGENDA ITEM: _____

STATE OF NEVADA

JOE LOMBARDO
Governor

DR. KRISTOPHER SANCHEZ
Director

PERRY FAIGIN
Deputy Director

MARCEL F. SCHAERER
Deputy Director

DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF THE DIRECTOR

MEMORANDUM

DT: November 6, 2024
TO: Senator Daniele Monroe-Moreno, Chair
FR: Dr. Kristopher Sanchez, Director – Department of Business and Industry
RE: Request for Funds for the Implementation of the Language Access plan

Dear Chair Monroe-Moreno,

Pursuant to Nevada Revised Statute 232.0081 the Department of Business and Industry is requesting the amount of $209,400 of restricted Interim Finance Committee funds for the implementation of the Department's Language Access Plan.

Business and Industry has identified the following gaps in services provided:
Written translations for vital documentation, audio interpretation for incoming calls and walk ins, and video remote interpretation for interviews, and onsite visits.

To address these gaps Business and Industry has identified the following resources needed with estimated cost:

Written translations	$85, 900
Audio-Only interpretation	$32,850
Video remote interpretation	$56,250
Pocketalk	$34,400
Total	**$209,400**

Attached is the Department's Language Access Plan and detailed resource needs for successful implementation.

Thank you for your consideration and if further information is needed, please contact:
Marcel Schaerer, Deputy Director – marcelfsschaerer@business.nv.gov
Angie Rojas, Management Analyst – amrojas@business.nv.gov

Respectfully yours,

Dr. Kristopher Sanchez,
Director

Cc: Jenny Helton, Executive Branch Budget Officer

Carson City: 1830 College Parkway, Suite 100 Carson City, Nevada 89706 - Telephone (775) 684-2999 - Fax (775) 684-2998
Las Vegas: 3300 W. Sahara Avenue, Suite 425 Las Vegas, Nevada 89102 - Telephone (702) 486-2750 - Fax (702) 486-2758
www.business.nv.gov

FY2025

State of Nevada
Department of Business and Industry

LANGUAGE ACCESS PLAN

Table of Contents

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I. Purpose and Authority

This section provides the legal basis for the agency's plan and protocol and connects it to the agency's mission.

The purpose of this plan is to establish an effective protocol for the Department's personnel to follow when assisting individuals with Limited English Proficiency (LEP) to access the Department's administered programs, essential services, and activities in accordance with NRS 232.0081 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006).

II. General Policy

This section explains the policy of the agency. It is the commitment of the agency and its employees to ensuring meaningful language access.

The Department of Business and Industry seeks to reduce barriers to language access by increasing its capacity to deliver services and benefits to constituents regardless of their ability to speak, understand, read, or write English.

The Department adopts the following policies and procedures to ensure that limited English proficiency individuals can gain equal access to services and communicate effectively. This plan applies to all programs, services, and sections within the 12 Divisions of the Department of Business and Industry including, but not limited to:

- Director's Office
- Attorney for Injured Workers
- Financial Institutions Division
- Government Employee-Management Relations Board
- Housing Division
- Industrial Relations Division
- Insurance Division
- Mortgage Lending Division
- Office of the Labor Commissioner
- Office of Boards, Commissions and Councils Standards
- Real Estate Division
- Taxicab Authority
- Transportation Authority

Toward this end, the Department of Business and Industry endorses the following:

- Business and Industry is committed to equity and will take reasonable steps to provide limited English proficient individuals with meaningful access to all its services, programs, and activities.
- The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.

- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.
- No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services.
- Free services will be available to help LEP individuals to communicate with Business and Industry Divisions' essential services and programs, such as letters and vital documents in the individual's preferred language as requested by the individual.

Business and Industry Language Access Coordinators
Coordinators will be responsible for developing and revising the Language Access Plan biennially.

Name	Title	Contact Information
Marcel Schaerer	Deputy Director	marcelfschaerer@business.nv.gov
Angie Rojas	Management Analyst	amrojas@business.nv.gov

III. Profile of the Department of Business and Industry' LEP Constituents

This section details the demographic information required per NRS 232.0081

The Department of Business and Industry is committed to tracking the languages preferred for communication among LEP individuals to better provide meaningful, timely access to services and programs without regard to any language impediments. Below is a data table summarizing relevant client data for all Divisions within the Department of Business and Industry for the period of February 14, 2024, to March 29, 2024.

CONSTITUENTS SERVED	NUMBER
Refugees	4
Indigenous	21
Limited English Proficiency	1,429
Ability to access information electronically	12,545

PREFERRED LANGUAGE	NUMBER
English	12,425
Spanish	1,138
Ethiopian[1]	177
Chinese	38
Tagalog	19
Indo-Iranian	8
Korean	8
Vietnamese	6
Farsi	5
French	5
Thai	4
Arabic	4
Hindi	3
Creole	2
Armenian	2
Tai-Kadai	2
Germanic	2
Japanese	2
Lithuanian	1
Hungarian	1
Greek	1
Dutch	1
Total constituents	**13,854**

[1] This category encompasses several different languages spoken in Ethiopia (e.g., Oromo, Amharic, Somali, Tigrinya, Sidamo, Wolaytta, Afar, Kafa, and Harari).

IV. Department of Business and Industry Language Access Services and Procedures

This section details the types of language services the agency provides as required by NRS 232.00812.c.

EMPLOYEES WHO ARE IN CONTACT WITH THE PUBLIC	EMPLOYEES WHO CAN SPEAK MORE THAN ONE LANGUAGE
523	91

Below are the languages that employees reported to be fluent in other than English:

- American Sign Language
- Azerbaijani
- Bosnian
- Bulgarian
- Chinese
- Croatian
- Ewe
- French
- Ganyan
- German
- Hindi
- Jamaican – Patwa (Patois)
- Khmer
- Korean
- Mina
- Pashto
- Persian
- Polish
- Russian
- Serbian
- Spanish
- Swahili
- Tagalog
- Turkish
- Vietnamese

The information provided below are *examples* of the services that some of the divisions/units within the department are providing or have provided in the past in the areas of oral and American Sign Language, written language, and community outreach and engagement.

Oral/Sign Language Services:

Most of the Divisions reported having multilingual staff who can help with in-person and telephonic services. Although a few positions require employees to be fluent in Spanish, none of the staff at the Department of Business and Industry can be classified as dual role interpreters due to the lack of testing for language skills and interpreter training.

The Nevada Attorney for Injured Workers (NAIW) division has Video Remote Interpretation for American Sign Language through a State contracted vendor, Language Link.

The Department uses State contracted vendors for language access services and does not have a process to establish the competence of oral/sign language services.

Written Language Services:

The Department of Business and Industry has five Divisions that identified vital documents and provided instructions and/or documents for Spanish-speaking individuals. The Spanish-translated documents were prepared using in-house translation services.

- Nevada Consumer Affairs: A document is considered "vital" when the inability to understand its content could lead to significant, adverse consequences. In such cases, Nevada Consumer Affairs provides succinct verbal instructions in Spanish to facilitate understanding for Spanish-speaking individuals. The State Ombudsman of Consumer Affairs for Minorities also provides a Spanish version of complaint form.
- Division of Industrial Relations: Vital documents are determined by Federal law and by the frequency of requests. Federal law requires Occupational Safety & Health Administration (OSHA) documents to be in the language of workers, so those documents are available in Spanish. Key Workers' Compensation brochures that are frequently requested are also provided in Spanish.
- Nevada Attorney for Injured Workers (NAIW): Vital documents include acknowledging representation by NAIW attorneys, medical authorization to obtain medical records, and informational brochures/pamphlets about NAIW. These documents are printed in Spanish only.
- Nevada Housing Division: For Manufactured Housing, most LEP constituents are Spanish-speaking, so the most used documents are available in both English and Spanish.
- Office of the Labor Commissioner: Vital documents that are available in English and Spanish include a tutorial on how to file a claim or complaint, Required Notices, Bulletins and Guides, and Frequently Asked Questions.

Community Outreach and Engagement:

The Department of Business and Industry is committed to ensuring that the larger LEP community is aware of and able to access all available language services. Units and Divisions of the Department have engaged in the following outreach activities:

- Nevada Consumer Affairs: During events, attendees may have questions about navigating services, including website information. To address this, Spanish-speaking employees are available to assist

with any inquiries, and the Unit provides multilingual access on digital platforms, such as website translation services.

- Division of Industrial Relations (DIR):
    - The Safety Consultation and Training Section (SCATS) provides training classes in Spanish on a regular basis. Additionally, COVID-19 resources were specifically provided in Spanish by SCATS during the pandemic.
    - Outreach is conducted at the Mexican consulate by various sections at DIR, and outreach is conducted during Hispanic Heritage Month at various events.
- Nevada Attorney for Injured Workers: Outreach for LEP individuals include the website and printed materials.
- Nevada Housing Division: LEP individuals can change the language on the Division's website and find documents that are in Spanish.
- Nevada Real Estate Division: The Division works with the Department's Ombudsman for Minority Affairs to disseminate information and assist in resolving cases.
- Office of the Labor Commissioner: In-person outreach is conducted at the Mexican Consulate. Interviews are also conducted for El Mundo upon request.

The following cultural competency resources are available to Department staff to improve their ability to work with diverse groups.

- The State of NV Purchasing Division provides approved vendors on-site oral and sign language services and other services when requested, such as Language Link. A few Divisions use these approved vendors as needed.
- Cultural competency trainings are also available on NV ELearn. However, the trainings available are only for the Nevada Department of Health and Human Services and the Nevada Department of Corrections.

V. Implementing Business & Industry's Language Access Services

This section details the agency's procedures for training staff to use its language access services, as required by NRS 232.0081.

The implementation plan specifically tailored for the Department of Business and Industry focuses on ensuring that all staff members understand the importance of providing language assistance and can connect individuals with the appropriate resources available. Therefore, raising awareness, developing hard and soft skills, and training staff members on how to use language access services are fundamental to ensure the goals within the Department are being met.

The Department's Communication and Language Access Services focuses on the following:

- Ensure staff members understand the importance of providing language access services in a diverse multicultural workplace.
- Interact and communicate respectfully with individuals with limited English proficiency.
- Utilize a variety of delivery methods to showcase language access services among staff members, regardless of their role or level within the Department.
- Know where translated information and documents are currently available and how to access them.
- Access translation and interpretation services.
- Collect data around language needs.

The Department of Business and Industry's Action Steps include the following:

- Raise awareness and train key staff on Language Access Services procedures for accessing translation and interpretation services, including how to request assistance and utilize available resources.
- Provide language assistance and response Services through a range of options:
  - Website information and resources
  - Written materials – applications, form, letters, emails, including complaints.
  - In-person service (bilingual and multi-lingual staff)
  - Remote interpreting, such as audio or video interpreting
- Implement assistive technologies, such as video remote interpreting (VRI) or text-to-speech software, to enhance communication for people who are deaf or hard of hearing.
- Educate the community about the availability of language access services through outreach efforts, such as announcements, e-newsletters, the work of the Nevada Commission on Minority Affairs, etc.
- Track the utilization of language access services to assess effectiveness and identify areas for improvement.
- Review and update policies and procedures to endure alignment with evolving needs and best practices.
- Allocate funds for hiring interpreters and translators, and acquiring assistive technologies, when applicable.

VI. Evaluation of and Recommendations for Business & Industry's Language Access Plan

This section details how the agency's language access policies and procedures have met the need, and what is required to improve those services of the need is not being fully met, as required by NRS 232.0081.

The Department of Business and Industry currently has the following service provisions:

- Evaluate the Department's Language Access Plan on a quarterly basis.
- Use bilingual/multilingual staff.
- Ensure information about language access services is easily accessible and prominently displayed.
- Evaluate accessibility of interpretation and translation services for constituents and staff members.
- Assess the mechanisms in place to collect feedback from staff members and individuals.
- Continue to identify programs and services for language access.
- Collaborate with other agencies, use of staff development, and emerging technologies.

Proposed Budgetary Implications:

Recognizing that the LAP is an ongoing, continuous improvement process and relies on a shared responsibility by all Government agencies, below is the budget required to effectively assemble the range of translation and interpretation options for the Department of Business and Industry.

Language Access Services	FY25 – Estimated funds needed

Written Translations – Vital Documents
Professional rate depends on the language, subject matter, and technicality of the content.
• The Department currently has an inventory of approximately 700 forms with the largest form being a total of 12 pages and 2882 words.
• Costs between $0.19 and $0.29 per word.
  ○ Approx. 343,600 words translated calculated at $0.25
<u>Vital Documents Classification:</u>
• Applications (Initial & Renewals)
Including, but not limited to, additional documentation required for processing purposes:
  ○ Licenses
  ○ Registrations
  ○ Permits
  ○ Transfers (Ownership)
  ○ Service requests
• Claims & compliant forms
• Records requests
• Education material
• Notices or Letters
  ○ Compliance
  ○ Hearings
	$85,900

Audio-only interpretation - over-the-phone • Costs per minute $0.73 ○ Approx. 750 hours of interpretation	$32,850
Video Remote Interpretation (VRI) - face-to-face • Costs up to $1.25 per minute ○ Approx. 750 hours of interpretation calculated at the max dollar amount per minute.	$56,250
100 Pocketalk Devices Includes: 2yrs unlimited data, protective cases, screen protectors, lanyard, carry case, 3-year warranty, 1-year subscription.	$34,400
Total	**$209,400**

Suggested Legislative Amendments:

- We support the recommendations provided by the Nevada Department of Motor Vehicles:
    1. Further define section 2(d)(4), the parameters for literacy levels in English and LEP individuals' preferred language.
        a. *During the data collection period for the development of the LAP, some constituents refused to answer questions related to literacy levels on their preferred language.*
    2. Align existing federal regulations and NRS 232.0081.
    3. Define dual-role interpreter to show how they are tested and trained.
        a. *Provide approved testing and training through the Office of Employee Development (OED) or the Governor's Office for New Americans*
- Provide cultural and diversity competency training for language access services to ensure sensitive communication.
- Establish a system through the Governor's Office of New Americans (ONA) for regular monitoring and evaluation of language access services.
- Redefine section 2(e) to remove *"Declaration of Emergency for COVID-19 issued on March 12, 2020,"* to make the language more in general terms for state of emergencies or declarations of disaster proclaimed by the Governor.
- Remove section 2(b)(5) *"The number and percentage of such persons who are refugees".*
    - *During the data collection period for the development of the LAP, some constituents refused to answer questions related to being a refugee or not.*
- Consider reinstating NAC 284.206(2)*(b)*
  2. An employee may receive a special adjustment to pay equivalent to 5 percent of the employee's base rate of pay during any period in which:
  (b) The employee is required to use bilingual skills or sign language for persons who are deaf at least 10 percent of his or her work time.
- Clarify if it is the responsibility of the Legislative Counsel Bureau or individual state agencies to translate Nevada Revised Statutes (NRS) and Nevada Administrative Codes (NAC).

Appendix A: Definitions

- ***Agency of the Executive Department***
  An agency, board, commission, bureau, council, department, division, authority, or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

- ***Dual-role interpreter***
  A multilingual employee who:

  (1) Has been tested for language skills and trained as an interpreter; and
  (2) Engages in interpreting as part of his or her job duties.

- ***Language services***

Oral language and translation services.

- ***Oral language services***
  Services to convey verbal information to persons with limited English proficiency. The term:

  (1) Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services, and non-governmental interpreters.

  (2) Does not include family members, friends, and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.

- ***Person with limited English proficiency***

A person who reads, writes, or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.

- **Translation services**

Means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: November 26, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Nikki Hovden, Executive Branch Budget Officer NH
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS– DIVISION OF TOURISM

Agenda Item Write-up:

Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the division requests an allocation of ~~$366,200~~ $360,800 from the Interim Finance Committee to implement translation of documents in accordance with NRS 232.0081.

Additional Information:

Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. Relates to work program #C73043.

Statutory Authority:

Assembly Bill 480, Section 1 (2023)

REVIEWED: _____

GFO ACTION ITEM: BB

LCB AGENDA ITEM:

REVISED 11-27-24

State of Nevada Work Program

WP Number: C73043

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/22/24	225	101	1520	TOURISM - CULTURAL AFFAIRS ADMINISTRATION

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	360,800	0	360,800
Subtotal Budgetary General Ledgers		**0**	**Subtotal Revenue General Ledgers(RB)**		**360,800**		**360,800**
			Total Budgetary & Revenue GLs		**360,800**		

Expenditures

CAT	Amount	CAT	Amount
48	360,800		
Sub Total Category Expenditures	360,800		

Remarks

This work program requests to establish Revenue GL 4654, Transfer from Interim Finance, and special use Category 48, Language Access Plan, pursuant to NRS 232.0081 and AB480 of the 82nd Legislative Session.

Total Budgetary General Ledgers and Category Expenditures (AP) **360,800**

amathies
Authorized Signature

11/04/24
Date

_____
Controller's Office Approval

Does not require Interim Finance approval since Pursuant to Assembly Bill 480 of the 82nd Legislative Session

STATE OF NEVADA
DTCA - DIVISION OF TOURISM

Budget Account 1520 - TOURISM - CULTURAL AFFAIRS ADMINISTRATION
Work Program C73043
Fiscal Year 2025

Submitted November 4, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The funds in budget account 1520 are allocated for the administration of the Department of Tourism & Cultural Affairs, established by NRS 231.131 and revised via SB477. The primary mission of the department is to generate revenue for the State of Nevada through tourism activities, provide programming that cultivates arts, culture, and heritage for the State, and to serve as protective stewards and educators through the preservation of Nevada for all residents.

Purpose of Work Program

This work program requests to establish Revenue GL 4654, Transfer from Interim Finance, and special use Category 48, Language Access Plan, pursuant to NRS 232.0081 and AB480 of the 82nd Legislative Session.

Justification

Pursuant to NRS 232.0081 and AB480 of the 82nd Legislative Session, the Department of Tourism and Cultural Affairs are requesting funds of restricted Interim Finance Committee funds for the implementation of Department of Tourism and Cultural Affairs' Language Access Plan.

The department has identified gaps in services provided and the resources needed to address these gaps. This work program requests to establish RGL 4654, Transfer from Interim Finance, with an offset in special use expenditure Category 48, Language Access Plan, to

Expected Benefits to be Realized

This work program will allow the agency to receive funding pursuant to AB480 and successfully implement the department's Language Access Plan.

Explanation of Projections and Documentation

Documentation includes:
1. FY25 DAWN Budget Status Reports
2. FY25 Budget Projections
3. FY25 Fund Map Cumulative before and after this work program
4. AB480
5. Language Access Plan
6. DTCA LAP Funding Request
7. File Maintenance Request Form
8. Category Maintenance Request Form

Summary of Alternatives and Why Current Proposal is Preferred

This work program is preferred over no other alternative. The only other alternative would be to not approve this work program. If this work program is not approved, the Department of Tourism and Cultural Affairs would not be in compliance in ensuring meaningful access to State services and programs for individuals with limited English proficiency.

Department of Tourism and Cultural Affairs
Tourism Cultural Affairs Administration
Budget Account 1520
Financial Status Report
Prepared by: Angie Mathiesen
11/26/2024

	L01	Pending Adjustments	Approved Adjustments	Adjusted Budget	YTD Actual	Projected	Projected FYE Actuals	Projected Budget Balance Under (Over)
Revenue:								
Beginning Cash	17,785,032.00		7,356,851.00	**25,141,883.00**	25,141,883.00	0.00	25,141,883.00	0.00
Balance Forward	0.00			**0.00**	0.00	0.00	0.00	0.00
3301 Lodging Tax	32,657,116.00			**32,657,116.00**	3,128,565.74	29,528,550.26	32,657,116.00	0.00
4654 Transfer from Interim Finance Committee		366,200.00		**366,200.00**	0.00	366,200.00	366,200.00	0.00
Total Revenues	**50,442,148.00**	**366,200.00**	**7,356,851.00**	**58,165,199.00**	**28,270,448.74**	**29,894,750.26**	**58,165,199.00**	0.00
Expenditures:								
01-Personnel Services	1,113,067.00			**1,113,067.00**	336,987.09	1,010,313.95	1,347,301.04	(234,234.04)
02-Out of State Travel	8,706.00			**8,706.00**	4,355.74	4,350.26	8,706.00	0.00
03-In-State Travel	10,440.00			**10,440.00**	4,941.03	5,498.97	10,440.00	0.00
04-Operating	8,813.00		119,679.00	**128,492.00**	23,791.34	104,700.66	128,492.00	0.00
21-Transfer to Film Division	595,481.00			**595,481.00**	64,555.96	530,925.04	595,481.00	0.00
26-Information Services	41,492.00			**41,492.00**	25,741.75	15,750.25	41,492.00	0.00
30-Training	2,195.00			**2,195.00**	0.00	2,195.00	2,195.00	0.00
31-Promotion & Advertising	500,000.00	-65,000.00	925,000.00	**1,360,000.00**	291,550.91	1,068,449.09	1,360,000.00	0.00
35-Transfer to State Parks	403,423.00			**403,423.00**	0.00	403,423.00	403,423.00	0.00
42-Washington Office	103,414.00			**103,414.00**	103,414.00	0.00	103,414.00	0.00
48-Language Access Plan	0.00	360,800.00		**360,800.00**	0.00	360,800.00	360,800.00	0.00
50-Tourism Grants	1,000,000.00			**1,000,000.00**	0.00	1,000,000.00	1,000,000.00	0.00
60-Transfer to Lost City Museum	264,840.00			**264,840.00**	132,420.00	132,420.00	264,840.00	0.00
61-Transfer to Nevada Historical Society	416,673.00			**416,673.00**	208,336.50	208,336.50	416,673.00	0.00
62-Transfer to NV State Museum CC	928,722.00			**928,722.00**	464,361.00	464,361.00	928,722.00	0.00
63-Transfer to NV State Museum LV	886,217.00			**886,217.00**	438,108.50	448,108.50	886,217.00	0.00
64-Transfer to Railroad Museum	713,154.00			**713,154.00**	356,577.00	356,577.00	713,154.00	0.00
65-Transfer to Arts Council	1,427,563.00			**1,427,563.00**	713,781.50	713,781.50	1,427,563.00	0.00
66-Transfer to Indian Commission	0.00	65,000.00		**65,000.00**	0.00	65,000.00	65,000.00	0.00
67-Transfer to Division of Museums	282,173.00			**282,173.00**	141,086.25	141,086.75	282,173.00	0.00
69-Transfer to Stewart Cultural Center	273,273.00			**273,273.00**	136,636.50	136,636.50	273,273.00	0.00
70-Transfer to Division of Tourism	18,890,221.00	1,148,550.00	10,608,547.00	**30,647,318.00**	14,392,300.67	16,255,017.33	30,647,318.00	0.00
Total Expenditures	**27,869,867.00**	**1,509,350.00**	**11,653,226.00**	**41,032,443.00**	**17,838,945.74**	**23,427,731.30**	**41,266,677.04**	(234,234.04)
86-Reserve	**22,572,281.00**	(1,143,150.00)	(4,296,375.00)	**17,132,756.00**	**10,431,503.00**	**6,467,018.96**	**16,898,521.96**	
Cash Balance (Reserve)	**22,572,281.00**	(1,143,150.00)	(4,296,375.00)	**17,132,756.00**	**10,431,503.00**	**6,467,018.96**	**16,898,521.96**	
	50,442,148.00			**58,165,199.00**	**28,270,448.74**	**29,894,750.26**	**58,165,199.00**	

Projected ending Reserve:	16,898,522
	113,059
Number of Days in Reserve:	149
90 Day Reserve Amount:	10,175,345

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

20 ~~~~ 23

NEVADA DEPARTMENT OF TOURISM & CULTURAL AFFAIRS
Joe Lombardo | Governor
Brenda Scolari | Director

ADMINISTRATIVE OFFICES
200 S. Virginia
Ste. 500
Reno, NV 89501

Department of Tourism and Cultural Affairs Language Access Plan

June 27, 2024 / Edited November 1, 2024

I. Purpose and Authority - This section provides the legal basis for the agency's plan and protocol and connects the plan and protocol to the State Agency's mission.

Nevada's Senate Bill 318 (SB318) and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. As SB318 puts it, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." Moreover, it makes it clear that it is the responsibility of government to provide that access:

State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

Department of Tourism and Cultural Affairs (DTCA) is committed to compliance with Nevada Senate Bill 318 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) in ensuring meaningful access to State services and programs for individuals with limited English proficiency.

The purpose of this document is to establish an effective plan and protocol for DTCA personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency. Following this plan and protocol is essential to the success of our mission to support the work of:

1. The Division of Tourism
2. The Division of Museums and History
3. The Board of Museums and History
4. The Nevada Arts Council
5. The Board of the Nevada Arts Council
6. The Commission on Tourism.

II. General Policy - This section explains the policy of Department of Tourism and Cultural Affairs. It is the commitment of the agency and its employees to ensuring meaningful language access.

DTCA recognizes that the population eligible to receive its services includes LEP individuals. It is the policy of DTCA to ensure meaningful access to LEP individuals. DTCA adopts the following policies and procedures to

ensure that LEP individuals can gain equal access to DTCA services and communicate effectively. This Plan applies to all DTCA's programs and services including, but not limited to:

- Travel Nevada and its industry related programs and services
- Nevada Arts Council and its grants, programs, and outreach services
- Division of Museums and History and its museum facilities and programs
- The public meetings and activities of the Commission on Tourism, Board of the Nevada Arts Council, and the Board of Museums and History.

Agency Designated Employee

The following individuals have been assigned by Director Scolari to be responsible for developing and biennially revising a language access plan for the Department of Tourism and Cultural Affairs:

Kelly Benoit
Executive Assistant to Director Brenda Scolari
(O) 775.687.0621
401 N. Carson Street
Carson City, NV 89701
Kbenoit@dtca.nv.gov

III. Profile of Department of Tourism and Cultural Affairs' LEP Clients – This section details the demographic information required by SB318 Section 7.2.b.

Agency Customers

The Division of Tourism: Marketing of the state as a tourist destination and facilitate grants to rural communities to allow them to promote themselves as a tourist destination. Main customers are consumers interested in tourism activities in the state.

The Division of Museums and History: Operations of the seven state museums and their collections. Main customers are visitors to the museums.

The Board of Museums and History: Oversee the private trust of the Division of Museums and History. Main customers are general public participating in public meetings.

The Nevada Arts Council: Main customers are Nevada residents, artists, arts administrators, and visitors interested in art experiences in the state.

The Board of the Nevada Arts Council: Main customers are Nevada residents, artists, arts administrators, and visitors interested in art experiences in the state.

The Commission on Tourism; Oversee the operations and public funds of the Division of Tourism. Main customers are general public participating in public meetings.

Preferred language and literacy level

Language/Group Served	Total #	% of Total	% of Total LEP	"Safe Harbor"	Services/Programs Accessed	Notes (include literacy level data)
Total Nevada Population (Nevada Residents)***	3,271,898	100%	Unknown	Unknown	Unknown	Unknown
Total Indigenous ***	35,357	1.1%	Unknown	Unknown	Unknown	Unknown
Total Refugees **	588	>.01%	Unknown	Unknown	Unknown	Unknown

** US Department of State Bureau of Population, Refugees and Migration (PRM) from October 2023 to June 2024, data as of 7/5/2024
*** Nevada Statewide ASHRO Summary, 2024 projections

Total Nevada Households	1,198,356	100%				
Specific Languages			Unknown	Unknown	Unknown	Unknown
Spanish*	234,224	19.5%	Unknown	Unknown	Unknown	Unknown
Tagalog*	42,840	3.6%	Unknown	Unknown	Unknown	Unknown
Chinese (Incl Cantonese, Mandarin, etc.)*	17,169	1.4%	Unknown	Unknown	Unknown	Unknown
Korean*	7,274	0.6%	Unknown	Unknown	Unknown	Unknown
Vietnamese*	4,905	0.4%	Unknown	Unknown	Unknown	Unknown

Arabic*	4,061	0.3%	Unknown	Unknown	Unknown	Unknown

*2022 Census Data

Department of Tourism and Cultural Affairs employs a research director to analyze data on customers and potential customers to maximize our efforts. While we do not have qualitative data on literacy rates and "safe harbor" users due. We have the infrastructure to collect this data from our current method of web tracking, surveys, and staff notes. If funded, adding these categories through Google Analytics tracking or visitor surveying can be accomplished. This information will create benchmarks in our service to allow for future tracking.

Commented [KS1]: I did ask our vendor performing our Website Usability Study about adding language options to the website survey we are doing, and it would be an extra cost to administer the survey in other languages which we don't have included in the budget for the project. We are also only doing this survey for a limited time while the study is running, so it will not be a continuous data gathering process. Technically we *could* implement some sort of surveying on our website and possibly through our Domestic Visitor Study (which is a survey of travelers to Nevada domestically) if we chose to do so, but it would take us some time to determine how we want to administer this, what data we are trying to gather (i.e. are we trying to get information on primary language, literacy rates, etc.), and what the best mechanism would be to gather this data.

Commented [FB2R1]: [redacted] what doyou think of this?

IV. Department of Tourism and Cultural Affairs Language Access Services and Procedures – This section details the types of services the agency provides, as required by SB318 Section 7.2.c.

If funded, the Department of Tourism and Cultural Affairs will secure the language access services described below to enable our LEP clients to access our services and programs more fully. In every case, the Department of Tourism and Cultural Affairs will ensure that all language service providers are fully competent to provide these services.

Language Services

Department of Tourism and Cultural Affairs will provide the following language services. Pending funding, the procedures of the DTCA for design of information and documentation will include:

- Oral language support of Spanish and Taglog in the form of telephone translator.
- The Division of History and Museums will add audio tours in Spanish, Taglog and English (for the visually impaired.)

Written Language Services

The Department of Tourism and Cultural Affairs uses the following procedures to identify vital written information used in the provision of its services and programs, including both printed and electronic communications. The procedures for identifying vital written communication between DTCA and individuals, as well as the procedure for identifying vital communication targeting the broader public are both presented. For example:

- The Nevada Arts Council application submission/management system is accessible online, and the platform, "Submittable," attained a VPAT, that affirms that the platform is accessible to a wide range of

submitters with disabilities and with additional funding, applications can be translated into 30 languages.

- The Nevada Arts Council has a staff member serving in the role of 504/Accessibility Coordinator who guides access capabilities and options for constituent engagement.
- There will also be recommendations made for accessible communication channels, such as TTY services and video conferencing to facilitate communication for grantees.
- The Division of Museums and History will add additional signage using of Spanish and Taglog for exhibits.
- Travel Nevada plans to create a Spanish version of its Nevada Magazine & Visitor Guide to be distributed to top distribution partners.
- Travel Nevada plans to produce Spanish advertisements, as well as interpreted versions of all priority website content.

Community Outreach and Engagement

Department of Tourism and Cultural Affairs is committed to ensuring that the larger LEP community is aware of and able to access all available language services that will be provided by the State's LEP funding program. In doing so, DTCA will take steps to publicize the availability of its language services in the community. Additionally, DTCA has provided notification of its services at all relevant points of contact. (Website, social media accounts and email newsletters.) Additionally, DTCA has provided resources for its staff to improve their cultural competency and ability to work with diverse groups.

Procedures and Resources for LEP Community Outreach: Department of Tourism and Cultural Affairs has engaged in the following outreach activities:

- Link to plan with feedback mechanism posted on Facebook with more than 6,000 followers and Instagram on July 30, 2024, with more than 4,000 followers for the Nevada Arts Council stakeholders
- Link to plan with feedback mechanism posted on LinkedIn and Division of History Facebook page with social media accounts on July 30, 2024, with over a thousand followers Division of Museum and History stakeholders
- A Notice of Language Assistance Services: the Department of Tourism and Cultural Affairs has provided the following notifications at relevant points of contact within its office and online.

- The plan will be provided in Spanish for feedback.

Cultural Competency Resources: the Department of Tourism and Cultural Affairs will provide resources to its staff to improve their ability to work with diverse groups. Once funded, liaison for Diversity, Equality and Inclusion will be enrolled in cultural competence training to train remaining staff on key elements.

V. Implementing Department of Tourism and Cultural Affairs' Language Access Services – This section details the agency's procedures for training its staff to use its language access services, as required by SB318 Section 7.2.d.

The Department of Tourism and Cultural Affairs is committed to providing our LEP clients full access to our services and programs. Towards this end, DTCA will require its staff to follow the procedures described below to ensure meaningful access to available language services. Moreover, DTCA is committed to 100% compliance with these procedures and provides the staff with the training described below to help ensure that all staff are familiar with these procedures and recognize their importance to our mission.

Language Access Procedures

Identifying Client Language Needs and Preferred Language: The following procedures should be followed to (1) interact appropriately with LEP clients, (2) inform clients of the availability of language services, (3) determine clients' preferred languages, and (4) record and track LEP client language preferences so that the data will follow them throughout their interactions with Department of Tourism and Cultural Affairs staff.

If funded, these are the procedures for staff and stakeholders to seek appropriate language services in this order:

- The preferred method of serving LEP clients is by using competent bilingual staff able to provide services directly to in the client's preferred language without the need for an interpreter. However, with a small staff and no certified translator in person, we will rely on phone and web-based translators.
- Staff should seek assistance from professional in-person or telephone interpreters.
- Staff must be authorized to provide language services to communicate effectively even when such assistance is not requested by the customer.

Accessing Appropriate Written Language Services: According to Department of Tourism and Cultural Affairs' stated policy on the determination of "vital" documents, the following procedures should be followed to access qualified written language services. This applies both to written information intended for broad distribution as well as written communications between DTCA and individual clients. These vital documents may include grant guidelines; public meeting notices, minutes and agendas; and exhibit signage.

Language Services Quality Assurance: Department of Tourism and Cultural Affairs is committed to ensuring that all language service providers it uses are qualified and competent to provides those services. The following procedures are in place to (1) establish provider qualifications and (2) track provider performance.

Staff Training Policies and Procedures

Department of Tourism and Cultural Affairs believes that the appropriate provision of language services is vital to the fulfillment of its mission. Towards that end, DTCA will ensure that its staff are familiar with its language access policies and the above procedures for providing said services funded by the LEP program.

- Online documentation translation
- Phone interpreters
- Development of AI Bots to allow for automated communication

VI. Evaluation of and Recommendations for Department of Tourism and Cultural Affairs' Language Access Plan – This section details how well the agency's language access policies and procedures have met the need, and what is required to improve those services if the need is not being fully met, as required by SB318 Section 7.2.f

Department of Tourism and Cultural Affairs is committed to monitoring the performance of the above policies, procedures, and resources to ensure that its LAP is responsive to the needs of both Department of Tourism and Cultural Affairs and the people it serves. At a minimum, Department of Tourism and Cultural Affairs will review, evaluate, and update its LAP (if needed) biennially.

Processes for Monitoring and Evaluation

Parties Responsible for LAP Maintenance:

- DTCA: Kelly Benoit
- Nevada Arts Council: Michelle Patrick
- Division of Museums and History: Francine Burge
- Travel Nevada: Caroline Sexton

Criteria and Methods for LAP Evaluation: Department of Tourism and Cultural Affairs will track its LAP stakeholders' performance using the criteria indicated below. The methods for gathering/tracking the relevant data for these criteria are likewise described and will depend on the funding provided to track. Potential options for tracking data are below

- Demographics of audience / customers served

- Survey of communication channel users (website, social media, etc.)
- Survey of visitors

Evaluation Outcomes and Proposed Changes

Performance Monitoring Data: Department of Tourism and Cultural Affairs' analysis of the above performance measure data will change and adjust the plan using data in feedback to adjust policies, procedures, outreach, or resources.

Proposed Budgetary Implications:

Services costs:

Nevada Arts Council	Phone translation services	$3,600 based on $5/min, 30 minutes, each month
Travel Nevada	Phone translation services	$3,600 based on $5/min, 30 minutes, each month
Division of Museums and History	Phone translation services	$3,600 based on $5/min, 30 minutes, each month
Division of Museums and History	Audio Tours for all 7 museums in English and Spanish	$40,000

Written Language Services costs:

Nevada Arts Council	Public Documents Translation	$10,000
Nevada Arts Council	Public Resources	$10,000
Nevada Arts Council	Exhibition Signage + Printing	$10,000
Travel Nevada	Advertising & Owned Media Translation	$75,000
Travel Nevada	Website Transcreation	$45,000
Travel Nevada	Transcreation of Nevada Magazine & Visitor Guide (3 issues per year)	$30,000

Commented [KS3]: Similar to the comment above, I think this will take some time to determine how we are gathering the data and what will be our source of truth to determine this. We might have a couple of routes that we could use to try to gather, but will take some time and effort (and probably some money) to do so.

Commented [FB4R3]:

Commented [KS5R3]: adjusted language a bit, let me know what you think

NEVADA
TOURISM & CULTURAL AFFAIRS

NEVADA DEPARTMENT OF TOURISM & CULTURAL AFFAIRS
Joe Lombardo | Governor
Brenda Scolari | Director

ADMINISTRATIVE OFFICES
200 S. Virginia
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Reno, NV 89501

Travel Nevada	Public documents	$3,200
Travel Nevada	Public resources	$1,000
Division of Museums and History	Signage + printing	$45,000
Division of Museums and History	Public resources	$1,000

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Staff Training for FY25-FY26, two years:

Nevada Arts Council	Writing for LEP and Cultural Competence	$1,000
Travel Nevada	Writing for LEP and Cultural Competence	$1,000
Division of Museums and History	Writing for LEP and Cultural Competence	$1,000
DTCA	Surveys for current users to create benchmarks	$5,000

Commented [FB6]: what $ should I put in?

Commented [KS7R6]: Looks good at $5,000

Web and Online Services costs for FY25-FY26, two years:

Nevada Arts Council	Website Translation Implementation	$3,200
Nevada Arts Council	Grants Application Translation Services	$5,000, based on $150/hr for external translation service and $150/hr for external review
Travel Nevada	Website Transcreation	$45,000
Nevada Arts Council	AI Bot for automated answers	$12,000
Division of Museums and History	AI Bot for automated answers	$12,000

NEVADA
TOURISM & CULTURAL AFFAIRS

NEVADA DEPARTMENT OF TOURISM & CULTURAL AFFAIRS
Joe Lombardo | Governor
Brenda Scolari | Director

ADMINISTRATIVE OFFICES
200 S. Virginia
Ste. 500
Reno, NV 89501

August 1, 2024, updated November 1, 2024

Assemblywoman Monroe-Moreno, Chair
Interim Finance Committee
401 South Carson Street
Carson City, Nevada 89701

AB 480 of 82nd Legislative Session

Dear Chair Monroe-Moreno,

Pursuant to Nevada Revised Statute 232.0081 Department of Tourism and Cultural Affairs is requesting $366,200 of restricted Interim Finance Committee funds for the implementation of Department of Tourism and Cultural Affairs' Language Access Plan.

The Department of Tourism and Cultural Affairs has identified the following gaps in services provided.

- Ability to give service to any non-English speaker or Deaf individuals on our services, on the phone or in person;
- Lack of dual language information on our suite of websites;
- Lack of dual language signage in our museums;
- Including a portion of surveying for literacy, refugee status, and language preference in our ongoing data collection;
- Opportunity to engage with non-English speaking and visually impaired visitors with audio tours;
- Opportunity to increase services to LEP individual seeking grants;
- Training for staff on cultural competence and for customer service processes.

To address these gaps Department of Tourism and Cultural Affairs has identified the following resources needed with estimated costs for FY25.

- Oral Services: $45,400
- Written Language Services: $230,200
- Website services: $77,200
- Staff Training and Data Collection: $8,000

Attached is Department of Tourism and Cultural Affairs' Language Access Plan and detailed resource needs for successful implementation.

Thank you for consideration and if further information is needed, please contact:

Kelly Benoit
Executive Assistant to Director Brenda Scolari
(O) 775.687.0621
401 N. Carson Street
Carson City, NV 89701
Kbenoit@dtca.nv.gov

Respectfully yours,

Brenda Scolari
Director
Department of Tourism and Cultural Affairs

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 22, 2024

To: Amy Stephenson, Clerk of the Board
Governor's Finance Office

From: Crystal Novotny, Executive Budget Officer CN
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the Department of Health and Human Services, Division of Public and Behavioral Health requests an allocation of $39,700 from the Interim Finance Committee to implement language access plans in accordance with NRS 232.0081.

Additional Information:
Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. The Division is requesting funds to comply with the requirements of NRS 232.0081 and AB 480 of the 82nd Legislative Session. Relates to work program #C72550.

Statutory Authority:
NRS 232.0081
Assembly Bill 480 of the 82nd

REVIEWED: _____

GFO ACTION ITEM: _____ 3Q

LCB AGENDA ITEM: _____

State of Nevada Work Program

WP Number: C72550

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
09/25/24	101	406	3223	HHS-DPBH - OFFICE OF HEALTH ADMINISTRATION

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	39,700	0	39,700
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		39,700		39,700
			Total Budgetary & Revenue GLs		39,700		

Expenditures

CAT	Amount	CAT	Amount
13	39,700		
Sub Total Category Expenditures	39,700		

Remarks

This work program requests the addition of state General Fund Appropriations to implement translation documents in accordance with NRS 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Total Budgetary General Ledgers and Category Expenditures (AP) 39,700

slabranc
Authorized Signature

10/16/24
Date

Controller's Office Approval

Does not require Interim Finance approval since pursuant to Assembly Bill 480 of the 82nd Legislative Session.

STATE OF NEVADA
DHHS - PUBLIC AND BEHAVIORAL HEALTH

Budget Account 3223 - HHS-DPBH - OFFICE OF HEALTH ADMINISTRATION
Work Program C72550
Fiscal Year 2025

Submitted October 16, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Office of Health Administration (OHA) provides support to the programs charged with promoting and protecting the health of all Nevadans and visitors. OHA is responsible for program oversight and accountability, information technology, personnel and fiscal accountability. The office oversees the enforcement of all laws and regulations pertaining to public and behavioral health along with ensuring adequate services are provided for persons with mental illness, substance use disorders, co-occurring disorders, and other related conditions. The office also supports the State Board of Health and the Commission on Behavioral Health. Statutory Authority: NRS 433 and NRS 439.

Purpose of Work Program

This work program requests the addition of state General Fund Appropriations to implement translation documents in accordance with NRS 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Justification

Assembly Bill 480 of the 82nd Legislative Session allows the Division of Public and Behavioral Health (DPBH) to request state General Fund Appropriations to implement the translation of vital documents to comply with state law (NRS 232.0081) to ensure language access for persons with limited English proficiency.

The Division of Public and Behavioral Health is requesting funds to translate the 188 documents noted as vital by the DPBH programs into Spanish. These documents total approximately 794 pages. The average number of words per page was estimated using the average number of words for a double-spaced page (250 words). The total number of words anticipated to be translated is 198,500. Each word is budgeted at $0.20/word. The total request is $38,700.

Expected Benefits to be Realized

This work program will fund the translation needs of DPBH's vital documents to ensure meaningful access to program services and resources to persons with limited English proficiency through June 2025.

Explanation of Projections and Documentation

Please find attached Budget Status Reports, Before and After Fund Maps, Cost Estimate Calculations, and file maintenance forms.

Summary of Alternatives and Why Current Proposal is Preferred

The alternative is to not approve the funding request which would prevent documents from being translated to serve those with limited English Language proficiency and prevent compliance with NRS 232.0081 and Title VI of the Civil Rights Act of 1964.

Division of Public & Behavioral Health
Language Access Plan Implementation Budget

Program	Number of Documents	Number of Pages	Estimated Number of words per page (assuming double spaced)	Cost per Word	Total
Rural Clinics	0	0	250	$ 0.20	$ -
NNAMHS	39	96	250	$ 0.20	$ 4,800.00
SNAMHS	0	0	250	$ 0.20	$ -
Community Health Nursing	15	30	250	$ 0.20	$ 1,500.00
Office of HIV	15	120	250	$ 0.20	$ 6,000.00
OSE	1	4	250	$ 0.20	$ 200.00
EH	5	149	250	$ 0.20	$ 7,450.00
HCQC	8	60	250	$ 0.20	$ 3,000.00
BBHWP	0	0	250	$ 0.20	$ -
OVR	34	73	250	$ 0.20	$ 3,650.00
MMR	1	8	250	$ 0.20	$ 400.00
EMS	1	1	250	$ 0.20	$ 50.00
PHP	0	0	250	$ 0.20	$ -
Rad Control	7	70	250	$ 0.20	$ 3,500.00
NSIP	5	5	250	$ 0.20	$ 250.00
WIC	10	47	250	$ 0.20	$ 2,350.00
CDPHP	33	97	250	$ 0.20	$ 4,850.00
MCAH	14	34	250	$ 0.20	$ 1,700.00
Total	**188**	**794**			**$ 39,700.00**

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

20 ~~~~ 23

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 30, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Aaron Frantz, Executive Branch Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF WELFARE AND SUPPORTIVE SERVICES

Agenda Item Write-up:

Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the division requests an allocation of $2,430,000 from the Interim Finance Committee to implement translation of documents in accordance with NRS 232.0081.

Additional Information:

Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. Relates to work program #C73109.

Statutory Authority:

Assembly Bill 480, Section 1 (2023)

REVIEWED: _____

GFO ACTION ITEM: _____

LCB AGENDA ITEM:

Joe Lombardo
Governor

Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF WELFARE AND SUPPORTIVE SERVICES

Helping people. It's who we are and what we do.

Robert Thompson
Administrator

Memorandum

DATE: October 23, 2024

TO: Aaron Frantz, Executive Branch Budget Officer
Governor's Finance Office

FROM: Richard Whitley, Director Rich Whitley
Department of Health and Human Services

THROUGH: Robert Thompson, Administrator
Division of Welfare and Supportive Services

SUBJECT: December IFC Action Item Request - Translation of Documents related to Assembly Bill 480

Pursuant to Nevada Revised Statute 232.0081 the Division of Welfare and Supportive Services is requesting $ 2,430,000.00 of restricted Interim Finance Committee funds for the implementation of Division of Welfare and Supportive Service's Language Access Plan.

The Division of Welfare and Supportive Services has identified the following gaps in services provided.
The Division was allotted $12,500,000 in American Rescue Plan Act funds to build a No Wrong Door (NWD) solution for the separate Divisions under the Nevada Department of Health and Human Services. This project is on track to go live in 2025.

To address these gaps the Division of Welfare and Supportive Services has identified the following resources needed with estimated cost. The current solution offers information in English and Spanish. A request is being made to add additional languages to the current solution.

NWD currently supports English and Spanish. To add one additional language to NWD, it will cost approximately $540,000.00.

Adding 6 languages in one phase introduces efficiencies lowering the cost, the overall approximate cost is: $2,430,000.00.

Attached is the Division of Welfare and Supportive Service's Language Access Plan and detailed resource needs for successful implementation.

State of Nevada Work Program

WP Number: C73109

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/28/24	101	407	3228	HHS-WELFARE - ADMINISTRATION

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	2,430,000	0	2,430,000
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		2,430,000		2,430,000
			Total Budgetary & Revenue GLs		2,430,000		

Expenditures

CAT	Amount	CAT	Amount
54	2,430,000		
Sub Total Category Expenditures	2,430,000		

Remarks

This work program requests the addition of state General Fund Appropriations to implement translation of documents in accordance with NRS 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Total Budgetary General Ledgers and Category Expenditures (AP) 2,430,000

slabranc
Authorized Signature

10/30/24
Date

_____
Controller's Office Approval

Does not require Interim Finance approval since Pursuant to Assembly Bill 480 of the 82nd Legislative Session

STATE OF NEVADA
DHHS - WELFARE AND SUPPORTIVE SERVICES

Budget Account 3228 - HHS-WELFARE - ADMINISTRATION
Work Program C73109
Fiscal Year 2025

Submitted October 30, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Division of Welfare and Supportive Services Administration budget account funds the administrative expenses associated with ensuring public assistance programs, including: Temporary Assistance for Needy Families; Medicaid; Children's Health Insurance Program; Supplemental Nutrition Assistance Program; Child Care; Energy Assistance; and Child Support are administered in accordance with federal and state regulations. This includes providing the necessary support to allow field staff to provide quality, timely, and temporary services enabling Nevadans who qualify to achieve safe, stable, and healthy lives.
Statutory Authority: NRS Chapter 422A.

Purpose of Work Program

This work program requests the addition of state General Fund Appropriations to implement translation of documents in accordance with NRS 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Justification

Assembly Bill 480 of the 82nd Legislative Session allows the Division of Welfare and Supportive Services (DWSS) to request state General Fund Appropriations to implement the translation of vital documents to comply with state law (NRS 232.0081) and Title VI of the Civil Rights Act of 1964, to ensure language access for persons with limited English proficiency.

Expected Benefits to be Realized

This work program will fund the division's translation needs for the No Wrong Door project to ensure meaningful access to program services and resources to persons with limited English proficiency through June 2025.

This work program will remove barriers individuals with limited English proficiency face when accessing and maintaining services and ensure that the State of Nevada has the ability to utilize these funds for the desired program objectives.

Explanation of Projections and Documentation

SFY2025 BSR
Before & After Fund Maps
Cost Estimate Calculations
File Maintenance Forms
AB480
Division Memo

Summary of Alternatives and Why Current Proposal is Preferred

The alternative is to not approve the funding request which would prevent documents from being translated to serve those with limited English Language proficiency and prevent compliance with NRS 232,0081 and Title VI of the Civil Rights Act of 1964.

This request is preferred as it allows the division to comply with state law (NRS 232.0081) and Title VI of the Civil Rights Act of 1964 to ensure language access for persons with limited English proficiency.

Expenditure Schedule for:
BA 3228 - Administration
FY 2025
RGL 4654 - TRANSFER FROM INTERIM FINANCE

CAT	DESCRIPTION	FY 25 APPROVED BUDGET	EXPENDITURES AS OF:10/24/24	PROJECTED THROUGH 6/30/25	TOTAL SPENT & PROJECTED	BALANCE AVAILABLE	
54	**AB480 NWD LANGUAGE ACCESS**						
7060	CONTRACTS						
	NWD TRANSLATION VENDOR TBD			**$ 2,430,000**	$ 2,430,000	$ (2,430,000)	
54	**AB480 NWD LANGUAGE ACCESS TOTAL**	**$ -**	**$ -**	**$ 2,430,000**	**$ 2,430,000**	**$ (2,430,000)**	
	TOTAL EXPENDITURES	**$ -**	**$ -**	**$ 2,430,000**	**$ 2,430,000**	**$ (2,430,000)**	-
					$ -	-	Check

AB480 Language Access Request Memo Cost Summary

No Wrong Door Project	
Six languages one phase implentation cost	2,430,000.00

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

20 ~~~~ 23

82nd Session (2023)

Joe Lombardo
Governor

Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF WELFARE AND SUPPORTIVE SERVICES

Helping people. It's who we are and what we do.

Robert Thompson
Administrator

Memorandum

DATE: October 23, 2024

TO: Aaron Frantz, Executive Branch Budget Officer
Governor's Finance Office

FROM: Richard Whitley, Director
Department of Health and Human Services

THROUGH: Robert Thompson, Administrator
Division of Welfare and Supportive Services

SUBJECT: Interim Finance Contingency Request – Translation of Documents related to Assembly Bill 480

Pursuant to Nevada Revised Statute 232.0081 the Division of Welfare and Supportive Services is requesting $ 2,430,000.00 of restricted Interim Finance Committee funds for the implementation of Division of Welfare and Supportive Service's Language Access Plan.

The Division of Welfare and Supportive Services has identified the following gaps in services provided.
The Division was allotted $12,500,000 in American Rescue Plan Act funds to build a No Wrong Door (NWD) solution for the separate Divisions under the Nevada Department of Health and Human Services. This project is on track to go live in 2025.

To address these gaps the Division of Welfare and Supportive Services has identified the following resources needed with estimated cost. The current solution offers information in English and Spanish. A request is being made to add additional languages to the current solution.

NWD currently supports English and Spanish. To add one additional language to NWD, it will cost approximately $540,000.00.

Adding 6 languages in one phase introduces efficiencies lowering the cost, the overall approximate cost is: $2,430,000.00.

Attached is the Division of Welfare and Supportive Service's Language Access Plan and detailed resource needs for successful implementation.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 30, 2024

To: Amy Stephenson, Director
Governor's Finance Office

From: Aaron Frantz, Executive Branch Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF WELFARE AND SUPPORTIVE SERVICES

Agenda Item Write-up:

Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the division requests an allocation of $142,732 from the Interim Finance Committee to implement translation of documents in accordance with NRS 232.0081.

Additional Information:

Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. Relates to work program #C72983.

Statutory Authority:

Assembly Bill 480, Section 1 (2023)

REVIEWED: _____

GFO ACTION ITEM: 36

LCB AGENDA ITEM:

Joe Lombardo
Governor

Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF WELFARE AND SUPPORTIVE SERVICES

Helping people. It's who we are and what we do.

Robert Thompson
Administrator

Memorandum

DATE: October 22, 2024

TO: Aaron Frantz, Executive Branch Budget Officer
Governor's Finance Office

FROM: Richard Whitley, Director
Department of Health and Human Services

THROUGH: Robert Thompson, Administrator
Division of Welfare and Supportive Services

SUBJECT: December IFC Action Item Request – Translation of Documents related to Assembly Bill 480

Pursuant to NRS 232.0081, the Division of Welfare and Supportive Services (DWSS) hereby requests placement of a December Interim Finance Committee agenda item for approval of $142,732 of restricted Interim Finance Committee funds (appropriated in AB 480, 82nd Session) for the implementation of DWSS' Language Access Plan. This requirement was not budgeted for in the 2025 state fiscal year. The funding will be used for the translation needs of vital Welfare and Supportive Services Division documents to ensure meaningful access to program services and resources to persons with limited English proficiency through June 2025. If this request is denied, Welfare and Supportive Services Division will be unable to comply with state law (NRS 232.0081) and Title VI of the Civil Rights Act of 1964 to ensure language access for persons with limited English proficiency.

State of Nevada Work Program

WP Number: C72983

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE_____
APPROVED ON BEHALF OF
THE GOVERNOR BY
_____

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/21/24	101	407	3233	HHS-WELFARE - WELFARE FIELD SERVICES

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	142,732	0	142,732
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		142,732		142,732
			Total Budgetary & Revenue GLs		142,732		

Expenditures

CAT	Amount	CAT	Amount
10	142,732		
Sub Total Category Expenditures	142,732		

Remarks

This work program requests the addition of state General Fund Appropriations to implement translation of documents in accordance with NRS 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Total Budgetary General Ledgers and Category Expenditures (AP) 142,732

slabranc
Authorized Signature

10/30/24
Date

_____
Controller's Office Approval

Does not require Interim Finance approval since Pursuant to Assembly Bill 480 of the 82nd Legislative Session

STATE OF NEVADA
DHHS - WELFARE AND SUPPORTIVE SERVICES

Budget Account 3233 - HHS-WELFARE - WELFARE FIELD SERVICES
Work Program C72983
Fiscal Year 2025

Submitted October 30, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Welfare Field Services budget provides staff salaries and operating expenses for the various programs administered by Division of Welfare and Supportive Services (DWSS). This budget account primarily consists of Family Services Specialists, who determine eligibility for the major program areas, which include, Temporary Assistance for Needy Families; Supplemental Nutrition Assistance Program; various Medicaid programs; and Children's Health Insurance Program. Family Services Specialists and Social Workers provide employment and support services to assist the needy in overcoming barriers to self-sufficiency.

The federal government mandates specific quality and performance measures for eligibility, client support, and periodic reviews of client circumstances. The state is subject to penalties in the form of grant reductions for non-compliance with the performance measures. If penalized, the state is required to replace the grant reductions with General Fund appropriations restoring the available program funding to the pre-penalty level. Additionally, program integrity and fraud protection are an integral part of Welfare Field Services responsibility.
Welfare Field Services is required to provide service and appropriate eligibility to anyone seeking access to DWSS administered programs. All requests are provided a consistent level of quality service. Statutory authority: NRS Chapter 422A.

Purpose of Work Program

This work program requests the addition of state General Fund Appropriations to implement translation of documents in accordance with NRS 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Justification

Assembly Bill 480 of the 82nd Legislative Session allows the Division of Welfare and Supportive Services (DWSS) to request state General Fund Appropriations to implement the translation of vital documents to comply with state law (NRS 232.0081) and Title VI of the Civil Rights Act of 1964, to ensure language access for persons with limited English proficiency.

Expected Benefits to be Realized

This work program will fund the translation needs of DWSS's vital documents to ensure meaningful access to program services and resources to persons with limited English proficiency through June 2025.

This work program will remove barriers individuals with limited English proficiency face when accessing and maintaining services and ensure that the State of Nevada has the ability to utilize these funds for the desired program objectives.

Explanation of Projections and Documentation

SFY2025 BSR
Before & After Fund Maps
Cost Estimate Calculations
File Maintenance Forms
AB480

Summary of Alternatives and Why Current Proposal is Preferred

The alternative is to not approve the funding request which may prevent documents from being translated to serve those with limited English Language proficiency and prevent compliance with NRS 232,0081 and Title VI of the Civil Rights Act of 1964.

This request is preferred as it allows the division to comply with state law (NRS 232.0081) and Title VI of the Civil Rights Act of 1964 to ensure language access for persons with limited English proficiency.

Expenditure Schedule for:
BA 3233 - Welfare Field Services
FY 2025
RGL 4654 - Transfer from Interim Finance

CAT	DESCRIPTION	FY 25 APPROVED BUDGET	EXPENDITURES AS OF: 10/21/24	PROJECTED THROUGH 6/30/25	TOTAL SPENT & PROJECTED	BALANCE AVAILABLE	
10	**AB480 LANGUAGE TRANS SERV**				$ -	$ -	
7060	CONTRACTS						
	One-Time Document Translation	$ -	$ -	$ 137,651	$ 137,651	$ (137,651)	
	Annual On-Demand Translation (ASL)	$ -	$ 1,355	$ 3,726	$ 5,081	$ (5,081)	
10	**TITLE TOTAL**	**$ -**	**$ 1,355**	**$ 141,377**	**$ 142,732**	**$ (142,732)**	
	TOTAL EXPENDITURES	**$ -**	**$ 1,355**	**$ 141,377**	**$ 142,732**	**$ (142,732)**	
					$ -	-	Check

AB480 Language Access Request

One-time Document Translation	137,651.00
Annual On-Demand Translation (ASL)	5,081.00
	142,732.00

One-Time Document Translation Services

Program	Languages	Avg Words	Translation Cost/doc	Total
NEON Orientation	5	1,309	0.29	1,898.05
ENODS, NODS, RDs	6	2,587	0.29	4,501.38
Applications/Other Docs	6	37,381	0.29	65,042.94
NODS ETC Dynamic Test	6	30,859	0.29	53,694.66
				125,137.03
			10% Margin of Error	12,513.70
				137,650.73

Annual On-Demand Translation Services (ASL)

Acct Type	22
Budget	3233

Sum of Amount Cat	GL		Vendor Name	Month of Svc	Total
	4	7060	GLOBO HOLDINGS I LLC	MAY	355.00
				JUN	381.25
				JUL	497.50
				AUG	121.25
				4 MONTH AVERAGE	338.75
				ANNUAL RATE	4,065.00
				25% ANTICIPATED INCREASE IN SERVICE TO CUSTOMERS	1,016.25
				ANNUAL RATE + 25% ANTICIPATED INCREASE IN SERVICE TO CUSTOMERS	5,081.25

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

20 ~~~~ 23

Joe Lombardo
Governor

Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF WELFARE AND SUPPORTIVE SERVICES

Helping people. It's who we are and what we do.

Robert Thompson
Administrator

Memorandum

DATE: October 22, 2024

TO: Aaron Frantz, Executive Branch Budget Officer
Governor's Finance Office

FROM: Richard Whitley, Director
Department of Health and Human Services

THROUGH: Robert Thompson, Administrator
Division of Welfare and Supportive Services

SUBJECT: Interim Finance Contingency Request – Translation of Documents related to Assembly Bill 480

The Welfare and Supportive Services Division seeks approval from the Board of Examiners to request funds in the amount of $142,732 from the Interim Finance Committee Contingency Account per Assembly Bill 480 to meet the requirements of NRS 232.0081 for Language Access related to the translation of documents. This requirement was not budgeted for in the 2025 state fiscal year. The Welfare and Supportive Services Division is requesting general fund as outlined in AB 480 to cover the costs associated with implementing NRS 232.0081. The funding will be used for the translation needs of vital Welfare and Supportive Services Division documents to ensure meaningful access to program services and resources to persons with limited English proficiency through June 2025. If this request is denied, Welfare and Supportive Services Division will be unable to comply with state law (NRS 232.0081) and Title VI of the Civil Rights Act of 1964 to ensure language access for persons with limited English proficiency.

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 23, 2024

To: Amy Stephenson, Clerk of the Board
Governor's Finance Office

From: Kirk Hawkins, Executive Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF PUBLIC SAFETY – DIRECTOR'S OFFICE

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the division requests an allocation of $320,000 from the Interim Finance Committee to provide technology and outreach that will comply with NRS 232.0081.

Additional Information:
Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. The proposed technology provides translator devices to employees to offer prompt assistance and emergency response to non-English speakers. Relates to work program #C73046.

Statutory Authority:
Assembly Bill 480, Section 1 (2023)

REVIEWED:
GFO ACTION ITEM:
LCB AGENDA ITEM:

Joe Lombardo
Governor

Nevada Department of
Public Safety
Dedication Pride Service

George Togliatti
Director

Sheri Brueggemann
Deputy Director

Director's Office
555 Wright Way
Carson City, Nevada 89711
Telephone (775) 684-4808 - Fax (775) 684-4809

October 17, 2024

Governor's Finance Office
Attn: Kirk Hawkins, Executive Branch Budget Officer
209 East Musser Street
Carson City, NV 89701

Re: AB 480 of 82nd Legislative Session

Dear Mr. Hawkins,

Pursuant to Nevada Revised Statute 232.0081 the Department of Public Safety is requesting $320,000.00 of restricted Interim Finance Committee funds for the implementation of the Department of Public Safety's Language Access Plan.

The Department of Public Safety has identified the following gaps in services provided.

- Offering prompt assistance and emergency response for non-English speakers through technology
- Providing educational outreach and safety education items in a variety of languages

To address these gaps the Department of Public Safety has identified the following resources needed with estimated cost.

- Pocketalk Language Translator - $270,000 (for 900 devices)
- Educational Outreach and Safety Education items - $50,000

Attached is the Department of Public Safety's Language Access Plan and detailed resource needs for successful implementation.

Thank you for your consideration and if further information is needed, please contact:

Kristi Defer, Administrative Services Officer IV
(775)684-4536
kdefer@dps.state.nv.us

Respectfully yours,

Kristi Defer
Administrative Officer IV

State of Nevada Work Program

WP Number: C73046

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE
APPROVED ON BEHALF OF
THE GOVERNOR BY

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/23/24	201	650	4706	DPS - DIRECTOR'S OFFICE

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	320,000	0	320,000
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		320,000		320,000
			Total Budgetary & Revenue GLs		320,000		

Expenditures

CAT	Amount	CAT	Amount
13	320,000		
Sub Total Category Expenditures	320,000		

Remarks

This work program requests the addition of state General Fund Appropriations to implement translation services and translation of outreach and safety education documents in accordance with Nevada Revised Statute (NRS) 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Total Budgetary General Ledgers and Category Expenditures (AP) 320,000

bkizer
Authorized Signature

10/23/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Pursuant to Assembly Bill 480 of the 82nd legislative session.

STATE OF NEVADA
DPS-DIRECTOR'S OFFICE

Budget Account 4706 - DPS - DIRECTOR'S OFFICE
Work Program C73046
Fiscal Year 2025

Submitted October 23, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The Department of Public Safety provides for the safety and security of the citizens of Nevada by: enforcing traffic laws and providing assistance on public roadways; conducting investigations of criminal and narcotics-related activities; responding to natural and human-caused disasters; training peace officers; training fire and disaster response officers; assisting local governments in emergency preparedness; and monitoring and supervising parolees and probationers within the criminal justice system. The Director's Office establishes policy and provides leadership for the department and oversees the operations and administration of the eight legislatively created divisions of the department and five offices. Statutory Authority: NRS 480.100.

Purpose of Work Program

This work program requests the addition of state General Fund Appropriations to implement translation services and translation of outreach and safety education documents in accordance with Nevada Revised Statute (NRS) 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Justification

Assembly Bill 480 of the 82nd Legislative Session allows the Department of Public Safety (DPS) to request state General Fund Appropriations to provide prompt assistance and emergency response for non-English speakers through technology and provide education outreach and safety education items in a variety of languages to comply with NRS 232.0081 and Title VI of the Civil Rights Act of 1964, to ensure language access for persons with limited English proficiency.

Expected Benefits to be Realized

The expected benefits to be realized is DPS will be able to communicate and share information effectively with all of those we serve through June 2025. Additionally, it is essential to the success of DPS' mission to be the premiere public safety agency and provide advanced law enforcement services to the public.

Explanation of Projections and Documentation

Attachment A - Budget Status Report
Attachment B - Leg Approved Fund Map Before & After
Attachment C - Category File Maintenance Form
Attachment D - GL File Maintenance Form
Attachment E - Memo - AB 480 request
Attachment F - AB 480

Summary of Alternatives and Why Current Proposal is Preferred

The alternative is to not approve the funding request which would limit translation services and limit documents from being translated to serve those with limited English Language proficiency. It would also prevent compliance with NRS 232.0081 and Title VI of the Civil Rights Act of 1964. The request is preferred as it allows the agency to comply with NRS 232.0081 and Title VI of the Civil Rights Act of 1964.

Department of Public Safety
B/A 4706 SFY2025
Work Program Fund Map

BEFORE

	REVENUE:	Cost allocated 4231	Transfer from Interim Finance 4654	Total	DAWN	Difference
	Revenue Authority	5,710,672	-	5,710,672	5,710,672	-
	Total Revenue	5,710,672	-	5,710,672	5,710,672	-
	EXPENDITURES:					
1	Personnel Services	4,333,530	-	4,333,530	4,333,530	-
2	Out of State Travel	23,088	-	23,088	23,088	-
3	In State Travel	18,434	-	18,434	18,434	-
4	Operating	321,535	-	321,535	321,535	-
5	Equipment	3,416	-	3,416	3,416	-
10	Recruitment	27,905	-	27,905	27,905	-
13	Language Access Plan	-	-	-	-	-
14	Vehicle Reimbursement	8,328	-	8,328	8,328	-
18	Background Contracts	110,677	-	110,677	110,677	-
22	Transfer PCNs from RCCD	641	-	641	641	-
26	Information Services	177,108	-	177,108	177,108	-
29	DPS Honor Guard Uniform	3,688	-	3,688	3,688	-
30	Training	97,683	-	97,683	97,683	-
60	Transfer to NHP Radio Cert	80	-	80	80	-
82	Intra Agency Cost Allocation	83,167	-	83,167	83,167	-
87	Purchasing Assessment	5,532	-	5,532	5,532	-
88	ST Cost Plan Recovery	28,034	-	28,034	28,034	-
89	AG Cost Allocation	467,826	-	467,826	467,826	-
	Total Expeditures	5,710,672	-	5,710,672	5,710,672	-
	ck fig	-	-	-	-	-

Department of Public Safety
B/A 4706 SFY2025
Work Program Fund Map

AFTER

	REVENUE:	Cost allocated 4231	Transfer from Interim Finance 4654	Total	DAWN	Difference	Pending C73046	Total Pending Work Programs
	Revenue Authority	5,710,672	320,000	6,030,672	5,710,672	(320,000)	320,000	320,000
	Total Revenue	5,710,672	320,000	6,030,672	5,710,672	(320,000)	320,000	320,000
	EXPENDITURES:							
1	Personnel Services	4,333,530	-	4,333,530	4,333,530	-	-	-
2	Out of State Travel	23,088	-	23,088	23,088	-	-	-
3	In State Travel	18,434	-	18,434	18,434	-	-	-
4	Operating	321,535	-	321,535	321,535	-	-	-
5	Equipment	3,416	-	3,416	3,416	-	-	-
10	Recruitment	27,905	-	27,905	27,905	-	-	-
13	Language Access Plan	-	320,000	320,000	-	(320,000)	320,000	320,000
14	Vehicle Reimbursement	8,328	-	8,328	8,328	-	-	-
18	Background Contracts	110,677	-	110,677	110,677	-	-	-
22	Transfer PCNs from RCCD	641	-	641	641	-	-	-
26	Information Services	177,108	-	177,108	177,108	-	-	-
29	DPS Honor Guard Uniform	3,688	-	3,688	3,688	-	-	-
30	Training	97,683	-	97,683	97,683	-	-	-
60	Transfer to NHP Radio Cert	80	-	80	80	-	-	-
82	Intra Agency Cost Allocation	83,167	-	83,167	83,167	-	-	-
87	Purchasing Assessment	5,532	-	5,532	5,532	-	-	-
88	ST Cost Plan Recovery	28,034	-	28,034	28,034	-	-	-
89	AG Cost Allocation	467,826	-	467,826	467,826	-	-	-
	Total Expenditures	5,710,672	320,000	6,030,672	5,710,672	(320,000)	320,000	320,000
	ck fig	-	-	-	-	-	-	-

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

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Nevada Department of Public Safety
Dedication Pride Service

Nevada Department of Public Safety
Language Access Plan
2024

Section 1: Purpose and Authority

The purpose of this plan is to establish an effective plan and protocol for Nevada Department of Public Safety (DPS) personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency (LEP).

Following this plan and protocol is essential to the success of our mission to be the premiere public safety agency and provide advanced law enforcement services to the citizens of Nevada. To support and empower DPS employees by encouraging diversity in the workforce, results oriented service, productivity and meaningful career growth. The DPS is committed to achieving the highest standards of excellence through the use of comprehensive training programs, progressive technology, federal, state and local government partnerships with interagency cooperation to ensure the safety of all citizens and visitors in Nevada. To fulfill our mission, it is a priority for us to be able to communicate and share information effectively with all of those we serve. This plan and its implementation will help us fulfill our mission and better serve our public.

Nevada's Senate Bill 318 (SB318) and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. As SB318 puts it, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." Moreover, it makes it clear that it is the responsibility of government to provide that access:

> State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

DPS is committed to compliance with Nevada Senate Bill 318 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) in ensuring meaningful access to State services and programs for individuals with limited English proficiency.

Section 2: General Policy

DPS recognizes that the population eligible to receive its services includes LEP individuals. It is the policy of DPS to ensure meaningful access to LEP individuals. DPS adopts the following policies and procedures to ensure that LEP individuals can gain equal access to DPS services and communicate effectively. This Plan applies to all DPS programs and services. Programs and services the Department provides the public include but are not limited to the following:

- Criminal History Checks
- Fingerprinting
- Point of Contact Firearms Program
- Public Safety education at schools and throughout the community
- In-services Training
- Community Outreach

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English. DPS intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. DPS seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

To best serve LEP individuals DPS endorses the following policies:

- DPS is committed to equity and will take all reasonable steps to provide limited English proficient (LEP) individuals with meaningful access to all its services, programs, and activities.
- The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff will make every effort to attain and record individuals' language needs.
- Staff will not encourage individuals to use informal interpreters.
- No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services.

DPS Language Access Coordinator(s):

Department of Public Safety
Director's Office
dpsexecadmin@dps.state.nv.us
775-684-4556

DPS Language Access Coordinators (LACs) will work with staff across divisions and with the help of division administrators to develop and implement DPS Language Access Plan (LAP). LACs are appointed by the DPS director and can be replaced at the director's discretion at any point in time. Currently, DPS does not have staff capacity to dedicate a full-time employee to develop and implement DPS' Language Access Plan. Until additional staff capacity increases are realized DPS LACs will be Department staff who will be asked to take on additional duties as the Department LAC in addition to their regular duties.

Section 3: Profile of DPS' LEP Clients

DPS is committed to tracking the languages preferred for communication among our limited English proficient (LEP) clients so that we can better provide meaningful, timely access to our services and programs without regard to any language impediments.

DPS does not currently have a digitally based tracking system in place to identify and track the total LEP clients served, total indigenous served, total refugees served, language preferences of individuals, literacy level of individuals, and/or the services/programs these groups of individuals are accessing as identified in SB 318. To effectively track, collect and maintain the categorical information cited above DPS will need acquire the resources necessary to contract the development of a new client tracking system. Until the time that DPS can do so we will use census data, survey tools, and a variety of other resources and means to understand the needs of the public we serve.

DPS recognizes that 80% of people in Nevada who are Limited English Proficient (LEP) or 80% of LEP individuals' preferred language is Spanish, and is the second most common language in Nevada, according to the most recent U.S. Census.

Section 4: DPS Language Access Services and Procedures

DPS is committed to providing LEP individuals with timely and meaningful access to DPS programs and services at no cost to the LEP individual. In this section the Department outlines the variety of means it uses to make sure language is not a barrier to LEP individuals.

Vital Documents

The Department currently does not have process and procedures in place to identify vital documents. However, through the creation of the Language Access Plan (LAP) Department staff have deemed that a subset of DPS publications, permit applications, safety information, important notices, and public service announcements are vital documents. Currently the only means for the Department to have these documents translated for LEP individuals is to contract the appropriate professional translation services. The State of Nevada vets and approves of contractors for them to become state approved contractors to ensure that they are fully capable of providing the services requested. When circumstances present themselves that vital documents need to be translated into another language for an LEP client, customer, or member of the public the Department will contract the appropriate professional services using state approved contractors to make sure language is not a barrier to any LEP individual, at no cost to the LEP individual. The Department will be exploring options to increase staff capacity to hire staff that can translate our vital documents into Spanish.

DPS Bilingual Staff

Although we have bilingual staff the Department does not yet have a process in place to determine the fluency of our bilingual staff.

DPS Dual-role Staff

The Department does not currently employ any certified interpreters or certified translators. However, as part of the LAP the Department will be exploring opportunities to accommodate any bilingual staff wishing to become certified interpreters or translators with compensation.

Oral/Sign Language Services

When oral/sign language services are requested, the Department utilizes state approved contractors that specialize in interpretation and translation services. The State of Nevada vets and approves of contractors for them to become state approved contractors to ensure that they are fully capable of providing the services requested. When customers, clients and members of the public prefer to engage a language other than English in circumstances in which Department staff who consider themselves bilingual are on-hand they will help interpret/translate to the best of their ability. At this current point in time

the Department does not have procedures in place to determine the fluency level of the Department's bilingual staff. As identified by the LAP the Department will be exploring ways to determine the fluency of self-identified bilingual staff that are able and willing to provide professional translation or interpretation services to clients, customers or members of the public that request oral/sign language services with compensation.

Written Language Services

When written language services are requested, the Department utilizes state approved contractors that specialize in written translation services. The State of Nevada vets and approves of contractors for them to become state approved contractors to ensure that they are fully capable of providing the services requested. As part of the Department's LAP DPS will be exploring a variety of options to better publicize improved language services in the community. The Department will be looking to provide notification of the language services it provides at all relevant points of contact. The Department will also be looking for opportunities to better engage LEP individuals by increasing staff capacity to meaningfully engage the LEP community. When staff capacity increases are realized the Department will identify effective means to engage LEP individuals. Procedures and Resources for LEP Community Outreach: DPS is committed to meaningfully engaging with broad, diverse groups of Nevada's public including Nevada's LEP communities. Using a variety of means the Department is seeking out information to better understand and serve the public. Although specific community outreach and engagement activities have occurred somewhat sporadically in the past below are Department examples of LEP community outreach.

Community Outreach and Engagement

DPS is committed to finding avenues to ensure that the larger LEP community is aware of and able to access all available language services. As part of the Department's LAP DPS will be exploring a variety of options to better publicize improved language services in the community. The Department will be looking to provide notification of the language services it provides at all relevant points of contact including but not limited to regional field offices, Department headquarters, on the DPS website, media partners, and social media platforms.

The Department will also be engaging LEP individuals in our current outreach programs, utilizing promotional items in multiple languages to facilitate conversations leading to determining services needed.

Procedures and Resources for LEP Community Outreach

DPS continues to be committed to meaningfully engaging with broad, diverse groups of Nevada's public including Nevada's LEP communities.

The Department participates in multiple community events regularly across the State of Nevada. The Department notes the local participants are often LEP citizens.

When available, the Department seeks to provide a Spanish speaking individual for our Spanish language media partners.

Providing Notice of Language Assistance Services
The Department will provide notification of the language services it provides at all relevant points of contact including but not limited to regional field offices, Department headquarters, and on the DPS website.

Cultural Competency Resources
The Department does not currently own or have access to relevant resources or training materials in relation to cultural competency. The Department currently conducts training on both culturally diverse and emotionally disturbed persons, implicit bias training, and cultural awareness. We will continue to stay up on the latest practices and will add training for civilians as well.

Section 5: Implementing DPS' Language Access Services

DPS is committed to providing LEP individuals full access to our services and programs. Towards this end, DPS requires its staff to follow the procedures described below to ensure meaningful access to available language services. Moreover, DPS is committed to compliance with these procedures and provides the staff with the training described below to help ensure that all staff are familiar with these procedures and recognize their importance to DPS' mission.

Language Access Procedures

Identifying Client Language Needs and Preferred Language: The following procedures should be adhered to when interacting with LEP individuals.

1. Interact appropriately with LEP clients
2. Determine clients' preferred language
3. Inform clients of the availability of language services

Accessing Appropriate Oral/Sign Language Services: Staff should seek appropriate oral/sign language services as outlined below.

- The preferred method of serving LEP clients is by using competent DPS bilingual staff able to provide services directly to the clients in their preferred language.
    - Available, trained, competent bilingual staff may be used for in-person or telephone interpreting to support other staff.
- Staff should seek assistance from state approved contractors that specialize in professional translation services when a customer, client, or member of the public requires translations services that staff cannot provide.
    - Staff should recognize that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available.
- If there are no competent bilingual staff or professional translation services available at the time of the request, staff must make a sincere effort to accommodate customers as quickly as possible to make sure LEP individuals are provided meaningful, timely access the services DPS provides. This would include taking a message and calling back when services are available.

Accessing Appropriate Written Language Services: The Nevada Department of Public Safety plans to explore options to provide all vital documents in both English and Spanish. At this current time the Department lacks the necessary staff capacity and funding to complete this task.

Any customer, client or member of the public may request any documents be translated into a language other than English to meet their language preference needs. Staff will make a sincere effort to provide those translated documents and notices as quickly as possible with a contractor.

Language Services Quality Assurance: DPS is committed to ensuring that all language service providers it uses are qualified and competent to provide those services. The Department utilizes state approved contractors that specialize in interpretation and translation services. The State of Nevada vets and approves of contractors for them to become state approved contractors to ensure that they are fully capable of providing the services requested.

Staff Training Policies and Procedures

The Nevada Department of Public Safety believes that the appropriate provision of language services is vital to the fulfillment of its mission. The Department ensures that its staff will become familiar with its language access policies and the above procedures for providing said services. Staff will track professional translation services provided, and any associated costs,

and will identify whether those interactions occurred in-person or over the phone using a shared document. This document will be used to make sure the Department is effectively serving LEP customers, clients, and members of the public.

Section 6: Evaluation of and Recommendations for DPS' Language Access Plan

DPS is committed to monitoring the performance of the above policies, procedures, and resources to ensure that its LAP is responsive to the needs of both DPS and the public it serves. At a minimum, DPS will review, evaluate, and update its LAP biennially.

Processes for Monitoring and Evaluation

Parties Responsible for LAP Maintenance:
The Language Access Coordinator will work with Department Leadership as well as staff across all divisions to ensure the Language Access Plan is reviewed on a biennial basis and updated as needed.

Criteria and Methods for LAP Evaluation:
The Nevada Department of Public Safety will track and monitor how often contract translation services are utilized, will work to increase staff capacity to better serve LEP individuals and will review any comments from the public to make any necessary revisions to the plan, if needed.

Evaluation Outcomes and Proposed Changes

Performance Monitoring Data:
The Nevada Department of Public Safety will add any pertinent data and information in subsequent versions of the LAP. The Department will attempt to collect and analyze staff feedback generated from internal & external survey tools to help determine how effectively we are serving LEP individuals.

Section 7: Proposed LAP Revisions and Costs to Implement DPS LAP

The Nevada Department of Public Safety will identify, assess, and implement any proposed changes to the LAP as part of its biennial LAP revision process. Additionally, on a quarterly basis address any challenges regarding implementation.

Proposed Changes to SB 318

Suggested Legislative Amendments: Based on DPS' experience as it pertains to developing a Language Access Plan (LAP) in accordance with SB 318 the following revisions to SB318 and the associated costs to fully realize this LAP in practice are as follows:

- The Department requests that if sworn staff is to receive pay for providing bilingual services that civilian staff shall also be included under SB 318 and current NAC.
- The Department requests that if funding requested is denied or future costs in accordance with implementing the LAP are not within the department's budget that it will no longer be required to provide those services.
- The Department does not deem it appropriate to request a customer, client, or member of the public to share whether they are a refugee or not, with Department staff. This information does not help the Department more effectively provide meaningful, timely language services.
- The Department does not deem it appropriate to request a customer, client, or member of the public to share with Department staff whether or not they are indigenous. This information does not help the Department more effectively provide meaningful, timely language services.
- The Department requests that if state agency staff are required to attend cultural competency training that the State of Nevada provide said training to the Department free of charge.

Estimated costs to implement DPS LAP as currently proposed:
As part of DPS' LAP development the Department has begun investigating the costs of having the DPS website, publications, vital documents, and other materials translated into Spanish. The associated costs are identified below and summarized in the subsequent table.

DPS Website + Document Translation Costs

- PDF or Word Documents up to 450 words per page - $300/page
    - Approximately 1500 PDF or Word Document Pages - $450,000
- Webpage up to five sections or 800 words - $450/page
    - Approximately 250 webpages - $112,500
- Total Upfront Website Translation Costs - $562,000
- Annual Website Translation Costs - $50,000
- Replacement of the Ektron website with ongoing operating updates on languages - $?

DPS Notices, Public Service Announcements and Press Releases, Community Outreach and Engagement Materials Translation Costs:

DPS Publication Translation Costs •

- PDF or Word Documents up to 450 words per page - $300/page
- Average length of publication is 60 pages, DPS publishes 4 – Annual publications each year
    - Publication Translation Costs - $72,000 per year
    - Cost of production of 10,000 copies per publication - $30,000 per year
- Annual Publication Translation Costs - $102,000 per year
- Educational Outreach and Safety Education Items - $20,000 per year

DPS In-Person and Over the Phone Language Services

- In-person and Over the Phone Language Services - $50,000 per year
- Pocket Talk devices - $300 per employee (estimate 900 employees)
- Replacement of DPS Dispatch Communications Center phone system
    - Implementation: $498,910.71
    - Ongoing Annual Cost: $306,188.16

Joe Lombardo
Governor

Amy Stephenson
Director

David Johnson
Deputy Director

Curtis Palmer
Administrator

STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

209 E. Musser Street, Suite 200 | Carson City, NV 89701-4298
Phone: (775) 684-0222 | www.budget.nv.gov | Fax: (775) 684-0260

Date: October 18, 2024

To: Amy Stephenson, Clerk of the Board
Governor's Finance Office

From: Kirk Hawkins, Executive Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF PUBLIC SAFETY- DIVISION OF RECORDS, COMMUNICATIONS, AND COMPLIANCE

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the division requests an allocation of $471,423 from the Interim Finance Committee to implement a new dispatch system that will comply with NRS 232.0081.

Additional Information:
Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. Relates to work program #C72878.

Statutory Authority:
Assembly Bill 480, Section 1 (2023)

REVIEWED: _____
GFO ACTION ITEM: _____
LCB AGENDA ITEM: _____

Joe Lombardo
Governor

Nevada Department of
Public Safety
Records, Communications and Compliance

George Togliatti
Director

Sheri Brueggemann
Deputy Director

Records, Communications and Compliance Division
333 West Nye Lane, Suite 100
Carson City, Nevada 89706
Telephone (775) 684-6262 – Fax (775) 687-3289
www.rccd.nv.gov

Erica Souza-Llamas
Division Administrator

October 10, 2024

Governor's Finance Office
Attn: Kirk Hawkins, Executive Branch Budget Officer
209 East Musser Street
Carson City, NV 89701

Re: AB480 of 82nd Legislative Session

Dear Mr. Hawkins,

Pursuant to Nevada Revised Statute 232.0081, the Nevada Department of Public Safety's (DPS) Records, Communications and Compliance Division (RCCD) is requesting $498,910 of restricted Interim Finance Committee funds for the implementation of DPS' Language Access Plan.

DPS RCCD has identified the following gaps in services provided. These gaps hinder effective communication with Nevada citizens and visitors who may be experiencing or witnessing a public safety matter on Nevada roadways which requires immediate law enforcement or medical response.

- Two-way phone interpretation
    - The Communications Bureau within DPS RCCD serves as the Department's dispatch center, responsible for dispatching and facilitating officer and medical responses in routine and emergency situations and answering transferred 911 calls from primary public safety answering points and the motoring public for routine and emergency situations. DPS RCCD currently has to place non-English speaking callers on hold in what may be an emergency situation in order to facilitate translation services from a translation company.

To address these gaps, DPS RCCD has identified the following resources needed with estimated cost.

- Upgrade the Communications Bureau phone system to replace the current state operated phone system in both dispatch centers with a vendor provided solution that provides immediate two-way translation in over 90 languages for callers who have

Limited English Proficiency. The initial implementation cost is estimated to be $498,910. Ongoing annual vendor support will be $306,188.

Attached is DPS' Language Access Plan and detailed resource needs for successful implementation.

Thank you for consideration and if further information is needed, please contact:

Jason Kolenut
Administrative Services Officer III
(775) 684-6203
jkolenut@dps.state.nv.us

Respectfully,

Erica Souza-Llamas, Administrator
Records, Communications and Compliance Division
(775) 684-6241
esouza@dps.state.nv.us

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

20 ~~~~ 23

State of Nevada Work Program

WP Number: C72878

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE
APPROVED ON BEHALF OF THE GOVERNOR BY

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/14/24	101	655	4702	DPS - RECORDS COMMUNICATIONS AND COMPLIANCE

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	471,423	0	471,423
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		471,423		471,423
			Total Budgetary & Revenue GLs		471,423		

Expenditures

CAT	Amount
19	471,423

CAT	Amount

Sub Total Category Expenditures: 471,423

Remarks

The work program requests an appropriation from the Interim Finance Committee pursuant to Nevada Revised Statue 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Total Budgetary General Ledgers and Category Expenditures (AP): 471,423

kdefe1
Authorized Signature

10/17/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Pursuant to Assembly Bill 480 of the 82nd legislative session.

STATE OF NEVADA
DPS-RECORDS, COMMUNICATIONS, AND COMPLIANCE

Budget Account 4702 - DPS - RECORDS COMMUNICATIONS AND COMPLIANCE
Work Program C72878
Fiscal Year 2025

Submitted October 17, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The General Services Division functions as the Communications Bureau under the Records, Communications and Compliance Division (RCCD) within the Department of Public Safety and provides critical support services to the divisions of the department and outside criminal/user agencies. The division enables the department to efficiently use available resources, provide greater transparency, and support improved customer service.

Purpose of Work Program

The work program requests an appropriation from the Interim Finance Committee pursuant to Nevada Revised Statue 232.0081 for language access pursuant to Assembly Bill 480 of the 82nd Legislative Session.

Justification

Assembly Bill 480 of the 82nd Legislative Session allows the agency to request state General Fund Appropriations to implement the translation of vital documents to comply with state law (NRS 232.0081) and Title VI of the Civil Rights Act of 1964, to ensure language access for persons with limited English proficiency.

The Records, Communications and Compliance Division put out a Request for Information in April for the purpose of requesting a new dispatch phone system in the FY26/27 budget. The Division's current phone system in the Communication's Bureau is antiquated and does not meet the needs of a secondary Public Safety Answering Point for emergency services. The Governor's Office of New American's has indicated the system would be helpful and meet the criteria of the Language Access Plan as language translation services would be offered as part of the new phone system.

This work program will be contingent on the approval of a contract after completion of a Request for Proposal.

Expected Benefits to be Realized

It is expected that this comprehensive phone system will help reduce delays from non English speaking people in distress through Live Audio Translation services. Live Audio Translation enables the translation of emergency services by letting the caller hear in their native language a live translation of what the call-taker is saying, while letting the call-taker view an on-screen translation of what the caller is saying.
Currently dispatchers have to contact a translation service through a good of the state contract, which takes time. This system will be able to translate over 90 languages without delay, which will decrease emergency response time and aid in increasing public and officer safety.

Explanation of Projections and Documentation

Budget Status Reports
Fund Map
Phone system quote
Category Maintenance Form
GL Maintenance Form
AB518, Sec 7 (a)(b) - showing the specifics of the bill

Summary of Alternatives and Why Current Proposal is Preferred

An alternative would be to reject this work program.
Currently, our communications bureau must contact a translator for individuals with limited English proficiency. With this service, the language can be identified sooner and effective communication can start almost instantaneously. If this work program is not approved, precious time will be lost while people are experiencing an emergency.

DEPARTMENT OF PUBLIC SAFETY - RECORDS, COMMUNICATIONS, AND COMPLIANCE DIVISION
SFY 2025 BA 4702 FUND MAP

Department of Public Safety, Records, Communications and Compliance Division
B/A 4702 SFY2025
Legislature approved budget

FY25 Fund Map					
	4230	4237			
REVENUE GENERAL LEDGERS	Cost Alloc Reimb - DPS	Cost Alloc Reimb - Dispatch	Total	DAWN	Diff
4230 - Cost Allocation Reimb - DPS	1,773,161	-	**1,773,161**	**1,773,161**	-
4237 - Cost Allocation - Dispatch	-	5,856,518	**5,856,518**	**5,856,518**	-
4757 - Trans from DPS Justice Assist	-	-	-		
	-	-	-		
TOTAL REVENUE	**1,773,161**	**5,856,518**	**7,629,679**	**7,629,679**	
EXPENDITURE CATEGORIES					
Category 01 - Personnel Services	966,495	3,192,203	**4,158,698**	**4,158,698**	-
Category 02 - Out-of-State Travel			-	-	-
Category 03 - In-State Travel	1,101	3,638	**4,739**	**4,739**	-
Category 04 - Operating Expenses	226,015	746,501	**972,516**	**972,516**	-
Category 05 - Equipment		23,912	**23,912**	**23,912**	-
Category 13 - Dispatch Special Services			-		-
Category 17 - Telephone Circuit Charges	62,659		**62,659**	**62,659**	-
Category 26 - Information Services	412,776	1,535,171	**1,947,947**	**1,947,947**	-
Category 30 - Training		10,652	**10,652**	**10,652**	-
Category 40 - Transfer to General Services Division	32,768	108,230	**140,998**	**140,998**	-
Category 60 - Transfer to NHP Radio Cert		560	**560**	**560**	-
Category 82 - Intra Agency Cost Allocation	66,351	219,147	**285,498**	**285,498**	-
Category 83 - NDOT 800 Mhz Radios Statewide Cost Alloc	1,673	5,527	**7,200**	**7,200**	-
Category 87 - Purchasing Assessment	158	523	**681**	**681**	-
Category 88 - SWCAP	3,165	10,454	**13,619**	**13,619**	-
	-	-	-	-	-
TOTAL EXPENDITURES	**1,773,161**	**5,856,518**	**7,629,679**	**7,629,679**	
DIFFERENCE	-	-	-		

DEPARTMENT OF PUBLIC SAFETY - RECORDS, COMMUNICATIONS, AND COMPLIANCE DIVISION
SFY 2025 BA 4702 FUND MAP

Department of Public Safety, Records, Communications and Compliance Division
B/A 4702 SFY2025
Legislature approved budget
Work Program C72878

FY25 Fund Map

Pending BOE

REVENUE GENERAL LEDGERS	4230 Cost Alloc Reimb - DPS	4237 Cost Alloc Reimb - Dispatch	4654 Trans from Interim Finance	Total	DAWN	Diff	WP C72878	Revised Total
4230 - Cost Allocation Reimb - DPS	1,773,161			1,773,161	1,773,161	-		1,773,161
4237 - Cost Allocation - Dispatch		5,856,518		5,856,518	5,856,518	-		5,856,518
4654 - Trans from Interim Finance			471,423	471,423	-	471,423	471,423	471,423
4757 - Trans from DPS Justice Assis				-	-	-		-
				-	-	-		-
TOTAL REVENUE	1,773,161	5,856,518	471,423	8,101,102	7,629,679	471,423	471,423	8,101,102
EXPENDITURE CATEGORIES								
Category 01 - Personnel Services	966,495	3,192,203		4,158,698	4,158,698	-		4,158,698
Category 02 - Out-of-State Travel				-	-	-		-
Category 03 - In-State Travel	1,101	3,638		4,739	4,739	-		4,739
Category 04 - Operating Expenses	226,015	746,501		972,516	972,516	-		972,516
Category 05 - Equipment		23,912		23,912	23,912	-		23,912
Category 13 - Dispatch Special Services				-	-	-		-
Category 17 - Telephone Circuit Charges	62,659			62,659	62,659	-		62,659
Category 19 - Language Access Plan			471,423	471,423	-	471,423	471,423	471,423
Category 26 - Information Services	412,776	1,535,171		1,947,947	1,947,947	-		1,947,947
Category 30 - Training		10,652		10,652	10,652	-		10,652
Category 40 - Transfer to General Services Division	32,768	108,230		140,998	140,998	-		140,998
Category 60 - Transfer to NHP Radio Cert		560		560	560	-		560
Category 82 - Intra Agency Cost Allocation	66,351	219,147		285,498	285,498	-		285,498
Category 83 - NDOT 800 Mhz Radios Statewide Cost Alloc	1,673	5,527		7,200	7,200	-		7,200
Category 87 - Purchasing Assessment	158	523		681	681	-		681
Category 88 - SWCAP	3,165	10,454		13,619	13,619	-		13,619
				-	-	-		-
TOTAL EXPENDITURES	1,773,161	5,856,518	471,423	8,101,102	7,629,679	471,423	471,423	8,101,102
*DIFFERENCE	-	-	-	-				

Carbyne *'APEX'* Budgetary Estimate

Erica Souza-Llamas, Administrator

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August 21, 2024

Carbyne Contact:

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Regional Sales Manager
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New York, NY 10001
www.carbyne.com

Budgetary Estimate

The following anticipated pricing includes APEX solution and any related services. Any items not expressly stated below are not included. Unless otherwise specified, all fees are on an annual subscription basis.

Remote support for the term of subscription is included in the subscription fees. The parties will mutually agree upon a training plan determined during project kickoff discussions.

Project Fees

SKU	Description	
Annual Subscription Fees		**$215,700**

11100	• APEX Platform - 9 Concurrent Licenses
	  ○ Caller Location
	  ■ Carbyne Wireless Phone (iOS or Android) Device-based Location
	  ○ Video
	  ○ Silent Chat
	  ○ Carbyne Mapping Layers
	  ○ API	

11104	• APEX Additional Installed Workstations Recurring - Qty 6	
11201	• Control Center Events History	
11207	• Control Center Analytics	
11213	• Control Center Seat Map	
11218	• Control Center Video Board	
11300	• Responder Connect	
11402	• APEX Translation & Transcription (High call volume)	
15302	• APEX Premium Customer Success Services	

SKU	Description	
15306	• APEX Premium Technical Services - Small (5-10)	
	Annual Subscription Fees Total	**$217,700**
Annual Connectivity Fees		**$61,000**
16701	• SIP Trunking for Outbound Dialing	
16400	• Connectivity Subscription	
	Total Annual Fees	**$278,700**
One-Time Deployment		**$72,500**
15101	• APEX Deployment Package	
15106	• APEX Deployment Additional Physical Location	
15200	• Standard Integration Package (3 Included) ○ RapidSOS Integration - Included ○ Radio Audio Arbitration with Carbyne TM - Included ○ Lightpole Integration with Carbyne TM - Included	
15202	• Additional Integration Fee - Qty 3 ○ Media Recorder Integration - Exacom ○ Admin PBX Integration ○ SSO Integration	
One-Time Hardware Fees		**$120,222.55**
17000	• Hardware (See Bill of Materials)	
	Total Year 1 Required Fees	**$471,422.55**
Quote Summary		
	Total Year 1 & One-Time Fees	$471,422.55
	Total Year 2 Fees	$278,700
	Total Year 3 Fees	$278,700
	Total Year 4 Fees	$278,700

SKU	Description	
	Total Year 5 Fees	$278,700
	Total 5 Year Fees	**$1,586,222.55**

*All fees exclude applicable taxes and regulatory fees.

Disclaimer: Pricing contained herein is non-binding and should be refined if specific project requirements (scope) change. It is the requestor's obligation to carefully review and confirm the information provided is valid and reflects the scope of work requested.

CPI Adjustment: Annual subscription fees may be subject to a fee adjustment on each anniversary date of the subscription start date to account for changes to the U.S. Department of Labor Consumer Price Index ("CPI"). Such fee adjustments are limited to the greater of 3% or the change in the CPI for the twelve month period preceding the anniversary date.

Concurrent Licenses: The Customer may install the Software on up to 24 workstations. Customer's Authorized Users may use up to 9 of the 24 workstations at any given time to access and use the Solution (each license available for use referred to as a "Concurrent License"). In the event Customer's use of Concurrent Licenses exceeds the permitted number of Concurrent Licenses, Carbyne may charge additional fees or increase annual subscription fees for the next annual period. "Authorized User", "Software", and "Solution" as used in this paragraph are as defined in the Terms and Conditions.

Connectivity: Connectivity and SIP Trunk Fees specified above reflect pass-through costs from Carbyne's third party providers which are based on Customer's anticipated use. Third party SIP Trunk services are provided by Bandwidth and/or Twilio. At the end of each year of the subscription term, Carbyne may, with written notice, revise the annual fees based on Customer's use in the prior year.

SKU	Description	
Integrations: The table above summarizes anticipated integrations with APEX. Customer is responsible for providing appropriate contacts and facilitating discussions with any third-party vendor or subcontractor engaged by the Customer, whose services may be required to interact or connect with APEX or is required for Carbyne to provide APEX to Customer. Carbyne will use commercially reasonable efforts to integrate the interfaces (listed above) with APEX. **Cooperative Agreement:** Prices included in this Budgetary Estimate do not reflect cooperative agreement pricing. If a cooperative agreement is added to this Budgetary Estimate, discounts are subject to change.		

Future Features

Carbyne is currently in the process of developing new products and services, including those listed below. Carbyne will notify Customer if Carbyne makes these products and services generally available, and will advise Customer of applicable technical requirements such as any necessary integrations. Customer may choose to purchase a subscription, subject to written agreement to the applicable quote and terms and conditions. The anticipated subscription fee is provided below. Carbyne has no obligation to make these products and services generally available, whether now or in the future, and is unable to promise or guarantee that the product or service will be compatible with Customer's systems. Pricing provided below is subject to change at the time of general availability and will be prorated to match the remainder of your subscription Term.

Product or Service	Quantity	Monthly Subscription Fee	Anticipated Annual Subscription Fee
AI-V for Admin Lines	9	$250	$27,000
Anticipated: APEX AI-V SIP Trunking Additional Fee	9	$4.52	$488.16
Total Anticipated Annual Subscription Fee			**$27,488.16**

Summary

Total Anticipated Fees Including Future Features	
One-Time Fees and Year One Subscription Fees	$498,910.71
Year Two Subscription Fees	$306,188.16
Year Three Subscription Fees	$306,188.16
Year Four Subscription Fees	$306,188.16
Year Five Subscription Fees	$306,188.16
Total Fees	**$1,723,663.35**

Assumptions

This Budgetary Estimate is based upon the following assumptions. Carbyne's discovery of any discrepancies with the following assumptions may result in changes, delays, and/or fee adjustments to the implementation and provision of APEX and any other products and services under this Budgetary Estimate.

Hardware & Software Responsibility

Item	Customer	Carbyne
APEX workstation and peripheral equipment	x	
Carbyne Trigger Module		x

Network Responsibility

Item	Customer	Carbyne
Gateway	x	

LAN/WAN Connection	x	

Support

Except as expressly described in this Budgetary Estimate, all hardware and third-party licenses and any other equipment, applications, and materials (collectively "Equipment") used with Carbyne products and services are Customer's responsibility. Carbyne's support obligations and warranties do not extend to such Equipment.

Terms and Conditions

This Budgetary Estimate, including any specified pricing, represents an estimate and is provided for informational and budgetary planning purposes only. Any final pricing will be as set forth in a Quote mutually agreed upon by both parties in writing. All mutually agreed upon Quotes and any use of Carbyne's products and services will be subject to Carbyne's Terms and Conditions, which can currently be found here: https://carbyne.com/en/legal/.

This Budgetary Estimate is valid for 90 days.

Carbyne APEX Product Overview

Introduction

Carbyne APEX is the leading cloud-native emergency call handling platform offering patented live caller video, on-demand pinpoint caller location, silent instant messaging, and more - all delivered via a hyper-secure cloud-native architecture.

Some key highlights about Carbyne include:

- 150,000,000+ population covered globally
- 1,500,000+ monthly calls
- 87% improvement in caller location time
- 94 Net Promoter Score (NPS) - compared with the industry average of 40
- 150%+ annual growth in video usage
- $250,000+ annual customer cost savings potential

Carbyne technology is trusted by over 77 customers and counting globally. Below is a sample list of customers by way of example:

- Charlottesville UVA Albemarle County 911 (Virginia)
- Clearwater Police Department (Florida)
- Georgia Department of Transportation
- Guernsey County Sheriff's Office (Ohio)
- Lafayette Parish Communications District (Louisiana)
- Logan County 911 (West Virginia)
- McLean County 911 (Illinois)
- Miami-Dade Police Department (Florida)
- Orleans Parish Communications District (Louisiana)
- South Texas 911 (Texas)
- Volusia Sheriff's Office (Florida)

APEX Product Description

Carbyne APEX is the leading emergency call handling solution featuring patented live caller video, caller location, silent instant messaging, and much more, all delivered leveraging industry-leading secure cloud-native architecture. Key features of Carbyne APEX include:

- **AI-Powered Call Triage** is essential for customers who get overwhelmed during call surge periods, and works by having an AI-powered attendant answer calls when no call-takers are available.
- **Live Audio Translation** enables the democratization of emergency services by letting the caller hear in their native language a live translation of what the call-taker is saying, while letting the call-taker view an on-screen translation of what the caller is saying.
- **Two-Way Text-2-911 Translation** allows your communications center to receive a Text-2-911 message in a language other than English, APEX automatically detects the language and translates the message into English in the APEX Chat section.
- **Patented Live Video** helps customers save time by triaging calls and doing more with less staff by getting eyes on the scene before sending personnel.

- **Caller Location** helps customers save time locating callers by quickly seeing their location on screen, so call-takers can send the right personnel to the right location at the right time.
- **Caller Location Directly from WhatsApp™** allows a caller to send their one-time location to the communications center as an attachment directly from inside their WhatsAppTM chat. The WhatsApp™ location can provide a greater level of accuracy for pre-paid and overseas carrier phones that have limited access.
- **Instant Messaging** can be invaluable to customers whether the caller is in an unsafe environment unable to speak, or simply trying to share a license plate number or the spelling of their last name.
- The APEX **Cloud-Native Platform** helps customers do away with bulky on-premise servers and other hardware. APEX simply runs on standard laptops or desktop computers, leaving cloud technology to do the heavy lifting.
- **Perimeter-less Security Architecture** is an industry-leading security standard used to host the Carbyne APEX platform, to help ensure data on the Carbyne APEX platform are off-limits to hackers on the internet.

- **In conjunction with Carbyne APEX:**
  - **Responder Connect** enables customers to share live caller video and caller location with field responders, not just call takers and dispatchers, for more effective and efficient emergency response.
  - **Control Center** helps customers manage sites and users, as well as launch Carbyne applications such as Events History, Analytics, Wallboards, and more.
  - **Events History** offers comprehensive records management capturing ongoing and recent calls with location, video, imagery, call transcripts, questionnaires, third-party intelligence data, and more.
  - **Video Board** enables customers to visualize multiple emergency live streams simultaneously featuring audiovisual alerts, recent call playback, pinpoint caller locations, and more.
  - **Wallboard** helps customers closely track Key Performance Indicators (KPI's) such as call handling times per queue visually on a centralized dashboard, as well as monitor call-taker status such as status (ready/busy), if they need assistance, and more.
  - **Analytics** helps customers drive data-driven decision making throughout their operations by providing predefined and personalized interactive dashboards, delivering mission-critical insights for executive leadership.

APEX Product Capabilities

As the leading cloud-native emergency call handling solution, APEX supports numerous capabilities (without the need to download a smartphone app) including the following:

- **On-Demand Device Based Location** – These services can be used to locate a caller calling from a mobile phone (providing current location as well as recent location breadcrumbs) whether calling to 9-1-1, 9-8-8, 3-1-1, or even a 10-digit admin number. This location service is initiated automatically on the engagement of a 9-1-1 call. When a caller dials a non-emergency number, Carbyne services can also be utilized to locate the caller. Examples include a lost person, a runaway child, a responder in need of backup, and more.

- **Enhanced Device Location Attributes** – When obtaining device-based location, APEX provides the latitude and longitude of the caller, and the civic address, location accuracy, altitude, altitude accuracy, speed, and floor - taking the guesswork out of emergency response.

- **Live Caller Video** – Video from the caller's smartphone camera can be streamed live to the PSAP after the caller grants permission to use their camera.

- **Images from the Caller** – Still images from the caller's smartphone can be shared with the PSAP once the Carbyne session has been successfully initiated and the caller grants the necessary permissions.

- **Responder Connect** - Live caller video, caller location, and more are not only a game changer for call takers, but they can also give an invaluable eyes-on-the-scene perspective to field responders like police officers, firefighters, and paramedics to improve their safety and awareness prior to arrival. These capabilities can be added to APEX to improve the safety and effectiveness of emergency response.

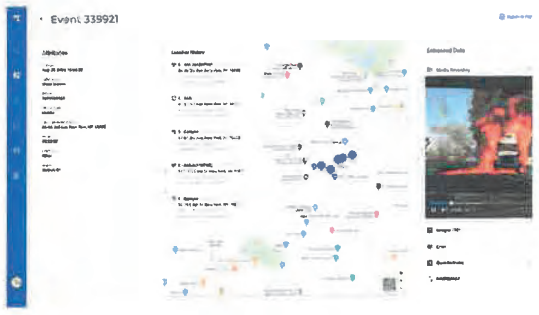
- **Integrated Text-To-911 and TTY/RTT** – With APEX, a unified chat pane consolidates messages from the caller sent via Carbyne instant messaging, Text-to-911, TTY (Teletype), and RTT (Real-Time-Text) to support callers with a speech or hearing impairment.

- **Silent Instant Messaging** – Silent communication capability can be enabled which allows the caller to chat with the call taker using instant messaging, even if Text-to-911 infrastructure is not yet available. This can be useful when the caller is unable to or should not speak. Today, APEX is the only cloud-native emergency call handling solution deployed in multiple countries globally that provides this safety measure. A chat overlaying the video is unique to Carbyne. This feature is critical when callers are sharing video from the scene and need to chat and not talk or want to take snapshots while in video mode. All Carbyne messages arrive at the caller's device without any audible notifications.

- **Predefined Messages in Chat** – When using instant messaging with the caller, customers can take human error out of the equation by using predefined messages within APEX. These predefined phrases are customized for the PSAP which call takers can search for and select to save time and reduce typographical errors during an emergency.

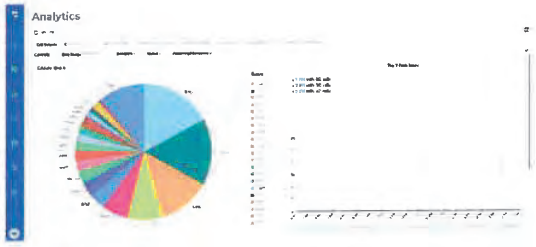
- **Automated Text-2-911 Greetings** - Upon receipt of a Text-2-911 message, APEX can send an automated welcome message from your communications center. The message is customizable up to 120 characters. A final automated message is sent to the caller upon call termination signifying the end of communications.

- **Closed Captioning** – Whether the caller is a non-native English speaker or they are having a hard time accurately describing the situation to the call taker during their moment of panic, the closed captioning feature of APEX powered by Natural Language Processing (NLP) technology enables the call taker to confirm the caller's verbal statements and improve the speed of emergency response.



- **Full Incident Recreation** – APEX makes available full incident recreation through the Events History service for after-analysis. See caller video, caller location history, instant messages, call transcripts, and more.

- **Advanced Analytics** – APEX also serves three business needs including reporting, monitoring, and data-driven decision-making through the Analytics service. Analytics include call volume, call answer time, queue ring time, abandoned calls, agent performance, and agent time statistics. This data can be visualized in pie charts, bar graphs, and tables on a per-queue basis when appropriate.



- **Remote Monitoring** – APEX includes powerful remote monitoring capabilities without having to be physically next to the call taker. Supervisors can use whisper mode, barge mode, and full station mirroring (live video, instant messaging, caller location, and more) from the convenience of their office or remote work location.

- **Customizable NOT READY Station Status Reasons** - APEX offers customizable NOT READY status reasons (e.g. NR:WRAP-UP, NR:BREAK) to provide greater clarity and transparency as to why a call taker is unavailable to receive incoming calls.

- **Cloud-Native Emergency Call Handling** - Never let the life-saving operations of a PSAP be interrupted by earthquakes, floods, fires, and other catastrophes. With APEX, customers get the industry-leading cloud-native emergency call handling solution, ensuring they are always operational. APEX also features Zero Trust Architecture security so customers' sensitive data is off limits to hackers on the internet.

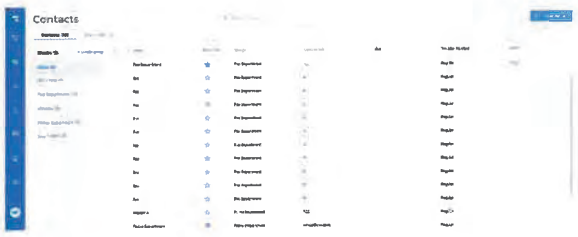
- **Region Failover** – With APEX, as dictated by the customer, the platform is replicated across multiple geographically separated regions across the country. As a result, if a catastrophe impacts an entire region (e.g. East Coast), APEX automatically detects these outages and resumes service from an entirely separate region (e.g. west coast). All that call takers have to do is log in to the system to resume their operations.

- **Regular Complimentary Software Upgrades** – With APEX, the time to the next software upgrade is a matter of weeks, not years. Best of all, these software upgrades are included at no extra cost.

- **User Access across Multiple Communications Centers** - APEX enables a user to access a network of multiple communications centers from the same physical workstation if those centers share a backup environment. This feature increases the flexibility of communications center staffing to mitigate call overload on call takers, reducing stress levels and improving efficiency.

- **Remote Work When Necessary** – From COVID to unexpected demand surges to building repairs, there are a number of reasons why customers may need their workforce to work remotely. APEX provides the flexibility for the customer's team to work from any location of their choice, with Virtual Private Network (VPN) technology to ensure the safety and security of sensitive data.

- **Automatic Call Distribution (ACD)** – Achieve reduced call waiting time, faster call resolution, and increased productivity using Automatic Call Distribution (ACD) featuring skill-based routing within APEX. Call distribution methods include simultaneous call distribution (ring-all), most available agent (longest idle), and more. Turn on the auto-answer calls feature to route calls directly to the next available call taker automatically. These features help a PSAP comply with NENA's standard of 90% of calls answered within 15 seconds and 95% of calls answered within 20 seconds.



- **Call Conferencing and Attended Call Transfer** – Seamlessly transfer incoming 9-1-1 emergency call information using APEX to a different PSAP configured in the system including ANI/ALI as well as ESInet i3 PIDF-LO (Presence Information Data Format - Location Object) and ADR (Additional Data Repository) data with enhanced stability in the event of network errors. Transfer methods also include SIP URI address (e.g. sip:username@host:port)

- **Agent Assistance Alert** – If a call taker requires assistance, they can immediately press a button on their APEX screen to virtually raise a hand without leaving their desk. The supervisor's station and the Carbyne Wallboard screen indicate the call taker's seat position on a map so they can provide prompt assistance to keep life-saving operations running without interruption.

- **Recorded Announcements** – To keep callers informed when they call 9-1-1 or a non-emergency line, APEX can play a recorded announcement repeatedly until the call is answered by a call taker. This recorded announcement can also be played when a call is parked via APEX.

- **ESInet LoST Service Support** – To support cross-jurisdiction emergency call transfers, APEX supports the ESInet LoST (Location to Service Translation) protocol, mapping the caller's device location to the agency responsible for that jurisdiction. If the call has to be transferred out to a neighboring jurisdiction, APEX displays dynamic speed dial options marked with a red dot for the call taker's convenience. If the call is being transferred from a neighboring jurisdiction, APEX notifies the call taker accordingly.

- **Instant Replay With Station Permissions** – Review the specifics of a call that has ended recently, including video footage, voice call recording, closed captioning, and more without leaving the APEX user interface.

- **Audio Input & Output Selection** – To ensure an optimal call-taking experience, APEX can configure different audio input and output devices for a PSAP including call input device, call output device, and APEX audio (e.g. ringing, alerts, media playback).

- **Third Party IoT Intelligence Data** – For greater situational awareness, APEX includes an Intelligence Pane where call takers can see enhanced ESInet Advanced Data Repository (ADR) data and third-party Internet-of-Things (IoT) data. When available, this includes caller profile, medical information, vehicle telematics, car-crash data, and more.

- **Light Pole Status Indicator** - For centers that have light poles at each station with colored lights indicating a call taker's status (in a 9-1-1 call, on a radio call, available), APEX supports the ability to change the light pole colors dynamically.

- **Imperial & Metric System Support** - Based on the center's preference, APEX can display readings in Imperial (e.g. feet and mph) or Metric (e.g. meters and kph) units as desired.

- **Caller Interaction Status Display** - APEX displays status icons to indicate if/when a caller has confirmed or denied access to device location services and live imagery.

- **Audio Arbitration Box Integration** - For centers whose multi-skilled call takers handle calls as well as radio dispatch, APEX features the Carbyne Audio Trigger Module (CATM) which relays call audio to the center's Radio Console Arbitration Box (RCAB) and to the call-taker's headset. CATM also notifies the RCAB of active/non-active call status to support audio arbitration between APEX and the radio.

- **Multi-Jurisdictional Support** - For emergency communication districts responsible for more than one jurisdiction, APEX can meet these needs by enabling cross-jurisdictional setup and collaboration.

- **Native Language Translation** - Voice transcription and text language translation will assist call takers when receiving calls from non-English speaking visitors to the community.

- **Automated Abandoned TextBack** - Cut down the number of abandoned 9-1-1 calls with automated abandoned text-backs. The system will automatically send an SMS message to an abandoned 9-1-1 caller's device inquiring if they still need assistance.

Advantages of APEX

Below are some of the key advantages of APEX compared with other solutions:

- Cloud-Native Emergency Call Handling
- Zero Trust Architecture Security
- On-Demand Device Based Location
- Remote Whisper and Barge with Rich Data Beyond Voice
- Automatic Disaster Recovery
- Regular Complimentary Software Upgrades
- Video Board
- Reduced Energy Costs
- Call Preservation Despite Outages

APEX System Requirements

For a detailed description of APEX Technical System Requirements, please refer to the document HERE.

Joe Lombardo
Governor

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STATE OF NEVADA
GOVERNOR'S FINANCE OFFICE
Budget Division

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Date: October 21, 2024

To: Amy Stephenson, Clerk of the Board
Governor's Finance Office

From: Kirk Hawkins, Executive Budget Officer
Governor's Finance Office, Budget Division

Subject: INTERIM FINANCE COMMITTEE **ACTION** ITEM

The following describes an action item submitted for placement on the agenda of the next Interim Finance Committee meeting.

DEPARTMENT OF PUBLIC SAFETY – PAROLE BOARD

Agenda Item Write-up:
Pursuant to Section 1 of Assembly Bill 480 of the 82nd Legislative Session, the Parole Board requests an allocation of $8,671 from the Interim Finance Committee to provide inmates with certified translation services at parole hearings that will comply with NRS 232.0081.

Additional Information:
Section 1 of Assembly Bill 480 of the 82nd Legislative Session appropriated $25,000,000 for allocation in fiscal year 2024-2025 to Executive Branch agencies for implementation of language access plans. Relates to work program #C72771.

Statutory Authority:
Assembly Bill 480, Section 1 (2023)

REVIEWED:
GFO ACTION ITEM: 34
LCB AGENDA ITEM:

State of Nevada Work Program

WP Number: C72771

FY 2025

[ ] Add Original Work Program [XXX] Modify Work Program

BUDGET DIVISION USE ONLY
DATE
APPROVED ON BEHALF OF
THE GOVERNOR BY

DATE	FUND	AGENCY	BUDGET	DEPT/DIV/BUDGET NAME
10/15/24	101	660	3800	DPS - PAROLE BOARD

Funds Available

Budgetary GLs (2501 - 2599)	Description	WP Amount	Revenue GLs (3000 - 4999)	Description	WP Amount	Current Authority	Revised Authority
			4654	TRANSFER FROM INTERIM FINANCE	8,671	0	8,671
Subtotal Budgetary General Ledgers		0	Subtotal Revenue General Ledgers(RB)		8,671		8,671
			Total Budgetary & Revenue GLs		8,671		

Expenditures

CAT	Amount
15	8,671
Sub Total Category Expenditures	8,671

CAT	Amount

Remarks

This work program requests an increase in revenue from the Interim Finance Committee Restricted Contingency Fund to the AB 480 Language Access category to fund inplementation of the Nevada Board of Parole Commissioners Language Access Plan in fiscal year 2025.

Total Budgetary General Ledgers and Category Expenditures (AP) 8,671

kdefe1
Authorized Signature

10/17/24
Date

Controller's Office Approval

Does not require Interim Finance approval since Does not require Interim Finance approval since submitted as an action item on the IFC agenda

STATE OF NEVADA
DPS-PAROLE BOARD

Budget Account 3800 - DPS - PAROLE BOARD
Work Program C72771
Fiscal Year 2025

Submitted October 17, 2024

Budget Account's Primary Purpose, Function and Statutory Authority

The mission of the Nevada Board of Parole Commissioners is to conduct prompt, fair, and impartial hearings on parole applications and parole violation matters and take appropriate action. Statutory Authority: NRS 213.

Purpose of Work Program

This work program requests an increase in revenue from the Interim Finance Committee Restricted Contingency Fund to the AB 480 Language Access category to fund inplementation of the Nevada Board of Parole Commissioners Language Access Plan in fiscal year 2025.

Justification

Pursuant to Assembly Bill 480 of the 82nd Legislativie session, Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

Expected Benefits to be Realized

Approval of this work program will allow the Parole Board to provide adequately credentialed interpreters and oversight of interpreters used during parole hearings by inmates that are limited English proficient. (NRS 232.0081)

Explanation of Projections and Documentation

Supporting documentation includes:

Budget Status Report Summary, Receipts, and Obligations for FY25
FY25 Fund Map
IFC Memo
3-Year Cost Average
Assembly Bill 480 text, as enrolled
NRS 232.0081
Fund Request Breakdown

Summary of Alternatives and Why Current Proposal is Preferred

Legislative authority for this action is provided by and pursuant to Assembly Bill 480 of the 82nd session of the Nevada State Legislature.

Dept. of Public Safety- Board of Parole Commissioners
B/A 3800 SFY25

BEFORE

		2501			
		State General Fund	Total	DAWN	Diff
	REVENUE Authority				
	Revenue	3,548,861	3,548,861	3,548,861	-
	Bal Fwd	66,908	66,908	66,908	-
	SubTotal	**3,615,769**	3,615,769	**3,615,769**	-
	EXPENDITURES:				
01	Personnel Services	2,672,610	2,672,610	2,672,610	-
03	In-State Travel	25,572	25,572	25,572	-
04	Operating	416,051	416,051	416,051	-
12	Hearing Representatives	49,056	49,056	49,056	-
16	AB479 One-Shot Computers	66,169	66,169	66,169	-
18	AB479 One-Shot Licenses	739	739	739	-
26	Information Services	76,349	76,349	76,349	-
30	Training	34,915	34,915	34,915	-
82	Intra-Agency Cost Allocation	128,303	128,303	128,303	-
87	Purchasing Assessment	524	524	524	-
89	AG Cost Allocation Plan	145,481	145,481	145,481	-
	SubTotal	3,615,769	3,615,769	3,615,769	-
	ck fig	**0**	0	0	

Dept. of Public Safety- Board of Parole Commissioners
B/A 3800 SFY25

AFTER

		2501	4654					
		State General Fund	Transfer from Interim Finance	Total	DAWN	Diff	PENDING WP C72771	Total Pending Work Programs
	REVENUE Authority							
	Revenue	3,548,861	8,671	3,557,532	3,548,861	(8,671.00)	8,671	8,671
	Bal Fwd	66,908	0	66,908	66,908	0	0	-
		3,615,769	8,671	3,624,440	**3,615,769**	(8,671.00)	8,671	8,671
	EXPENDITURES:							
01	Personnel Services	2,672,610	0	2,672,610	2,672,610	-	0	-
03	In-State Travel	25,572	0	25,572	25,572	-		-
04	Operating	416,051	0	416,051	416,051	-	0	-
12	Hearing Representatives	49,056		49,056	49,056	-		-
15	Language Access Plan	0	8,671	8,671	0	(8,671.00)	8,671	8,671
16	AB479 One-Shot Computers	66,169	0	66,169	66,169	-	0	-
18	AB479 One-Shot Licenses	739	0	739	739	-	0	-
26	Information Services	76,349	0	76,349	76,349	-		-
30	Training	34,915	0	34,915	34,915	-		-
82	Intra-Agency Cost Allocation	128,303	0	128,303	128,303	-		-
87	Purchasing Assessment	524	0	524	524	-		-
89	AG Cost Allocation Plan	145,481	0	145,481	145,481	-		-
	SubTotal	3,615,769	8,671	3,624,440	**3,615,769**	(8,671.00)	8,671	8,671
	ck fig	0	0	0	0	0	0	0

BOARD OF PAROLE
COMMISSIONERS BA 3800
FY2025
INTERPRETER FUND NEEDS

Currently, inmates mainly use other inmates or institutional staff (caseworkers and/or officers) as interpreters at their parole hearings. When the Parole Board sends a Notice of Hearing to the inmate for acknowledgment of their upcoming hearing, the form asks the inmate to indicate if they require an interpreter. The Notice of Hearing is then returned to the Parole Board and if requested, an interpreter is set up by the Parole Board for the parole hearing. There are several times the Parole Board is not notified of interpreter needs.

Although the Parole Board currently uses certified interpreters when an interpreter is requested on the returned Notice of Hearing, most inmates still prefer to use other inmates and/or institutional staff as their interpreters. These funds will allow the Parole Board to notify the Department of Corrections that all interpreter services for parole hearings shall go through the Parole Board to ensure adequate credentialing and oversight of interpreters for inmates that are limited English proficient. The Parole Board will continue to use vendors on the State's purchasing site: https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/ for all parole hearings requiring interpreters, eliminating the use of inadequate credentialed inmates and/or institutional staff.
Most interpreters will be able to interpret through our Zoom hearings, eliminating the travel costs that are added to the interpreter costs.

From Fiscal Year (FY) 2022 – FY2024, a total of 261 interpreters were used for parole hearings.

FY22 - FY24
3 - year average Interpreters requested by inmate.

Types of interpreters that inmates request to use at their parole hearings vary. Some use other inmates, or Nevada Department of Corrections (NDOC) caseworkers or officers. Below is a breakdown of the type of interpreters used in a 3-year period. (FY2022 - FY2024)

Inmate Interpreter	NDOC Interpreter	Family Interpreter	Parole Board Staff Interpreter	Parole Board Scheduled Vendor Interpreter	No Interpreter Available	Total
126	54	4	2	29	46	**261**

FY22 - FY24
3 - year average Interpreters cost

Fiscal Year	Annual Cost	# of Interpreters	Average Cost per Meeting
FY22	$ 2,336.00	10	$ 233.60
FY23	$ 2,724.96	13	$ 209.61
FY24	$ 2,158.82	6	$ 359.80
3 Year Avg.	$ 7,219.78	29	**$ 248.96**

261/3-years = 87 interpreters needed per fiscal year. A 3- year average cost for an interpreter is $249
87 X $249 = $21,663 per fiscal year. **Fiscal Year 2025 Funding Needs**

Fiscal Year 2025 needs January 1, 2025 – June 30, 2025, = 6 months. 3-year average = $21,663 per year
$21,663 / 12 months = $1,805 per month.
6 months X $1,805 = $10,830 for fiscal year 2025.
The Board is currently allocated $2,159 in CAT 04, GL7430 (Professional Services) for interpreters. These funds are used when an inmate requests the Parole Board to supply an interpreter on the Notice of Hearing form for a parole hearing.

$10,830 - $2,159 (existing in FY25 Budget) = $8,671 requested funds for the remainder of FY25.

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NEVADA BOARD OF PAROLE COMMISSIONERS

Language Access Plan
NRS 232.0081

I. PURPOSE AND AUTHORITY

Nevada's Senate Bill 318 (SB318 of the 81st Legislative Session) and the federal guidance on Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) both agree that language should not be a barrier to accessing governmental programs and services. Per SB318, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." Moreover, SB318 makes it clear that it is the responsibility of government to provide that access:

"State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities."

The Board of Parole Commissioners (Board) is committed to compliance with NRS 232.0081 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) in ensuring meaningful access to State services and programs for individuals with limited English proficiency. Limited English proficiency inmates will continue to be served in compliance with Chapter 213 of NRS.

The purpose of this document is to establish an effective plan and protocol for Board personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency. Following this plan is essential to the success of the Board's mission to render fair and just decisions on parole matters based on the law, the impact on victims and the community, and with the goal of successfully reintegrating offenders back into society.

This document is tailored to the Board.

II. GENERAL POLICY

The Board recognizes that the population eligible to receive its services include individuals with limited English proficiency and individuals who are deaf or hard of hearing. It is the goal of the Board to ensure meaningful access to all individuals. The Board intends to take all reasonable steps to provide limited English proficiency individuals with meaningful access to its services and programs. The Board seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages. This Language Access Plan applies to all Board programs and services. including, but not limited to:

- Programs related to parole and parole violation hearings.
- Programs related to victims.

- Programs of Lifetime Supervision.
- Programs related to accessing forms on the Board's website.

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English. The Board intends to take all reasonable steps to provide limited English proficiency individuals with meaningful access to its services and programs. The Board seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

Toward this end, the Board of Parole Commissioners endorses the following policies:

1. The Board is committed to equity and takes all reasonable steps to provide limited English proficiency individuals with meaningful access to its services, programs, and activities.
2. The Board, rather than the limited English proficiency individual, bears the responsibility for providing appropriate language services, regardless of the limited English proficiency individuals' preferred language, at no cost to the limited English proficiency individual.
3. Board staff at the initial points of contact have the specific duty to identify and record language needs.
4. Use of informal interpreters at parole hearings, such as family members, friends, or other acquaintances of persons with limited English proficiency who have no formal training in interpreting is not allowed, with the exception of inmate interpreters assisting and appearing as a representative during a parole hearing at a state institution. Minor children are prohibited from acting as interpreters.
5. No Board staff may suggest or require that a limited English proficiency individual provide an interpreter to receive agency services.

Parole Board Language Access Coordinator:

Kathi Baker, Executive Director, kjbaker@parole.nv.gov or 775-687-6566

The Language Access coordinator will review and update the Board's Language Access Plan as necessary.

III. PROFILE OF CLIENTS OF THE BOARD OF PAROLE COMMISSIONERS

The Board is committed to tracking the languages preferred for communication among our limited English proficiency members of the public so that we can better provide meaningful timely access to our services and programs without regard to any language impediments.

Parole Board services are offered online through the Parole Board website, in person, via email, telephone, or via remote platforms (e.g., Zoom, TEAMS). The public is encouraged to contact Board staff if they are unable to access Board services electronically.

The preferred language of the public receiving services from the Board is U. S. English. The Board currently does not track the relevant demographics of individuals that visit our Carson City or Las Vegas offices to attend hearings, call, email, or individuals who visit the Board's website. It is unknown if any of these individuals identify as Indigenous or Refugee.

The Board does not track vital information, in regard to inmates. The Department of Corrections (NDOC) tracks the relevant demographics of inmates. The Board sends a Notification of Parole Hearing form to inmates that appear on the monthly NDOC parole eligibility list. Inmates indicate if they need an interpreter on the hearing notification form.

As directed in NRS 213.131, during hearings to consider inmates for parole, the Board shall allow inmates to have a representative present to confer with and to speak on their behalf. Inmates with physical communication disabilities are entitled to the services of an interpreter per NRS 213.128 at which an interpreter is scheduled at no expense to the inmate through the use of the State of Nevada's Master Services Agreement vendors.

Implementation of the Language Access Plan tools and resources may be dependent upon the Board receiving adequate funding from the Interim Finance Committee pursuant to Assembly Bill 480 (AB 480) of the 82nd Nevada Legislative session.

With the help of the webmaster, the Board will explore the possibility of adding a button to the parole.nv.gov website that will translate the website to the user's preferred language and find out if there is a way to track the use of the translation button.

IV. LANGUAGE ACCESS SERVICES AND PROCEDURES

The Board of Parole Commissioners believes that the appropriate provision of language services is vital to the fulfillment of its mission. Towards that end, the Board ensures that its staff are familiar with its language access policies and procedures.

Board staff will be apprised of Title VI of the Civil Rights Acts and SB318 and NRS 232.0081. Board staff will be informed of any changes as necessary.

Language access needs for the general public will be addressed in the following manner:

Oral/Sign Language Services:
Utilizing the mandatory vendors contracted with the State of Nevada through the Department of Administration, Purchasing Division, the Board will obtain all necessary translation services for limited English proficiency members of the public.
https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/

Written Language Services:
The Board does not have employees who are trained or certified to provide written language services in languages other than English for members of the public. If the need arises, the Board will contract with a State-approved vendor for written language services. The Board will use the list of approved vendors located on the Department of Administration's Purchasing Division website.

Community Outreach and Engagement
The Board does not have employees who are trained or certified to provide language services in-house for languages other than English. The Board will take steps to publicize the availability of language access services on the parole.nv.gov website.

Procedures and Resources for limited English proficiency Community Outreach:
Currently, telephone calls received by limited English proficiency individuals who speak Spanish are transferred to the Las Vegas office to a staff member fluent in Spanish, but not certified. The Board has one other staff member that is fluent in German. If a limited English proficiency individual speaks a language not readily available to the Board, then the Board will contract with a State-approved vendor for language services.

The Board is committed to tracking the languages preferred for communication among our (limited English proficiency) clients so that we can better provide meaningful, timely access to our services and programs without regard to any language impediments. A five year average of requested inmate interpreters contracted with a State-approved vendor for language services indicates the top five languages encountered are Spanish, American Sign Language (ASL), Farsi, Mandarin and Korean.

V. IMPLEMENTING THE LANGUAGE ACCESS SERVICES

The Parole Board is committed to providing Limited English Proficient members of the public full access to our services and programs. Board staff will follow the procedures described within this policy.

If language access services are requested, staff will inform the Parole Board's Language Access Coordinator and/or designated staff. The Language Access Coordinator and/or designee will take the appropriate steps as outlined in this document to secure a qualified person to provide the needed service(s).

Accessing Appropriate Oral/Sign Language Services: If sign language services are needed, employees will inform the Board's Language Access Coordinator and/or designated staff. The Language Access Coordinator and/or designated staff will secure a qualified person to provide the needed services by utilizing the list of approved vendors located on the Department of Administration's Purchasing Division website.
https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/

Accessing Appropriate Written Language Services: Written translation services will be provided on the Board's website. If written language services are needed, staff will inform the requesting party that the documents are available for translation on the Board's website. The Board will continue working with the DPS Webmaster to ensure all documents are available for translation.

Language Services Quality Assurance: The Board is committed to ensuring that all the language service providers it uses are qualified and competent to provide those services. The Board will secure qualified professionals by utilizing the list of approved vendors located on the Department of Administration's Purchasing Division website.
https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/

Staff Training Policies and Procedures: The Board believes that the appropriate provision of language services is vital to the fulfillment of its mission. Towards that end, the Board will ensure that staff are familiar with its language access policies, the Language Access Plan, and the above procedures for providing said services.

VI. EVALUATION OF AND RECOMMENDATIONS FOR THE LANGUAGE ACCESS PLAN

The Board is committed to monitoring the performance of the above policies, procedures, and resources to ensure that the Language Access Plan is responsive to the needs of both the Board and the people it serves. The Language Access Coordinator will review, evaluate, and update (if needed) its Language Access Plan as necessary.

Processes for Monitoring and Evaluation: The Board's Language Access Coordinator will be responsible for reviewing and updating (if needed) the Parole Board's Language Access Plan.

Evaluation and Outcomes and Proposed Changes:
The Board is committed to providing our limited English proficient individuals full access to our services and is committed to monitoring the policies and procedures stated above to ensure that limited English proficiency Nevadans are receiving equitable access to Board services.

The Language Access Coordinator will continue to develop and monitor this plan, and update it biennially based on applicant data and language accommodation requests documented by staff and demographic data obtained through surveys. We will also track any costs we may incur by using external, state resources.

Proposed Budgetary Implications: In the past, the Board has had minimal requests for interpreters from the general public. Funding may be needed to provide translation for the conversion of PDF files on the Board's website which may include the services of a webmaster. The Board will continue to work with the Department of Public Safety (DPS) Webmaster to determine the cost.

Suggested Legislative Amendments: A liaison that works for Office of New Americans could be assigned to provide language access roles for an agency on an as needed basis.

Assembly Bill No. 480–Committee on Ways and Means

CHAPTER.....

AN ACT making an appropriation to the Interim Finance Committee to allocate to certain state agencies to implement language access plans; and providing other matters properly relating thereto.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of $25,000,000 for allocation in Fiscal Year 2024-2025 to agencies of the Executive Department of the State Government, as defined in NRS 232.0081, for the implementation of language access plans required pursuant to NRS 232.0081.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 2. This act becomes effective upon passage and approval.

20 ~~~~ 23

NRS 232.0081 Language access plan: Development and biennial revision; requirements; public comment; legislative recommendations; inclusion of necessary funding in proposed budget of agency. [Effective May 20, 2024.]

1. The head of each agency of the Executive Department shall designate one or more employees of the agency to be responsible for developing and biennially revising a language access plan for the agency that meets the requirements of subsection 2.

2. A language access plan must assess existing needs of persons served by the agency for language services and the degree to which the agency has met those needs. The plan must include recommendations to expand language services if needed to improve access to the services provided by the agency. The plan must:

(a) Outline the compliance of the agency and any contractors, grantees, assignees, transferees or successors of the agency with existing federal and state laws and regulations and any requirements associated with funding received by the agency concerning the availability of language services and accessibility of the services provided by the agency or any contractors, grantees, assignees, transferees or successors to persons with limited English proficiency;

(b) List the relevant demographics of persons served by or eligible to receive services from the agency, including, without limitation:

(1) The types of services received by such persons or for which such persons are eligible;

(2) The preferred language and literacy level of such persons;

(3) The ability of such persons to access the services of the agency electronically;

(4) The number and percentage of such persons who are indigenous; and

(5) The number and percentage of such persons who are refugees;

(c) Provide an inventory of language services currently provided, including, without limitation:

(1) Procedures for designating certain information and documents as vital and providing such information and documents to persons served by the agency in the preferred language of such persons, in aggregate and disaggregated by language and type of service to which the information and documents relate;

(2) Oral language services offered by language and type;

(3) A comparison of the number of employees of the agency who regularly have contact with the public to the number of such employees who are fluent in more than one language, in aggregate and disaggregated by language;

(4) A description of any position at the agency designated for a dual-role interpreter;

(5) Procedures and resources used by the agency for outreach to persons with limited English proficiency who are served by the agency or eligible to receive services from the agency, including, without limitation, procedures for building relationships with community-based organizations that serve such persons; and

(6) Any resources made available to employees of the agency related to cultural competency;

(d) Provide an inventory of the training and resources provided to employees of the agency who serve persons with limited English proficiency, including, without limitation, training and resources regarding:

(1) Obtaining language services internally or from a contractor;

(2) Responding to persons with limited English proficiency over the telephone, in writing or in person;

(3) Ensuring the competency of interpreters and translation services;

(4) Recording in the electronic records of the agency that a person served by the agency is a person with limited English proficiency, the preferred language of the person and his or her literacy level in English and in his or her preferred language;

(5) Communicating with the persons in charge of the agency concerning the needs of the persons served by and eligible to receive the services from the agency for language services; and

(6) Notifying persons with limited English proficiency who are eligible for or currently receiving services from the agency of the services available from the agency in the preferred language of those persons at a literacy level and in a format that is likely to be understood by such persons; and

(e) Identify areas in which the services described in paragraph (c) and the training and resources described in paragraph (d) do not meet the needs of persons with limited English proficiency served by the agency, including, without limitation:

(1) Estimates of additional funding required to meet those needs;

(2) Targets for employing persons who are fluent in more than one language;

(3) Additional requirements necessary to ensure:

(I) Adequate credentialing and oversight of translators and interpreters employed by or serving as independent contractors for the agency; and

(II) That translators and interpreters used by the agency adequately represent the preferred languages spoken by persons served by the agency or eligible to receive services from the agency; and

(4) Additional requirements, trainings, incentives and recruiting initiatives to employ or contract with interpreters who speak the preferred languages of persons with limited English proficiency who are eligible for or currently receiving services from the agency and ways to partner with entities involved in workforce development in imposing those requirements, offering those trainings and incentives and carrying out those recruiting initiatives.

3. If there is insufficient information available to develop or update the language access plan in accordance with the requirements of this section, the employee or employees designated pursuant to subsection 1 shall develop procedures to obtain that information and include the information in any revision to the language access plan.

4. Each agency of the Executive Department shall:

(a) Solicit public comment concerning the language access plan developed pursuant to this section and each revision thereof;

(b) Make recommendations to the Legislature concerning any statutory changes necessary to implement or improve a language access plan; and

(c) Include any funding necessary to carry out a language access plan, including, without limitation, any additional funding necessary to meet the needs of persons with limited English proficiency served by the agency as identified pursuant to paragraph (e) of subsection 2, in the proposed budget for the agency submitted pursuant to NRS 353.210.

5. As used in this section:

(a) "Agency of the Executive Department" means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

(b) "Dual-role interpreter" means a multilingual employee who:

(1) Has been tested for language skills and trained as an interpreter; and

(2) Engages in interpreting as part of his or her job duties.

(c) "Language services" means oral language services and translation services.

(d) "Oral language services" means services to convey verbal information to persons with limited English proficiency. The term:

(1) Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services and non-governmental interpreters.

(2) Does not include family members, friends and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.

(e) "Person with limited English proficiency" means a person who reads, writes or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.

(f) "Translation services" means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.

(Added to NRS by 2021, 3234; A 2021, 3237, effective May 20, 2024)