

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-First Session
February 9, 2021**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 9:04 a.m. on Tuesday, February 9, 2021, Online. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblywoman Selena Torres, Vice Chair
Assemblywoman Natha C. Anderson
Assemblywoman Annie Black
Assemblywoman Tracy Brown-May
Assemblywoman Venicia Considine
Assemblywoman Jill Dickman
Assemblywoman Bea Duran
Assemblyman John Ellison
Assemblywoman Susie Martinez
Assemblyman Andy Matthews
Assemblyman Richard McArthur
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Erin Sturdivant, Committee Counsel
Judith Bishop, Committee Manager
Kyla Beecher, Committee Secretary
Cheryl Williams, Committee Assistant



OTHERS PRESENT:

Erin Hasty, Interim Administrator, Office of Grant Procurement, Coordination and Management, Department of Administration
Laura Freed, Director, Department of Administration
David W. Fogerson, Chief, Division of Emergency Management and Office of Homeland Security, Department of Public Safety
Tom Dunn, District Vice President, Professional Fire Fighters of Nevada

Chair Flores:

[Roll was called. The Chairman reminded Committee members, testifiers, and members of the audience about Committee rules and protocol.]

I would like to start off by welcoming our newest member, Assemblywoman Brown-May. I want to say how grateful we are to have you on this Committee. She found out just a few days ago that she was going to be moving up to Carson City, she was going to be joining a whole host of committees and taking on some of the very heavy conversations of a pandemic. She decided she was going to take on all of that responsibility just a few days before.

I know that you bring a wealth of experience to this building. You are not someone new to it. You have had an opportunity to work inside and outside of it. I think you know how to navigate these waters quite well. I do not think anybody can explain who you are or your résumé better than yourself. I would love to give you an opportunity to do that. Assemblywoman Brown-May, if you could please give us a quick introduction of yourself and let us know what you are bringing to the table. Team, I think you are all going to be very happy now that she is with us.

Assemblywoman Brown-May:

Thank you, Chair Flores. I appreciate the opportunity to provide a brief introduction. I am thrilled to be part of this Committee. I know that Government Affairs is integral to the success of our state.

I have spent the last 20 years in the nonprofit sector in southern Nevada. I have worked to build great partnerships both across the country and our state. I am specifically focused on how to access marginalized populations and incorporate them into our policies. How do we make sure every voice is heard?

I spent about six years in gaming. I understand how gaming operates and what it takes to run a major property here and a corporation across the country. Over the last 20 years, I have been involved in many boards, chairs, commissions, and volunteer opportunities.

On multiple occasions, I have had an opportunity to come up here and advocate on behalf of people with developmental disabilities. Many longtime legislators have met many of those folks.

I am honored and thrilled to be part of the Committee. I look forward to working alongside all of you. Thank you for having me, Chair.

Chair Flores:

Welcome to the team, Assemblywoman. We look forward to working alongside of you.

I want to remind you that we will be having our very first bill today. I think all of you are very excited. I know that none of you slept because you stayed up all night working incredibly hard. I do appreciate everybody's attentiveness. I got a bunch of messages last night via text. It shows that everyone was paying attention and is ready for this morning. I appreciate you.

We are going to take the agenda in the order it appears. We are going to have two presentations followed by the bill. I want to remind members that we refrain from asking any questions relating to that bill until we have heard that presentation. I want to be fair and give everybody the opportunity to ask a question and then we will come back if we have a lot of follow-up questions.

I do not anticipate today being too heavy in terms of trying to coordinate with opposition, support, and neutral. It is the intention of this Committee that we will take it in the order of having the bill presentation, questions from the Committee, support, opposition, and neutral. We will allow for the bill presenter to do any closing remarks. That is going to be the nature of how we will move through each bill presentation. Members, if you have any questions, please put them in the chat and we will take care of it.

With that, I want to open our presentation from the Department of Administration Office of Grant Procurement, Coordination, and Management. Whenever you are ready, good morning and welcome.

Erin Hasty, Interim Administrator, Office of Grant Procurement, Coordination and Management, Department of Administration:

Thank you, Chair Flores and members of the Committee for having us today. We are grateful to be here. I have Department Director Laura Freed with me. She may jump in here from time to time. I would not have guessed, seven and a half years ago, that I would be sitting here and looking at all of the issues. I appreciate your time.

We are the Office of Grant Procurement, Coordination and Management of the Department of Administration, or the Nevada Grant Office, for short. Our mission [page 2, [Exhibit C](#)] is to increase the number of grant dollars that Nevada receives. We are trying to do this by reducing and removing barriers to federal grant funding by providing grant resources, advocacy, and coordination. During this presentation, I will give an overview of grants, a look into day-to-day operations in our office, and show you how we shifted from pre-COVID-19 to during COVID-19.

Our office has a 30,000-foot overview of grant issues. There are other grant units within agencies. Our office seeks to provide resources to grant professionals and grant seekers. Grants have a life cycle. There is pre-award all the way through post-award. Each phase has quite a heavy lift. There are numerous issues, barriers, and opportunities even when applying for a grant. There are things we have to do in order to continue to maintain that grant. That is a lot of what the state agencies' grant units work on. We are here to provide any resource to help ease that process.

This is a high-level overview [page 3]. We have our Department Director, Laura Freed. Within the Department of Administration, we have our Deputy Director, Colleen Murphy. I am serving as the Interim Administrator. My permanent role is the Senior Executive Grant Analyst. That position and the administrative assistant are vacant right now. When we are fully staffed, we are a small and mighty team of five. Right now, we are a small and mighty team of three.

We were created in 2011 [page 4] after a SAGE [Spending and Government Efficiency] Commission report thought that a grant coordinator would help with Nevada's lagging grant performance. We are governed by *Nevada Revised Statutes* (NRS) 232.222–232.227. Historically, we provided resources on the pre-award side. As the office has matured, we saw a lot of barriers in grant management. Our office has shifted from helping to write applications to addressing grant barriers. We do a little bit of everything. We provide grant writing, project management, finding opportunities, and identifying specific types of grants through grants.gov. As we have had conversations with stakeholders, we have revealed more of what we can do to be helpful. You will see some of those a little bit later.

Day to day, we provide strategic grant services [page 5]. We track all of the contacts that we have. Essentially, they go down into these buckets. Within those buckets, there are quite a few areas. Under funding opportunities, we have 13 topical lists. We will track any grants that are relevant and send out a grant opportunity. Grant assistance will be anything from writing your whole grant, project coordination, and presentation. There are quite a few services that we provide within those areas.

I will go through pre-COVID-19 [page 6] and will then show you how COVID-19 has affected us. Pre-COVID-19 is from January 2019 through the beginning of March 2020. We were contacted about 15,000 times for service requests. That would average to about 1,000 requests per month. We also track if we are initiating the contact or if people are reaching out to us and we are reacting to that. You will see that 67 percent of those contacts were initiated by our office. That contact can be anything from sending out LISTSERVs to contacting people who are interested in topics. We then show them that there is a grant available. We have been able to track the unique grant opportunities. You will see that we deal with some foundation and state grants. A large bulk of what we do is from federal agencies and grants.

When somebody contacts us, we have it broken down into who it is [page 7, [Exhibit C](#)]. The bulk of our contacts were from state agencies. The second group is from nonprofits and local

agencies. We also track if it is a competitive opportunity or if it is a mandatory formula. I have a slide later in the presentation that breaks it down a little bit. We mostly deal with competitive, discretionary grants. About 20 percent of the opportunities that we track require matched funds. You will see a little later that we had a grant program that dealt with matched funds. We identified it to be a barrier to some of the agencies and organizations applying for grants.

Now, we switch to COVID-19 [page 8]. This period is from March 2020 to December 2020. We had 4,300 service requests. This dropped our monthly average to 548 requests. During this time, for about five months, we were a staff of two. This might be why the number dropped a little. Fifty-six percent of the contacts were initiated by us. The bulk of the unique opportunities was federal funding.

Our partner requests shifted during COVID-19 [page 9]. While number one is state agencies, we had an uptick in businesses and citizens reaching out to us. The lack of a centralized rollout from the federal government was confusing. People were searching for where to get funds and which funds were available. We had more requests from businesses and citizens. The bulk was still competitive opportunities. That same amount required matched funds. During COVID-19, more of the grants ended up being supplemental. That means if you had an award before, then you get it awarded again. There was a little drop in the competitive ones.

As we were grappling with COVID-19, we reached out to state agencies and asked which funding opportunities were going to come out [page 10]. We asked if they were going to be competitive or formula. We were trying to wrap our arms around it. We reached out to state agencies and had 524 responses asking what would be most helpful to them as we were identifying opportunities from COVID-19. The top answers from "completely helpful" are there. So, that was applying for grants.

On the other side of it, there is properly managing all of those federal grants [page 11]. There is the application part of it and the managing the grant. The importance of managing a grant is to reduce audit findings. We do this so that we do not have to pay money back and we can get future funding opportunities. Sometimes, grant streams will award another time, so proper management is a critical issue. It is hard because there was a lot of compliance that was coming out, there was a firehose of information on funding. We asked if properly managing federal grants for COVID-19 would be most helpful. These are the answers ranked from "completely helpful."

We took these survey results and created some services in response to COVID-19 [page 12]. We shifted our topic-specific funding opportunities to COVID-19 only. We were not going out for education in general; it was education in COVID-19. We created a COVID-19 grant opportunity webpage. That webpage is still up. Any information we found was put into a centralized webpage. As you can see, that ended up being pretty popular. We saw a 386 percent pageview increase between April and October over the same time last year. We had about 76,000 pageviews on that webpage.

We put together a packet on funding compliance. In addition to a grant being awarded, you have to manage it, make sure you are hitting program goals and that your fiscal is correct. Each federal agency has put out some guidance, so we tried to compile that as much as we could. We wanted to provide grant managers and their managers with a one-stop place to go to where you could find what is going on. We put together a funding observations memo. We wanted to provide leadership with some insights that we had seen on the ground with what was going on. Some of the guidance that was coming out was changing. If you had any issues with funding, you could go back and talk to your federal awarding agency. We have a Nevada Grant Stakeholder LISTSERV that goes out every two weeks. We wrap up any grants that we have added to the website. We created a blog where we comb through and find federal guidance on any grant related to COVID-19. The stakeholders' LISTSERV encapsulates what we have done in the past two weeks. We are trying to keep people informed and have resources on where they can go.

We also created a Federal COVID-19 Funding Report [page 13]. This is where a lot of our time went. I was trying to track down what was entering the state and where it was going. This was created in coordination with the Office of the Governor and the Office of Finance of the Governor's Office. It tracks more than just grants. There are some of the economic stimulus payments and the loans in there. So far, we have tracked about \$23.7 billion into the state. That is a big report. We update that biweekly.

Other activities include our Grant Matching Fund Pilot Program [page 14]. We have a staff member dedicated to that program. In the 2019 Legislature, there was a pilot program that was created that was the first in the nation. We continually heard how the lack of grant match funds was causing agencies to regularly skip on applying for grants. A million dollars is allocated to the program to award any agencies who need a match. All kinds of business planning went into that. We had 31 applications submitted in three months. We committed \$970,000 of the \$1 million in the first three months. We have one grant that has been fully executed and awarded. This means that they have heard from their funder, the federal agency, that they were successfully awarded. That one award of \$45,000 in match got a grant of \$451,000 for the City of North Las Vegas. That is a 10:1 return on investment. Unfortunately, due to budget cuts, we reverted back any of the unallocated funds, and then if any of the other two awards are not made by the federal agencies, then we will revert that back too. Our staff number also dropped.

We had a grant management system that we have been trying to implement for a couple of cycles. We did not have any successful RFPs [requests for proposal], so we put together a technical study and an RFI [request for information] to look at what was going on in the state. We looked at which agencies have a grant management system and what is an appropriate price tag to get what we will need. That was lined up and ready to go, but due to COVID-19 and budget shortfalls, we reverted that back.

We also do professional development. We heard from our surveys that training is a vital part. We have aligned training. We have gone out and researched training. This training can be pre-award, how to write a grant application, how to monitor subrecipients, and how to

properly manage that. We did a grant fundamentals training, which was face-to-face. That stopped and we now have it on YouTube. We are trying to do any professional development that we can and get those resources to grant professionals.

We also staff a Nevada Advisory Council on Federal Assistance. The council was created in 2015. It is made up of public, private, and local stakeholders who look at barriers to grant funding and make recommendations based on how to address those. A lot of the legislation that has come from the Grant Matching Fund Pilot Program was a recommendation of theirs.

I have included some resources and publications [page 15, [Exhibit C](#)] that we have done over the last couple of years. I am happy to answer any questions about them. They run the gamut. We have a Grant Policy Manual that outlines the best practices for state agencies on how to manage a grant. We also had uniform guidance during COVID-19. This governs grants and how to properly execute grant funds. The *Code of Federal Regulations* was updated in November 2020. It has some big changes. We put together a summary on that. We went through the redline changes, so that people would be aware of it and could understand the changes. All of what we have is to try and make an educated grant staff.

This page [page 16] shows 2021 and beyond. We were very excited that the State of the State address is calling to increase the federal funding. We participated in the grant roundtable with the Governor, the Treasurer, stakeholders, and nonprofits to hear the barriers they were going through and how we can move forward. We continue to solicit and review stakeholder feedback to identify and remove grant barriers. We have a housekeeping bill, Senate Bill 15, this session. It allows us to have the authority to develop and maintain a set of policies and procedures for grants. This will help keep the state in alignment.

I wanted to briefly touch on the complexity of grant funding [page 17]. Our office deals with discretionary and competitive grants. That means that there is a grant application process and they are ranked. I know this is a little old, but the numbers tend to be the same from year to year. About 78 percent of the opportunities themselves are discretionary programs, but the majority of funding is in mandatory. The funding itself, about 75 percent, is in mandatory funds. Our office has not delved into that. There is a lot of opportunity there to look at.

I know that I have shot a lot at you. I hope I did not do too much. I am happy to answer any questions.

Chair Flores:

Thank you for your presentation. We appreciate it, and I know it is a lot. Thank you for joining us this morning. We have a few questions.

Assemblywoman Torres:

I really appreciate all of the work that you do to ensure that we are acquiring federal funds. Could you send us a document that shows how much federal funds we are receiving and where those federal funds are being allocated? I know that there is a bar graph, but could we

have a better idea of the scope of projects, from where we are getting the money, and where that money is going? Is it going to other state offices? How is that money being spent?

Erin Hasty:

That is really hard. We do not have the whole picture there. We have some reports that show about 90 percent of federal funding. We are looking at how to centralize data collection and how to know what is coming in. I can send you what I have. There is opportunity for us to have a clearer picture of what is going on.

Assemblywoman Considine:

You said that the Nevada Grant Office was created to help with Nevada's lagging grant performance. Where does Nevada rank among other states? Where does Nevada rank among western states in the amount of grant money that we are currently receiving and pre-COVID-19?

Erin Hasty:

During that report, we were fiftieth in the nation. We fluctuated from the bottom. According to some models, we are forty-seventh in the nation. Medicaid expansion helped bring this up. We will get that to you; it shows what we bring in per capita.

Assemblywoman Considine:

Do you have sort of a list of the top five or ten barriers? I know you said that mandatory matching is one barrier. Could we know what some of the other barriers are that make Nevada forty-seventh in the nation?

Erin Hasty:

We do have those identified, and I will send those to you. Moving up one spot would be an additional \$250 million being brought into the state. It is an effort to move up. When we do, it is a big jump.

Assemblywoman Anderson:

I know it is difficult to try and jump in when you are interim director. I appreciate the information. I know that with some grants, if the school district or county has applied, then a portion of that grant has to go back to the state. Does that happen in all of these situations? Does the grant go completely to the local governments that have applied for it?

Erin Hasty:

I am not aware of any that go back to the state. There are some that have administration costs and pass-through grants. The Workforce Innovation Opportunity Act (WIOA) mandates that it has to go to the state and then they pass through those. There is some administration from there because the staff has to manage it and oversee it. There is work on their end. I am not aware of any where a portion goes to the state. You bring up an interesting point. The lead applicant can get the money and they can choose to subaward it. It depends on what the notice of funding opportunity calls for. A lead applicant takes the

money and they can choose to meet the goals of the grant. They can subaward that money to other agencies to help carry out that work.

Part of our office's role has been to help keep competing applicants and applications from coming together. Funding opportunities are very competitive. If we have more than one application per state, that can lessen our chance of getting it. There is a lot of work on who is going to be the lead applicant. There can be contentious stuff. This would be who would be the best to oversee the grant and who would meet the categorization of funding.

Assemblywoman Anderson:

Are there any grants that Nevada has been awarded for a lengthy period of time? If we have been receiving the grant for four years or more, do we now depend upon the grant? Are there any grants we have had for a long period?

Erin Hasty:

The formula mandatory grants have been there since before I was born. That is the formula. That can be like SNAP [Supplemental Nutrition Assistance Program] or WIC [Special Supplemental Nutritional Program for Women, Infants, and Children]—those programs that are essential and that people rely on. I do not know of any long-term competitive applications. This is the hard part. We do not have centralized grant management. I am not entirely sure what is out there. There may be some that have been done really well that we are just not aware of.

You touched on supplementing and supplanting. A competitive grant is to assist in services, not to replace them. It is a big no-no to supplant.

Assemblywoman Anderson:

It would be great if we could get a list of that. I would greatly appreciate that. Thank you for your answer.

Assemblyman Ellison:

I would like to go to page 7. I was looking at grant services. It says that businesses make up 76 percent and citizens make up 67 percent of grant services. I get a lot of phone calls, especially since COVID-19 has started, from businesses applying and they are not getting responses, or they are getting denied. Is there a reason for this?

The other question I have is about page 13. For unemployment relief, it says that it was \$7,247,000 and only 14 were awarded. Can you answer those two questions for me?

Erin Hasty:

Our office does not oversee or have any insight into the awarding process. We alert people of opportunities. We always refer back to the funder. Constituents will have to refer to the awarding agency. I do not know if it is federal or state, but we do not have any insight into that. They need to get in contact with the funder.

Assemblyman Ellison:

Could you give me the information I need to direct these people? Maybe that is what the problem is, they are trying to contact the wrong agencies.

Erin Hasty:

Are you asking about the state dollars?

Assemblyman Ellison:

I think that is what they are looking for.

Laura Freed, Director, Department of Administration:

I am sorry, Mr. Chair, may I interject? I think your constituents might be interested in the PETS [Pandemic Emergency Technical Support] grants for private businesses. The grants office does not have involvement with those. We would be happy to try and connect your constituents with the right people. In this case, it is not the grants office.

Assemblyman Ellison:

Yes, if I could get that information or what I need. We are getting a lot of calls from upset people throughout the whole state. I even had small businesses out in Clark County call me. We are trying to help if we can. That is an issue that is coming up.

The other issue is on page 13, the Unemployment Relief Program. We are constantly getting the calls asking for help. I do not know if this is something that we can help with. I hate to say it, but the Nevada Department of Employment, Training and Rehabilitation (DETR) does not answer the phones. When I see this, I see that the federal COVID-19 fund was \$7 million, and only 14 were awarded. Can you explain that?

Erin Hasty:

The unemployment relief is actually in thousands, so that is \$7.2 billion. I have a more detailed report, and I would be happy to get you that report. That report includes unemployment like the Pandemic Unemployment Assistance (PUA) and any direct payments. That is the big bulk of it, but I can get you the complete breakdown.

Assemblyman Ellison:

I would really appreciate that because I think that will help answer some of these questions. People have been trying to get help for seven months, and they cannot get a phone call back, let alone food for their families. It is ridiculous.

We need to do something with a direct line with DETR, because you could be on the phone for hours and never get somebody to pick up the phone.

Chair Flores:

Thank you, members. With that particular comment, Assemblyman Ellison is sharing the frustration that we are getting from so many constituents. Like Assemblyman Ellison, we do not always know the right office to send them to.

Erin Hasty:

We would be happy to help citizens when they reach out to us. We try and track down a live phone number.

Chair Flores:

We would appreciate that. We recognize that a lot of those concerns in no way come directly to you. We have so many constituents that have called and we are trying to figure out where to send them.

Assemblyman Matthews:

I think that my question is related to the one that Assemblywoman Anderson asked. She touched on the subject of grant recipients who become dependent on the funds they get. In the event that the grant recipients no longer have access to that funding, to what extent do they seek and succeed in seeking that funding from other governmental sources? To what extent does the state end up replacing the funds that were previously coming from a grant? Is it common for this to end up being a financial liability to the state?

Erin Hasty:

The state's investing in the resources makes it more competitive and more likely for the funds to come to the state. A lot of federal grants like to see us leveraging federal dollars. When we put resources in, they will give us more back. The Breakfast After the Bell program is an example. In 2015, the program used \$2 million in state general funds to help school districts and schools provide lunch and breakfast. This is done when a school reaches the 70 percent federal poverty level. Meals would be provided for all students. With the \$2 million that was invested, they were able to get reimbursed \$5 million from the U.S. Department of Agriculture.

The more we invest, the more we get back. If there is an opportunity that creates resources and it is not funded, then it is not sustainable. I have not seen the state get put on the hook for anything. Funders like to see the continuity of it. Does that answer your question?

Assemblyman Matthews:

Yes, for the most part.

Laura Freed:

Mr. Chair, I want to add on to what Ms. Hasty had to say. As Ms. Hasty previously testified, a lot of the grant funds that state agencies get are the formula grant funds. They can expect to get those year after year. As long as there are no federal audit findings and they file all their paperwork correctly, they will get those funds. As a state, we get relatively few competitive awards. I think that is what Ms. Hasty was addressing in her comments. I am speaking to the budget context; that is my background. To the extent that we do continue to match or provide the [unintelligible], we do generally get those competitive grants year after year. I have seen it when federal funds dry up. It is not common in the budget context, for instance, to use the General Fund or Highway Fund to backfill lost federal grants. The Chair

of the Assembly Committee on Ways and Means used to have a phrase: When the grant goes away, the program goes away. That has more or less continued to be true.

Assemblywoman Brown-May:

I appreciate the comments about the differences between competitive grants and the match fund dollars that come out of the federal government. I think it is an important distinction to make. I want to congratulate the grants office on all the great work you have done in the last couple of years. It has been wonderful to see the growth and collaboration. In the community, I think the training has been essential. While we still have a competitive nature, I am sure, with many organizations that are vying for those federal dollars, the more times they come to the table to talk about where they are more alike than different, we are able to bring additional dollars into the state. I think that has been successful, and I want to congratulate you on that.

I am curious to know what tools you need to bring additional federal dollars into the state. We know that we are at the very end. Have we given any consideration to fundraising from private entities as a way to supplement some of those federal match dollars or to assist in some of those competitive grant processes? How does that help us draw additional federal dollars where there is a match?

I think it is important to mention supplementing and supplanting funding again. In the competitive grants cycle, if you do not have a new program to create, to draw down dollars, you do not qualify. How do we help organizations create new programs to meet the need? I think I am following up on Assemblyman Matthews's comments. I think the food program was a good example, so thank you for providing that.

How do we centralize data collection? If we do not know exactly how many federal dollars we are bringing in, even into private organizations and nonprofit entities, how then do we know really where we fall, and if they are able to access those funds?

Erin Hasty:

If the grant match fund continued, we would be interested in leveraging with the philanthropic community to put some money into that. We have the data to show that there is a return on investment. For the one we awarded, it was \$10 back for every \$1 that was invested. The conversations are nascent but moving forward, bringing them to the table is going to be vital and something that is on our radar.

Now, the centralized data collection. We were not able to award a grant management system with the budget this session; it is just not practical. Having a grant management system would help to identify what we have there. Hopefully, this will happen in the future. Right now, we just have the collaboration of patched Excel sheets. That is where the outreach is important. There is a lot of legwork to understand what is going on. For people to come to us and report to us, they have to know about us. There is room for improvement there.

Assemblywoman Brown-May:

Is there a way that we can fundraise, through private foundations, to develop the analysis of how we collect the data? Is there a way we can engage other philanthropic organizations to get us what we need to bring more money into the state? Without the data, we are not going to get more money. How do we get the data without having the state fund that through the General Fund dollars?

Erin Hasty:

I like where you are going. I would be happy to connect with you on how we can work on that. Our office is allowed to accept grants and gifts. If there was a willing organization, we would be happy to look into that.

Assemblywoman Thomas:

I appreciate the presentation from Ms. Hasty and Director Freed. I have a question in reference to our veterans. I know that Nevada is seeking federal grants, and I want to know whether or not we are applying on behalf of our veterans. I want to know whether or not we have any data or if we have applied for grants for them. If you have that data, could you share it with us?

Erin Hasty:

I would be happy to pull our data of what we have been notified on. I can pull that and get that to you.

Chair Flores:

I want to say thank you, again, for that great presentation. I think it was a great conversation to be engaged in. We could probably spend another couple of hours here. Thank you, members, and thank you both for being here. Members, I encourage you to reach out to them and continue this conversation.

With that, we will close out the presentation by the Department of Administration, Office of Grant Procurement.

Next, we are going to open the presentation by the Department of Public Safety. I believe we have our chief, Mr. Fogerson.

David W. Fogerson, Chief, Division of Emergency Management and Office of Homeland Security, Department of Public Safety:

Good morning, Chair. I have Justin Luna, our administrative services officer, with me. We have a presentation to provide to you. It describes how awesome our organization is.

We are from the Division of Emergency Management and the Office of Homeland Security of the Department of Public Safety. This photo was taken pre-COVID-19 [page 1, [Exhibit D](#)]. It shows you the operations we manage in the state for disasters and emergencies. We will get into how we use this, when we use this, and why we use this.

We want to be Nevada's essential emergency and disaster coordinating partner. In this presentation, you are going to see a lot of pictures with a lot of people from different organizations involved. That is one of the big things we do. You can see the Division of Emergency Management (DEM) is in the center [page 2]. You see all of the different people we coordinate and work with. We work with the Office of the Governor, local and tribal emergency management, contiguous states, volunteer groups, faith-based communities, private sectors, federal agencies, Federal Emergency Management Agency (FEMA), and the state agencies. The federal government calls the state agencies that assist us "emergency support functions," such as "emergency support function #8" is for health. We prefer to call these "essential support functions" because we would not be able to do our job without them. This Division is important to us. You can see how well we work with each other [page 2]. It is important to our concept of operations here at the Division.

Our mission is coordinating mitigation, preparedness, response, and recovery programs and resources through partnerships to sustain safe and livable communities for Nevada's residents and visitors. You can see there [page 3] a few more of those partnerships. It is a very small organization. We only have 40 full-time employees. Everyone that works with us reminds us of the federal organizations' ability to move forward, help us, and help our communities.

We have three specific goals [page 4]. We want to be an efficient team that strengthens by collaboration, communication, and leadership. This is important because in disasters, people are stressed, and we have to rely on collaboration built before the disaster. We have to be able to communicate well and overcommunicate to get through some of those stressors. We have to provide strong strategic leadership to show where we are going. We want to be an essential partner in the coordination of emergency and disaster resources for the whole community. The Federal Emergency Management Agency developed this a few years ago, calling it the Whole Community approach for all the community. We are bringing together the private sector, the nonprofits, the educational sector, and the governments. This way, everybody is in it together and not one sector has to solve everyone's problems. We want to be a statewide leader in sustaining and building emergency and disaster response capacity. You can see more pictures [page 4] where we have a lot of people working together. That is the heart of emergency management.

Let us clarify who the Division of Emergency Management is not [page 5]. We are not field responders, we are not public works, firefighters, or law enforcement officers. We are not the first responders out in the field doing the job. We are not the first line of defense. We are not involved in every emergency. We do not have grant money without "strings." We will talk about that statement coming up. Our role is not to do the job, our role is to support those that are out doing the job. When you call 911, you are calling 911 to get a law enforcement officer, a firefighter, or paramedic to come to your house for assistance. Those are the people that call us. We are 911 for the public safety of Nevada.

We have a nationally accredited emergency management program [page 6, [Exhibit D](#)]. We are one of the few states in the nation with such a program. We have two communities in Nevada, Washoe County and the City of Henderson, who also use those national

accreditation standards. We are the second line of defense for local and tribal governments. The public calls 911 to get the local government for help, we are 911 for the local governments and we help support their operations. We play the intermediary force among federal, local, and tribal governments. We get better collaboration and we are the explanation point for some of those descriptors of programs that might be confusing for people. We pride ourselves on being the group that knows the right person to involve. The local government calls us for help. We pride ourselves on knowing the right agency and the right private resource to call to get them the assistance they need. We are collaborators and coordinators. We love getting people together and sharing information so that everyone is on the same page, moving forward, especially with COVID-19.

We run multiple coordination calls to make sure that everybody is in the loop, regardless of what level of government they are involved with. We will make it clear, concise, and fair for everybody. We are a grant funding opportunity for local and tribal governments and some private nonprofits. We do planning, training, and exercises to prepare local government and our private partners for disasters. We have mitigation and recovery assistance specialists. We look not only for the funding to help them, but we also have some technical specialists to find out how we mitigate the risk.

Emergency Management really is risk management for disasters. We look at how we buy down that risk and how we reduce the threat to Nevada. We mitigate that by having better and safer buildings, by improving safety issues regarding building and fire codes, by improving some dam safety issues. We work on a Statewide Interoperability Resource. If you recall 9/11, one of the issues that came was that law enforcement knew the towers were compromised, they were able to exit, but they were unable to communicate with the firefighters because of a radio issue. Following 9/11, the federal government decided that every state should have a statewide interoperability coordinator to see how we could communicate better between the agencies using radio technology. We have pushed that very far. We are looking at data. Not only can we talk between the career fields on the radios, but we also use a lot of data systems to make sure we can share the data between them so that the right person has the right information at the right time. We do a lot of resource tracking. We do a tremendous amount of relationship building because we want to be the person that knows the person to call when somebody needs help. We are also the state's point of contact with the United States Department of Homeland Security.

To do our process of emergency management, we prevent, mitigate, respond, and recover [page 7]. Our number one goal is to prevent something from occurring and focus on the homeland security side. We are trying to prevent the next incident from occurring. That also works with some of the natural disaster side where we try to prevent a disaster from occurring by reducing its effects.

We try to protect our communities by giving them adequate resources to be ready for that disaster. We try to mitigate the risk. We have a Hazard Mitigation Fund that we can give to local communities or assist them in getting additional funds from the federal government to make their communities safer. Some of the mitigation funds have gone to finding generators

for shelters that local communities have used for shelter evacuees in a disaster. Some of that money has gone to local communities to improve flood control basins in rural communities. The big one we have is a city hall retrofit to make sure it can withstand an earthquake.

The cool part that everyone thinks about is the respond part. Our local government is doing the respond part and we respond by supporting them. We worry about recovery. We find out ways to get money to alleviate the damages and the threat and get the community better. Recovery is mixed with mitigation because when we recover from a disaster, we also want to use those funds to make us more resilient against the next disaster that occurs from being as severe as the last.

Emergencies are always locally executed, state directed, and federally supported [page 8]. Our local governments are always the sharp end of our stick. As a state, our job is to coordinate those resources that they need to do their jobs and look to the federal government for the support that we need to help our locals out. If you look at our COVID-19 disaster right now, it is a great example of what we are doing. Locally, we have health authorities and local county authorities doing the vaccination plans. The state comes up with the playbook, provides resources, and funds the local governments to be able to do their jobs. We look to the federal government for additional funding streams.

This morning, we had people from the United States Department of Agriculture (USDA) help us do the vaccinations in the Quad County region. We have 130 FEMA employees in Clark County helping with the vaccination effort. We have definitive lines of authority between who does what so that we do not get into trouble when we start blurring these lines.

Our organization is small, but mighty. The Homeland Security part of our office is run by Karen Hall, the Homeland Security Program Manager [page 9]. We have two full-time employees that work with her. Our preparedness section is led by Jon Bakkedahl. We call this preparedness because they work on planning and training exercises. They are also the operations component. Through the COVID-19 disaster, Jon's shop is what is leading the state Emergency Operations Center (EOC) through helping our local governments. The Grants, Recovery, and Mitigation section is led by Kelli Anderson. This section has the biggest lift of any of them because they worry about the annual recurring grants that we get from the federal government for the Homeland Security Emergency Management. When we have a disaster, they get the added responsibility of those recovery grants and working on the mitigation programs for the future. The Finance Administration Section is led by Justin Luna. It is there to make sure everything works correctly for us and keeps all of us toeing the line correctly. Melissa Friend is in charge of our Interoperability Section. They do all of our technology at the EOC and help our local partners with how we share data and how we share the regular communications that need to be shared with everyone.

We have a large group of partners [page 10, [Exhibit D](#)]. Our biggest partner is the Nevada National Guard. The State Emergency Operations Center is on the National Guard base in Carson City. That building is currently being shared with the joint operations center for the National Guard's response to the domestic operations and our operations for the state EOC.

Their assistance, especially during COVID-19, has been invaluable because of the resource pool they can provide for staffing and their ability to do some long-range planning. They tapped into how to help us write the disease outbreak management plan and help us write a sustainment plan. They help us write those various plans that we need to develop in order to get everyone on the same page moving forward.

The Division of Public and Behavioral Health of the Department of Health and Human Services are phenomenal partners. They really are. You cannot have an emergency or disaster that does not have some kind of health issue related to it. The Public and Behavioral Health Division and Emergency Management are tied at the hip to make sure we respond appropriately and message correctly. Every state agency has a little bit of a different role in the Emergency Operations Center. As I talked about before, those are the essential support functions. If we have an incident, like right now, during COVID-19, the Department of Transportation has helped us find ways to transport resources. If we had an earthquake, the Department of Transportation is involved with roadway issues, rail issues, and the air traffic. They are the subject matter experts. We do not have to become the subject matter experts.

We have recovery support functions. We have the Office of Economic Development of the Office of the Governor and the housing and urban development to get our state back in order and make it correct for our citizens. We have local government, whether it is a city, special district, or county. We have connections to every single one of them to make sure that we are meeting their needs. We meet with them every week. We are doing coordination calls with all of these entities. We also reach out to them on a regular basis to make sure we are helping to support their needs. We have volunteers active in organizing disasters. We work with the American Red Cross and Team Rubicon. All of those people are humongous partners with us. They help us move forward.

We work with Nevada's 27 recognized tribal nations. We have two employees that work with the Nevada Emergency Tribal Reporting Council. One is paid from our emergency management fund and one is paid from Public and Behavioral Health Division funds. We can make sure that our tribal nations have their emergency management and public health needs met. At the federal level, we have FEMA, which is a tremendous partner for us. We just met in their EOC. We have a full-time employee that is here year-round, regardless of disaster, that is here to help us figure out how to move emergency management and how to make Nevada more resilient.

Because of COVID-19, we have an additional five paid employees that are detailed just to oversee the EOC and help us coordinate with the federal government, the state government, and the local governments. The Department of Homeland Security, the Department of Energy, and the Department of Defense are all three key players. They are key players, especially when you look at some of the other parts of what we do in emergency management to spread some money because of the threat of radiation concerns that we have in southern Nevada and eastern Nevada.

Again, you can see pictures of the partnerships we have [page 10]. This is a picture of a testing point of dispensing (POD) early on in the COVID-19 incident in the Quad Counties. We have National Guardsmen who are helping the local government test the population. We have a picture of a food bank encounter we did [page 10]. One of the issues that the tribal nations brought to us was that they were having trouble getting elders food during COVID-19. We partnered with the Nevada Indian Commission, the Intertribal Coordinating Council, and the food banks to get that food out in those right places.

We have a huge component of public education, and on the right is fire shelter training. We are helping our fire departments meet with our media partners. That way the media partners can then go out to wildland fires and report on what the local partners are doing in a safe manner.

The Division of Emergency Management is mentioned in a lot of the *Nevada Revised Statutes* [page 11]. When I took this position in October, coming from local government, I asked our deputy attorney general to find all of the statutes that we are mentioned in. I was shocked when I got this large book of every place that the Division of Emergency Management is listed. There are a few big ones that need to be brought to your attention.

Nevada Revised Statutes Chapter 239C talks about Homeland Security. It outlines the Homeland Security roles, how to better protect our state from threats, and how we interact with our local partners to make sure they have what they need to keep them safe.

Nevada Revised Statutes Chapter 353 outlines the state finances. We have a Disaster Relief Account that local governments can petition the Division and the Legislature to receive the funds should a disaster occur and it exceeds their ability to meet that. We have not had to petition that with COVID-19 because of the federal assistance we have been receiving. In a normal emergency incident, it is not uncommon for a local government to produce a request for Disaster Relief Account funds.

Nevada Revised Statutes Chapter 414 is our main bread and butter for our legal authority. This chapter describes our Division and all of our responsibilities.

Nevada Revised Statutes Chapter 414A talks about our Intrastate Mutual Aid System. This is important because we eliminated the need for mutual aid agreements by any local government. They are all immediate partners to a mutual aid plan. We all share resources when they need something without having to worry about any of the legal authorities. We are 95 percent federal grant-supported [page 12, [Exhibit D](#)]. We have a number of major programs that we work through. The first one we work through is the Emergency Management Performance Grant. This is a \$4.6 million grant that the state gets from the federal government. We split it 50/50 with local governments. Fifty percent stays with the Division of Emergency Management and the other 50 percent flows to our local governments so they can manage their emergency management programs.

We get \$222,000 from the Public Health Emergency Preparedness Grant. We use that for the tribal partnerships to help make that a better, more resilient program for tribal nations.

For the Homeland Security Grant Program, the Division of Emergency Management keeps \$1.6 million out of the \$10.5 million allocation. The majority of these funds go to southern Nevada to make sure that our tourism capital and population center has what they need to keep themselves safe.

We have an agreement in principle with the Department of Energy. We keep a majority of those funds for training and education of first responders in the state related to nuclear and radiation items.

The Emergency Preparedness Working Group receives \$638,000 from the federal government. The majority of these funds flow to the local governments in order to have them prepared for any type of radiological emergency on the highways.

The Waste Isolation Pilot Plan gives us \$200,000 and we keep all of that to go into the radiation training account.

The Pre-Disaster Mitigation Grant Program is probably the coolest one we have. We have \$100,000 that we use to manage the mitigation program. We get an almost guaranteed \$925,000 a year through the federal government to select how to help our local governments mitigate risks. This is where we look at how to improve flood control. We look at how we can reduce the risk of your city hall collapsing in an earthquake. This is also able to get more funds in a competitive process.

The Public Assistance Grants are a big part of what we do. Every time the state or federal government declares a disaster, we get the ability to receive public assistance grants for local and state projects to make the public side whole again. When they say public, we think the general public, but this is all really government assistance. This is how we rebuild a school after it collapses or how we pay for the personal protective equipment (PPE) that we need for COVID-19. You can see [page 12] at the bottom, we get 7 percent of the grant for management costs. If we get \$200 million worth of public assistance grants, then we get 7 percent of that back to the state so that we can have employees to manage those grant programs.

Between what Division of Emergency Management keeps and what we give out to local partners, we keep \$5.1 to 5.7 million out of a total of \$17.9 million to run our operations. The majority of what we get from the federal government is passed through to our local governments so they are ready to respond. We do not have to work as hard to help them when a disaster occurs.

We are responsible for overseeing a number of public bodies [page 13]: the Nevada Commission on Homeland Security, the Subcommittee on Finance, and the Nevada Resilience Advisory Committee [[Exhibit E](#)]. The Nevada Resilience Advisory Committee is

our crowning glory. We have 30 members on this committee from local government, private nonprofits, and different state agencies. Their role is to advise the chief's position on how we can make Nevada more resilient for a disaster. We use this as a vetting group for grant projects so that way everyone gets a chance to vet and have a voice in the projects that we want to push forward. The subject matter experts on that committee are good advisors.

The Nevada Tribal Emergency Coordinating Council is all of the tribes and me [page 13, [Exhibit D](#)]. Once a quarter, we get together to talk about tribal emergency-related issues. By making those tribes more resilient, we are making our state more resilient.

The State Disaster Identification Coordination Committee is designed to help our coroners' offices and our medical examiners better communicate and collaborate with each other. It is an odd group, in that it is not subject to the Open Meeting Law, because of some of the subjects that the group talks about and some of the people they discuss. It is actually not covered by the Nevada Open Meeting Law, it is expressly protected in the NRS. That is not really a conversation most people want to hear.

We have the Nevada Intrastate Mutual Aid Committee. This committee was formed after we added NRS Chapter 414A, the Nevada Intrastate Mutual Aid System. We coordinate among public works, law enforcement, fire service, emergency medical services, and the various government groups. How do we get that mutual aid to somebody? When there is an incident in Clark County, we have to figure out how to pluck some resources from the rest of the state. When there is an incident in Elko, we have to figure out how to get them help without damaging the rest of the system.

I would be remiss if I did not put in a great slide about COVID-19. Again, you can see [page 14] all of the groups we have here with COVID-19. You can see the picture of one of the two warehouses that we have for the stock of the PPE. We are holding onto and pushing out that PPE when we are requested from local governments to make sure that every health care provider in Nevada has the PPE they need to keep them safe from this disaster. You can see the partnerships in the center where we are doing the vaccines starting with one of the Washoe County PODs. We had a vaccine POD in the middle of the snow. The lower right shows a vaccine POD in a nicer time of the year.

The partnership that Nevada has with Southwest Airlines is to ensure that we are moving our product north and south to help us get the right thing to the right place at the right time at no cost. It has been a great partnership for them to share with us.

Our responsibilities are the logistics of the warehousing of PPE, the warehousing of testing supplies, how to test, helping with vaccinations, helping with personnel and equipment, and to be the coordinator with all of the different folks that are involved with this discussion to get us out of this pandemic.

There are more examples of what we do on page 15. We have a duty officer program. There is always an emergency manager who is on call. If the local governments need help,

someone is always there to answer that call. We do a lot of search and rescue assistance. When there is a search and rescue that is the responsibility of the sheriff of the county, and they need assistance, they need aircraft support, they need support from the military, or support from somebody that can help them with additional skills they might not have, we are that conduit to them. The duty officer can also get intrastate and interstate mutual aid for all hazards. If there is an earthquake or a large structure fire, they can easily move those resources around for us. They are the first line of notification for incidents. When the duty officer program exceeds their ability to manage the incident, we open the Emergency Operations Center. Both of these pictures [page 15] were pre-COVID-19. They show what the Emergency Operations Center looks like. This is where we bring in the various state agencies and private nonprofits who assist us in managing an incident. We do coordination calls with jurisdictions; we survey the state's risk manager for the disaster to help the local governments and to help the public survivors get back to normal. We coordinate the state and federal resources. Following the disaster, we start working on the disaster recovery part. We look at how to get money to those communities to get them back open.

We manage two state incident management teams [page 16]. We are in the process of working to develop both of those. Those teams were a requirement from last session. We are still underway with making those happen. We manage the Nevada Communication Interoperability Program and we manage the Radioactive Waste Isolation Pilot Program (WIPP).

We manage a lot of pre-incident grant activities to buy down our risk. Our top revenue is the Homeland Security Grant Program. The Urban Area Security Initiative is the special designation that we receive for Clark County for them to have their special carve-out of funds from the federal government to ensure that we keep the Las Vegas community safe. The Emergency Management Program Grant is to keep the emergency management working. That is the pre-disaster mitigation program.

Normally, we manage \$17.9 million in pre-incident grants [page 17]. Public assistance popped up when we did our post-disaster declaration grant programs. This year, the Division of Emergency Management is managing over \$200 million in grants. The Interim Finance Committee allowed us to expand our staff. We added three grant project analysts and three administrative assistants to help them manage all of these additional grants we are getting because of COVID-19. All of those employees are 100 percent federally funded. We do not have to worry about any state costs coming from that.

In closing [page 18], I would not be your emergency manager if I did not ask if you and your family have a plan and kit to survive for 72 hours. You can go to www.ready.gov and learn about what you need to do to make the plan and the kit. You should have a plan and a kit for your house, your work, and your car. This is important with the extreme weather conditions. In the north, there is snow. In the south, there are heat and wind conditions. Our top risks in Nevada are earthquakes, wildland fires, floods, severe storm, extreme heat, drought, and pandemic. I urge everyone to know how to respond and take care of themselves if one of those events happen and affect you personally.

I am open to any and all questions. I would love if any Legislators would like to come to the Emergency Operations Center. We will make that happen. Thank you.

Chair Flores:

Thank you for that presentation. I know there was a lot of material that you went through. Thank you for all the work you are doing. I would like to take this personal point of privilege to say thank you to Mr. Ryan Gerchman. About eight or nine months ago, the Nevada Hispanic Legislative Caucus had an initiative and he helped us better secure masks for a lot of families who desperately needed them. We are incredibly grateful for the tremendous amount of work that you have been doing and for being actively working with the community.

Assemblywoman Black:

Are we going to go through the Nevada Resilience Advisory Committee information?

Chair Flores:

Once we do the presentation on the bill, we go into further detail. If you have broad questions, I am sure they could answer those. Otherwise, we can wait for the bill itself.

Assemblywoman Black:

That is fine. I was just trying to understand. Thank you.

Assemblywoman Anderson:

Are there any hacking programs? We are seeing more computer hacking taking place at the local and state governments.

David Fogerson:

We have the Office of Cyber Defense Coordination of the Department of Public Safety and that division takes care of that. We fund them through the Homeland Security conduit with the federal government. That is primarily their section. We stay heavily connected and involved because of the threat. I am sure you saw that someone in Florida was able to hack the water system and change the components added to the water to make it hazardous. We stay well in tune with the Nevada Threat Assessment Center, the Office of Cyber Defense Coordination, and with the federal partners.

Assemblyman Ellison:

At the very end [page 18] you showed families how to be prepared. I think that is great and that needs to be more out to the public. Anything can happen: floods, fires, earthquakes, or tornados. The bag that you showed was great. I think emergency radios or crank radios would be great. Emergencies happen everywhere and people take it for granted thinking that it is not going to happen. I still think that should be more out to the public to let them know to be more prepared than what they are for a disaster. Can you respond?

David Fogerson:

Over the last year, we have been involved with the public information officer managing the state joint information center about COVID-19. We were able to move from COVID-19 response back to normal response. We are going to get back into the public messaging for that all-hazard response. That is where some of that mitigation and protection exists. We want to make sure our public knows what the threats are and how they can prepare themselves for that threat. I love your comment, sir. I appreciate your assistance.

Chair Flores:

I am sure we will dive into a lot deeper questions with the bill. I would like to close out the presentation by the Division of Emergency Management and Office of Homeland Security.

I would like to open our bill hearing on Assembly Bill 14. This bill revises provisions related to emergency management.

Assembly Bill 14: Revises provisions relating to emergency management. (BDR 19-335)

David W. Fogerson, Chief, Division of Emergency Management and Office of Homeland Security, Department of Public Safety:

Thank you for the opportunity to present Assembly Bill 14. This bill cleans up existing language that the Division of Emergency Management has found problems with over the last two years. The first cleanup item relates to two of our public bodies. The Nevada Resilience Advisory Committee (NRAC) is the first. I provided you the annual report to see what that committee actually does and how hard that committee works for our state [[Exhibit E](#)]. The second is the Tribal Emergency Coordinating Council. We propose that the required meeting frequency be changed to a quarterly basis. Right now, NRAC is required to meet monthly. During the COVID-19 pandemic, that became difficult not only for the state to manage, but also for our local partners to attend and for us to obtain a quorum. We are recommending that we move that committee to meet on a quarterly basis, or at the call of the chair. We propose changing the Tribal Emergency Coordinating Council to the call of the chair but not less than once every quarter to ensure that we are also continuing to meet our tribal members' needs. This will ensure that we are in constant communication with all of our partners.

The next change we propose is regarding the State Disaster Identification Coordinating Committee. The current language relates to items that are addressed by local jurisdictions. We removed much of the language that is in response to our local partners. Through the COVID-19 pandemic, we have learned that this committee meets numerous times to discuss issues regarding mass fatalities. We need to keep the committee in existence in order to coordinate these mass fatality needs. We would like to remove the provisions that are a local and not a state responsibility. We do appreciate your consideration for this bill. We are open to any questions you may have.

Chair Flores:

Thank you for that quick walk-through. Members, I know that you had an opportunity to review the bill. At this time, I would like to give members the opportunity to ask questions.

Assemblywoman Torres:

Thank you for your presentation and the presentation of your bill. I see that the Nevada Tribal Emergency Coordination Council is impacted by these decisions. I want to know if they have been part of this conversation and if they are supportive of this bill.

David Fogerson:

We have had conversations with that council to discuss these changes and make sure that everyone agrees with it. We are not changing anything with them on their meeting basis, we are just cleaning up language on how it says that it is a quarterly meeting. I want to make sure everyone is clear on that.

Assemblywoman Black:

I want to preface my comments and say that I am in favor of fewer committees and fewer committee meetings in general, but I am a little leery of any reduction of emergency response during COVID-19 or any other sort of pandemic. My main concern is about reporting from the health agencies when someone comes through with an illness. Can you address that?

David Fogerson:

I believe that you are talking about the components of the State Disaster Identification Coordination Committee. We did remove that from the responsibilities of that committee because that is not what that committee does. That committee is responsible for organizing the mass fatality efforts. Those items are already done by our local medical examiners either in Washoe County, Clark County, or by our coroners in our rural communities. By putting in there that the Division of Emergency Management had to do it, we were duplicating what was already done at the local level and stepping on some toes between the two of us. We want to keep that committee in existence and continue those conversations. We also do not want to take over any of their legal responsibilities, ensure that we support them, and that we do not duplicate their efforts.

Assemblyman Ellison:

A bill becomes a law; it does not say that it expires. This could go on for eternity. Right now, my problem is that people need committees. People need people to talk to and people to listen to. We should not be closing committees. We should be opening doors for the people, not closing them. I understand where their problem is because I am involved with a lot of these tribes out there. My problem is that a lot of these people do not get heard. I believe this is going to hurt them in the long run. I do not think this should have been a bill. It should have been something sent to administration to allow it to go for one year. That is my problem with this. Could you answer that?

David Fogerson:

It is not our intention to stop the conversations. Those conversations occur weekly through the coordination calls with all of our communities. We do that with every disaster. When the City of Reno declared the Pine Haven incident a disaster, we did two or three coordination calls. We dealt with the local jurisdictions that were affected by that disaster. We are always doing that. It is a requirement that the Nevada Resilience Advisory Committee meets. The committee members and the Division had the discussion and agreed that, given the size of the committee, meeting monthly is too much for the workload of those committee members. This is why we are proposing that we meet once a quarter or at the call of the chair if there is something we need to discuss and address. Right now is an example. We are in the middle of the Homeland Security Grant process. If this were in effect right now, we would probably still be meeting monthly to make it through the grant process. If we did not have business to attend to, we would meet quarterly. It does not remove our ability to communicate with our partners and it does not diminish our dramatic desire to do that outreach. It still gives us the opportunity but takes away the requirement of meeting once a month. This has been burdensome to the committee members and the Division.

Assemblyman Ellison:

For clarification, the meeting would be quarterly? Are most of the committees or boards in the rural areas quarterly?

David Fogerson:

I am not sure if most are. Most of the Division committees are quarterly. I am not sure with other divisions. The Tribal Emergency Coordinating Committee is already a quarterly meeting. We are cleaning up that language. We are proposing that the Nevada Resilience Advisory Committee be moved to a quarterly basis.

Assemblyman Ellison:

Subsection 3 of section 2 says, "at least once every 3 months" and it is crossed off to say "as frequently as required to perform its duties." I do not like that it says that. It also says, "not less than once a quarter." If the quarter is already in there, then why not just make it every quarter versus not less than. I am going to look at this. The public needs to be aware of what goes on out there. On page 4, line 2, I do not like that it goes from quarterly to yearly.

Assemblywoman Duran:

[Unintelligible.] You did not want to duplicate that. Is that process—you said there is one agency that does report that. Is that distributed to the Chief and members of the board as well for that report?

David Fogerson:

I believe we are discussing the State Disaster Identification Coordination Committee.

Assemblywoman Duran:

Yes.

David Fogerson:

Most of the reports are done at the local level, not at the state level. There is a report that the committee does provide to me that is outside of the Open Meeting Law to talk about the ability of the state to respond to mass fatality incidents.

I do have to apologize for the language; I can see the confusion. That is my fault. We did change the meetings for the State Disaster Identification Coordination Committee from quarterly to once a year because it fits more of the requirements that the group has outlined. I apologize for that discrepancy.

Assemblywoman Duran:

Will it be changed back to quarterly?

David Fogerson:

That committee wants to meet once a year instead of every quarter or as necessary. During COVID-19, we had them meet multiple times to take care of issues that we have been concerned about. In a nondisaster situation, an annual meeting to make sure that all the parties are on the same page is adequate.

Assemblywoman Duran:

Maybe the language should just say, "during an emergency as needed or required by the committee?"

David Fogerson:

We could probably "wordsmith" that a little better. I can work with the Legislative Counsel Bureau (LCB) and see if we can wordsmith that line a little better to provide clarity.

Assemblywoman Duran:

Thank you.

Chair Flores:

Members, I apologize if you had unmuted yourselves and I could not hear you on my end. I want to make sure those of you who had a question can ask it now.

Assemblywoman Dickman:

I would like some clarification. The State Disaster Identification Coordination Committee met, and everyone was in agreement that it was okay to change from a quarterly to an annual meeting?

David Fogerson:

Yes, we have had multiple conversations with the group and the Division. During COVID-19, we had multiple meetings where it was just a rehash of the information they had already discussed at the prior meeting. The group is good with moving it to a longer-term basis, but at the requirements of the chair. We can meet when we need to in an emergency.

Chair Flores:

Thank you, I do not believe we have any other questions. Could we please go to those asking to speak in support? I ask that you limit your remarks to two minutes.

Tom Dunn, District Vice President, Professional Fire Fighters of Nevada:

We are here to support A.B. 14. We believe that this bill will lead to greater efficiency with the DEM [Division of Emergency Management] and our emergency management partners across the state. Thank you.

Chair Flores:

At this time, we will take those wishing to testify in opposition to Assembly Bill 14. [There was no one.]

Thank you, I would like to open up to those wishing to speak in the neutral position. [There was no one.]

I will state, so the record reflects, that we did have one individual sign in in the neutral position from the Nevada Division of Public and Behavioral Health and Public Health Preparedness. We did not have anyone sign in to speak in opposition. We did have three individuals sign in in support.

At this time, are there any closing remarks you may have, Mr. Fogerson?

David Fogerson:

I appreciate the questions we had on the bill and I will work with the LCB to clean up the language so that each of these committees has the same language. The same language will show that each committee will meet quarterly at the call of the chair or annually at the call of the chair. I appreciate the time you spent listening to our presentation about our Division.

Chair Flores:

Thank you for the presentation. Members, I appreciate the concerns that you raised. We are in the middle of a pandemic and we want to make sure that we are meeting so that the public has accessible information via minutes as to exactly what is happening. At the same time, we want to make sure we are allowing everybody to do what they have to do and not restrain them by tying their hands with specific mandates. I am sure we will find a comfortable middle ground to the Committee's satisfaction.

[[Exhibit F](#) was submitted in support of Assembly Bill 14 but was not discussed.]

I am going to close the hearing on A.B. 14.

Seeing that there are no additional callers, I would like to thank you again, members. I apologize for my technical difficulties during the middle of the hearing. I appreciate everybody indulging me. Members, we are finished with today's work. We just had our very first hearing. I expect for our meetings to continue to flow smoothly.

As people get more comfortable with calling in and participating with these meetings, I anticipate support, neutral, and opposition to grow. I will make it a point to try and specify how many folks have signed in in support, opposition, and neutral. Many of them do not always wish to speak. For the sake of clarity and fairness, I want the record to reflect how many folks we had on each side so that everybody is heard. We are adjourned [at 10:53 a.m.].

RESPECTFULLY SUBMITTED:

Kyla Beecher
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a copy of a PowerPoint presentation titled "Nevada Grant Office," presented by Erin Hasty, Interim Administrator, Office of Grant Procurement, Coordination and Management, Department of Administration.

[Exhibit D](#) is a copy of a PowerPoint presentation titled "Emergency Management," submitted and presented by David W. Fogerson, Chief, Division of Emergency Management and Office of Homeland Security, Department of Public Safety.

[Exhibit E](#) is a copy of a PowerPoint presentation titled "Nevada Resilience Advisory Committee," dated 2020, submitted and presented by David W. Fogerson, Chief, Division of Emergency Management and Office of Homeland Security, Department of Public Safety.

[Exhibit F](#) is written testimony dated February 5, 2021, submitted by Eli Schwartz, Chair, Nevada Commission for Persons Who are Deaf and Hard of Hearing, in support of [Assembly Bill 14](#).