

**MINUTES OF THE  
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-first Session  
February 3, 2021**

The Senate Committee on Government Affairs was called to order by Chair Marilyn Dondero Loop at 3:30 p.m. on Wednesday, February 3, 2021, Online. [Exhibit A](#) is the Agenda. 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 James Ohrenschall, Vice Chair  
Senator Dina Neal  
Senator Pete Goicoechea  
Senator Ira Hansen

**STAFF MEMBERS PRESENT:**

Alysa Keller, Policy Analyst  
Heidi Chlarson, Counsel  
Suzanne Efford, Committee Secretary

**OTHERS PRESENT:**

Erin Hasty, Interim Administrator, Office of Grant Procurement, Coordination and Management, Department of Administration  
Bryan Wachter, Retail Association of Nevada  
Dylan Keith, Las Vegas Chamber of Commerce  
Steven Cohen  
Colleen Murphy, Deputy Director, Department of Administration  
Laura Freed, Director, Department of Administration  
Terry Reynolds, Director, Department of Business and Industry

CHAIR DONDERO LOOP:

Our first order of business is the adoption of the Standing Rules for the Senate Committee on Government Affairs ([Exhibit B](#)).

SENATOR GOICOECHEA MOVED TO ADOPT THE STANDING RULES OF  
THE SENATE COMMITTEE ON GOVERNMENT AFFAIRS.

SENATOR HANSEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DONDERO LOOP:

Our Policy Analyst, Alysa Keller, will present an overview of the Committee Brief ([Exhibit C](#)).

ALYSA KELLER (Policy Analyst):

I have prepared a Committee Brief, [Exhibit C](#), setting forth jurisdiction, workload statistics, reports that may be of interest and other helpful information.

The first page of the Brief contains important deadlines. April 9 is the date by which bills must be passed out of the Committee in the first House. May 14 is the deadline for bills to be passed out of the Committee in the second House.

The Senate Committee on Government Affairs has been the largest volume policy committee after the Senate Committee on Judiciary. During the Eightieth Legislative Session, 131 measures were referred to this Committee. That means prior to the April 9 deadline, which is the first House committee passage deadline, the Committee will have 28 regularly scheduled meetings, if meetings are held 3 days a week. If the Committee has the same number of Senate bills as referred in the Eightieth Legislative Session, that will be 87 bills. The Committee will need to hear approximately three or four bills each meeting. If the Committee meets twice per week, the number of bills to be heard each meeting will increase to four or five bills, assuming all bills are heard.

On page 2 you will find a recap of the Committee activity in the Eightieth Legislative Session and a link to a legislation summary.

The jurisdiction of the Committee is broad, covering 18 titles of the *Nevada Revised Statutes* (NRS) which are set forth on page 3 of the Brief. There is also a table in Appendix A of the Brief containing population classifications for counties and cities. Appendix B contains a list of the prefiled bills referred to this Committee prior to this Session. Appendix C contains a glossary of terms that often come up in government affairs topics.

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CHAIR DONDERO LOOP:

I will open the hearing on Senate Bill (S.B.) 15. This measure revises provisions relating to grant procurement, coordination and management.

**SENATE BILL 15**: Revises provisions relating to grant procurement, coordination and management. (BDR 18-255)

ERIN HASTY (Interim Administrator, Office of Grant Procurement, Coordination and Management, Department of Administration):

The mission of the Office of Grant Procurement, Coordination and Management is to increase the number of grant dollars Nevada receives by reducing barriers to federal grant funding and by providing grant resources, advocacy and coordination. Along with myself, I have two executive grant analysts.

This is a housekeeping bill drafted in the spring of 2020. It will do two things to enhance the function of the Office.

CHAIR DONDERO LOOP:

Ms. Hasty, would you please point out the changes and where they appear in the bill?

MS. HASTY:

There are two changes. The first change in section 1, subsection 1 is the addition of the wording "to the greatest extent practicable." This will provide the Office flexibility in the services it provides based on need. For example, because of the Covid-19 pandemic, we had to switch our services to attempt to track relief funding. Because unpredictable items come up that are of benefit to the State, the change to "the greatest extent practicable" was needed. It does not change any services. It just gives us the option to increase or decrease services based on functionality or staffing levels.

The second change is in section 1, subsection 3, paragraph (b) which enables the Administrator to "develop and maintain a manual of policies and procedures relating to grant procurement, coordination and management for state agencies."

CHAIR DONDERO LOOP:

I see another change on page 2, lines 31 and 32 of the bill, "the Administrator shall."

Ms. HASTY:

It used to just say "shall." Because of the change "to the greatest extent practicable," reporting to the Director of the Legislative Counsel Bureau must remain mandatory.

SENATOR HANSEN:

A recommendation of the Spending and Government Efficiency (SAGE) Commission was to create a state grant coordinator position because the State was only getting a small percentage of grant money available. Where are we today in ranking, regarding how much money the State actually gets and how much is left on the table?

Relating to lines 39 to 41 on page 2 of the bill, is this the first time a manual is being developed since the coordination of this process occurred? Was there no manual previously? What is the status of the grant procurement process?

Ms. HASTY:

The Office was created in 2011 after a SAGE Commission report indicated the State was behind in grants procurement. We are still ranking at the bottom even though we have fluctuated a little over the years. However, our ranking has increased with Medicaid expansion in bringing in grant dollars. In the State of the State Address, Governor Steve Sisolak said he wants to address that and put resources into bringing in more federal funds.

The procurement ranking has fluctuated a good deal. When the Office began in 2011, it was focused on pre-award and writing grants. As we started talking to stakeholders and getting more funds, we saw there was more than just grant writing to the barriers we encountered. Once a grant is obtained, there is much work to do. Therefore, you need adequate staff to manage.

To my knowledge, there were no set standardized policies before 2018. According to stakeholders, a standardized set of templates and practices would be most useful. We created a manual in 2018 for State agencies. However, we lack the authority to change it because it is referenced in the *State Administrative Manual*. In November 2020, the U. S. Office of Management and Budget revised the Uniform Guidance for Grants and Agreements; therefore, we need to revise the manual. This bill will give us the authority to do that.

SENATOR HANSEN:

That is the history I was wondering about. I have not been following the grant issues since the 2011 SAGE Commission report.

You created a manual in 2018, but you do not have the authority to change it even if we pass this bill. Is that what I am hearing?

Ms. HASTY:

Our deputy attorney general reviewed S.B. 15 and determined the language in the bill would grant us authority.

SENATOR HANSEN:

That is what I want. It is a good idea. You need the flexibility.

I am glad to hear the curve is looking better, and we are getting closer to the SAGE Commission suggestions. I was surprised by how much money the State was leaving on the table when the Commission report was published.

I was also surprised by how complicated the process is. It sounds easy to write a grant, send in an application and receive money. Much work is involved. This bill is a step in the right direction.

SENATOR GOICOECHEA:

It sounds like we should have a report available to us as of January 1.

Ms. HASTY:

We have submitted a report. I will have it sent directly to your staff.

SENATOR GOICOECHEA:

That would be good. Some of us would like to see those numbers. The statute indicates a report is required.

SENATOR NEAL:

In section 1, subsection 1, paragraph (g) regarding coordination, how are you coordinating with local and State agencies to prevent duplication? There are many federal dollars coming through because of the pandemic. Are you tracking any of those areas coming through?

Ms. HASTY:

We are limited in our coordination. We have a staff of only three. We have some mechanisms, such as the single point of contact, in which we are the agency of contact. If a grant requires a single point of contact, the State agency must report to the Office if it is thinking about applying for a grant. However, this is not used as effectively as it could be. It is definitely something we want to do because if more than one application is submitted from a state, it becomes less competitive. We could do better at coordinating, but our staff is limited.

Hopefully, we can increase our outreach regarding the single point of contact, increase coordination, inform agencies about the Office and to come to it when applying for a grant. We can match agencies and help create more competitive applications.

Regarding your question about Covid-19 funding, we shifted our resources when the pandemic hit. We complete a biweekly federal report in which we track the funds coming into the State. That report is on our website. I can send you the link.

We are tracking grants and small business loans. We have shown about \$23 billion coming into the State. It is difficult to determine exactly where the money is going. However, we are trying to determine that.

SENATOR NEAL:

I found out grant money coming in was offsetting taxes for transportation in Clark and Washoe Counties. It was not clear how it was bifurcated, where the grant allocation came from or what it covered.

Ms. HASTY:

It has been hard to track because there was no centralized federal rollout. It was like drinking from a water hose to determine all that, but we are doing our best.

SENATOR GOICOECHEA:

Does the report of January 1 include coronavirus relief bill money? Is it at least mentioned in this report?

Ms. HASTY:

Yes, our annual report addresses all our activities and our federal tracking for pandemic relief.

SENATOR GOICOECHEA:  
I look forward to seeing it.

CHAIR DONDERO LOOP:  
Section 1, subsection 3, paragraph (b), states you develop and maintain a manual of policies. How long will it take to develop the manual?

MS. HASTY:  
We have already created the manual. It is on our website. It has been updated with the revised Uniform Guidance for Grants and Agreements. It needs to be proofread, and it will be ready to go.

BRYAN WACHTER (Retail Association of Nevada):  
We support S.B. 15. This is a government efficiency bill. If money is being left on the table, then Nevada certainly needs to go get it.

DYLAN KEITH (Las Vegas Chamber of Commerce):  
We support S.B. 15. Nevada needs to pick up any dollars left on the table. We need to get our fair share and make sure the State is run well. We support any efficiencies we can find for the grant process. We have supported this, especially through the Southern Nevada Forum, since 2013.

STEVEN COHEN:  
I am conceptually in support of S.B. 15; however, I want to propose conceptual amendments to section 1, subsection 1, paragraphs (a) and (b) and section 1, subsection 3, paragraph (b). I spoke with the agency with generalized authority to know these policies completely. May I inquire of the agency that does this for a living since it is on the call?

CHAIR DONDERO LOOP:  
Are you asking to speak directly to the agency?

MR. COHEN:  
Correct.

CHAIR DONDERO LOOP:  
We would like you to propose your amendment. The agency can either respond, or it can contact you to work on your proposal. Would you present your amendment or your neutral thoughts?

MR. COHEN:

Of course. The issue with the bill being based on federal grants is the federal government has an office dealing with disability grants. In the workforce, I do not know if it is specific to supply or diversity. There is a threshold entities are supposed to meet at 7 percent. Most of them are not. It is a new concept; essentially, the amendment would be founded in diversifying the vendor base to include minorities, specifically those with disabilities.

CHAIR DONDERO LOOP:

Would you reach out to the sponsors of the bill and have a discussion with them? It is their prerogative to accept or deny the amendment. Then we will move forward.

We are not going to vote on the bill today, so please continue that conversation.

I will close the hearing on S.B. 15 and open the hearing on S.B. 16. Senate Bill 16 revises provisions relating to the Nevada Commission on Minority Affairs of the Department of Business and Industry.

**SENATE BILL 16**: Revises provisions relating to the Nevada Commission on Minority Affairs of the Department of Business and Industry. (BDR 18-244)

COLLEEN MURPHY (Deputy Director, Department of Administration):

Senate Bill 16 revises provisions related to the Nevada Commission on Minority Affairs. This is a policy housekeeping bill which revises an outdated NRS reference. It changes the department responsible for providing staff support to the Commission from the Department of Administration to the Department of Business and Industry (B&I) where the Commission has resided statutorily, organizationally and budgetarily for many years.

SENATOR GOICOECHEA:

The wording of this bill is confusing. It says the Director and then it deletes the Department of Administration. I understand it intends to transfer the responsibility to the Department of Business and Industry. Then it states the Governor shall deem what compensation is appropriate or would it be the Director of B&I?

LAURA FREED (Director, Department of Administration):

This bill addresses the administrative support for the Commission on Minority Affairs. The Commission has been located within the office of the Director of B&I for better than a decade. The compensation is part of the regular budget process. Operating costs are within the office of the Director of B&I.

The Commission on Consumer Affairs for Minorities was originally created in the Twentieth Special Session. In 2007, it was transferred to the Consumers Affairs Division of B&I. In 2009, via A.B. No. 254 of the 75th Session, the Commission on Minority Affairs was transferred to the Office of Ombudsman of Consumer Affairs for Minorities under the Director of B&I where it has been ever since. Both the salary and operating costs reside there. However, NRS 232.864 says "the Director of the Department of Administration shall provide staff assistance..." when in fact the Department of Administration has not done that in quite some time. That is what is meant by cleanup bill.

SENATOR GOICOECHEA:

Yes, I understand that. However, it says the Governor shall deem what assistance is necessary. Does the Governor or the Director do that?

TERRY REYNOLDS (Director, Department of Business and Industry):

As Director Freed stated, B&I has housed that function since 2009. The Commission is a component of the B&I budget. One management analyst staffs the Commission. It has a small operating budget which is determined by B&I's request through the Governor's Office of Finance. Ultimately, it is approved by the Legislature.

SENATOR OHRENSCHALL:

If this bill passes and is signed by Governor Sisolak, do you see any change in the operations of the Commission?

Mr. REYNOLDS:

It will be business as usual. The Legislature helps appoint people to the Commission, which has done an outstanding job. I have submitted a short five-minute presentation ([Exhibit D](#)) on the functions and duties of the Commission.

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CHAIR DONDERO LOOP:

I will close the hearing on S.B. 16.

We will now move on to public comment. Steven Cohen has submitted written comments ([Exhibit E](#)).

Hearing no public comments, that concludes our meeting for today. The meeting is adjourned at 4:21 p.m.

RESPECTFULLY SUBMITTED:

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Suzanne Efford,  
Committee Secretary

APPROVED BY:

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Senator Marilyn Dondero Loop, Chair

DATE: \_\_\_\_\_

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
	B	1	Senator Dondero Loop	Committee Standing Rules
	C	1	Alysa Keller	Committee Brief
S.B. 16	D	1	Terry Reynolds / Department of Business and Industry	Presentation
	E	1	Steven Cohen	Written Comments