

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

**Eighty-second Session
March 20, 2023**

The Senate Committee on Government Affairs was called to order by Chair Edgar Flores at 3:34 p.m. on Monday, March 20, 2023, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Edgar Flores, Chair
Senator James Ohrenschall, Vice Chair
Senator Skip Daly
Senator Pete Goicoechea
Senator Lisa Krasner

GUEST LEGISLATORS PRESENT:

Senator Dina Neal, Senatorial District No. 4

STAFF MEMBERS PRESENT:

Jered McDonald, Policy Analyst
Suzanne Efford, Committee Secretary

OTHERS PRESENT:

Paul Moradkhan, Vegas Chamber
Tray Abney, National Federation of Independent Business
Lindsay Knox, Builders Association of Northern Nevada; Southern Nevada Home Builders Association; Nevada Home Builders Association
Cheryl Blomstrom, Nevada Trucking Association
Andrew MacKay, Nevada Franchised Auto Dealers Association
Terry Graves, Nevada Manufacturers Association
Misty Grimmer, Nevada Resort Association
Ashley Cruz, Las Vegas Global Economic Alliance

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Tom Clark, Reno + Sparks Chamber of Commerce
Natalie Buckel, Henderson Chamber of Commerce
Steve Walker, Lyon County
Joanna Jacob, Clark County
Kelly Crompton, City of Las Vegas
Nicole Rourke, City of Henderson
Rick McCann, Nevada Association of Public Safety Officers; Nevada Law Enforcement Coalition
John Abel, Las Vegas Police Association; Public Safety Alliance of Nevada
Marlene Lockard, Service Employees International Union 1107
Jason Begun, Las Vegas Police Protective Association Civilian Employees
Shane Sayles
Bobbie West
Sean Gallagher, President, Nevada State Law Enforcement Officers Association

CHAIR FLORES:

We will open the hearing on Senate Bill (S.B.) 261.

SENATE BILL 261: Revises provisions relating to local governments. (BDR 19-793)

SENATOR DINA NEAL (Senatorial District No. 4):

Senate Bill 261 has a lineage in this building. Business impact statements were passed in 2013. The goal of business impact statements is to ensure a local governing body, when imposing a rule or regulation, looks at any significant economic impact directly affecting businesses and tries to minimize that impact.

Senate Bill 261, section 1, subsection 1 adds businesses considered to be covered under local governments. Section 2 adds other local government entities, including a quasi-municipal agency, local health district, municipal utility, regional transportation commission and special improvement district.

These entities were added because over a period of years, they have been the groups needing some level of finessing to include them in business impact statements. The entities can actively let businesses know about the regulatory processes and rules they are considering.

Section 4 addresses how entities are to give notice to chambers of commerce and how workshops will be administered.

PAUL MORADKHAN (Vegas Chamber):

The Chamber has been working to strengthen the business impact statement since 2013 when Senator Neal introduced legislation to codify the processes of the State and local governments. Senate Bill 261 continues those efforts by streamlining the business impact notification process for chambers of commerce, trade associations and local government entities.

Senate Bill 261 specifically deals with the local government chapter of the business impact statement, *Nevada Revised Statutes 237*. This bill will standardize how business groups are notified about proposed local government changes that impact the business community. It will also clarify which local government entities must comply with the business impact statement process.

There have been discussions in the last several years about which entities are to be included in the process. The Chamber believes, along with Senator Neal, that the original intent was to be brought in scope of who had to comply. The Chamber has over 70 different industries within its membership. It is the primary point of contact to let businesses know that changes are happening with proposed local ordinances. Many small business members rely on the Chamber to notify them of these proposed ordinance changes since they do not have a lobbyist or dedicated staff to track those items.

The notification process can be challenging at times because of different methods of communication and outreach—email to a chamber staff or other trade associations, written notification and sometimes not at all. At times a trade association or chamber of commerce is notified while others are not or different staff within organizations are notified. This inconsistency is challenging to receive the information and get it out to members on behalf of those city or local government entities.

Consistency and transparency are key factors in being successful with the impact statement. Several local government entities have done a good job. This bill will codify the practice seen in several areas in southern Nevada including the Cities of Las Vegas and Henderson, Clark County and the Southern Nevada Water Authority.

Clark County along with several cities have proposed an amendment ([Exhibit C](#)) that preserves the intent of the bill but addresses any unintended consequences regarding increased workloads. The proposed amendment restores existing

language in section 3 that pertains to fees negotiated pursuant to a contract between a business or local government. Original language in State law would remain.

The proposed amendment changes the language in section 4 that two or more chambers or trade associations may call for a workshop instead of a workshop automatically occurring every time there is a business impact statement process. The Vegas Chamber considers this a fair compromise and has no objection to the proposed friendly amendment, understanding our partners and local governments and their concerns.

SENATOR DALY:

In section 2 of the bill in which other entities have been added, does that capture all the entities you intended to include? Northern Nevada has water authorities, airport authorities and general improvement districts. Are those included in the bill? I do not know if they are making rules or regulations that impact small businesses.

SENATOR NEAL:

The bill covers it because it says, "political subdivision, other entity of this State or a quasi-municipal agency."

TRAY ABNEY (National Federation of Independent Business):

The National Federation of Independent Business (NFIB) represents 2,000 Nevada businesses. Anything we can do to make sure that small businesses are notified of things that will affect them coming from local governments, the NFIB supports.

The language in section 4, subsection 4 listing trade associations after chambers of commerce is important to the NFIB. It maintains good relationships with local governments and expects and hopes to be on the notification list when the time comes.

LINDSAY KNOX (Builders Association of Northern Nevada; Southern Nevada Home Builders Association; Nevada Home Builders Association):

The Builders Association of Northern Nevada, Southern Nevada Home Builders Association and Nevada Home Builders Association support S.B. 261. It expands the opportunity for voices in the business community to be heard as local rules are being made.

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CHERYL BLOMSTROM (Nevada Trucking Association):

Most Nevada Trucking Association members are small businesses. Including small business voices in the crafting of regulatory things like this helps compliance and helps small businesses know what they need to do to comply. That is the point of making regulations. The Association supports S.B. 261.

ANDREW MACKAY (Nevada Franchised Auto Dealers Association):

I say ditto. Improving consistency in noticing creates better transparency in government.

TERRY GRAVES (Nevada Manufacturers Association):

I will not be repetitive, but many manufacturers are small businesses. Most manufacturing projects require a lot of time, effort and financial resources to become established. To that extent, they are expecting long-term residency wherever they are located. This bill helps provide stability in the regulatory process. The Nevada Manufacturers Association supports S.B. 261.

MISTY GRIMMER (Nevada Resort Association):

The Nevada Resort Association supports S.B. 261.

The Nevada Resort Association is appreciative of Senator Neal, the Vegas Chamber and local governments for working on the amendment. We encourage the Committee's support.

ASHLEY CRUZ (Las Vegas Global Economic Alliance):

Many businesses the Las Vegas Global Economic Alliance (LVGEA) works with to bring or grow in the region are small businesses. The LVGEA supports measures that provide clarity on how public entities are reaching out to those constituents to ensure we connect and gain their input during the lawmaking process.

The LVGEA requests your support.

TOM CLARK (Reno + Sparks Chamber of Commerce):

I say ditto. The Reno + Sparks Chamber of Commerce thanks Senator Neal for working with our colleagues from southern Nevada on the proposed amendment. This will give a voice to small businesses and the Chamber's members.

NATALIE BUCKEL (Henderson Chamber of Commerce):

The Henderson Chamber of Commerce represents more than 1,800 businesses throughout southern Nevada. As an organization that represents the breadth of Nevada's employers in all business sectors, large and small, the Chamber supports S.B. 261.

Providing notices and workshops on code amendments will assist new emerging small businesses. Because that can have a fiscal effect on business, it is imperative that a business can be financially prepared. This can be challenging to navigate for smaller businesses because this can be something they have not yet had to encounter.

Adding chambers of commerce to the required distribution of these updates will create a beneficial advantage not only for businesses but for the governing city. Businesses will have another source to ensure they are complying with local ordinances.

STEVE WALKER (Lyon County):

This bill is good idea, but there are some issues that will be hard for Lyon County. The contact list will be hard for the County to maintain because it only does business impact statements every four or five years. Guessing which businesses are impacted would be hard and would be a wild guess.

The summary of the workshop would be available on the meeting minutes when the workshop is done.

JOANNA JACOB (Clark County):

Clark County is neutral on the S.B. 261 with the amendment.

I wanted to mention the collaborative effort between the County, the City of Las Vegas and the City of Henderson. The County would like to thank the Vegas Chamber for noting that the County facilitates stakeholder input in its ordinance process.

The amendment was offered to facilitate input in way that would not overly burden with a lengthy ordinance process while maintaining the spirit of collaboration and outreach.

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In the County's ordinance process, the first introduction of an ordinance occurs when the Clark County Board of County Commissioners directs staff to draft an ordinance. That is when stakeholders might hear where the Board is going and what it would like to see in the ordinance. Staff then drops the ordinance, the County sends it to impacted businesses and allows 15 days for comments.

During that comment period, trade associations and chambers of commerce could request a workshop if they notice the ordinance would have an impact on their businesses. When the request is received by the County, it compiles the comments and reviews the business impact statement on its agenda. The ordinance will be introduced; then there is a hearing.

The County has had short ordinances and very long ordinances. This Committee might remember the short-term rental ordinance for Clark County which was over a year and a half in the making with many public workshops. I personally participated in that and received a lot of community feedback.

I thank Senator Neal for working with the County because this bill will help us work more collaboratively with the business community and formalize a process for communication.

KELLY CROMPTON (City of Las Vegas):

I echo the comments from my colleague at the County. I appreciate the bill's sponsor as well as the Vegas Chamber for working with the City over the weekend to get a proposed amendment that will work for the cities and the County and be collaborative with the stakeholders within the community, the chambers of commerce and trade associations.

NICOLE ROURKE (City of Henderson):

I echo the comments of my colleagues. The City of Henderson works with its businesses through the business impact process. If there is a specific licensing issue, it will reach out to an industry to do some of this work. The proposed amendment is a good compromise that mirrors the process the County is already following.

CHAIR FLORES:

We will close the hearing on S.B. 261 and open the hearing on S.B. 264.

SENATE BILL 264: Revises provisions relating to collective bargaining. (BDR 23-932)

RICK MCCANN (Nevada Association of Public Safety Officers; Nevada Law Enforcement Coalition):

I thank Senator Doñate and Senator Pazina for their cosponsorship of S.B. 264.

Nevada Revised Statutes 288.140 requires employee organizations composed of police officers, sheriff's deputies and other law enforcement officers be composed exclusively of law enforcement officers. This maintains a community of interest for law enforcement personnel in their bargaining units and prevents nonlaw enforcement organizations from coming in and attempting to take over those bargaining units.

Section 1 of this bill repeats this requirement for law enforcement employee organizations. It adds that employee organizations composed of civilians who provide support services to a law enforcement agency also be composed exclusively of civilian law enforcement employees.

Law enforcement civilian employees provide services to law enforcement agencies, including crime scene investigators, dispatchers, abuse and neglect specialists, cold case investigators and many others. Civilian employees are vital to the police paramilitary structure. It is necessary to provide them with the same exclusivity provision in their bargaining units as their law enforcement colleagues to protect their communities of interest. The bottom line for all units in collective bargaining is to provide a community of interest.

I do not want to confuse anyone on this Committee since you all heard me a couple of weeks ago on a different bill, S.B. 166, in which I was asking for the same exclusivity provisions but for State law enforcement.

SENATE BILL 166: Revises provisions relating to collective bargaining by public employees. (BDR 23-556)

Senate Bill 264 asks for exclusivity to protect our civilian law enforcement employees on the local level.

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Section 1, subsection 3, line 20 of the bill says, "and civilians who provide support services to a law enforcement agency." The word "and" should be "or." The proposed amendment ([Exhibit D](#)) will make that change.

Law enforcement officers should be in their own exclusive group and civilian law enforcement employees should be in their own group to maintain their own community of interest. The word "and" denotes they can be in each other's groups. That was not the intent.

Attorney Mike Langton in Washoe County asked me to indicate that the Washoe County Employees Association supports the bill with the amendment. The Carson City Employees Association also supports this bill with the amendment. For those reasons, we ask for your support of S.B. 264 with the proposed minor amendment.

SENATOR GOICOECHEA:

A civilian who provides support services could be a janitor.

MR. MCCANN:

I do not know who is going to be in a civilian law enforcement group. Typically, they are defined by their customs within that group. For example, one of the civilian groups at the Las Vegas Metropolitan Police Department has about 1,500 individuals who compile 30 or 40 different job classifications. Janitors will not be in there. I will not argue if somebody wants to include civilian law enforcement agency people in their group. Typically, a job description at that level would not be in that group. It will be those who work within the paramilitary command structure.

SENATOR GOICOECHEA:

Even in a county sheriff's department, it would be up to them to determine how deep they wanted to get with this collective bargaining group.

MR. MCCANN:

It probably will not come down to the county sheriff. They are part of the management process. This is a union. It would be up to the union to define their particular areas. Again, I stress to you it is within the paramilitary command structure. The people with the Las Vegas Police Protective Association Civilian Employees work under the command structure. The people who are their supervisors are command individuals: lieutenants and captains within the police

department. If someone does not work under the police department command structure, he or she would probably be taken out of that level.

SENATOR KRASNER:

I just want to clarify that there are two separate bargaining units. One is exclusively for law enforcement officers and the other is for persons who provide services for law enforcement officers. Is it correct that you want to combine those?

MR. MCCANN:

That was what the "and" was going to do. The proposed amendment will change "and" to "or."

Law enforcement officers have their own exclusive law enforcement group. That will remain. Civilian law enforcement employees who work under the command structure would have their own civilian group. They are not combined. They will not be combined by this bill. That is the purpose of the amendment is to change "and" to "or." It was never the intent of this bill to combine law enforcement officers in their union with civilian law enforcement people in their union.

JOHN ABEL (Las Vegas Police Association; Public Safety Alliance of Nevada):
The Las Vegas Police Association and the Public Safety Alliance of Nevada support S.B. 264.

MARLENE LOCKARD (Service Employees International Union 1107):
The Service Employees International Union supports S.B. 264.

JASON BEGUN (Las Vegas Police Protective Association Civilian Employees):
The Las Vegas Police Protective Association Civilian Employees support this bill.

SHANE SAYLES:

I work for the Las Vegas Metropolitan Police Department as an IT supervisor. I support S.B. 264. I ask the Chair and Committee to support this bill as well.

BOBBIE WEST:

I am a crime analyst with the Las Vegas Metropolitan Police Department. I support S.B. 264. I also ask the Chair and the Committee to support this bill.

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SEAN GALLAGHER (President, Nevada State Law Enforcement Officers Association):

The Nevada State Law Enforcement Officers Association supports S.B. 264 and dittos what Rick McCann put on the record.

MR. WALKER:

Lyon County opposed this bill but with the amendment, it is now neutral.

CHAIR FLORES:

This meeting of the Senate Committee on Government Affairs is adjourned at 4:11 p.m.

RESPECTFULLY SUBMITTED:

Suzanne Efford,
Committee Secretary

APPROVED BY:

Senator Edgar Flores, Chair

DATE: _____

SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 261	C	3	Paul Moradkhan / Vegas Chamber	Proposed Amendment
S.B. 264	D	9	Rick McCann / Nevada Association of Public Safety Officers; Nevada Law Enforcement Coalition	Proposed Amendment