

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

**Eighty-second Session
April 12, 2023**

The Senate Committee on Government Affairs was called to order by Chair Edgar Flores at 3:59 p.m. on Wednesday, April 12, 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

STAFF MEMBERS PRESENT:

Jered McDonald, Policy Analyst
Heidi Chlarson, Counsel
Spencer Jones, Committee Secretary

OTHERS PRESENT:

Mark Fiorentino, Nye County
Vinson Guthreau, Executive Director, Nevada Association of Counties
Pamela DelPorto, Executive Director, Nevada Sheriffs' and Chiefs' Association
Mark Jackson, President, Nevada District Attorneys Association
Stephen Wood, Carson City
Scott Hoen, Carson City Clerk
Izack Tenorio, Churchill County
Steve Walker, Douglas County; Storey County; Lyon County
Lynn Goya, Clark County Clerk; Nevada Association of County Clerks and
Election Officials
Al Rojas
Carlos Hernandez, Nevada State AFL-CIO

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Paul Catha, Culinary Workers Union Local 226
Lilith Baran, American Civil Liberties Union of Nevada
David Beltran Barajas, Progressive Leadership Alliance of Nevada
Marisa Kagan
Deanna Hua Tran, Nevada Immigrant Coalition
Maria-Teresa Liebermann-Parraga, Battle Born Progress
Catherine Nielsen, Executive Director, Nevada Governor's Council on
Developmental Disabilities
Annette Magnus, Executive Director, Battle Born Progress
Marlene Lockard, Service Employees International Union Local 1107
Tony Ramirez, Make the Road Nevada
Shanzeh Aslam, Progressive Leadership Alliance of Nevada
Edward Gooddrich, International Alliance of Theatrical Stage Employees
Local 363
Shelly Speck, Children's Advocacy Alliance
Ruben Perez
John Sande, IV, Nevada State Apartment Association
Azim Jessa, Nevada Realtors
Josh Hicks, Nevada Home Builders Association; Southern Nevada Home Builders
Association; Builders Association of Northern Nevada
Kerrie Kramer, NAIOP
Emily Osterberg, Henderson Chamber of Commerce
Paul Moradkhan, Vegas Chamber
Bryan Wachter, Vice President, Retail Association of Nevada
Christine Hess, Executive Director, Nevada Housing Coalition
Wiselet Rouzard, Americans for Prosperity Nevada
Mark Ferry
Valerie Tilson

CHAIR FLORES:

I open the hearing on Senate Bill (S.B.) 51.

SENATE BILL 51: Revises provisions relating to the compensation of certain county commissioners. (BDR 20-341)

MARK FIORENTINO (Nye County):

This bill was originally submitted as a Nye County bill draft request, but the original intent always was to work with the other local officials. We support Nevada Association of Counties' proposed amendment ([Exhibit C](#)). The bill deals

with local government salaries. The proposed amendment applies salary increases to all local officials. Those local officials have not had a salary adjustment since 2018 or 2019. The proposed amendment provides a onetime adjustment for them to catch up and going forward ties salary increases to the average percentage increase in the salaries of the classified State employees. The goal of this bill is to standardize salary increases, removing the need for the Legislature to decide when and how to handle salary increases. The amendment also provides an opt-out for counties to adopt a salary less than the maximum allowed.

VINSON GUTHREAU (Executive Director, Nevada Association of Counties):

The proposed amendment addresses a question mentioned at the original bill hearing on April 3, 2023, about all other elected officials in the State. The proposed amendment reflects a much-needed salary adjustment for those individuals as well. Section 1, subsection 2, paragraph (a) of the proposed amendment allows for a 15 percent increase in base salaries effective January 1, 2024. The last time these salaries were previously adjusted was in 2018. This immediate catchup provision would reflect a 2.5 percent annual increase, which does not quite meet inflation. The 15 percent catchup provision provides a compromise now that all local elected officials are included in the proposed amendment. Subsequent salary adjustments would be based on salary increases tied to State worker compensation.

The proposed amendment would incorporate all local elected officials, bringing equity to local government compensation adjustments. An opt-out provision accounts for unanticipated issues in local government budgets. Should a board of county commissioners utilize this opt-out provision, it would apply to all county elected officials. Our intention is to bring equality to all elected officials. That includes the offices mentioned and the county commissioners.

SENATOR GOICOECHEA:

The opt-out language maybe works for county commissioners and during midterm elections. But once you put the salary schedule in statute and have somebody run for that office, then I do not see the opt-out provision would work. If an office is advertised at the new salary, a county should not be able to opt out of the salary increase postelection. A board of county commissioners should have the ability to opt out of salary increases but not have the ability to adjust salaries of other elected officials. Is that your intent?

MR. FIORENTINO:

We are trying to avoid a situation where the county commissioners approved salary increases for themselves but not for all of the other officials. That is what that language is meant to do. Nye County does not have an objection to language saying county commissioners can only opt out for themselves, not for the other elected officials.

SENATOR GOICOECHEA:

I like that the county commissioners have the opt-out provision, but the other elected officials would get the 15 percent increase and then adjust same as classified State employees. The opt-out should only pertain to the board of county commissioners.

MR. GUTHREAU:

The intent of this language is not to allow the board of county commissioners to claw back raises already approved for positions. The intent is to allow for a vote on subsequent raises. If we need to clean that language up, I am happy to do it. The goal is to give counties flexibility if they do not have room in their budgets to match State employee adjustments.

SENATOR GOICOECHEA:

I understand the budgeting piece of it. But if these nine sets of salaries are going to make or break your budget, you are already in trouble.

SENATOR KRASNER:

The proposed amendment allows a 15 percent salary increase catchup on January 1, 2024, for all elected officials. Would the section about subsequent raises only apply to county commissioners?

MR. GUTHREAU:

No, the subsequent increases would apply to all local elected officials.

PAMELA DELPORTO (Executive Director, Nevada Sheriffs' and Chiefs' Association):
The Nevada Sheriffs' and Chiefs' Association is in strong support of S.B. 51. We thank the bill sponsor for the efforts to bring some parity to the salaries of county elected officials. Many of these elected officials have subordinate staff whose salaries exceed their own because of the lack of an increase for a few years.

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MARK JACKSON (President, Nevada District Attorneys Association):
The Nevada District Attorneys Association supports S.B. 51. Association members understand how difficult it always is for any Legislature to tackle pay increases for elected officials.

STEPHEN WOOD (Carson City):
The Carson City Board of Supervisors has voted to support S.B. 51.

SCOTT HOEN (Carson City Clerk):
I urge you to pass this bill sooner than later. A lot of staff members' pay now exceeds the elected officials they work for. It is difficult to find qualified people to run for these offices, given the circumstances. Of the 17 clerks, 10 are no longer with us. I support S.B. 51.

IZACK TENORIO (Churchill County):
Churchill County supports S.B. 51. This will assist in rural Nevada in helping recruit qualified candidates, and that is important.

STEVE WALKER (Douglas County; Storey County; Lyon County):
Douglas, Storey and Lyon Counties all support S.B. 51, particularly with the opt-out condition.

LYNN GOYA (Clark County Clerk; Nevada Association of County Clerks and Election Officials):
The Clerks' Association supports S.B. 51. Most county clerks serve as election officials. They have been subject to threats and death threats and intimidation, and they deserve a raise. It is not just about the money but recognizing their hard work and integrity.

AL ROJAS:
I support S.B. 51. We should retain our great elected officials.

MR. FIORENTINO:
We have the fix Senator Goicoechea wanted. The change in section 1, subsection 5 would read as follows, "a county commission may, by a majority vote of its members, approve a salary less than the amount set forth in subsection 3." Then we would strike the rest of that subsection so the opt-out provision would only apply to county commissioners.

SENATOR GOICOECHEA:

That is good. I am concerned because statute going forward will list the salary for a county commissioner. If we allow an opt-out, then the salary would be lower than advertised and drive away good candidates.

CHAIR FLORES:

I close out the hearing on S.B. 51.

VICE CHAIR OHRENSCHALL:

I open the hearing on S.B. 373.

SENATE BILL 373: Revises provisions relating to language access. (BDR 18-1034)

SENATOR EDGAR FLORES (Senatorial District No. 2):

The origin of this bill started with S.B. No. 318 of the 81st Session, which required all State agencies to create a language access plan to improve access to government services programs and information for Nevadans with limited English proficiency. The issue is that it forced State agencies to create a plan, but it never required them to implement it. A whole host of State agencies have created language access plans; however, not everybody implemented them. Federally funded State agencies are required to ensure compliance with the Safe Streets Act and Title VI of the Civil Rights Act of 1964. They must take reasonable steps to ensure that English-limited persons have meaningful access to their programs and activities. This allows States and local agencies to add a budget line item specifically for language access when they request federal dollars. If a state agency does not have a language access plan and is receiving federal money, a complaint can formally be filed against them.

I present S.B. 373 to ensure State agencies do not get hit with lawsuits. My bill is now subsequent to the work we saw implemented in 2021. Section 1 of the bill ensures that a State agency's language access plan exists, and that it reports back to the Governor and the director of Legislative Counsel Bureau on how it is translating vital documents and making them accessible to folk with limited English proficiency. That way, we ensure a State agency is creating and implementing a language access plan. For the purposes of language access, S.B. 373 would require State agencies to address the 12 most common non-English languages based on census data.

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SENATOR GOICOECHEA:

How would the State change up the top 12 languages? Would they change with each census?

SENATOR FLORES:

Correct. In 10 years, the current top 12 foreign languages may change with the population. The idea is not to tie the bill to a specific language but rather based on population.

SENATOR GOICOECHEA:

And you see that list changing every ten years with the census?

SENATOR FLORES:

It is possible. The list might not change; it may be the top 12 foreign languages today will only increase in percentage. But if it does change, then the bill ensures we would not have to reopen this chapter and keep changing specific languages.

SENATOR GOICOECHEA:

If during Year 5 between two censuses we saw a sudden shift in these numbers, would a State agency have to tweak the top 12 foreign languages, or would it only change on census years?

SENATOR FLORES:

We do not want to be tweaking the list every month or year. Absolutely not. We would re-evaluate the list every census, so about ten years.

VICE CHAIR OHRENSCHALL:

I appreciate the bill has flexibility by not listing specific languages in statute.

CARLOS HERNANDEZ (Nevada State AFL-CIO):

We support S.B. 373.

PAUL CATHA (Culinary Workers Union Local 226):

We support S.B. 373 for the reasons explained by the bill sponsor.

LILITH BARAN (American Civil Liberties Union of Nevada):

The American Civil Liberties Union (ACLU) of Nevada supports S.B. 373.

DAVID BELTRAN BARAJAS (Progressive Leadership Alliance of Nevada):

We support S.B. 373. It is essential that members of different diasporas in immigrant communities be able to read vital documents in the language they are most comfortable with. It can be difficult to read and process information in a language you are less familiar with. This bill would assist Nevadans who use different languages. We should also do this for safety reasons. During COVID-19, vital information was only provided in English, leaving folks who could not speak or read English to struggle even more during the pandemic.

MR. ROJAS:

I totally support S.B. 373. Henry Ford had his Americanization project to assimilate new immigrants to how our Country worked. It is important that immigrants understand how to work through our government. This bill supports that goal. We need to get people, especially of Hispanic descent, more integrated with our system.

MARISA KAGAN:

I support S.B. 373. I have been pushing for translation of contracts in the real estate world for a long time. It is common sense to have vital documents be provided in as many languages as possible.

DEANNA HUA TRAN (Nevada Immigrant Coalition):

The Nevada Immigrant Coalition supports S.B. 373. Growing up, my parents relied heavily on my brother and I to interpret and translate almost all our vital documents. Since we were children, our translations were not always accurate. Language equity and accessibility is essential for Nevada residents to safely navigate healthcare systems, legal documents and government documents.

MARIA-TERESA LIEBERMANN-PARRAGA (Battle Born Progress):

I strongly support S.B. 373. I grew up being a translator for my friends and family, and I still am today when it comes to interacting with government processes and documents. We need to do a lot more to ensure that people find this vital information accessible.

CATHERINE NIELSEN (Executive Director, Nevada Governor's Council on Developmental Disabilities):

We are neutral to S.B. 373. While we see many benefits to this bill, it makes no mention of American Sign Language (ASL), the most common language for the deaf and hard of hearing in the U.S. American Sign Language is the third most

used language in the United States after English and Spanish. Contrary to popular belief, ASL is not representative of English, it has more similarities to spoken Japanese and Navajo than English. The Americans with Disabilities Act requires that state and local governments as well as businesses and nonprofit organizations must communicate as effectively as possible with people who have communication disabilities. This bill provides access to language for many; however, it fails to specifically address how it will impact those who use American Sign Language as their primary language. We encourage discussion on communication with the persons who are deaf, hard of hearing and speech-impaired.

SENATOR FLORES:

I will try to fix the bill to address the deaf and hard of hearing.

VICE CHAIR OHRENSCHALL:

I close the hearing on S.B. 373 and open the hearing on S.B. 371.

SENATE BILL 371: Revises provisions governing local governments. (BDR 20-681)

SENATOR EDGAR FLORES (Senatorial District No. 2):

A board of county commissioners or a governing body of an incorporated city is, with certain exceptions, authorized to exercise all powers necessary or proper to address matters of local concern for the effective operation of county or city government, whether or not the powers are expressly granted to the board or governing body. Assembly Bill No. 445 of the 78th Session and S.B. No. 29 of the 78th Session granted authority to a board of county commissioners and the governing body of an incorporated city, except as expressly prohibited by statute, to enact any ordinance or measure relating to affordable housing, including without limitation, rent control. I am not here to expand this Body's 2015 decision. Senate Bill 371 clarifies said authority because counties and cities have frequently expressed doubt as to whether they can engage in matters related to affordable housing. This bill would make it clear local government can employ a whole host of tools such as rent control, inclusionary zoning, payments of money in lieu of the performance of an obligation and linkage fees. The bill will allow governing bodies of cities and counties to tailor local ordinances to meet the needs of their respective communities. Nothing in this bill requires local jurisdictions do anything.

In 2015, I voted against both bills mentioned because I believed Dillon's Rule was the correct approach. This Body disagreed and created somewhat of a hybrid model between Dillon's Rule and home rule. Local jurisdictions have wanted to engage in certain issues, but the ambiguity caused by our hybrid approach has made them hesitant. I want to make it abundantly clear what those bills passed in 2015 did, even if I do not agree with them. I ask that our legal counsel provide clarity on the Legislature's interpretation of the 2015 legislation with regard to affordable housing.

HEIDI CHLARSON (Counsel):

As Senator Flores mentioned, the Legislature in 2015 modified Dillon's Rule and authorized counties and cities to address matters of local concern. A matter of local concern is defined for both cities and counties as,

any matter which primarily affects or impacts areas located in the county or city, or persons who reside in the county or city, is not within the exclusive jurisdiction of another governmental entity and does not concern a State interest that requires Statewide uniformity.

It is the opinion of the Legal Division that this authority includes or grants counties and cities the ability to regulate affordable housing, including imposing rent control measures. A rent control measure within a county or city impacts the amount of rent that can be charged within that county or city. It is not within the exclusive jurisdiction of another governmental entity. There is no preemption or prohibition in federal or State law specifically relating to rent control, and it does not concern a State interest, which requires Statewide uniformity. The 2015 bills explicitly said that if there is any fair or reasonable doubt concerning the existence of a power of a city or county to address a matter of local concern, it must be presumed that the county or city has that power unless the presumption is rebutted by evidence of a contrary intent of the Legislature. In the Legal Division's opinion, S.B. 371 clarifies the powers laid out in the 2015 bills.

SENATOR FLORES:

This legislation was implemented in 2015. It has been eight years, and there is still an ongoing debate about what local jurisdictions can do about affordable housing. Nevada is in the midst of a horrible housing crisis. Given the circumstances, we are obligated as a Body to ensure that we implement every

federal, State and local option to address the needs of our constituency. Nevada would need at least 84,000 more affordable housing units to meet the needs of our community. It is estimated that over 243,000 renter households in Nevada are paying over 30 percent of their household income on rent. That is a problem. I wanted to honor the intent of the 2015 legislation to allow local jurisdictions to do what is needed to address the problem. If they do not need to do anything, then they can do nothing.

SENATOR DALY:

I have some concerns with the language and how far you might be expanding what might be included in "any ordinance or measure relating to affordable housing." I do not see a definition for affordable housing. If a local jurisdiction can enforce any ordinance or measure relating to affordable housing, can it override other statutes? When I read "any ordinance or measure relating to affordable housing," it seems like you are giving local jurisdictions authority to do just about anything if they tag it with affordable housing. That is a problem.

SENATOR FLORES:

Would S.B. 371 do something we did not do in 2015? I do not believe so, but I will defer to our legal counsel.

Ms. CHLARSON:

The authority of a county or city to address a matter of local concern has limitations from the 2015 bills. A city or county could not impose a tax or call for an election for example. If a city or county pursuant to the authority in S.B. 371 enacted an ordinance relating to affordable housing including rent control, it would still be bound by other limitations that exist in statute and other constitutional limitations. This bill is a grant of authority to explicitly say and clarify that counties and cities would have authority to regulate affordable housing, including without limitation, rent control.

SENATOR DALY:

I understand the intent of S.B. 371. But I learned the hard way that it is possible for a bill sponsor and stakeholders to agree on a bill's words and intent, only for someone else to claim a different interpretation. That ends up with people in court. We should be as precise as possible, and the language in S.B. 371 and the 2015 bills is not precise.

SENATOR FLORES:

Matters of local concern, the standard laid out in the 2015 bills, are much broader than affordable housing. I did not want that standard, I voted against the 2015 bills twice, but this Body agreed to that standard in 2015. That incredibly broad standard created confusion which has been used to the advantage of certain objectives and the disadvantage of others. That is problematic. It has been eight years; we now have a responsibility to stop using that confusion as an excuse to not address affordable housing issues. I respect your point that even having this conversation will not prevent somebody from arguing that affordable housing does not talk about houses. The Legal Division said on the record twice that S.B. 371 is within the original intent of the 2015 bills. It would just ensure that everybody knows affordable housing is in fact included in the powers given to local jurisdictions in 2015.

SENATOR DALY:

I did not get a definition of affordable housing. I am not against people having affordable housing. Housing costs are high. But if the intent is to have people create more affordable housing through rent control, it could be handled more precisely. The ambiguous language will lead to mischief.

SENATOR FLORES:

Affordable housing is defined by the U.S. Department of Housing and Urban Development as housing for which the occupants are paying no more than 30 percent of the household income for growth housing costs. If we have a different definition in *Nevada Revised Statutes* (NRS), I will defer to Legal Division staff.

MS. CHLARSON:

There are different definitions of affordable housing throughout NRS that apply for different purposes. This bill does not include a definition of affordable housing. To my knowledge, there is not a general definition of affordable housing in NRS 244 or NRS 268. If it is the pleasure of the Committee to include a definition in this bill, that could be done. The Legal Division would just need to know for drafting purposes what the definition of affordable housing would be for purposes of S.B. 371.

SENATOR DALY:

Based on your definition right there, it is going to depend on a person's income and how much he or she is paying for rent for something to qualify as

affordable housing. Can they only provide rent control on housing that is already affordable or on housing that is not affordable? Your house can be right next to somebody else's house and due to differences in income levels, his could be subject to rent control when you are not. You see the problem you are going to create?

SENATOR FLORES:

That is true of every bill or law. You could define a vehicle as something with four tires and someone will bring forward a hypothetical about what if it had five tires. I am not suggesting your point is untrue. But the exact definitions and measures put in place should be decided at the local level where they are addressing the problem.

MR. CATHA:

The Culinary Union is a member of the Nevada Housing Justice Alliance, and we support S.B. 371. The Legislative Counsel Bureau believes that local governments can regulate housing policies. Our Council of the Union agrees with that interpretation; unfortunately, it seems that no attorney for local government in Nevada publicly agrees with that interpretation. It is incredibly frustrating for different levels of government to not only be unclear but contradictory about who can implement what steps to address housing issues in the midst of a housing crisis. Local governments must have a role in solving the crisis.

MS. BARAN:

The ACLU of Nevada strongly supports S.B. 371. It has been incredibly frustrating as an advocacy organization to help people understand who to reach out to about housing issues. It has been a game of hot potato between the Legislature, local governments and city attorneys. My city attorney owned several properties, and it was not in his best interest to advise the city that it could use rent control. People need clarity on this issue. We cannot keep passing the buck.

MR. HERNANDEZ:

The Nevada State AFL-CIO supports S.B. 371.

ANNETTE MAGNUS (Executive Director, Battle Born Progress):

Battle Born Progress strongly supports S.B. 371. This bill will clarify that local governments have control of neighborhood stability for our communities

experiencing high rent prices. Groups like the American Legislative Exchange Council promote and defend these types of policies so that local governments can do what is best for their communities. Hopefully, one day we can extend this to other issues such as gun violence prevention.

MARLENE LOCKARD (Service Employees International Union Local 1107):
Service Employees International Union Local 1107 supports S.B. 371 and local governments having the authority to impose rent control. Rent control is a critical tool that can help address the growing crisis of skyrocketing housing costs, protect vulnerable communities and promote social and economic stability in our neighborhoods. Local governments are in the best position to understand the unique housing needs and challenges of their communities.

TONY RAMIREZ (Make the Road Nevada):
Make the Road Nevada strongly supports S.B. 371.

SHANZEH ASLAM (Progressive Leadership Alliance of Nevada):
I support S.B. 371. Our community is facing an urgent housing crisis that is deeply impacting lives. Unfortunately, there is confusion between local governments and the State Legislature on what powers regarding housing have been explicitly granted to local governments. Therefore, even if local governments want to take action to protect local tenants, they feel limited in what they can do. By expressly granting local governments the ability to enact policies for affordable housing, we can move forward in addressing our housing crisis.

EDWARD GOODDRICH (International Alliance of Theatrical Stage Employees Local 363):
The International Alliance of Theatrical Stage Employees Local 363 supports S.B. 371.

SHELLY SPECK (Children's Advocacy Alliance):
I support S.B. 371. Local jurisdictions should have a say in whether they enact ordinances in their own areas.

RUBEN PEREZ:
I support S.B. 371 because we need to take bold measures to ensure that every family has access to affordable housing.

JOHN SANDE, IV (Nevada State Apartment Association):

Nevada is experiencing housing crisis, and we appreciate the Senator's dedication to finding solutions. However, we respectfully disagree with this approach. *Nevada Revised Statutes* 268.003 allows local governments to adopt policies that are matters of local concern. Nevada's housing crisis is Statewide, and the solutions to these issues must be uniform and consistent across the State or we will be creating inequalities between municipalities. The State has also found that housing is a matter of regional concern. In NRS 315.961, involving the rural housing authorities, states:

It is the policy of this State to promote the health, welfare and safety of its residents and to develop more desirable neighborhoods and alleviate poverty in the counties, cities and towns of the State by making provision for decent, safe and sanitary housing facilities for persons of low and moderate income.

This illustrates how housing is a Statewide concern. I oppose S.B. 371.

AZIM JESSA (Nevada Realtors):

Nevada Realtors opposes S.B. 371. Nevada is a Dillon's Rule state. Dillon's Rule takes a narrow approach to local authority, stating that local governments act only when the power is expressly granted to them by the state unless it is for health safety or welfare. This bill would grant home rule for affordable housing and rent control because there are numerous local jurisdictions in our State. This would create varying rules on affordable housing and rent control in each county and municipality. That would make it extremely difficult for residents, property owners and State agencies to navigate the housing market.

Realtors consider rent control to be a flawed housing policy that diminishes housing values, discourages production of new rental units and will lead to a reduction of available rental units. Rent control negatively affects the housing inventory by accelerating the deterioration and loss of existing housing. The expense of complying with rent control regulations, especially if they vary in each jurisdiction, inevitably increases the cost of housing to consumers, and the expense in enforcing rent control adds additional burdens to local governments. Rent control does nothing to lower the housing costs we all agree are extremely high; only additional supply will do that again. This bill would give away too much State power to local governments and locally elected officials without any oversight from the State.

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JOSH HICKS (Nevada Home Builders Association; Southern Nevada Home Builders Association; Builders Association of Northern Nevada):

We oppose S.B. 371. There is a lot of uncertainty in this bill with undefined terms like affordable housing and rent control. We are also concerned by the breadth of things that can be done in the name of affordable housing, including fees and inclusionary zoning. These are complicated issues, and we want to ensure it does not have a negative impact on increasing housing supply. I agree with what Mr. Sande said that home prices are a Statewide issue. We support policies designed to expedite the supply of housing across the board.

KERRIE KRAMER (NAIOP):

We echo the comments of the prior three presenters and oppose S.B. 371.

EMILY OSTERBERG (Henderson Chamber of Commerce):

Home rule for affordable housing and rent control gives unnecessary power to local governments while limiting oversight from the State. For this reason and the other comments previously mentioned, Henderson Chamber of Commerce opposes S.B. 371.

PAUL MORADKHAN (Vegas Chamber):

The Vegas Chamber opposes S.B. 371. Rent control will not address the affordable housing problems of our State. The Chamber also believes that local government has functional home rule, not fiscal home rule. This bill would encroach on that division, which we oppose.

BRYAN WACHTER (Vice President, Retail Association of Nevada):

Senator Flores was entirely correct to vote against the 2015 bills. We need a comprehensive, Statewide solution to the housing crisis, not a piecemeal approach as this bill would bring about. We oppose S.B. 371.

CHRISTINE HESS (Executive Director, Nevada Housing Coalition):

Nevada is in an affordable housing crisis and there is not one solution, there are many. Rent control, however, is not one of them. The State needs a greater supply of affordable housing and subsidized units. And while there is no definition for affordable housing in the bill, affordable housing is defined in NRS. We oppose S.B. 371.

MS. KAGAN:

I oppose S.B. 371. The housing crisis is a nonpartisan issue, it has been going on for three years now. The solution is not rent control. I was born in New York and I lived in California for 20 years—2 states that had rent control. It does not fix the problem. I was in Los Angeles last week. The homelessness issue is insane there. We need developers to come into our cities and develop those 84,000 units. They will not get built if developers are worried about rent control; they will go to another state to build their projects. Rental units tend to be more scarce in states with rental control, and rental control also leads to decay of the rental housing because landlords cannot invest in maintenance when they are not making a profit. If people cannot afford housing in the current market, we either need to increase supply to bring prices down or raise wages.

MR. ROJAS:

My family has owned over 42 rental units. I am an investor, I make my living by renting out properties. I am confused about the bill. Rather than making language general enough to address rent control, why not just make a bill about rent control? Rents are going up because people want to invest. A general investor wants to get at least a 6 percent return on the money. I support rent control so long as it takes investor goals into account. I oppose S.B. 371.

WISELET ROUZARD (Americans for Prosperity Nevada):

I oppose S.B. 371 which is broad, vague and harmful. I understand the concerns the bill sponsor is trying to address, but this bill seeks to add to an already bad statute. It expands unchecked local government power to impact the housing market related to price of certain rentals. It creates unintended consequences with severe restrictions imposed on property owners and the housing market, and it further empowers the government to pick winners and losers. Rent control does not work. Look to St. Paul, Minnesota, where in 2021 then-Mayor Melvin Carter, who campaigned for rent control, sought to repeal the ordinance once he became elected. He saw the market respond with less real estate funding, resulting in a housing and rental shortage. Rent control will lead to fewer rental units and increase rent prices.

To help low-income families address affordable housing, we suggest unlocking economic opportunities for families to get ahead. This can be achieved by reigning in and reforming burdensome housing and land use zoning regulations and eliminating cronyism via tax subsidies for billionaires and major

corporations. The best way to resolve affordable housing issues is with free market principles, increasing the supply and allowing competition to thrive.

MARK FERRY:

I am a property manager in Las Vegas. I currently manage 1,033 units, and the company has been in business since 1995. Vacancies control our rent prices; when vacancies are high, rent prices go down and vice versa. Unfortunately, prior legislation lowered the amount of vacancies by restricting judges from being able to evict anyone. Earlier, the Committee heard a bill saying county commissioners should get a 15 percent salary increase, which I fully support. However, those same commissioners could limit rent increases to 5 percent when inflation is at 8.5 percent. That is not fair. I adamantly oppose S.B. 371.

VALERIE TILSON:

I live in a mobile home. Though these have not been mentioned in this bill, I am not sure what side I am impacted by, so I am neutral on S.B. 371. But our mobile home park was sold unbeknownst to the tenants. We do not know the new owner. Our current rent is \$590. New tenants are paying \$1,010, the highest in northern Nevada. I want to invest in my property because it is paid in full, but if the rent goes up with the new lease, then it is not a mutual benefit for me and the realtor. The definition of affordable housing needs to be refined, but I am petrified that in 90 days I will get a notification that I have to sell, move and find housing. I am on a fixed income, where am I to go? I understand everybody wants to make a profit, but our cost-of-living adjustment (COLA) has already been gobbled up. Grocery prices have exceeded the COLA of 8.7 percent. Where does that leave us?

SENATOR FLORES:

Only three or four people from the entire opposition addressed what S.B. 371 does. The rest of the opposition were talking about why rent control is bad. Let me start with the folks who did not address my bill. To make it abundantly clear, I remind you that S.B. 371 clarifies power already allowed by statute. All the potential solutions brought up by both support and opposition can be tried. Affordable housing solutions will not work Statewide. Clark County is not the same as Elko County. If a single, simple solution would have worked, we would have already found it.

For those who did address the bill and mentioned issues with local control and local involvement in fiscal rule, I made that argument in 2015 and lost. After

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eight years, it is time we allowed local jurisdictions to have clarity. This bill will not force a jurisdiction to adopt rent control or new zoning law or anything else related to affordable housing if it does not want to do it.

VICE CHAIR OHRENSCHALL:
I close the hearing on S.B. 371.

CHAIR FLORES:
I open the floor for public comment.

MR. ROJAS:
I apologize to Senator Ohrenschall for getting overexcited on one of his bills. I am a strong advocate for trying to reduce homelessness, and I know there are a lot of solutions.

MS. KAGAN:
I wish there was more dialogue because the affordability issue here is not about jurisdiction and rent control, it is about so many things. I have been to Washington, D.C., speaking about affordability for a long time. Hard-working Nevadans are struggling to compete with big buyers with out-of-state money.

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CHAIR FLORES:

Having no further business, the Senate Committee on Government Affairs adjourns at 6:00 p.m.

RESPECTFULLY SUBMITTED:

Spencer Jones,
Committee Secretary

APPROVED BY:

Senator Edgar Flores, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 51	C	2	Mark Fiorentino / Nye County	Proposed Amendment from NACO