

**MINUTES OF THE  
SENATE COMMITTEE ON REVENUE AND ECONOMIC DEVELOPMENT**

**Eightieth Session  
March 21, 2019**

The Senate Committee on Revenue and Economic Development was called to order by Chair Marilyn Dondero Loop at 1:39 p.m. on Thursday, March 21, 2019, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Marilyn Dondero Loop, Chair  
Senator Julia Ratti, Vice Chair  
Senator David R. Parks  
Senator Ben Kieckhefer  
Senator Heidi Seevers Gansert

**GUEST LEGISLATORS PRESENT:**

Senator Pat Spearman, Senatorial District No. 1

**STAFF MEMBERS PRESENT:**

Russell Guindon, Principal Deputy Fiscal Analyst  
Joe Reel, Deputy Fiscal Analyst  
Lex Thompson, Committee Secretary  
Barbara Williams, Committee Secretary

**OTHERS PRESENT:**

Lluvia Avina, United Food and Commercial Workers Union  
David Rosen, CEO, Waveseer  
Ken Evans, Urban Chamber of Commerce

CHAIR DONDERO LOOP:

Today we are hearing Senate Bill (S.B.) 278.

**SENATE BILL 278**: Authorizes medical marijuana establishments and associations of medical marijuana establishments to participate in programs of workforce development. (BDR 40-784)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

The bill before you today, S.B. 278, is simple and straightforward but so important. It extends valuable workforce development and training opportunities, coordinated through the Governor's Office of Economic Development (GOED), to the emerging medical marijuana industry. This bill will allow the industry to enhance its recruitment, assessment and training of medical marijuana establishment agents. Moreover, the bill requires GOED, to the extent possible, to ensure minority-owned, women-owned and disadvantaged businesses are involved in GOED's programs in workforce development in which medical marijuana establishments or related associations participate.

The stated public policy of GOED's program for training and workforce development is that "industrial and economic development of all geographic areas of this State be supported through the implementation of programs of workforce development that prioritize the recruitment, assessment and training of a highly skilled and diverse workforce." This public policy, set forth in *Nevada Revised Statutes* (NRS) 231.1465, further declares that creating equal opportunities is critical to ensuring equity, social and economic mobility, and sustainability. These public goals and the programs associated with them are actively serving many industries, including health care, information technology, mining, manufacturing and logistics.

I ask you today, why not include the emerging and vital medical marijuana industry? Though this industry is fairly new, we know it yearns for greater diversity and employee sustainability. Workforce development is an essential tool in the recruitment and training toolbox, as it prioritizes recruitment and retention of highly skilled employees who will grow and sustain the medical marijuana industry. Minority- and women-owned businesses involved in this industry stand to benefit even more from these crucial opportunities.

Section 1 of S.B. 278 amends NRS 453A.352 to add that a medical marijuana establishment or association of establishments may participate in a program for workforce development for the purposes of recruiting, assessing and training medical marijuana establishment agents. Sections 2 and 3 amend NRS 231 to

include the existing definition of medical marijuana establishment as set forth in NRS 453A.116. Section 4 specifies GOED shall, to the greatest extent practicable, ensure businesses which have been certified as minority-owned or women-owned businesses or disadvantaged business enterprises are involved in programs of workforce development in which medical marijuana establishments or associations of medical marijuana establishments participate.

Section 5 of S.B. 278 is conforming language, and section 6 provides that a business or a person who represents an association of medical marijuana establishments may apply to GOED to participate in a program of workforce recruitment, assessment and training provided by an authorized provider. Section 6 adds the phrase "or association" to ensure such an application includes information about an association of medical marijuana establishments, if applicable. Section 7 provides that a person who represents an association of medical marijuana establishments may apply to GOED for approval of a program of workforce training. Additional references related to "association" and "medical marijuana establishments" are included in section 7 to provide that the application must include certain information. Finally, section 8 makes conforming changes to provide that an association of medical marijuana establishments, like other businesses participating in GOED's workforce development program, may request any proprietary information, intellectual property or trade secret which is contained in any training materials provided through the program be deemed confidential.

I want to make clear that labor organizations are already in statute and eligible to participate as trainers in this bill. The bill allows "authorized providers" to provide these workforce development programs as defined in NRS 231.1415. The statute defines authorized provider as any institution within the Nevada System of Higher Education, a State or local agency, a school district, a charter school, a nonprofit organization, a labor organization or a private postsecondary educational institution that provides a program of workforce development approved by the Office.

LLUVIA AVINA (United Food and Commercial Workers Union):

I work for the United Food and Commercial Workers Union (UFCW) Local 711 as a union representative of marijuana employees. Thank you for allowing me to voice support of S.B. 278 with this amendment which would allow a labor organization that represents employees in the marijuana industry to participate in the proposed workforce development program.

CHAIR DONDERO LOOP:  
Does the Committee have the amendment?

SENATOR SPEARMAN:  
The amendment was finalized just before this meeting and will be provided before the work session.

Ms. AVINA:  
Local 711 is based in Las Vegas and represents over 6,000 workers around the State, primarily in food retail. If you have ever shopped for groceries at Albertsons, Smith's or Vons in southern Nevada, or Save Mart, Safeway, Smith's or Scolari's in northern Nevada, you have likely interacted with a UFCW member. Local 711 also represents a number of workers in the legal marijuana industry, specifically, at WaveSeer in North Las Vegas and Jenny's Dispensary in Henderson and North Las Vegas.

Nationally, we play an integral leadership role in the development and stabilization of the emerging cannabis sector through its Cannabis Workers Rising campaign, which began in 2010. We support legislative and regulatory efforts, participate in industry coalitions and help set standards for cannabis workers through collective bargaining. We represent thousands of cannabis workers across multiple states.

The marijuana industry is growing and rapidly evolving. It requires highly specialized and technical skills, including botany, chemical extraction and horticulture. It is vitally important to have a well-trained workforce to ensure the safety of consumers, workers and the public. For this reason, we are pleased that S.B. 278 would establish a marijuana workforce development program.

Workers need to be trained on safety—from wearing the proper gear, operating equipment, handling biological hazards such as mold and pesticides, and physical hazards such as flammable and combustible liquids. Jobs within this industry can be dangerous, and a union is instrumental in enforcing State regulations as well as overall health and safety standards. Our job is to keep our members safe.

Finally, I have heard from our members that they enjoy their work and hope to establish long-term careers within the marijuana industry. A workforce development program which includes labor input would provide these workers

with advancement and growth potential as well as pathways to family-sustaining, middle-class careers. In turn, this would reduce turnover in the industry and would help ensure workers do not replicate what they have learned in the underground market.

DAVID ROSEN (CEO, WaveSeer):

WaveSeer operates cultivation facilities, extraction facilities and retail stores in Nevada, Oregon and Maryland. Nationally, our retail stores are called Jenny's, and we have two stores in Nevada: one in Henderson and one in North Las Vegas. Our Nevada cultivation facility is also located in North Las Vegas.

As a marijuana operator in Nevada, I have a contract with UFCW Local 711. Working with them has been a great experience.

As a union employer, we attract top-notch applicants in a competitive labor market. Together with the union, we have developed management systems that focus on employee management, worker health and safety, and worker compensation. We are a better company because of the Union.

Since there is value in having our employees represented by a union, I also believe a marijuana workforce development program would benefit from labor involvement. Unions bring a valuable perspective to industry work. Having a union involved will only strengthen the program.

Including labor in a workforce development program will ensure future cultivation, manufacturing, dispensary and laboratory testing workers are highly skilled, certified and fully prepared to raise and maintain standards across the entirety of the cannabis industry.

CHAIR DONDERO LOOP:

Can anyone walk us through the bill with the amendment?

SENATOR SPEARMAN:

I have not had a chance to review the amendment in its entirety.

CHAIR DONDERO LOOP:

I will close the hearing of S.B. 278, and we will reschedule the bill when the amendment is available.

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KEN EVANS (Urban Chamber of Commerce):

We appreciate Senator Spearman's efforts to make provisions for minority- and women-owned businesses within the bill to be part of the workforce development program. Like any small business, a key part to growth in this new and emerging market is the availability of quality workers.

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CHAIR DONDERO LOOP:  
This meeting is adjourned at 1:54 p.m.

RESPECTFULLY SUBMITTED:

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Barbara Williams,  
Committee Secretary

APPROVED BY:

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Senator Marilyn Dondero Loop, Chair

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

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	3		Attendance Roster