

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

**Eighty-Second Session  
May 4, 2023**

The Committee on Government Affairs was called to order by Chair Selena Torres at 9:09 a.m. on Thursday, May 4, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. 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/82nd2023](http://www.leg.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Selena Torres, Chair  
Assemblywoman Bea Duran, Vice Chair  
Assemblyman Max Carter  
Assemblyman Rich DeLong  
Assemblyman Reuben D'Silva  
Assemblywoman Cecelia González  
Assemblyman Bert Gurr  
Assemblyman Brian Hibbetts  
Assemblyman Gregory Koenig  
Assemblyman Richard McArthur  
Assemblyman Duy Nguyen  
Assemblywoman Angie Taylor  
Assemblywoman Clara Thomas

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Senator Fabian Doñate, Senate District No. 10

**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Committee Policy Analyst  
Sarah Delap, Committee Counsel  
Judi Bishop, Committee Manager

Minutes ID: 1020



Diane Abbott, Committee Secretary  
Cheryl Williams, Committee Assistant

**OTHERS PRESENT:**

Warren B. Hardy II, representing City of Boulder City; and Urban Consortium  
Brittany Lee Walker, City Attorney, City of Boulder City  
David Goldwater, representing Lakemoor Canyon Redevelopment Area  
Nicole Rourke, Director, Government and Public Affairs, City of Henderson  
Robert Purdy, Fellow, Nevada Latino Legislative Caucus; President, University of Nevada, Reno Young Democrats; and Private Citizen, Reno, Nevada  
Joanna Jacob, Manager, Government Affairs, Clark County  
Joelle Gutman-Dodson, Government Affairs Liaison, Washoe County Health District  
Bradley Mayer, representing Southern Nevada Health District  
Beth Schmidt, Director-Sergeant, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department  
Tony Ramirez, Government Affairs Manager, Make the Road Nevada  
Nick Vassiliadis, representing Nevada Resort Association  
Paul Catha, Political Director, Culinary Workers Union Local 226  
Maggie Salas Crespo, Deputy Secretary for Southern Nevada, Office of the Secretary of State  
Alicia Mendez, Private Citizen, Las Vegas, Nevada  
Robert Garcia, Economic Justice Organizer, Make the Road Nevada  
Jose Rivera, Environmental Justice Organizer, Make the Road Nevada  
Jennifer Willett, Nevada Grassroots Manager, All Voting is Local  
Karla Sanchez, Northern Nevada Youth Justice Organizer, Make the Road Nevada  
Alexandra Noriega, Government Affairs Associate, Nevada State AFL-CIO  
Marco Rauda, Private Citizen, Las Vegas, Nevada  
Martha Moreno, Private Citizen, Las Vegas, Nevada  
Lalo Montoya, Civic Engagement Manager, Make the Road Nevada  
Sarah R. Johnson, Director, Office of Small Business Advocacy, Office of the Lieutenant Governor  
Lucy Gonzalez, Private Citizen, Henderson, Nevada  
Mauricio Garcia-Lopez, Private Citizen, Las Vegas, Nevada  
Frankie Perez, LGBTQ+ Justice Organizer, Make the Road Nevada  
Jacob Egan, Private Citizen, North Las Vegas, Nevada  
Rosalia Martinez, Private Citizen, Las Vegas, Nevada  
Elizabeth Ortiz, Private Citizen, Las Vegas, Nevada  
Adriana Corona, Private Citizen, Las Vegas, Nevada  
Alejandra Muneton-Carrera, Health Equity Organizer, Make the Road Nevada  
Omar Nemoga, Private Citizen, Las Vegas, Nevada  
Maria Garcia, Private Citizen, Las Vegas, Nevada  
Elizabeth Velasquez, Private Citizen, Las Vegas, Nevada  
Manuel Cazarez, Private Citizen, Las Vegas, Nevada  
Maria Navarrete, Private Citizen, Las Vegas, Nevada

Luz Salgado, Private Citizen, Las Vegas, Nevada  
Karina Martinez, Private Citizen, Las Vegas, Nevada  
Cynthia Salgado, Private Citizen, Las Vegas, Nevada  
Marion Wolfrom, Private Citizen, Las Vegas, Nevada  
Maricela Hernandez, Private Citizen, Las Vegas, Nevada  
Audrey Peral, Director of Organizing, Make the Road Nevada  
Raeanna Meadows, Private Citizen, Las Vegas, Nevada  
Jarrett Yost, Private Citizen, Las Vegas, Nevada  
Gil Lopez, Private Citizen, North Las Vegas, Nevada  
Taylor Patterson, Executive Director of Native Voters Alliance, Nevada  
Deanna Hua Tran, Coordinator, Nevada Immigrant Coalition  
Dakota Hoskins, Political Director, Service Employees International Union  
Local 1107  
Christopher Daly, Deputy Executive Director, Government Relations, Nevada State  
Education Association  
Amy Koo, Acting Deputy Director, One APIA Nevada  
Erika Castro, Organizing Director, Progressive Leadership Alliance of Nevada  
George Hritz, Government Affairs Representative, Nevada Taxpayers Association  
Hieu Le, Private Citizen, Las Vegas, Nevada  
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada

**Chair Torres:**

[Roll was taken. Committee rules and protocols were given.] Welcome to the hardest-working and happiest committee in the Nevada State Legislature, the Assembly Committee on Government Affairs.

We have two pieces of legislation today. We are going to begin with Senate Bill 23 (2nd Reprint).

**Senate Bill 23 (2nd Reprint): Authorizes certain legislative bodies to amend a redevelopment plan to remove an area from a redevelopment area under certain circumstances. (BDR 22-367)**

**Warren B. Hardy II, representing City of Boulder City:**

I have with me Taylour Tedder, who is the city manager of Boulder City, and Brittany Lee Walker, who needs very little introduction for most of you, who is our counsel. Senate Bill 23 (2nd Reprint) before you today is designed to make a very simple correction to an unintended consequence to a 79th Legislative Session bill that inadvertently locked some residential areas into our redevelopment area, therefore the funds that are generated there have to go to the redevelopment area instead of the police, fire, and social services where they are needed to serve those residents. I would like to turn it over to Ms. Walker for the presentation, and then we will stand for any questions.

**Brittany Lee Walker, City Attorney, City of Boulder City:**

As Mr. Hardy explained, this is a very limited change. It would allow a redevelopment agency only in a city with a population of less than 25,000 to remove land from the redevelopment area in one limited circumstance [[Exhibit C](#)]. That is when the land is primarily residential and the city council makes a finding that the property tax revenue is better suited for traditional property tax purposes.

The primary reasoning behind this bill is when we first formed the redevelopment area many years ago, we included a lot of vacant land that has since been developed. One such development is a new residential development which does not fit the spirit of a redevelopment area, and the property tax revenue is going towards our redevelopment fund. There has been a lot of criticism from the community about that, and our city council does believe that property tax revenue would be better suited for public safety and funding schools. That is the limited change this bill would make, and we are available for any questions.

**Chair Torres:**

Committee members, do you have any questions? I do not believe there are any questions at this time.

**Warren Hardy:**

I understand there is a proposed amendment from our friend, Mr. Goldwater. We at the City of Boulder City want to be good neighbors and want to be able to accommodate his concern; however, we do want to indicate that we understand how sensitive it is to open the redevelopment statutes. We have endeavored to make this as narrow as possible to be able to address our concern. We are happy to help accommodate the request. However, if it puts the bill in any kind of jeopardy, obviously we would be concerned about the amendment that is being proposed. We want to be good neighbors. We want to work along, but we are hoping it does not jeopardize the bill.

**Chair Torres:**

Before I take a question from a Committee member, I will let the Committee know that I will invite the City of Henderson to come up and present that amendment to the Committee. Then we can ask questions that pertain specifically to the amendment to the City of Henderson at that time. Are there any additional questions for the team here from Boulder City?

**Assemblyman DeLong:**

To make certain I know what version of the bill we are talking about and whether we have seen the amendment, I assume Senate Bill 23 (2nd Reprint) is what we are speaking to today?

**Brittany Lee Walker:**

We are looking at Senate Bill 23 (1st Reprint). No, you are correct. It is the second reprint [Senate Bill 23 (2nd Reprint)].

**Assemblyman DeLong:**

We have not seen any amendment yet, correct? This is a question maybe to Boulder City, but also maybe to staff. Have we seen an amendment?

**Chair Torres:**

Yes, the amendment was received. I do not know that it has been posted on the Nevada Electronic Legislative Information System. I think they are going to walk us through that amendment today. Then we will have the opportunity to ask questions.

No worries; rest assured we are not going to work session this bill this week. You will have plenty of time to continue to look at that language before we have a work session. I will request that after the presentation today, the City of Henderson share the memo with the Committee members that was shared with me. It would be helpful that you all have that. I do intend for it to be as transparent as possible. At this time, I will invite the City of Henderson to speak.

**David Goldwater, representing Lakemoor Canyon Redevelopment Area:**

I am here on behalf of Lakemoor Canyon, which is a development project in the City of Henderson. The language of the proposed amendment is simple in this case. We are requesting to change one number on a specific date that is in the statute. Allow me to give you a little bit of background.

Those of you from southern Nevada have probably driven out to Lake Mead or Lake Las Vegas. Directly south from the entrance to Lake Las Vegas there is a place where they sell boats and the like. On the other side of that business, if you jump the fence, you will find two giant pits where during World War I they mined manganese, which is an additive to steel. Then they shipped it to Pennsylvania to make guns and war material for the United States. That mine was shut down in 1972, and it has sat as a toxic site ever since.

A clever bunch of businessmen, along with the City of Henderson and Senator Harry Reid, came up with a plan to fix this toxic site where diesel fuel and tailings are left from the mining operation. In the simplest of terms, the deal was Senator Reid passed a bill that said if you clean up this site, the federal government will grant you this land. To pay for this cleanup, we use, as everyone on this Committee is familiar with, tax increment financing. You have the city doing a redevelopment site, a private company coordinating the whole thing, the State of Nevada overseeing it, the Division of Environmental Protection, and the federal government, and it is their responsibility to clean up the site, having made this deal. That is a good one. This is a keystone of the late, great Senator Reid's tenure, and he was very proud of this accomplishment. We have worked on this, not only in this body or throughout the state government, for the past 15 to 20 years.

There is a statutory scheme in here that is very particular. Now comes the good part. One of the requirements is that the land be conveyed, as you can see in *Nevada Revised Statutes* 279.439, subsection 2, paragraph (a), in 15 years. As we were reviewing the status of this project coming into the legislative session, one of the city attorneys in Henderson was

concerned that we were going to run up against this 15-year deadline, and we needed a couple more years. The request then is to change that to 18 years. Very simple change. There are no adverse parties to it. This is a very simple request on an otherwise many moving parts project.

I know it is a lot to digest. The reason is that this came to our attention late in the legislative cycle or the world that we are going to Boulder City—Mr. Warren Hardy, Ms. Brittany Walker, and Mayor Joe Hardy have been more than gracious to allow us to perhaps interlope on the only bill that opens the redevelopment statutes. Ironically, it was Senator Joe Hardy, current mayor of Boulder City, who passed one of the most important bills because at that time this site was in his district.

That is a long explanation for a very small change. I cannot express my gratitude enough to you, Madam Chair, as well as the fine people of Boulder City and Henderson. I am happy to answer questions. Leo Drozdoff is here to provide some expertise on the technical aspects of the project if, in fact, there are any questions on what is happening environmentally out there.

**Chair Torres:**

Committee members, do you have any questions? [There were none.] I have a question. I do apologize to the Committee members that we were not able to get the document to you all sooner. I will make sure you all have the time necessary, and I will ask Mr. Goldwater and the City of Henderson to please meet with each Committee member after they have had time to look at the document in case there are additional questions that they might have. The language extends that from the 15 years to 18 years. I do understand the intent of that, especially since coming back from COVID-19. I think it might be necessary to put some type of check-in with the Joint Interim Standing Committee on Government Affairs and the Committee on Government Affairs, requiring an update on the progress that has been made to the project each year and making sure it does not need another extension in five years or ten years—whatever that might look like. Would that be acceptable?

**David Goldwater:**

Yes, that would be fine, of course.

**Chair Torres:**

Committee members, are there any additional questions? [There were none.]

**Nicole Rourke, Director, Government and Public Affairs, City of Henderson:**

I would like to say, on behalf of the City of Henderson, we appreciate your considering this amendment. This is a project that is very important to our community. We really want to see this move forward, and all these efforts of the last many years continue to be made so that this site gets cleaned up and adds benefits to our community.

**Chair Torres:**

I will invite anyone wishing to testify in support of S.B. 23 (R2) here in Carson City. [There was no one.] Is there anyone in Las Vegas wishing to testify in support of S.B. 23 (R2)? [There was no one.] Is there anyone on the phone line wishing to testify in support of S.B. 23 (R2)? [There was no one.]

I will invite anyone in Carson City wishing to testify in opposition to S.B. 23 (R2). [There was no one.] Is there anyone in Las Vegas wishing to testify in opposition to S.B. 23 (R2)? [There was no one.] Is there anyone on the phone line wishing to testify in opposition to S.B.23 (R2)? [There was no one.]

Is there anyone in Carson City wishing to testify in neutral on S.B. 23 (R2)? [There was no one.] Is there anyone in Las Vegas wishing to testify in neutral on S.B. 23 (R2)? [There was no one.] Is there anyone on the phone line wishing to testify in neutral on S.B. 23 (R2)? [There was no one.]

I will now invite the sponsor to give any closing remarks. [There were none.] We will close the hearing on S.B. 23 (R2) and open the hearing on Senate Bill 92 (1st Reprint).

**Senate Bill 92 (1st Reprint): Revises provisions relating to sidewalk vendors. (BDR 20-53)**

**Senator Fabian Doñate, Senate District No. 10:**

I come before you today to speak on Senate Bill 92 (1st Reprint), which would legitimize street food vendors. Today I am joined by Robert Purdy, who is a fellow with the Nevada Latino Legislative Caucus and Tony Ramirez from Make the Road Nevada. Before I begin my remarks, I believe it is important to share my personal story as to why we arrived at this bill today. During the last primary election, I had the chance to be joined by my mother as we embarked on our door-knocking. Many of us in our communities knock on doors when we try to get elected for the first time, and I was no different. I had my family join me multiple times, but on one of the first occasions when my mom was able to join me, she shared with me that she had a preexisting phobia of knocking on doors. We came to find out the reasoning behind this phobia was because at an earlier age, my grandmother and my mom would go door to door selling tamales to make ends meet. It is stories like this and so many others in our community that showcase the spirit of entrepreneurship and the ethic of our hardworking immigrants. When we are not afforded the luxury of getting a job, we roll up our sleeves and we find new means of generating an income to support our families. That is the story of the American dream. It is part of the reason why we are here today to showcase some of the problems that have persisted with this particular population.

We have a few remarks prepared to help you understand the issue. We will go ahead and proceed with the presentation. Today we want to speak with you about the lessons we have learned from the current state of affairs with respect to street food vending and our strategy to legitimize street food vendors by providing a framework for their opportunity to operate in compliance as a small business unit and, of course, something dealing with our workforce.

Mr. Purdy and I will go ahead and spend some time talking about the background of this issue, the limitations of our current regulations, and how we have adopted an amendment that will fix the issues we see moving forward. I will go ahead and turn it over to Mr. Purdy, who will share with you some of the issues we are seeing nationwide and how they are playing out here in Nevada.

**Robert Purdy, Fellow, Nevada Latino Legislative Caucus; and President, University of Nevada, Reno Young Democrats:**

Senate Bill 92 (1st Reprint) is an act that relates to street food vending, otherwise known as sidewalk vending [page 3, [Exhibit D](#)]. As referred to in this bill, it requires sidewalk vendors to obtain a vendor license and requires the local board of health to adopt certain regulations. Additionally, S.B. 92 (R1) requires the establishment of a task force on sidewalk vending.

Street vendors in Nevada have increased in numbers across the state [page 4]. Vendors are substantially made up of people of Latino and immigrant backgrounds. Every county and city has different regulations and definitions for vendors. As I was doing my research for this bill, I even found myself getting confused with the different health codes throughout all of it. Existing law grants the governing body of a county or city all powers necessary and proper to address matters of local concern, including sidewalk vending. Existing law also authorizes a local board of health to adopt regulations relating to food establishments including sidewalk vending. It is easy to assume the reasons behind sidewalk vendors lacking registration. By having the county or city govern sidewalk vending in its totality, we must learn that street vendors have not been given the proper support to comply with food and licensing regulations. For example, as every county and city has different regulations and definitions for vendors, it makes it very difficult for vendors to comply with food and licensing regulations as is. To help legitimize street vendors, we need to start recognizing that safe sidewalk vending is, first and foremost, an economic issue.

Several other states are taking the lead in regulating sidewalk vendors and allowing them to legally operate in growing metropolitan areas [page 5]. California sidewalk vendors cannot legally obtain permits to operate. In response, the state passed California Senate Bill 972 [in 2022] to decriminalize the act of operating a mobile food cart without a license and to create more streamlined approaches to help sidewalk vendors obtain business licenses and health permits. The New York City Council with its very famous street food culture created a street food vendor advisory board in 2021 with members from health regulatory agencies, law enforcement, and business interest groups. This advisory board provides recommendations and advice on laws and regulations pertaining to sidewalk vendors. Arizona, Utah, and Florida have all passed similar legislation that seeks to reform regulations for food vendors as well.

As Nevada becomes a more popular destination with more major sports teams coming and a growing economy, it is important to maintain public safety near our gaming properties while also allowing vendors a reasonable and legal way to operate in our residential areas [page 6]. The purpose of this bill is to provide vendors easier access to licensure acquisition and reforming bureaucratic barriers, allow access to proper permitting requirements, and create



the task force on safe sidewalk vending in the Office of the Secretary of State [page 7]. This is to review and reform existing laws and regulations, address the needs of sidewalk vendors and mobile units, collaborate with local jurisdictions, businesses, and law enforcement agencies to ensure the safety of vendors and preserve the public health of our community.

Reforming regulations for vendors is necessary, and they are a net positive for all members of the community and support the spirit of entrepreneurship, which is one of the things that makes Nevada the greatest state in the Union [page 8, [Exhibit D](#)]. If you ask the stakeholders about legitimizing sidewalk vendors, there is a general consensus that regulations for sidewalk vendors are necessary as they benefit all stakeholders in this equation. Consumers will have the assurance that the health, labor, and safety standards are followed. State institutions will be able to regulate vendors with the new set of laws and regulations so that sidewalk vendors will have the opportunity to operate in compliance as a small business in the workforce and do what all of us want to do, which is to achieve the American dream.

**Senator Doñate:**

We will go ahead and have Mr. Purdy step aside, because I do want to invite the representatives from the agencies to come up and present the amendment.

**Chair Torres:**

Yes, please present the amendment, especially because I know the Committee members probably just received it as well.

**Joanna Jacob, Manager, Government Affairs, Clark County:**

You should have a copy of a conceptual amendment in the Nevada Electronic Legislative Information System (NELIS), and I will be working from that document [[Exhibit E](#)]. We are jointly proposing this amendment with the Washoe County Health District and with the Southern Nevada Health District. First, I thought it would make sense to present the county portions of the amendment. It starts on page 2 [[Exhibit E](#)] of the document on NELIS and just a little bit of context on why we are proposing this amendment today. In the Senate, we have been working with Senator Doñate, Mr. Ramirez, and with the health districts on this trying to figure out how we could accomplish Senator Doñate's goal and to find a way for us to regulate in Clark County and in the cities. The amendment before you is really trying to fix a few things that we had talked about in the Senate that did not quite make it into the draft of the reprint when it was happening.

I will talk to you briefly about the bill. The first sections are really related to the county, but the provisions are repeated for the cities as you look through the bill. We will talk about section 7.5 of the bill. This is one that we added, where Mr. Purdy talked about a lot of the events that are coming to Clark County, and this is an issue that is one we worked on with the Nevada Resort Association. Section 7.5 is going to address sidewalk vending on the Las Vegas Strip, Clark County Resort Corridor, and adjacent to a historical marker. It says that it is intended to cover the "Welcome to Las Vegas" sign and our Stadium District. This is something that we are working on with the Las Vegas Metropolitan Police Department and with our division, especially as the events come forward. We want to make sure there is a

prohibition on street food vending, which was requested because that is very consistent with our policy in the county where there are no sidewalk vendor businesses permitted on the Las Vegas Strip and Clark County Resort Corridor. The intent that Senator Doñate had was to regulate street food vending like other businesses, so that is very consistent with the intent.

We are adding a section in here as a very direct prohibition on the sale of merchandise in that area because of the large-scale sporting events that are coming into town, and that was a request from the Nevada Resort Association. There is a second bullet that we have from the county to make this section of the bill effective on October 15, 2023, to get an ordinance in place to regulate this issue in that area in time for some of the large-scale events that are coming to our community.

Section 9 is where we are presenting the framework for the ordinance that we will pass to regulate sidewalk vending in the residential areas. We are removing a section which referenced other businesses because we had tried to work on language about how we were going to set some standards in the ordinance. That work is also contemplated by the task force, as Senator Doñate will likely explain. We are trying to work towards a goal of consistent regulation on behalf of all the counties and the local governments. We have changed the effective dates. This is something that Clark County had requested to give us time to do some meaningful outreach in our community. This is based on experience when we are doing a policy change of this kind, and especially since our experience with the short-term rental bill last session which did take us a lot of time to get out to our community.

All the Clark County commissioners did town halls. We did a significant amount of outreach about the new model of business, and we contemplate that as well as we go out into our community to talk about what this will look like in Clark County. We have committed to work with Senator Doñate and with Mr. Ramirez to put Make the Road Nevada on that outreach so that we can go out and talk to our residents about what they would like to see in their communities. We have asked for that section to be able to pass our ordinance by July 1, 2024. If we can get it done before then, we will, but we know that we had a July 1, 2022, deadline for the short-term rental ordinance, and that gave us time to do that outreach. That was section 9 for the counties, and section 20 is for the cities so that they will have the same deadline.

The next section I have is section 10. This is something we had talked about with Senator Doñate when we were working on the ordinances, and we will be consistent in enforcing our county policies. We had to do a cleanup here; it is not the Board of County Commissioners. It is to allow its designee so we can do our administrative process of enforcement of business license rules and regulations that go before a hearing officer. It is an administrative matter instead of having it go to a public meeting.

In section 14 we are clarifying recommendations of the task force. Mr. Purdy spoke about the task force that is going to be convened. We are making a change here and it is incorrect in the amendment. I would like to say for the record, when I talked about amending section 14, subsection 1, paragraph (b), subparagraph (5) to clarify that any recommendations

from the task force regarding civil penalties for sidewalk vendors that operate in—I have written here "prohibited areas," but it should read "nonprohibited areas" because the intent is so the task force will talk about civil penalties in the residential areas. That was something that was very important to Senator Doñate.

Finally, I have one other change of effective dates. We tried to work on this in the Senate and we need to clean this up. In section 29, there is a piece in the bill that talks about upon passage and approval any policy or rule of the county is null and void. That conflicts with this. This is to avoid any issue that we may have while we are trying to get the ordinance passed by October 15, 2023. If there is anything status quo right now until we can get the policy in place, is going to be status quo. That is the intent of our amendment, and I will pass it over to the health district because we worked with them. The health district standards will be incorporated into our ordinance that will pass. I will hand it over to Ms. Gutman-Dodson.

**Joelle Gutman-Dodson, Government Affairs Liaison, Washoe County Health District:**

If you look at numbers 1, 2, and 3 on the amendment [page 1, [Exhibit E](#)] from the Washoe County Health District, these are definitions that were laid out in the bill. We are striking two of them and then we are revamping one of them. We are striking the definition of "roaming sidewalk vendor," and we are striking the definition of "stationary sidewalk vendor," and then we are striking the word "roaming" and adding "nonstationary" sidewalk vendor so that these definitions can meet the current regulations for Southern Nevada Health District as well as Washoe County Health District until we revamp our regulations as dictated later in the bill. Numbers 4 through 6 have to do with the task force. Numbers 4 and 5 stipulate that the members of the task force need to come from a health district, as well as a law enforcement agency, in a county with a population of 100,000 or more—this bill impacts counties with populations of 100,000—including representatives from Washoe County or Clark County. Number 6 is administrative. We missed that the task force may apply for grants and accept gifts or donations if there are programs that we recommend later that require money.

In number 7, I have added "regulations" for clarity. The task force will have "recommendations for legislation and regulations." Numbers 8, 9, and 10 are the same definitions that were written throughout the bill. We are doing the same as we did in numbers 1, 2, and 3. Regarding numbers 11 and 12, the task force is going to make recommendations for us to adopt new regulations, and we want to hear the recommendations before we make the new regulations. The task force's recommendations are due September 1, 2024. We wanted to be able to first hear the recommendations and then create our new regulations that will be due on or before December 31, 2025, extending the deadline out. We think that is better policy for everyone.

**Bradley Mayer, representing Southern Nevada Health District:**

The intent of this was because part of this bill will go into effect by October 15, 2023, with the creation of Clark County's ordinance. It takes our health districts generally 8 to 9 months to go through an entire regulation creation process. That would not be enough time to allow that to go into effect. The purpose of these definition changes is so they come under our

existing regulation structure for now, until we get time to hear the task force recommendations and then have the 8 to 9 months to really give us a year from the first task force recommendations to create a new set of regulations that can do this. We wanted to put on the record that is the intent of this and the reason for doing so.

**Senator Doñate:**

At this time, that concludes our presentation and we are happy to answer any questions.

**Chair Torres:**

I know there are several questions from the Committee, and I am going to request from the bill sponsor and those who helped work on the amendment that with the way it is drafted, we get a mock-up amendment before this bill goes to work session because it is very, very hard for us to read. There are so many changes, we need that before we can even take a look at that. I am going to request that sooner rather than later because we do have deadlines coming up. Please work with Legal Counsel so we can get that completed in a timely manner. At this time, we will go ahead and take questions from Committee members.

**Assemblyman D'Silva:**

It is very impressive to see that you brought so many different interests to the table to hammer out something that is workable. My question is pertaining to section 14 and the actual task force. Whom will that task force be composed of? Are there any sorts of specific backgrounds, entities, or organizations with what the task force will look like in terms of its composition?

**Senator Doñate:**

The amendment does not change the composition. It clarifies the folks who are on that task force. In this building I know we have had heartburn over task forces and studies, et cetera, but this is probably one that I would argue makes sense. The reason for that is, if you think about the issue in and of itself, you have a street food vendor who could one day be at Valley High School, which is an encounter that I had; then the next day perhaps they are on a different side of town. Sometimes they are in the City of Las Vegas, other times they are in unincorporated Clark County or other parts of town. In northern Nevada, you could go from Reno to the City of Sparks, to parts of Washoe County, to Carson City. There are a lot of cross jurisdictions that come into play. What we see is confusion with definitions as to what you qualify as. There are differences in how one community feels versus the other, and oftentimes that creates regulations that are conflicting. What I see in this proposal is, at some point we must create statewide initiatives for small businesses as to what a business license would look like or what the regulations would be; for instance, for the health districts. That is the point of this task force to streamline and reel back in what the cities have done in this space because we recognize that unfortunately, in some circumstances, it is a little bit disorganized because of how conflicting and how challenging this issue can be.

The task force is composed of folks who will be representatives of people we worked with on this bill. Gaming will be represented, law enforcement, county officials, the health district, and folks from the Office of the Secretary of State—which is important as you will hear later in the testimony in support of this bill—because they have the ability to look at business licenses in their entirety. We also want to make sure that people who are street food vendors are represented on the task force as well.

My ultimate goal is that by the time we come back in 2025, the task force will have submitted another framework. This is the first step, but hopefully by then they will have submitted a framework as to the laws that we should adopt, so that everyone is on the same page and no one is being left behind. The bottom line is, I believe street food vendors deserve to be treated with respect and dignity. That is our ultimate goal with the production of what will happen after this bill is passed.

**Chair Torres:**

Thank you. Bringing up Valley High School, as an alum I have to say, "Go Vikings." I am wearing Viking red today too, so it makes sense.

**Assemblyman Hibbetts:**

My question is in reference to part of the amendment submitted by Clark County. I do not know if Ms. Jacob wants to address this or Senator Doñate; it is a technical question. Please forgive my ignorance because I am new here. The effective dates for section 7.5 and section 29 of the bill say October 15, 2023. Every bill I have seen come out of here with a specific date has always been July 1, October 1, or January 1. Is the October 15, 2023, a specific date or random?

**Senator Doñate:**

There is a reason why we chose that date. It is one month before Formula 1 Las Vegas Grand Prix 2023 comes to Las Vegas.

**Assemblywoman Thomas:**

The bill means a lot to me because in my district I see a lot of sidewalk vendors. My question goes a little bit deeper, and it has to do with health safety and regulations. I have seen on numerous occasions people selling from the back of their cars. Will this task force eliminate some of that so citizens will feel good about their health in buying a product? That is not denying those people who want a business license. I have two questions in there—the cost of the business license, and then being able to sell from the back of their cars? I do not know if that will be something the task force would look at, but I think it is something we should look at.

**Senator Doñate:**

I am glad you asked that question because that is the question I have. I want to touch on a point, and I apologize to my health district folks, but I think it is important to narrate the story as to why this bill came to fruition.

A couple of months ago, I had the chance to tour with the Southern Nevada Health District and see what goes on with street food vendors. The occurrence I experienced was not the best. It is not reflective on the health district workers; it is on how our policies are written and what folks must follow. We went to a hot spot area in Las Vegas. Conveniently, the hot spot areas were down the street from my house. What we encountered was the first street food vendor was selling ice cream out of a Gatorade chest. When we were talking to him, I was the one who was translating on behalf of the public health workers. I was asking him, How long have you been doing this? He mentioned that he has been selling for quite some time, and it is his only source of income. As we were trying to give him the explanation about the health district regulations and why we are giving you this pamphlet, the health district workers were starting to impound the chests with ice cream that he had. As we were doing that, people were flipping us off down the street, yelling remarks that were insensitive. We had to rush out of that space because the safety of the health district workers was being jeopardized.

Then we went around to the other side of Valley High School. This is probably the one that was more heartbreaking. It was a similar encounter. This is a different type of street food vendor, probably the one who used to be in your neighborhood where they are selling chips, ice cream, corn, et cetera. This encounter was a little bit more saddening because as we were doing the same things where we were taking the street food from them—the perishable items that were heated. The bagged chips could stay, but it was everything else that we had to take. The vendor looked at me and he said, You know, if you are a State Senator, then why can you not help me? Why are you letting them do this to me? I promise I will not do it again. It is my only means of living. It made me question that perhaps this is not the best way we can encounter human beings, especially if they are entrepreneurs. They have to start somewhere. Perhaps they do not have the luxury of buying or starting a restaurant that is brick-and-mortar. There has to be some way we can meet people where they are at.

To your question, Assemblywoman Thomas, of a public health risk, this is perhaps where I disagree with some of the public health folks with my own public health background. Public health risks are interesting when it comes to food. I believe there is a stratification of public health risk. The guy who is selling fruit on the corner of the street is a low risk. The woman who is selling tamales, you are dealing with different items, perhaps the warmth of the temperature of what the food should be handled. That is a different type of risk. Then you have the higher risk, which is the taco stands that are standing up in random parts of town that can serve multiple people at a time. There is a reason why we have restaurants operate with certain regulations, because they can operate and distribute food to a lot of people within the hour versus the guy who is selling five containers of cut-up fruit. In general, what we want to see in this bill is, we need to separate how we approach different circumstances, and we should help those folks throughout all the tiers to reach the permitting and licensing that is available already in statute. In a similar sense, I think we are going to have a tough conversation in the interim, which is these permits are difficult to achieve. At some point, we have to make some changes where the task force starts to come in.

**Chair Torres:**

Senator Doñate, thank you so much for your response. I know that in the Senate, you all love to talk, but we do need our answers to get a bit more concise as well because I know that many of us would like to make it out to the Law Enforcement Officers Memorial ceremony, or maybe go home tonight, or make it to the Cuatro de Mayo party. I just want to make sure that I get all the questions in. I know I do have a number of them.

**Assemblywoman Thomas:**

I do appreciate that explanation because sometimes the history does count for us to understand what is going on. Thank you so much.

**Assemblywoman González:**

This is also personal for me. When my husband first came to this country, before he found work, he was also a street food vendor in the beautiful state of Utah—not as beautiful as Nevada, though. In section 7, section 7.5, and section 10, you list that the board of county commissioners may adopt criminal penalties. I have a few concerns about that. What does that look like? Why are we not putting criminal penalties in there ourselves, and in other states do they impose criminal penalties? What does that look like?

**Senator Doñate:**

I think the county officials and law enforcement could answer that if they would like to, but currently our law already has criminal penalties for when you operate without a business license, et cetera. That will remain the same in the Clark County Resort Corridor. The only difference now is we are adding a boundary as to how far you must be from those properties. The status quo will remain. Our argument is you should not criminalize folks in the residential areas, and that is why you see the transition to civil penalties. That is the difference.

**Assemblywoman González:**

Thank you so much for that. My other question is in that same section. Could common-interest communities (CIC) impose any policies against this piece of legislation?

**Joanna Jacob:**

This is a conundrum for us in the local governments, largely on the ordinances. We can pass ordinances but CICs can adopt bylaws. I would defer to Legal Counsel on this too, as Senator Doñate suggested, because bylaws and policies of the CICs are permitted to regulate conduct in the CICs. Where we do our ordinances, though, are in unincorporated Clark County, so Clark County ordinance will cover those areas. We do have areas that are not in CICs, and this is where our ordinance would come in and regulate. I will defer to Legal. Maybe we can have Legal weigh in on that issue as well.

**Chair Torres:**

We are happy to get Legal Counsel to get us a response. Our chief committee counsel is not in the building today, but I know he will work on getting us a response for that. I want to follow up that question because I do have some concerns with the language in sections 7.5

and 8. I know it is for the cities and the counties, but there are two different parts of the bill regarding the resort hotels. There should be a requirement that the vendor is given a warning first before they receive any penalty. I think that should be added in there because a vendor might not know where 1,500 feet from a property is. You should have to tell them, this is within that line. Additionally, I would like to see the language regarding criminal penalties removed because I do not believe it is the intent of this bill for us to criminalize street vending.

**Beth Schmidt, Director-Sergeant, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:**

The goal for the Las Vegas Metropolitan Police Department in the tourist quarter is not to go straight to the arrest. That is not the goal and not what we are doing currently. The misdemeanor charge is doing business without a license. What we do is, we have a bilingual sheet of paper that explains what the charge is. It is in English and it is in Spanish. What our officers do is when there are 50 to 70 of these vendors—and these are different vendors, vendors who are coming in—it is extremely organized in the tourist corridor; this is not a one-off. These vendors are extremely organized and what we will do is we will approach; we will try to find the main person who is in charge of them. They typically come in from California, and we will address that. We will give them the warning and give it to them on paper and explain the situation. It is warn, warn, warn. The goal is not to arrest immediately.

**Chair Torres:**

What I would like to see added into this bill language actually enforces that because what you are telling me on the record is different than what is actually in this bill. There has to be that intent, that effort. It seems that is what the local police departments are already doing, but I would like it to be very clear. In the interest of protecting our communities, it is important to me that a warning is given and that the warning is enumerated in their rights.

**Beth Schmidt:**

To clarify, we would always have to provide a warning. Is that what I am understanding? There would be no circumstance where we could immediately arrest the person or immediately cite them. The concern with that is we have seen a tremendous amount of violence, not only between vendors. This is the exception; this is in the tourist corridor areas. We have seen violence among the vendors in the group, but also violence towards officers. That is where we have a conundrum with saying that we would have to warn someone who has a weapon and has threatened someone.

**Chair Torres:**

We are not going to continue to elaborate on that. There are protections that protect police officers from violence. Violence is a different issue, and assault, obviously, or threats to an officer, is already a crime. This does not change that. I do not think it would hurt. Even in my classroom I warn a student before I take their cellphone or I call their parents. I think that a friendly warning would be appropriate.



**Assemblyman DeLong:**

First, as a businessman I applaud anyone who wants to try to start a business. I think that is a very admirable goal in this country. My question is following up on Assemblywoman Thomas's point about health standards, because we are basically looking at regulating another food delivery type of business. The question is really towards the health districts. Are you anticipating a whole new type of oversight and inspection process as it relates to vendors?

**Joelle Gutman-Dodson:**

We already regulate mobile food carts. That is the term Washoe County Health District uses. Although it is a different number of people whom food carts can potentially serve, the food risk is the same. We still have the same sorts of standards where food must be prepared in an approved commissary, and it must be on an approved food cart. There is a permitting and licensing process. That is where this bill started. We wanted to possibly lower the barrier of permitting from the health perspective, and we could not do that. We believe we can find ways to get people licensed better, and we have ideas on how to get these entrepreneurs better carts and opportunities for approved commissaries. We plan on hashing that out in the task force. We currently do have standards set and southern Nevada does too, but they are different; the same standards but different definitions.

**Assemblyman Carter:**

My question ties into what Sergeant Schmidt was just talking about, the organized factor. Those of us from southern Nevada have watched our whole lives dealing with, arguably, human trafficking in the Clark County Resort Corridor with the card snappers and the escort services. While we do not have too much of that out on the east side where I am, we do have the organized fruit vendors who come in with typically out-of-state license plates on their vehicles, a van full of typically immigrants, dropping them off on a corner, dropping off a food cart, and then leaving them out there all day long in the summer until they come back at the end of the day. I have even seen where they have forgotten people and left them on the corners. What are we going to try to do to control this exploitation of marginalized communities? You know, we all love the elote lady on the east side. We all love the chip vendors outside, and we all love the fruit-stand fruit, but I am concerned about the exploitation of these marginalized communities; out-of-state marginalized communities to boot.

**Tony Ramirez, Government Affairs Manager, Make the Road Nevada:**

My organization represents a lot of the members who are in residential areas. They are the ones who would be impacted by this bill. I do agree, human trafficking is an issue here, and food vendors are no exception to that. We feel this bill is going to reduce that. The folks we are trying to protect are our members in the residential areas. A lot of those folks in the sophisticated operations are primarily on the Clark County Resort Corridor, as Sergeant Schmidt had mentioned. Those are the folks we are trying to make sure are not taking away from our local folks. We feel this bill will protect our local vendors in the residential areas.

**Assemblywoman Taylor:**

I think it is great to put some parameters around this growing industry for many people as the gig economy continues to grow. My concern goes back to making sure we can follow all the recommended changes. There are some date conflicts and some other areas. I could not get all of it in because we have not had the amendment that long, but if that can be remedied somehow before it comes to us, or in some fashion for a work session. We need real clear information on, Here is the final recommendation for what you are looking for. That would be helpful.

**Chair Torres:**

I am going to go ahead and invite everyone wishing to testify in support. We will begin here in Carson City, then I will go to Las Vegas, and we will come back to Carson City. We will go back and forth.

**Nick Vassiliadis, representing Nevada Resort Association:**

I would like to lead off by thanking the sponsor of the bill for working through all the various issues, concerns, and questions the resorts had. We appreciate the fact that there is a delineation between our major economic hub and the communities. We do think there can be a balance that is struck between properly regulating the communities, but also making sure that we are protecting our largest economic interest in this state. We are very much in support of the amendment as presented. I would also like to provide some context that many of the things in that amendment as presented are things that were agreed upon through the negotiation process on the Senate side in the rush to make sure the bill did not meet an untimely deadline death. The bill was moved with the understanding that we would continue to work on these issues. I also want to thank Chair Torres for calling out the need for a clean mock-up. We recognize there are a lot of changes, but we also believe as an association that everything from the sponsor, to the Resort Association, to the Las Vegas Metropolitan Police Department, to the health district, and to the counties was something that was negotiated in good faith. We want to stand by that good-faith negotiation, which is why I wanted to make crystal clear that we are in support of the amendment as presented.

**Beth Schmidt:**

I want to second what Mr. Vassiliadis has said. We want to thank Senator Doñate for working with us on S.B. 92 (R1). We appreciate the effort to prioritize public safety in our tourist corridor in Las Vegas, and we acknowledge that this has been a very challenging proposition to bring everyone together and to accomplish the needs of all we do as well. We support the amendment as it was presented, and we stand in favor of S.B. 92 (R1).

**Paul Catha, Political Director, Culinary Workers Union Local 226:**

I will say I am happy to be on the same side as Mr. Vassiliadis. The Culinary Workers Union supports Senate Bill 92 (1st Reprint) because the state should not be in the business of criminalizing entrepreneurialism. Many street food vendors, some of whom are family of Culinary members or immigrants, are trying to make a better life for themselves and their families and Nevada should be supporting them in that goal. The Culinary Workers Union urges the Nevada Legislature to support and pass S.B. 92 (R1).

**Chair Torres:**

We are going to go to Las Vegas.

**Maggie Salas Crespo, Deputy Secretary for Southern Nevada, Office of the Secretary of State:**

On behalf of Secretary of State Francisco V. Aguilar, I would like to share support of Senate Bill 92 (1st Reprint) and the creation of the task force on sidewalk vending within the Office of the Secretary of State and the amendment as presented. The Office of the Secretary of State is the first stop for business registration, and we are committed to and take our responsibility to the business community seriously, especially for those coming from underserved populations. The Secretary of State understands the vital role the small business and entrepreneurs play in Nevada's economy and believes the state should be a resource for those seeking to start or legitimize their business. This includes finding ways to give access to resources and capital to entrepreneurs as opposed to continuously punishing them for pursuing their business goals. Entrepreneurs have to start somewhere, and we believe this measure gives sidewalk vendors the opportunity to do so while allowing the task force to address other issues facing the industry and getting these workers a seat at the table. As prescribed by Senate Bill 92 (1st Reprint), the task force on sidewalk vending would bring interested parties to the table to review existing state and local laws related to sidewalk vending and make recommendations to improve these laws within the focus of legitimizing and removing unnecessary barriers for sidewalk vending while protecting the public health, safety, and welfare of Nevadans.

This bill falls right in line with the Secretary of State's vision to improve processes for a business community to ensure their success in Nevada, and we welcome the decision to house this task force within our office. We know entrepreneurship leads to bigger business, but with little access to capital and other resources, it is difficult for businesses to grow. If we want Nevada to be business friendly, it should be friendly to all kinds no matter the size. We look forward to working with interested parties on this issue. It is great that the work with everybody coming together for this bill will continue on the task force.

**Chair Torres:**

Thank you. I know how much the Secretary of State's Office likes a good task force. Thank you for speaking very quickly. I will go to the next person in Las Vegas, and I believe there is a translator as well. We will have the remarks in Spanish, and then I will offer the translator to go after.

**Alicia Mendez, Private Citizen, Las Vegas, Nevada:**

[As translated by Robert Garcia.] I am a member of Make the Road Nevada, and I am also a street vendor. I am here to support S.B. 92 (R1). I dedicate myself to my business of selling food. I work hard to support my family. We need a path to legalization for other businesses like mine so we can work with dignity. Today, there are no resources or pathways to legalize my business, and that is why I ask that you support the law so other small business owners like me can prosper.

**Robert Garcia, Economic Justice Organizer, Make the Road Nevada:**

I support S.B. 92 (R1).

**Jose Rivera, Environmental Justice Organizer, Make the Road Nevada:**

Over the past several months, we have been working as the outreach connection between the legislation and our valley's street vendors. Advocating for the passing of S.B. 92 (R1) through my work organizing with street vendors, I have learned about the injustices they face with the current system. It is clear that the system, our system, was not designed with these specific groups of people in mind. However, street vendor regulations could benefit all stakeholders, including consumers, small-business owners, and increase job opportunities, regulate small businesses, and redirect investment to reinforce the law for other relevant issues. Street vending is an important aspect of our economy and is a form of art that reflects the diversity of the state of Nevada. Vendors like Horacio, Louis, Marie, and Baltazar are human beings who have made sacrifices to provide for their families and contribute to the economy. It is time to decriminalize street vending once and for all and allow our economy, families, vendors, and entrepreneurs to prosper. Let us work together to create a system that supports everyone, including our hardworking street vendors.

**Chair Torres:**

It is so good to see you. Jose was my former student, and I am so proud of you. We will come back to Carson City before going back to Las Vegas.

**Jennifer Willett, Nevada Grassroots Manager, All Voting is Local:**

We ditto the comments made and that we know are coming, and we are proud to support this excellent bill.

**Robert Purdy, Private Citizen, Reno, Nevada:**

Ditto to what everyone has said. I want to tell a story about how this affected me. There was a woman across the street from my apartment. I go to school at the University of Nevada, Reno. Her name was Rosa, and I remember it was an annoyingly cold, windy November day. I am a mechanical engineering student and had bombed an exam horribly and my day was not going that great. I remember walking back and I started talking to this woman and she did not speak English, but I speak some Spanish. I was able to communicate with her and she was teasing me about my Spanish, and I bought an elote in a cup from her. I remember how much better that made me feel about my day because it reminded me of being back home at the parties of my cousins where we would eat elotes together, and how in a community food can bind people and really make it better. This might sound slightly hippieish, but I do believe that it is a good bill and that we have to protect some of the members of our society who are the most victimized. Once again, I want to state my support for this bill.

**Karla Sanchez, Northern Nevada Youth Justice Organizer, Make the Road Nevada:**

I am here today to express my strong support for S.B. 92 (R1). Yesterday I drove around Reno, Sparks, and Sun Valley for about three hours to try to mobilize street food vendors to come here today and testify and to talk about their experience as a street vendor. I had a

conversation with a woman that stuck with me. I bought an elote from her and I was telling her about this bill. She was happy to hear it and she was very interested, but unfortunately she was very scared. She said to me, What if I listen to you and I show up in Carson City and something bad happens to me, insinuating, what if I get arrested? What if I show up and they give me a fine? Unfortunately, this is the harsh reality of being a street vendor. Everyone should be able to advocate for themselves without fear. My community should not be criminalized for simply providing for their family. I urge you to support S.B. 92 (R1) to ensure that street vendors are protected and decriminalized.

**Alexandra Noriega, Government Affairs Associate, Nevada State AFL-CIO:**

On behalf of our 150,000 members and 120 unions, we proudly support S.B. 92 (R1).

**Marco Rauda, Private Citizen, Las Vegas, Nevada:**

Senate Bill 92 (1st Reprint) is very important to me specifically because this is how my family has made a living in the past, from my grandmother to my uncles' wives. Whenever there is a situation where they cannot make their bills, they will make tamales, pupusas, or some Salvadoran food, and that is how they will make money to pay rent for those weeks. They do not sell it out on the street, but if they ever had to, this bill would help them tremendously. If you ever run into a street food vendor or get food from them, I encourage all of you to please have a conversation with them. They are real people. They are people who want to help their families and their communities as well, and I urge you to support this bill.

**Chair Torres:**

We had a couple of questions from Committee members about what an elote is, and it is a corn dish. Very popular, in case you were wondering. At this time, we will go back to hearing testimony in Las Vegas. We will take four in Las Vegas.

**Martha Moreno, Private Citizen, Las Vegas, Nevada:**

[As translated by Lalo Montoya.] I am a member leader of Make the Road Nevada, and I would like us to support street vendors because they are working to provide for their families and support the local economy, and it is also a part of our culture and makes families happy when they hear them come through. Please pass S.B. 92 (R1).

**Lalo Montoya, Civic Engagement Manager, Make the Road Nevada:**

I ditto all of the previous comments, and I urge you to support S.B. 92 (R1).

**Sarah R. Johnson, Director, Office of Small Business Advocacy, Office of the Lieutenant Governor:**

Thank you for the opportunity to support S.B. 92 (R1). I urge you to support this bill which would legalize street food vending and create an accessible pathway to entrepreneurship for many Nevadans following the pandemic. More and more individuals turn to entrepreneurship as a way to support their families and pursue the American dream. We should all be looking for ways to make it easier, not harder, for people to create economic opportunities for themselves and their families. That is what is at the heart of this bill.

From a personal note, my husband and I have been fortunate enough to travel to more than sixty countries. Some of our favorite experiences have been trying culturally significant and interesting foods from street vendors around the world. Many of America's great cities also have a vibrant street food vendor culture. We should encourage that here in Nevada as well. I urge you to support S.B. 92 (R1) and in doing so support people's potential to contribute to their local community and make a better future for themselves. From the Lieutenant Governor's Office of Small Business Advocacy, we fully offer our support to help individuals become entrepreneurs and pursue their American dream.

**Lucy Gonzalez, Private Citizen, Henderson, Nevada:**

I have been a constituent of Senate District 5 for the past seven years. I am here today to express my strong support for S.B. 92 (R1). I have come to realize how difficult it is for street vendors in Nevada to try to make ends meet to feed their families. Many street vendors are currently at risk because they cannot obtain a vendor license. These hardworking individuals have a business mindset, and they want progress for a better life knowing they are going to work every day with no fear. I talk to people every day, and it makes me feel like these people need the opportunity to have a business.

One day I saw a street vendor selling fruit in Henderson. I am from Mexico City and seeing my people in my community selling fruit and elotes, or corn on the cob, it makes me feel it is amazing to see all these people working so hard in the heat. I noticed that these people were supporting the vendor. He was very busy, and these people were enjoying the fruit in the hot weather. It was nice to see the community supporting him. After one month, I no longer saw him. That makes me feel like, Oh, my God. He was trying to make a living and suddenly he was gone. What happened to him selling outside the gas station in Henderson near my house? I hope that he was able to return, and that I see more support for the street vendors in East Las Vegas. I want to see the vendors in Henderson as well. I see how they contribute to the community, and I admire their hard work. By passing S.B. 92 (R1) we can create a more inclusive state where all members of the community can contribute to our state, and I urge you to support S.B. 92 (R1). Let us make this happen.

**Chair Torres:**

I do not believe there is anyone else here in Carson City wishing to testify in support of this bill. If there is, please approach so I can signify that, but otherwise we will go ahead and stay in Las Vegas for now.

**Mauricio Garcia-Lopez, Private Citizen, Las Vegas, Nevada:**

I am here today in support of S.B. 92 (R1). As someone who has lived in Nevada since I was two years old, I have seen firsthand the unfair treatment toward street vendors. As the son of former street vendors, my parents have faced some horrific experiences and humiliations such as the police throwing away my parent's products that sustained our family. It was a means to survival and to support my family. These hardworking individuals are simply trying to survive and thrive as independent business owners. Senate Bill 92 (1st Reprint) would provide an opportunity to legitimize their business. I urge you to pass S.B. 92 (R1).

**Frankie Perez, LGBTQ+ Justice Organizer, Make the Road Nevada:**

I strongly urge you to support S.B. 92 (R1), as I do, strongly. Have a good one.

**Jacob Egan, Private Citizen, North Las Vegas, Nevada:**

I am a canvasser with Make the Road Nevada, and I would like to ditto all the comments made by my colleagues.

**Rosalia Martinez, Private Citizen, Las Vegas, Nevada:**

I also ditto all the comments made.

**Elizabeth Ortiz, Private Citizen, Las Vegas, Nevada:**

[As translated by Robert Garcia.] I also support S.B. 92 (R1).

**Adriana Corona, Private Citizen, Las Vegas, Nevada:**

[As translated by Alejandra Muneton-Carrera.] I am a Make the Road Nevada member. I am here today in support of S.B. 92 (R1). One day I was walking at the park in my community, and I witnessed the way police throw street vendors' merchandise onto the ground. I became incredibly sad because my parents were street vendors and in that moment I pictured my parents. I want to ask for your support on S.B. 92 (R1).

**Alejandra Muneton-Carrera, Health Equity Organizer, Make the Road Nevada:**

I would like to ditto all the support.

**Omar Nemoga, Private Citizen, Las Vegas, Nevada:**

I ditto.

**Maria Garcia, Private Citizen, Las Vegas, Nevada:**

[As translated by Robert Garcia.] I also support S.B. 92 (R1).

**Elizabeth Velasquez, Private Citizen, Las Vegas, Nevada:**

[As translated by Robert Garcia.] I also support S.B. 92 (R1).

**Manuel Cazarez, Private Citizen, Las Vegas, Nevada:**

[As translated by Robert Garcia.] Ditto.

**Maria Navarrete, Private Citizen, Las Vegas, Nevada:**

I support S.B. 92 (R1).

**Luz Salgado, Private Citizen, Las Vegas, Nevada:**

[As translated by Robert Garcia.] I support S.B. 92 (R1). There is a story that I would like to share about how one time in Henderson I saw street vendors. I have been telling my kids and my family that they are hard workers and oftentimes they might be undocumented, but that does not matter because they are making a living and they are surviving. One time I saw a street vendor and then two hours later when I returned to the same area, he was gone.

It was very sad for me because I grew concerned that something happened to him, and that the police told him to leave. That is why I believe that S.B. 92 (R1) should be supported, and I support it wholeheartedly.

**Karina Martinez, Private Citizen, Las Vegas, Nevada:**

I am a canvasser for Make the Road Nevada. I strongly support S.B. 92 (R1). Every day I talk to these three vendors, and they are not criminals. They are just trying to provide food for their families, and I strongly support this bill.

**Cynthia Salgado, Private Citizen, Las Vegas, Nevada:**

I am with Make the Road Nevada, and I ditto all the comments made by not only our membership, but my colleagues in support of S.B. 92 (R1).

**Marion Wolfrom, Private Citizen, Las Vegas, Nevada:**

I am a canvasser with Make the Road Nevada, and I support S.B. 92 (R1). Ditto.

**Maricela Hernandez, Private Citizen, Las Vegas, Nevada:**

I am here to support S.B. 92 (R1), and ditto to all the comments.

**Audrey Peral, Director of Organizing, Make the Road Nevada:**

I am here today to show my strong support for S.B. 92 (R1). As an organization, we have been out in the community talking to folks about this for the last year or so. I personally have been out in the heat, for those of us in Las Vegas, where it is over 100-degree weather. These folks work hard every single day. Through our conversations, we have learned that their number one ask and need is to find some form of legitimizing their business. These are hardworking folks who are trying to make ends meet and contribute to our society. I am here to ditto all the comments that were made today and ask for your support for S.B. 92 (R1).

**Raeanna Meadows, Private Citizen, Las Vegas, Nevada:**

I am a core canvasser with Make the Road Nevada, and I am here in support of S.B. 92 (R1). I ditto everything that was said today.

**Jarrett Yost, Private Citizen, Las Vegas, Nevada:**

I urge you for your strong support of S.B. 92 (R1). I have had hundreds of conversations with people in the community in support of S.B. 92 (R1). I ditto all the comments in support.

**Chair Torres:**

Is there anyone on the phone line wishing to testify in support of S.B. 92 (R1)?

**Gil Lopez, Private Citizen, North Las Vegas, Nevada:**

I am here in support of S.B. 92 (R1), and I want to thank the sponsor for bringing this bill forward, and I urge your support.



**Taylor Patterson, Executive Director of Native Voters Alliance, Nevada:**

We are the largest Native-American community organization in the state. I urge your support of S.B. 92 (R1). The Legislature always boosts the diversity that we have here in Nevada. It is time to protect that diversity and make sure that all our community members feel safe while they are trying to grow their small businesses.

**Deanna Hua Tran, Coordinator, Nevada Immigrant Coalition:**

The Nevada Immigrant Coalition consists of the various organizations from across the state who work together to fight for immigration reform and immigrant justice. We are here in support of S.B. 92 (R1) and want to thank Senator Doñate for sponsoring this bill. Both my parents are from Vietnam, and my mom has fond memories of getting her favorite meals from her local street vendors. Street vending is a multicultural practice, and S.B. 92 (R1) promotes not only safe entrepreneurship but increases cultural awareness and allows for many of our diverse immigrant communities to share their cultural dishes and traditions with their community. We urge your support for S.B. 92 (R1).

**Dakota Hoskins, Political Director, Service Employees International Union Local 1107:**

Service Employees International Union Local 1107 represents over 5,600 Clark County and southern Nevada health district workers. Service Employees International Union Local 1107 believes that S.B. 92 (R1) will help in the process of legitimizing the work of street vendors in Clark and Washoe Counties while also creating a process to ensure the safety of our communities. Service Employees International Union Local 1107 urges your support for S.B. 92 (R1).

**Christopher Daly, Deputy Executive Director, Government Relations, Nevada State Education Association:**

Nevada State Education Association, the voice of Nevada educators for over 120 years, is also in support of S.B. 92 (R1). I would like to thank the sponsor, Senator Doñate, and Make the Road Nevada for their work on this. Nevada State Education Association represents some of the lowest-paid workers working in schools. Many of these employees have to work other jobs. Some are our street vendors. We appreciate the work on this bill and are in support.

**Amy Koo, Acting Deputy Director, One APIA Nevada:**

We are a local nonprofit that advocates for the growing Asian-American community here in Nevada calling in support of S.B. 92 (R1).

**Erika Castro, Organizing Director, Progressive Leadership Alliance of Nevada:**

I am here in support of Senate Bill 92 (1st Reprint). I grew up on the east side of Las Vegas, which is predominantly Latino. I was often buying elotes from the elotero as a kid. I remember often asking my parents for money and then running outside with the family because everybody wanted some. Many of our immigrant families come from countries where street food vending is part of our culture. It is the norm. You walk down the street, and someone is making a living selling their specialties so they can put food on their tables for their own families as well. Street food vendors are simply trying to make a living, and

they are an important part of our community's culture and economic development. Senate Bill 92 (1st Reprint) creates the necessary pathways to invest in the entrepreneurship of street vendors while also ensuring the health and safety of consumers. Senate Bill 92 (1st Reprint) will ensure that local entities have the ability to work with the community on ways to support local small businesses and create a task force to allow us to continue this work outside of the Session. As planned, we ask that you invest in small businesses and support S.B. 92 (R1).

[[Exhibit F](#) was submitted and made part of the record.]

**Chair Torres:**

We will invite anyone wishing to testify in opposition to S.B. 92 (R1). I do not see anyone here in Carson City. Is there anyone in Las Vegas wishing to testify in opposition to S.B. 92 (R1)? I do not see anyone. Is there anyone wishing to testify in opposition to S.B. 92 (R1) on the phone line? [There was no one.]

[[Exhibit G](#) was submitted and made part of the record.]

We will go ahead and move into the neutral position. If there is anyone in Las Vegas or Carson City wishing to testify neutral, please approach. There is someone here in Carson City. Please begin when you are ready.

**George Hritz, Government Affairs Representative, Nevada Taxpayers Association:**

I am testifying in neutral on Senate Bill 92 (1st Reprint) and would like to direct you to a few statutes in *Nevada Revised Statutes* (NRS) Title 32, Chapter 372 that are administered by the Nevada Department of Taxation.

First, I would like to direct you to NRS 372.060, subsection 3, paragraph (c), where sale is defined as, "The furnishing, preparing, or serving for a consideration of food, meals or drinks." Second, NRS 372.284, subsection 2, paragraph (d), "Food for human consumption" does not include: "Prepared food intended for immediate consumption."

Third, NRS 372.055, subsection 1, paragraph (c), "Retailer" includes, "Every person making more than two retail sales of tangible personal property during any 12-month period . . .," and NRS 372.070, "Seller" includes every person engaged in the business of selling tangible personal property of a kind, the gross receipts from the retail sale of which are required to be included in the measure of the sales tax."

What I have read to you brings up two questions. First, are we treating businesses differently, and is this revenue that the state is missing out on?

**Warren B. Hardy II, representing Urban Consortium:**

The Urban Consortium is made up of the City of Las Vegas, City of North Las Vegas, City of Reno, City of Sparks, and City of Henderson. I want to thank the sponsor of the bill and those who worked on this bill to get us to a place of neutral. For the record, we are

looking forward to working with the task force as we work through the implementation of this and the cities' involvement in the implementation of this. We look forward to being involved in that process.

**Chair Torres:**

It does not appear there is anyone in Las Vegas wishing to testify in neutral. Is there anyone on the phone line?

**Hieu Le, Private Citizen, Las Vegas, Nevada:**

I am a constituent of Assembly District 10 and Senate District 5. I wanted to testify in neutral to this bill. It looks pretty great on paper.

**Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:**

I want to point out that I like opportunities for people to make money. I understand the regulatory process can be kind of tough. I am concerned about food safety, and I am concerned that it is attracting unauthorized immigrants with this process. However, it will stir a lot of jobs away that other American citizens would do. The bill possibly needs to be rewritten.

**Chair Torres:**

At this time, I invite the bill sponsor for any closing remarks.

**Senator Doñate:**

I want to thank everyone who came out in support of this bill. It is a bipartisan bill. I think it would help our community out.

[Hearing on Senate Bill 92 (1st Reprint) was closed.]

**Chair Torres:**

At this time, we will go ahead and move on to our last item on the agenda today, which is public comment. Is there anyone here in Carson City wishing to testify in public comment? [There was no one.] Is there anyone in Las Vegas wishing to make public comment? [There was no one.] Is there anyone on the phone line wishing to make a public comment? [There was no one.] [Committee reminders were given.] The meeting is adjourned [at 10:53 a.m.].

RESPECTFULLY SUBMITTED:

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Diane Abbott  
Committee Secretary

APPROVED BY:

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Assemblywoman Selena Torres, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a document titled "ABOUT SB 23," submitted by the City of Boulder City regarding Senate Bill 23 (2nd Reprint).

[Exhibit D](#) is a copy of a PowerPoint presentation titled "SB 92 Sidewalk Vendor Protections," presented by Senator Fabian Doñate, Senate District No. 10, and Robert Purdy, Fellow, Nevada Latino Legislative Caucus; and President, University of Nevada, Reno Young Democrats.

[Exhibit E](#) is a proposed amendment to Senate Bill 92 (1st Reprint), dated May 4, 2023, submitted by Joelle Gutman-Dodson, Government Affairs Liaison, Washoe County Health District; Bradley Mayer, representing Southern Nevada Health District; and Joanna Jacob, Manager, Government Affairs, Clark County.

[Exhibit F](#) is a letter dated May 3, 2023, submitted by Estefany Carrasco-González, National Director, Chispa Nevada, in support of Senate Bill 92 (1st Reprint).

[Exhibit G](#) is a letter dated May 3, 2023, submitted by Aviva Gordon, Chair, Legislative Committee, and Emily Osterberg, Director of Government Affairs, Henderson Chamber of Commerce, in opposition to Senate Bill 92 (1st Reprint).