

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

**Eighty-second Session
February 15, 2023**

The Senate Committee on Government Affairs was called to order by Chair Edgar Flores at 3:34 p.m. on Wednesday, February 15, 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
Suzanne Efford, Committee Secretary

OTHERS PRESENT:

Cindy Pitlock, Administrator, Division of Child and Family Services, Nevada
Department of Health and Human Services
David Clyde, Associate General Counsel, Regional Transportation Commission of
Southern Nevada
Shelly Capurro, Regional Transportation Commission of Washoe County
Catherine Nielsen, Executive Director, Nevada Governor's Council on
Developmental Disabilities
Sarah Johnson, Director, Office of Small Business Advocacy, Office of the
Lieutenant Governor
Rudy Pamintuan, Chief of Staff, Office of the Lieutenant Governor
Paul Moradkhan, Vegas Chamber
Nick Vander Poel, Northern Nevada Development Authority
Tray Abney, National Federation of Independent Business

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Mendy Elliott, Nevada Battle Born Growth Escalator, Inc.
Rafael Arroyo
Ana Wood, Las Vegas Asian Chamber of Commerce

CHAIR FLORES:

I will open the hearing with the introduction of two bill draft requests (BDR).

BDR 22-346: Revises provisions governing master plans. (Later introduced as [Senate Bill 169](#).)

BDR 36-335: Revises provisions relating to emergency preparedness. (Later introduced as [Senate Bill 168](#).)

SENATOR OHRENSCHALL MOVED TO INTRODUCE BDR 22-346 AND BDR 36-335.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED. (SENATOR KRASNER WAS ABSENT FOR THE VOTE.)

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CHAIR FLORES:

I will open the hearing on Senate Bill (S.B.) 8.

SENATE BILL 8: Revises provisions relating to juvenile justice. (BDR 23-262)

CINDY PITLOCK (Administrator, Division of Child and Family Services, Nevada Department of Health and Human Services):

Senate Bill 8 updates *Nevada Revised Statutes* (NRS) 289.470 which defines category II peace officers. Category II peace officers include court bailiffs, agents of the Nevada Gaming Control Board, legislative police officers, parole counselors at the Division of Child and Family Services (DCFS), a variety of investigators employed by the Nevada Transportation Authority, arson and fire departments, the State Forester Firewarden, the Nevada Department of Motor Vehicles (DMV) and others.

Nevada Revised Statutes 289.470 contains 18 definitions of category II peace officers. Senate Bill 8 would add the nineteenth definition—criminal investigators employed by DCFS. The proposed language is found in section 1, subsection 12 of S.B. 8. We are requesting a criminal investigator position to research allegations related to the Prison Rape Elimination Act of 2003 (PREA).

The national standards in PREA provide comprehensive guidelines for preventing, detecting and responding to sexual abuse and sexual harassment involving both youth and adults in federal, State and local institutions, including State and community correctional facilities. All youth residing in a DCFS facility are protected under PREA, and each facility has a process in place for youth to report PREA allegations.

The investigator position is in our budget. This bill would allow DCFS to hire a category II peace officer, bringing the requisite skills and authority to these important investigations.

SENATOR OHRENSCHALL:

If S.B. 8 passes and this officer, who would be part of DCFS, investigates potential allegations of PREA at all facilities under DCFS, how many facilities would fall under the officer's authority?

Ms. PITLOCK:

The PREA investigations are focused within our three facilities: Summit View Youth Center, Caliente Youth Center and Nevada Youth Training Center.

SENATOR OHRENSCHALL:

Would this one officer oversee investigating potential PREA violations at all three youth correctional centers?

Ms. PITLOCK:

Yes, that is correct.

CHAIR FLORES:

I will close the hearing on S.B. 8 and open the hearing on S.B. 17.

SENATE BILL 17: Revises provisions relating to regional transportation commissions. (BDR 22-384)

DAVID CLYDE (Associate General Counsel, Regional Transportation Commission of Southern Nevada):

Senate Bill 17 amends NRS 277A, the regional transportation commissions' enabling statute. The language in section 1 of the bill clarifies the authority of the Regional Transportation Commission of Southern Nevada (RTC) to employ or appoint security officers. Over the last year, security on the RTC transit system has been a pressing issue for our passengers and our contracted drivers.

We added the language in section 1 to not only clarify the authority to hire security officers but also to serve as a placeholder for other options. Since this bill language was submitted in November 2022 as a prefiled bill, 23 other transit agencies have been looked at regarding security. In our research, we found several local options we would like to explore prior to looking for a legislative option. Therefore, we have proposed an amendment to S.B. 17 ([Exhibit C](#)). The amendment would remove the language added to section 1 of the bill.

Section 2 of the bill addresses the RTC Bus Shelter and Bench Advisory Committee. The bill removes requirements for the Bus Shelter and Bench Advisory Committee, including its establishment, membership and the number of annual meetings to be held per statute.

The purpose of this language is to give the RTC more flexibility. The Committee provides information and advice to the RTC regarding the construction, maintenance and operation of its bus shelters. The statute mandates how many people are on the Committee and how often it is to meet among other directives.

Section 3 of the bill would update the Nevada Yellow Dot Program, making the Program permissive rather than mandatory. The Nevada Yellow Dot Program begun in 2015, includes a yellow decal on vehicles notifying first responders of medical information in the vehicle's glove compartment. As technology has developed, we have seen a sharp decline in interest in the Nevada Yellow Dot Program. However, if people would like to request yellow dot envelopes, we will be happy to provide them. In the long term, as we continue to see interest decline, we would like to make that program optional rather than mandatory.

Section 4 of the bill clarifies the RTC's authority to develop transportation projects promoting innovative and emerging technologies such as the Las Vegas

Medical District Automated Circulator and Pedestrian Safety Project called GoMed, and hydrogen- and battery-powered bus solutions.

Section 4 would add the word "emerging" to clarify the RTC's authority to develop transportation projects incorporating new technologies. It also has the added benefit of being in line with language used in the recently passed Infrastructure Investment and Jobs Act.

SENATOR DALY:

The Bus Shelter and Bench Advisory Committee has outlasted its usefulness. The RTC has an advisory committee reviewing several issues including bus shelters. Senate Bill 17 does not eliminate anything other than the prescriptive parts requiring meeting six times a year and who must attend.

MR. CLYDE:

The RTC has several citizen advisory committees looking at a few different topics. The bus shelter issue could be taken up by one of these other committees. A structure is in place for that.

SENATOR DALY:

Do emerging, innovative technologies affect only transit?

MR. CLYDE:

I used examples for transit, but this could be related to all transportation projects.

SENATOR KRASNER:

In section 2 of the bill, you are changing "shall" establish an advisory committee regarding the installation and maintenance of the benches, shelters and transit stops for passengers to "may." That is a public safety issue for people who may not be able to afford a car and rely on buses and public transportation.

You are also deleting the requirement that the committee shall meet six times annually. How many times do you suggest the advisory committee meets? This is a matter of public safety. The advisory committee should meet occasionally.

MR. CLYDE:

Bus shelters are an important service for people riding transit. It is a public safety issue. We have no prescriptive time to meet; however, we anticipate combining with other committees. Some committees meet quarterly.

SENATOR KRASNER:

The way the bill is written, you would not have to meet at all. How would citizens feel about the Legislature going from a mandatory six-times-a-year meeting for their safety to not having to meet even one time a year or ever? Nothing in the bill says a minimum of one time per year. Would you accept a friendly amendment adding the requirement of meeting at least one time per year?

MR. CLYDE:

We would be happy to add that. The issue is having flexibility to incorporate other transportation or transit issues into that Committee. It is more about the scope. We would accept an amendment.

SENATOR KRASNER:

That would be fine.

SHELLY CAPURRO (Regional Transportation Commission of Washoe County):

The Regional Transportation Commission of Washoe County supports S.B. 17 and the proposed amendment.

CHAIR FLORES:

We have received a letter in opposition to S.B. 17 from Michael J. McDonald, Chairman, Nevada Republican Party ([Exhibit D](#)).

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

The Nevada Governor's Council on Developmental Disabilities is neutral on S.B. 17.

Within our society, freedom of movement is a fundamental right. However, it remains an unfulfilled promise for citizens with disabilities. Millions of Americans with developmental disabilities have difficulties obtaining transportation which is a vital lifeline to employment, education, health care and community life.

The Governor's Council on Developmental Disabilities believes that all publicly funded or regulated transportation service systems must be seamlessly coordinated among all modes of transportation. This includes being based on principles of universal design, support by stable and adequate funding, and full access to all people with developmental disabilities.

The Advisory Committee was established to gather input and make recommendations on issues related to bus shelters and benches located within Nevada. Without the requirements to ensure an advisory committee on these topics, gathering input from citizens who utilize these services will not be a requirement. The Council suggests there be an advisory committee to ensure supported, coordinated human services, public transportation planning processes and their structure.

The Council encourages use of uniform data collection to evaluate customer satisfaction and to support the coordination of transportation efforts. An advisory committee, as identified currently, is responsible for this. Eliminating the requirement of an advisory committee would negatively impact citizens with disabilities in Nevada.

CHAIR FLORES:

We will close the hearing on S.B. 17 and open the hearing on S.B. 24.

SENATE BILL 24: Revises provisions relating to the Office of Small Business Advocacy within the Office of the Lieutenant Governor. (BDR 18-404)

SARAH JOHNSON (Director, Office of Small Business Advocacy, Office of the Lieutenant Governor):

Senate Bill 24 makes the Office of Small Business Advocacy (OSBA) a permanent office within the Office of the Lieutenant Governor. Support for small business is especially important for a state like Nevada. We are home to an enterprising population. Family-run businesses offer a valuable work opportunity to immigrants. Small businesses are an invaluable source of economic strength and often an important step of the economic ladder for immigrants and other minority populations.

In 2022, approximately 313,000 small businesses were operating in Nevada, representing 99 percent of all businesses in the State. Small businesses employ over 500,000 people or 43 percent of Nevada's workforce. Ninety-eight percent

of businesses in Nevada have fewer than 20 employees. While the number of small businesses in metropolitan counties has grown by 40 percent, the number in rural counties has only grown by 7 percent. The number of women-owned businesses increased by 21 percent from 2014 to 2019. Businesses owned by women of color grew an astounding 43 percent. Latinos own 19 percent of businesses but represent 30 percent of Nevada's population.

During Nevada's Eighty-first Session, the former Speaker of the Assembly, Assemblyman Jason Frierson, and Assemblywoman Teresa Benitez-Thompson introduced A.B. No. 184 of the 81st Session which created the OSBA.

Getting a State agency up and running and hiring people to run it takes time. The OSBA has been an active resource for small business owners for about eight months. It was created to help small business owners navigate hurdles related to licensing and business regulations. It works one on one with small business owners when they face problems with delays in licensing, regulation and inspection with State and local governments. It is OSBA's job to resolve these issues for small businesses. No other agency or organization helps small business owners with these issues at this individual level.

The OSBA supports other business resources throughout the State by helping them build capacity. In doing so, the OSBA helps ensure the long-term growth and resiliency of the small business community in Nevada.

The OSBA supports small business owners by receiving, reviewing and resolving challenges they face. The OSBA monitors, compiles and analyzes small business challenges and barriers to entry. It monitors federal, State and local laws, regulations and policies relating to small business. It reviews what other states are doing to promote and encourage a vibrant and thriving small business community and strategizes on how to replicate those successes in Nevada.

The OSBA provides information and recommendations to local and State leaders, government agencies and members of the Legislature on how to improve issues impeding small business growth in Nevada.

The Lieutenant Governor has submitted a report on how the OSBA advocates for small business owners ([Exhibit E](#)).

RUDY PAMINTUAN (Chief of Staff, Office of the Lieutenant Governor):

Prior to being sworn in six weeks ago, Lieutenant Governor Stavros Anthony was a council member for the City of Las Vegas. He approaches small businesses not from an academic perspective but by working directly with small business owners. He understands the concerns, the bureaucracy, the red tape, the difficulties and challenges in starting and managing a small business.

During the pandemic, he saw many businesses close, and many businesses struggle as they continue to fight to keep their doors open. The Lieutenant Governor will champion small businesses throughout the State.

The Office of the Lieutenant Governor, through the OSBA and with the support of the Governor, will serve as a force multiplier for chambers of commerce and other stakeholders in the small business community. Through collaboration and partnerships, the goal is to build greater capacity for all chambers throughout the State and other stakeholders in support of small businesses.

The Office will focus on grant partnerships to provide technical assistance and access to capital. The Office will work in partnership and collaboration with existing chambers and stakeholders serving the small business community.

The Office of the Lieutenant Governor will serve as a platform to share and connect programs and information from all levels of government, offering assistance to small business stakeholders, owners and entrepreneurs. There are many great programs at the State, federal and local levels as well as the private sector. It is a matter of connecting chambers and other nonprofits that engage small businesses for them to find the opportunity to participate.

All levels of government and the private sector need to buy in Nevada. Private sector companies and governmental entities should create incentives and opportunities for small business owners who reside and conduct business in Nevada to do business with them as vendors.

Many California small businesses are doing business with large corporations and governments in Nevada. We must change that and encourage larger companies looking for small business participation to come to Nevada.

The Office of the Lieutenant Governor will focus on investment tourism. Southern Nevada is a large, growing metropolitan area. Families take weekend

trips from Nevada to Utah, Arizona and California. We want to turn that around and keep Nevada dollars in Nevada.

The Lieutenant Governor serves as Chair of the Nevada Commission on Tourism. In a joint effort, we can motivate Nevada families to go on road trips, visit Nevada State Parks and rural areas and spend their dollars in Nevada.

Some State agencies concentrate on bringing out-of-state models to Nevada. The Office of the Lieutenant Governor will focus on bringing out-of-state investors to Nevada to help small businesses gain greater access to capital so they can grow just as large as the largest companies we recruit to Nevada.

The Office of the Lieutenant Governor serves as an advocate for small businesses throughout the State. It will convert recommendations from the small business community, the chambers and stakeholders to policy changes. It will provide small business constituent services to chambers and entrepreneurs. When small business owners are met with challenges dealing with the various hurdles thrown at them, this Office will help them address those issues. When a government agency is involved in assisting small business owners deal with the crazy maze of conducting business, there is greater efficiency in response.

The Office will ensure that women, minority, underserved community, disadvantaged and veteran small business owners have equal access to opportunity. All Nevada business owners will have the opportunity for success to drive revenue for themselves, put food on the table, hire more Nevadans and get our State moving again.

MS. JOHNSON:

I have been in this position for about five weeks. I have not had the opportunity to get out into the community and meet many of the chambers of commerce and the small business resources available throughout the State. However, I was able to get several letters supporting S.B. 24 ([Exhibit F](#)).

SENATOR DALY:

How many businesses have come to you for help?

MS. JOHNSON:

We use an Internet tracking system which gives us the ability to track who we have helped. We have served 286 constituents in the 8 months we have been

active. Those are small business owners who have come through the tracking system. We have helped many others who have come to us in person.

SENATOR DALY:

Did you receive any complaints, or did they need advice? How long did it take to reach resolution on the cases that came in?

Ms. JOHNSON:

Sometimes, it is as little as a day, or as easy as calling the Southern Nevada Health District when a food truck owner has not received a call back. Sometimes, it is more complicated and can take a couple of weeks.

The most prevalent issues are in the food industry regarding licensing, regulations and inspections, such as Fire Marshal permits. Before a business can apply for a Fire Marshal inspection, obviously, it must have a location. However, it can take up to 12 months for the inspection. During that time, the small business owners are paying rent on businesses they cannot operate. This is unacceptable and when we step in.

MR. PAMINTUAN:

Another issue with small business owners is understanding how to be compliant with State and local laws. The OSBA, Office of Lieutenant Governor, has introduced Assembly Bill 14 to streamline that process.

ASSEMBLY BILL 14: Revises provisions relating to the state business portal.
(BDR 7-405)

Small business owners will be able to go to the Office of the Secretary of State's business portal. When they pay their annual fees or register their businesses, they will have the opportunity to ensure they are compliant down to the local level.

SENATOR DALY:

Does someone speak Spanish in the OSBA? Do you refer people to other agencies doing the same things that your Office does? Do other agencies refer people to you? We do not want to have duplication of effort if we can avoid it.

Ms. JOHNSON:

We do have someone who is fluent in Spanish and is a vital resource for the OSBA.

We receive referrals from other agencies and other small business resources in the State, and we refer people to other resources.

MR. PAMINTUAN:

The OSBA answers many phone calls. Small business owners are comfortable reaching out to us to help them find solutions to their challenges not just at the State level but also at the federal and private sector levels. Unlike the Nevada Governor's Office of Economic Development and the Nevada Department of Business and Industry, we do not have programs. Small business owners and chambers of commerce can depend on us to bring greater success for Nevada.

PAUL MORADKHAN (Vegas Chamber):

The Vegas Chamber supports S.B. 24. The Office of Small Business Advocacy provides guidance to large and small members of the Chamber who have questions about procurement, how to do business in the State, inspections, business licensing, clarification on Occupational Safety and Health Administration regulations, labor laws and Nevada Department of Employment, Training and Rehabilitation compliance. It is a one stop for our members who do not have the in-house resources or human resources departments. They can get clarity on State regulations. As regulations change, the OSBA has become an important resource. This pilot program demonstrates the need in Nevada. We hope the Committee supports the bill.

NICK VANDER POEL (Northern Nevada Development Authority):

The Northern Nevada Development Authority encompasses five counties: Carson City, Douglas County, Lyon County, Mineral County and Storey County.

This is a good avenue for small business owners who want to set up businesses in Nevada, and we support this bill.

TRAY ABNEY (National Federation of Independent Business):

Small businesses are the backbone of Nevada and employ almost half of Nevada's employees. A one-stop shop or a phone number for small businesses to call to assist them through all the agencies, approvals and certifications will be valuable.

We appreciate the Lieutenant Governor's outline for the future, given the OSBA has only been around eight months. It has a plan in place with room for improvement.

The National Federation of Independent Business supports S.B. 24.

MENDY ELLIOTT (Nevada Battle Born Growth Escalator, Inc.):

Nevada Battle Born Growth Escalator, Inc., a nonprofit corporation, was created by the 2015 Legislature. Yesterday, Nevada Battle Born Growth Escalator, Inc. and the Governor's Office of Economic Development announced a \$5.3 million small business lending fund which is part of the State Small Business Credit Initiative—\$112.9 million the State was awarded in 2022.

This program, along with the Office of Small Business Advocacy, will help small businesses not only navigate the needs of the small business from a compliance standpoint, but it will also provide a lending opportunity. This is the first program rolled out in the Country. It is working with a loan consortium pool. Multiple states are involved in the program that works directly with Community Development Financial Institutions (CDFI).

Those CDFIs will provide outreach into the community to help our small businesses. We look to the Office of the Lieutenant Governor and the OSBA to help spread the word about how small businesses can advocate to obtain these small business loans.

We will work with the Nevada Small Business Development Center to provide technical assistance small businesses need to help grow their businesses under the Battle Born Growth Microloan program. The Governor's Office of Economic Development issued a press release yesterday on this program. The OSBA will be one leg of the stool as these funds are rolled out and reach our small businesses.

RAFAEL ARROYO:

I am a small business owner in the Las Vegas area, and I support S.B. 24. I own several emission testing locations. I also provide DMV registration services. We deal with different entities from the Office of the Secretary of State to the DMV and local licensing offices.

I have been in business for 15 years. I could have used someone to advocate on behalf of my small business to these entities. As a small business owner, it is difficult to even operate let alone find someone to help with your issues, especially if you are dealing with an agency under the Executive Branch. It is important to have someplace to go that will advocate on behalf of small businesses.

ANA WOOD (Las Vegas Asian Chamber of Commerce):

I support the Office of Small Business Advocacy and S.B 24. I am a member of the Board of Directors of the Las Vegas Asian Chamber of Commerce. As an immigrant, a minority and the daughter of a small business owner, it is important that incoming business owners do not encounter the difficulties my parents had in starting and operating a business. The process can be overwhelming and stressful.

There are more than 34,700 Asian-owned small businesses. This OSBA is important in strengthening Nevada's entrepreneurial infrastructure and promoting our economic growth so everything can stay in Nevada.

Customer service and follow-up services should always be there for those starting a business to lead them to a path for a better future.

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CHAIR FLORES:

We will close the hearing on S.B. 24. This meeting of the Senate Committee on Government Affairs is adjourned at 4:28 p.m.

RESPECTFULLY SUBMITTED:

Suzanne Efford,
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. 17 | C | 4 | David Clyde | Proposed Amendment |
| S.B. 17 | D | 6 | Senator Edgar Flores | Letter of Opposition |
| S.B. 24 | E | 8 | Sarah Johnson | Report from Office of the Lieutenant Governor |
| S.B. 24 | F | 10 | Sarah Johnson | Letters of Support |