



STEVE MARCUS / STAFF

**KAE POHE**, foreground, talks about blind vendors' frustration at Hoover Dam as Gene Wilson listens.

# Blind vendors fighting back

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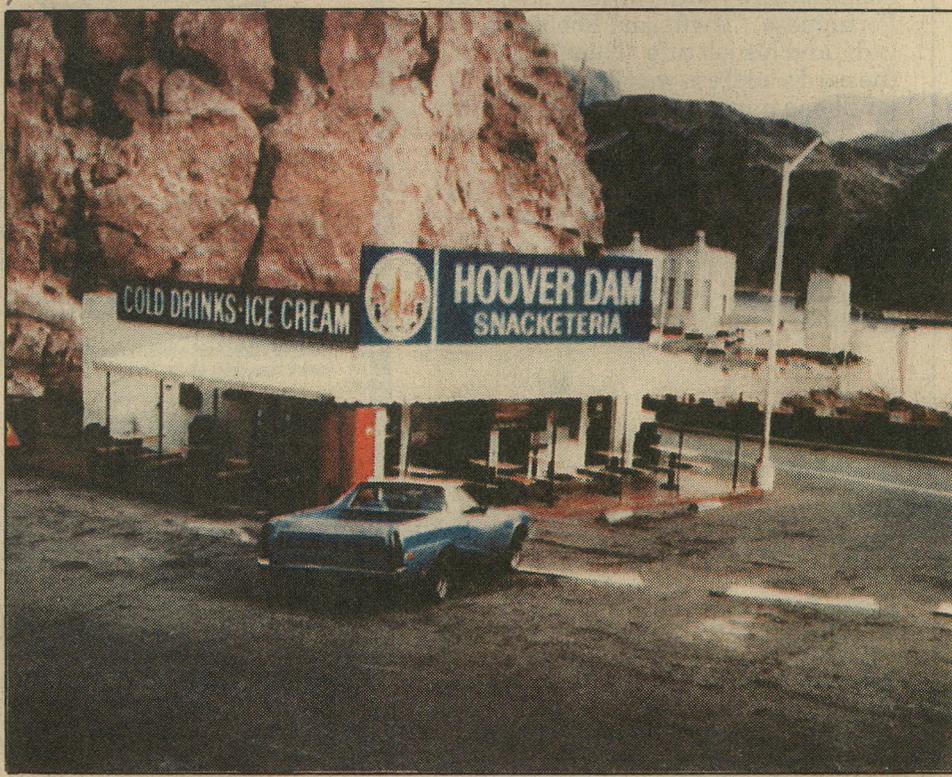
## Government wants part of dam action

**By Rachael Conlin**  
LAS VEGAS SUN

Three blind entrepreneurs who have built successful businesses off thirsty and trinket-hungry Hoover Dam tourists are steamed that the government now wants a piece of the action.

The businesses and their predecessors have sat for more than two decades in prime spots on either side of Hoover Dam. As the line of vehicles snaked past, the shops flourished.

Now, dam caretakers think the businessmen should share their wealth with the government, which under federal law provided the blind entrepreneurs rent-free space at the tourist stop that draws roughly 1 million people a year.



COURTESY PHOTO

SEE VENDORS, 6A

**BERT HANSEN'S** Snacketeria, shown in 1970s, is now site of parking garage.

# ■ Vendors

CONTINUED FROM 1A

"The government said in a meeting that we were exploiting a public resource," said Bert Hansen, owner of the Hoover Dam Snacketeria. "Now that we're successful, they want a piece of it."

The U.S. Bureau of Reclamation, which maintains Hoover Dam, thinks the businesses' revenue could help replace money it has lost as a result of a shrinking congressional appropriation.

Bureau officials, publicly chastised for building a \$120 million visitor center and parking garage, are under pressure to follow the private sector's penny-pinching lead. Financed over 50 years, the visitor center project will cost \$435.5 million, to be paid by Arizona, Nevada and California power users.

"Like the people who come and take the tour, the vendors are beneficiaries of that public facility and they should help pay for the operations, maintenance and upkeep," bureau spokesman Bob Walsh said, adding that the government provides free water, garbage and power to the businesses.

But the bureau's plan to be more self-sufficient by capitalizing on Hoover Dam's status as one of the seven engineering wonders of the world has run smack into another role of government: helping people with disabilities become self-sufficient.

## Mounting defense

The businessmen were expected to file a lawsuit today in federal court in an attempt to tie bureau officials' hands until the conflict is resolved. They worry the bureau will boot them from the dam and bring in a private, commercial vendor.

The state attorney general's office, which also opposes the bureau's attempt to get 10 percent of the businessmen's gross revenue, last week filed a complaint calling for binding arbitration with the bureau.

"I think they (bureau officials) are looking for any source of revenue they can," said Kae Pohe, Hoover Dam Store owner. "I think it's pressure from the ... bureau's boondoggle, the visitor center."

This is the second time in a month that the state has intervened on behalf of blind vendors. In January, the attorney general's office sued the Clark County Commission for allegedly discriminating against blind businessmen in a concession contract for the Family Court building opening next month. A settlement is expected soon.

As in the county case, the Hoover Dam businessmen's interests are protected under law. In the dam case, the Randolph-Sheppard Act requires that legally blind vendors be given first dibs at operating businesses in public buildings. In return, vendors agree that when they retire or die, their businesses are passed on to another blind vendor rather than stay within their respective families.

The law was enacted to help legally blind individuals get off public assistance and into the work force. Today, an estimated 70 percent of blind people are unemployed.

The Bureau of Reclamation contends it is exempt from the federal act because it does not meet the requirement that a public building must be used by at least 100 federal employees. The bureau also claims the blind vendors' operations are no longer in the public's best interest.

But the businessmen, their attorney Jeff Whitehead and Nevada officials argue the bureau's claims do not hold water. "They can't just throw away a pattern of conduct," said Mervin Flander, chief of the Nevada Services for the Blind.

Whitehead believes the businessmen's position has been strengthened by a recent ruling involving Grand Coulee Dam in Washington state. Bureau officials there kicked out blind vendors, replacing them with businesses owned by American Indians. Although the November ruling favored the blind vendors, they have not been allowed to return to Grand Coulee Dam, Whitehead said.

## Bum deal

Under a proposed 10-year contract between the state and federal governments, owners Hansen and Pohe would give the government 10 percent of their gross revenue, plus rent. The two men are expected to share space on the parking garage's bottom floor when it opens this summer.

The third owner, Gene Wilson, would remain in his small trailer at the Arizona Look-Out Point and not pay a percentage of his revenue, bureau spokesman Walsh said.

The three owners already pay 50 percent of their net income to Nevada Services to the Blind, which provides support and training to them and 19 other legally blind vendors.

The businessmen contend the additional burden would break them and the state's blind vendor program. They have refused, however, to open their financial books to the public.

"To sacrifice the business enterprise program in Nevada, which doesn't cost the taxpayers a nickel, for the misfeasance of the people directing and managing the development down

there at Hoover Dam is just reprehensible," said Mervin Flander, chief of the Nevada Services to the Blind.

Blind vendors participating in the state program employ 108 people, of whom one-third are disabled. Last year, the business owners paid \$400,000 in state sales tax, Flander said. Besides paying taxes, the blind vendors support the Nevada program without any public assistance, making it one of only two in the nation to be self-sufficient. Montana is the other.

"We are no longer those people on the corner with the tin

cup raising money so we can feed our guide dogs," said Gene Wilson, owner of Arizona Look-Out Point store. "The state

didn't make these businesses successful, the feds didn't make these businesses successful ... we built these things."

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