
ASSEMBLY BILL NO. 1—COMMITTEE OF THE WHOLE

DECEMBER 16, 2015

Referred to Committee of the Whole

SUMMARY—Revises provisions relating to economic development. (BDR 18-9)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to economic development; requiring the Office of Economic Development to develop and implement one or more programs to provide customized workforce development services to new and existing businesses in this State; revising provisions governing programs of workforce development provided by providers approved by the Office; authorizing certain providers to apply to the Office for approval of programs of workforce recruitment, assessment and training; authorizing certain providers of programs of workforce recruitment, assessment and training and certain local governmental entities to apply to the Office for an allocation, grant or loan of money to defray the costs of the program; authorizing certain businesses to apply to participate in such programs; creating the Workforce Innovations for a New Nevada Account in the State General Fund; specifying the uses of money in the Account; requiring the State Treasurer to transfer certain money to the Account; revising certain provisions relating to the approval by the Executive Director of the Office of applications for certain transferable tax credits; making an appropriation to the Account; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 **Section 3** of this bill declares that it is the public policy of this State in
2 implementing the State Plan for Economic Development that the industrial and
3 economic development of all geographic areas of this State be supported through
4 the implementation of programs of workforce development that prioritize the
5 recruitment, assessment and training of a highly skilled and diverse workforce.

6 **Section 7** of this bill requires the Office of Economic Development, under the
7 direction of the Executive Director of the Office and in consultation with the
8 Nevada System of Higher Education, the Department of Employment, Training and
9 Rehabilitation, the Department of Education and any other person the Executive
10 Director determines is appropriate, to develop and implement one or more
11 programs to provide customized workforce development services to persons that
12 create and expand businesses in Nevada and relocate businesses to Nevada. **Section**
13 **6** of this bill requires the Board of Economic Development to provide advice and
14 recommendations to the Executive Director concerning the development and
15 implementation of such programs.

16 **Section 4** of this bill authorizes a person who wishes to provide a program of
17 workforce recruitment, assessment and training to apply to the Office for approval
18 of the program. **Section 4** provides that any program of workforce recruitment,
19 assessment and training approved by the Office must: (1) include a workforce
20 diversity action plan approved by the Office; and (2) to the extent practicable, be
21 provided on a statewide basis to support the industrial and economic development
22 of all geographic areas of this State. **Section 4** also provides that an authorized
23 provider or the governing body of a local government within the jurisdiction of
24 which the authorized provider will provide the program may apply to the Office for
25 an allocation, grant or loan of money to defray some or all of the costs of the
26 program. **Section 4** requires the Office to give priority to programs that will
27 provide customized workforce development services to one or more businesses
28 that: (1) provide high-skill and high-wage jobs to residents of this State; (2) to the
29 greatest extent practicable, use materials that are produced or bought in this State;
30 and (3) are consistent with the State Plan for Economic Development. **Section 4**
31 establishes the authorized uses of any money received by an authorized provider
32 from the Office. Additionally, **section 4** authorizes a person who operates a
33 business or will operate a business in this State to apply to the Office to participate
34 in a program of workforce recruitment, assessment and training provided by an
35 authorized provider.

36 Existing law authorizes a person who operates or will operate a business in this
37 State to apply to the Office of Economic Development for approval of a course of
38 training administered by a community college for employees of the business. (NRS
39 231.147) Under existing law, the Office is required to establish the amount of
40 matching money that the applicant must provide for the program, which must not
41 be less than 25 percent of the amount the Office approves for the program. (NRS
42 231.147) **Section 11** of this bill revises these provisions to authorize a business to
43 apply to the Office for approval of a program of workforce training provided by a
44 provider approved by the Office.

45 **Section 5** of this bill provides that a business that participates in a program of
46 workforce training or a program of recruitment, assessment and training authorized
47 by **section 4 or 11** of this bill, as applicable, may request that any training materials
48 provided through the program which relate to the business be deemed confidential.
49 **Section 5** provides that, upon approval by the Executive Director of the Office of
50 such a request, the training materials shall be deemed confidential and may not be
51 disclosed.

52 **Section 13** of this bill creates the Workforce Innovations for a New Nevada
53 Account and provides that money in the Account must be used to carry out the
54 programs of workforce development authorized by **sections 4 and 11** of this bill.



55 **Section 17** of this bill requires the State Treasurer to transfer \$1,000,000 to the
56 Account from the amount appropriated for Fiscal Year 2016-2017 for the support
57 of the Office of Science, Innovation and Technology. **Section 18** of this bill makes
58 an appropriation from the State General Fund to the Account in the amount of
59 \$1,500,000. To offset the appropriation made by **section 18**, **section 16** of this bill
60 revises provisions which authorize the Executive Director or the Board of
61 Economic Development to approve applications for transferable tax credits to
62 reduce amounts previously approved.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 231 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.

4 **Sec. 2.** *“Authorized provider” means any institution within*
5 *the Nevada System of Higher Education, a state or local agency, a*
6 *school district, a nonprofit organization, a labor organization or*
7 *a private postsecondary educational institution that provides a*
8 *program of workforce development approved by the Office.*

9 **Sec. 3.** *It is hereby declared to be the public policy of this*
10 *State in implementing the State Plan for Economic Development*
11 *developed by the Executive Director pursuant to subsection 2 of*
12 *NRS 231.053 that the industrial and economic development of all*
13 *geographic areas of this State be supported through the*
14 *implementation of programs of workforce development that*
15 *prioritize the recruitment, assessment and training of a highly*
16 *skilled and diverse workforce.*

17 **Sec. 4. 1.** *A person who wishes to provide a program of*
18 *workforce recruitment, assessment and training may apply to the*
19 *Office for approval of the program. The application must be*
20 *submitted on a form prescribed by the Office.*

21 **2.** *Each application must include:*

- 22 *(a) The name, address and telephone number of the applicant;*
23 *(b) A description of the types of employers for which the*
24 *applicant will provide the proposed program of workforce*
25 *recruitment, assessment and training;*
26 *(c) A statement of the objectives of the proposed program of*
27 *workforce recruitment, assessment and training;*
28 *(d) A workforce diversity action plan; and*
29 *(e) The estimated cost of the proposed program of workforce*
30 *recruitment, assessment and training.*

31 **3.** *Any program of workforce recruitment, assessment and*
32 *training approved by the Office pursuant to this section must:*

33 *(a) Include a workforce diversity action plan approved by the*
34 *Office; and*



1 ***(b) To the extent practicable, be provided on a statewide basis***
2 ***to support the industrial and economic development of all***
3 ***geographic areas of this State.***

4 ***4. An authorized provider that provides a program of***
5 ***workforce recruitment, assessment and training approved by the***
6 ***Office pursuant to this section or the governing body of a local***
7 ***government within the jurisdiction of which the authorized***
8 ***provider will provide the program may apply to the Office for an***
9 ***allocation, grant or loan of money to defray in whole or in part the***
10 ***cost of the program. The application must be submitted on a form***
11 ***prescribed by the Office.***

12 ***5. The Office shall approve or deny each application for an***
13 ***allocation, grant or loan of money submitted pursuant to***
14 ***subsection 4 within 45 days after receipt of the application. When***
15 ***considering an application, the Office shall give priority to a***
16 ***program of workforce recruitment, assessment and training that***
17 ***will provide workforce development services to one or more***
18 ***businesses that:***

19 ***(a) Provide high-skill and high-wage jobs to residents of this***
20 ***State;***

21 ***(b) To the greatest extent practicable, use materials that are***
22 ***produced or bought in this State; and***

23 ***(c) Are consistent with the State Plan for Economic***
24 ***Development developed by the Executive Director pursuant to***
25 ***subsection 2 of NRS 231.053.***

26 ***6. An authorized provider may use money distributed***
27 ***pursuant to this section:***

28 ***(a) To provide technical services to a business that participates***
29 ***in the program of workforce recruitment, assessment and***
30 ***training;***

31 ***(b) To provide publicity for the program of workforce***
32 ***recruitment, assessment and training and for job recruiting and***
33 ***assessments conducted through the program;***

34 ***(c) To provide instructional services;***

35 ***(d) To provide analysis of on-site training;***

36 ***(e) To pay any costs relating to the rental of instructional***
37 ***facilities, including, without limitation, utilities and costs relating***
38 ***to the storage and transportation of equipment and supplies;***

39 ***(f) To pay administrative and personnel costs; and***

40 ***(g) To pay any other costs necessary to effectively carry out the***
41 ***program of workforce recruitment, assessment and training.***

42 ***7. A person who operates a business or will operate a***
43 ***business in this State may apply to the Office to participate in a***
44 ***program of workforce recruitment, assessment and training***
45 ***provided by an authorized provider. The application must be***



1 *submitted on a form prescribed by the Office and must include,*
2 *without limitation:*

3 *(a) The name, address and telephone number of the business;*

4 *(b) Proof satisfactory to the Office that the business is*
5 *consistent with the State Plan for Economic Development*
6 *developed by the Executive Director pursuant to subsection 2 of*
7 *NRS 231.053;*

8 *(c) A description of the number and types of jobs that the*
9 *business expects will be created as a result of its participation in*
10 *the program of workforce recruitment, assessment and training*
11 *and the wages the business expects to pay to persons employed in*
12 *those jobs;*

13 *(d) The types of services which will be provided to the business*
14 *through the program of workforce recruitment, assessment and*
15 *training;*

16 *(e) A workforce diversity action plan approved by the Office;*
17 *and*

18 *(f) Any other information required by the Office.*

19 **Sec. 5.** *A business that participates in a program of*
20 *workforce development may request that any training materials*
21 *provided through the program which relate to the business be*
22 *deemed confidential. Upon approval by the Executive Director of*
23 *such a request, the training materials identified by the business*
24 *shall be deemed confidential and may not be disclosed.*

25 **Sec. 6.** NRS 231.037 is hereby amended to read as follows:

26 231.037 The Board shall:

27 1. Review and evaluate all programs of economic development
28 in this State and make recommendations to the Legislature for
29 legislation to improve the effectiveness of those programs in
30 implementing the State Plan for Economic Development developed
31 by the Executive Director pursuant to subsection 2 of NRS 231.053.

32 2. Recommend to the Executive Director a State Plan for
33 Economic Development and make recommendations to the
34 Executive Director for carrying out the State Plan for Economic
35 Development, including, without limitation, recommendations
36 regarding the development and implementation of a recruiting and
37 marketing effort to attract professionals and businesses to this State.

38 3. Recommend to the Executive Director the criteria for the
39 designation of regional development authorities.

40 4. Make recommendations to the Executive Director for the
41 designation for the southern region of this State, the northern region
42 of this State and the rural region of this State, one or more regional
43 development authorities for each region.

44 5. Provide advice and recommendations to the Executive
45 Director concerning:



1 (a) The procedures to be followed by any entity seeking to
2 obtain any development resource, allocation, grant or loan from the
3 Office;

4 (b) The criteria to be used by the Office in providing
5 development resources and making allocations, grants and loans;

6 (c) The requirements for reports from the recipients of
7 development resources, allocations, grants and loans from the Office
8 concerning the use thereof; ~~and~~

9 (d) *The development and implementation of programs to
10 provide customized workforce development services to existing and
11 prospective businesses in this State; and*

12 (e) Any other activities of the Office.

13 6. Review each proposal by the Executive Director to enter into
14 a contract pursuant to NRS 231.057 for more than \$100,000 or
15 allocate, grant or loan more than \$100,000 to any entity and, as the
16 Board determines to be in the best interests of the State, approve or
17 disapprove the proposed allocation, grant or loan. Notwithstanding
18 any other statutory provision to the contrary, the Executive Director
19 shall not enter into any contract pursuant to NRS 231.057 for more
20 than \$100,000 or make any allocation, grant or loan of more than
21 \$100,000 to any entity unless the allocation, grant or loan is
22 approved by the Board.

23 **Sec. 7.** NRS 231.055 is hereby amended to read as follows:

24 231.055 Under the direction of the Executive Director, the
25 Office:

26 1. Shall provide administrative and technical support to the
27 Board.

28 2. Shall support the efforts of the Board, the regional
29 development authorities designated by the Executive Director
30 pursuant to subsection 4 of NRS 231.053 and the private sector to
31 encourage the creation and expansion of businesses in Nevada and
32 the relocation of businesses to Nevada.

33 3. Shall coordinate and oversee all economic development
34 programs in this State to ensure that such programs are consistent
35 with the State Plan for Economic Development developed by the
36 Executive Director pursuant to subsection 2 of NRS 231.053,
37 including, without limitation:

38 (a) Coordinating the economic development activities of
39 agencies of this State, local governments in this State and local and
40 regional organizations for economic development to avoid
41 duplication of effort or conflicting efforts;

42 (b) Working with local, state and federal authorities to
43 streamline the process for obtaining abatements, financial
44 incentives, grants, loans and all necessary permits, ~~and~~ licenses



1 *and registrations* for the creation or expansion of businesses in
2 Nevada or the relocation of businesses to Nevada; and

3 (c) Reviewing, analyzing and making recommendations for the
4 approval or disapproval of applications for abatements, financial
5 incentives, development resources, and grants and loans of money
6 provided by the Office.

7 4. Shall, upon request, assist an electric utility with the
8 marketing of vacant or decommissioned assets for sale and
9 redevelopment pursuant to NRS 704.734.

10 5. *Shall, in consultation with the Nevada System of Higher*
11 *Education, the Department of Employment, Training and*
12 *Rehabilitation, the Department of Education and any other person*
13 *or entity which the Executive Director determines is appropriate,*
14 *develop and implement one or more programs to provide*
15 *customized workforce development services to persons that create*
16 *and expand businesses in Nevada and relocate businesses to*
17 *Nevada.*

18 6. May:

19 (a) Participate in any federal programs for economic
20 development that are consistent with the State Plan for Economic
21 Development developed by the Executive Director pursuant to
22 subsection 2 of NRS 231.053; and

23 (b) When practicable and authorized by federal law, act as the
24 agency of this State to administer such federal programs.

25 **Sec. 8.** NRS 231.0685 is hereby amended to read as follows:

26 231.0685 The Office shall, on or before January 15 of each
27 odd-numbered year, prepare and submit to the Director of the
28 Legislative Counsel Bureau for transmission to the Legislature a
29 report concerning the abatements from taxation that the Office
30 approved pursuant to NRS 274.310, 274.320, 274.330, 360.750,
31 360.752, 360.753 or 360.754. The report must set forth, for each
32 abatement from taxation that the Office approved during the fiscal
33 years which are 3 fiscal years and 6 fiscal years immediately
34 preceding the submission of the report:

35 1. The dollar amount of the abatement;

36 2. The location of the business for which the abatement was
37 approved;

38 3. The value of infrastructure included as an incentive for the
39 business;

40 4. If applicable, the number of employees that the business for
41 which the abatement was approved employs or will employ;

42 5. Whether the business for which the abatement was approved
43 is a new business or an existing business;

44 6. The economic sector in which the business operates, the
45 number of primary jobs related to the business, the average wage



1 paid to employees of the business and the assessed values of
2 personal property and real property of the business; ~~and~~

3 7. *Any information concerning whether the business for*
4 *which the abatement was approved participates or has participated*
5 *in a program of workforce development, as defined in NRS*
6 *231.146, implemented by the Executive Director; and*

7 8. Any other information that the Office determines to be
8 useful.

9 **Sec. 9.** NRS 231.141 is hereby amended to read as follows:

10 231.141 As used in NRS 231.141 to 231.152, inclusive, *and*
11 *sections 2 to 5, inclusive, of this act*, unless the context otherwise
12 requires, the words and terms defined in NRS ~~231.143 and~~
13 231.146 *and section 2 of this act* have the meanings ascribed to
14 them in those sections.

15 **Sec. 10.** NRS 231.146 is hereby amended to read as follows:

16 231.146 “Program ~~” means a course~~ *of workforce*
17 *development” includes:*

18 1. A program of *workforce* training ~~administered by a~~
19 ~~community college for employees of a business.~~ *provided pursuant*
20 *to NRS 231.147.*

21 2. A program of *workforce recruitment, assessment and*
22 *training provided pursuant to section 4 of this act.*

23 **Sec. 11.** NRS 231.147 is hereby amended to read as follows:

24 231.147 1. A person who operates a business or will operate
25 a business in this State may apply to the Office for approval of a
26 program ~~”~~ *of workforce training.* The application must be
27 submitted on a form prescribed by the Office.

28 2. Each application must include:

29 (a) The name, address and telephone number of the business;

30 (b) The number and types of jobs for the business that are
31 available or will be available upon completion of the program ~~”~~ *of*
32 *workforce training;*

33 (c) A statement of the objectives of the proposed program ~~”~~ *of*
34 *workforce training;*

35 (d) The estimated cost for each person enrolled in the program
36 ~~”~~ *of workforce training;* and

37 (e) A statement signed by the applicant certifying that, if the
38 program *of workforce training* set forth in the application is
39 approved and money is granted by the Office to ~~a community~~
40 ~~college~~ *an authorized provider* for the program ~~”~~ *of workforce*
41 *training,* each employee who completes the program ~~”~~ *of*
42 *workforce training:*

43 (1) Will be employed in a full-time and permanent position
44 in the business; and



1 (2) While employed in that position, will be paid not less
2 than 80 percent of the lesser of the average industrial hourly wage
3 in:

4 (I) This State; or

5 (II) The county in which the business is located,

6 ↪ as determined by the Employment Security Division of the
7 Department of Employment, Training and Rehabilitation on July 1
8 of each fiscal year.

9 3. Upon request, the Office may assist an applicant in
10 completing an application pursuant to the provisions of this section.

11 4. Except as otherwise provided in subsection 5, the Office
12 shall approve or deny each application within 45 days after receipt
13 of the application. When considering an application, the Office shall
14 give priority to a business that:

15 (a) Provides high-skill and high-wage jobs to residents of this
16 State;

17 (b) To the greatest extent practicable, uses materials for the
18 business that are produced or bought in this State; and

19 (c) Is consistent with the State Plan for Economic Development
20 developed by the Executive Director pursuant to subsection 2 of
21 NRS 231.053.

22 5. Before approving an application, the Office shall establish
23 the amount of matching money that the applicant must provide
24 for the program **† of workforce training**. The amount established
25 by the Office for that applicant must not be less than 25 percent of
26 the amount the Office approves for the program **† of workforce**
27 **training**.

28 6. If the Office approves an application, it shall notify the
29 applicant, in writing, within 10 days after the application is
30 approved.

31 7. If the Office denies an application, it shall, within 10 days
32 after the application is denied, notify the applicant in writing. The
33 notice must include the reason for denying the application.

34 **Sec. 12.** NRS 231.149 is hereby amended to read as follows:

35 231.149 1. The Office may apply for or accept any gifts,
36 grants, donations or contributions from any source to carry out the
37 provisions of NRS 231.141 to 231.152, inclusive **†, and sections 2**
38 **to 5, inclusive, of this act**.

39 2. Any money the Office receives pursuant to subsection 1
40 must be deposited in the State Treasury **for credit to the Workforce**
41 **Innovations for a New Nevada Account** pursuant to NRS 231.151.

42 **Sec. 13.** NRS 231.151 is hereby amended to read as follows:

43 231.151 1. **The Workforce Innovations for a New Nevada**
44 **Account is hereby created in the State General Fund**. Any money
45 the Office receives pursuant to NRS 231.149 or that is appropriated



1 to carry out the provisions of NRS 231.141 to 231.152, inclusive ~~{}~~
2 *, and sections 2 to 5, inclusive, of this act:*

3 (a) Must be deposited in the ~~{State Treasury and accounted for~~
4 ~~separately in the}~~ State General Fund ~~{}~~ *for credit to the Account;*
5 and

6 (b) May only be used to carry out those provisions.

7 2. Except as otherwise provided in subsection 3, the balance
8 remaining in the Account that has not been committed for
9 expenditure on or before June 30 of an odd-numbered fiscal year
10 reverts to the State General Fund.

11 3. In calculating the uncommitted remaining balance in the
12 Account at the end of a fiscal year, any money in the Account that is
13 attributable to a gift, grant, donation or contribution:

14 (a) To the extent not inconsistent with a term of the gift, grant,
15 donation or contribution, shall be deemed to have been committed
16 for expenditure before any money that is attributable to a legislative
17 appropriation; and

18 (b) Must be excluded from the calculation of the uncommitted
19 remaining balance in the Account at the end of the fiscal year if
20 necessary to comply with a term of the gift, grant, donation or
21 contribution.

22 4. The Office shall administer the Account. Any interest or
23 income earned on the money in the Account must be credited to the
24 Account. Any claims against the Account must be paid as other
25 claims against the State are paid.

26 **Sec. 14.** NRS 231.152 is hereby amended to read as follows:

27 231.152 The Office may adopt such regulations as are
28 necessary to carry out the provisions of NRS ~~{231.147}~~ *231.141 to*
29 *231.152, inclusive, and sections 2 to 5, inclusive, of this act.*

30 **Sec. 15.** NRS 239.010 is hereby amended to read as follows:

31 239.010 1. Except as otherwise provided in this section and
32 NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440,
33 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320,
34 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246,
35 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355,
36 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730,
37 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260,
38 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370,
39 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161,
40 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817,
41 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015,
42 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
43 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160,
44 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651,
45 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040,



1 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350,
2 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270,
3 228.450, 228.495, 228.570, 231.069, 233.190, 237.300, 239.0105,
4 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210,
5 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030,
6 241.039, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140,
7 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350,
8 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025,
9 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558, 293B.135,
10 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070,
11 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,
12 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247,
13 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180,
14 372A.080, 378.290, 378.300, 379.008, 386.655, 387.626, 387.631,
15 388.5275, 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147,
16 392.264, 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447,
17 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403,
18 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070,
19 422.290, 422.305, 422A.320, 422A.350, 425.400, 427A.1236,
20 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407,
21 432B.430, 432B.560, 433.534, 433A.360, 439.840, 439B.420,
22 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,
23 445A.665, 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164,
24 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,
25 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
26 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 481.063,
27 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800,
28 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160,
29 584.583, 584.655, 598.0964, 598.098, 598A.110, 599B.090,
30 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015,
31 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131,
32 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418,
33 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555,
34 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524,
35 634.212, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288,
36 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220,
37 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340,
38 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189,
39 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060,
40 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300,
41 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947,
42 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105,
43 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170,
44 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122,
45 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270,



1 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077,
2 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,
3 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.3536,
4 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 703.196,
5 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and*
6 *section 5 of this act*, sections 35, 38 and 41 of chapter 478, Statutes
7 of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada
8 2013 and unless otherwise declared by law to be confidential, all
9 public books and public records of a governmental entity must be
10 open at all times during office hours to inspection by any person,
11 and may be fully copied or an abstract or memorandum may be
12 prepared from those public books and public records. Any such
13 copies, abstracts or memoranda may be used to supply the general
14 public with copies, abstracts or memoranda of the records or may be
15 used in any other way to the advantage of the governmental entity or
16 of the general public. This section does not supersede or in any
17 manner affect the federal laws governing copyrights or enlarge,
18 diminish or affect in any other manner the rights of a person in any
19 written book or record which is copyrighted pursuant to federal law.

20 2. A governmental entity may not reject a book or record
21 which is copyrighted solely because it is copyrighted.

22 3. A governmental entity that has legal custody or control of a
23 public book or record shall not deny a request made pursuant to
24 subsection 1 to inspect or copy or receive a copy of a public book or
25 record on the basis that the requested public book or record contains
26 information that is confidential if the governmental entity can
27 redact, delete, conceal or separate the confidential information from
28 the information included in the public book or record that is not
29 otherwise confidential.

30 4. A person may request a copy of a public record in any
31 medium in which the public record is readily available. An officer,
32 employee or agent of a governmental entity who has legal custody
33 or control of a public record:

34 (a) Shall not refuse to provide a copy of that public record in a
35 readily available medium because the officer, employee or agent has
36 already prepared or would prefer to provide the copy in a different
37 medium.

38 (b) Except as otherwise provided in NRS 239.030, shall, upon
39 request, prepare the copy of the public record and shall not require
40 the person who has requested the copy to prepare the copy himself
41 or herself.

42 **Sec. 16.** Section 2 of chapter 433, Statutes of Nevada 2015, at
43 page 2479, is hereby amended to read as follows:

44 Sec. 2. 1. A person who intends to locate or expand a
45 business in this State may apply to the Office for a certificate



1 of eligibility for transferable tax credits which may be applied
2 to:

- 3 (a) Any tax imposed by chapter 363A or 363B of NRS;
4 (b) The gaming license fee imposed by the provisions of
5 NRS 463.370;
6 (c) Any tax imposed by chapter 680B of NRS; or
7 (d) Any combination of the fees and taxes described in
8 paragraphs (a), (b) and (c).

9 2. After considering any advice and recommendations of
10 the Board, the Executive Director shall establish:

11 (a) Procedures for applying to the Office for a certificate
12 of eligibility for transferable tax credits which must:

13 (1) Include, without limitation, a requirement that the
14 applicant set forth in the application:

- 15 (I) The proposed use of the transferable tax credits;
16 (II) The plans, projects and programs for which the
17 transferable tax credits will be used;
18 (III) The expected benefits of the issuance of the
19 transferable tax credits; and

20 (IV) A statement of the short-term and long-term
21 impacts of the issuance of the transferable tax credits; and

22 (2) Allow the applicant to revise the application upon
23 the recommendation of the Executive Director.

24 (b) The criteria which a person to whom a certificate of
25 eligibility for transferable tax credits has been issued must
26 satisfy to be issued a certificate of transferable tax credits.

27 3. After receipt of an application pursuant to this section,
28 the Executive Director shall review and evaluate the
29 application and determine whether the approval of the
30 application would promote the economic development of this
31 State and aid the implementation of the State Plan for
32 Economic Development developed by the Executive Director
33 pursuant to subsection 2 of NRS 231.053.

34 4. If the applicant is requesting transferable tax credits in
35 an amount of \$100,000 or less, the Executive Director may
36 approve the application, subject to the provisions of
37 subsection 6, if the Executive Director determines that
38 approving the application will promote the economic
39 development of this State and aid the implementation of the
40 State Plan for Economic Development.

41 5. If the applicant is requesting transferable tax credits in
42 an amount greater than \$100,000, the Executive Director shall
43 submit the application and the Executive Director's review
44 and evaluation of the application pursuant to subsection 3 to
45 the Board, and the Board may approve the application,



1 subject to the provisions of subsection 6, if the Board
2 determines that approving the application will promote the
3 economic development of this State and aid the
4 implementation of the State Plan for Economic Development.

5 6. The Executive Director or the Board shall not approve
6 any application for transferable tax credits for:

7 (a) A period of more than 5 fiscal years; ~~for~~

8 (b) *Fiscal Year 2015-2016; or*

9 (c) Any fiscal year if the approval of the application
10 would cause the total amount of transferable tax credits
11 issued pursuant to this section to exceed:

12 (1) ~~For Fiscal Year 2015-2016, \$500,000.~~

13 ~~(2) For Fiscal Year 2016-2017, \$2,000,000.~~

14 ~~(3) \$500,000.~~

15 (2) For *Fiscal Year 2017-2018, \$2,000,000.*

16 (3) *For Fiscal Year 2018-2019, \$2,500,000.*

17 (4) *For Fiscal Year 2019-2020, \$3,000,000.*

18 (5) *For* a fiscal year beginning on or after July 1,
19 ~~2017,~~ 2020, \$5,000,000.

20 7. If the Executive Director or the Board approves an
21 application and issues a certificate of eligibility for
22 transferable tax credits, the Office shall immediately forward
23 a copy of the certificate of eligibility which identifies the
24 estimated amount of the tax credits available pursuant to this
25 section to:

26 (a) The applicant;

27 (b) The Department of Taxation; and

28 (c) The State Gaming Control Board.

29 8. Within 14 days after the Office determines that a
30 person to whom a certificate of eligibility for transferable tax
31 credits has been issued satisfies the criteria established by the
32 Executive Director pursuant to subsection 2, the Office shall
33 notify the person that transferable tax credits will be issued.
34 Within 30 days after the receipt of the notice, the person shall
35 make an irrevocable declaration of the amount of transferable
36 tax credits that will be applied to each fee or tax set forth in
37 paragraphs (a), (b) and (c) of subsection 1, thereby
38 accounting for all of the credits which will be issued. Upon
39 receipt of the declaration, the Office shall issue to the person
40 a certificate of transferable tax credits in the amount approved
41 by the Executive Director or the Board, as applicable, for the
42 fees or taxes included in the declaration. The Office shall
43 notify the Department of Taxation and the State Gaming
44 Control Board of all transferable tax credits issued,
45 segregated by each fee or tax set forth in paragraphs (a), (b)



1 and (c) of subsection 1, and the amount of any transferable
2 tax credits transferred.

3 **Sec. 17.** The State Treasurer shall, as soon as practicable after
4 the effective date of this act, transfer from the amount appropriated
5 for Fiscal Year 2016-2017 for the support of the Office of Science,
6 Innovation and Technology to the Workforce Innovations for a New
7 Nevada Account created by NRS 231.151, as amended by section
8 13 of this act, the sum of \$1,000,000.

9 **Sec. 18.** There is hereby appropriated from the State General
10 Fund to the Workforce Innovations for a New Nevada Account
11 created by NRS 231.151, as amended by section 13 of this act, the
12 sum of \$1,500,000.

13 **Sec. 19.** The Office of Economic Development is hereby
14 authorized to expend any money transferred to the Workforce
15 Innovations for a New Nevada Account created by NRS 231.151, as
16 amended by section 13 of this act, pursuant to section 17 of this act
17 or appropriated to the Account by section 18 of this act for the
18 purposes set forth in NRS 231.151, as amended by section 13 of this
19 act.

20 **Sec. 20.** The provisions of subsection 1 of NRS 218D.380 do
21 not apply to any provision of this act which adds or revises a
22 requirement to submit a report to the Legislature.

23 **Sec. 21.** NRS 231.143 is hereby repealed.

24 **Sec. 22.** This act becomes effective upon passage and
25 approval.

TEXT OF REPEALED SECTION

231.143 “Community college” defined. “Community college” means a community college of the Nevada System of Higher Education.



