

THE SIXTY-SEVENTH DAY

CARSON CITY (Thursday), April 13, 2017

Assembly called to order at 12:25 p.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Patrick Propster.

The impact of a nation's words and actions, a quote by Samuel Adams, American statesman:

May every citizen in the army and in the country have a proper sense of the Deity upon his mind and an impression of that declaration recorded in the Bible: Him that honoreth Me, I will honor, but he that despiseth Me shall be lightly esteemed.

Lord God in Heaven, we call upon You. May Your strength and wisdom and Your divine guidance lead us in this 79th Legislative Session and every day beyond. May everything that we think, do, and say glorify and honor You. For Yours is the kingdom, power, and glory now and forever.

AMEN.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 195, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

IRENE BUSTAMANTE ADAMS, *Chair*

Mr. Speaker:

Your Committee on Corrections, Parole, and Probation, to which was referred Assembly Bill No. 251, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES OHRENSCHALL, *Chair*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 461, 464, 465, 466, 467, 483, 490, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDGAR FLORES, *Chair*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 254, 287, 288, 476, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

STEVE YEAGER, *Chair*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 488, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 108, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MAGGIE CARLTON, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Assembly Concurrent Resolution No. 8 be taken from the Resolution File and placed on the Chief Clerk's desk.

Motion carried.

NOTICE OF EXEMPTION

April 12, 2017

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 329 and 449.

MARK KRMPOTIC
Fiscal Analysis Division

WAIVER OF JOINT STANDING RULES

A Waiver requested by Speaker Frierson.

For: Assembly Bills Nos. 69, 175, 206, 215, 266, 280, 374, 405, 406 and 475:

To Waive:

Subsection 1 of Joint Standing Rule No. 14.3 (out of final committee of house of origin by 68th day).

Subsection 2 of Joint Standing Rule No. 14.3 (out of house of origin by 79th day).

Subsection 3 of Joint Standing Rule No. 14.3 (out of final committee of 2nd house by 103rd day).

Subsection 4 of Joint Standing Rule No. 14.3 (out of 2nd house by 110th day).

Has been granted effective: April 12, 2017.

SENATOR AARON D. FORD
Senate Majority Leader

ASSEMBLYMAN JASON FRIERSON
Speaker of the Assembly

SECOND READING AND AMENDMENT

Assembly Bill No. 137.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 163.

~~SUMMARY—Revises provisions relating to [tax credits for film and certain other productions and certain credits against]~~ the insurance premium tax. (BDR 32-68)

~~AN ACT relating to taxation; [revising provisions governing the total amount of transferable tax credits that may be approved by the Office of Economic Development pursuant to applications submitted to the Office by a producer that produces a film, television or other visual media production in this State;]~~ eliminating provisions that cap and repeal the tax credits that an insurer may take against the general tax on insurance premiums; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~[Existing law authorizes a production company that produces a film, television or other visual media production in this State to apply to the Office of Economic Development for a certificate of transferable tax credits. (NRS 360.759) Senate Bill No. 94 of the 78th Session of the Legislature (2015) removed a provision that limited the total amount of transferable tax credits that may be approved by the Office to \$10,000,000 and, instead, limited the total amount of transferable tax credits that may be approved by the Office for any fiscal year to the amount appropriated or authorized for expenditure for that purpose for the fiscal year. (NRS 360.7594; section 14 of chapter 232, Statutes of Nevada 2015, p. 1106) Sections 1 and 2 of this bill remove that limitation and, instead, provide that the total amount of transferable tax credits for a film, television or other visual media production approved by the Office must not exceed \$15,000,000.]~~

Existing law requires each insurer to pay to the Department of Taxation a tax upon net direct premium and net direct considerations written at the rate of 3.5 percent. (NRS 680B.027) Existing law authorizes a domestic or foreign insurer that owns and substantially occupies and uses any building in this State as its home office or as a regional home office to take as credits against the general tax on insurance premiums otherwise imposed: (1) an amount equal to 50 percent of the aggregate amount of the tax; and (2) an amount equal to the full amount of ad valorem taxes paid by the insurer upon the home office or regional home office. (NRS 680B.050, 680B.055) Assembly Bill No. 3 of the 28th Special Session of the Legislature (2014) limited the amount of such tax credits to \$5,000,000 until January 1, 2021, and will eliminate them entirely thereafter. **Sections 3, 4 and 6** of this bill reverse the changes made to chapter 680B of NRS during the 2014 Special Session. **Section 3** removes the cap on the total amount of credits that an insurer may take against the general tax on insurance premiums, and **section 6** prevents the elimination of such credits. **Section 3 also prohibits an insurer from claiming the tax reduction for more than 10 separate calendar years, including years in which the tax reduction was claimed before July 1, 2017.**

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

Section 1. ~~[NRS 360.759 is hereby amended to read as follows:~~

~~360.759 1. A production company that produces a qualified production in this State in whole or in part may apply to the Office of Economic Development for a certificate of eligibility for transferable tax credits for any qualified direct production expenditures. The transferable tax credits may be applied to:~~

- ~~(a) Any tax imposed by chapters 363A and 363B of NRS;~~
- ~~(b) The gaming license fees imposed by the provisions of NRS 463.370;~~
- ~~(c) Any tax imposed pursuant to chapter 680B of NRS; or~~

~~—(d) Any combination of the fees and taxes described in paragraphs (a), (b) and (e);~~

~~—2. The Office shall:~~

~~—(a) Except as otherwise provided in NRS 360.7594, approve an application for a certificate of eligibility for transferable tax credits if the Office finds that the production company producing the qualified production qualifies for the transferable tax credits pursuant to subsection 3; and [shall calculate]~~

~~—(b) Calculate the estimated amount of the transferable tax credits pursuant to NRS 360.7592, 360.7593 and 360.7594.~~

~~—3. To be eligible for transferable tax credits pursuant to this section, a production company must:~~

~~—(a) Submit an application that meets the requirements of subsection 4;~~

~~—(b) Provide proof satisfactory to the Office that the qualified production is in the economic interest of the State;~~

~~—(c) Provide proof satisfactory to the Office that 70 percent or more of the funding for the qualified production has been obtained;~~

~~—(d) Provide proof satisfactory to the Office that at least 60 percent of the direct production expenditures for:~~

~~—(1) Preproduction;~~

~~—(2) Production; and~~

~~—(3) If any direct production expenditures for postproduction will be incurred in this State, postproduction;~~

~~— of the qualified production will be incurred in this State as qualified direct production expenditures;~~

~~—(e) Not later than 90 days after the completion of principal photography of the qualified production or, if any direct production expenditures for postproduction will be incurred in this State, not later than 90 days after the completion of postproduction, provide the Office with an audit of the qualified production that includes an itemized report of qualified direct production expenditures which:~~

~~—(1) Shows that the qualified production incurred qualified direct production expenditures of \$500,000 or more; and~~

~~—(2) Is certified by an independent certified public accountant in this State who is approved by the Office;~~

~~—(f) Pay the cost of the audit required by paragraph (e); and~~

~~—(g) Meet any other requirements prescribed by regulation pursuant to this section.~~

~~—4. An application submitted pursuant to subsection 3 must contain:~~

~~—(a) A script, storyboard or synopsis of the qualified production;~~

~~—(b) The names of the production company, producer, director and proposed cast;~~

~~—(c) An estimated timeline to complete the qualified production;~~

~~—(d) A summary of the budgeted expenditures for the entire production, including projected expenditures to be incurred outside of Nevada;~~

~~—(e) Details regarding the financing of the project, including, without limitation, any information relating to a binding financing commitment, loan application, commitment letter or investment letter;~~

~~—(f) An insurance certificate, binder or quote for general liability insurance of \$1,000,000 or more;~~

~~—(g) The business address of the production company, which must be an address in this State;~~

~~—(h) Proof that the qualified production meets any applicable requirements relating to workers' compensation insurance;~~

~~—(i) Proof that the production company has secured all licenses and registrations required to do business in each location in this State at which the qualified production will be produced; and~~

~~—(j) Any other information required by regulations adopted by the Office pursuant to subsection 8.~~

~~—5. If the Office approves an application for a certificate of eligibility for transferable tax credits pursuant to this section, the Office shall immediately forward a copy of the certificate of eligibility which identifies the estimated amount of the tax credits available pursuant to NRS 360.7592 to:~~

~~—(a) The applicant;~~

~~—(b) The Department; and~~

~~—(c) The Nevada Gaming Control Board.~~

~~—6. Within 60 business days after receipt of an audit provided by a production company pursuant to paragraph (c) of subsection 3 and any other accountings or other information required by the Office, the Office shall determine whether to certify the audit and make a final determination of whether a certificate of transferable tax credits will be issued. If the Office certifies the audit and determines that all other requirements for the transferable tax credits have been met, the Office shall notify the production company that the transferable tax credits will be issued. Within 30 days after the receipt of the notice, the production company shall make an irrevocable declaration of the amount of transferable tax credits that will be applied to each fee or tax set forth in subsection 1, thereby accounting for all of the credits which will be issued. Upon receipt of the declaration, the Office shall issue to the production company a certificate of transferable tax credits in the amount approved by the Office for the fees or taxes included in the declaration of the production company. The production company shall notify the Office upon transferring any of the transferable tax credits. The Office shall notify the Department and the Nevada Gaming Control Board of all transferable tax credits issued, segregated by each fee or tax set forth in subsection 1, and the amount of any transferable tax credits transferred.~~

~~—7. An applicant for transferable tax credits pursuant to this section shall, upon the request of the Executive Director of the Office, furnish the Executive Director with copies of all records necessary to verify that the applicant meets the requirements of subsection 3.~~

~~—8. The Office:~~

~~— (a) Shall adopt regulations prescribing:~~

~~— (1) Any additional requirements to receive transferable tax credits;~~

~~— (2) Any additional qualified expenditures or production costs that may serve as the basis for transferable tax credits pursuant to NRS 360.7591;~~

~~— (3) Any additional information that must be included with an application pursuant to subsection 4;~~

~~— (4) The application review process;~~

~~— (5) Any type of qualified production which, due to obscene or sexually explicit material, is not eligible for transferable tax credits; and~~

~~— (6) The requirements for notice pursuant to NRS 360.7595; and~~

~~— (b) May adopt any other regulations that are necessary to carry out the provisions of NRS 360.758 to 360.7598, inclusive.~~

~~— 9. The Nevada Tax Commission and the Nevada Gaming Commission:~~

~~— (a) Shall adopt regulations prescribing the manner in which transferable tax credits will be administered.~~

~~— (b) May adopt any other regulations that are necessary to carry out the provisions of NRS 360.758 to 360.7598, inclusive.] (Deleted by amendment.)~~

Sec. 2. ~~[NRS 360.7594 is hereby amended to read as follows:~~

~~— 360.7594 1. [Except as otherwise provided in this subsection, the] *The Office of Economic Development shall not approve any application for transferable tax credits submitted pursuant to NRS 360.759 if approval of the application would cause the total amount of transferable tax credits approved pursuant to NRS 360.759 [for the current fiscal year] to exceed [the amount appropriated or authorized for expenditure for that purpose for that fiscal year. If the Office does not approve transferable tax credits of the full amount so appropriated or authorized during any fiscal year, the remaining amount of transferable tax credits must be carried forward and made available for approval during the immediately following 2 fiscal years.] \$15,000,000.*~~

~~— 2. The transferable tax credits issued to any production company for any qualified production pursuant to NRS 360.759:~~

~~— (a) Must not exceed a total amount of \$6,000,000; and~~

~~— (b) Expire 4 years after the date on which the transferable tax credits are issued to the production company.~~

~~— 3. For the purposes of calculating qualified direct production expenditures:~~

~~— (a) The compensation payable to all producers who are Nevada residents must not exceed 10 percent of the portion of the total budget of the qualified production that was expended in or attributable to any expenses incurred in this State.~~

~~— (b) The compensation payable to all producers who are not Nevada residents must not exceed 5 percent of the portion of the total budget of the qualified production that was expended in or attributable to any expenses incurred in this State.~~

~~(c) The compensation payable to any employee, independent contractor or any other person paid a wage or salary as compensation for providing labor services on the production of the qualified production must not exceed \$750,000. (Deleted by amendment.)~~

Sec. 3. NRS 680B.050 is hereby amended to read as follows:

680B.050 1. Except as otherwise provided in this section, a domestic or foreign insurer, including, without limitation, an insurer that is exempt from federal taxation pursuant to 26 U.S.C. § 501(c)(29), which owns and substantially occupies and uses any building in this state as its home office or as a regional home office is entitled to ~~[a credit]~~ **the following credits** against the tax otherwise imposed by NRS 680B.027 : ~~[in an amount determined pursuant to subsections 2 and 3.~~

~~2. To determine the amount of the credit to which an insurer is entitled, the insurer must first calculate:]~~

(a) An amount equal to 50 percent of the aggregate amount of the tax as determined under NRS 680B.025 to 680B.039, inclusive; and

(b) An amount equal to the full amount of ad valorem taxes paid by the insurer during the calendar year next preceding the filing of the report required by NRS 680B.030, upon the home office or regional home office together with the land, as reasonably required for the convenient use of the office, upon which the home office or regional home office is situated.

~~[3. The total aggregate amount of credits that may be applied by all insurers pursuant to subsection 1 must not exceed \$5,000,000 and must be allocated to each insurer on a pro rata basis by determining the percentage of the total amount calculated for all insurers pursuant to subsection 2 that is allocable to each insurer.~~

~~4.]~~

↪ These credits must not reduce the amount of tax payable to less than 20 percent of the tax otherwise payable by the insurer under NRS 680B.027.

2. As used in this section, a “regional home office” means an office of the insurer performing for an area covering two or more states, with a minimum of 25 employees on its office staff, the supervision, underwriting, issuing and servicing of the insurance business of the insurer.

~~[5.]~~ 3. The insurer shall, on or before March 15 of each year, furnish proof to the satisfaction of the Executive Director of the Department of Taxation, on forms furnished by or acceptable to the Executive Director, as to its entitlement to the tax reduction provided for in this section. A determination of the Executive Director of the Department of Taxation pursuant to this section is not binding upon the Commissioner for the purposes of NRS 682A.430 to 682A.436, inclusive.

~~[6.]~~ 4. An insurer is not entitled to the credits provided in this section unless:

(a) The insurer owned the property upon which the reduction is based for the entire year for which the reduction is claimed; and

(b) The insurer occupied at least 70 percent of the usable space in the building to transact insurance or the insurer is a general or limited partner and occupies 100 percent of its ownership interest in the building.

~~{7.}~~ 5. If two or more insurers under common ownership or management and control jointly own in equal interest, and jointly occupy and use such a home office or regional home office in this state for the conduct and administration of their respective insurance businesses as provided in this section, each of the insurers is entitled to the credits provided for by this section if otherwise qualified therefor under this section.

~~{8.}~~ 6. **An insurer shall not claim the tax reduction provided for in this section in more than 10 separate calendar years, including years in which the tax reduction was claimed before July 1, 2017.**

~~7.~~ For the purposes of subsection 1, any insurer that is exempt from federal taxation pursuant to 26 U.S.C. § 501(c)(29) and is restricted or prohibited from purchasing or owning real property pursuant to a contract with the Federal Government, including any entity thereof, shall be deemed to own any portion of any real property that the insurer occupies. The provisions of this subsection expire upon the expiration, cancellation, repayment or any other termination of the contract restricting or prohibiting such purchase or ownership.

Sec. 4. Section 4 of chapter 1, Statutes of Nevada 2014, 28th Special Session, at page 3, is hereby amended to read as follows:

Sec. 4. ~~{1.}~~ This ~~{section and section 2 of this}~~ act ~~{become}~~ **becomes** effective on January 1, 2016.

~~{2.}~~ Sections 1 and 3 of this act become effective on January 1, 2021.

Sec. 5. ~~{The amendatory provisions of sections 1 and 2 of this act apply to an application for a certificate of eligibility for transferable tax credits submitted to the Office of Economic Development pursuant to NRS 360.759 before, on or after July 1, 2017.}~~ **(Deleted by amendment.)**

Sec. 6. Sections 1 and 3 of chapter 1, Statutes of Nevada 2014, at pages 1, 2 and 3, respectively, are hereby repealed.

Sec. 7. This act becomes effective on July 1, 2017.

TEXT OF REPEALED SECTIONS

Section 1 of chapter 1, Statutes of Nevada 2014:

Section 1. NRS 680B.027 is hereby amended to read as follows:

680B.027 1. Except as otherwise provided in NRS 680B.033, 680B.0353 ~~{, 680B.050}~~ and 690C.110, for the privilege of transacting business in this State, each insurer shall pay to the Department of Taxation a tax upon his or her net direct premiums and net direct considerations written at the rate of 3.5 percent.

2. The tax must be paid in the manner required by NRS 680B.030 and 680B.032.

3. The Commissioner or the Executive Director of the Department of Taxation may require at any time verified supplemental statements with reference to any matter pertinent to the proper assessment of the tax.

Section 3 of chapter 1, Statutes of Nevada 2014:

Sec. 3. NRS 680B.050 and 680B.055 are hereby repealed.

Assemblyman Sprinkle moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 170.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 164.

~~ASSEMBLYMAN~~ ASSEMBLYMEN HANSEN AND BENITEZ-THOMPSON.

SUMMARY—~~Extends~~ Revises the requirement for the Office of Economic Development to submit quarterly reports relating to certain economic development incentives. (BDR 32-302)

AN ACT relating to economic development; ~~extending~~ revising the requirement for the Office of Economic Development to submit quarterly reports relating to certain economic development incentives; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Office of Economic Development to approve applications for partial abatements of certain taxes and the issuance of transferable tax credits submitted by the lead participant engaged in a qualified project with other participants for a common purpose or business endeavor and which is located within the geographic boundaries of a single project site in this State. (NRS 360.880-360.980) The authorization to approve such applications will expire on June 30, 2032, for projects with a capital investment of at least \$1 billion in this State and on June 30, 2036, for projects with a capital investment of at least \$3.5 billion in this State. (Section 41 of chapter 4, Statutes of Nevada 2014, 28th Special Session, p. 28; section 69 of chapter 2, Statutes of Nevada 2015, 29th Special Session, p. 54)

Under existing law, the Office must make and submit to the Governor and the Legislature certain quarterly reports concerning the qualified projects for which the Office has approved partial abatements of taxes and the issuance of transferable tax credits. (NRS 360.895, 360.975) The requirement for submitting such reports will expire on July 1, 2017, for projects with a capital investment of at least \$1 billion in this State and expired on July 1, 2016, for projects with a capital investment of at least \$3.5 billion in this State. (NRS 360.895, 360.975) ~~This bill extends the requirement for submitting quarterly reports until the authorization to approve the related tax abatements and transferable tax credits expires on June 30, 2032, and June 30, 2036,~~

~~respectively.]~~ **Section 1 of this bill revises the requirement for submitting such reports concerning projects with a capital investment of at least \$1 billion in this State by: (1) extending the requirement to submit quarterly reports until June 30, 2020; and (2) requiring the submission of semiannual reports for the period beginning on July 1, 2020, and ending on June 30, 2025. Section 2 of this bill revises the requirement for submitting reports concerning projects with a capital investment of at least \$3.5 billion by requiring the submission of semiannual reports for the period beginning on July 1, 2017, and ending on June 30, 2024. Under sections 1 and 2, the Office is not required to submit a quarterly or semiannual report, as applicable, if, within 75 days after the end of the period covered by a report, the Office has received an audit of the participants in the project for the period that would have been covered by the report.**

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

Section 1. NRS 360.895 is hereby amended to read as follows:

360.895 1. The Office of Economic Development shall, on or before October 1 of each year, prepare and submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature an annual report which includes:

(a) For the immediately preceding fiscal year:

(1) The number of applications submitted pursuant to NRS 360.889;

(2) The number of qualified projects for which an application was approved;

(3) The amount of transferable tax credits approved;

(4) The amount of transferable tax credits used;

(5) The amount of transferable tax credits transferred;

(6) The amount of transferable tax credits taken against each allowable fee or tax, including the actual amount used and outstanding, in total and for each qualified project;

(7) The number of partial abatements approved;

(8) The dollar amount of the partial abatements;

(9) The number of employees engaged in construction of each qualified project who are residents of Nevada and the number of employees employed by each participant in a qualified project who are residents of Nevada;

(10) The number of qualified employees employed by each participant in a qualified project and the total amount of wages paid to those persons; and

(11) For each qualified project, an assessment of whether the participants in the qualified project are making satisfactory progress towards meeting the investment requirements necessary to support the determination by the Office that the project is a qualified project.

(b) For each partial abatement from taxation that the Office approved during the fiscal years which are 3 fiscal years, 6 fiscal years, 10 fiscal years and 15 fiscal years immediately preceding the submission of the report:

- (1) The dollar amount of the partial abatement;
- (2) The value of infrastructure included as an incentive for the qualified project;
- (3) The economic sector in which each participant in the qualified project operates, the number of primary jobs related to the qualified project, the average wage paid to employees employed by the participants in the qualified project and the assessed values of personal property and real property of the qualified project; and
- (4) Any other information that the Office determines to be useful.

2. ~~It is~~ **Except as otherwise provided in subsection 4, in** addition to the annual reports required to be prepared and submitted pursuant to subsection 1, ~~for the period beginning on December 19, 2015, and ending on July 1, 2017,~~ **June**

30, 2020, the Office shall, not less frequently than every calendar quarter, prepare and submit to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report which includes, for the immediately preceding calendar quarter:

- (a) The dollar amount of the partial abatements approved for the lead participant in each qualified project;
- (b) The number of employees engaged in construction of each qualified project who are residents of Nevada and the number of employees employed by each participant in each qualified project who are residents of Nevada;
- (c) The number of qualified employees employed by each participant in each qualified project and the total amount of wages paid to those persons;
- (d) For each qualified project an assessment of whether the participants in the qualified project are making satisfactory progress towards meeting the investment requirements necessary to support the determination by the Office that the project is a qualified project; and
- (e) Any other information requested by the Legislature.

3. **Except as otherwise provided in subsection 4, in addition to the annual reports required to be prepared and submitted pursuant to subsection 1, for the period beginning on July 1, 2020, and ending on June 30, 2025, the Office shall, not less frequently than every 6 months, prepare and submit to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report which includes, for the immediately preceding 6 months, the information required to be included in a report prepared and submitted pursuant to subsection 2.**

4. **The Office is not required to prepare and submit the report required by subsection 2 or 3 if, within 75 days after the end of the period covered by the report:**

- (a) **The Office receives an audit of the participants in the project for the period that would have been covered by the report; and**

(b) That audit contains the information required to be included in the report pursuant to paragraphs (a) to (d), inclusive, of subsection 2.

5. In addition to the reports required to be prepared and submitted pursuant to subsections 1 and 2, the Office shall, upon request, make available to the Legislature any information concerning a qualified project or any participant in a qualified project. The Office shall make available any information requested pursuant to this subsection within the period specified in the request.

~~4~~ 6. The Office shall provide to the Fiscal Analysis Division of the Legislative Counsel Bureau a copy of any agreement entered into by the Office and the lead participant not later than 30 days after the agreement is executed.

~~5~~ 7. Notwithstanding the provisions of any other specific statute, the information requested by the Legislature pursuant to this section may include information considered confidential for other purposes. If such confidential information is requested, the Office shall make the information available to the Fiscal Analysis Division of the Legislative Counsel Bureau for confidential examination.

Sec. 2. NRS 360.975 is hereby amended to read as follows:

360.975 1. The Office of Economic Development shall, on or before October 1 of each year, prepare and submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature an annual report which includes:

(a) For the immediately preceding fiscal year:

- (1) The number of applications submitted pursuant to NRS 360.945;
- (2) The number of qualified projects for which an application was approved;
- (3) The amount of transferable tax credits approved;
- (4) The amount of transferable tax credits used;
- (5) The amount of transferable tax credits transferred;
- (6) The amount of transferable tax credits taken against each allowable fee or tax, including the actual amount used and outstanding, in total and for each qualified project;
- (7) The number of abatements approved;
- (8) The dollar amount of the abatements;
- (9) The number of employees engaged in construction of each qualified project who are residents of Nevada and the number of employees employed by each participant in a qualified project who are residents of Nevada;
- (10) The number of qualified employees employed by each participant in a qualified project and the total amount of wages paid to those persons; and
- (11) For each qualified project, an assessment of whether the participants in the qualified project are making satisfactory progress towards meeting the investment requirements necessary to support the determination by the Office that the project is a qualified project.

(b) For each abatement from taxation that the Office approved during the fiscal years which are 3 fiscal years, 6 fiscal years, 10 fiscal years and 20 fiscal years immediately preceding the submission of the report:

- (1) The dollar amount of the abatement;
- (2) The value of infrastructure included as an incentive for the qualified project;
- (3) The economic sector in which each participant in the qualified project operates, the number of primary jobs related to the qualified project, the average wage paid to employees employed by the participants in the qualified project and the assessed values of personal property and real property of the qualified project; and
- (4) Any other information that the Office determines to be useful.

2. ~~It is~~ **Except as otherwise provided in subsection 3, in** addition to the annual reports required to be prepared and submitted pursuant to subsection 1, ~~for the period beginning on [September 11, 2014,] July 1, 2017, and ending on [July 1, 2016,] June 30, 2024,~~ the Office shall, not less frequently than every ~~calendar quarter,] 6 months,~~ prepare and submit to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report which includes, for the immediately preceding ~~calendar quarter,] 6 months:~~

- (a) The dollar amount of the abatements approved for the lead participant in each qualified project;
- (b) The number of employees engaged in construction of each qualified project who are residents of Nevada and the number of employees employed by each participant in each qualified project who are residents of Nevada;
- (c) The number of qualified employees employed by each participant in each qualified project and the total amount of wages paid to those persons;
- (d) For each qualified project an assessment of whether the participants in the qualified project are making satisfactory progress towards meeting the investment requirements necessary to support the determination by the Office that the project is a qualified project; and
- (e) Any other information requested by the Legislature.

3. **The Office is not required to prepare and submit the report required by subsection 2 if, within 75 days after the end of the period covered by the report:**

- (a) The Office receives an audit of the participants in the project for the period that would have been covered by the report; and**
- (b) That audit contains the information required to be included in the report pursuant to paragraphs (a) to (d), inclusive, of subsection 2.**

4. In addition to the reports required to be prepared and submitted pursuant to subsections 1 and 2, the Office shall, upon request, make available to the Legislature any information concerning a qualified project or any participant in a qualified project. The Office shall make available any information requested pursuant to this subsection within the period specified in the request.

~~44~~ 5. The Office shall provide to the Fiscal Analysis Division of the Legislative Counsel Bureau a copy of any agreement entered into by the Office and the lead participant not later than 30 days after the agreement is executed.

~~45~~ 6. Notwithstanding the provisions of any other specific statute, the information requested by the Legislature pursuant to this section may include information considered confidential for other purposes. If such confidential information is requested, the Office shall make the information available to the Fiscal Analysis Division of the Legislative Counsel Bureau for confidential examination.

Sec. 3. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 4. 1. This act becomes effective upon passage and approval.

2. Section 1 of this act expires by limitation on June 30, 2032.

3. Section 2 of this act expires by limitation on June 30, 2036.

Assemblywoman Neal moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 233.

Bill read second time and ordered to third reading.

Assembly Bill No. 271.

Bill read second time and ordered to third reading.

Assembly Bill No. 419.

Bill read second time and ordered to third reading.

Assembly Bill No. 469.

Bill read second time and ordered to third reading.

Assembly Bill No. 480.

Bill read second time and ordered to third reading.

Assembly Bill No. 481.

Bill read second time and ordered to third reading.

Assembly Bill No. 482.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 10.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution No. 11.

Resolution read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that Assembly Bills Nos. 480 and 481 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 176, 154, 14, 151, 20, 204, 214, 22, 227, 236, 261, 305, 385, 387, 435, 452, 46, 57, 60, 65, 74, and 76 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 176.

Bill read third time.

Remarks by Assemblyman McCurdy.

ASSEMBLYMAN MCCURDY:

Assembly Bill 176 requires the operator of a seasonal or temporary recreation program to ensure that each program site has a complete first-aid kit on-site, an emergency exit plan, and at least one staff member on-site and available during the hours of operation who is certified in the use and administration of first aid, including cardiopulmonary resuscitation.

Roll call on Assembly Bill No. 176:

YEAS—40.

NAYS—None.

EXCUSED—Cohen, Ohrenschall—2.

Assembly Bill No. 176 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154.

Remarks by Assemblymen Brooks, Wheeler, Daly, and Pickard.

ASSEMBLYMAN BROOKS:

Assembly Bill 154 decreases the minimum estimated cost threshold for the applicability of prevailing wage requirements on public works projects from \$250,000 to \$100,000. The bill also removes the 90 percent prevailing wage rate exception for public works constructed by school districts and the Nevada System of Higher Education. Finally, the bill eliminates the prevailing wage exemption for public works constructed by charter schools.

ASSEMBLYMAN WHEELER:

I rise today in opposition to Assembly Bill 154. Assembly Bill 154 rolls back the commonsense solutions we implemented in the 2015 Legislative Session, and by moving backwards we put an undue burden on our economy by increasing the cost of public works projects. Or in other words, taxpayers unnecessarily pay more for construction projects. Nevada is seeing a resurgence in jobs and economic growth from the sound policies this body passed in 2015. Nevada cannot and should not move backward because of partisan politics.

ASSEMBLYMAN DALY:

I rise in support of Assembly Bill 154. I believe that these are commonsense solutions to move forward for Nevada, support Nevada's hardworking men and women, families in the construction industry. It is not a burden on the taxpayers but it helps support our communities

and the workforce that we are trying to develop on those projects. I urge everyone to support Assembly Bill 154.

ASSEMBLYMAN PICKARD:

I rise today in opposition to Assembly Bill 154. Prior to the passage of reforms in 2015, prevailing wage in the state increased the cost of fixing our roads and schools, by 30 percent in many cases. Taxpayers were not getting their money's worth. Local governments were not contracting out small, but important, infrastructure projects and we were straining our wallet. Nevada needed a change, so in 2015, we passed responsible reforms to our prevailing wage laws. Assembly Bill 154 would undo our hard work and bring back the problems of the past. I believe we can do better and should do better for Nevada. Thank you.

Roll call on Assembly Bill No. 154:

YEAS—25.

NAYS—Paul Anderson, Edwards, Ellison, Hambrick, Hansen, Kramer, Krasner, Marchant, McArthur, Oscarson, Pickard, Titus, Tolles, Wheeler, Woodbury—15.

EXCUSED—Cohen, Ohrenschall—2.

Assembly Bill No. 154 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 14.

Bill read third time.

Remarks by Assemblyman Hansen.

ASSEMBLYMAN HANSEN:

Assembly Bill 14 provides that a person with a criminal record who applies for a name change must submit with his or her petition a complete set of fingerprints. In addition, the measure requires a complete set of a person's fingerprints to be transmitted to the Central Repository for Nevada Records of Criminal History for inclusion in that person's record of criminal history when a court order grants a change of name to a person who has a criminal record or rescinds its order granting a change of name of a person who falsely denied having been convicted. Lastly, the measure requires that a complete set of the person's fingerprints be sent to the Central Repository when a peace officer detains and cites a person for a violation of an ordinance or state law that is punishable as a misdemeanor and constitutes domestic violence.

Roll call on Assembly Bill No. 14:

YEAS—40.

NAYS—None.

EXCUSED—Cohen, Ohrenschall—2.

Assembly Bill No. 14 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 151.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 151 requires the Peace Officers' Standards and Training Commission to establish by regulation the minimum standards for a voluntary program of training for law enforcement dispatchers, certify instructors for approved courses of such training, and issue certificates to dispatchers who complete such training. This bill becomes effective on July 1, 2017.

Roll call on Assembly Bill No. 151:

YEAS—42.

NAYS—None.

Assembly Bill No. 151 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 20.

Bill read third time.

Remarks by Assemblywoman Joiner.

ASSEMBLYWOMAN JOINER:

Assembly Bill 20 revises the provision of certain employment services, including vocational rehabilitation services, delivered by the Bureau of Services to Persons Who Are Blind or Visually Impaired and the Bureau of Vocational Rehabilitation in the Rehabilitation Division of the Department of Employment, Training and Rehabilitation. The measure specifies that the purpose of vocational rehabilitation services is to prepare certain individuals with disabilities to engage in competitive integrated employment and provides that the term “competitive integrated employment” has the meaning ascribed to it in federal law. It makes various other updates to our statutes and, additionally, helps us comply with federal law.

Roll call on Assembly Bill No. 20:

YEAS—42.

NAYS—None.

Assembly Bill No. 20 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 204.

Bill read third time.

Remarks by Assemblywoman Tolles.

ASSEMBLYWOMAN TOLLES:

Assembly Bill 204 allows an applicant for a marriage license and certificate to select the name that he or she would like to be known as after marriage. Additionally, the bill sets forth the names that each spouse may select. This bill is effective on January 1, 2018.

Roll call on Assembly Bill No. 204:

YEAS—42.

NAYS—None.

Assembly Bill No. 204 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 214.

Bill read third time.

Remarks by Assemblywoman Neal.

ASSEMBLYWOMAN NEAL:

Assembly Bill 214 requires the Division of Public and Behavioral Health to establish a program to encourage participation in clinical trials of drugs and medical devices by persons who are members of demographic groups that are underrepresented in such trials. This bill also requires each state or local governmental entity that conducts such trials to adopt a policy

concerning the identification and recruitment of such persons to participate in those trials. The effective date is July 1, 2017.

Roll call on Assembly Bill No. 214:

YEAS—42.

NAYS—None.

Assembly Bill No. 214 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 22.

Bill read third time.

Remarks by Assemblywoman Bilbray-Axelrod.

ASSEMBLYWOMAN BILBRAY-AXELROD:

Assembly Bill 22 authorizes the Director of the Department of Veterans Services to appoint deputy directors as needed, including a Deputy Director for Programs and Services and a Deputy Director for Health and Wellness.

Roll call on Assembly Bill No. 22:

YEAS—42.

NAYS—None.

Assembly Bill No. 22 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 227.

Bill read third time.

Remarks by Assemblywoman Jauregui.

ASSEMBLYWOMAN JAUREGUI:

Assembly Bill 227 provides that a legal union that is validly formed in another jurisdiction and is substantially equivalent to a domestic partnership is considered a domestic partnership. Any reference to the date of a marriage is deemed to refer to the date of registration of the domestic partnership or the date the legal union of the domestic partnership was validly formed in another jurisdiction. Lastly, the requirement to register the legal union with the Office of the Secretary of State is removed from the bill.

Roll call on Assembly Bill No. 227:

YEAS—40.

NAYS—Ellison, Hansen—2.

Assembly Bill No. 227 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 236.

Bill read third time.

Remarks by Assemblyman Sprinkle.

ASSEMBLYMAN SPRINKLE:

Assembly Bill 236 authorizes an employee of an agency that provides child welfare services and who has access to the case plan of a child in the custody of the agency to request from a public or private school or school district education records concerning the child.

Roll call on Assembly Bill No. 236:

YEAS—42.

NAYS—None.

Assembly Bill No. 236 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 261.

Bill read third time.

Remarks by Assemblymen Carrillo and Spiegel.

ASSEMBLYMAN CARRILLO:

Assembly Bill 261 revises provisions governing the issuance of an instruction permit for operating a motorcycle to make them similar to provisions governing the issuance of an instruction permit for operating a motor vehicle other than a motorcycle, with certain exceptions. The bill provides that a permit holder may not carry a passenger, may not drive after dark, and that the 50 hours of driving experience required before a license may be issued is not required to be supervised. The bill makes other conforming changes. The effective date is January 1, 2018.

ASSEMBLYWOMAN SPIEGEL:

During work session I had expressed some concerns about this bill. I worked with DMV [Department of Motor Vehicles] and they agreed to amend the minor affidavit and information sheet in a manner that does not require legal approval, an NRS revision, to do so and in a way that alleviates my concerns.

Roll call on Assembly Bill No. 261:

YEAS—42.

NAYS—None.

Assembly Bill No. 261 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 305.

Bill read third time.

Remarks by Assemblyman Sprinkle.

ASSEMBLYMAN SPRINKLE:

Assembly Bill 305 requires the Division of Child and Family Services of the Department of Health and Human Services to design and distribute to school districts, charter schools, and private schools a poster that prominently displays the toll-free telephone number for the child abuse or neglect hotline and prescribes the requirements for the content of the poster.

Roll call on Assembly Bill No. 305:

YEAS—42.

NAYS—None.

Assembly Bill No. 305 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 385.

Bill read third time.

Remarks by Assemblyman Yeager.

ASSEMBLYMAN YEAGER:

Assembly Bill 385 requires the Administrator of the Division of State Parks in the Department of Conservation and Natural Resources to establish a program for free entrance to state parks and recreational areas for all fifth graders enrolled in a school in the state of Nevada as well as any accompanying adults.

Roll call on Assembly Bill No. 385:

YEAS—42.

NAYS—None.

Assembly Bill No. 385 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 387.

Bill read third time.

Remarks by Assemblyman Ohrenschall.

ASSEMBLYMAN OHRENSCHALL:

Assembly Bill 387 clarifies that a licensed social worker must complete two hours of instruction in evidence-based suicide prevention training and awareness every two years.

Roll call on Assembly Bill No. 387:

YEAS—42.

NAYS—None.

Assembly Bill No. 387 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 435.

Bill read third time.

Remarks by Assemblywoman Neal.

ASSEMBLYWOMAN NEAL:

Assembly Bill 435 requires the Governor annually to proclaim October 16 to be “Sarah Winnemucca Day” in the state of Nevada. The Governor’s proclamation must call upon the news media, educators, business and labor leaders, and appropriate governmental officers to bring to the attention of Nevada residents the important contributions Sarah Winnemucca made to the Paiute Tribe, the state of Nevada, and the United States.

It has long been a passion of mine, along with my colleague from Assembly District 28, to acknowledge and give rightful value to the contributions of Native Americans whose history is so full and rich. This bill is small, but it starts the much needed pathway to acknowledging the contributions of a nation—not just Native Americans, but an actual nation, a government unto themselves.

Roll call on Assembly Bill No. 435:

YEAS—42.

NAYS—None.

Assembly Bill No. 435 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 1:04 p.m.

ASSEMBLY IN SESSION

At 1:08 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 8, 28, 33, 38, 46, 50, 57, 60, 65, 74, 76, 118, 134, 138, 145, 147, 155, 160, 177, 192, 205, 221, 229, 234, 247, 297, 337, 364, and 452, be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Araujo, the privilege of the floor of the Assembly Chamber for this day was extended to Cara Clarke.

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Grace Warner Elementary School: Lexie Swindle, Angalena Gonzales, Ava Etchells, Breanna Green, Catherine Rubio, Daniel Cornell, Destiny Harness, Dillon Chambers, Emma Enwald, Esther Harvey, Giovana Torres, Hydie Jetton, Jelly Ann Tayam, Juana Jara, Katie Ward, Khalilah Corley, Mason Drews, Scarlett Metcalfe, Selena Garcia, Shealynn Murphy, and Yarely Duran.

On request of Assemblyman Edwards, the privilege of the floor of the Assembly Chamber for this day was extended to Richard Carreon and Melissa Carreon.

On request of Assemblyman Fumo, the privilege of the floor of the Assembly Chamber for this day was extended to Dominic Velgos.

On request of Assemblyman Yeager, the privilege of the floor of the Assembly Chamber for this day was extended to Dawnavon Carreon.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Friday, April 14, 2017, at 3 p.m.

Motion carried.

Assembly adjourned at 1:14 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly