

ASSEMBLY BILL NO. 98—ASSEMBLYMAN NGUYEN

PREFILED FEBRUARY 1, 2023

Referred to Committee on Revenue

SUMMARY—Revises provisions governing economic development. (BDR 18-760)

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

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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; revising the name of the Governor's Workforce Investment Board to the Governor's Workforce Development Board; revising the membership and duties of the Board; revising provisions relating to industry sector councils; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Governor's Workforce Investment Board and requires the Board to perform certain duties, which include: (1) identifying industry sectors that are essential to this State and the region or regions of the State where the majority of the operations of each of those industry sectors is conducted; and (2) establishing regional goals for economic development and establishing a council for each industry sector. (NRS 232.935) **Section 3** of this bill revises the name of the Governor's Workforce Investment Board to the Governor's Workforce Development Board. **Sections 1, 2 and 4-6** of this bill make conforming changes to revise the name of the Governor's Workforce Investment Board to the Governor's Workforce Development Board.

Section 3 expands the representation requirements of the Board to include members of local workforce development boards and other business representatives from industry sectors. **Section 3** further requires the Board to collaborate with local workforce development boards and regional development authorities to: (1) identify industry sectors that are essential to each region of this State; (2) establish regional industry or sector partnerships; and (3) establish regional goals for economic development in the identified industry sectors. **Section 3** also requires each regional industry or sector partnership working with local workforce development boards to report to the Board annually and when necessary.

Sections 4 and 7-9 of this bill make conforming changes to revise references to industry sector councils.



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

Section 1. NRS 223.650 is hereby amended to read as follows:

223.650 1. The Advisory Council on Science, Technology,
Engineering and Mathematics created by NRS 223.640 shall:

(a) Develop a strategic plan for the development of educational
resources in the fields of science, technology, engineering and
mathematics to serve as a foundation for workforce development,
college preparedness and economic development in this State;

(b) Develop a plan for identifying and awarding recognition to
pupils in this State who demonstrate exemplary achievement in the
fields of science, technology, engineering and mathematics;

(c) Develop a plan for identifying and awarding recognition to
schools in this State that demonstrate exemplary performance in the
fields of science, technology, engineering and mathematics;

(d) Conduct a survey of education programs and proposed
programs relating to the fields of science, technology, engineering
and mathematics in this State and in other states to identify
recommendations for the implementation of such programs by
public schools and institutions of higher education in this State and
report the information gathered by the survey to the State Board of
Education and the Board of Regents of the University of Nevada;

(e) Apply for grants on behalf of the State of Nevada relating to
the development and expansion of education programs in the fields
of science, technology, engineering and mathematics;

(f) Identify a nonprofit corporation to assist in the
implementation of the plans developed pursuant to paragraphs (a),
(b) and (c);

(g) Prepare a written report which includes, without limitation,
recommendations based on the survey conducted pursuant to
paragraph (d) and any other recommendations concerning the
instruction and curriculum in courses of study in science,
technology, engineering and mathematics in public schools in this
State and, on or before January 31 of each odd-numbered year,
submit a copy of the report to the State Board of Education, the
Board of Regents of the University of Nevada, the Governor and
the Director of the Legislative Counsel Bureau for transmittal to the
Legislature;

(h) Conduct surveys for and make recommendations as deemed
necessary to the Office of Economic Development and the
Governor's Workforce ~~Investment~~ **Development** Board; and

(i) Appoint a subcommittee on computer science consisting of at
least three members to provide advice and recommendations to:



(1) The State Board of Education, the Council to Establish Academic Standards for Public Schools, the boards of trustees of school districts and the governing bodies of charter schools and university schools for profoundly gifted pupils concerning the curriculum and materials for courses in computer science and computer education and technology and professional development for teachers who teach such courses; and

(2) The Commission on Professional Standards in Education concerning the qualifications for licensing teachers and other educational personnel who teach courses in computer science or computer education and technology.

2. Each year the Council:

(a) Shall establish an event in southern Nevada and an event in northern Nevada to recognize pupils in this State who demonstrate exemplary achievement in the fields of science, technology, engineering and mathematics.

(b) Shall establish a statewide event to recognize schools in this State that have demonstrated exemplary performance in the fields of science, technology, engineering and mathematics.

(c) May accept any gifts, grants or donations from any source for use in carrying out the provisions of this subsection.

3. The Council or a subcommittee of the Council may seek the input, advice and assistance of persons and organizations that have knowledge, interest or expertise relevant to the duties of the Council.

4. The State Board of Education and the Board of Regents of the University of Nevada shall consider the plans developed by the Advisory Council on Science, Technology, Engineering and Mathematics pursuant to paragraphs (a), (b) and (c) of subsection 1 and the written report submitted pursuant to paragraph (g) of subsection 1. The State Board of Education shall adopt such regulations as the State Board deems necessary to carry out the recommendations in the written report.

Sec. 2. NRS 232.920 is hereby amended to read as follows:

232.920 The Director:

1. Shall:

(a) Organize the Department into divisions and other operating units as needed to achieve the purposes of the Department;

(b) Upon request, provide the Director of the Department of Administration with a list of organizations and agencies in this State whose primary purpose is the training and employment of persons with disabilities;

(c) Except as otherwise provided by a specific statute, direct the divisions to share information in their records with agencies of local governments which are responsible for the collection of debts or



obligations if the confidentiality of the information is otherwise maintained under the terms and conditions required by law;

(d) Provide the employment and wage information to the Board of Regents of the University of Nevada for purposes of the reporting required of the Board of Regents by subsection 4 of NRS 396.531; and

(e) Provide to the Director of the Legislative Counsel Bureau a written report each quarter containing the rate of unemployment of residents of this State regarding whom the Department has information, organized by county and, for each county, the rate of unemployment disaggregated by demographic information, including, without limitation, age, race and gender. The Director of the Department shall:

(1) Post on the Internet website of the Department the report required by this paragraph;

(2) Provide the report to the Governor's Workforce ~~Investment~~ *Development* Board and all applicable agencies for the purposes of subsection 5 of NRS 232.935; and

(3) Post on the Internet website of the Department the written report provided by the Governor's Workforce ~~Investment~~ *Development* Board pursuant to subsection 5 of NRS 232.935.

2. Is responsible for the administration, through the divisions of the Department, of the provisions of NRS 394.383 to 394.560, inclusive, 426.010 to 426.715, inclusive, 426.740, 426.790 and 426.800, and chapters 612 and 615 of NRS, and all other provisions of law relating to the functions of the Department and its divisions, but is not responsible for the professional line activities of the divisions or other operating units except as otherwise provided by specific statute.

3. May employ, within the limits of legislative appropriations, such staff as is necessary for the performance of the duties of the Department.

Sec. 3. NRS 232.935 is hereby amended to read as follows:

232.935 1. In appointing members of the Governor's Workforce ~~Investment~~ *Development* Board, the Governor shall ensure that the membership as a whole represents:

(a) ~~Industry~~ *Members of the local workforce development boards and other business representatives from industry* sectors which are essential to this State and which are driven primarily by demand;

(b) Communities and areas of economic development which are essential to this State; and

(c) The diversity of the workforce of this State, including, without limitation, geographic diversity and the diversity within regions of this State.



2. The Governor's Workforce ~~Investment~~ *Development* Board shall:

(a) *Collaborate with the local workforce development boards and regional development authorities to:*

(1) Identify:

~~[(1)]~~ (I) Industry sectors which are essential to *each region* of this State; and

~~[(2)]~~ (II) The region or regions of this State where the majority of the operations of each of those industry sectors is conducted ~~[-~~

~~—(b)] ; and~~

(2) Establish:

~~[(1)]~~ (I) Regional goals for economic development for each of the industry sectors identified pursuant to *this* paragraph ; ~~[(a)]~~ and

~~[(2)—A council]~~

(II) *Regional industry or sector partnerships* for each industry sector.

~~[(e)]~~ (b) Consider and develop programs to promote:

(1) Strategies to improve labor markets for industries and regions of this State, including, without limitation, improving the availability of relevant information;

(2) Coordination of the efforts of relevant public and private agencies and organizations;

(3) Strategies for providing funding as needed by various industry sectors;

(4) Increased production capacities for various industry sectors;

(5) The development of useful measurements of performance and outcomes in various industry sectors;

(6) Participation by and assistance from state and local government agencies;

(7) Expanded market penetration, including, without limitation, by providing assistance to employers with small numbers of employees;

(8) Partnerships between labor and management;

(9) Business associations;

(10) The development of improved instructional and educational resources for employers and employees; and

(11) The development of improved economies of scale, as applicable, in industry sectors.

3. Each *regional* industry *or* sector ~~[council]~~ *partnership* established pursuant to subparagraph (2) of paragraph ~~[(b)]~~ (a) of subsection 2:

(a) Must be composed of representatives from:



- 1 (1) Employers within that industry;
- 2 (2) Organized labor within that industry ~~[(+)]~~, *if applicable*;
- 3 (3) Universities and community colleges; and
- 4 (4) Any other relevant group of persons deemed to be
- 5 appropriate by the ~~[Board-]~~ *local workforce development board*.

6 (b) Shall, within the parameters set forth in the American
7 Recovery and Reinvestment Act of 2009 or the parameters of any
8 other program for which the federal funding is available, identify
9 job training and education programs which the *regional industry or*
10 sector ~~[council]~~ *partnership* determines to have the greatest
11 likelihood of meeting the regional goals for economic development
12 established for that industry sector pursuant to subparagraph ~~[(+)]~~
13 *(2)* of paragraph ~~[(b)]~~ *(a)* of subsection 2.

14 *(c) Shall report on an annual basis and as necessary to the*
15 *Governor's Workforce Development Board.*

16 4. The *Governor's Workforce Development* Board shall:

17 (a) Identify and apply for federal funding available for the job
18 training and education programs identified pursuant to paragraph (b)
19 of subsection 3;

20 (b) Consider and approve or disapprove applications for money;

21 (c) Provide and administer grants of money to *regional industry*
22 *or sector* ~~[councils]~~ *partnerships* for the purpose of establishing job
23 training and education programs in industry sectors for which
24 regional goals for economic development have been established
25 pursuant to subparagraph ~~[(+)]~~ *(2)* of paragraph ~~[(b)]~~ *(a)* of
26 subsection 2; and

27 (d) Adopt regulations establishing:

28 (1) Guidelines for the submission and review of applications
29 to receive grants of money from the Department; and

30 (2) Criteria and standards for the eligibility for and use of
31 any grants made pursuant to paragraph (c).

32 ➤ Except as otherwise required as a condition for federal funding,
33 the regulations required by this subsection must give priority to job
34 training and education programs that are consistent with the State
35 Plan for Economic Development developed by the Executive
36 Director of the Office of Economic Development pursuant to
37 subsection 2 of NRS 231.053.

38 5. The *Governor's Workforce Development* Board shall:

39 (a) Receive reports from the Director pursuant to paragraph (e)
40 of subsection 1 of NRS 232.920;

41 (b) Require all applicable agencies which provide workforce
42 development services to coordinate efforts and resources to reduce
43 the rate of unemployment for a demographic group contained in the
44 report provided pursuant to paragraph (e) of subsection 1 of



1 NRS 232.920 if, for that demographic group, the rate of
2 unemployment for the group:

3 (1) Is 200 percent or more of the rate of unemployment for
4 the applicable county as a whole;

5 (2) Is 4 or more percentage points higher than the rate of
6 unemployment for the applicable county as a whole; or

7 (3) Has been higher than the rate of unemployment for the
8 applicable county as a whole for 3 or more consecutive years; and

9 (c) Provide a written report each year to the Director of the
10 Department and the Director of the Legislative Counsel Bureau
11 describing the efforts made by the *Governor's Workforce*
12 *Development* Board and all applicable agencies to comply with
13 paragraph (b).

14 6. In carrying out its powers and duties pursuant to this section,
15 the *Governor's Workforce Development* Board shall consult with
16 the Executive Director of the Office of Economic Development and
17 shall cooperate with the Executive Director in implementing the
18 State Plan for Economic Development developed by the Executive
19 Director pursuant to subsection 2 of NRS 231.053.

20 7. As used in this section ~~["industry"]~~:

21 (a) *"Industry sector"* means a group of employers closely linked
22 by common products or services, workforce needs, similar
23 technologies, supply chains or other economic links.

24 (b) *"Regional industry or sector partnership" means a*
25 *workforce collaborative, convened by or acting in partnership with*
26 *the Governor's Workforce Development Board or a local board of*
27 *workforce development that organizes key stakeholders in an*
28 *industry cluster into a working group that focuses on the shared*
29 *goals and human resources needs of the industry cluster.*

30 **Sec. 4.** NRS 232.975 is hereby amended to read as follows:

31 232.975 The Executive Director of the Governor's Office of
32 Workforce Innovation shall:

33 1. Provide support to the Department, the Governor's
34 Workforce ~~Investment~~ *Development* Board created by NRS
35 232.935 and ~~the~~ *any regional* industry *or* sector ~~councils~~
36 *partnership* established ~~by the Governor's Workforce Investment~~
37 *Board* *pursuant to NRS 232.935* on matters relating to workforce
38 development.

39 2. Work in coordination with the Office of Economic
40 Development to establish criteria and goals for workforce
41 development and diversification in this State.

42 3. Collect and systematize and present in biennial reports to the
43 Governor and the Legislature such statistical details relating to
44 workforce development in the State as the Executive Director of the



Office may deem essential to further the objectives of the Governor's Office of Workforce Innovation.

4. At the direction of the Director:

(a) Identify, recommend and implement policies related to workforce development.

(b) Define career pathways and identify priority career pathways for secondary and postsecondary education.

(c) Discontinue career pathways offered by the State which fail to meet minimum standards of quality, rigor and cross-education alignment, or that do not demonstrate a connection to priority industry needs.

(d) In consultation with the Governor's Workforce ~~Investment~~ **Development** Board, identify industry-recognized credentials, workforce development programs and education.

(e) Maintain and oversee the statewide longitudinal data system that links data relating to early childhood education programs and K-12 public education with data relating to postsecondary education and the workforce in this State.

(f) Collect accurate educational data in the statewide longitudinal data system for the purpose of analyzing student performance through employment to assist in improving the educational system and workforce training program in this State.

(g) Apply for and administer grants, including, without limitation, those that may be available from funding reserved for statewide workforce investment activities.

(h) Review the status and structure of local workforce investment areas in the State, in coordination with the Governor and the Governor's Workforce ~~Investment~~ **Development** Board.

(i) Report periodically to the Governor's Workforce ~~Investment~~ **Development** Board concerning the administration of the policies and programs of the Governor's Office of Workforce Innovation.

(j) On or before March 31 of each year, submit to the Governor a complete report of the activities, discussions, findings and recommendations of the Governor's Office of Workforce Innovation.

(k) Suggest improvements regarding the allocation of federal and state money to align workforce training and related education programs in the State, including, without limitation, career and technical education.

(l) On or before January 1 of each year, collect and analyze data as needed to create a written report for the purposes of this paragraph, and submit such a report to the Director of the Legislative Counsel Bureau. The report must include, without limitation:



(1) Statistical data based on an analysis of the number of persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body in relation to the total population of this State or any geographic area within this State;

(2) The demand within this State or any geographic area within this State for the types of services provided by persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body; and

(3) Any other factors relating to the types of services provided by persons within this State who are engaged in an occupation or profession that is regulated by a regulatory body that adversely affect public health or safety.

➤ As used in this paragraph, “regulatory body” has the meaning ascribed to it in NRS 622.060.

(m) On or before January 1 of each year, submit to the Director of the Legislative Counsel Bureau a written report that includes, without limitation, the most current data and reports produced by the statewide longitudinal data system.

Sec. 5. NRS 360.752 is hereby amended to read as follows:

360.752 1. A person who intends to locate or expand a business in this State may apply to the Office of Economic Development pursuant to this section for a partial abatement of the tax imposed on the new or expanded business pursuant to chapter 361 of NRS.

2. The Office of Economic Development shall approve an application for a partial abatement pursuant to this section if the Office makes the following determinations:

(a) The business is in one or more of the industry sectors for economic development promoted, identified or otherwise approved by the Governor’s Workforce ~~Investment~~ *Development* Board described in NRS 232.935.

(b) The business is consistent with:

(1) The State Plan for Economic Development developed by the Executive Director of the Office of Economic Development pursuant to subsection 2 of NRS 231.053; and

(2) Any guidelines adopted by the Executive Director of the Office to implement the State Plan for Economic Development.

(c) Not later than 1 year after the date on which the application was received by the Office, the applicant has executed an agreement with the Office which must:

(1) Comply with the requirements of NRS 360.755;

(2) Require the business to submit to the Department the reports required by paragraph (c) of subsection 1 of NRS 218D.355;



(3) State the agreed terms of the partial abatement, which must comply with the requirements of subsection 4;

(4) State the date on which the abatement becomes effective, as agreed to by the applicant and the Office, which must not be earlier than the date on which the Office received the application and not later than 1 year after the date on which the Office approves the application;

(5) State that the business will, after the date on which a certificate of eligibility for the abatement is issued pursuant to subsection 5, continue in operation in this State for a period specified by the Office, which must be at least 5 years, and will continue to meet the eligibility requirements set forth in this subsection; and

(6) Bind the successors in interest of the business for the specified period.

(d) The business is registered pursuant to the laws of this State or the applicant commits to obtain a valid business license and all other permits required by the county, city or town in which the business operates.

(e) The business does not receive:

(1) Any funding from a governmental entity, other than any private activity bonds as defined in 26 U.S.C. § 141; or

(2) Any real or personal property from a governmental entity at no cost or at a reduced cost.

(f) The average hourly wage that will be paid by the business to its new employees in this State is at least 100 percent of the average statewide hourly wage or the average countywide hourly wage, whichever is less, as established by the Employment Security Division of the Department of Employment, Training and Rehabilitation on July 1 of each fiscal year.

(g) The business will offer a health insurance plan for all full-time employees that includes an option for health insurance coverage for dependents of those employees, or will abide by all applicable provisions of the Patient Protection and Affordable Care Act, Public Law 111-148, or both, and the benefits the business offers to its employees in this State will meet the minimum requirements for benefits established by the Office.

(h) The business meets the following requirements:

(1) The business makes a capital investment of at least \$1,000,000 in a program of the University of Nevada, Reno, the University of Nevada, Las Vegas, or the Desert Research Institute to be used in support of research, development or training related to the field of endeavor of the business.

(2) The business will employ 15 or more full-time employees for the duration of the abatement.



(3) The business will employ two or more graduate students from the program in which the capital investment is made on a part-time basis during years 2 through 5, inclusive, of the abatement.

(4) The business submits with its application for a partial abatement:

(I) A letter of support from the institution in which the capital investment is made, which is signed by the chief administrative officer of the institution and the director or chair of the program or the appropriate department, and which includes, without limitation, a summary of the financial and other resources the business will provide to the program and an agreement that the institution will provide to the Office periodic reports, at such times and containing such information as the Office may require, regarding the use of those resources; and

(II) A letter of support which is signed by the chair of the board of directors of the regional economic development authority within whose jurisdiction the institution is located and which includes, without limitation, a summary of the role the business will play in diversifying the economy and, if applicable, in achieving the broader goals of the regional economic development authority for economic development and diversification.

(i) In lieu of meeting the requirements of paragraph (h), the business meets the following requirements:

(1) The business makes a capital investment of at least \$500,000 in the Nevada State College or an institution of the Nevada System of Higher Education other than those set forth in subparagraph (1) of paragraph (h), to be used in support of college certification or in support of research or training related to the field of endeavor of the business.

(2) The business will employ 15 or more full-time employees for the duration of the abatement.

(3) The business will employ two or more students from the college or institution in which the capital investment is made on a full-time basis during years 2 through 5, inclusive, of the abatement.

(4) The business submits with its application for a partial abatement:

(I) A letter of support from the college or institution in which the capital investment is made, which is signed by the chief administrative officer of the college or institution and which includes, without limitation, a summary of the financial and other resources the business will provide to the program and an agreement that the college or institution will provide to the Office periodic reports, at such times and containing such information as the Office may require, regarding the use of those resources; and



(II) A letter of support which is signed by the chair of the board of directors of the regional economic development authority within whose jurisdiction the college or institution is located and which includes, without limitation, a summary of the role the business will play in diversifying the economy and, if applicable, in achieving the broader goals of the regional economic development authority for economic development and diversification.

3. Notwithstanding the provisions of subsection 2, the Office of Economic Development:

(a) Shall furnish to the board of county commissioners of each affected county a copy of each application for a partial abatement pursuant to this section.

(b) Shall not consider an application for a partial abatement pursuant to this section unless the Office has requested a letter of acknowledgment of the request for the abatement from any affected county, school district, city or town.

(c) Shall not approve an application for a partial abatement pursuant to this section unless the abatement is approved or deemed approved as described in this paragraph. The board of county commissioners of each affected county must approve or deny the application not later than 30 days after the board of county commissioners receives a copy of the application as described in paragraph (a). If the board of county commissioners does not approve or deny the application within 30 days after the board of county commissioners receives a copy of the application, the application shall be deemed approved.

(d) May, if the Office determines that such action is necessary add additional requirements that a business must meet to qualify for a partial abatement pursuant to this section.

4. If the Office of Economic Development approves an application for a partial abatement pursuant to this section:

(a) The total amount of the abatement must not exceed;

(1) Fifty percent of the amount of the taxes imposed on the personal property of the business pursuant to chapter 361 of NRS during the period of the abatement; or

(2) Fifty percent of the amount of the capital investment by the business,

↳ whichever amount is less;

(b) The duration of the abatement must be for 5 years; and

(c) The abatement applies only to the business for which the abatement was approved pursuant to this section and the property used in connection with that business.

5. If the Office of Economic Development approves an application for a partial abatement pursuant to this section, the



Office shall immediately forward a certificate of eligibility for the abatement to:

(a) The Department;

(b) The Nevada Tax Commission; and

(c) If the partial abatement is from the property tax imposed pursuant to chapter 361 of NRS, the county treasurer of the county in which the business will be located.

6. An applicant for a partial abatement pursuant to this section or an existing business whose partial abatement is in effect shall, upon the request of the Executive Director of the Office of Economic Development, furnish the Executive Director with copies of all records necessary to verify that the applicant meets the requirements of subsection 2.

7. If an applicant for a partial abatement pursuant to this section fails to execute the agreement described in paragraph (c) of subsection 2 within 1 year after the date on which the application was received by the Office, the applicant shall not be approved for a partial abatement pursuant to this section unless the applicant submits a new application.

8. If a business whose partial abatement has been approved pursuant to this section and is in effect ceases to meet the requirements set forth in subsection 2 or ceases operation before the time specified in the agreement described in paragraph (c) of subsection 2:

(a) The business shall repay to the county treasurer the amount of the partial abatement that was allowed pursuant to this section before the failure of the business to comply unless the Nevada Tax Commission determines that the business has substantially complied with the requirements of this section. Except as otherwise provided in NRS 360.232 and 360.320, the business shall, in addition to the amount of the partial abatement required to be paid pursuant to this subsection, pay interest on the amount due at the rate most recently established pursuant to NRS 99.040 for each month, or portion thereof, from the last day of the month following the period for which the payment would have been made had the partial abatement not been approved until the date of payment of the tax.

(b) The applicable institution of higher education is entitled to keep the entire capital investment made by the business in that institution.

9. A county treasurer:

(a) Shall deposit any money that he or she receives pursuant to subsection 8 in one or more of the funds established by a local government of the county pursuant to NRS 354.6113 or 354.6115; and



(b) May use the money deposited pursuant to paragraph (a) only for the purposes authorized by NRS 354.6113 and 354.6115.

10. The Office of Economic Development:

(a) Shall adopt regulations relating to the minimum level of benefits that a business must provide to its employees to qualify for a partial abatement pursuant to this section; and

(b) May adopt such regulations as the Office determines to be necessary to carry out the provisions of this section.

11. The Nevada Tax Commission:

(a) Shall adopt regulations regarding any security that a business is required to post to qualify for a partial abatement pursuant to this section; and

(b) May adopt such other regulations as the Nevada Tax Commission determines to be necessary to carry out the provisions of this section.

12. An applicant for a partial abatement pursuant to this section who is aggrieved by a final decision of the Office of Economic Development may petition for judicial review in the manner provided in chapter 233B of NRS.

13. Except as otherwise provided in this subsection, as used in this section, "capital investment" includes, without limitation, an investment of real or personal property, money or other assets by a business in an institution of the Nevada System of Higher Education. The Office of Economic Development may, by regulation, specify the types of real or personal property or assets that are included within the definition of "capital investment."

Sec. 6. NRS 388.385 is hereby amended to read as follows:

388.385 1. If the board of trustees of a school district has established a program of career and technical education pursuant to NRS 388.380 and to the extent that money is available from this State or the Federal Government, the superintendent of schools of the school district or his or her designee shall:

(a) Appoint an advisory technical skills committee consisting of:

(1) Representatives of businesses and industries in the community or region;

(2) Employees of the school district who possess knowledge and experience in career and technical education;

(3) Pupils enrolled in programs of career and technical education in the school district;

(4) Parents and legal guardians of pupils enrolled in programs of career and technical education in the school district;

(5) Representatives of postsecondary educational institutions that provide career and technical education;



(6) Members of the Governor's Workforce ~~Investment~~
Development Board described in NRS 232.935 or local entities for
the development of the workforce;

(7) Representatives of special populations, as defined in 20
U.S.C. § 2302;

(8) Representatives of regional or local agencies serving out-
of-school youth, homeless children and youth and youth who are at
risk, as defined in 20 U.S.C. § 6472;

(9) Representatives of Indian tribes and tribal organizations,
where applicable; and

(10) Other interested stakeholders, as prescribed by
regulation of the State Board; or

(b) Consult regularly with persons in each category listed in
paragraph (a) to carry out the duties prescribed for an advisory
technical skills committee in subsection 2.

2. An advisory technical skills committee established pursuant
to paragraph (a) of subsection 1 shall meet regularly to:

(a) Provide input on updates to the comprehensive needs
assessment conducted pursuant to 20 U.S.C. § 2354;

(b) Review the instructional supplies, equipment and operation
of the program of career and technical education to determine its
effectiveness in preparing pupils enrolled in the program to enter the
workforce, apprenticeships or college and meet the needs of
businesses and industries in the region concerning their workforce;

(c) Advise the school district regarding credentials that are
valuable in relevant industries and trends in such industries;

(d) Provide technical assistance to the school district in
designing and revising as necessary the curriculum for the program
of career and technical education to meet the standards prescribed
by the State Board; and

(e) In cooperation with businesses, industries, employer
associations and employee organizations in the community, develop
work-based learning experiences for pupils enrolled in the program
of career and technical education. The work-based learning
experiences must comply with the provisions of NRS 389.167.

3. The meetings of an advisory technical skills committee are
not subject to the provisions of chapter 241 of NRS.

4. The members of an advisory technical skills committee
serve without compensation.

Sec. 7. NRS 388.392 is hereby amended to read as follows:

388.392 1. Of state money appropriated for use in a fiscal
year for programs of career and technical education, the State Board
shall not use more than 7.5 percent to provide leadership and
training activities in that fiscal year.



2. Before allocating state money, if any, to provide leadership and training activities, the State Board shall:

(a) Distribute 30 percent of the state money in the manner set forth in NRS 388.393; and

(b) Distribute not more than 5 percent of the state money to pupil organizations for career and technical education in the manner set forth in NRS 388.394.

3. After distributing the state money pursuant to subsection 2 and allocating state money, if any, to provide leadership and training activities, the State Board shall distribute the remainder of state money in the manner set forth in NRS 388.395.

4. The State Board shall request that representatives of the *regional* industry *or* sector ~~[(councils)]~~ *partnerships* established pursuant to subsection 2 of NRS 232.935 *and the local workforce development boards* provide recommendations to the Superintendent of Public Instruction on the awarding of grants pursuant to NRS 388.393.

5. As used in this section, “leadership and training activities” means:

(a) Activities by or for pupil organizations for career and technical education;

(b) Training activities for teachers of classes or programs of career and technical education;

(c) Activities at or for a conference of teachers of classes or programs of career and technical education;

(d) Promotion and marketing of classes or programs of career and technical education; and

(e) The development of standards and assessments of career and technical education for the purposes of leadership and training.

Sec. 8. NRS 388.393 is hereby amended to read as follows:

388.393 1. The board of trustees of a school district or the governing body of a charter school may apply to the State Board of Education for a grant for a program of career and technical education, to be paid for with money distributed pursuant to paragraph (a) of subsection 2 of NRS 388.392, by submitting an application to the person appointed pursuant to NRS 388.342.

2. The Superintendent of Public Instruction shall review the recommendations of the representatives of the *regional* industry *or* sector ~~[(councils)]~~ *partnerships and the local workforce development boards* and award grants for the purposes of developing new programs of career and technical education or improving or expanding existing programs of career and technical education. The awarding of grants must be based on the criteria established by regulation of the State Board of Education.



Sec. 9. NRS 704.7865 is hereby amended to read as follows:

704.7865 1. An electric utility shall offer an expanded solar access program to eligible customers within its service area in accordance with the provisions of this section. The size of the expanded solar access program shall not exceed:

(a) For an electric utility that primarily serves densely populated counties, a total capacity of 240,000 megawatt-hours; and

(b) For an electric utility that primarily serves less densely populated counties, a total capacity of 160,000 megawatt-hours.

2. The Commission shall adopt regulations establishing standards for the expanded solar access program. The regulations must:

(a) Advance the development of solar energy resources in this State, including, without limitation, utility scale and community-based solar resources;

(b) Provide for the expanded solar access program to include a reasonable mixture of community-based solar resources and utility scale solar resources;

(c) Provide a plan for community participation in the siting and naming of community-based solar resources;

(d) Provide for solar workforce innovations and opportunity programs related to the construction, maintenance and operation of solar resources, including opportunities for workforce training, apprenticeships or other job opportunities at community-based solar resources;

(e) Provide for equitably broadened access to solar energy;

(f) Provide for the creation of an expanded solar access program rate for participating eligible customers that:

(1) Is based, among other factors, on a new utility scale solar resource accepted by the Commission in an order issued pursuant to NRS 704.751, as approved by the Commission;

(2) Is a fixed rate that replaces the base tariff energy rate and deferred accounting adjustment charged by the electric utility for participating customers and which is adjusted in accordance with the Commission's quarterly calculations;

(3) For low-income eligible customers, provides for a lower rate, the cost of which must be allocated across all of the rate classes of the utility;

(4) For eligible customers who are not low-income eligible customers, provides stability and predictability and the opportunity for a lower rate; and

(5) Includes for all participating customers any other applicable charges including, without limitation, the universal energy charge, franchise fees, the renewable energy program rate and base tariff general rates, except that the Commission may



1 reduce one or more of these charges for low-income eligible
2 customers to ensure that such customers receive a lower rate
3 pursuant to subparagraph (3);

4 (g) Establish a process for identifying noncontiguous geographic
5 locations for community-based solar resources which, to the extent
6 practicable, must be located in communities with higher levels of
7 low-income eligible customers;

8 (h) Provide for the use of at least one utility scale solar resource
9 and at least three but not more than ten community-based solar
10 resources within the service territory of the electric utility;

11 (i) Require not less than 50 percent of the employees engaged or
12 anticipated to be engaged in construction of community-based solar
13 resources to be residents of this State, which residency may be
14 demonstrated, without limitation, by a notarized statement of the
15 employee that he or she is a resident of this State;

16 (j) Provide for a mechanism for the host sites of community-
17 based solar resources to receive compensation from the utility for
18 the use of such site;

19 (k) Provide for the use of a combination of new and other
20 renewable energy facilities, which may be either utility scale or
21 community-based solar resources, that were submitted to the
22 Commission for approval after May 1, 2018, and that were not
23 placed into operation before April 1, 2020;

24 (l) Provide for an application and selection process for eligible
25 customers to participate in the program;

26 (m) Ensure reasonable and equitable participation by eligible
27 customers within the service area of the electric utility;

28 (n) Ensure that eligible customers are able to participate in the
29 program regardless of whether the customer owns, rents or leases
30 the customer's premises;

31 (o) Require that:

32 (1) Twenty-five percent of the capacity of the program, as
33 provided in subsection 1, be reserved for low-income eligible
34 customers;

35 (2) Twenty-five percent of the capacity of the program, as
36 provided in subsection 1, be reserved for disadvantaged businesses
37 and nonprofit organizations; and

38 (3) Fifty percent of the capacity of the program, as provided
39 in subsection 1, be reserved for eligible customers who are fully
40 bundled residential customers who own, rent or lease their residence
41 and who certify in a statement which satisfies the requirements
42 established by the Commission pursuant to paragraph (p) that they
43 cannot install solar resources on their premises;



(p) Establish the requirements for a fully bundled residential customer to certify that he or she cannot install solar resources on his or her premises; and

(q) Establish standards for the form, content and manner of submission of an electric utility's plan for implementing the expanded solar access program.

3. An electric utility shall file a plan for implementing the expanded solar access program in accordance with the regulations adopted by the Commission pursuant to subsection 2.

4. The Commission shall review the plan for the implementation of the expanded solar access program submitted pursuant to subsection 3 and issue an order approving, with or without modifications, or denying the plan within 210 days. The Commission may approve the plan if it finds that the proposed expanded solar access program complies with the regulations adopted by the Commission pursuant to subsection 2.

5. In administering the provisions of this section, the electric utility and the Commission shall establish as the preferred sites for utility scale development of solar energy resources pursuant to this section brownfield sites and land designated by the Secretary of the Interior as Solar Energy Zones and held by the Bureau of Land Management.

6. As used in this section:

(a) "Brownfield site" has the meaning ascribed to it in 42 U.S.C. § 9601.

(b) "Community-based solar resource" means a solar resource which has a nameplate capacity of not more than 1 megawatt and is owned and operated by the electric utility and connected to and used as a component of the distribution system of the electric utility.

(c) "Disadvantaged business" means a business for which:

(1) Fifty-one percent or more of the owners are women, veterans, members of a racial or ethnic minority group or otherwise part of a traditionally underrepresented group; and

(2) None of the owners has a net worth of more than \$250,000, not including the equity held in the business or in a primary residence.

(d) "Electric utility" has the meaning ascribed to it in NRS 704.187.

(e) "Electric utility that primarily serves densely populated counties" has the meaning ascribed to it in NRS 704.110.

(f) "Electric utility that primarily serves less densely populated counties" has the meaning ascribed to it in NRS 704.110.

(g) "Eligible customer" means:

(1) A fully bundled general service customer; or

(2) A fully bundled residential customer of a utility.



(h) “Fully bundled customer” means a customer of an electric utility who receives energy, transmission, distribution and ancillary services from an electric utility.

(i) “Fully bundled general service customer” means a fully bundled customer who is a nonresidential customer with a kilowatt-hour consumption that does not exceed 10,000 kilowatt-hours per month.

(j) “Fully bundled residential customer” means a fully bundled customer who is a single-family or a multifamily residential customer.

(k) “Low-income eligible customer” means a natural person or household who is a fully bundled residential customer of a utility and has an income of not more than 80 percent of the area median income based on the guidelines published by the United States Department of Housing and Urban Development.

(l) “Solar Energy Zone” means an area identified and designated by the Bureau of Land Management as an area well-suited for utility-scale production of solar energy, and where the Bureau of Land Management will prioritize solar energy and associated transmission infrastructure development.

(m) “Solar resource” means a facility or energy system that uses a solar photovoltaic device to generate electricity.

(n) “Solar workforce innovations and opportunity program” means a workforce education, training and job placement program developed by the Department of Employment, Training and Rehabilitation and its appropriate *regional* industry *or* sector ~~[[council]]~~ *partnership, if applicable*, in conjunction with potential employers and community stakeholders.

(o) “Utility scale solar resource” means a solar resource which has a nameplate capacity of at least 50 megawatts and is interconnected directly to a substation of the electric utility through a generation step-up transformer.

Sec. 10. 1. Any administrative regulations adopted by an officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency are binding upon the officer or agency to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or agency to



1 which the responsibility for the enforcement of the provisions of the
2 contract or other agreement has been transferred.

3 3. Any action taken by an officer or agency whose name has
4 been changed or whose responsibilities have been transferred
5 pursuant to the provisions of this act to another officer or agency
6 remains in effect as if taken by the officer or agency to which the
7 responsibility for the enforcement of such actions has been
8 transferred.

9 **Sec. 11.** This act becomes effective upon passage and
10 approval.



