Amendment No. 317

Senate Amendment to Senate Bill No. 239	(BDR 18-1080)
Proposed by: Senate Committee on Government Affairs	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will ADD a 2/3s majority vote requirement for final passage of S.B. 239 (§ 1.7).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	________	Adopted	☐	Lost	☐	________
Concurred In	☐	Not	☐	________	Concurred In	☐	Not	☐	________
Receded	☐	Not	☐	________	Receded	☐	Not	☐	________

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold dashed underlining** is newly added transitory language.

AAK/WLK Date: 4/14/2009

S.B. No. 239—Provides for greater coordination of Nevada's economic development and workforce development goals. (BDR 18-1080)

A SB239 317

SENATE BILL NO. 239–SENATORS HORSFORD, WOODHOUSE, CARE, BREEDEN, PARKS; AMODEI, COFFIN, COPENING, LEE, MATHEWS, RAGGIO, RHOADS, WASHINGTON AND WIENER

MARCH 13, 2009

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JOINT SPONSORS: ASSEMBLYMEN ATKINSON, CONKLIN, BOBZIEN, MANENDO, AIZLEY; BUCKLEY, CARPENTER, CLABORN, DONDERO LOOP, GOICOECHEA, HOGAN, KIRKPATRICK, KOIVISTO, MCCLAIN, MUNFORD, OCEGUERA, OHRENSCHALL, PARNELL, PIERCE, SEGERBLOM AND SPIEGEL

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Referred to Committee on Government Affairs

SUMMARY—Provides for greater coordination of Nevada's economic development and workforce development goals. (BDR 18-1080)

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

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

AN ACT relating to state departments; providing for greater coordination of Nevada's economic development and workforce development goals; **requiring the Department of Employment, Training and Rehabilitation to adopt regulations regarding small business investment companies and a small business investment credit;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section ~~[1]~~ **1.3** of this bill requires the Governor's Workforce Investment Board to establish industry sector councils to identify job training and education programs to best meet regional economic development goals. **Section** ~~[1]~~ **1.3** also requires the Board to identify and seek federal funding to provide grants to fund those job training and education programs.

Section 1.7 of this bill requires the Department of Employment, Training and Rehabilitation to adopt regulations for a program for a small business investment credit and a small business investment company.

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

Section 1. Chapter 232 of NRS is hereby amended by adding thereto ~~[a new section to read as follows:]~~ **the provisions set forth as sections 1.3 and 1.7 of this act.**

Sec. 1.3. *1. In appointing members of the Governor's Workforce Investment Board, the Governor shall ensure that the membership as a whole represents:*

(a) 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 Board shall:

(a) Identify:

(1) Industry sectors which are essential to this State; and

(2) The region or regions of this State where the majority of the operations of each of those industry sectors is conducted; and

(b) Establish:

(1) Regional goals for economic development for each of the industry sectors identified pursuant to paragraph (a); and

(2) A council for each industry sector.

(c) 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.

~~[2.]~~ 3. Each industry sector council established pursuant to subparagraph (2) of paragraph (b) of subsection ~~[1:]~~ 2:

(a) Must be composed of representatives from:

(1) Employers within that industry;

(2) Organized labor within that industry; ~~[and]~~

(3) Universities and community colleges ~~[.]~~ ; and

(4) Any other relevant group of persons deemed to be appropriate by the Board.

(b) Shall, within the parameters set forth in the American Recovery and Reinvestment Act of 2009 or the parameters of any other program for which the federal funding is available, identify job training and education programs which the industry sector council determines to have the greatest likelihood of meeting the regional goals for economic development established for that industry sector pursuant to subparagraph (1) of paragraph (b) of subsection ~~[1.]~~ 2.

~~[3.]~~ 4. The Board shall:

(a) Identify and apply for federal funding available for the job training and education programs identified pursuant to paragraph (b) of subsection ~~[2;]~~ 3;

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

(c) Provide and administer grants of money to industry sector councils for the purpose of establishing job training and education programs in industry sectors for which regional goals for economic development have been established pursuant to subparagraph (1) of paragraph (b) of subsection ~~[1;]~~ 2; and

(d) Adopt regulations establishing:

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

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

~~[4.]~~ 5. As used in this section, "industry sector" means a group of employers closely linked by common products or services, workforce needs, similar technologies, supply chains or other economic links.

Sec. 1.7. 1. The Department shall adopt regulations creating a program for a small business investment credit and providing the powers and duties of a small business investment company.

2. A person may apply to the Department for a small business investment credit. Such an application must be made on a form prescribed by the Department.

3. A person may apply to the Department for certification as a small business investment company. Such an application must include, without limitation:

(a) A completed application for certification as a small business investment company on a form prescribed by the Department;

(b) A nonrefundable fee of $7,500;

(c) An audited financial statement accompanied by a report of audit containing the unqualified opinion of an independent certified public accountant issued not more than 35 days before the date of the application which states that the applicant has an equity capitalization of $500,000 or more in the form of unencumbered cash, marketable securities or other liquid assets;

(d) Proof acceptable to the Department that the company has at least two persons employed or otherwise engaged to manage the money of the company who each have a minimum of 5 years of experience in money management in the venture capital or small business investment industry; and

(e) Proof acceptable to the Department that the primary business purpose of the company is to make investments in industry sectors that the Department deems important, including, without limitation, global energy, rural economic development, enterprise zones and minority-owned businesses.

4. As used in this section, "industry sector" has the meaning ascribed to it in section 1.3 of this act.

Sec. 2. NRS 232.900 is hereby amended to read as follows:

232.900 As used in NRS 232.900 to 232.960, inclusive, ***and*** ~~[section 1]~~ ***sections 1.3 and 1.7 of this act,*** unless the context otherwise requires:

1. "Department" means the Department of Employment, Training and Rehabilitation.

2. "Director" means the Director of the Department.

Sec. 3. This act becomes effective upon passage and approval.