

ASSEMBLY BILL NO. 116—ASSEMBLYWOMAN
BUSTAMANTE ADAMS

FEBRUARY 5, 2015

Referred to Committee on Taxation

SUMMARY—Revises provisions governing the Regional Business Development Advisory Council for Clark County. (BDR S-263)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 membership of the Regional Business Development Advisory Council for Clark County; providing that certain entities participating in the Council are nonvoting members; revising provisions relating to certain reports submitted to the Council; clarifying the requirement that the Council submit certain reports to the Director of the Legislative Counsel Bureau; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 In 2003, the Nevada Legislature created by special act the Regional Business
2 Development Advisory Council for Clark County for the purpose of addressing the
3 economic development of local businesses owned and operated by certain
4 disadvantaged persons. (Chapter 7, Statutes of Nevada 2003, 20th Special Session,
5 p. 267) Pursuant to existing law, membership of the Council consists of
6 representatives from: (1) certain governmental entities and private nonprofit entities
7 that are required to participate; and (2) certain other governmental, private and
8 nonprofit entities that request to participate in the Council. (Section 15 of chapter 7,
9 Statutes of Nevada 2003, 20th Special Session, p. 268) **Section 1** of this bill
10 amends the membership of the Council to: (1) eliminate the representatives from
11 the Housing Authority of the City of Las Vegas, Housing Authority of the City of
12 North Las Vegas, Clark County Health District, Clark County Housing Authority,
13 Clark County Sanitation District, the Las Vegas Urban Chamber of Commerce and
14 the Hispanic Business Roundtable; and (2) add representatives from the Southern
15 Nevada Health District and the Southern Nevada Regional Housing Authority.
16 **Section 1** also provides that representatives of the entities that request to participate
17 in the Council are nonvoting members.



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Existing law requires those governmental entities which are required to participate in the membership of the Council to report annually to the Council certain information regarding the expenditures of the entities and their efforts to encourage the economic development of businesses owned by disadvantaged persons. (Section 20 of chapter 7, Statutes of Nevada 2003, 20th Special Session, p. 269) **Section 2** of this bill amends the reporting requirement.

Existing law requires the Council to submit a biennial report to the Director of the Legislative Counsel Bureau. (Section 20 of chapter 7, Statutes of Nevada 2003, 20th Special Session, p. 269) **Section 2** further clarifies that the biennial report is submitted to the Director for transmittal to the next regular session of the Legislature.

Existing law generally provides that any provision of state legislation enacted or revised after July 1, 2013, which adds or revises a requirement to submit a report to the Legislature must expire by limitation 5 years after the effective date of the addition or revision of the requirement. (NRS 218D.380) **Section 3** of this bill provides that this provision does not apply to the reporting requirements of the Council.

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

Section 1. Section 15 of the Regional Business Development Advisory Council for Clark County Act, being chapter 7, Statutes of Nevada 2003, 20th Special Session, at page 268, is hereby amended to read as follows:

Sec. 15. 1. The Regional Business Development Advisory Council for Clark County is hereby created. Except as otherwise provided in subsection 2, the Council consists of a single representative from each of the following entities:

- (a) City of Henderson.
- (b) Henderson Library District.
- (c) City of Las Vegas.
- ~~(d) Housing Authority of the City of Las Vegas.~~
- ~~(e)~~ (e) City of North Las Vegas.
- ~~(f) Housing Authority of the City of North Las Vegas.~~
- ~~(g)~~ (e) Clark County.
- ~~(h) Clark County Health District.~~
- ~~(i) Clark County Housing Authority.~~
- ~~(j)~~ (f) Clark County Regional Flood Control District.
- ~~(k) Clark County Sanitation District.~~
- ~~(l)~~ (g) Clark County Water Reclamation District.
- ~~(m)~~ (h) Clark County School District.
- ~~(n)~~ (i) College of Southern Nevada.
- ~~(o)~~ (j) Las Vegas-Clark County Library District.
- ~~(p)~~ (k) Las Vegas Convention and Visitors Authority.
- ~~(q)~~ (l) Las Vegas Valley Water District.



~~[(t)]~~ (m) Regional Transportation Commission of Southern Nevada.

~~[(s)]~~ (n) *Southern Nevada Health District.*

(o) *Southern Nevada Regional Housing Authority.*

(p) Southern Nevada Water Authority.

~~[(t)]~~ (q) University Medical Center of Southern Nevada.

~~[(u)]~~ (r) University of Nevada, Las Vegas.

~~[(v)]~~ (s) Department of Transportation.

~~[(w)] Las Vegas Urban Chamber of Commerce.~~

~~—(x) Hispanic Business Roundtable.]~~

2. The Board of County Commissioners of Clark County, in consultation with the ~~Las Vegas Urban Chamber of Commerce.]~~ *Council*, shall solicit and encourage participation in the Council by other governmental entities, private nonprofit entities organized to promote business or encourage participation in government, and private entities that employ 500 or more persons. Any such entity that requests to participate *in the Council* must be included as a *nonvoting* member of the Council.

Sec. 2. Section 20 of the Regional Business Development Advisory Council for Clark County Act, being chapter 7, Statutes of Nevada 2003, 20th Special Session, at page 269, is hereby amended to read as follows:

Sec. 20. 1. The Council shall propose and implement policies, programs and procedures to encourage and promote the use of local businesses owned ~~for~~ *and* operated by disadvantaged persons, particularly in the area of contracting and procurement by public agencies in Clark County.

2. On or before November 1 of each year, each public entity which has a representative on the Council *pursuant to subsection 1 of section 15 of this act* shall prepare and deliver a written report to the Council *for the immediately preceding fiscal year* which contains:

(a) The number of persons employed by the public entity, disaggregated by major ethnic and racial categories, including, without limitation, African-American, Asian, Caucasian, Hispanic and Native American.

(b) ~~Capital expenditures]~~ *Expenditures* made by the public entity ~~for~~ *during* the immediately preceding fiscal year, disaggregated by discretionary and nondiscretionary expenditures.

(c) The percentage of ~~capital]~~ expenditures paid by the public entity to disadvantaged persons or *local* businesses owned ~~for managed]~~ *and operated* by disadvantaged persons, disaggregated by ethnic and racial categories and by gender.



(d) A summary of the efforts and programs used by the public entity to encourage and increase the involvement in contracting by disadvantaged persons and *local* businesses owned ~~for managed~~ *and operated* by disadvantaged persons and any efforts or programs used by the public entity to encourage the economic development of ~~disadvantaged persons and~~ *local* businesses owned *and operated* by disadvantaged persons.

(e) Such other information as the Council determines is necessary to achieve its goals.

3. The Council shall encourage each public ~~for~~ *and* private entity which has a representative on the Council pursuant to subsection 2 of section 15 of this act to prepare and deliver to the Council an annual report similar to the report required pursuant to subsection 2.

4. On or before January 15 of each odd-numbered year, the Council shall prepare a report regarding the policies, programs and procedures that the Council proposed and implemented during the immediately preceding 2 years to encourage and promote the use of local businesses owned and operated by disadvantaged persons, using the reports received pursuant to this section, and shall submit the report to the Director of the Legislative Counsel Bureau for transmittal to the ~~73rd Session~~ *next regular session* of the ~~Nevada~~ Legislature.

Sec. 3. The provisions of NRS 218D.380 do not apply to the reporting requirements of section 20 of the Regional Business Development Advisory Council for Clark County Act, being chapter 7, Statutes of Nevada 2003, 20th Special Session, at page 269, as amended by section 2 of this act.

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

