

Amendment No. 864

Assembly Amendment to Senate Bill No. 12 First Reprint (BDR 22-241)

Proposed by: Assembly Committee on Government Affairs

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

EMR/HAC



Date: 5/21/2017

S.B. No. 12—Repeals certain provisions relating to governmental administrative tasks. (BDR 22-241)



SENATE BILL NO. 12—COMMITTEE ON REVENUE
AND ECONOMIC DEVELOPMENT

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

PREFILED NOVEMBER 15, 2016

Referred to Committee on Revenue and
Economic DevelopmentSUMMARY—Repeals certain provisions relating to governmental administrative tasks. (BDR ~~422-241~~) **50-241**)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 governmental administration; repealing certain reporting requirements of the ~~Department of Taxation, the~~ State Board of Agriculture and the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation; repealing a requirement that the Administrator of the Employment Security Division print for distribution to the public certain regulations, rules, reports and other materials relating to unemployment compensation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Section 1 of this bill repeals the requirement that the Department of Taxation prepare and submit a biannual report to the Legislature and to each municipality that has created a tourism improvement district pursuant to NRS chapter 271A (commonly known as "STAR bond districts") on or after July 1, 2011, regarding monthly revenue, wages and employment in the tourism improvement district. Section 1 also repeals the requirement that each business within such a tourism improvement district provide to the Department of Taxation information required by the Department for it to fulfill its reporting requirement. Section 2 of this bill makes a conforming change.~~

Section 3 of this bill repeals the requirement that the: (1) State Board of Agriculture submit to the Governor a biennial report of its activities relating to its statutory duties; (2) Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation submit to the Governor a biennial report on the administration and operation of statutes relating to unemployment compensation; and (3) Administrator of the Employment Security Division print for distribution to the public the text of certain regulations, rules, reports and other materials relating to unemployment compensation.

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

Section 1. ~~[NRS 271A.105 is hereby amended to read as follows:~~

~~271A.105 [1.] On or before September 1 of each year, the governing body of a municipality that creates a district before, on or after July 1, 2011, shall prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature, or to the Legislative Commission when the Legislature is not in regular session, an annual report containing:~~

~~[(a)] 1. A statement of the status of each project located or expected to be located in the district, and of any changes in that status since the last annual report.~~

~~[(b)] 2. An assessment of the financial impact of the district on the provision of local governmental services, including, without limitation, services for police protection and fire protection.~~

~~[2. If the governing body of a municipality creates a district before, on or after July 1, 2011, the Department of Taxation shall:~~

~~(a) On or before April 1 and October 1 of each year, except as otherwise provided in subsection 3, prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature, or to the Legislative Commission when the Legislature is not in regular session, and to the governing body of the municipality a semiannual report which states:~~

~~(1) The amount of revenue from the taxable sales made each month by the businesses within the district;~~

~~(2) To the extent that the pertinent information is available, the portion of that revenue which is attributable to persons who are not residents of this State;~~

~~(3) The amount of the wages paid each month by the businesses within the district; and~~

~~(4) The number of full time and part time employees employed each month by the businesses within the district.~~

~~→ The report must provide the information separately for each district in the municipality unless reporting the information separately would disclose or result in the disclosure of information about an individual business, in which case the report must provide the information in the aggregate.~~

~~(b) Require each business within the district to report to the Department of Taxation, at such times as the Department may specify on a form provided by the Department, such information as the Department determines to be necessary to carry out the provisions of paragraph (a).~~

~~3. The Department of Taxation is not required to prepare and submit a report pursuant to paragraph (a) of subsection 2 if the report cannot be prepared in a manner which would not disclose or result in the disclosure of information about an individual business.~~

~~4. As used in this section, "taxable sales" means any sales that are taxable pursuant to chapter 372 of NRS.]~~ **(Deleted by amendment.)**

Sec. 2. ~~[NRS 239.010 is hereby amended to read as follows:~~

~~239.010 1. Except as otherwise provided in this section and NRS 1.4682, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.220, 75A.100, 75A.150, 76.160, 78.152, 80.112, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.2255, 88.5927, 88.6067, 88A.245, 88A.7245, 89.045, 89.251, 90.720, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140,~~

~~127.2817, 130.312, 130.712, 136.050, 150.044, 172.075, 172.245, 176.015,
176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691,
179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772,
200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521,
211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350,
228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 232.190, 237.300,
239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210,
239C.220, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105,
244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910,
271A.105, 281.105, 281A.350, 281A.440, 281A.550, 284.068, 286.110,
287.0438, 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558,
293B.135, 293D.510, 331.110, 332.061, 332.351, 332.333, 332.325, 338.070,
338.1379, 338.16925, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,
353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755,
361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300,
379.008, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 389.259, 389.501,
388.503, 388.513, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.850,
394.167, 394.1698, 394.447, 394.460, 394.465, 396.2295, 396.405, 396.525,
396.535, 398.403, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070,
422.2740, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.205,
432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534,
433A.240, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.320,
442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164,
453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,
459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790,
467.1005, 480.265, 481.063, 482.170, 482.5536, 483.240, 483.263, 482.575,
483.659, 483.800, 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285,
571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,
603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
618.241, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.227,
625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.123,
630.20665, 630.326, 630A.555, 631.268, 632.121, 632.125, 632.405, 632.282,
633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,
637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730,
640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191,
641B.170, 641C.760, 642.524, 643.189, 644.416, 645.180, 645.625, 645A.050,
645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,
645E.200, 645E.275, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947,
648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.120,
665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.240,
676A.370, 677.242, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285,
679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,
685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,
688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.3536, 692C.3538,
692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320,
704B.325, 706.1725, 706A.230, 710.159, 711.600, sections 35, 38 and 41 of
chapter 478, Statutes of Nevada 2011 and section 2 of chapter 291, Statutes of
Nevada 2013 and unless otherwise declared by law to be confidential, all public
books and public records of a governmental entity must be open at all times during
office hours to inspection by any person, and may be fully copied or an abstract or
memorandum may be prepared from those public books and public records. Any
such copies, abstracts or memoranda may be used to supply the general public with~~

1 ~~copies, abstracts or memoranda of the records or may be used in any other way to~~
2 ~~the advantage of the governmental entity or of the general public. This section does~~
3 ~~not supersede or in any manner affect the federal laws governing copyrights or~~
4 ~~enlarge, diminish or affect in any other manner the rights of a person in any written~~
5 ~~book or record which is copyrighted pursuant to federal law.~~

6 ~~2. A governmental entity may not reject a book or record which is~~
7 ~~copyrighted solely because it is copyrighted.~~

8 ~~3. A governmental entity that has legal custody or control of a public book or~~
9 ~~record shall not deny a request made pursuant to subsection 1 to inspect or copy or~~
10 ~~receive a copy of a public book or record on the basis that the requested public~~
11 ~~book or record contains information that is confidential if the governmental entity~~
12 ~~can redact, delete, conceal or separate the confidential information from the~~
13 ~~information included in the public book or record that is not otherwise confidential.~~

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

17 ~~(a) Shall not refuse to provide a copy of that public record in a readily~~
18 ~~available medium because the officer, employee or agent has already prepared or~~
19 ~~would prefer to provide the copy in a different medium.~~

20 ~~(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare~~
21 ~~the copy of the public record and shall not require the person who has requested the~~
22 ~~copy to prepare the copy himself or herself. (Deleted by amendment.)~~

23 **Sec. 3.** NRS 562.150, 612.235 and 612.255 are hereby repealed.

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

TEXT OF REPEALED SECTIONS

562.150 Biennial report to Governor. The Board shall render a written report of its activities relating to the implementation of this chapter to the Governor on or before October 31, 2003, and each 2 years thereafter.

612.235 Biennial report of Administrator.

1. Not later than December 1, 1956, and December 1 of every second year thereafter, the Administrator shall submit to the Governor a report covering the administration and operation of this chapter during the preceding biennium and shall make such recommendations for amendment to this chapter as the Administrator deems proper.

2. Such reports must include a balance sheet of the money in the Fund, in which there must be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserves must be set up by the Administrator in accordance with accepted actuarial principles on the basis of statistics or employment business activity and other relevant factors for the longest possible period.

612.255 Administrator to print and distribute law, rules, regulations, reports and other material. The Administrator shall cause to be printed for distribution to the public the text of this chapter, his or her regulations and general and special rules, his or her reports to the Governor, and any other material the Administrator deems relevant and suitable, and shall furnish the same to any person upon application therefor.