
ASSEMBLY BILL NO. 159—ASSEMBLYMEN SEGERBLOM,
OHRENSCHALL; DALY, FLORES, FRIERSON, PIERCE AND
SMITH

FEBRUARY 16, 2011

JOINT SPONSORS: SENATORS BREEDEN AND LESLIE

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to public records.
(BDR 19-574)

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 public records; requiring the person who has legal custody of a public record, under certain circumstances, to prepare a copy of the public record rather than requiring that the person requesting the copy prepare the copy; requiring copies of public books and records to be made available immediately upon request in certain circumstances; limiting the fee which may be charged for a copy of a public record in the custody of a law library operated by a governmental entity; requiring copies of minutes and audio recordings of public meetings to be made available to the public upon request and at no charge; reducing the fee a county clerk charges for copying records, proceedings or papers; eliminating the fee a county clerk charges for searching records or files in the office of the county clerk; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, all public books and records that are not otherwise declared
- 2 by law to be confidential must be made available to the public for inspection or
- 3 copying by any person. (NRS 239.010) **Section 1** of this bill prohibits the officer,
- 4 employee or agent of a governmental entity who has legal custody or control of a
- 5 public record from requiring a person who is requesting a copy of the public record



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6 to prepare the copy himself or herself. Rather, upon request, the officer, employee
7 or agent of the governmental entity must prepare the copy of the public record,
8 unless the copy needs to be a certified copy.

9 Existing law requires requests for inspection or copying of public books or
10 records to be addressed not later than the fifth business day after the person who
11 has legal custody or control of a public book or record of a governmental entity
12 receives a request. (NRS 239.0107) **Section 2** of this bill requires the public book
13 or record to be made available immediately upon request if the public book or
14 record is readily available.

15 **Section 4** of this bill limits the fee for a copy of a public book or record in the
16 custody of a law library operated by a governmental entity to 10 cents per page.
17 **Section 5** of this bill requires copies of minutes and audio recordings of public
18 meetings to be made available to the public upon request and at no charge. **Section**
19 **7** of this bill reduces the fee a county clerk charges for preparing a copy of any
20 record, proceeding or paper from \$1 per page to 10 cents per page. **Section 7** also
21 eliminates the fee that the county clerk charges for searching the records or files in
22 the office of the county clerk.

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

1 **Section 1.** NRS 239.010 is hereby amended to read as follows:

2 239.010 1. Except as otherwise provided in subsection 3, all
3 public books and public records of a governmental entity, the
4 contents of which are not otherwise declared by law to be
5 confidential, must be open at all times during office hours to
6 inspection by any person, and may be fully copied or an abstract or
7 memorandum may be prepared from those public books and public
8 records. Any such copies, abstracts or memoranda may be used to
9 supply the general public with copies, abstracts or memoranda of the
10 records or may be used in any other way to the advantage of the
11 governmental entity or of the general public. This section does not
12 supersede or in any manner affect the federal laws governing
13 copyrights or enlarge, diminish or affect in any other manner the
14 rights of a person in any written book or record which is
15 copyrighted pursuant to federal law.

16 2. A governmental entity may not reject a book or record
17 which is copyrighted solely because it is copyrighted.

18 3. A governmental entity that has legal custody or control of a
19 public book or record shall not deny a request made pursuant to
20 subsection 1 to inspect or copy *or receive a copy of* a public book or
21 record on the basis that the requested public book or record contains
22 information that is confidential if the governmental entity can
23 redact, delete, conceal or separate the confidential information from
24 the information included in the public book or record that is not
25 otherwise confidential.



1 4. A person may request a copy of a public record in any
2 medium in which the public record is readily available. An officer,
3 employee or agent of a governmental entity who has legal custody
4 or control of a public record ~~[shall]~~ :

5 (a) *Shall* not refuse to provide a copy of that public record in a
6 readily available medium because the officer, employee or agent has
7 already prepared or would prefer to provide the copy in a different
8 medium.

9 (b) *Except as otherwise provided in NRS 239.030, shall, upon
10 request, prepare the copy of the public record and shall not
11 require the person who is requesting the copy to prepare the copy
12 himself or herself.*

13 **Sec. 2.** NRS 239.0107 is hereby amended to read as follows:

14 239.0107 1. Not later than the end of the fifth business day
15 after the date on which the person who has legal custody or control
16 of a public book or record of a governmental entity receives a
17 written *or oral* request from a person to inspect , ~~[or]~~ copy *or*
18 *receive a copy of* the public book or record, a governmental entity
19 shall do one of the following, as applicable:

20 (a) ~~[Allow]~~ *Except as otherwise provided in subsection 2, allow*
21 the person to inspect or copy the public book or record ~~[]~~ *or, if the*
22 *request is for the person to receive a copy of the public book or*
23 *record, provide such a copy to the person.*

24 (b) If the governmental entity does not have legal custody or
25 control of the public book or record, provide to the person, in
26 writing:

27 (1) Notice of that fact; and

28 (2) The name and address of the governmental entity that has
29 legal custody or control of the public book or record, if known.

30 (c) Except as otherwise provided in paragraph (d), if the
31 governmental entity is unable to make the public book or record
32 available by the end of the fifth business day after the date on which
33 the person who has legal custody or control of the public book or
34 record received the request, provide to the person, in writing:

35 (1) Notice of that fact; and

36 (2) A date and time after which the public book or record
37 will be available for the person to inspect or copy ~~[]~~ *or after which*
38 *a copy of the public book or record will be available to the person.*

39 If the public book or record *or the copy of the public book or*
40 *record* is not available to the person ~~[to inspect or copy,]~~ by that
41 date and time, the person may inquire regarding the status of the
42 request.

43 (d) If the governmental entity must deny the person's request ~~[to~~
44 ~~inspect or copy the public book or record]~~ because the public book



1 or record, or a part thereof, is confidential, provide to the person, in
2 writing:

3 (1) Notice of that fact; and

4 (2) A citation to the specific statute or other legal authority
5 that makes the public book or record, or a part thereof, confidential.

6 2. ~~【The provisions of this section must not be construed to~~
7 ~~prohibit an oral request】~~ *If a public book or record of a*
8 *governmental entity is readily available for inspection or copying,*
9 *the person who has legal custody or control of the public book or*
10 *record shall immediately allow a person who has submitted a*
11 *request to inspect , ~~for~~ copy or receive a copy of a public book or*
12 *record.*

13 **Sec. 3.** NRS 239.011 is hereby amended to read as follows:

14 239.011 1. If a request for inspection , ~~for~~ copying *or copies*
15 of a public book or record open to inspection and copying is denied,
16 the requester may apply to the district court in the county in which
17 the book or record is located for an order ~~【permitting】~~ :

18 (a) *Permitting* the requester to inspect or copy ~~【it.】~~ *the book or*
19 *record; or*

20 (b) *Requiring the person who has legal custody or control of*
21 *the public book or record to provide a copy of it to the requester,*
22 *↪ as applicable.*

23 2. The court shall give this matter priority over other civil
24 matters to which priority is not given by other statutes. If the
25 requester prevails, the requester is entitled to recover his or her costs
26 and reasonable attorney's fees in the proceeding from the
27 governmental entity whose officer has custody of the book or
28 record.

29 **Sec. 4.** NRS 239.052 is hereby amended to read as follows:

30 239.052 1. Except as otherwise provided in this subsection, a
31 governmental entity may charge a fee for providing a copy of a
32 public record. Such a fee must not exceed the actual cost to the
33 governmental entity to provide the copy of the public record unless
34 a specific statute or regulation sets a fee that the governmental entity
35 must charge for the copy. A governmental entity shall not charge a
36 fee for providing a copy of a public record if a specific statute or
37 regulation requires the governmental entity to provide the copy
38 without charge.

39 2. A governmental entity may waive all or a portion of a charge
40 or fee for a copy of a public record if the governmental entity:

41 (a) Adopts a written policy to waive all or a portion of a charge
42 or fee for a copy of a public record; and

43 (b) Posts, in a conspicuous place at each office in which the
44 governmental entity provides copies of public records, a legible sign
45 or notice that states the terms of the policy.



1 3. A governmental entity shall prepare and maintain a list of
2 the fees that it charges at each office in which the governmental
3 entity provides copies of public records. A governmental entity shall
4 post, in a conspicuous place at each office in which the
5 governmental entity provides copies of public records, a legible sign
6 or notice which states:

7 (a) The fee that the governmental entity charges to provide a
8 copy of a public record; or

9 (b) The location at which a list of each fee that the governmental
10 entity charges to provide a copy of a public record may be obtained.

11 ***4. The fee for providing a copy of a public book or record in***
12 ***the custody of a law library operated by a governmental entity***
13 ***must not exceed 10 cents per page.***

14 **Sec. 5.** NRS 241.035 is hereby amended to read as follows:

15 241.035 1. Each public body shall keep written minutes of
16 each of its meetings, including:

17 (a) The date, time and place of the meeting.

18 (b) Those members of the public body who were present and
19 those who were absent.

20 (c) The substance of all matters proposed, discussed or decided
21 and, at the request of any member, a record of each member's vote
22 on any matter decided by vote.

23 (d) The substance of remarks made by any member of the
24 general public who addresses the public body if the member of the
25 general public requests that the minutes reflect those remarks or, if
26 the member of the general public has prepared written remarks, a
27 copy of the prepared remarks if the member of the general public
28 submits a copy for inclusion.

29 (e) Any other information which any member of the public body
30 requests to be included or reflected in the minutes.

31 2. Minutes of public meetings are public records. Minutes or
32 audiotape recordings of the meetings must be made available for
33 inspection by the public , ***and copies of such minutes and***
34 ***recordings must be made available to a member of the public upon***
35 ***request and at no charge,*** within 30 working days after the
36 adjournment of the meeting at which taken. The minutes shall be
37 deemed to have permanent value and must be retained by the public
38 body for at least 5 years. Thereafter, the minutes may be transferred
39 for archival preservation in accordance with NRS 239.080 to
40 239.125, inclusive. Minutes of meetings closed pursuant to:

41 (a) Paragraph (a) of subsection 1 of NRS 241.030 become
42 public records when the public body determines that the matters
43 discussed no longer require confidentiality and the person whose
44 character, conduct, competence or health was considered has



1 consented to their disclosure. That person is entitled to a copy of the
2 minutes upon request whether or not they become public records.

3 (b) Paragraph (b) of subsection 1 of NRS 241.030 become
4 public records when the public body determines that the matters
5 discussed no longer require confidentiality.

6 (c) Paragraph (c) of subsection 1 of NRS 241.030 become
7 public records when the public body determines that the matters
8 considered no longer require confidentiality and the person who
9 appealed the results of the examination has consented to their
10 disclosure, except that the public body shall remove from the
11 minutes any references to the real name of the person who appealed
12 the results of the examination. That person is entitled to a copy of
13 the minutes upon request whether or not they become public
14 records.

15 3. All or part of any meeting of a public body may be recorded
16 on audiotape or any other means of sound or video reproduction by
17 a member of the general public if it is a public meeting so long as
18 this in no way interferes with the conduct of the meeting.

19 4. Except as otherwise provided in subsection 6, a public body
20 shall, for each of its meetings, whether public or closed, record the
21 meeting on audiotape or another means of sound reproduction or
22 cause the meeting to be transcribed by a court reporter who is
23 certified pursuant to chapter 656 of NRS. If a public body makes an
24 audio recording of a meeting or causes a meeting to be transcribed
25 pursuant to this subsection, the audio recording or transcript:

26 (a) Must be retained by the public body for at least 1 year after
27 the adjournment of the meeting at which it was recorded or
28 transcribed;

29 (b) Except as otherwise provided in this section, is a public
30 record and must be made available for inspection by the public
31 during the time the recording or transcript is retained; and

32 (c) Must be made available to the Attorney General upon
33 request.

34 5. Except as otherwise provided in subsection 6, any portion of
35 a public meeting which is closed must also be recorded or
36 transcribed and the recording or transcript must be retained and
37 made available for inspection pursuant to the provisions of
38 subsection 2 relating to records of closed meetings. Any recording
39 or transcript made pursuant to this subsection must be made
40 available to the Attorney General upon request.

41 6. If a public body makes a good faith effort to comply with the
42 provisions of subsections 4 and 5 but is prevented from doing so
43 because of factors beyond the public body's reasonable control,
44 including, without limitation, a power outage, a mechanical failure



1 or other unforeseen event, such failure does not constitute a
2 violation of the provisions of this chapter.

3 **Sec. 6.** NRS 1A.100 is hereby amended to read as follows:

4 1A.100 1. A system of retirement providing benefits for the
5 retirement, disability or death of all justices of the Supreme Court
6 and district judges, and certain justices of the peace and municipal
7 judges, and funded on an actuarial reserve basis is hereby
8 established and must be known as the Judicial Retirement System.

9 2. The System consists of the Judicial Retirement Plan and the
10 provisions set forth in NRS 2.060 to 2.083, inclusive, and 3.090 to
11 3.099, inclusive, for providing benefits to justices of the Supreme
12 Court or district judges who served either as a justice of the
13 Supreme Court or district judge before November 5, 2002. Each
14 justice of the Supreme Court or district judge who is not a member
15 of the Public Employees' Retirement System is a member of the
16 Judicial Retirement System.

17 3. The official correspondence and records, other than the files
18 of individual members of the System or retired justices or judges,
19 and, except as otherwise provided in NRS 241.035, the minutes,
20 audio recordings, transcripts and books of the System are public
21 records and are available for public inspection. *Copies of minutes or*
22 *audio recordings must be made available to a member of the*
23 *public upon request and at no charge pursuant to NRS 241.035.*

24 4. The System must be administered exclusively by the Board,
25 which shall make all necessary rules and regulations for the
26 administration of the System. The rules must include, without
27 limitation, rules relating to the administration of the retirement plans
28 in accordance with federal law. The Legislature shall regularly
29 review the System.

30 **Sec. 7.** NRS 19.013 is hereby amended to read as follows:

31 19.013 1. Except as otherwise provided by specific statute,
32 each county clerk shall charge and collect the following fees:

| | | |
|----|---|------|
| 33 | | |
| 34 | On the commencement of any action or proceeding | |
| 35 | in the district court, or on the transfer of any | |
| 36 | action or proceeding from a district court of | |
| 37 | another county, except probate or guardianship | |
| 38 | proceedings, to be paid by the party commencing | |
| 39 | the action, proceeding or transfer..... | \$56 |
| 40 | On an appeal to the district court of any case from a | |
| 41 | justice court or a municipal court, or on the | |
| 42 | transfer of any case from a justice court or a | |
| 43 | municipal court | 42 |



1 On the filing of a petition for letters testamentary,
2 letters of administration, setting aside an estate
3 without administration, or a guardianship, which
4 fee includes the court fee prescribed by NRS
5 19.020, to be paid by the petitioner:
6 Where the stated value of the estate is more
7 than \$2,500\$72
8 Where the stated value of the estate is \$2,500
9 or less, no fee may be charged or
10 collected.
11 On the filing of a petition to contest any will or
12 codicil, to be paid by the petitioner.....44
13 On the filing of an objection or cross-petition to the
14 appointment of an executor, administrator or
15 guardian, or an objection to the settlement of
16 account or any answer in an estate or
17 guardianship matter.....44
18 On the appearance of any defendant or any number
19 of defendants answering jointly, to be paid upon
20 the filing of the first paper in the action by the
21 defendant or defendants44
22 For filing a notice of appeal24
23 For issuing a transcript of judgment and certifying
24 thereto3
25 For preparing any copy of any record, proceeding or
26 paper, for each page **H 0.10**
27 For each certificate of the clerk, under the seal of
28 the court3
29 For examining and certifying to a copy of any paper,
30 record or proceeding prepared by another and
31 presented for a certificate of the county clerk.....5
32 For filing all papers not otherwise provided for,
33 other than papers filed in actions and
34 proceedings in court and papers filed by public
35 officers in their official capacity5
36 For issuing any certificate under seal, not otherwise
37 provided for.....6
38 For searching records or files in the
39 office of the county clerk, for each
40 year..... **H, no fee may be charged or collected**
41 For filing and recording a bond of a notary public,
42 per name..... 15
43 For entering the name of a firm or corporation in the
44 register of the county clerk20



1 2. A county clerk may charge and collect, in addition to any fee
2 that a county clerk is otherwise authorized to charge and collect, an
3 additional fee not to exceed \$5 for filing and recording a bond of a
4 notary public, per name. On or before the fifth day of each month,
5 the county clerk shall pay to the county treasurer the amount of fees
6 collected by the county clerk pursuant to this subsection for credit to
7 the account established pursuant to NRS 19.016.

8 3. Except as otherwise provided by specific statute, all fees
9 prescribed in this section are payable in advance if demanded by the
10 county clerk.

11 4. The fees set forth in subsection 1 are payment in full for all
12 services rendered by the county clerk in the case for which the fees
13 are paid, including the preparation of the judgment roll, but the fees
14 do not include payment for typing, copying, certifying or
15 exemplifying or authenticating copies.

16 5. No fee may be charged to any attorney at law admitted to
17 practice in this State for searching records or files in the office of the
18 clerk. No fee may be charged for any services rendered to a
19 defendant or the defendant's attorney in any criminal case or in
20 habeas corpus proceedings.

21 6. Each county clerk shall, on or before the fifth day of each
22 month, account for and pay to the county treasurer all fees collected
23 during the preceding month.

24 **Sec. 8.** NRS 244A.611 is hereby amended to read as follows:

25 244A.611 1. The board shall choose one of its members as
26 chair and one of its members as vice chair, and shall elect a
27 secretary and a treasurer, who may be members of the board. The
28 secretary and the treasurer may be one person.

29 2. The secretary shall keep audio recordings or transcripts of all
30 meetings and, in a well-bound book, a record of all of the
31 proceedings of the board, minutes of all meetings, certificates,
32 contracts, bonds given by employees, and all other acts of the board.
33 Except as otherwise provided in NRS 241.035, the minute book,
34 audio recordings, transcripts and records must be open to the
35 inspection of all owners of real property in the county as well as to
36 all other interested persons, at all reasonable times and places.
37 *Copies of minutes or audio recordings must be made available to a*
38 *member of the public upon request and at no charge pursuant to*
39 *NRS 241.035.*

40 3. The treasurer shall keep, in permanent records, strict and
41 accurate accounts of all money received by and disbursed for and on
42 behalf of the board and the county. The treasurer shall file with the
43 county clerk, at county expense, a corporate fidelity bond in an
44 amount not less than \$5,000, conditioned for the faithful
45 performance of his or her duties.



1 **Sec. 9.** NRS 266.250 is hereby amended to read as follows:

2 266.250 1. The deliberations, sessions and proceedings of the
3 city council must be public.

4 2. The city council shall keep written minutes and audio
5 recordings or transcripts of its own proceedings as required pursuant
6 to NRS 241.035. The yeas and nays must be taken upon the passage
7 of all ordinances, and all propositions to create any liability against
8 the city, or to grant, deny, increase, decrease, abolish or revoke
9 licenses, and in all other cases at the request of any member of the
10 city council or of the mayor, which yeas and nays must be entered in
11 the minutes of its proceedings. *Copies of minutes or audio*
12 *recordings must be made available to a member of the public upon*
13 *request and at no charge pursuant to NRS 241.035.*

14 3. The affirmative vote of a majority of all the members elected
15 to the city council is necessary to pass any such ordinance or
16 proposition.

17 **Sec. 10.** NRS 278.290 is hereby amended to read as follows:

18 278.290 1. Meetings of the board must be held at the call of
19 the chair and at such other times as the board may determine. The
20 chair, or in his or her absence the acting chair, may administer oaths
21 and compel the attendance of witnesses. All meetings of the board
22 must be open to the public.

23 2. The board shall adopt rules in accordance with the
24 provisions of any ordinance adopted pursuant to NRS 278.010 to
25 278.630, inclusive.

26 3. The board shall keep minutes of its proceedings, showing
27 the vote of each member upon each question, or, if absent or failing
28 to vote, indicating such fact, and audio recordings or transcripts of
29 its proceedings, and shall keep records of its examinations and other
30 official actions, all of which must be filed immediately in the office
31 of the board and, except as otherwise provided in NRS 241.035, are
32 public records. *Copies of minutes or audio recordings must be*
33 *made available to a member of the public upon request and at no*
34 *charge pursuant to NRS 241.035.*

35 **Sec. 11.** NRS 284.055 is hereby amended to read as follows:

36 284.055 1. The members of the Commission may meet at the
37 times and places specified by the call of the Chair or a majority of
38 the Commission, but a meeting of the Commission must be held
39 regularly at least once every 3 months.

40 2. Three members of the Commission constitute a quorum. A
41 quorum may exercise any power conferred on the Commission, but
42 no regulations may be adopted, amended or rescinded except by a
43 majority vote of the entire membership of the Commission.

44 3. The Commission shall keep minutes and audio recordings or
45 transcripts of the transactions of each meeting. Except as otherwise



1 provided in NRS 241.035, the minutes, audio recordings and
2 transcripts are public records and must be filed with the Department.
3 *Copies of minutes or audio recordings must be made available to a*
4 *member of the public upon request and at no charge pursuant to*
5 *NRS 241.035.*

6 **Sec. 12.** NRS 286.110 is hereby amended to read as follows:

7 286.110 1. A system of retirement providing benefits for the
8 retirement, disability or death of employees of public employers and
9 funded on an actuarial reserve basis is hereby established and must
10 be known as the Public Employees' Retirement System. The System
11 is a public agency supported by administrative fees transferred from
12 the retirement funds. The Executive and Legislative Departments of
13 the State Government shall regularly review the System.

14 2. The System is entitled to use any services provided to state
15 agencies and shall use the services of the Purchasing Division of the
16 Department of Administration, but is not required to use any other
17 service. The purpose of this subsection is to provide to the Board the
18 necessary autonomy for an efficient and economic administration of
19 the System and its program.

20 3. The official correspondence and records, other than the files
21 of individual members or retired employees, and, except as
22 otherwise provided in NRS 241.035, the minutes, audio recordings,
23 transcripts and books of the System are public records and are
24 available for public inspection. *Copies of minutes or audio*
25 *recordings must be made available to a member of the public upon*
26 *request and at no charge pursuant to NRS 241.035.*

27 4. The respective participating public employers are not liable
28 for any obligation of the System.

29 **Sec. 13.** NRS 287.0438 is hereby amended to read as follows:

30 287.0438 Except for the files of individual members and
31 former members, the correspondence, files, minutes, audio
32 recordings, transcripts and books of the Program are, except as
33 otherwise provided in NRS 241.035, public records. *Copies of*
34 *minutes or audio recordings must be made available to a member*
35 *of the public upon request and at no charge pursuant to*
36 *NRS 241.035.*

37 **Sec. 14.** NRS 318.085 is hereby amended to read as follows:

38 318.085 Except as otherwise provided in NRS 318.0953 and
39 318.09533:

40 1. After taking oaths and filing bonds, the board shall choose
41 one of its members as chair of the board and president of the district,
42 and shall elect a secretary and a treasurer of the board and of the
43 district, who may or may not be members of the board. The
44 secretary and the treasurer may be one person.

45 2. The board shall adopt a seal.



1 3. The secretary shall keep audio recordings or transcripts of all
2 meetings and, in a well-bound book, a record of all of the board's
3 proceedings, minutes of all meetings, any certificates, contracts,
4 bonds given by employees and all corporate acts. Except as
5 otherwise provided in NRS 241.035, the book, audio recordings,
6 transcripts and records must be open to inspection of all owners of
7 real property in the district as well as to all other interested persons.
8 *Copies of minutes or audio recordings must be made available to a*
9 *member of the public upon request and at no charge pursuant to*
10 *NRS 241.035.*

11 4. The treasurer shall keep strict and accurate accounts of all
12 money received by and disbursed for and on behalf of the district in
13 permanent records. The treasurer shall file with the county clerk, at
14 the expense of the district, a corporate surety bond in an amount not
15 more than \$50,000, the form and exact amount thereof to be
16 approved and determined, respectively, by the board of county
17 commissioners, conditioned for the faithful performance of the
18 duties of his or her office. Any other officer or trustee who actually
19 receives or disburses money of the district shall furnish a bond as
20 provided in this subsection. The board of county commissioners
21 may, upon good cause shown, increase or decrease the amount of
22 that bond.

23 5. Except as otherwise provided in this subsection, each
24 member of a board of trustees of a district organized or reorganized
25 pursuant to this chapter may receive as compensation for his or her
26 service not more than \$6,000 per year. Each member of a board of
27 trustees of a district that is organized or reorganized pursuant to this
28 chapter and which is granted the powers set forth in NRS 318.140,
29 318.142 and 318.144 may receive as compensation for his or her
30 service not more than \$9,000 per year. The compensation of the
31 members of a board is payable monthly, if the budget is adequate
32 and a majority of the members of the board vote in favor of such
33 compensation, but no member of the board may receive any other
34 compensation for his or her service to the district as an employee or
35 otherwise. Each member of the board must receive the same amount
36 of compensation. If a majority of the members of the board vote in
37 favor of an increase in the compensation of the trustees, the increase
38 may not become effective until January 1 of the calendar year
39 immediately following the next biennial election of the district as set
40 forth in NRS 318.095.

41 **Sec. 15.** NRS 361.365 is hereby amended to read as follows:

42 361.365 1. Each county board of equalization shall, at the
43 expense of the county, cause complete minutes and an audio
44 recording or transcript to be taken at each hearing. In addition to the
45 requirements of NRS 241.035, these minutes must include the title



1 of all exhibits, papers, reports and other documentary evidence
2 submitted to the county board of equalization by the complainant.
3 The clerk of the county board of equalization shall forward the
4 minutes and audio recordings or transcripts to the Secretary of the
5 State Board of Equalization. *Copies of minutes or audio recordings*
6 *must be made available to a member of the public upon request*
7 *and at no charge pursuant to NRS 241.035.*

8 2. If a transcript of any hearing held before the county board of
9 equalization is requested by the complainant, he or she shall furnish
10 the reporter, pay for the transcript and deliver a copy of the
11 transcript to the clerk of the county board of equalization and the
12 Secretary of the State Board of Equalization upon filing an appeal.

13 **Sec. 16.** NRS 384.070 is hereby amended to read as follows:

14 384.070 1. The Commission may establish and maintain an
15 office in Virginia City, Storey County, Nevada, in which, except as
16 otherwise provided in NRS 241.035, there must be at all times open
17 to public inspection a complete record of applications for certificates
18 of appropriateness and their disposition, minutes and audio
19 recordings or transcripts of the Commission's meetings, and any
20 regulations adopted by the Commission. *Copies of minutes or audio*
21 *recordings must be made available to a member of the public upon*
22 *request and at no charge pursuant to NRS 241.035.*

23 2. The Commission shall maintain a library in the office for the
24 purpose of guiding applicants in their design or embellishment of
25 the exterior of their buildings, new or remodeled. The library must
26 consist of, but not be limited to, documents, paintings, photographs,
27 drawings and histories descriptive of the period which are deemed
28 appropriate guidelines to the applicant. A card index system must
29 also be made and maintained for reference to more comprehensive
30 information in libraries other than the one maintained by the
31 Commission.

32 **Sec. 17.** NRS 422.2369 is hereby amended to read as follows:

33 422.2369 1. Before adopting, amending or repealing any
34 regulation for the administration of a program of public assistance
35 or any other program for which the Division is responsible, the
36 Administrator must give at least 30 days' notice of the intended
37 action.

38 2. The notice of intent to act upon a regulation must:

39 (a) Include a statement of the need for and purpose of the
40 proposed regulation, and either the terms or substance of the
41 proposed regulation or a description of the subjects and issues
42 involved, and of the time when, the place where and the manner in
43 which interested persons may present their views thereon.



1 (b) Include a statement identifying the entities that may be
2 financially affected by the proposed regulation and the potential
3 financial impact, if any, upon local government.

4 (c) State each address at which the text of the proposed
5 regulation may be inspected and copied.

6 (d) Be mailed to all persons who have requested in writing that
7 they be placed upon a mailing list, which must be kept by the
8 Administrator for that purpose.

9 3. All interested persons must be afforded a reasonable
10 opportunity to submit data, views or arguments upon a proposed
11 regulation, orally or in writing. The Administrator shall consider
12 fully all oral and written submissions relating to the proposed
13 regulation.

14 4. The Administrator shall keep, retain and make available for
15 public inspection written minutes and an audio recording or
16 transcript of each public hearing held pursuant to this section in the
17 manner provided in NRS 241.035. *Copies of minutes or audio*
18 *recordings must be made available to a member of the public upon*
19 *request and at no charge pursuant to NRS 241.035.*

20 5. An objection to any regulation on the ground of
21 noncompliance with the procedural requirements of this section may
22 not be made more than 2 years after its effective date.

23 **Sec. 18.** NRS 422A.120 is hereby amended to read as follows:

24 422A.120 1. The members of the Board shall meet at least
25 twice each calendar year to consider any issues related to public
26 assistance and other programs for which the Division is responsible
27 that may be of importance to members of the general public, the
28 Governor or the Division, at such places as the Board, the Chair of
29 the Board, the Administrator or the Director deems appropriate.

30 2. Four members of the Board constitute a quorum, and a
31 quorum may exercise all the power and authority conferred on the
32 Board.

33 3. The Board shall:

34 (a) At least 14 days before the date it holds a meeting, provide
35 public notice of the date, time and location of the meeting, in
36 addition to the notice required pursuant to NRS 241.020.

37 (b) Keep minutes of all meetings of the Board, which must
38 include records of testimony and written comments presented to the
39 Board, and audio recordings or transcripts of all meetings of the
40 Board and file the minutes and audio recordings or transcripts with
41 the Division. Except as otherwise provided in NRS 241.035, the
42 minutes and audio recordings or transcripts must be maintained as
43 public records. *Copies of minutes or audio recordings must be*
44 *made available to a member of the public upon request and at no*
45 *charge pursuant to NRS 241.035.*



1 **Sec. 19.** NRS 422A.190 is hereby amended to read as follows:

2 422A.190 1. Before adopting, amending or repealing any
3 regulation for the administration of a program of public assistance
4 or any other program for which the Division is responsible, the
5 Administrator must give at least 30 days' notice of the intended
6 action.

7 2. The notice of intent to act upon a regulation must:

8 (a) Include a statement of the need for and purpose of the
9 proposed regulation, and either the terms or substance of the
10 proposed regulation or a description of the subjects and issues
11 involved, and of the time when, the place where and the manner in
12 which interested persons may present their views thereon.

13 (b) Include a statement identifying the entities that may be
14 financially affected by the proposed regulation and the potential
15 financial impact, if any, upon local government.

16 (c) State each address at which the text of the proposed
17 regulation may be inspected and copied.

18 (d) Be mailed to all persons who have requested in writing that
19 they be placed upon a mailing list, which must be kept by the
20 Administrator for that purpose.

21 3. All interested persons must be afforded a reasonable
22 opportunity to submit data, views or arguments upon a proposed
23 regulation, orally or in writing. The Administrator shall consider
24 fully all oral and written submissions relating to the proposed
25 regulation.

26 4. The Administrator shall keep, retain and make available for
27 public inspection written minutes and an audio recording or
28 transcript of each public hearing held pursuant to this section in the
29 manner provided in NRS 241.035. *Copies of minutes or audio*
30 *recordings must be made available to a member of the public upon*
31 *request and at no charge pursuant to NRS 241.035.*

32 5. No objection to any regulation on the ground of
33 noncompliance with the procedural requirements of this section may
34 be made more than 2 years after its effective date.

35 **Sec. 20.** NRS 541.110 is hereby amended to read as follows:

36 541.110 1. Each director before entering upon his or her
37 official duties shall take and subscribe to an oath, before a person
38 authorized to administer oaths, that he or she will support the
39 Constitutions of the United States and the State of Nevada and will
40 honestly, faithfully and impartially perform the duties of the office.

41 2. Upon taking oath, the board shall choose one of their
42 number chair of the board and president of the district, and shall
43 elect some suitable person secretary of the board and of the district,
44 who may or may not be a member of the board. The board shall
45 adopt a seal and shall keep audio recordings or transcripts of all



1 meetings and, in a well-bound book, a record of all its proceedings,
2 minutes of all meetings, certificates, contracts, bonds given by
3 employees and all corporate acts, which, except as otherwise
4 provided in NRS 241.035, must be open to inspection of all owners
5 of property in the district, as well as to all other interested persons.
6 *Copies of minutes or audio recordings must be made available to a*
7 *member of the public upon request and at no charge pursuant to*
8 *NRS 241.035.*

9 3. Each member of the board is entitled to receive as
10 compensation for his or her service such sum as may be ordered by
11 the board, not in excess of the sum of \$80 per day and actual
12 traveling expenses for each day spent attending meetings of the
13 board or while engaged in official business under the order of the
14 board.

15 **Sec. 21.** NRS 543.330 is hereby amended to read as follows:

16 543.330 1. The board shall meet in July of each year to
17 organize and choose one of its members as chair of the board and
18 president of the district, and elect a secretary of the board and of the
19 district, who may or may not be a member of the board.

20 2. The county treasurer is the treasurer of the board and of the
21 district.

22 3. The secretary shall keep audio recordings or transcripts of all
23 meetings and, in a well-bound book, a record of all of the board's
24 proceedings, minutes of all meetings, certificates, contracts, bonds
25 given by employees, and all corporate acts, which, except as
26 otherwise provided in NRS 241.035, must be open to inspection by
27 all owners of real property in the district as well as other interested
28 persons. *Copies of minutes or audio recordings must be made*
29 *available to a member of the public upon request and at no charge*
30 *pursuant to NRS 241.035.*

31 4. The treasurer shall keep strict and accurate accounts of all
32 money received by and disbursed for and on behalf of the district in
33 permanent records.

34 5. No member of the board may receive compensation for the
35 member's services, but members may be reimbursed for their
36 necessary expenses in attending district meetings and for necessary
37 expenses incurred in traveling within and without the State when
38 required to carry out the affairs of the district.

39 **Sec. 22.** NRS 561.095 is hereby amended to read as follows:

40 561.095 1. The members of the Board may meet at such
41 times and at such places as may be specified by the call of the Chair
42 or a majority of the Board, and a meeting of the Board may be held
43 regularly at least once every 3 months. In case of an emergency,
44 special meetings may be called by the Chair or by the Director.



1 2. Six members of the Board constitute a quorum. A quorum
2 may exercise all the authority conferred on the Board.

3 3. Minutes and audio recordings or transcripts of each meeting,
4 regular or special, must be filed with the Department and, except as
5 otherwise provided in NRS 241.035, are public records. *Copies of*
6 *minutes or audio recordings must be made available to a member*
7 *of the public upon request and at no charge pursuant to*
8 *NRS 241.035.*

9 **Sec. 23.** NRS 590.505 is hereby amended to read as follows:

10 590.505 1. The Board may adopt a seal for its own use which
11 must have imprinted thereon the words "Board for the Regulation of
12 Liquefied Petroleum Gas." The care and custody of the seal is the
13 responsibility of the Secretary-Treasurer of the Board.

14 2. The Board may appoint an Executive Secretary and may
15 employ or, pursuant to NRS 333.700, contract with such other
16 technical, clerical or investigative personnel as it deems necessary.
17 The Board shall fix the compensation of the Executive Secretary
18 and all other employees and independent contractors. Such
19 compensation must be paid out of the money of the Board. The
20 Board may require the Executive Secretary and any other employees
21 and independent contractors to give a bond to the Board for the
22 faithful performance of their duties, the premiums on the bond being
23 paid out of the money of the Board.

24 3. In carrying out the provisions of NRS 590.465 to 590.645,
25 inclusive, and holding its regular or special meetings, the Board:

26 (a) Shall adopt written policies setting forth procedures and
27 methods of operation for the Board.

28 (b) May adopt such regulations as it deems necessary.

29 4. The Board shall submit to the Legislature and the Governor
30 a biennial report before September 1 of each even-numbered year,
31 covering the biennium ending June 30 of that year, of its
32 transactions during the preceding biennium, including a complete
33 statement of the receipts and expenditures of the Board during the
34 period and any complaints received by the Board.

35 5. The Board shall keep accurate records, minutes and audio
36 recordings or transcripts of all meetings and, except as otherwise
37 provided in NRS 241.035, the records, minutes, audio recordings
38 and transcripts so kept must be open to public inspection at all
39 reasonable times. *Copies of minutes or audio recordings must be*
40 *made available to a member of the public upon request and at no*
41 *charge pursuant to NRS 241.035.* The Board shall also keep a
42 record of all applications for licenses and licenses issued by it. The
43 record of applications and licenses is a public record.



1 **Sec. 24.** Section 7 of the Airport Authority Act for Battle
2 Mountain, being chapter 458, Statutes of Nevada 1983, as amended
3 by chapter 373, Statutes of Nevada 2005, at page 1417, is hereby
4 amended to read as follows:

5 Sec. 7. Board: Officers; duties of Secretary and
6 Treasurer.

7 1. The Board shall elect a Chair, Vice Chair, Secretary
8 and Treasurer, who must be members of the Board. The
9 Secretary and the Treasurer may be one person. The terms of
10 the officers expire on the date their successors are elected and
11 qualified in the general election.

12 2. The Secretary shall keep audio recordings or
13 transcripts of all meetings of the Board and, in a well-bound
14 book, a record of all of the proceedings of the Board, minutes
15 of all meetings, certificates, contracts, bonds given by
16 employees, and all other acts of the Board. Except as
17 otherwise provided in NRS 241.035, the minute book, audio
18 recordings, transcripts and records must be open to the
19 inspection of all interested persons, at all reasonable times
20 and places. *Copies of minutes or audio recordings must be*
21 *made available to a member of the public upon request and*
22 *at no charge pursuant to NRS 241.035.*

23 3. The Treasurer shall keep, in permanent records, strict
24 and accurate accounts of all money received by and disbursed
25 for and on behalf of the Board and the Authority. The
26 Treasurer shall file with the County Clerk, at Authority
27 expense, a corporate fidelity bond in an amount not less than
28 \$25,000, conditioned for the faithful performance of his or
29 her duties.

30 **Sec. 25.** Section 6 of the Airport Authority Act for Carson
31 City, being chapter 844, Statutes of Nevada 1989, as amended by
32 chapter 373, Statutes of Nevada 2005, at page 1417, is hereby
33 amended to read as follows:

34 Sec. 6. Board: Election of officers; duties of Secretary
35 and Treasurer.

36 1. The Board shall elect a Chair, Vice Chair, Secretary
37 and Treasurer from its members. The Secretary and the
38 Treasurer may be one person. The terms of the officers expire
39 on July 1 of each odd-numbered year.

40 2. The Secretary shall keep audio recordings or
41 transcripts of all meetings of the Board and a record of all of
42 the proceedings of the Board, minutes of all meetings,
43 certificates, contracts, bonds given by employees, and all
44 other acts of the Board. Except as otherwise provided in NRS
45 241.035, the records must be open to the inspection of all



1 interested persons, at a reasonable time and place. *Copies of*
2 *minutes or audio recordings must be made available to a*
3 *member of the public upon request and at no charge*
4 *pursuant to NRS 241.035.*

5 3. The Treasurer shall keep an accurate account of all
6 money received by and disbursed on behalf of the Board and
7 the Authority. The Treasurer shall file with the Clerk of
8 Carson City, at the expense of the Authority, a fidelity bond
9 in an amount not less than \$10,000, conditioned for the
10 faithful performance of his or her duties.

11 **Sec. 26.** Section 7 of the Reno-Tahoe Airport Authority Act,
12 being chapter 474, Statutes of Nevada 1977, as last amended by
13 chapter 373, Statutes of Nevada 2005, at page 1418, is hereby
14 amended to read as follows:

15 Sec. 7. Board: Selection of officers; duties of Secretary and
16 Treasurer.

17 1. The Board shall choose one of its members as Chair
18 and one of its members as Vice Chair, and shall elect a
19 Secretary and a Treasurer, who may be members of the
20 Board. The Secretary and the Treasurer may be one person.
21 The terms of the officers expire on July 1 of each year.

22 2. Chairs must be selected from trustees appointed by
23 the participating local governments in the following order:

24 (a) The City of Reno;

25 (b) The City of Sparks;

26 (c) Washoe County; and

27 (d) The County Fair and Recreation Board of Washoe
28 County.

29 3. The Secretary shall keep audio recordings or
30 transcripts of all meetings of the Board and, in a well-bound
31 book, a record of all of the proceedings of the Board, minutes
32 of all meetings, certificates, contracts, bonds given by
33 employees, and all other acts of the Board. Except as
34 otherwise provided in NRS 241.035, the minute book, audio
35 recordings, transcripts and records must be open to the
36 inspection of all interested persons, at all reasonable times
37 and places. *Copies of minutes or audio recordings must be*
38 *made available to a member of the public upon request and*
39 *at no charge pursuant to NRS 241.035.*

40 4. The Treasurer shall keep, in permanent records, strict
41 and accurate accounts of all money received by and disbursed
42 for and on behalf of the Board and the Authority. The
43 Treasurer shall file with the County Clerk, at Authority
44 expense, a corporate fidelity bond in an amount not less than



1 \$25,000, conditioned for the faithful performance of his or
2 her duties.

3 **Sec. 27.** Section 9.5 of the Reno-Tahoe Airport Authority Act,
4 being chapter 474, Statutes of Nevada 1977, as added by chapter
5 369, Statutes of Nevada 2005, at page 1386, is hereby amended to
6 read as follows:

7 Sec. 9.5. Exemption from public bidding and other
8 requirements imposed on public contracts, projects,
9 acquisitions, works or improvements; regulations;
10 requirements relative to adoption, amendment or repeal of
11 regulations.

12 1. Except as otherwise determined by the Board or
13 provided in subsection 2, the provisions of any law requiring
14 public bidding or otherwise imposing requirements on any
15 public contract, project, acquisition, works or improvements,
16 including, without limitation, the provisions of chapters 332,
17 338 and 339 of NRS, do not apply to any contract entered
18 into by the Board if the Board:

19 (a) Complies with the provisions of subsection 3; and

20 (b) Finances the contract, project, acquisition, works or
21 improvement by means of:

22 (1) Revenue bonds issued by the Authority; or

23 (2) An installment obligation of the Authority in a
24 transaction in which:

25 (I) The Authority acquires real or personal property
26 and another person acquires or retains a security interest in
27 that or other property; and

28 (II) The obligation by its terms is extinguished by
29 failure of the Board to appropriate money for the ensuing
30 fiscal year for payment of the amounts then due.

31 2. A contract entered into by the Board pursuant to this
32 section must:

33 (a) Contain a provision stating that the requirements of
34 NRS 338.010 to 338.090, inclusive, apply to any construction
35 work performed pursuant to the contract; and

36 (b) If the contract is with a design professional who is not
37 a member of a design-build team, comply with the provisions
38 of NRS 338.155. As used in this paragraph, "design
39 professional" has the meaning ascribed to it in subsection 7 of
40 NRS 338.010.

41 3. For contracts entered into pursuant to this section that
42 are exempt from the provisions of chapters 332, 338 and 339
43 of NRS pursuant to subsection 1, the Board shall adopt
44 regulations pursuant to subsection 4 which establish:



1 (a) One or more competitive procurement processes for
2 letting such a contract; and

3 (b) A method by which a bid on such a contract will be
4 adjusted to give a 5 percent preference to a contractor who
5 would qualify for a preference pursuant to NRS 338.147, if:

6 (1) The estimated cost of the contract exceeds
7 \$250,000; and

8 (2) Price is a factor in determining the successful bid
9 on the contract.

10 4. The Board:

11 (a) Shall, before adopting, amending or repealing a
12 permanent or temporary regulation pursuant to subsection 3,
13 give at least 30 days' notice of its intended action. The notice
14 must:

15 (1) Include:

16 (I) A statement of the need for and purpose of the
17 proposed regulation.

18 (II) Either the terms or substance of the proposed
19 regulation or a description of the subjects and issues involved.

20 (III) The estimated cost to the Board for
21 enforcement of the proposed regulation.

22 (IV) The time when, the place where and the
23 manner in which interested persons may present their views
24 regarding the proposed regulation.

25 (V) A statement indicating whether the regulation
26 establishes a new fee or increases an existing fee.

27 (2) State each address at which the text of the
28 proposed regulation may be inspected and copied.

29 (3) Be mailed to all persons who have requested in
30 writing that they be placed upon a mailing list, which must be
31 kept by the Authority for that purpose.

32 (b) May adopt, if it has adopted a temporary regulation
33 after notice and the opportunity for a hearing as provided in
34 this subsection, after providing a second notice and the
35 opportunity for a hearing, a permanent regulation.

36 (c) Shall, in addition to distributing the notice to each
37 recipient of the Board's regulations, solicit comment
38 generally from the public and from businesses to be affected
39 by the proposed regulation.

40 (d) Shall, before conducting a workshop pursuant to
41 paragraph (g), determine whether the proposed regulation is
42 likely to impose a direct and significant economic burden
43 upon a small business or directly restrict the formation,
44 operation or expansion of a small business. If the Board



1 determines that such an impact is likely to occur, the Board
2 shall:

3 (1) Insofar as practicable, consult with owners and
4 officers of small businesses that are likely to be affected by
5 the proposed regulation.

6 (2) Consider methods to reduce the impact of the
7 proposed regulation on small businesses.

8 (3) Prepare a small business impact statement and
9 make copies of the statement available to the public at the
10 workshop conducted pursuant to paragraph (g) and the public
11 hearing held pursuant to paragraph (h).

12 (e) Shall ensure that a small business impact statement
13 prepared pursuant to subparagraph (3) of paragraph (d) sets
14 forth the following information:

15 (1) A description of the manner in which comment
16 was solicited from affected small businesses, a summary of
17 their response and an explanation of the manner in which
18 other interested persons may obtain a copy of the summary.

19 (2) The estimated economic effect of the proposed
20 regulation on the small businesses which it is to regulate,
21 including, without limitation:

22 (I) Both adverse and beneficial effects; and

23 (II) Both direct and indirect effects.

24 (3) A description of the methods that the Board
25 considered to reduce the impact of the proposed regulation on
26 small businesses and a statement regarding whether the Board
27 actually used any of those methods.

28 (4) The estimated cost to the Board for enforcement of
29 the proposed regulation.

30 (5) If the proposed regulation provides a new fee or
31 increases an existing fee, the total annual amount the Board
32 expects to collect and the manner in which the money will be
33 used.

34 (f) Shall afford a reasonable opportunity for all interested
35 persons to submit data, views or arguments upon the
36 proposed regulation, orally or in writing.

37 (g) Shall, before holding a public hearing pursuant to
38 paragraph (h), conduct at least one workshop to solicit
39 comments from interested persons on the proposed
40 regulation. Not less than 15 days before the workshop, the
41 Board shall provide notice of the time and place set for the
42 workshop:

43 (1) In writing to each person who has requested to be
44 placed on a mailing list; and



1 (2) In any other manner reasonably calculated to
2 provide such notice to the general public and any business
3 that may be affected by a proposed regulation which
4 addresses the general topics to be considered at the workshop.

5 (h) Shall set a time and place for an oral public hearing,
6 but if no one appears who will be directly affected by the
7 proposed regulation and requests an oral hearing, the Board
8 may proceed immediately to act upon any written
9 submissions. The Board shall consider fully all written and
10 oral submissions respecting the proposed regulation.

11 (i) Shall keep, retain and make available for public
12 inspection written minutes of each public hearing held
13 pursuant to paragraph (h) in the manner provided in
14 subsections 1 and 2 of NRS 241.035. *Copies of minutes or*
15 *audio recordings must be made available to a member of the*
16 *public upon request and at no charge pursuant to*
17 *NRS 241.035.*

18 (j) May record each public hearing held pursuant to
19 paragraph (h) and make those recordings available for public
20 inspection in the manner provided in subsection 4 of NRS
21 241.035. *Copies of minutes or audio recordings must be*
22 *made available to a member of the public upon request and*
23 *at no charge pursuant to NRS 241.035.*

24 (k) Shall ensure that a small business which is aggrieved
25 by a regulation adopted pursuant to this subsection may
26 object to all or a part of the regulation by filing a petition with
27 the Board within 90 days after the date on which the
28 regulation was adopted. Such petition may be based on the
29 following:

30 (1) The Board failed to prepare a small business
31 impact statement as required pursuant to subparagraph (3) of
32 paragraph (d); or

33 (2) The small business impact statement prepared by
34 the Board did not consider or significantly underestimated the
35 economic effect of the regulation on small businesses.

36 ➤ After receiving a petition pursuant to this paragraph, the
37 Board shall determine whether the petition has merit. If the
38 Board determines that the petition has merit, the Board may,
39 pursuant to this subsection, take action to amend the
40 regulation to which the small business objected.

41 5. The determinations made by the Board pursuant to
42 this section are conclusive unless it is shown that the Board
43 acted with fraud or a gross abuse of discretion.



1 **Sec. 28.** Section 9 of the Elko Convention and Visitors
2 Authority Act, being chapter 227, Statutes of Nevada 1975, as last
3 amended by chapter 373, Statutes of Nevada 2005, at page 1418, is
4 hereby amended to read as follows:

5 Sec. 9. Board: Seal; principal place of business;
6 regulations; oath, bond and compensation of members;
7 restrictions concerning interest of member; appointment and
8 duties of officers; meetings.

9 1. The Board shall adopt a seal, establish a principal
10 place of business and adopt, and thereafter from time to time
11 amend, if necessary, appropriate rules and regulations not
12 inconsistent with this act for carrying on the business and
13 affairs of the Board and of the Authority. Each member shall,
14 upon election or acceptance of his or her appointment, file
15 with the Clerk of Elko County his or her oath of office.

16 2. No member may receive any compensation as an
17 employee of the Board or otherwise, and a member of the
18 Board shall not be interested in any contract or transaction
19 with the Board except in his or her official representative
20 capacity.

21 3. At the first meeting of the Board following each
22 general authority election, the Board shall choose one of its
23 members as Chair and one of its members as Vice Chair, and
24 shall appoint or hire a Secretary and a Treasurer, who must
25 not be members of the Board. The Secretary and Treasurer
26 may not be one person.

27 4. The Secretary shall keep audio recordings or
28 transcripts of all meetings of the Board and a record of all of
29 the proceedings of the Board, minutes of all meetings,
30 certificates, contracts, bonds given by employees, and all
31 other acts of the Board. Except as otherwise provided in NRS
32 241.035, the minute book, audio recordings, transcripts and
33 records are open to the inspection of all interested persons, at
34 all reasonable times and places. *Copies of minutes or audio*
35 *recordings must be made available to a member of the*
36 *public upon request and at no charge pursuant to*
37 *NRS 241.035.*

38 5. The Treasurer shall keep, in permanent records, strict
39 and accurate accounts of all money received by and disbursed
40 for and on behalf of the Board. The Treasurer shall file with
41 the County Clerk, at the Authority's expense, a corporate
42 fidelity bond in an amount not less than \$5,000, conditioned
43 on the faithful performance of the duties of the Treasurer.

44 6. The Board shall appoint the Elko County Treasurer
45 and Auditor to act as Treasurer and Auditor of the Authority.



1 The Treasurer and Auditor may employ such persons as are
2 necessary to carry out the duties of the Treasurer and Auditor
3 of the Authority. The Board shall determine the salary of each
4 person employed pursuant to this subsection. The salaries and
5 expenses of the employees must be paid by the Board from
6 the money of the Authority.

7 7. The Board shall meet regularly at a time and in a
8 place to be designated by it. Special meetings may be held as
9 often as the needs of the Board require, on notice to each
10 Board member.

11 8. The Board may require from an officer or employee
12 of the Authority, except a member of the Board, sufficient
13 security for the faithful and honest performance of his or her
14 duties. A blanket fidelity bond or blanket position bond, or
15 other type of bond suitable for public employees or officers,
16 may be furnished at the expense of the Authority for an
17 officer or employee of the Authority, in an amount set by the
18 Board and conditioned on the faithful and honest performance
19 of his or her duties.

20 **Sec. 29.** Section 4 of the Nevada Commission for the
21 Reconstruction of the V & T Railway Act of 1993, being chapter
22 566, Statutes of Nevada 1993, as last amended by chapter 373,
23 Statutes of Nevada 2005, at page 1419, is hereby amended to read as
24 follows:

25 Sec. 4. Oath of office; compensation; officers; records;
26 treasurer's bond.

27 1. Each commissioner appointed pursuant to paragraph
28 (b), (c), (d) or (e) of subsection 1 of section 3 of this act shall
29 file his or her oath of office with the clerk of the county from
30 which the commissioner was appointed, and all other
31 commissioners shall file their oaths of office with the Clerk of
32 Carson City.

33 2. The commissioners must serve without compensation,
34 but a commissioner may be reimbursed for expenses actually
35 incurred for travel authorized by the Commission.

36 3. The Commission shall elect a Chair, Vice Chair,
37 Secretary and Treasurer from among its members. The
38 Secretary and the Treasurer may be one person. The terms of
39 the officers expire on July 1 of each odd-numbered year.

40 4. The Secretary shall maintain audio recordings or
41 transcripts of all meetings of the Commission and a record of
42 all of the proceedings of the Commission, minutes of all
43 meetings, certificates, contracts and other acts of the
44 Commission. Except as otherwise provided in NRS 241.035,
45 the records must be open to the inspection of all interested



1 persons at a reasonable time and place. *Copies of minutes or*
2 *audio recordings must be made available to a member of the*
3 *public upon request and at no charge pursuant to*
4 *NRS 241.035.*

5 5. The Treasurer shall keep an accurate account of all
6 money received by and disbursed on behalf of the
7 Commission. The Treasurer shall file with the Clerk of
8 Carson City, at the expense of the Commission, a fidelity
9 bond in an amount not less than \$10,000, conditioned for the
10 faithful performance of his or her duties.

11 **Sec. 30.** Section 27 of the Western Regional Water
12 Commission Act, being chapter 531, Statutes of Nevada 2007, at
13 page 3291, is hereby amended to read as follows:

14 Sec. 27. 1. The Board shall elect one of its members
15 as Chair and one of its members as Vice Chair, and shall elect
16 a Secretary and a Treasurer, who may be members of the
17 Board. The Secretary and the Treasurer may be the same
18 person. The terms of the officers expire on December 31 of
19 each year.

20 2. The Secretary shall keep audio recordings or
21 transcripts of all meetings of the Board and, in a well-bound
22 book, a record of all the proceedings of the Board, minutes of
23 all meetings, certificates, contracts, bonds given by
24 employees and all other acts of the Board. Except as
25 otherwise provided in NRS 241.035, the minute book, audio
26 recordings, transcripts and records must be open to the
27 inspection of all interested persons, at all reasonable times
28 and places. *Copies of minutes or audio recordings must be*
29 *made available to a member of the public upon request and*
30 *at no charge pursuant to NRS 241.035.*

31 3. The Treasurer shall keep, in permanent records, strict
32 and accurate accounts of all money received by and disbursed
33 for and on behalf of the Board and the Regional Water
34 Commission.



