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STATE OF NEVADA



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SCOTT W. ANDERSON
Deputy Secretary
for Commercial Recordings

SUSAN MORANDI
Deputy Secretary
for Elections

OFFICE OF THE
SECRETARY OF STATE

March 28, 2003

Assemblyman Bernie Anderson, Chair
Assembly Judiciary Committee
Capitol Complex
Carson City, NV 89701

Re: Proposed Amendment to Assembly Bill 439

Dear Chairman Anderson,

As a precursor to our anticipated testimony at your April 2, 2003 hearing on Assembly Bill 439, we enclose proposed amendments to Assembly Bill 439. These amendments incorporate the changes resulting from testimony on Senate Bill 298, which contains the same provisions as Assembly Bill 439. We have discussed these amendments with Mr. Derek Rowley, President of the Nevada Resident Agents Association.

Specifically, if adopted, the amendments will diminish our concerns with respect to our ability to implement the proposed commercial recordings fee increases in a timely manner and will allow the Secretary of State more flexibility in the administration of the resident agent registration, resignation and change processes.

There will be a fiscal impact on this office resulting from fee structure changes and additional filing requirements provided by Assembly Bill 439. We have prepared and are submitting to LCB Fiscal a fiscal note for this bill.

If you have any questions concerning the foregoing or require additional information, please do not hesitate to contact me at 684-5711. We remain available to answer any questions posed by the members of the Committee concerning the above.

Respectfully Submitted,

DEAN HELLER
Secretary of State

A handwritten signature in cursive script, appearing to read "Scott W. Anderson".

Scott W. Anderson

Deputy, Commercial Recordings Division

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1003
ASSEMBLY JUDICIARY
DATE: 4/2/03 ROOM: 3138 EXHIBIT F
SUBMITTED BY: SCOTT ANDERSON

AB439

PROPOSED AMENDMENT TO ~~S.B. 298~~

OFFERED BY SECRETARY OF STATE DEAN HELLER

March 28, 2003

Amend Section 3, page 2 to provide the statement be on a form provided by the Secretary of State and add these provisions to Chapters 80, 82, 84, 86, 87, 88 and 88A. The effective date of implementation should be January 1, 2004.

Amend Sections 4, 16, 26, 36, 53, 63, 76, pages 3, 11, 17, 23, 32, 38, and 46 by deleting the amendatory language in lines 3-40 – 4-2, 11-27 – 11-31, 17-12 – 17-18, 23-16 – 23-23, 32-5 – 32-11, 38-19 – 38-25 and 46-1– 46-11 and adding “ For the purposes of this section, A Resident Agent whose name has changed as a result of a merger, conversion, exchange, sale, reorganization or amendment may change said name by filing with the secretary of state a certificate which sets forth:

1. The current name of the resident agent;
2. The new name of the resident agent;
3. The name and file number of each corporation (or other entity) the resident agent represents.

The fee for filing a statement of resident agent name change is \$100. The effective date of implementation should be January 1, 2004.

F 203

Amend NRS Chapters 80, 81, 82, 84, 86, 87, 88 and 88A to add the provisions of section 13 (8) of AB 439 to standardize the fee for filing a resignation of an officer, director or their equivalent in these other business entities.

Amend Section 14, page 10, line 27, restore the January 31 end date for the initial registration period for the resident agent list. Add language to allow the Secretary of State to add to this list at any time during the year, upon payment of the same fee as provided by the Section. Add provision to allow for the amendment of information contained in the list for a fee of \$50. Add language giving the Secretary of State regulatory authority as to the content, maintenance and presentation of the list.

Amend Section 23, Page 15, line 37, by striking [~~certificates of reinstatement~~] as the fee for reinstatement conflicts with that in Section 24 (3)(c).

Amend Section 80, page 48, subparagraph 1, lines 8 – 22 to conform to changes made in SB 112.

Amend Section 80, page 49, subparagraph 3(a), line 9 to strike \$50.00 and add \$62.50.

Amend the bill as a whole by adding new section as follows:

The Secretary of State is hereby authorized, without obtaining further approval, to hire 2 Grade 27, Administrative Assistant III positions and 2 Grade 25, Administrative Assistant II positions to carry out the requirements of this bill.

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