

SENATE BILL NO. 229—SENATORS O’CONNELL AND TITUS

MARCH 3, 2003

Referred to Committee on Government Affairs

SUMMARY—Makes various changes regarding public meetings.
(BDR 19-16)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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

AN ACT relating to public bodies; revising provisions governing notice of meetings of public bodies; requiring certain public bodies to post the minutes of a public meeting on the Internet; requiring certain public bodies to make and retain an audio recording of a public meeting; prohibiting a public body from voting on an item on the agenda until public comment has been allowed on the item under certain circumstances; requiring that a member of certain agencies be present at a workshop of the agency concerning a proposed regulation of the agency, if practicable; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 241 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 1. *Except as otherwise provided in subsection 3, a public body*
4 *that is a governing board may not take action by vote on an item*
5 *on the agenda of a meeting on which action may otherwise be*
6 *taken until public comment on the item has been allowed.*
7 2. *Each public body that is a governing board shall adopt a*
8 *rule of procedure setting forth the length of time that will be*
9 *allotted to the public comment required pursuant to subsection 1.*



1 **3. *The provisions of this section do not apply to a contested***
2 ***case, as that term is defined in NRS 233B.032.***

3 **Sec. 1.5.** NRS 241.015 is hereby amended to read as follows:
4 241.015 As used in this chapter, unless the context otherwise
5 requires:

- 6 1. "Action" means:
7 (a) A decision made by a majority of the members present
8 during a meeting of a public body;
9 (b) A commitment or promise made by a majority of the
10 members present during a meeting of a public body;
11 (c) If a public body may have a member who is not an elected
12 official, an affirmative vote taken by a majority of the members
13 present during a meeting of the public body; or
14 (d) If all the members of a public body must be elected officials,
15 an affirmative vote taken by a majority of all the members of the
16 public body.

- 17 2. "Meeting":
18 (a) Except as otherwise provided in paragraph (b), means:
19 (1) The gathering of members of a public body at which a
20 quorum is present to deliberate toward a decision or to take action
21 on any matter over which the public body has supervision, control,
22 jurisdiction or advisory power.
23 (2) Any series of gatherings of members of a public body at
24 which:
25 (I) Less than a quorum is present at any individual
26 gathering;
27 (II) The members of the public body attending one or
28 more of the gatherings collectively constitute a quorum; and
29 (III) The series of gatherings was held with the specific
30 intent to avoid the provisions of this chapter.

- 31 (b) Does not include a gathering or series of gatherings of
32 members of a public body, as described in paragraph (a), at which a
33 quorum is actually or collectively present:
34 (1) Which occurs at a social function if the members do not
35 deliberate toward a decision or take action on any matter over which
36 the public body has supervision, control, jurisdiction or advisory
37 power.
38 (2) To receive information from the attorney employed or
39 retained by the public body regarding potential or existing litigation
40 involving a matter over which the public body has supervision,
41 control, jurisdiction or advisory power and to deliberate toward a
42 decision on the matter, or both.

43 3. Except as otherwise provided in this subsection, "public
44 body" means any administrative, advisory, executive or legislative
45 body of the State or a local government which expends or disburses



1 or is supported in whole or in part by tax revenue or which advises
2 or makes recommendations to any entity which expends or disburses
3 or is supported in whole or in part by tax revenue, including, but not
4 limited to, any board, commission, committee, subcommittee or
5 other subsidiary thereof and includes an educational foundation as
6 defined in subsection 3 of NRS 388.750 and a university foundation
7 as defined in subsection 3 of NRS 396.405. *Except as otherwise*
8 *provided by specific statute and unless the context otherwise*
9 *requires, "public body" includes a "public body that is a*
10 *governing board."* "Public body" does not include the Legislature
11 of the State of Nevada.

12 4. *"Public body that is a governing board" means a "public*
13 *body" as defined in subsection 3 that is:*

14 (a) *A legislative body of a local government that has the*
15 *authority to adopt an order, ordinance or rule, or other regulation;*
16 *or*

17 (b) *An executive or administrative body that has the authority*
18 *to adopt a regulation or to make a decision that constitutes a final*
19 *decision for the purposes of judicial review.*

20 *The term does not include an advisory body of the State or a local*
21 *government.*

22 5. "Quorum" means a simple majority of the constituent
23 membership of a public body or another proportion established by
24 law.

25 **Sec. 2.** NRS 241.020 is hereby amended to read as follows:

26 241.020 1. Except as otherwise provided by specific statute,
27 all meetings of public bodies must be open and public, and all
28 persons must be permitted to attend any meeting of these *public*
29 bodies. Public officers and employees responsible for these
30 meetings shall make reasonable efforts to assist and accommodate
31 physically handicapped persons desiring to attend.

32 2. Except in an emergency, written notice of all meetings must
33 be given at least 3 working days before the meeting. The notice
34 must include:

35 (a) The time, place and location of the meeting.

36 (b) A list of the locations where the notice has been posted.

37 (c) An agenda consisting of:

38 (1) A clear and complete statement of the topics scheduled to
39 be considered during the meeting.

40 (2) A list describing the items on which action may be taken
41 and clearly denoting that action may be taken on those items.

42 (3) A period devoted to comments by the general public, if
43 any, and discussion of those comments. No action may be taken
44 upon a matter raised under this item of the agenda until the matter



1 itself has been specifically included on an agenda as an item upon
2 which action may be taken pursuant to subparagraph (2).

3 *(4) If any portion of the meeting will be closed, an*
4 *indication of any item that is a closed session and an estimated*
5 *time for the conduct of that closed session. If the meeting will*
6 *include more than one closed session, the public body shall*
7 *schedule and consider those items consecutively, if practicable.*

8 3. ~~Minimum~~ *Except as otherwise provided in subsection 6,*
9 *minimum public notice for a public body* is:

10 (a) Posting a copy of the notice at the principal office of the
11 public body ~~or~~ , if there is no principal office, at the building in
12 which the meeting is to be held, and at not less than three other
13 separate, prominent places within the jurisdiction of the public body
14 not later than 9 a.m. of the third working day before the meeting;
15 and

16 (b) ~~Mailing~~ *Sending* a copy of the notice to any person who
17 has requested notice of the meetings of the *public* body:

18 *(1) By mail* in the same manner in which notice is required to
19 be mailed to a member of the *public* body ~~or~~ ;

20 *(2) By electronic means if receipt of such an electronic*
21 *notice can be verified; or*

22 *(3) By the methods set forth in subparagraphs (1)*
23 *and (2).*

24 A request for notice *pursuant to this paragraph* lapses 6 months
25 after it is made ~~or~~ *and may be renewed by the requester in writing.*

26 The public body shall inform the requester of this fact by enclosure
27 with , ~~or~~ notation upon *or text included within* the first notice sent.

28 ~~The notice~~ *Notice requested pursuant to this paragraph* must be
29 delivered to the postal service used by the *public* body *or sent by*
30 *electronic means, as applicable*, not later than 9 a.m. of the third
31 working day before the meeting.

32 4. ~~or~~ *Except as otherwise provided in subsection 6, if*
33 *public body maintains a website on the Internet or its successor, the*
34 *public body shall post notice of each of its meetings on its website*
35 *unless the public body is unable to do so because of technical*
36 *problems relating to the operation or maintenance of its website.*
37 *Notice posted pursuant to this subsection is supplemental to and is*
38 *not a substitute for the minimum public notice required pursuant to*
39 *subsection 3.*

40 5. *The provisions of subsection 3 do not prohibit a public*
41 *body that is not a governing board from:*

42 (a) *Providing public notice which exceeds the requirements of*
43 *that subsection; or*

44 (b) *Providing any additional public notice which is described*
45 *in subsection 6.*



1 6. *Minimum public notice for a public body that is a*
2 *governing board is:*

3 (a) *Posting a copy of the notice at the principal office of the*
4 *public body or, if there is no principal office, at the building in*
5 *which the meeting is to be held, and at not less than three other*
6 *separate, prominent places within the jurisdiction of the public*
7 *body not later than 9 a.m. of the third working day before the*
8 *meeting;*

9 (b) *Posting a copy of the notice on a public website on the*
10 *Internet or its successor, if any, not later than 9 a.m. of the third*
11 *working day before the meeting; and*

12 (c) *Sending a copy of the notice to any person who has*
13 *requested notice of the meetings of the public body:*

14 (1) *By mail in the same manner in which notice is required*
15 *to be mailed to a member of the public body;*

16 (2) *By electronic means if receipt of such an electronic*
17 *notice can be verified; or*

18 (3) *By the methods set forth in subparagraphs (1)*
19 *and (2).*

20 *A request for notice pursuant to this paragraph lapses 6 months*
21 *after it is made and may be renewed by the requester in writing or*
22 *by electronic means. The public body shall inform the requester of*
23 *this fact by enclosure with, notation upon or text included within*
24 *the first notice sent. Notice requested pursuant to this paragraph*
25 *must be delivered to the postal service used by the public body or*
26 *sent by electronic means, as applicable, not later than 9 a.m. of the*
27 *third working day before the meeting.*

28 7. *The inability of a public body other than a public body that*
29 *is a governing board to post notice of a meeting pursuant to ~~this~~*
30 *subsection 4 as a result of technical problems with its website shall*
31 *not be deemed to be a violation of the provisions of this chapter.*

32 ~~5.1~~ 8. *Upon any request, a public body shall provide, at no*
33 *charge, at least one copy of:*

34 (a) *An agenda for a public meeting;*

35 (b) *A proposed ordinance or regulation which will be discussed*
36 *at the public meeting; and*

37 (c) *Any other supporting material provided to the members of*
38 *the public body for an item on the agenda, except materials:*

39 (1) *Submitted to the public body pursuant to a nondisclosure*
40 *or confidentiality agreement;*

41 (2) *Pertaining to the closed portion of such a meeting of the*
42 *public body; or*

43 (3) *Declared confidential by law.*



1 ~~[6.]~~ 9. As used in this section, “emergency” means an
2 unforeseen circumstance which requires immediate action and
3 includes, but is not limited to:

4 (a) Disasters caused by fire, flood, earthquake or other natural
5 causes; or

6 (b) Any impairment of the health and safety of the public.

7 **Sec. 3.** NRS 241.035 is hereby amended to read as follows:

8 241.035 1. Each public body shall keep written minutes of
9 each of its meetings, including:

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

11 (b) Those members of the *public* body who were present and
12 those who were absent.

13 (c) The substance of all matters proposed, discussed or decided
14 and, at the request of any member, a record of each member’s vote
15 on any matter decided by vote.

16 (d) The substance of remarks made by any member of the
17 general public who addresses the *public* body if he requests that the
18 minutes reflect his remarks or, if he has prepared written remarks, a
19 copy of his prepared remarks if he submits a copy for inclusion.

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

22 2. ~~[Minutes]~~ *Except as otherwise provided in this subsection,*
23 *minutes* of public meetings are public records ~~[. Minutes or~~
24 ~~audiotape recordings of the meetings]~~ and must be ~~[made]~~ :

25 (a) *Made* available for inspection by the public ; and

26 (b) *If the public body is a public body that is a governing*
27 *board, posted on a public website on the Internet or its successor,*
28 *if any,*

29 within 30 working days after the adjournment of the meeting at
30 which *the minutes were* taken ~~[.]~~ *or, if the meeting was a meeting*
31 *of a public body that is a governing board, upon adoption and*
32 *approval of the minutes by the public body.* The minutes shall be
33 deemed to have permanent value and must be retained by the public
34 body *on the public website, if applicable, for at least 1 year and at*
35 *the office of the public body* for at least 5 years ~~[.]~~ *after the*
36 *adjournment of the meeting at which the minutes were taken.*

37 Thereafter, the minutes may be transferred for archival preservation
38 in accordance with NRS 239.080 to 239.125, inclusive. Minutes of
39 meetings closed pursuant to NRS 241.030 become public records
40 when the *public* body determines that the matters discussed no
41 longer require confidentiality and the person whose character,
42 conduct, competence or health was discussed has consented to their
43 disclosure. That person is entitled to a copy of the minutes upon
44 request whether or not ~~[they]~~ *the minutes* become public records.



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

5 4. Each public body *that is not a governing board* may, *and,*
6 *except as otherwise provided in NRS 360.130, each public body*
7 *that is a governing board shall,* record on audiotape or any other
8 means of sound reproduction each of its meetings, whether public or
9 closed. ~~[[*An audio recording of* a meeting *is so recorded:*~~

10 ~~—(a) *The record must*]:~~

11 (a) *Must* be retained by the public body for at least ~~[[*1-year*]~~ *3*
12 *years* after the adjournment of the meeting at which it was recorded.

13 (b) ~~[[*The record of a public meeting is*]~~ *Except as otherwise*
14 *provided in this paragraph, is* a public record and must be made
15 available for inspection by the public ~~[[*during the time the record is*~~
16 ~~*retained.*~~

17 ~~[[*Any record made pursuant to this subsection must*]~~ *within 10*
18 *working days after the adjournment of the meeting at which it was*
19 *recorded. An audio recording of any portion of a meeting that is*
20 *closed pursuant to NRS 241.030 becomes a public record when the*
21 *public body determines that the matters discussed no longer*
22 *require confidentiality and the person whose character, conduct,*
23 *competence or health was discussed has consented to its*
24 *disclosure. That person is entitled to a copy of the audio recording*
25 *upon request whether or not the recording becomes a public*
26 *record.*

27 (c) *Must* be made available to the Attorney General upon
28 request.

29 ~~[[*5. If a public body elects to record a public meeting pursuant*~~
30 ~~*to the provisions of subsection 4, any portion of that meeting which*~~
31 ~~*is closed must also be recorded and must be retained and made*~~
32 ~~*available for inspection pursuant to the provisions of subsection 2*~~
33 ~~*relating to records of closed meetings. Any record made pursuant to*~~
34 ~~*this subsection must be made available to the Attorney General*~~
35 ~~*upon request.*]~~

36 **Sec. 4.** NRS 1A.100 is hereby amended to read as follows:

37 1A.100 1. A system of retirement providing benefits for the
38 retirement, disability or death of all justices of the Supreme Court
39 and district judges and funded on an actuarial reserve basis is hereby
40 established and must be known as the Judicial Retirement System.

41 2. The System consists of the Judicial Retirement Plan and the
42 provisions set forth in NRS 2.060 to 2.083, inclusive, and 3.090 to
43 3.099, inclusive, for providing benefits to justices of the Supreme
44 Court or district judges who served either as a justice of the
45 Supreme Court or district judge before November 5, 2002. Each



1 justice of the Supreme Court or district judge who is not a member
2 of the Public Employees' Retirement System is a member of the
3 System.

4 3. The official correspondence and records, other than the files
5 of individual members of the System or retired justices or judges,
6 and , *except as otherwise provided in NRS 241.035*, the minutes ,
7 *audio recordings* and books of the System are public records and
8 are available for public inspection.

9 4. The System must be administered exclusively by the Board,
10 which shall make all necessary rules and regulations for the
11 administration of the System. The rules must include, without
12 limitation, rules relating to the administration of the retirement plans
13 in accordance with federal law. The Legislature shall regularly
14 review the System.

15 **Sec. 5.** NRS 231.090 is hereby amended to read as follows:

16 231.090 The Executive Director of the Commission on
17 Economic Development shall direct and supervise all its
18 administrative and technical activities, including coordinating its
19 plans for economic development, promoting the production of
20 motion pictures, scheduling the Commission's programs, analyzing
21 the effectiveness of those programs and associated expenditures, and
22 cooperating with other governmental agencies which have programs
23 related to economic development. In addition to other powers and
24 duties, the Executive Director:

25 1. Shall attend all meetings of the Commission and act as its
26 Secretary, keeping minutes *and audio recordings* of its proceedings.

27 2. Shall report regularly to the Commission concerning the
28 administration of its policies and programs.

29 3. Shall report annually to the Governor and the Commission
30 regarding the work of the Commission and may make such special
31 reports as he considers desirable to the Governor.

32 4. May perform any other lawful acts which he considers
33 desirable to carry out the provisions of NRS 231.020 to 231.130,
34 inclusive.

35 **Sec. 6.** NRS 231.220 is hereby amended to read as follows:

36 231.220 The Executive Director of the Commission on
37 Tourism shall direct and supervise all its administrative and
38 technical activities, including coordinating its plans for tourism and
39 publications, scheduling its programs, analyzing the effectiveness of
40 those programs and associated expenditures, and cooperating with
41 other governmental agencies which have programs related to travel
42 and tourism. In addition to other powers and duties, the Executive
43 Director:

44 1. Shall attend all meetings of the Commission and act as its
45 Secretary, keeping minutes *and audio recordings* of its proceedings.



1 2. Shall report regularly to the Commission concerning the
2 administration of its policies and programs.

3 3. Shall serve as the Director of the Division of Tourism.

4 4. Shall appoint the Administrator of the Division of
5 Publications.

6 5. May perform any other lawful acts which he considers
7 necessary to carry out the provisions of NRS 231.160 to 231.360,
8 inclusive.

9 **Sec. 7.** NRS 233A.065 is hereby amended to read as follows:

10 233A.065 The Executive Director of the Commission shall:

11 1. Be jointly responsible to the Governor and the Commission.

12 2. Direct and supervise all the technical and administrative
13 activities of the Commission.

14 3. Attend all Commission meetings and act as Secretary,
15 keeping minutes *and audio recordings* of the proceedings.

16 4. Report to the Governor and the Commission all matters
17 concerning the administration of his office. He shall request the
18 advice of the Commission regarding matters of policy, but he is
19 responsible, unless otherwise provided by law, for the conduct of
20 the administrative functions of the Commission Office.

21 5. Compile, for Commission approval and submission to the
22 Governor, a biennial report regarding the work of the Commission
23 and such other matters as he may consider desirable.

24 6. Serve as contracting officer to receive ~~funds~~ *money* from
25 the Federal Government or other sources for such studies as the
26 Commission deems necessary.

27 7. Attend all meetings of any special study committee
28 appointed by the Governor pursuant to this chapter and act as
29 Secretary, keeping minutes *and audio recordings* of the
30 proceedings.

31 8. Perform any lawful act which he considers necessary or
32 desirable to carry out the purposes and provisions of this chapter.

33 **Sec. 8.** NRS 233B.061 is hereby amended to read as follows:

34 233B.061 1. All interested persons must be afforded a
35 reasonable opportunity to submit data, views or arguments upon a
36 proposed regulation, orally or in writing.

37 2. Before holding the public hearing required pursuant to
38 subsection 3, an agency shall conduct at least one workshop to
39 solicit comments from interested persons on one or more general
40 topics to be addressed in a proposed regulation. *If the agency is a
41 board, commission or other similar body, at least one member of
42 the body must be present at each such workshop, if practicable.*

43 Not less than 15 days before the workshop, the agency shall provide
44 notice of the time and place set for the workshop:



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

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

7 3. With respect to substantive regulations, the agency shall set
8 a time and place for an oral public hearing, but if no one appears
9 who will be directly affected by the proposed regulation and
10 requests an oral hearing, the agency may proceed immediately to act
11 upon any written submissions. The agency shall consider fully all
12 written and oral submissions respecting the proposed regulation.

13 4. The agency shall keep, retain and make available for public
14 inspection written minutes *and an audio recording* of each public
15 hearing held pursuant to subsection 3 in the manner provided in
16 ~~subsections 1 and 2 of NRS 241.035.~~

17 ~~5. The agency may record each public hearing held pursuant to~~
18 ~~subsection 3 and make those recordings available for public~~
19 ~~inspection in the manner provided in subsection 4 of~~ NRS 241.035.

20 **Sec. 9.** NRS 244A.611 is hereby amended to read as follows:

21 244A.611 1. The board shall choose one of its members as
22 chairman and one of its members as vice chairman, and shall elect a
23 secretary and a treasurer, who may be members of the board. The
24 secretary and the treasurer may be one person.

25 2. The secretary shall keep ~~the~~ *audio recordings of all meetings*
26 *and*, in a well-bound book, a record of all of the proceedings of the
27 board, minutes of all meetings, certificates, contracts, bonds given
28 by employees, and all other acts of the board. ~~The~~ *Except as*
29 *otherwise provided in NRS 241.035, the* minute book , *audio*
30 *recordings* and records ~~shall~~ *must* be open to the inspection of all
31 owners of real property in the county as well as to all other
32 interested persons, at all reasonable times and places.

33 3. The treasurer shall keep, in permanent records, strict and
34 accurate accounts of all money received by and disbursed for and on
35 behalf of the board and the county. He shall file with the county
36 clerk, at county expense, a corporate fidelity bond in an amount not
37 less than \$5,000, conditioned for the faithful performance of his
38 duties.

39 **Sec. 10.** NRS 266.250 is hereby amended to read as follows:

40 266.250 1. The deliberations, sessions and proceedings of the
41 city council must be public.

42 2. The city council shall keep written minutes *and audio*
43 *recordings* of its own proceedings as required pursuant to NRS
44 241.035. The yeas and nays must be taken upon the passage of all
45 ordinances, and all propositions to create any liability against the



1 city, or to grant, deny, increase, decrease, abolish or revoke licenses,
2 and in all other cases at the request of any member of the city
3 council or of the mayor, which yeas and nays must be entered in the
4 minutes of its proceedings.

5 3. The affirmative vote of a majority of all the members elected
6 to the city council is necessary to pass any such ordinance or
7 proposition.

8 **Sec. 11.** NRS 278.290 is hereby amended to read as follows:

9 278.290 1. Meetings of the board ~~{shall}~~ *must* be held at the
10 call of the chairman and at such other times as the board may
11 determine. The chairman, or in his absence the acting chairman,
12 may administer oaths and compel the attendance of witnesses. All
13 meetings of the board ~~{shall}~~ *must* be open to the public.

14 2. The board shall adopt rules in accordance with the
15 provisions of any ordinance adopted pursuant to NRS 278.010 to
16 278.630, inclusive.

17 3. The board shall keep minutes of its proceedings, showing
18 the vote of each member upon each question, or, if absent or failing
19 to vote, indicating such fact, *and audio recordings of its*
20 *proceedings*, and shall keep records of its examinations and other
21 official actions, all of which ~~{shall}~~ *must* be filed immediately in the
22 office of the board and ~~{shall be a public record.}~~ , *except as*
23 *otherwise provided in NRS 241.035, are public records.*

24 **Sec. 12.** NRS 284.050 is hereby amended to read as follows:

25 284.050 1. The Governor shall designate one of the members
26 of the Commission as Chairman of the Commission.

27 2. The Director shall act as the nonvoting recording Secretary
28 of the Commission. He shall keep the minutes *and audio recordings*
29 of the proceedings of the Commission.

30 **Sec. 13.** NRS 284.055 is hereby amended to read as follows:

31 284.055 1. The members of the Commission may meet at the
32 times and places specified by the call of the Chairman or a majority
33 of the Commission, but a meeting of the Commission must be held
34 regularly at least once every 3 months.

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

39 3. The Commission shall keep minutes *and audio recordings*
40 of the transactions of each meeting. ~~{The}~~ *Except as otherwise*
41 *provided in NRS 241.035, the minutes and audio recordings* are
42 public records and must be filed with the Department.

43 **Sec. 14.** NRS 286.110 is hereby amended to read as follows:

44 286.110 1. A system of retirement providing benefits for the
45 retirement, disability or death of employees of public employers and



1 funded on an actuarial reserve basis is hereby established and must
2 be known as the Public Employees' Retirement System. The System
3 is a public agency supported by administrative fees transferred from
4 the retirement funds. The Executive and Legislative Departments of
5 the State Government shall regularly review the System.

6 2. The System is entitled to use any services provided to state
7 agencies and shall use the services of the Purchasing Division of the
8 Department of Administration, but is not required to use any other
9 service. The purpose of this subsection is to provide to the Board the
10 necessary autonomy for an efficient and economic administration of
11 the System and its program.

12 3. The official correspondence and records, other than the files
13 of individual members or retired employees, and , *except as*
14 *otherwise provided in NRS 241.035*, the minutes , *audio recordings*
15 and books of the System are public records and are available for
16 public inspection.

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

19 **Sec. 15.** NRS 287.0438 is hereby amended to read as follows:

20 287.0438 Except for the files of individual members and
21 former members, the correspondence, files, minutes , *audio*
22 *recordings* and books of the Program are , *except as otherwise*
23 *provided in NRS 241.035*, public records.

24 **Sec. 16.** NRS 318.085 is hereby amended to read as follows:

25 318.085 Except as otherwise provided in NRS 318.0953 and
26 318.09533:

27 1. After taking oaths and filing bonds, the board shall choose
28 one of its members as chairman of the board and president of the
29 district, and shall elect a secretary and a treasurer of the board and
30 of the district, who may or may not be members of the board. The
31 secretary and the treasurer may be one person.

32 2. The board shall adopt a seal.

33 3. The secretary shall keep ~~[-]~~ *audio recordings of all meetings*
34 *and*, in a well-bound book, a record of all of the board's
35 proceedings, minutes of all meetings, any certificates, contracts,
36 bonds given by employees and all corporate acts. ~~[This]~~ *Except as*
37 *otherwise provided in NRS 241.035*, the book , *audio recordings*
38 *and records* must be open to inspection of all owners of real
39 property in the district as well as to all other interested persons.

40 4. The treasurer shall keep strict and accurate accounts of all
41 money received by and disbursed for and on behalf of the district in
42 permanent records. He shall file with the county clerk, at the
43 expense of the district, a corporate surety bond in an amount not
44 more than \$50,000, the form and exact amount thereof to be
45 approved and determined, respectively, by the board of county



1 commissioners, conditioned for the faithful performance of the
2 duties of his office. Any other officer or trustee who actually
3 receives or disburses money of the district shall furnish a bond as
4 provided in this subsection. The board of county commissioners
5 may, upon good cause shown, increase or decrease the amount of
6 that bond.

7 5. Each member of a board of trustees of a district organized or
8 reorganized pursuant to this chapter may receive as compensation
9 for his service not more than \$6,000 per year, payable monthly, if
10 the budget is adequate and a majority of the members of the board
11 vote in favor of such compensation, but no member of the board
12 may receive any other compensation for his service to the district as
13 an employee or otherwise. A member of the board is not entitled to
14 receive as compensation more than \$1,800 per year if the additional
15 compensation is approved during the term of the member.

16 **Sec. 16.5.** NRS 360.130 is hereby amended to read as follows:
17 360.130 1. The Executive Director shall:

18 (a) Keep full and correct records of all transactions and
19 proceedings of the Nevada Tax Commission, the State Board of
20 Equalization and the Department. *Notwithstanding the provisions
21 of NRS 241.035, the Nevada Tax Commission, the State Board of
22 Equalization and the Department are not required to record a
23 meeting on audiotape or any other means of sound reproduction,
24 provided that the meeting is transcribed in its entirety by a court
25 reporter who is certified pursuant to chapter 656 of NRS.*

26 (b) Perform such other duties as may be required.

27 2. The Nevada Tax Commission shall have the power to
28 authorize the Executive Director or any other officer of the
29 Department to hold hearings or make investigations, and upon any
30 such hearing, the Executive Director or officer shall have the
31 authority to examine books, compel the attendance of witnesses,
32 administer oaths and conduct investigations.

33 **Sec. 17.** NRS 361.365 is hereby amended to read as follows:

34 361.365 1. Each county board of equalization shall, at the
35 expense of the county, cause complete minutes *and an audio
36 recording* to be taken at each hearing. ~~[These]~~ *In addition to the
37 requirements of NRS 241.035, these* minutes must include the title
38 of all exhibits, papers, reports and other documentary evidence
39 submitted to the county board of equalization by the complainant.
40 The clerk of the county board of equalization shall forward the
41 minutes *and audio recordings* to the Secretary of the State Board of
42 Equalization.

43 2. If a transcript of any hearing held before the county board of
44 equalization is requested by the complainant, he shall furnish the
45 reporter, pay for the transcript and deliver a copy of the transcript to



1 the clerk of the county board of equalization and the Secretary of the
2 State Board of Equalization upon filing an appeal.

3 **Sec. 18.** NRS 380.050 is hereby amended to read as follows:

4 380.050 1. The members of the board of law library trustees
5 shall appoint one of their number as president.

6 2. They shall elect a secretary who shall:

7 (a) Keep a full statement and account of all property, money,
8 receipts and expenditures of the board, unless the board delegates
9 that duty.

10 (b) Keep a record , ~~and~~ full minutes in writing *and an audio*
11 *recording* of all proceedings of the board. The secretary may certify
12 to such proceedings, or any part thereof, under his hand.

13 3. The board of law library trustees, by a majority vote
14 recorded in the minutes with ayes and noes at length, may:

15 (a) Define the powers and prescribe the duties of any and all
16 officers;

17 (b) Determine the number and elect all necessary subordinate
18 officers and assistants;

19 (c) Remove, at its pleasure, any officer or assistant; and

20 (d) Fix the salaries of the secretary and other subordinate
21 officers and assistants.

22 **Sec. 19.** NRS 384.070 is hereby amended to read as follows:

23 384.070 1. The Commission may establish and maintain an
24 office in Virginia City, Storey County, Nevada, in which , *except as*
25 *otherwise provided in NRS 241.035*, there ~~shall~~ *must* be at all
26 times open to public inspection a complete record of applications for
27 certificates of appropriateness and their disposition, minutes *and*
28 *audio recordings* of the Commission's meetings, and any
29 regulations adopted by the Commission.

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

39 **Sec. 20.** NRS 386.325 is hereby amended to read as follows:

40 386.325 The clerk shall:

41 1. Keep the minutes *and audio recordings* of all meetings and
42 transactions of the board of trustees.

43 2. Subject to the written direction of the board of trustees, draw
44 all orders for the payment of moneys belonging to the school
45 district.



1 **Sec. 21.** NRS 417.160 is hereby amended to read as follows:
2 417.160 1. The Nevada Veterans' Services Commission shall
3 annually choose one of its members to serve as Chairman and one of
4 its members to serve as Vice Chairman.

5 2. The Executive Director shall provide for the preparation and
6 maintenance of written minutes for *and an audio recording of* each
7 meeting of the Veterans' Services Commission.

8 3. Members of the Veterans' Services Commission are entitled
9 to receive:

10 (a) A salary of not more than \$80 per day, as fixed by the
11 Executive Director, while engaged in the business of the
12 Commission.

13 (b) A subsistence allowance of not more than \$56 per day, as
14 fixed by the Executive Director, and actual expenses for
15 transportation, while traveling on business of the Commission.

16 **Sec. 22.** NRS 422.110 is hereby amended to read as follows:

17 422.110 1. The members of the Board shall meet twice each
18 calendar year to consider any issues related to public assistance and
19 other programs for which the Welfare Division is responsible that
20 may be of importance to members of the general public, the
21 Governor or the Welfare Division, at such places as the Board,
22 the Chairman of the Board, the State Welfare Administrator or the
23 Director deems appropriate.

24 2. Four members of the Board constitute a quorum, and a
25 quorum may exercise all the power and authority conferred on the
26 Board.

27 3. The Board shall:

28 (a) At least 45 days before the date it holds a meeting, provide
29 public notice of the date, time and location of the meeting, in
30 addition to the notice required pursuant to NRS 241.020.

31 (b) Keep minutes of all meetings of the Board, which must
32 include records of testimony and written comments presented to the
33 Board, and *audio recordings of all meetings of the Board and* file
34 the minutes *and audio recordings* with the Welfare Division. ~~The~~
35 *Except as otherwise provided in NRS 241.035, the minutes and*
36 *audio recordings* must be maintained as public records.

37 **Sec. 23.** NRS 422.224 is hereby amended to read as follows:

38 422.224 1. Before adopting, amending or repealing any
39 regulation for the administration of a program of public assistance
40 or any other program for which the Welfare Division is responsible,
41 the State Welfare Administrator shall give at least 30 days' notice of
42 his intended action.

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

44 (a) Include a statement of the need for and purpose of the
45 proposed regulation, and either the terms or substance of the



1 proposed regulation or a description of the subjects and issues
2 involved, and of the time when, the place where ~~§~~ and the manner
3 in which, interested persons may present their views thereon.

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

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

9 (d) Be mailed to all persons who have requested in writing that
10 they be placed upon a mailing list, which must be kept by the State
11 Welfare Administrator for that purpose.

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

17 4. The State Welfare Administrator shall keep, retain and make
18 available for public inspection written minutes *and an audio*
19 *recording* of each public hearing held pursuant to this section in the
20 manner provided in ~~subsections 1 and 2 of NRS 241.035.~~

21 ~~5. The State Welfare Administrator may record each public~~
22 ~~hearing held pursuant to this section and make those recordings~~
23 ~~available for public inspection in the manner provided in subsection~~
24 ~~4 of~~ NRS 241.035.

25 ~~6.~~ 5. No objection to any regulation on the ground of
26 noncompliance with the procedural requirements of this section may
27 be made more than 2 years after its effective date.

28 **Sec. 24.** NRS 422.2369 is hereby amended to read as follows:

29 422.2369 1. Before adopting, amending or repealing any
30 regulation for the administration of a program of public assistance
31 or any other program for which the Division of Health Care
32 Financing and Policy is responsible, the Administrator shall give at
33 least 30 days' notice of his intended action.

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

35 (a) Include a statement of the need for and purpose of the
36 proposed regulation, and either the terms or substance of the
37 proposed regulation or a description of the subjects and issues
38 involved, and of the time when, the place where ~~§~~ and the manner
39 in which, interested persons may present their views thereon.

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

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



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

4 3. All interested persons must be afforded a reasonable
5 opportunity to submit data, views or arguments upon a proposed
6 regulation, orally or in writing. The Administrator shall consider
7 fully all oral and written submissions relating to the proposed
8 regulation.

9 4. The Administrator shall keep, retain and make available for
10 public inspection written minutes *and an audio recording* of each
11 public hearing held pursuant to this section in the manner provided
12 in ~~subsections 1 and 2 of NRS 241.035.~~

13 ~~5. The Administrator may record each public hearing held~~
14 ~~pursuant to this section and make those recordings available for~~
15 ~~public inspection in the manner provided in subsection 4 of]~~
16 NRS 241.035.

17 ~~[6.]~~ 5. An objection to any regulation on the ground of
18 noncompliance with the procedural requirements of this section may
19 not be made more than 2 years after its effective date.

20 **Sec. 25.** NRS 451.370 is hereby amended to read as follows:

21 451.370 The Committee shall keep full and complete minutes
22 *and an audio recording* of each meeting of the Committee and a
23 complete record of all dead human bodies received and distributed
24 by it and of the persons to whom the bodies may be distributed. The
25 minutes, *audio recordings* and records must be open at all times to
26 the inspection of each member of the Committee and of the district
27 attorney of any county within the State. A report of the activities of
28 the Committee must be made before September 1 of each even-
29 numbered year covering the biennium ending June 30 of such year
30 to the Presidents of the University and Community College System
31 of Nevada and to the State Board of Health. One of the members of
32 the Committee from the University and Community College System
33 of Nevada must act as Secretary and ~~shall be~~ *is* responsible for
34 preparing and maintaining a complete file of such minutes, *audio*
35 *recordings* and records.

36 **Sec. 26.** NRS 497.220 is hereby amended to read as follows:

37 497.220 1. The board of adjustment shall adopt rules in
38 accordance with the provisions of the ordinance or resolution by
39 which it was created.

40 2. Meetings of the board ~~shall~~ *must* be held at the call of the
41 chairman and at such other times as the board may determine.

42 3. The chairman, or in his absence the acting chairman, may
43 administer oaths and compel the attendance of witnesses.

44 4. All hearings of the board ~~shall~~ *must* be public.

45 5. The board shall:



1 (a) Keep minutes of its proceedings, showing the vote of each
2 member upon each question, or, if absent or failing to vote,
3 indicating such fact ~~[.]~~, *and audio recordings of its proceedings.*

4 (b) Keep records of its examinations and other official actions,
5 all of which ~~[shall]~~ *must* immediately be filed in the office of the
6 board and ~~[shall be a public record.]~~ *are public records.*

7 **Sec. 27.** NRS 513.043 is hereby amended to read as follows:

8 513.043 1. The members of the Commission shall select a
9 Chairman from among their number who shall serve at the pleasure
10 of the Commission.

11 2. The Administrator shall serve as Secretary of the
12 Commission and shall keep the minutes *and audio recordings* of its
13 proceedings.

14 **Sec. 28.** NRS 513.053 is hereby amended to read as follows:

15 513.053 1. The Commission shall meet at such times and at
16 such places as is specified by the call of the Chairman or a majority
17 of the Commission, but a meeting of the Commission must be held
18 at least once every 4 months. In case of emergency, special meetings
19 may be called by the Chairman or by the Administrator.

20 2. Four members of the Commission constitute a quorum for
21 transacting the business of the Commission.

22 3. The minutes *and audio recordings* of each meeting of the
23 Commission must be filed with the Division.

24 **Sec. 29.** NRS 541.110 is hereby amended to read as follows:

25 541.110 1. Each director before entering upon his official
26 duties shall take and subscribe to an oath, before a person authorized
27 to administer oaths, that he will support the Constitutions of the
28 United States and the State of Nevada and will honestly, faithfully
29 and impartially perform the duties of his office.

30 2. Upon taking oath, the board shall choose one of their
31 number chairman of the board and president of the district, and shall
32 elect some suitable person secretary of the board and of the district,
33 who may or may not be a member of the board. The board shall
34 adopt a seal and shall keep *audio recordings of all meetings and*, in
35 a well-bound book, a record of all its proceedings, minutes of all
36 meetings, certificates, contracts, bonds given by employees and all
37 corporate acts, which, *except as otherwise provided in NRS*
38 *241.035*, must be open to inspection of all owners of property in the
39 district, as well as to all other interested persons.

40 3. Each member of the board is entitled to receive as
41 compensation for his service such sum as may be ordered by the
42 board, not in excess of the sum of \$80 per day and actual traveling
43 expenses for each day spent attending meetings of the board or
44 while engaged in official business under the order of the board.



1 **Sec. 30.** NRS 543.330 is hereby amended to read as follows:
2 543.330 1. The board shall meet in July of each year to
3 organize and choose one of its members as chairman of the board
4 and president of the district, and elect a secretary of the board and of
5 the district, who may or may not be a member of the board.

6 2. The county treasurer is the treasurer of the board and of the
7 district.

8 3. The secretary shall keep ~~the~~ *audio recordings of all meetings*
9 *and*, in a well-bound book, a record of all of the board's
10 proceedings, minutes of all meetings, certificates, contracts, bonds
11 given by employees, and all corporate acts, which , *except as*
12 *otherwise provided in NRS 241.035*, must be open to inspection by
13 all owners of real property in the district as well as other interested
14 persons.

15 4. The treasurer shall keep strict and accurate accounts of all
16 money received by and disbursed for and on behalf of the district ~~the~~
17 in permanent records.

18 5. No member of the board may receive compensation for his
19 services, but members may be reimbursed for their necessary
20 expenses in attending district meetings and for necessary expenses
21 incurred in traveling within and without the State when required to
22 carry out the affairs of the district.

23 **Sec. 31.** NRS 561.085 is hereby amended to read as follows:

24 561.085 1. The Board shall elect one of its members as
25 Chairman of the Board.

26 2. The Director shall act as the nonvoting recording Secretary
27 of the Board and shall keep the minutes *and audio recordings* of the
28 proceedings of the Board.

29 **Sec. 32.** NRS 561.095 is hereby amended to read as follows:

30 561.095 1. The members of the Board may meet at such
31 times and at such places as may be specified by the call of the
32 Chairman or a majority of the Board , and a meeting of the Board
33 may be held regularly at least once every 3 months. In case of an
34 emergency, special meetings may be called by the Chairman or by
35 the Director.

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

38 3. Minutes *and audio recordings* of each meeting, regular or
39 special, must be filed with the Department and , *except as otherwise*
40 *provided in NRS 241.035*, are public records.

41 **Sec. 33.** NRS 563.191 is hereby amended to read as follows:

42 563.191 1. The Council shall elect a Chairman from among
43 its members. A Chairman may only succeed himself as Chairman
44 twice.



1 2. The Council shall elect a Secretary-Treasurer who may be
2 from among its members. The Secretary-Treasurer shall keep the
3 minutes *and audio recordings* of the proceedings of the Council and
4 prepare an annual report of the Council's activities, receipts and
5 expenditures.

6 **Sec. 34.** NRS 590.505 is hereby amended to read as follows:

7 590.505 1. The Board may adopt a seal for its own use which
8 must have imprinted thereon the words "Board for the Regulation of
9 Liquefied Petroleum Gas." The care and custody of the seal is the
10 responsibility of the Secretary-Treasurer of the Board.

11 2. The Board may appoint an Executive Secretary and may
12 employ or, pursuant to NRS 284.173, contract with such other
13 technical, clerical or investigative personnel as it deems necessary.
14 The Board shall fix the compensation of the Executive Secretary
15 and all other employees and independent contractors. Such
16 compensation must be paid out of the money of the Board. The
17 Board may require the Executive Secretary and any other employees
18 and independent contractors to give a bond to the Board for the
19 faithful performance of their duties, the premiums on the bond being
20 paid out of the money of the Board.

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

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

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

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

32 5. The Board shall keep accurate records, ~~and~~ minutes *and*
33 *audio recordings* of all meetings and, *except as otherwise provided*
34 *in NRS 241.035*, the records, ~~and~~ minutes *and audio recordings*
35 so kept must be open to public inspection at all reasonable times.
36 The Board shall also keep a record of all applications for licenses,
37 and licenses issued by it. The record of applications and licenses is a
38 public record.

39 **Secs. 35 and 36.** (Deleted by amendment.)

40 **Sec. 37.** Section 3.040 of the Charter of the City of North Las
41 Vegas, being chapter 573, Statutes of Nevada 1971, at page 1221, is
42 hereby amended to read as follows:

43 Sec. 3.040 City Clerk: Office; duties. The City Clerk
44 shall:



- 1 1. Keep his office at the place of meeting of the City
- 2 Council or some other place convenient thereto, as the City
- 3 Council may direct.
- 4 2. Keep the corporate seal and all papers and records of
- 5 the City and keep a record of the proceedings of, and be the
- 6 Clerk of the City Council, whose meetings it shall be his duty
- 7 to attend. Copies of all papers filed in his office, and
- 8 transcripts from all records of the City Council certified by
- 9 him, under the corporate seal, shall be evidence in all courts
- 10 to the same effect as if the original were produced.
- 11 3. Supervise and coordinate administrative and
- 12 responsible clerical work relating to the functions of the City
- 13 Council.
- 14 4. Attend all meetings of the City Council.
- 15 5. Record votes of members of the City Council.
- 16 6. Direct the transcription and keeping of minutes and
- 17 official records *and the making and keeping of audio*
- 18 *recordings* of all City Council meetings.
- 19 7. Countersign official contracts, bonds and other
- 20 official city documents.
- 21 8. Be the custodian of all official city records, including
- 22 contract and agreement documents, resolutions, ordinances,
- 23 official minute book and the corporate seal.
- 24 9. Make arrangements for special or informal meetings
- 25 other than the regular meetings of the City Council.
- 26 10. Supervise the operation and maintenance of a central
- 27 file system for all departments of the City.
- 28 11. Supervise the recruitment of all election workers, the
- 29 printing of all ballots and tally of election returns.
- 30 12. Serve as custodian of official election records for all
- 31 city elections.
- 32 13. Administer official oaths for the City.

33 **Sec. 38.** Section 9 of the Elko Convention and Visitors
34 Authority Act, being chapter 227, Statutes of Nevada 1975, as last
35 amended by chapter 466, Statutes of Nevada 1991, at page 1363, is
36 hereby amended to read as follows:

37 Sec. 9. 1. The Board shall adopt a seal, establish a
38 principal place of business and adopt, and thereafter from
39 time to time amend, if necessary, appropriate rules and
40 regulations not inconsistent with this act for carrying on the
41 business and affairs of the Board and of the Authority. Each
42 member shall, upon election or acceptance of his
43 appointment, file with the Clerk of Elko County his oath of
44 office.



- 1 2. No member may receive any compensation as an
2 employee of the Board or otherwise, and a member of the
3 Board shall not be interested in any contract or transaction
4 with the Board except in his official representative capacity.
- 5 3. At the first meeting of the Board following each
6 general authority election, the Board shall choose one of its
7 members as Chairman and one of its members as Vice
8 Chairman, and shall appoint or hire a Secretary and a
9 Treasurer, who must not be members of the Board. The
10 Secretary and Treasurer may not be one person.
- 11 4. The Secretary shall keep *audio recordings of all*
12 *meetings of the Board and* a record of all of the proceedings
13 of the Board, minutes of all meetings, certificates, contracts,
14 bonds given by employees, and all other acts of the Board.
15 ~~[The]~~ *Except as otherwise provided in NRS 241.035, the*
16 *minute book , audio recordings* and records are open to the
17 inspection of all interested persons, at all reasonable times
18 and places.
- 19 5. The Treasurer shall keep, in permanent records, strict
20 and accurate accounts of all money received by and disbursed
21 for and on behalf of the Board. The Treasurer shall file with
22 the County Clerk, at the Authority's expense, a corporate
23 fidelity bond in an amount not less than \$5,000, conditioned
24 on the faithful performance of the duties of the Treasurer.
- 25 6. The Board shall appoint the Elko County Treasurer
26 and Auditor to act as Treasurer and Auditor of the Authority.
27 The Treasurer and Auditor may employ such persons as are
28 necessary to carry out the duties of the Treasurer and Auditor
29 of the Authority. The Board shall determine the salary of each
30 person employed pursuant to this subsection. The salaries and
31 expenses of the employees must be paid by the Board from
32 the money of the Authority.
- 33 7. The Board shall meet regularly at a time and in a
34 place to be designated by it. Special meetings may be held as
35 often as the needs of the Board require, on notice to each
36 Board member.
- 37 8. The Board may require from an officer or employee
38 of the Authority, except a member of the Board, sufficient
39 security for the faithful and honest performance of his duties.
40 A blanket fidelity bond or blanket position bond, or other
41 type of bond suitable for public employees or officers, may
42 be furnished at the expense of the Authority for an officer or
43 employee of the Authority, in an amount set by the Board and
44 conditioned on the faithful and honest performance of his
45 duties.



1 **Sec. 39.** Section 7 of the Airport Authority Act for Washoe
2 County, being chapter 474, Statutes of Nevada 1977, as last
3 amended by chapter 413, Statutes of Nevada 2001, at page 2043, is
4 hereby amended to read as follows:

5 Sec. 7. 1. The Board shall choose one of its members
6 as Chairman and one of its members as Vice Chairman, and
7 shall elect a Secretary and a Treasurer, who may be members
8 of the Board. The Secretary and the Treasurer may be one
9 person. The terms of the officers expire on July 1 of each
10 year.

11 2. Chairmen must be selected from trustees appointed by
12 the participating local governments in the following order:

- 13 (a) The City of Reno;
- 14 (b) The City of Sparks;
- 15 (c) Washoe County; and
- 16 (d) The County Fair and Recreation Board of Washoe
17 County.

18 3. The Secretary shall keep ~~[-]~~ *audio recordings of all*
19 *meetings of the Board and*, in a well-bound book, a record of
20 all of the proceedings of the Board, minutes of all meetings,
21 certificates, contracts, bonds given by employees, and all
22 other acts of the Board. ~~[-The]~~ *Except as otherwise provided*
23 *in NRS 241.035, the* minute book , *audio recordings* and
24 records must be open to the inspection of all interested
25 persons, at all reasonable times and places.

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

32 **Sec. 40.** Section 7 of the Airport Authority Act for Battle
33 Mountain, being chapter 458, Statutes of Nevada 1983, at page
34 1210, is hereby amended to read as follows:

35 Sec. 7. 1. The Board shall elect a Chairman, Vice
36 Chairman, Secretary and Treasurer, who must be members of
37 the Board. The Secretary and the Treasurer may be one
38 person. The terms of the officers expire on the date their
39 successors are elected and qualified in the general election.

40 2. The Secretary shall keep ~~[-]~~ *audio recordings of all*
41 *meetings of the Board and*, in a well-bound book, a record of
42 all of the proceedings of the Board, minutes of all meetings,
43 certificates, contracts, bonds given by employees, and all
44 other acts of the Board. ~~[-The]~~ *Except as otherwise provided*
45 *in NRS 241.035, the* minute book , *audio recordings* and



1 records must be open to the inspection of all interested
2 persons, at all reasonable times and places.

3 3. The Treasurer shall keep, in permanent records, strict
4 and accurate accounts of all money received by and disbursed
5 for and on behalf of the Board and the Authority. He shall file
6 with the County Clerk, at Authority expense, a corporate
7 fidelity bond in an amount not less than \$25,000, conditioned
8 for the faithful performance of his duties.

9 **Sec. 41.** Section 6 of the Airport Authority Act for Carson
10 City, being chapter 844, Statutes of Nevada 1989, at page 2026, is
11 hereby amended to read as follows:

12 Sec. 6. 1. The Board shall elect a Chairman, Vice
13 Chairman, Secretary and Treasurer from its members. The
14 Secretary and the Treasurer may be one person. The terms of
15 the officers expire on July 1 of each odd-numbered year.

16 2. The Secretary shall keep *audio recordings of all*
17 *meetings of the Board and* a record of all of the proceedings
18 of the Board, minutes of all meetings, certificates, contracts,
19 bonds given by employees, and all other acts of the Board.
20 ~~[The]~~ *Except as otherwise provided in NRS 241.035, the*
21 records must be open to the inspection of all interested
22 persons, at a reasonable time and place.

23 3. The Treasurer shall keep an accurate account of all
24 money received by and disbursed on behalf of the Board and
25 the Authority. He shall file with the Clerk of Carson City, at
26 the expense of the Authority, a fidelity bond in an amount not
27 less than \$10,000, conditioned for the faithful performance of
28 his duties.

29 **Sec. 42.** Section 4 of the Nevada Commission for the
30 Reconstruction of the V & T Railway Act, being chapter 566,
31 Statutes of Nevada 1993, as amended by chapter 42, Statutes of
32 Nevada 2001, at page 401, is hereby amended to read as follows:

33 Sec. 4. 1. Each Commissioner appointed pursuant to
34 paragraph (b), (c), (d) or (e) of subsection 1 of section 3 of
35 this act shall file his oath of office with the clerk of the
36 county from which he was appointed, and all other
37 Commissioners shall file their oaths of office with the Clerk
38 of Carson City.

39 2. The Commissioners must serve without
40 compensation, but a Commissioner may be reimbursed for
41 expenses actually incurred by him for travel authorized by the
42 Commission.

43 3. The Commission shall elect a Chairman, Vice
44 Chairman, Secretary and Treasurer from among its members.
45 The Secretary and the Treasurer may be one person. The



1 terms of the officers expire on July 1 of each odd-numbered
2 year.

3 4. The Secretary shall maintain *audio recordings of all*
4 *meetings of the Commission and* a record of all of the
5 proceedings of the Commission, minutes of all meetings,
6 certificates, contracts and other acts of the Commission. ~~The~~
7 *Except as otherwise provided in NRS 241.035, the* records
8 must be open to the inspection of all interested persons at a
9 reasonable time and place.

10 5. The Treasurer shall keep an accurate account of all
11 money received by and disbursed on behalf of the
12 Commission. He shall file with the Clerk of Carson City, at
13 the expense of the Commission, a fidelity bond in an amount
14 not less than \$10,000, conditioned for the faithful
15 performance of his duties.

16 **Sec. 43.** Section 5 of the Nevada Commission for the
17 Reconstruction of the V & T Railway Act, being chapter 566,
18 Statutes of Nevada 1993, at page 2327, is hereby amended to read as
19 follows:

20 Sec. 5. 1. The Commission shall meet upon the call of
21 the Chairman or a majority of the Commissioners.

22 2. A majority of the Commissioners constitutes a
23 quorum at any meeting.

24 3. The governing bodies shall each make available an
25 appropriate meeting room and provide adequate clerical staff
26 and equipment to provide adequate notice of the meeting and
27 to produce minutes *and audio recordings* of the meeting and
28 any other assistance necessary to allow the Commission to
29 comply with the provisions of chapter 241 of NRS.

30 4. The Commission shall alternate the location of
31 its meetings among the facilities provided pursuant to
32 subsection 3.

33 5. A Commissioner is not personally liable for any
34 actions taken or omitted in good faith in the performance of
35 his duties pursuant to the provisions of this act.

