

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

MARCH 3, 2003

Referred to Committee on Government Affairs

SUMMARY—Makes various changes regarding public bodies.
(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; prohibiting certain public bodies from voting on an item on the agenda until public comment has been allowed on the item under certain circumstances; 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; providing that certain meetings regarding prisoners and persons on parole or probation are not subject to the open meeting law; requiring that a member of certain agencies be present at a workshop of the agency concerning a proposed regulation of the agency, if practicable; authorizing a board of trustees of a general improvement district to increase the compensation of the trustees under certain circumstances; authorizing the board of trustees of a general improvement district to adopt and enforce regulations regarding the date on which a charge for services provided by the district becomes delinquent; making certain changes regarding the merger, consolidation or dissolution of certain general improvement districts; 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. Such*
7 *public comment may be allowed immediately preceding action on*
8 *the specific item, during a single period preceding action on any*
9 *item on the agenda, or any combination thereof.*

10 2. *Each public body that is a governing board shall adopt a*
11 *rule of procedure regarding the public comment required*
12 *pursuant to subsection 1.*

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

15 **Sec. 1.5.** NRS 241.015 is hereby amended to read as follows:
16 241.015 As used in this chapter, unless the context otherwise
17 requires:

18 1. "Action" means:

19 (a) A decision made by a majority of the members present
20 during a meeting of a public body;

21 (b) A commitment or promise made by a majority of the
22 members present during a meeting of a public body;

23 (c) If a public body may have a member who is not an elected
24 official, an affirmative vote taken by a majority of the members
25 present during a meeting of the public body; or

26 (d) If all the members of a public body must be elected officials,
27 an affirmative vote taken by a majority of all the members of the
28 public body.

29 2. "Meeting":

30 (a) Except as otherwise provided in paragraph (b), means:

31 (1) The gathering of members of a public body at which a
32 quorum is present to deliberate toward a decision or to take action
33 on any matter over which the public body has supervision, control,
34 jurisdiction or advisory power.

35 (2) Any series of gatherings of members of a public body at
36 which:

37 (I) Less than a quorum is present at any individual
38 gathering;

39 (II) The members of the public body attending one or
40 more of the gatherings collectively constitute a quorum; and

41 (III) The series of gatherings was held with the specific
42 intent to avoid the provisions of this chapter.

43 (b) Does not include a gathering or series of gatherings of
44 members of a public body, as described in paragraph (a), at which a
45 quorum is actually or collectively present:



1 (1) Which occurs at a social function if the members do not
2 deliberate toward a decision or take action on any matter over which
3 the public body has supervision, control, jurisdiction or advisory
4 power.

5 (2) To receive information from the attorney employed or
6 retained by the public body regarding potential or existing litigation
7 involving a matter over which the public body has supervision,
8 control, jurisdiction or advisory power and to deliberate toward a
9 decision on the matter, or both.

10 3. Except as otherwise provided in this subsection, "public
11 body" means any administrative, advisory, executive or legislative
12 body of the State or a local government which expends or disburses
13 or is supported in whole or in part by tax revenue or which
14 advises or makes recommendations to any entity which expends or
15 disburses or is supported in whole or in part by tax revenue,
16 including, but not limited to, any board, commission, committee,
17 subcommittee or other subsidiary thereof and includes an
18 educational foundation as defined in subsection 3 of NRS 388.750
19 and a university foundation as defined in subsection 3 of NRS
20 396.405. *Except as otherwise provided by specific statute and
21 unless the context otherwise requires, "public body" includes a
22 "public body that is a governing board."* "Public body" does not
23 include the Legislature of the State of Nevada.

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

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

28 (b) *A public body to which another public body has delegated
29 the authority to take final action subject to appeal to that other
30 public body; or*

31 (c) *An executive or administrative body that has the authority
32 to adopt a regulation or to make a decision that constitutes a final
33 decision for the purposes of judicial review.*

34 *The term does not include an advisory body of the State or a local
35 government or a public body which has fewer than one full-time
36 administrative employee or whose members are not entitled by
37 statute to receive per diem or other compensation while engaged in
38 the business of the public body.*

39 5. "Quorum" means a simple majority of the constituent
40 membership of a public body or another proportion established by
41 law.

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

43 241.020 1. Except as otherwise provided by specific statute,
44 all meetings of public bodies must be open and public, and all
45 persons must be permitted to attend any meeting of these public



1 bodies. Public officers and employees responsible for these
2 meetings shall make reasonable efforts to assist and accommodate
3 physically handicapped persons desiring to attend.

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

- 7 (a) The time, place and location of the meeting.
- 8 (b) A list of the locations where the notice has been posted.
- 9 (c) An agenda consisting of:

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

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

14 (3) A period devoted to comments by the general public, if
15 any, and discussion of those comments. No action may be taken
16 upon a matter raised under this item of the agenda until the matter
17 itself has been specifically included on an agenda as an item upon
18 which action may be taken pursuant to subparagraph (2).

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

24 3. Minimum public notice is:

25 (a) Posting a copy of the notice at the principal office of the
26 public body or, if there is no principal office, at the building in
27 which the meeting is to be held, and at not less than three other
28 separate, prominent places within the jurisdiction of the public body
29 not later than 9 a.m. of the third working day before the meeting;
30 and

31 (b) Providing a copy of the notice to any person who has
32 requested notice of the meetings of the public body. A request for
33 notice lapses 6 months after it is made ~~[-]~~ *and may be renewed by*
34 *the requester in writing.* The public body shall inform the requester
35 of this fact by enclosure with, notation upon or text included within
36 the first notice sent. The notice must be:

37 (1) Delivered to the postal service used by the public body
38 not later than 9 a.m. of the third working day before the meeting for
39 transmittal to the requester by regular mail; or

40 ~~(2) [If feasible for the public body and the requester has~~
41 ~~agreed to receive the public notice by electronic mail, transmitted]~~
42 *Transmitted* to the requester by electronic mail sent not later than 9
43 a.m. of the third working day before the meeting ~~[-]~~ *if feasible for*
44 *the public body, the requester has agreed to receive the public*



1 *notice by electronic mail and receipt of such an electronic notice*
2 *can be verified.*

3 4. If a public body maintains ~~[a]~~ *its own* website on the Internet
4 or its successor, the public body shall post notice of each of its
5 meetings on its website *not later than 9 a.m. of the third working*
6 *day before the meeting* unless the public body is unable to do so
7 because of technical problems relating to the operation or
8 maintenance of its website. *Regardless of whether it maintains its*
9 *own website on the Internet or its successor, a public body that is a*
10 *governing board shall post notice of each of its meetings on a*
11 *public website on the Internet or its successor not later than 9 a.m.*
12 *of the third working day before the meeting unless the public body*
13 *is unable to do so because of technical problems relating to the*
14 *operation or maintenance of the website.* Notice posted pursuant to
15 this subsection is supplemental to and is not a substitute for the
16 minimum public notice required pursuant to subsection 3. The
17 inability of a public body to post notice of a meeting pursuant to this
18 subsection as a result of *such* technical problems ~~[with its website]~~
19 shall not be deemed to be a violation of the provisions of this
20 chapter.

21 5. Upon any request, a public body shall provide, at no charge,
22 at least one copy of:

- 23 (a) An agenda for a public meeting;
- 24 (b) A proposed ordinance or regulation which will be discussed
25 at the public meeting; and
- 26 (c) Any other supporting material provided to the members of
27 the public body for an item on the agenda, except materials:
 - 28 (1) Submitted to the public body pursuant to a nondisclosure
29 or confidentiality agreement;
 - 30 (2) Pertaining to the closed portion of such a meeting of the
31 public body; or
 - 32 (3) Declared confidential by law.

33 If the requester has agreed to receive the information and material
34 set forth in this subsection by electronic mail, the public body shall,
35 if feasible, provide the information and material by electronic mail.

36 6. A public body may provide the public notice, information
37 and material required by this section by electronic mail. If a public
38 body makes such notice, information and material available by
39 electronic mail, the public body shall inquire of a person who
40 requests the notice, information or material if the person will accept
41 receipt by electronic mail. The inability of a public body, as a result
42 of technical problems with its electronic mail system, to provide a
43 public notice, information or material required by this section to a
44 person who has agreed to receive such notice, information or



1 material by electronic mail shall not be deemed to be a violation of
2 the provisions of this chapter.

3 7. As used in this section, "emergency" means an unforeseen
4 circumstance which requires immediate action and includes, but is
5 not limited to:

6 (a) Disasters caused by fire, flood, earthquake or other natural
7 causes; or

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

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

10 241.035 1. Each public body shall keep written minutes of
11 each of its meetings, including:

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

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

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

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

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

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

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

28 (b) *Except as otherwise provided in subsection 3, if the public*
29 *body is a public body that is a governing board, posted on a public*
30 *website on the Internet or its successor, if any,*

31 within ~~30~~ 60 working days after the adjournment of the meeting at
32 which *the minutes were* taken ~~[.]~~ *or, if the meeting was a meeting*
33 *of a public body that is a governing board, upon adoption and*
34 *approval of the minutes by the public body.* The minutes shall be
35 deemed to have permanent value and must be retained by the public
36 body *on the public website, if applicable, for at least 1 year and at*
37 *the office of the public body* for at least 5 years ~~[.]~~ *after the*
38 *adjournment of the meeting at which the minutes were taken.*

39 Thereafter, the minutes may be transferred for archival preservation
40 in accordance with NRS 239.080 to 239.125, inclusive. Minutes of
41 meetings closed pursuant to NRS 241.030 become public records
42 when the *public* body determines that the matters discussed no
43 longer require confidentiality and the person whose character,
44 conduct, competence or health was discussed has consented to their
45 disclosure ~~[.]~~ *in writing.* That person is entitled to a copy of the



1 minutes upon request whether or not ~~they~~ *the minutes* become
2 public records.

3 3. *A public body that is a governing board is not required by*
4 *paragraph (b) of subsection 2 to post any exhibits that are*
5 *included in the written minutes on the public website. If the public*
6 *body that is a governing board does not post such exhibits on the*
7 *public website, the public body shall:*

8 (a) *Post a list of those exhibits on the website with the written*
9 *minutes in which those exhibits are included; and*

10 (b) *Indicate the location at which those exhibits are available*
11 *for public inspection.*

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

16 ~~[4.]~~ 5. Each public body *that is not a governing board* may ,
17 *and, except as otherwise provided in NRS 360.130, each public*
18 *body that is a governing board shall*, record on audiotape or any
19 other means of sound reproduction each of its meetings, whether
20 public or closed. ~~[[~~ *An audio recording of* a meeting ~~is so~~
21 ~~recorded:~~

22 ~~—(a) The record must] :~~

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

25 (b) ~~[The record of a public meeting is]~~ *Except as otherwise*
26 *provided in this paragraph, is* a public record and must be made
27 available for inspection by the public ~~[during the time the record is~~
28 ~~retained:~~

29 ~~Any record made pursuant to this subsection must]~~ *within 10*
30 *working days after the adjournment of the meeting at which it was*
31 *recorded. An audio recording of any portion of a meeting that is*
32 *closed pursuant to NRS 241.030 becomes a public record when the*
33 *public body determines that the matters discussed no longer*
34 *require confidentiality and the person whose character, conduct,*
35 *competence or health was discussed has consented to its disclosure*
36 *in writing. That person is entitled to a copy of the audio recording*
37 *upon request whether or not the recording becomes a public*
38 *record.*

39 (c) *Must* be made available to the Attorney General upon
40 request.

41 ~~[5.—If a public body elects to record a public meeting pursuant~~
42 ~~to the provisions of subsection 4, any portion of that meeting which~~
43 ~~is closed must also be recorded and must be retained and made~~
44 ~~available for inspection pursuant to the provisions of subsection 2~~
45 ~~relating to records of closed meetings. Any record made pursuant to~~



1 ~~this subsection must be made available to the Attorney General~~
2 ~~upon request.]~~

3 **Sec. 4.** 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 funded on an actuarial reserve basis is hereby
7 established and must be known as the Judicial Retirement System.

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

16 3. The official correspondence and records, other than the files
17 of individual members of the System or retired justices or judges,
18 and , *except as otherwise provided in NRS 241.035*, the minutes ,
19 *audio recordings* and books of the System are public records and
20 are available for public inspection.

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

27 **Sec. 4.5.** Chapter 213 of NRS is hereby amended by adding
28 thereto a new section to read as follows:

29 *Except as otherwise provided in this chapter, a meeting or*
30 *hearing that may result in a recommendation or final decision to*
31 *grant, deny, continue or revoke the parole of a prisoner, certify a*
32 *prisoner pursuant to NRS 213.1214, commute a sentence, restore*
33 *a person's civil rights, grant a pardon or reprieve or remit a fine*
34 *or forfeiture is not subject to any provision of chapter 241 of NRS.*

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

36 231.090 The Executive Director of the Commission on
37 Economic Development shall direct and supervise all its
38 administrative and technical activities, including coordinating its
39 plans for economic development, promoting the production of
40 motion pictures, scheduling the Commission's programs, analyzing
41 the effectiveness of those programs and associated expenditures, and
42 cooperating with other governmental agencies which have programs
43 related to economic development. In addition to other powers and
44 duties, the Executive Director:



- 1 1. Shall attend all meetings of the Commission and act as its
- 2 Secretary, keeping minutes *and audio recordings* of its proceedings.
- 3 2. Shall report regularly to the Commission concerning the
- 4 administration of its policies and programs.
- 5 3. Shall report annually to the Governor and the Commission
- 6 regarding the work of the Commission and may make such special
- 7 reports as he considers desirable to the Governor.
- 8 4. May perform any other lawful acts which he considers
- 9 desirable to carry out the provisions of NRS 231.020 to 231.130,
- 10 inclusive.

11 **Sec. 6.** NRS 231.220 is hereby amended to read as follows:
12 231.220 The Executive Director of the Commission on
13 Tourism shall direct and supervise all its administrative and
14 technical activities, including coordinating its plans for tourism and
15 publications, scheduling its programs, analyzing the effectiveness of
16 those programs and associated expenditures, and cooperating with
17 other governmental agencies which have programs related to travel
18 and tourism. In addition to other powers and duties, the Executive
19 Director:

- 20 1. Shall attend all meetings of the Commission and act as its
- 21 Secretary, keeping minutes *and audio recordings* of its proceedings.
- 22 2. Shall report regularly to the Commission concerning the
- 23 administration of its policies and programs.
- 24 3. Shall serve as the Director of the Division of Tourism.
- 25 4. Shall appoint the Administrator of the Division of
- 26 Publications.
- 27 5. May perform any other lawful acts which he considers
- 28 necessary to carry out the provisions of NRS 231.160 to 231.360,
- 29 inclusive.

30 **Sec. 7.** NRS 233A.065 is hereby amended to read as follows:
31 233A.065 The Executive Director of the Commission shall:
32 1. Be jointly responsible to the Governor and the Commission.
33 2. Direct and supervise all the technical and administrative
34 activities of the Commission.
35 3. Attend all Commission meetings and act as Secretary,
36 keeping minutes *and audio recordings* of the proceedings.
37 4. Report to the Governor and the Commission all matters
38 concerning the administration of his office. He shall request the
39 advice of the Commission regarding matters of policy, but he is
40 responsible, unless otherwise provided by law, for the conduct of
41 the administrative functions of the Commission Office.
42 5. Compile, for Commission approval and submission to the
43 Governor, a biennial report regarding the work of the Commission
44 and such other matters as he may consider desirable.



1 6. Serve as contracting officer to receive ~~[funds]~~ *money* from
2 the Federal Government or other sources for such studies as the
3 Commission deems necessary.

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

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

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

11 233B.061 1. All interested persons must be afforded a
12 reasonable opportunity to submit data, views or arguments upon a
13 proposed regulation, orally or in writing.

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

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

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

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

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

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

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

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

42 244A.611 1. The board shall choose one of its members as
43 chairman and one of its members as vice chairman, and shall elect a
44 secretary and a treasurer, who may be members of the board. The
45 secretary and the treasurer may be one person.



1 2. The secretary shall keep ~~[]~~ *audio recordings of all meetings*
2 *and*, in a well-bound book, a record of all of the proceedings of the
3 board, minutes of all meetings, certificates, contracts, bonds given
4 by employees, and all other acts of the board. ~~[The]~~ *Except as*
5 *otherwise provided in NRS 241.035, the* minute book , *audio*
6 *recordings* and records ~~[shall]~~ *must* be open to the inspection of all
7 owners of real property in the county as well as to all other
8 interested persons, at all reasonable times and places.

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

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

16 266.250 1. The deliberations, sessions and proceedings of the
17 city council must be public.

18 2. The city council shall keep written minutes *and audio*
19 *recordings* of its own proceedings as required pursuant to NRS
20 241.035. The yeas and nays must be taken upon the passage of all
21 ordinances, and all propositions to create any liability against the
22 city, or to grant, deny, increase, decrease, abolish or revoke licenses,
23 and in all other cases at the request of any member of the city
24 council or of the mayor, which yeas and nays must be entered in the
25 minutes of its proceedings.

26 3. The affirmative vote of a majority of all the members elected
27 to the city council is necessary to pass any such ordinance or
28 proposition.

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

30 278.290 1. Meetings of the board ~~[shall]~~ *must* be held at the
31 call of the chairman and at such other times as the board may
32 determine. The chairman, or in his absence the acting chairman,
33 may administer oaths and compel the attendance of witnesses. All
34 meetings of the board ~~[shall]~~ *must* be open to the public.

35 2. The board shall adopt rules in accordance with the
36 provisions of any ordinance adopted pursuant to NRS 278.010 to
37 278.630, inclusive.

38 3. The board shall keep minutes of its proceedings, showing
39 the vote of each member upon each question, or, if absent or failing
40 to vote, indicating such fact, *and audio recordings of its*
41 *proceedings*, and shall keep records of its examinations and other
42 official actions, all of which ~~[shall]~~ *must* be filed immediately in the
43 office of the board and ~~[shall be a public record.]~~ , *except as*
44 *otherwise provided in NRS 241.035, are public records.*



1 **Sec. 12.** NRS 284.050 is hereby amended to read as follows:
2 284.050 1. The Governor shall designate one of the members
3 of the Commission as Chairman of the Commission.

4 2. The Director shall act as the nonvoting recording Secretary
5 of the Commission. He shall keep the minutes *and audio recordings*
6 of the proceedings of the Commission.

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

8 284.055 1. The members of the Commission may meet at the
9 times and places specified by the call of the Chairman or a majority
10 of the Commission, but a meeting of the Commission must be held
11 regularly at least once every 3 months.

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

16 3. The Commission shall keep minutes *and audio recordings*
17 of the transactions of each meeting. ~~[The]~~ *Except as otherwise*
18 *provided in NRS 241.035, the minutes and audio recordings* are
19 public records and must be filed with the Department.

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

21 286.110 1. A system of retirement providing benefits for the
22 retirement, disability or death of employees of public employers and
23 funded on an actuarial reserve basis is hereby established and must
24 be known as the Public Employees' Retirement System. The System
25 is a public agency supported by administrative fees transferred from
26 the retirement funds. The Executive and Legislative Departments of
27 the State Government shall regularly review the System.

28 2. The System is entitled to use any services provided to state
29 agencies and shall use the services of the Purchasing Division of the
30 Department of Administration, but is not required to use any other
31 service. The purpose of this subsection is to provide to the Board the
32 necessary autonomy for an efficient and economic administration of
33 the System and its program.

34 3. The official correspondence and records, other than the files
35 of individual members or retired employees, and , *except as*
36 *otherwise provided in NRS 241.035, the minutes , audio recordings*
37 and books of the System are public records and are available for
38 public inspection.

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

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

42 287.0438 Except for the files of individual members and
43 former members, the correspondence, files, minutes , *audio*
44 *recordings* and books of the Program are , *except as otherwise*
45 *provided in NRS 241.035, public records.*



1 **Sec. 15.5.** NRS 318.020 is hereby amended to read as follows:
2 318.020 As used in this chapter, unless the context otherwise
3 requires:

4 1. "Acquisition," "acquire" and "acquiring" each means
5 acquisition, extension, alteration, reconstruction, repair or other
6 improvement by purchase, construction, installation, reconstruction,
7 condemnation, lease, rent, gift, grant, bequest, devise, contract or
8 other acquisition, or any combination thereof.

9 2. "Board of trustees" and "board" alone each means the board
10 of trustees of a district.

11 3. "FM radio" means a system of radio broadcasting by means
12 of frequency modulation.

13 4. "General improvement district" and "district" alone each
14 means any general improvement district organized or, in the case of
15 organizational provisions, proposed to be organized, pursuant to this
16 chapter.

17 5. "Mail" means a single mailing first class or its equivalent,
18 postage prepaid, by deposit in the United States mails, at least 15
19 days before the designated time or event.

20 6. "Project" and "improvement" each means any structure,
21 facility, undertaking or system which a district is authorized to
22 acquire, improve, equip, maintain or operate. A project may consist
23 of all kinds of personal and real property, including, but not limited
24 to, land, elements and fixtures thereon, property of any nature
25 appurtenant thereto or used in connection therewith, and every
26 estate, interest and right therein, legal or equitable, including terms
27 for years, or any combination thereof.

28 7. "Publication" means publication ~~[at least once a week for 3~~
29 ~~consecutive weeks in at least]~~ one *time in a* newspaper of general
30 circulation in the district ~~[. It is not necessary that publication be~~
31 ~~made on the same day of the week in each of the 3 calendar weeks,~~
32 ~~but the first publication must be]~~ at least 15 days before the
33 designated time or event.

34 8. "Qualified elector" means a person who has registered to
35 vote in district elections.

36 9. "Special assessment district" means any local public
37 improvement district organized within a general improvement
38 district by the board of trustees of such general improvement district
39 pursuant to this chapter.

40 10. "Trustees" means the members of a board.

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

42 318.085 Except as otherwise provided in NRS 318.0953 and
43 318.09533:

44 1. After taking oaths and filing bonds, the board shall choose
45 one of its members as chairman of the board and president of the



1 district, and shall elect a secretary and a treasurer of the board and
2 of the district, who may or may not be members of the board. The
3 secretary and the treasurer may be one person.

4 2. The board shall adopt a seal.

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

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

24 5. Each member of a board of trustees of a district organized or
25 reorganized pursuant to this chapter may receive as compensation
26 for his service not more than ~~[\$6,000]~~ *\$9,000* per year, payable
27 monthly, if the budget is adequate and a majority of the members of
28 the board vote in favor of such compensation, but no member of the
29 board may receive any other compensation for his service to the
30 district as an employee or otherwise. ~~[A]~~ *Each* member of the board
31 ~~[is not entitled to receive as compensation more than \$1,800 per~~
32 ~~year if the additional compensation is approved during the term of~~
33 ~~the member.]~~ *must receive the same compensation. If a majority of*
34 *the members of the board vote in favor of an increase in the*
35 *compensation of the trustees, the increase may not take effect until*
36 *January 1 following the next biennial election of the district as set*
37 *forth in NRS 318.095.*

38 **Sec. 16.2.** NRS 318.197 is hereby amended to read as follows:

39 318.197 1. The board may fix, and from time to time increase
40 or decrease, electric energy, cemetery, swimming pool, other
41 recreational facilities, television, FM radio, sewer, water, storm
42 drainage, flood control, snow removal, lighting, garbage or refuse
43 rates, tolls or charges other than special assessments, including, but
44 not limited to, service charges and standby service charges, for
45 services or facilities furnished by the district, charges for the



1 availability of service, annexation charges, and minimum charges,
2 and pledge the revenue for the payment of any indebtedness or
3 special obligations of the district.

4 2. Upon compliance with subsection 9 and until paid, all rates,
5 tolls or charges constitute a perpetual lien on and against the
6 property served. A perpetual lien is prior and superior to all liens,
7 claims and titles other than liens of general taxes and special
8 assessments and is not subject to extinguishment by the sale of any
9 property on account of nonpayment of any liens, claims and titles
10 including the liens of general taxes and special assessments. A
11 perpetual lien must be foreclosed in the same manner as provided by
12 the laws of the State of Nevada for the foreclosure of mechanics'
13 liens. Before any lien is foreclosed, the board shall hold a hearing
14 thereon after providing notice thereof by publication and by
15 registered or certified first-class mail, postage prepaid, addressed to
16 the last known owner at his last known address according to the
17 records of the district and the real property assessment roll in the
18 county in which the property is located.

19 3. The board shall prescribe and enforce regulations for the
20 connection with and the disconnection from properties of the
21 facilities of the district and the taking of its services.

22 4. The board may provide for the collection of charges.
23 Provisions may be made for, but are not limited to:

24 (a) The granting of discounts for prompt payment of bills.

25 (b) The requiring of deposits or the prepayment of charges in an
26 amount not exceeding 1 year's charges from persons receiving
27 service and using the facilities of the enterprise or from the owners
28 of property on which or in connection with which services and
29 facilities are to be used. In case of nonpayment of all or part of a
30 bill, the deposits or prepaid charges must be applied only insofar as
31 necessary to liquidate the cumulative amount of the charges plus
32 penalties and cost of collection.

33 (c) The requiring of a guaranty by the owner of property that the
34 bills for service to the property or the occupants thereof will be paid.

35 5. The board may provide for a basic penalty for nonpayment
36 of the charges within the time and in the manner prescribed by it.
37 The basic penalty must not be more than 10 percent of each month's
38 charges for the first month delinquent. In addition to the basic
39 penalty, the board may provide for a penalty of not exceeding 1.5
40 percent per month for nonpayment of the charges and basic penalty.

41 ~~[On the first day of the calendar month following the date of~~
42 ~~payment specified in the bill the]~~ ***The board may prescribe and***
43 ***enforce regulations that set forth the date on which a*** charge
44 becomes delinquent . ~~[if the bill or that portion thereof which is not~~



1 ~~in bona fide dispute remains unpaid.]~~ The board may provide for
2 collection of the penalties provided for in this section.

3 6. The board may provide that charges for any service must be
4 collected together with and not separately from the charges for any
5 other service rendered by it, and that all charges must be billed upon
6 the same bill and collected as one item.

7 7. The board may enter into a written contract with any person,
8 firm or public or private corporation providing for the billing and
9 collection by the person, firm or corporation of the charges for the
10 service furnished by any enterprise. If all or any part of any bill
11 rendered by the person, firm or corporation pursuant to a contract is
12 not paid and if the person, firm or corporation renders any public
13 utility service to the person billed, the person, firm or corporation
14 may discontinue its utility service until the bill is paid, and the
15 contract between the board and the person, firm or corporation may
16 so provide.

17 8. As a remedy established for the collection of due and unpaid
18 deposits and charges and the penalties thereon an action may be
19 brought in the name of the district in any court of competent
20 jurisdiction against the person or persons who occupied the property
21 when the service was rendered or the deposit became due or against
22 any person guaranteeing payment of bills, or against any or all such
23 persons, for the collection of the amount of the deposit or the
24 collection of delinquent charges and all penalties thereon.

25 9. A lien against the property served is not effective until a
26 notice of the lien, separately prepared for each lot affected, is:

27 (a) Mailed to the last known owner at his last known address
28 according to the records of the district and the real property
29 assessment roll of the county in which the property is located;

30 (b) Delivered by the board to the office of the county recorder of
31 the county within which the property subject to such lien is located;

32 (c) Recorded by the county recorder in a book kept by him for
33 the purpose of recording instruments encumbering land; and

34 (d) Indexed in the real estate index as deeds and other
35 conveyances are required by law to be indexed.

36 **Sec. 16.4.** NRS 318.490 is hereby amended to read as follows:

37 318.490 1. Except as otherwise provided in NRS 318.492,
38 whenever a majority of the members of the board of county
39 commissioners of any county deem it to be in the best interests of
40 the county and of the district that the district be merged,
41 consolidated or dissolved, it shall so determine by ordinance, after
42 there is first found, determined and recited in the ordinance that:

43 (a) All outstanding indebtedness and bonds of all kinds of the
44 district have been paid or will be assumed by the resulting merged
45 or consolidated unit of government.



1 (b) The services of the district are no longer needed or can be
2 more effectively performed by an existing unit of government.

3 2. ~~The~~ *If a board of county commissioners determines to*
4 *merge, consolidate or dissolve a district that was, on October 1,*
5 *2003, exercising powers pursuant to NRS 318.140, 318.142 and*
6 *318.144, in addition to meeting the requirements set forth in*
7 *subsection 1, within 90 days after the ordinance is adopted by the*
8 *board of county commissioners, the ordinance must be adopted by*
9 *a majority of the board of trustees of the district that is being*
10 *merged, consolidated or dissolved. A district described in this*
11 *subsection may not be merged, consolidated or dissolved if the*
12 *ordinance is not adopted by the board of the district.*

13 3. *After an ordinance has been adopted pursuant to*
14 *subsection 1 and, if applicable, subsection 2, the county clerk shall*
15 *thereupon certify a copy of the ordinance to the board of the district*
16 *and shall mail written notice to all property owners within the*
17 *district in his county, containing the following:*

18 (a) The adoption of the ordinance ~~is~~ *by the board of county*
19 *commissioners and, if applicable, by the board of the district;*

20 (b) The determination of the board of county commissioners that
21 the district should be dissolved, merged or consolidated; and

22 (c) The time and place for hearing on the dissolution, merger or
23 consolidation.

24 **Sec. 16.6.** NRS 318.492 is hereby amended to read as follows:

25 318.492 1. If all the territory within a district organized
26 pursuant to this chapter is included within the boundaries of a city
27 incorporated under the provisions of chapter 266 of NRS, the board
28 of county commissioners of the county shall, within 90 days after
29 the filing of the notice required by NRS 266.033, adopt an ordinance
30 providing for the merger of the district with the city and fixing a
31 time and place for a hearing on the merger.

32 2. The county clerk shall certify a copy of the ordinance and
33 give notice of its adoption in the manner provided by subsection ~~2~~
34 **3** of NRS 318.490.

35 3. The board of county commissioners shall thereafter proceed
36 to hear and determine the matter as provided in NRS 318.495 and
37 318.500.

38 **Sec. 16.8.** NRS 360.130 is hereby amended to read as follows:

39 360.130 1. The Executive Director shall:

40 (a) Keep full and correct records of all transactions and
41 proceedings of the Nevada Tax Commission, the State Board of
42 Equalization and the Department. *Notwithstanding the provisions*
43 *of NRS 241.035, the Nevada Tax Commission, the State Board of*
44 *Equalization and the Department are not required to record a*
45 *meeting on audiotape or any other means of sound reproduction,*



1 *provided that the meeting is transcribed in its entirety by a court*
2 *reporter who is certified pursuant to chapter 656 of NRS.*

3 (b) Perform such other duties as may be required.
4 2. The Nevada Tax Commission shall have the power to
5 authorize the Executive Director or any other officer of the
6 Department to hold hearings or make investigations, and upon any
7 such hearing , the Executive Director or officer shall have the
8 authority to examine books, compel the attendance of witnesses,
9 administer oaths and conduct investigations.

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

11 361.365 1. Each county board of equalization shall, at the
12 expense of the county, cause complete minutes *and an audio*
13 *recording* to be taken at each hearing. ~~[These]~~ *In addition to the*
14 *requirements of NRS 241.035, these* minutes must include the title
15 of all exhibits, papers, reports and other documentary evidence
16 submitted to the county board of equalization by the complainant.
17 The clerk of the county board of equalization shall forward the
18 minutes *and audio recordings* to the Secretary of the State Board of
19 Equalization.

20 2. If a transcript of any hearing held before the county board of
21 equalization is requested by the complainant, he shall furnish the
22 reporter, pay for the transcript and deliver a copy of the transcript to
23 the clerk of the county board of equalization and the Secretary of the
24 State Board of Equalization upon filing an appeal.

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

26 380.050 1. The members of the board of law library trustees
27 shall appoint one of their number as president.

28 2. They shall elect a secretary who shall:

29 (a) Keep a full statement and account of all property, money,
30 receipts and expenditures of the board, unless the board delegates
31 that duty.

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

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

37 (a) Define the powers and prescribe the duties of any and all
38 officers;

39 (b) Determine the number and elect all necessary subordinate
40 officers and assistants;

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

42 (d) Fix the salaries of the secretary and other subordinate
43 officers and assistants.



1 **Sec. 19.** NRS 384.070 is hereby amended to read as follows:
2 384.070 1. The Commission may establish and maintain an
3 office in Virginia City, Storey County, Nevada, in which , *except as*
4 *otherwise provided in NRS 241.035*, there ~~{shall}~~ *must* be at all
5 times open to public inspection a complete record of applications for
6 certificates of appropriateness and their disposition, minutes *and*
7 *audio recordings* of the Commission's meetings, and any
8 regulations adopted by the Commission.

9 2. The Commission shall maintain a library in the office for the
10 purpose of guiding applicants in their design or embellishment of
11 the exterior of their buildings, new or remodeled. The library ~~{shall}~~
12 *must* consist of, but not be limited to, documents, paintings,
13 photographs, drawings and histories descriptive of the period which
14 are deemed appropriate guidelines to the applicant. A card index
15 system ~~{shall}~~ *must* also be made and maintained for reference to
16 more comprehensive information in libraries other than the one
17 maintained by the Commission.

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

19 386.325 The clerk shall:

20 1. Keep the minutes *and audio recordings* of all meetings and
21 transactions of the board of trustees.

22 2. Subject to the written direction of the board of trustees, draw
23 all orders for the payment of moneys belonging to the school
24 district.

25 **Sec. 21.** NRS 417.160 is hereby amended to read as follows:

26 417.160 1. The Nevada Veterans' Services Commission shall
27 annually choose one of its members to serve as Chairman and one of
28 its members to serve as Vice Chairman.

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

32 3. Members of the Veterans' Services Commission are entitled
33 to receive:

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

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

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

41 422.110 1. The members of the Board shall meet twice each
42 calendar year to consider any issues related to public assistance and
43 other programs for which the Welfare Division is responsible that
44 may be of importance to members of the general public, the
45 Governor or the Welfare Division, at such places as the Board,



1 the Chairman of the Board, the State Welfare Administrator or the
2 Director deems appropriate.

3 2. Four members of the Board constitute a quorum, and a
4 quorum may exercise all the power and authority conferred on the
5 Board.

6 3. The Board shall:

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

10 (b) Keep minutes of all meetings of the Board, which must
11 include records of testimony and written comments presented to the
12 Board, and *audio recordings of all meetings of the Board* and file
13 the minutes *and audio recordings* with the Welfare Division. ~~The~~
14 *Except as otherwise provided in NRS 241.035, the minutes and*
15 *audio recordings* must be maintained as public records.

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

17 422.224 1. Before adopting, amending or repealing any
18 regulation for the administration of a program of public assistance
19 or any other program for which the Welfare Division is responsible,
20 the State Welfare Administrator shall give at least 30 days' notice of
21 his intended action.

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

23 (a) Include a statement of the need for and purpose of the
24 proposed regulation, and either the terms or substance of the
25 proposed regulation or a description of the subjects and issues
26 involved, and of the time when, the place where ~~it~~ and the manner
27 in which, interested persons may present their views thereon.

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

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

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

36 3. All interested persons must be afforded a reasonable
37 opportunity to submit data, views or arguments upon a proposed
38 regulation, orally or in writing. The State Welfare Administrator
39 shall consider fully all oral and written submissions relating to the
40 proposed regulation.

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



1 ~~—5. The State Welfare Administrator may record each public~~
2 ~~hearing held pursuant to this section and make those recordings~~
3 ~~available for public inspection in the manner provided in subsection~~
4 ~~4 of] NRS 241.035.~~

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

8 **Sec. 24.** NRS 422.2369 is hereby amended to read as follows:
9 422.2369 1. Before adopting, amending or repealing any
10 regulation for the administration of a program of public assistance
11 or any other program for which the Division of Health Care
12 Financing and Policy is responsible, the Administrator shall give at
13 least 30 days' notice of his intended action.

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

15 (a) Include a statement of the need for and purpose of the
16 proposed regulation, and either the terms or substance of the
17 proposed regulation or a description of the subjects and issues
18 involved, and of the time when, the place where ~~[]~~ and the manner
19 in which, interested persons may present their views thereon.

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

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

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

28 3. All interested persons must be afforded a reasonable
29 opportunity to submit data, views or arguments upon a proposed
30 regulation, orally or in writing. The Administrator shall consider
31 fully all oral and written submissions relating to the proposed
32 regulation.

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

37 ~~—5. The Administrator may record each public hearing held~~
38 ~~pursuant to this section and make those recordings available for~~
39 ~~public inspection in the manner provided in subsection 4 of]~~
40 ~~NRS 241.035.~~

41 ~~[6.] 5.~~ An objection to any regulation on the ground of
42 noncompliance with the procedural requirements of this section may
43 not be made more than 2 years after its effective date.



1 **Sec. 25.** NRS 451.370 is hereby amended to read as follows:
2 451.370 The Committee shall keep full and complete minutes
3 *and an audio recording* of each meeting of the Committee and a
4 complete record of all dead human bodies received and distributed
5 by it and of the persons to whom the bodies may be distributed. The
6 minutes , *audio recordings* and records must be open at all times to
7 the inspection of each member of the Committee and of the district
8 attorney of any county within the State. A report of the activities of
9 the Committee must be made before September 1 of each even-
10 numbered year covering the biennium ending June 30 of such year
11 to the Presidents of the University and Community College System
12 of Nevada and to the State Board of Health. One of the members of
13 the Committee from the University and Community College System
14 of Nevada must act as Secretary and ~~{shall be}~~ *is* responsible for
15 preparing and maintaining a complete file of such minutes , *audio*
16 *recordings* and records.

17 **Sec. 26.** NRS 497.220 is hereby amended to read as follows:
18 497.220 1. The board of adjustment shall adopt rules in
19 accordance with the provisions of the ordinance or resolution by
20 which it was created.

21 2. Meetings of the board ~~{shall}~~ *must* be held at the call of the
22 chairman and at such other times as the board may determine.

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

25 4. All hearings of the board ~~{shall}~~ *must* be public.

26 5. The board shall:

27 (a) Keep minutes of its proceedings, showing the vote of each
28 member upon each question, or, if absent or failing to vote,
29 indicating such fact ~~{,}~~ *and audio recordings of its proceedings.*

30 (b) Keep records of its examinations and other official actions,
31 all of which ~~{shall}~~ *must* immediately be filed in the office of the
32 board and ~~{shall be a public record.}~~ *are public records.*

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

34 513.043 1. The members of the Commission shall select a
35 Chairman from among their number who shall serve at the pleasure
36 of the Commission.

37 2. The Administrator shall serve as Secretary of the
38 Commission and shall keep the minutes *and audio recordings* of its
39 proceedings.

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

41 513.053 1. The Commission shall meet at such times and at
42 such places as is specified by the call of the Chairman or a majority
43 of the Commission, but a meeting of the Commission must be held
44 at least once every 4 months. In case of emergency, special meetings
45 may be called by the Chairman or by the Administrator.



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

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

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

6 541.110 1. Each director before entering upon his official
7 duties shall take and subscribe to an oath, before a person authorized
8 to administer oaths, that he will support the Constitutions of the
9 United States and the State of Nevada and will honestly, faithfully
10 and impartially perform the duties of his office.

11 2. Upon taking oath, the board shall choose one of their
12 number chairman of the board and president of the district, and shall
13 elect some suitable person secretary of the board and of the district,
14 who may or may not be a member of the board. The board shall
15 adopt a seal and shall keep *audio recordings of all meetings and*, in
16 a well-bound book, a record of all its proceedings, minutes of all
17 meetings, certificates, contracts, bonds given by employees and all
18 corporate acts, which, *except as otherwise provided in NRS*
19 *241.035*, must be open to inspection of all owners of property in the
20 district, as well as to all other interested persons.

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

26 **Sec. 30.** NRS 543.330 is hereby amended to read as follows:

27 543.330 1. The board shall meet in July of each year to
28 organize and choose one of its members as chairman of the board
29 and president of the district, and elect a secretary of the board and of
30 the district, who may or may not be a member of the board.

31 2. The county treasurer is the treasurer of the board and of the
32 district.

33 3. The secretary shall keep ~~and~~ *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, certificates, contracts, bonds
36 given by employees, and all corporate acts, which, *except as*
37 *otherwise provided in NRS 241.035*, must be open to inspection by
38 all owners of real property in the district as well as other interested
39 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 ~~and~~
42 in permanent records.

43 5. No member of the board may receive compensation for his
44 services, but members may be reimbursed for their necessary
45 expenses in attending district meetings and for necessary expenses



1 incurred in traveling within and without the State when required to
2 carry out the affairs of the district.

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

4 561.085 1. The Board shall elect one of its members as
5 Chairman of the Board.

6 2. The Director shall act as the nonvoting recording Secretary
7 of the Board and shall keep the minutes *and audio recordings* of the
8 proceedings of the Board.

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

10 561.095 1. The members of the Board may meet at such
11 times and at such places as may be specified by the call of the
12 Chairman or a majority of the Board , and a meeting of the Board
13 may be held regularly at least once every 3 months. In case of an
14 emergency, special meetings may be called by the Chairman or by
15 the Director.

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

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

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

22 563.191 1. The Council shall elect a Chairman from among
23 its members. A Chairman may only succeed himself as Chairman
24 twice.

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

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

31 590.505 1. The Board may adopt a seal for its own use which
32 must have imprinted thereon the words "Board for the Regulation of
33 Liquefied Petroleum Gas." The care and custody of the seal is the
34 responsibility of the Secretary-Treasurer of the Board.

35 2. The Board may appoint an Executive Secretary and may
36 employ or, pursuant to NRS 284.173, contract with such other
37 technical, clerical or investigative personnel as it deems necessary.
38 The Board shall fix the compensation of the Executive Secretary
39 and all other employees and independent contractors. Such
40 compensation must be paid out of the money of the Board. The
41 Board may require the Executive Secretary and any other employees
42 and independent contractors to give a bond to the Board for the
43 faithful performance of their duties, the premiums on the bond being
44 paid out of the money of the Board.



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

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

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

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

12 5. The Board shall keep accurate records , ~~and~~ minutes *and*
13 *audio recordings* of all meetings and , *except as otherwise provided*
14 *in NRS 241.035*, the records , ~~and~~ minutes *and audio recordings*
15 so kept must be open to public inspection at all reasonable times.
16 The Board shall also keep a record of all applications for licenses,
17 and licenses issued by it. The record of applications and licenses is a
18 public record.

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

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

23 Sec. 3.040 City Clerk: Office; duties. The City Clerk
24 shall:

25 1. Keep his office at the place of meeting of the City
26 Council or some other place convenient thereto, as the City
27 Council may direct.

28 2. Keep the corporate seal and all papers and records of
29 the City and keep a record of the proceedings of, and be the
30 Clerk of the City Council, whose meetings it shall be his duty
31 to attend. Copies of all papers filed in his office, and
32 transcripts from all records of the City Council certified by
33 him, under the corporate seal, shall be evidence in all courts
34 to the same effect as if the original were produced.

35 3. Supervise and coordinate administrative and
36 responsible clerical work relating to the functions of the City
37 Council.

38 4. Attend all meetings of the City Council.

39 5. Record votes of members of the City Council.

40 6. Direct the transcription and keeping of minutes and
41 official records *and the making and keeping of audio*
42 *recordings* of all City Council meetings.



- 1 7. Countersign official contracts, bonds and other
- 2 official city documents.
- 3 8. Be the custodian of all official city records, including
- 4 contract and agreement documents, resolutions, ordinances,
- 5 official minute book and the corporate seal.
- 6 9. Make arrangements for special or informal meetings
- 7 other than the regular meetings of the City Council.
- 8 10. Supervise the operation and maintenance of a central
- 9 file system for all departments of the City.
- 10 11. Supervise the recruitment of all election workers, the
- 11 printing of all ballots and tally of election returns.
- 12 12. Serve as custodian of official election records for all
- 13 city elections.
- 14 13. Administer official oaths for the City.

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

19 Sec. 9. 1. The Board shall adopt a seal, establish a
 20 principal place of business and adopt, and thereafter from
 21 time to time amend, if necessary, appropriate rules and
 22 regulations not inconsistent with this act for carrying on the
 23 business and affairs of the Board and of the Authority. Each
 24 member shall, upon election or acceptance of his
 25 appointment, file with the Clerk of Elko County his oath of
 26 office.

27 2. No member may receive any compensation as an
 28 employee of the Board or otherwise, and a member of the
 29 Board shall not be interested in any contract or transaction
 30 with the Board except in his official representative capacity.

31 3. At the first meeting of the Board following each
 32 general authority election, the Board shall choose one of its
 33 members as Chairman and one of its members as Vice
 34 Chairman, and shall appoint or hire a Secretary and a
 35 Treasurer, who must not be members of the Board. The
 36 Secretary and Treasurer may not be one person.

37 4. The Secretary shall keep *audio recordings of all*
 38 *meetings of the Board and* a record of all of the proceedings
 39 of the Board, minutes of all meetings, certificates, contracts,
 40 bonds given by employees, and all other acts of the Board.
 41 ~~[The]~~ *Except as otherwise provided in NRS 241.035, the*
 42 *minute book , audio recordings* and records are open to the
 43 inspection of all interested persons, at all reasonable times
 44 and places.



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

7 6. The Board shall appoint the Elko County Treasurer
8 and Auditor to act as Treasurer and Auditor of the Authority.
9 The Treasurer and Auditor may employ such persons as are
10 necessary to carry out the duties of the Treasurer and Auditor
11 of the Authority. The Board shall determine the salary of each
12 person employed pursuant to this subsection. The salaries and
13 expenses of the employees must be paid by the Board from
14 the money of the Authority.

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

19 8. The Board may require from an officer or employee
20 of the Authority, except a member of the Board, sufficient
21 security for the faithful and honest performance of his duties.
22 A blanket fidelity bond or blanket position bond, or other
23 type of bond suitable for public employees or officers, may
24 be furnished at the expense of the Authority for an officer or
25 employee of the Authority, in an amount set by the Board and
26 conditioned on the faithful and honest performance of his
27 duties.

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

32 Sec. 7. 1. The Board shall choose one of its members
33 as Chairman and one of its members as Vice Chairman, and
34 shall elect a Secretary and a Treasurer, who may be members
35 of the Board. The Secretary and the Treasurer may be one
36 person. The terms of the officers expire on July 1 of each
37 year.

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

- 40 (a) The City of Reno;
- 41 (b) The City of Sparks;
- 42 (c) Washoe County; and



1 (d) The County Fair and Recreation Board of Washoe
2 County.

3 3. The Secretary shall keep ~~the~~ *audio recordings of all*
4 *meetings of the Board and*, in a well-bound book, a record of
5 all of the proceedings of the Board, minutes of all meetings,
6 certificates, contracts, bonds given by employees, and all
7 other acts of the Board. ~~The~~ *Except as otherwise provided*
8 *in NRS 241.035, the* minute book , *audio recordings* and
9 records must be open to the inspection of all interested
10 persons, at all reasonable times and places.

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

17 **Sec. 40.** Section 7 of the Airport Authority Act for Battle
18 Mountain, being chapter 458, Statutes of Nevada 1983, at page
19 1210, is hereby amended to read as follows:

20 Sec. 7. 1. The Board shall elect a Chairman, Vice
21 Chairman, Secretary and Treasurer, who must be members of
22 the Board. The Secretary and the Treasurer may be one
23 person. The terms of the officers expire on the date their
24 successors are elected and qualified in the general election.

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

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

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

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



1 2. The Secretary shall keep *audio recordings of all*
2 *meetings of the Board and* a record of all of the proceedings
3 of the Board, minutes of all meetings, certificates, contracts,
4 bonds given by employees, and all other acts of the Board.
5 ~~[The]~~ *Except as otherwise provided in NRS 241.035, the*
6 records must be open to the inspection of all interested
7 persons, at a reasonable time and place.

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

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

18 Sec. 4. 1. Each Commissioner appointed pursuant to
19 paragraph (b), (c), (d) or (e) of subsection 1 of section 3 of
20 this act shall file his oath of office with the clerk of the
21 county from which he was appointed, and all other
22 Commissioners shall file their oaths of office with the Clerk
23 of Carson City.

24 2. The Commissioners must serve without
25 compensation, but a Commissioner may be reimbursed for
26 expenses actually incurred by him for travel authorized by the
27 Commission.

28 3. The Commission shall elect a Chairman, Vice
29 Chairman, Secretary and Treasurer from among its members.
30 The Secretary and the Treasurer may be one person. The
31 terms of the officers expire on July 1 of each odd-numbered
32 year.

33 4. The Secretary shall maintain *audio recordings of all*
34 *meetings of the Commission and* a record of all of the
35 proceedings of the Commission, minutes of all meetings,
36 certificates, contracts and other acts of the Commission. ~~[The]~~
37 *Except as otherwise provided in NRS 241.035, the* records
38 must be open to the inspection of all interested persons at a
39 reasonable time and place.

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



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

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

7 2. A majority of the Commissioners constitutes a
8 quorum at any meeting.

9 3. The governing bodies shall each make available an
10 appropriate meeting room and provide adequate clerical staff
11 and equipment to provide adequate notice of the meeting and
12 to produce minutes *and audio recordings* of the meeting and
13 any other assistance necessary to allow the Commission to
14 comply with the provisions of chapter 241 of NRS.

15 4. The Commission shall alternate the location of
16 its meetings among the facilities provided pursuant to
17 subsection 3.

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

