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**A.B. 70**

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ASSEMBLY BILL NO. 70—COMMITTEE  
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 20, 2018

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the Open Meeting Law.  
(BDR 19-421)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 7, 13-36)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

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AN ACT relating to meetings of public bodies; making various changes relating to meetings of public bodies; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

The Open Meeting Law requires a public body to ensure that members of the public body and the public present at a meeting can hear or observe and participate in the meeting if any member of the public body is present by means of teleconference or videoconference. (NRS 241.010) **Section 2** of this bill provides instead that if a member of the public body attends a meeting of the public body by means of

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40 teleconference or videoconference, the chair of the public body must ensure that  
41 members of the public body and the public can hear or observe each member  
42 attending by teleconference or videoconference. **Section 4** of this bill makes a  
43 conforming change.  
44 **Section 2** authorizes, under certain circumstances, a member of the public who is the  
45 subject of an action item on an agenda of a public meeting to attend and participate  
46 in the meeting by teleconference or videoconference.  
47 Existing law sets forth the circumstances when a public body is required to comply  
48 with the Open Meeting Law. Under existing law, a public body may gather to receive  
49 information from an attorney employed or retained by the public body regarding  
50 certain matters without complying with the Open Meeting Law. (NRS 241.015)  
51 **Section 3** of this bill clarifies that any action taken by a public body arising out of  
52 any such gathering must be taken in a meeting held in compliance with the Open  
53 Meeting Law.  
54 **Section 5** of this bill authorizes, under certain circumstances, a public body to gather  
55 to receive training regarding its legal obligations without complying with the Open  
56 Meeting Law.  
57 **Section 5** requires, under certain circumstances, a subcommittee or working group  
58 of a public body to comply with the provisions of the Open Meeting Law.  
59 The Open Meeting Law requires a public body to make supporting material for a  
60 meeting of the public body available to the public upon request. (NRS 241.020)  
61 **Section 5** defines the term "supporting material."  
62 The Open Meeting Law sets forth the minimum public notice required for meetings  
63 of public bodies, including the posting of an agenda. (NRS 241.020) **Section 6** of this  
64 bill requires that an agenda include an item on which action may be taken by the  
65 public body to approve the agenda before proceeding with any other action item.  
66 **Section 6** also requires the chair of the public body to end the meeting if a quorum  
67 does not approve the agenda.  
68 Existing law requires a public body to keep written minutes of each of its meetings  
69 and provides that minutes of a meeting are public records that must be made available  
70 for inspection. (NRS 241.035) **Section 7** of this bill requires a public body to have  
71 draft minutes of a meeting available for inspection within 30 working days after  
72 adjournment of the meeting until the public body approves the minutes. **Sections 13-**  
73 **36** of this bill make conforming changes.  
74 Existing law requires a public body to have a meeting recorded on audiotape or  
75 transcribed by a court reporter. (NRS 241.035) **Section 7** provides that a transcript  
76 prepared by a court reporter qualifies as written minutes of the public body. Existing  
77 law provides that if a public body takes certain corrective action within 30 days after  
78 an alleged violation, the Attorney General may decide not to commence prosecution  
79 of the alleged violation. If the public body takes such corrective action, the deadline  
80 for the Attorney General to file a lawsuit against the public body to take corrective  
81 action is extended by 30 days. (NRS 241.0365) **Section 8** of this bill extends by 60  
82 days the deadline by which such law suits may be filed when the public body takes  
83 certain corrective action.  
84 Existing law authorizes the Attorney General or a member of the public to sue a  
85 public body: (1) within 60 days after an alleged violation to have an action by the  
86 public body declared void; or (2) within 120 days after an alleged violation to require  
87 the public body to comply with the Open Meeting Law. (NRS 241.037)  
88 **Section 9** of this bill tolls the statutes of limitations for filing these actions if the  
89 Attorney General issues a finding that a violation of the Open Meeting Law occurred  
90 before the expiration of the statutes of limitations.

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91 Under existing law, the Attorney General is required to investigate and prosecute any  
92 violation of the Open Meeting Law. (NRS 241.039) **Section 10** of this bill: (1)  
93 requires the Attorney General to investigate and prosecute a violation of the Open  
94 Meeting Law if a complaint is filed not later than 120 days after the alleged violation;  
95 and (2) gives the Attorney General discretion to investigate and prosecute a violation  
96 of the Open Meeting Law if a complaint is filed more than 120 days after the alleged  
97 violation.

98 **Section 10** requires: (1) the Attorney General to issue certain findings upon  
99 completion of an investigation; and (2) a public body to submit a response to the  
100 findings of the Attorney General not later than 14 days after receipt of the Attorney  
101 General's findings.

102 Existing law makes each member of a public body who attends a meeting where  
103 action is taken in violation of the Open Meeting Law with knowledge of the fact that  
104 the meeting is in violation guilty of a misdemeanor and subject to a civil penalty of  
105 \$500. (NRS 241.040) **Section 12** of this bill provides instead that each member of a  
106 public body who: (1) attends a meeting where any violation of the Open Meeting Law  
107 occurs; and (2) has knowledge of the violation is guilty of a misdemeanor and subject  
108 to an administrative fine, the amount of which is

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109 graduated for multiple offenses. **Section 12** also creates an exception to these  
110 penalties and fines where the member violated the Open Meeting Law based on  
111 legal advice provided by an attorney employed or retained by the public body.

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 the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1. A member of a public body may attend a meeting**  
4 **of the public body by means of teleconference or videoconference.**  
5 **If any member of a public body attends a meeting by means of**  
6 **teleconference or videoconference, the chair of the public body, or**  
7 **his or her designee, must make reasonable efforts to ensure that:**

8 (a) **Members of the public body and members of the public**  
9 **present at the meeting can hear or observe each member attending**  
10 **by teleconference or videoconference; and**

11 (b) **Each member of the public body in attendance can**  
12 **participate in the meeting.**

13 **2. If there is otherwise a quorum that is understandable**  
14 **at the meeting an action taken in violation of this section is not void.**

15 **Sec. 3 1. A public body may delegate authority to the Chair or**  
16 **the Executive Director, or both, to make any decisions in litigation**  
17 **concerning any action or proceeding in which the public body or any**  
18 **member or employee of the public body is a party in an official**  
19 **capacity or participates or intervenes in an official capacity.**

20 **2. A member of the public who is the subject of an action item**  
21 **on the agenda of a meeting may attend and participate in the**  
22 **meeting by means of teleconference or videoconference at the**  
23 **discretion of the chair of the public body.**

24 **Sec. 3. Any action taken by a public body arising out of a**  
25 **gathering of one or more members of the public body and an**  
26 **attorney employed or retained by the public body must be taken in**  
27 **a meeting held in compliance with this chapter.**

28 **Sec. 4.** NRS 241.010 is hereby amended to read as follows:

29 241.010 ~~(1)~~ In enacting this chapter, the Legislature finds  
30 and declares that all public bodies exist to aid in the conduct of the

Commented [GDO1]: Change #1

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24 people's business. It is the intent of the law that their actions be  
25 taken openly and that their deliberations be conducted openly.

26 ~~[2- If any member of a public body is present by means of  
27 teleconference or videoconference at any meeting of the public  
28 body, the public body shall ensure that all the members of the public  
29 body and the members of the public who are present at the meeting  
30 can hear or observe and participate in the meeting.]~~

30 **Sec. 5.** NRS 241.015 is hereby amended to read as follows:

31 241.015 As used in this chapter, unless the context otherwise  
32 requires:

34 1. "Action" means:

35 (a) A decision made by a majority of the members present,  
36 whether in person or by means of electronic communication, during a  
37 meeting of a public body;

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1 (b) A commitment or promise made by a majority of the  
2 members present, whether in person or by means of  
3 electronic communication, during a meeting of a public  
4 body;

5 (c) If a public body may have a member who is not an  
6 elected official, an affirmative vote taken by a majority of the  
7 members present, whether in person or by means of  
8 electronic

9 communication, during a meeting of the public body; or

10 (d) If all the members of a public body must be elected  
11 officials, an affirmative vote taken by a majority of all the  
12 members of the public body.

13 2. "Deliberate" means collectively to examine, weigh and  
14 reflect upon the reasons for or against the action. The  
15 term includes, without limitation, the collective  
16 discussion or exchange of facts preliminary to the  
17 ultimate decision.

18 3. "Meeting":

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

20 (1) The gathering of members of a public body at  
21 which a quorum is present, whether in person or  
22 by means of electronic communication, to  
23 deliberate toward a decision or to take action on  
24 any matter over which the public body has  
25 supervision, control, jurisdiction or advisory  
26 power.

27 (2) Any series of gatherings of members of a public  
28 body at which:

29 (I) Less than a quorum is present,  
30 whether in person or by means of electronic  
31 communication, at any individual gathering;

32 (II) The members of the public body  
33 attending one or more of the gatherings  
34 collectively constitute a quorum; and (III)  
35 The series of gatherings was held with the  
36 specific intent to avoid the provisions of this  
37 chapter.

38 (b) Does not include a gathering or series of gatherings of members  
39 of a public body, as described in paragraph (a), at which a quorum is

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40 actually or collectively present, whether in person or by means of  
41 electronic communication:

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

46 (2) To receive information from the attorney employed  
47 or retained by the public body regarding potential or  
48 existing litigation involving a matter over which the  
49 public body has supervision, control, jurisdiction or  
50 advisory power and to deliberate toward a decision on the  
51 matter, or both.

52 (3) *To receive training regarding the legal obligations*  
53 *of the public body, including, without limitation,*  
54 *training conducted by the attorney employed by the*  
55 *public entity, the Office of the Attorney General or the*  
56 *Commission on Ethics, if at the gathering the members*  
57 *do not deliberate toward a decision or action on any*  
58 *matter over which the public body has supervision,*  
59 *control, jurisdiction or advisory power.*

60 4. Except as otherwise provided in NRS 241.016, "public  
61 body" means:

62 (a) Any administrative, advisory, executive or legislative body of the  
63 State or a local government consisting of at least two persons which  
64 expends or disburses or is supported in whole or in part by tax revenue  
65 or which advises or makes recommendations to any entity which  
66 expends or disburses or is supported in whole or in part by tax  
67 revenue, including, but not limited to, any board, commission,  
68 committee, subcommittee or other subsidiary thereof and includes a  
69 library foundation as defined in NRS 379.0056, an educational  
70 foundation as defined in subsection 3 of NRS 388.750 and a  
71 university foundation as defined in subsection 3 of NRS 396.405, if  
72 the administrative, advisory, executive or legislative body is created  
73 by:

- 74 (1) The Constitution of this State;  
75 (2) Any statute of this State;  
76 (3) A city charter and any city ordinance which has  
77 been

78 filed or recorded as required by the applicable law;

- 79 (4) The Nevada Administrative Code;

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- 80 (5) A resolution or other formal designation by such  
81 a body created by a statute of this State or an  
82 ordinance of a local government;
- 83 (6) An executive order issued by the Governor; or
- 84 (7) A resolution or an action by the governing body  
85 of a political subdivision of this State;
- 86 (b) Any board, commission or committee consisting of at least two  
87 persons appointed by:
- 88 (1) The Governor or a public officer who is under the  
89 direction of the Governor, if the board, commission or  
90 committee has at least two members who are not  
91 employees of the Executive Department of the State  
92 Government;
- 93 (2) An entity in the Executive Department of the State  
94 Government, ~~consisting of members appointed by the~~  
95 ~~Governor.~~ if the board, commission or committee  
96 otherwise meets the definition of a public body pursuant  
97 to this subsection; or
- 98 (3) A public officer who is under the direction of an  
99 agency or other entity in the Executive Department of the  
100 State Government, ~~consisting of members appointed by~~  
101 ~~the Governor.~~ if the board, commission or committee has  
102 at least two members who are not employed by the public  
103 officer or entity; ~~and~~
- 104 (c) A limited-purpose association that is created for a  
105 rural agricultural residential common-interest community as  
106 defined in subsection 6 of NRS 116.1201 ~~;~~ *and*
- 107 (d) *A subcommittee or working group consisting of at*  
108 *least two persons who are appointed by a public body*  
109 *described in paragraph (a), (b) or (c) if:*
- 110 *(1) A majority of the membership of the subcommittee*  
111 *or working group are members or staff members of the*  
112 *public body that appointed the subcommittee; or*  
113 *(2) The subcommittee or working group is authorized*  
114 *by the public body or working group to make a*  
115 *recommendation to the public body for the public body*  
116 *to take any action.*
- 117 5. "Quorum" means a simple majority of the membership  
118 of a public body or another proportion established by  
119 law.

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6. *“Supporting material” means material that is provided to at least a quorum of the members of a public body and that the members of the public body would reasonably rely on to ~~make a decision, deliberate or take action on a matter contained in a published agenda.~~ The term includes, without limitation, written records, audio recordings, video recordings, photographs and digital data.*
  7. “Working day” means every day of the week except Saturday, Sunday and any day declared to be a legal holiday pursuant to NRS 236.015.

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131 **Sec. 6.** NRS 241.020 is hereby amended to read as follows: 241.020

132 1. Except as otherwise provided by specific statute, all meetings of  
133 public bodies must be open and public, and all persons must be  
134 permitted to attend any meeting of these public bodies. A meeting that  
135 is closed pursuant to a specific statute may only be closed to the extent  
136 specified in the statute allowing the meeting to be closed. All other  
137 portions of the meeting must be open and public, and the public body  
138 must comply with all other provisions of this chapter to the extent not  
139 specifically precluded by the specific statute. Public officers and  
140 employees responsible for these meetings shall make reasonable  
141 efforts to assist and accommodate persons with physical disabilities  
142 desiring to attend.

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

- 146 (a) The time, place and location of the meeting.  
147 (b) A list of the locations where the notice has been posted.  
148 (c) The name and contact information for the person  
149 designated by the public body from whom a member of  
150 the public may request the supporting material for the  
151 meeting described in subsection 6 and a list of the  
152 locations where the supporting material is available to  
153 the public.  
154 (d) An agenda consisting of:  
155 (1) A clear and complete statement of the topics  
156 scheduled to be considered during the meeting.  
157 (2) A list describing the items on which action may  
158 be taken and clearly denoting that action may be  
159 taken on those items by placing the term “for

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160 possible action” next to the appropriate item or,  
161 if the item is placed on the agenda pursuant to  
162 NRS 241.0365, by placing the term “for possible  
163 corrective action” next to the appropriate item.

~~(3) An item on which action may be taken requiring the approval of the meeting agenda before proceeding with any other item on which action may be taken. If a quorum does not approve the agenda during discussion of the item requiring the approval of the meeting agenda, the chair must end the meeting.~~

~~(4)~~(3) Periods devoted to comments by the general public, if any, and discussion of those comments.

Comments by the general public must be taken:

(I) At the beginning of the meeting before any items on which action may be taken are heard by the public body and again before the adjournment of the meeting; or

(II) After each item on the agenda on which action may be taken is discussed by the public body, but before the public body takes action on the item.

182 ↪ The provisions of this subparagraph do not prohibit a public  
183 body from taking comments by the general public in addition to what  
184 is required pursuant to sub-subparagraph (I) or (II). Regardless of  
185 whether a public body takes comments from the general public  
186 pursuant to sub-subparagraph (I) or (II), the public body must allow  
187 the general public to comment on any matter that is not specifically  
188 included on the agenda as an action item at some time before  
189 adjournment of the meeting. No action may be taken upon a matter  
190 raised during a period devoted to comments by the general public  
191 until the matter itself has been specifically included on an agenda as  
192 an item upon which action may be taken pursuant to subparagraph  
193 (2).

194 ~~(4)~~ (5) If any portion of the meeting will be closed to consider the  
195 character, alleged misconduct or professional competence of a  
196 person, the name of the person whose character, alleged misconduct  
197 or professional competence will be considered. ~~(5)~~ (6) If, during  
198 any portion of the meeting, the public body will consider whether to  
199 take administrative action regarding a person, the name of that person.

200 ~~(6)~~ (7) Notification that:

Commented [GDO7]: Change #7

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- 201 (I) Items on the agenda may be taken out of  
202 order ~~[.] at the discretion of the chair;~~  
203 (II) The public body may, ~~at the discretion of~~  
204 ~~the chair,~~ combine two or more agenda items for  
205 consideration; and  
206 (III) The public body may remove an item from  
207 the agenda or delay discussion relating to an item on  
208 the agenda ~~at any time.~~  
209 ~~-(7) if the public body takes action to remove the item when the~~  
210 ~~public body approves the agenda pursuant to subparagraph (3).~~  
211 ~~-(8) Any restrictions on comments by the general public. Any such~~  
212 restrictions must be reasonable and may restrict the time, place and  
213 manner of the comments, but may not restrict comments based upon  
214 viewpoint.

Commented [GD08]: Change #8

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- 215 3. Minimum public notice is:  
216 (a) Posting a copy of the notice at the principal office of  
217 the public body or, if there is no principal office, at the  
218 building in which the meeting is to be held, and at not less  
219 than three other separate, prominent places within the  
220 jurisdiction of the public body not later than 9 a.m. of the  
221 third working day before the meeting;  
222 (b) Posting the notice on the official website of the State  
223 pursuant to NRS 232.2175 not later than 9 a.m. of the third  
224 working day before the meeting is to be held, unless the  
225 public body is unable to do so because of technical problems  
226 relating to the operation or maintenance of the official  
227 website of the State; and  
228 (c) Providing a copy of the notice to any person who has  
229 requested notice of the meetings of the public body. A request  
230 for notice lapses 6 months after it is made. The public body  
231 shall inform the requester of this fact by enclosure with,  
232 notation upon or text included within the first notice sent. The  
233 notice must be:  
234 (1) Delivered to the postal service used by the  
235 public body not later than 9 a.m. of the third working  
236 day before the meeting for transmittal to the  
237 requester by regular mail; or  
238 (2) If feasible for the public body and the  
239 requester has agreed to receive the public notice by  
240 electronic mail, transmitted to the requester by

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- 241 electronic mail sent not later than 9 a.m. of the third  
242 working day before the meeting.
- 243 4. For each of its meetings, a public body shall document  
244 in writing that the public body complied with the  
245 minimum public notice required by paragraph (a) of  
246 subsection 3. The documentation must be prepared by  
247 every person who posted a copy of the public notice and  
248 include, without limitation:
- 249 (a) The date and time when the person posted the copy  
250 of the public notice;
- 251 (b) The address of the location where the person posted  
252 the copy of the public notice; and
- 253 (c) The name, title and signature of the person who  
254 posted the copy of the notice.
- 255 5. If a public body maintains a website on the Internet or its  
256 successor, the public body shall post notice of each of its  
257 meetings on its website unless the public body is unable  
258 to do so because of technical problems relating to the  
259 operation or maintenance of its website. Notice posted  
260 pursuant to this subsection is supplemental to and is not  
261 a substitute for the minimum public notice required  
262 pursuant to subsection 3. The inability of a public body  
263 to post notice of a meeting pursuant to this subsection as  
264 a result of technical problems with its website shall not  
265 be deemed to be a violation of the provisions of this  
266 chapter.
- 267 6. Upon any request, a public body shall provide, at no  
268 charge, at least one copy of:
- 269 (a) An agenda for a public meeting;
- 270 (b) A proposed ordinance or regulation which will be  
271 discussed at the public meeting; and
- 272 (c) Subject to the provisions of subsection 7 or 8, as  
273 applicable, any other supporting material provided to the  
274 members of the public body for an item on the agenda,  
275 except materials:
- 276 (1) Submitted to the public body pursuant to a  
277 nondisclosure or confidentiality agreement which  
278 relates to proprietary information;
- 279 (2) Pertaining to the closed portion of such a  
280 meeting of the public body; or

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281 (3) Declared confidential by law, unless  
282 otherwise agreed to by each person whose interest is  
283 being protected under the order of confidentiality.

284 ↪ The public body shall make at least one copy of the  
285 documents described in paragraphs (a), (b) and (c) available to the  
286 public at the meeting to which the documents pertain. As used in this  
287 subsection, "proprietary information" has the meaning ascribed to it  
288 in NRS 332.025.

289 7. Unless it must be made available at an earlier time  
290 pursuant to NRS 288.153, a copy of supporting material  
291 required to be provided upon request pursuant to  
292 paragraph (c) of subsection 6 must be:

293 (a) If the supporting material is provided to ~~at least a~~  
294 ~~quorum of~~ the members of the public body before the  
295 meeting, made available to the requester at the time the  
296 material is provided to the members of the public body; or

297 (b) If the supporting material is provided to the members  
298 of the public body at the meeting, made available at the  
299 meeting to the requester at the same time the material is  
300 provided to the members of the public body.

301 ↪ If the requester has agreed to receive the information and  
302 material set forth in subsection 6 by electronic mail, the public body  
303 shall, if feasible, provide the information and material by electronic  
304 mail.

305 8. Unless the supporting material must be posted at an  
306 earlier time pursuant to NRS 288.153, the governing  
307 body of a county or city whose population is 45,000 or  
308 more shall post the supporting material described in  
309 paragraph (c) of subsection 6 to its website not later than  
310 the time the material is provided to ~~at least a quorum of~~  
311 the members of the governing body or, if the supporting  
312 material is provided to the members of the governing  
313 body at a meeting, not later than 24 hours after the  
314 conclusion of the meeting. Such posting is supplemental  
315 to the right of the public to request the supporting  
316 material pursuant to subsection 6. The inability of the  
317 governing body, as a result of technical problems with its  
318 website, to post supporting material pursuant to this  
319 subsection shall not be deemed to be a violation of the  
320 provisions of this chapter.

Commented [GDO10]: Change #10

Commented [GDO11]: Change #10-Same Change

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321 9. A public body may provide the public notice,  
322 information or supporting material required by this  
323 section by electronic mail. Except as otherwise provided  
324 in this subsection, if a public body makes such notice,  
325 information or supporting material available by  
326 electronic mail, the public body shall inquire of a person  
327 who requests the notice, information or supporting  
328 material if the person will accept receipt by electronic  
329 mail. If a public body is required to post the public  
330 notice, information or supporting material on its website  
331 pursuant to this section, the public body shall inquire of  
332 a person who requests the notice, information or  
333 supporting material if the person will accept by  
334 electronic mail a link to the posting on the website when  
335 the documents are made available. The inability of a  
336 public body, as a result of technical problems with its  
337 electronic mail system, to provide a public notice,  
338 information or supporting material or a link to a website  
339 required by this section to a person who has agreed to  
340 receive such notice, information, supporting material or  
341 link by electronic mail shall not be deemed to be a  
342 violation of the provisions of this chapter.

343 10. As used in this section, "emergency" means an  
344 unforeseen circumstance which requires immediate  
345 action and includes, but is not limited to:

- 346 (a) Disasters caused by fire, flood, earthquake or other  
347 natural causes; or
- 348 (b) Any impairment of the health and safety of the public.

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

350 1. Each public body shall keep written minutes of each of its  
351 meetings, including:

- 352 (a) The date, time and place of the meeting.
- 353 (b) Those members of the public body who were present,  
354 whether in person or by means of electronic  
355 communication, and those who were absent.
- 356 (c) The substance of all matters proposed, discussed or  
357 decided and, at the request of any member, a record of  
358 each member's vote on any matter decided by vote.
- 359 (d) The substance of remarks made by any member of the  
360 general public who addresses the public body if the

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361 member of the general public requests that the minutes  
362 reflect those remarks or, if the member of the general  
363 public has prepared written remarks, a copy of the  
364 prepared remarks if the member of the general public  
365 submits a copy for inclusion.

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

368 Unless good cause is shown, a public body shall approve the  
369 minutes of a meeting within 45 days after the meeting or at the next  
370 meeting of the public body, whichever occurs later.

371 2. ~~A transcript of a public body meeting prepared by a~~  
372 ~~court reporter who is certified pursuant to chapter 656 of~~  
373 ~~NRS qualifies as written minutes of the meeting;~~

374 3. Minutes of public meetings are public records.  
375 Minutes ~~or draft minutes, as applicable,~~ or an audio  
376 recording of a meeting made in accordance with subsection  
377 ~~[4] 5-1~~ must be made available for inspection by the public  
378 within 30 working days after adjournment of the meeting. ~~{A}~~

379 ~~If a public body does not approve the minutes of a public~~  
380 ~~meeting within 30 working days after adjournment of the~~  
381 ~~meeting, a provisional version of the minutes clearly~~  
382 ~~marked "draft" must be made available for inspection by~~  
383 ~~the public until the public body approves the minutes of the~~  
384 ~~public meeting. The public body must make a~~ A copy of the  
385 minutes ~~or draft minutes, as applicable,~~ or audio recording  
386 ~~{must be made}~~ must be made available to a member of the  
387 public upon request at no charge. ~~{The} All The~~ minutes of

388 ~~a meeting of a public body, including, without limitation,~~  
389 ~~draft versions of minutes,~~ shall be deemed to have  
390 permanent value and must be retained by the public body for  
391 at least 5 years. Thereafter, the minutes may be transferred  
392 for archival preservation in accordance with NRS 239.080 to  
393 239.125, inclusive. Minutes of meetings closed pursuant to:

394 (a) Paragraph (a) of subsection 1 of NRS 241.030  
395 become public records ~~if and~~ when the public body  
396 determines that the matters discussed no longer require  
397 confidentiality and the person whose character, conduct,  
398 competence or health was considered has consented to their  
399 disclosure. That person is entitled to a copy of the minutes  
400 upon request whether or not they become public records.

Commented [GDO12]: Change #11

Commented [GDO13]: Change #12

Commented [GDO14]: Change #13

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401 (b) Paragraph (b) of subsection 1 of NRS 241.030  
402 become public records ~~if and~~ when the public body  
403 determines that the matters discussed no longer require  
404 confidentiality.

Commented [GDO15]: Change #13

405 (c) Paragraph (c) of subsection 1 of NRS 241.030  
406 become public records ~~if and~~ when the public body  
407 determines that the matters considered no longer require  
408 confidentiality and the person who appealed the results of the  
409 examination has consented to their disclosure, except that the  
410 public body shall remove from the minutes any references to  
411 the real name of the person who appealed the results of the  
412 examination. That person is entitled to a copy of the minutes  
413 upon request whether or not they become public records.

Commented [GDO16]: Change #13

414 ~~4.4~~ 4. All or part of any meeting of a public body may be recorded  
415 on audiotape or any other means of sound or video reproduction by a  
416 member of the general public if it is a public meeting so long as this  
417 in no way interferes with the conduct of the meeting.

418 ~~4.5~~ 5. Except as otherwise provided in subsection ~~7.9~~ 9, a public  
419 body shall, for each of its meetings, whether public or closed, record  
420 the meeting on audiotape or another means of sound reproduction or  
421 cause the meeting to be transcribed by a court reporter who is certified  
422 pursuant to chapter 656 of NRS. If a public body makes an audio  
423 recording of a meeting or causes a meeting to be transcribed pursuant  
424 to this subsection, the audio recording or transcript:

425 (a) Must be retained by the public body for at least ~~1~~  
426 ~~year~~ 5 years after the adjournment of the meeting at which  
427 it was recorded or transcribed;

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

432 (c) Must be made available to the Attorney General upon  
433 request.

434 ~~5.6~~ 6. The requirement set forth in subsection ~~2.3~~ 3 that a public  
435 body make available a copy of the minutes *or draft minutes, if*  
436 *applicable*, or audio recording of a meeting to a member of the public  
437 upon request at no charge does not ~~4~~

438 ~~(a) Prohibit~~ *prohibit* a court reporter who is certified  
439 pursuant to chapter 656 of NRS from charging a fee to  
440 the public body for any services relating to the  
441 transcription of a meeting. ~~1.1~~

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442 ~~(b) Require a~~  
443 7. A court reporter who transcribes a meeting *is not required*  
444 provide a copy of any transcript, minutes or audio recording of the  
445 meeting prepared by the court reporter *directly* to a member of the  
446 public at no charge.

447 ~~[6-] 8.~~ Except as otherwise provided in subsection ~~[7-] 9,~~ any  
448 portion of a public meeting which is closed must also be recorded or  
449 transcribed and the recording or transcript must be retained and made  
450 available for inspection pursuant to the provisions of subsection ~~[2] 3~~  
451 relating to records of closed meetings. Any recording or transcript  
452 made pursuant to this subsection must be made available to the  
453 Attorney General upon request.

454 ~~[7-] 9.~~ If a public body makes a good faith effort to comply with the  
455 provisions of subsections ~~[4] 5~~ and ~~[6] 8~~ but is prevented  
456 from doing so because of factors beyond the public body's reasonable  
457 control, including, without limitation, a power outage, a mechanical  
458 failure or other unforeseen event, such failure does not constitute a  
459 violation of the provisions of this chapter.

460 **Sec. 8.** NRS 241.0365 is hereby amended to read as follows:

461 241.0365 1. Except as otherwise provided in subsection 4, if a public  
462 body, after providing the notice described in subsection 2, takes  
463 action in conformity with this chapter to correct an alleged violation  
464 of this chapter within 30 days after the alleged violation, the Attorney  
465 General may decide not to commence prosecution of the alleged  
466 violation if the Attorney General determines foregoing prosecution  
467 would be in the best interests of the public.

468 2. Except as otherwise provided in subsection 4, before taking  
469 any action to correct an alleged violation of this chapter, the public  
470 body must include an item on the agenda posted for the meeting at  
471 which the public body intends to take the corrective action in  
472 conformity with this chapter. The inclusion of an item on the agenda  
473 for a meeting of a public body pursuant to this subsection is not an  
474 admission of wrongdoing for the purposes of civil action, criminal  
475 prosecution or injunctive relief.

476 3. For purposes of subsection 1, ~~[the] any~~ period of limitations  
477 set forth in subsection 3 of NRS 241.037 by which the Attorney  
478 General may bring suit is tolled for ~~[30] 60~~ days.

479 4. The provisions of this section do not prohibit a public body  
480 from taking action in conformity with this chapter to correct an

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481 alleged violation of the provisions of this chapter before the  
482 adjournment of the meeting at which the alleged violation occurs.

483 5. Any action taken by a public body to correct an alleged  
484 violation of this chapter by the public body is effective prospectively.

485 **Sec. 9.** NRS 241.037 is hereby amended to read as follows: 241.037  
486 1. The Attorney General may sue in any court of competent  
487 jurisdiction to have an action taken by a public body declared void or  
488 for an injunction against any public body or person to require  
489 compliance with or prevent violations of the provisions of this  
490 chapter. The injunction:

491 (a) May be issued without proof of actual damage or other  
492 irreparable harm sustained by any person.

493 (b) Does not relieve any person from criminal prosecution for the  
494 same violation.

495 2. Any person denied a right conferred by this chapter may sue in  
496 the district court of the district in which the public body  
497 ordinarily holds its meetings or in which the plaintiff resides. A  
498 suit may seek to have an action taken by the public body declared  
499 void, to require compliance with or prevent violations of this  
500 chapter or to determine the applicability of this chapter to  
501 discussions or decisions of the public body. The court may order  
502 payment of reasonable attorney's fees and court costs to a  
503 successful plaintiff in a suit brought under this subsection.

504 3. Except as otherwise provided in NRS 241.0365:

505 (a) Any suit brought against a public body pursuant to subsection  
506 1 or 2 to require compliance with the provisions of this chapter must  
507 be commenced , *except as otherwise provided in this paragraph,*  
508 within 120 days after the action objected to was taken by that public  
509 body in violation of this chapter. *If, within 120 days after the action*  
510 *objected to was taken by the public body, the Attorney General*  
511 *issues findings of fact and conclusions of law that the public body*  
512 *violated a provision of this chapter, such a suit may be brought*  
513 *against the public body within 120 days after the date that the*  
514 *Attorney General issues the findings of fact and conclusions of law.*

515 (b) Any such suit brought to have an action declared void must  
516 be commenced , *except as otherwise provided in this paragraph,*  
517 within 60 days after the action objected to was taken. *If, within 60*  
518 *days after the action objected to was taken by the public body, the*  
519 *Attorney General issues findings of fact and conclusions of law that*  
520 *the public body violated a provision of this chapter, such a suit may*  
521 *be brought against the public body within 60 days after the date that*

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522 *the Attorney General issues the findings of fact and conclusions of*  
523 *law.*

524 **Sec. 10.** NRS 241.039 is hereby amended to read as follows:

525 241.039 1. A complaint that alleges a violation of this chapter may  
526 be filed with the Office of the Attorney General.

527 2. Except as otherwise provided in NRS 241.0365, the  
528 Attorney General ~~shall~~:

529 (a) *Shall* investigate and prosecute any violation of this chapter  
530 ~~+~~ *alleged in a complaint filed not later than 120 days after the*  
531 *alleged violation with the Office of the Attorney General.*

532 (b) *May, at his or her discretion, investigate and prosecute any*  
533 *violation of this chapter alleged in a complaint filed more than 120*  
534 *days after the alleged violation with the Office of the Attorney*  
535 *General.*

536 3. Except as otherwise provided in subsection 6 and NRS 239.0115,  
537 all documents and other information compiled as a result of an  
538 investigation conducted pursuant to subsection 2 are confidential  
539 until the investigation is closed.

540 4. In any investigation conducted pursuant to subsection 2, the  
541 Attorney General may issue subpoenas for the production of any  
542 relevant documents, records or materials.

543 5. A person who willfully fails or refuses to comply with a subpoena  
544 issued pursuant to this section is guilty of a misdemeanor.

545 6. The following are public records:

546 (a) A complaint filed pursuant to subsection 1.

547 (b) Every finding of fact or conclusion of law made by the Attorney  
548 General relating to a complaint filed pursuant to subsection 1.

549 (c) Any document or information compiled as a result of an  
550 investigation conducted pursuant to subsection 2 that may be  
551 requested pursuant to NRS 239.0107 from a governmental entity  
552 other than the Office of the Attorney General.

553 7. *Upon completion of an investigation conducted pursuant to*  
554 *subsection 2, the Attorney General shall inform the public body that*  
555 *is the subject of the investigation and issue, as applicable: (a) A*  
556 *finding that no violation of this chapter occurred; or (b) A finding*  
557 *that a violation of this chapter occurred, along with findings of fact*  
558 *and conclusions of law that support the finding that a violation of*  
559 *this chapter occurred.*

560 8. *A public body shall submit a response to the Attorney*  
561 *General not later than 14 days after receipt of any finding that the*  
562 *public body violated this chapter. If the public body does not submit*

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563 *a response to the Attorney General within 14 days after receipt of*  
564 *the finding, it shall be deemed that the public body agrees with the*  
565 *finding of the Attorney General.*

566 **Sec. 11.** NRS 241.0395 is hereby amended to read as follows:

567 241.0395 1. If the Attorney General makes findings of fact and  
568 conclusions of law that a public body has ~~taken action in violation~~  
569 ~~of~~ *violated* any provision of this chapter, the public body must  
570 include an item on the next agenda posted for a meeting of the public  
571 body which acknowledges the findings of fact and conclusions of law.  
572 The opinion of the Attorney General must be treated as supporting  
573 material for the item on the agenda for the purposes of NRS 241.020.

574 2. The inclusion of an item on the agenda for a meeting of a public  
575 body pursuant to subsection 1 is not an admission of wrongdoing for  
576 the purposes of a civil action, criminal prosecution or injunctive  
577 relief.

578 **Sec. 12.** NRS 241.040 is hereby amended to read as follows:

579 241.040 1. ~~Each~~ *Except as otherwise provided in subsection 6,*  
580 *each* member of a public body who attends a meeting of that public  
581 body where ~~action is taken in violation of~~ any ~~provision~~ *violation*  
582 of this chapter ~~with~~ *occurs and has* knowledge of the ~~fact that the~~  
583 ~~meeting is in violation thereof,~~ *violation*, is guilty of a misdemeanor.  
584 2. ~~Wrongful~~ *Except as otherwise provided in subsection 6,*  
585 *wrongful* exclusion of any person or persons from a meeting is a  
586 misdemeanor.

587 3. A member of a public body who attends a meeting of that  
588 public body at which ~~action is taken in~~ *a* violation of this chapter  
589 *occurs* is not the accomplice of any other member so attending.

590 4. ~~It is~~ *Except as otherwise provided in subsection 6, in*  
591 addition to any criminal penalty imposed pursuant to this section,  
592 each member of a public body who attends a meeting of that public  
593 body where ~~action is taken in violation of~~ any ~~provision~~ *violation*  
594 of this chapter ~~it~~ *occurs* and who participates in such action the  
595 meeting with knowledge of the violation, is subject to ~~a civil penalty~~  
596 *an administrative fine* in an amount not to exceed : (a) *For a first*  
597 *offense*, \$500 ~~The Attorney General may recover the penalty~~ ;

598 (b) *For a second offense*, \$1,000; and

599 (c) *For a third or subsequent offense*, \$2,500.

600 5. *A member of a public body assessed an administrative fine*  
601 *pursuant to this section may contest the fine* in a civil action brought  
602 ~~in the name of the State of Nevada~~ in any court of competent  
603 jurisdiction. Such an action must be commenced within ~~1 year~~ *6*

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604 *months* after the ~~[date of the action taken in violation of this chapter.]~~  
605 *fine is assessed.*

606 **6.** *No criminal penalty or administrative fine may be imposed*  
607 *upon a member of a public body pursuant to this section if:*

608 (a) *A member of a public body violates a provision of this*  
609 *chapter as a result of legal advice provided by an attorney employed*  
610 *or retained by the public body; and*

611 (b) *The attorney acknowledges in writing that he or she*  
612 *provided legal advice to the member that resulted in the member*  
613 *violating a provision of this chapter.*

614 **Sec. 13.** NRS 1A.100 is hereby amended to read as follows: 1A.100

615 1. A system of retirement providing benefits for the retirement,  
616 disability or death of all justices of the Supreme Court, judges of the  
617 Court of Appeals and district judges, and certain justices of the peace  
618 and municipal judges, and funded on an actuarial reserve basis is  
619 hereby established and must be known as the Judicial Retirement  
620 System.

621 2. The System consists of the Judicial Retirement Plan and the  
622 provisions set forth in NRS 2.060 to 2.083, inclusive, 2A.100 to  
623 2A.150, inclusive, and 3.090 to 3.099, inclusive, for providing  
624 benefits to justices of the Supreme Court, judges of the Court of  
625 Appeals or district judges who served either as a justice of the  
626 Supreme Court or district judge before November 5, 2002. Each  
627 justice of the Supreme Court, judge of the Court of Appeals or district  
628 judge who is not a member of the Public Employees' Retirement  
629 System is a member of the Judicial Retirement System.

630 3. The official correspondence and records, other than the files  
631 of individual members of the System or retired justices or judges, and,  
632 except as otherwise provided in NRS 241.035, the minutes, audio  
633 recordings, transcripts and books of the System are public records and  
634 are available for public inspection. A copy of the minutes *or draft*  
635 *minutes, as applicable,* or audio recordings must be made available  
636 to a member of the public upon request at no charge pursuant to NRS  
637 241.035.

638 4. The System must be administered exclusively by the Board,  
639 which shall make all necessary rules and regulations for the  
640 administration of the System. The rules must include, without  
641 limitation, rules relating to the administration of the retirement plans  
642 in accordance with federal law. The Legislature shall regularly review  
643 the System.

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644 **Sec. 14.** NRS 244A.611 is hereby amended to read as follows:  
645 244A.611 1. The board shall choose one of its members as chair and  
646 one of its members as vice chair, and shall elect a secretary and a  
647 treasurer, who may be members of the board. The secretary and the  
648 treasurer may be one person.

649 2. The secretary shall keep audio recordings or transcripts of all  
650 meetings and, in a well-bound book, a record of all of the proceedings  
651 of the board, minutes of all meetings, certificates, contracts, bonds  
652 given by employees, and all other acts of the board. Except as  
653 otherwise provided in NRS 241.035, the minute book, audio  
654 recordings, transcripts and records must be open to the inspection of  
655 all owners of real property in the county as well as to all other  
656 interested persons, at all reasonable times and places. A copy of the  
657 minutes *or draft minutes, as applicable*, or audio recordings must be  
658 made available to a member of the public upon request at no charge  
659 pursuant to NRS 241.035.

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

666 **Sec. 15.** NRS 266.250 is hereby amended to read as follows:  
667 266.250 1. The deliberations, sessions and proceedings of the city  
668 council must be public.

669 2. The city council shall keep written minutes and audio  
670 recordings or transcripts of its own proceedings as required pursuant  
671 to NRS 241.035. The yeas and nays must be taken upon the passage  
672 of all ordinances, and all propositions to create any liability against  
673 the city, or to grant, deny, increase, decrease, abolish or revoke  
674 licenses, and in all other cases at the request of any member of the  
675 city council or of the mayor, which yeas and nays must be entered in  
676 the minutes of its proceedings. A copy of the minutes *or draft*  
677 *minutes, as applicable*, or audio recordings must be made available  
678 to a member of the public upon request at no charge pursuant to NRS  
679 241.035.

680 3. The affirmative vote of a majority of all the members elected  
681 to the city council is necessary to pass any such ordinance or  
682 proposition.

683 **Sec. 16.** NRS 278.290 is hereby amended to read as follows:  
684 278.290 1. Meetings of the board must be held at the call of the chair

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685 and at such other times as the board may determine. The chair, or in  
686 his or her absence the acting chair, may administer oaths and compel  
687 the attendance of witnesses. All meetings of the board must be open  
688 to the public.

689 2. The board shall adopt rules in accordance with the provisions  
690 of any ordinance adopted pursuant to NRS 278.010 to 278.630,  
691 inclusive.

692 3. The board shall keep minutes of its proceedings, showing the  
693 vote of each member upon each question, or, if absent or failing to  
694 vote, indicating such fact, and audio recordings or transcripts of its  
695 proceedings, and shall keep records of its examinations and other  
696 official actions, all of which must be filed immediately in the office  
697 of the board and, except as otherwise provided in NRS 241.035, are  
698 public records. A copy of the minutes *or draft minutes, as applicable,*  
699 or audio recordings must be made available to a member of the public  
700 upon request at no charge pursuant to NRS 241.035. **Sec. 17.** NRS  
701 284.055 is hereby amended to read as follows:

702 284.055 1. The members of the Commission may meet at the times  
703 and places specified by the call of the Chair or a majority of the  
704 Commission, but a meeting of the Commission must be held regularly  
705 at least once every 3 months.

706 2. Five members of the Commission constitute a quorum. A majority  
707 vote of the five members of the Commission is required for any  
708 official action taken by the Commission, including, without  
709 limitation:

710 (a) To adopt, amend or rescind a regulation of the Commission;  
711 and

712 (b) To decide an appeal to the Commission made by an employee  
713 in the public service of the State.

714 3. If an alternate member attends a meeting of the Commission  
715 in place of the regular member, the alternate member fully assumes  
716 the duties, rights and responsibilities of the replaced regular member  
717 for the duration of that meeting and is entitled to the compensation,  
718 allowances and expenses otherwise payable for members who attend  
719 the meeting.

720 4. The Commission shall keep minutes and audio recordings or  
721 transcripts of the transactions of each meeting. Except as otherwise  
722 provided in NRS 241.035, the minutes, audio recordings and  
723 transcripts are public records and must be filed with the Division. A  
724 copy of the minutes *or draft minutes, as applicable,* or audio

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725 recordings must be made available to a member of the public upon  
726 request at no charge pursuant to NRS 241.035.

727 **Sec. 18.** NRS 286.110 is hereby amended to read as follows:

728 286.110 1. A system of retirement providing benefits for the  
729 retirement, disability or death of employees of public employers and  
730 funded on an actuarial reserve basis is hereby established and must be  
731 known as the Public Employees' Retirement System. The System is  
732 a public agency supported by administrative fees transferred from the  
733 retirement funds. The Executive and Legislative Departments of the  
734 State Government shall regularly review the System.

735 2. The System is entitled to use any services provided to state  
736 agencies and shall use the services of the Purchasing Division of the  
737 Department of Administration, but is not required to use any other  
738 service. The purpose of this subsection is to provide to the Board the  
739 necessary autonomy for an efficient and economic administration of  
740 the System and its program.

741 3. The official correspondence and records, other than the files  
742 of individual members or retired employees, and, except as otherwise  
743 provided in NRS 241.035, the minutes, audio recordings, transcripts  
744 and books of the System are public records and are available for  
745 public inspection. A copy of the minutes *or draft minutes, as*  
746 *applicable*, or audio recordings must be made available to a member  
747 of the public upon request at no charge pursuant to NRS 241.035.

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

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

751 287.0438 Except for the files of individual members and former  
752 members, the correspondence, files, minutes, audio recordings,  
753 transcripts and books of the Program are, except as otherwise  
754 provided in NRS 241.035, public records. A copy of the minutes *or*  
755 *draft minutes, as applicable*, or audio recordings must be made  
756 available to a member of the public upon request at no charge  
757 pursuant to NRS 241.035.

758 **Sec. 20.** NRS 318.085 is hereby amended to read as follows:

759 318.085 Except as otherwise provided in NRS 318.0953 and  
760 318.09533:

761 1. After taking oaths and filing bonds, the board shall choose one of  
762 its members as chair of the board and president of the district,  
763 and shall elect a secretary and a treasurer of the board and of the  
764 district, who may or may not be members of the board. The  
765 secretary and the treasurer may be one person.

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- 766 2. The board shall adopt a seal.
- 767 3. The secretary shall keep audio recordings or transcripts of all
- 768 meetings and, in a well-bound book, a record of all of the board's
- 769 proceedings, minutes of all meetings, any certificates, contracts,
- 770 bonds given by employees and all corporate acts. Except as
- 771 otherwise provided in NRS 241.035, the book, audio recordings,
- 772 transcripts and records must be open to inspection of all owners
- 773 of real property in the district as well as to all other interested
- 774 persons. A copy of the minutes *or draft minutes, as applicable,*
- 775 or audio recordings must be made available to a member of the
- 776 public upon request at no charge pursuant to NRS 241.035.
- 777 4. The treasurer shall keep strict and accurate accounts of all money
- 778 received by and disbursed for and on behalf of the district in
- 779 permanent records. The treasurer shall file with the county clerk,
- 780 at the expense of the district, a corporate surety bond in an
- 781 amount not more than \$50,000, the form and exact amount
- 782 thereof to be approved and determined, respectively, by the board
- 783 of county commissioners, conditioned for the faithful
- 784 performance of the duties of his or her office. Any other officer
- 785 or trustee who actually receives or disburses money of the district
- 786 shall furnish a bond as provided in this subsection. The board of
- 787 county commissioners may, upon good cause shown, increase or
- 788 decrease the amount of that bond.
- 789 5. Except as otherwise provided in this subsection, each member of
- 790 a board of trustees of a district organized or reorganized pursuant
- 791 to this chapter may receive as compensation for his or her service
- 792 not more than \$6,000 per year. Each member of a board of
- 793 trustees of a district that is organized or reorganized pursuant
- 794 to this chapter and which is granted the powers set forth in NRS
- 795 318.140, 318.142 and 318.144 may receive as compensation for
- 796 his or her service not more than \$9,000 per year. The
- 797 compensation of the members of a board is payable monthly, if
- 798 the budget is adequate and a majority of the members of the board
- 799 vote in favor of such compensation, but no member of the board
- 800 may receive any other compensation for his or her service to the
- 801 district as an employee or otherwise. Each member of the board
- 802 must receive the same amount of compensation. If a majority of
- 803 the members of the board vote in favor of an increase in the
- 804 compensation of the trustees, the increase may not become
- 805 effective until January 1 of the calendar year immediately

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806 following the next biennial election of the district as set forth in  
807 NRS 318.095.

808 **Sec. 21.** NRS 318A.190 is hereby amended to read as follows:  
809 318A.190 1. The board shall choose one of its members as chair of  
810 the board and president of the district, and shall elect a secretary and  
811 a treasurer of the board and of the district, who may or may not be  
812 members of the board. The secretary and the treasurer may be one  
813 person.

814 2. The board shall adopt a seal.

815 3. The secretary shall keep a record of all of the board's  
816 proceedings, minutes of all meetings, any certificates, contracts,  
817 bonds given by employees and all corporate acts. Except as  
818 otherwise provided in NRS 241.035, the records must be open to  
819 inspection of all owners of real property in the district as well as  
820 to all other interested persons. A copy of the minutes *or draft*  
821 *minutes, as applicable*, or audio recordings, if any, must be made  
822 available to a member of the public upon request at no charge  
823 pursuant to NRS 241.035.

824 4. The treasurer shall keep strict and accurate accounts of all money  
825 received by and disbursed for and on behalf of the district in  
826 permanent records. The treasurer shall file with the clerk, at the  
827 expense of the district, a corporate surety bond in an amount not  
828 more than \$50,000, the form and exact amount thereof to be  
829 approved and determined, respectively, by the governing body,  
830 conditioned for the faithful performance of the duties of his or  
831 her office. Any other officer or trustee who actually receives or  
832 disburses money of the district shall furnish a bond as provided  
833 in this subsection. The governing body may, upon good cause  
834 shown, increase or decrease the amount of that bond.

835 5. Except as otherwise provided in this subsection, each member of  
836 a board of trustees of a district organized pursuant to this chapter  
837 may receive as compensation for his or her service not more than  
838 \$6,000 per year. The compensation of the members of a board is  
839 payable monthly, if the budget is adequate and a majority of the  
840 members of the board vote in favor of such compensation, but no  
841 member of the board may receive any other compensation for his  
842 or her service to the district as an employee or otherwise. Each  
843 member of the board must receive the same amount of  
844 compensation. If a majority of the members of the board vote in  
845 favor of an increase in the compensation of the trustees, the  
846 increase may not become effective until January 1 of the calendar

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847 year immediately following the next biennial election of the  
848 district as set forth in NRS 318A.210.

849 **Sec. 22.** NRS 361.365 is hereby amended to read as follows:  
850 361.365 1. Each county board of equalization shall, at the expense  
851 of the county, cause complete minutes and an audio recording or  
852 transcript to be taken at each hearing. In addition to the requirements  
853 of NRS 241.035, these minutes must include the title of all exhibits,  
854 papers, reports and other documentary evidence submitted to the  
855 county board of equalization by the complainant. The clerk of the  
856 county board of equalization shall forward the minutes and audio  
857 recordings or transcripts to the Secretary of the State Board of  
858 Equalization. A copy of the minutes *or draft minutes, as applicable,*  
859 or audio recordings must be made available to a member of the public  
860 upon request at no charge pursuant to NRS 241.035.

861 2. If a transcript of any hearing held before the county board of  
862 equalization is requested by the complainant, he or she shall furnish  
863 the reporter, pay for the transcript and deliver a copy of the transcript  
864 to the clerk of the county board of equalization and the Secretary of  
865 the State Board of Equalization upon filing an appeal. **Sec. 23.** NRS  
866 384.070 is hereby amended to read as follows:

867 384.070 1. The Commission may establish and maintain an office  
868 in Virginia City, Storey County, Nevada, in which, except as  
869 otherwise provided in NRS 241.035, there must be at all times open  
870 to public inspection a complete record of applications for certificates  
871 of appropriateness and their disposition, minutes and audio recordings  
872 or transcripts of the Commission's meetings, and any regulations  
873 adopted by the Commission. A copy of the minutes *or draft minutes,*  
874 *as applicable,* or audio recordings must be made available to a  
875 member of the public upon request at no charge pursuant to NRS  
876 241.035.

877 2. The Commission shall maintain a library in the office for the  
878 purpose of guiding applicants in their design or embellishment of the  
879 exterior of their buildings, new or remodeled. The library must consist  
880 of, but not be limited to, documents, paintings, photographs, drawings  
881 and histories descriptive of the period which are deemed appropriate  
882 guidelines to the applicant. A card index system must also be made  
883 and maintained for reference to more comprehensive information in  
884 libraries other than the one maintained by the Commission.

885 **Sec. 24.** NRS 422.2369 is hereby amended to read as follows:  
886 422.2369 1. Before adopting, amending or repealing any regulation  
887 for the administration of a program of public assistance or any other

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888 program for which the Division is responsible, the Administrator  
889 must give at least 30 days' notice of the intended action.

890 2. The notice of intent to act upon a regulation must: (a) Include a  
891 statement of the need for and purpose of the proposed regulation, and  
892 either the terms or substance of the proposed regulation or a  
893 description of the subjects and issues involved, and of the time when,  
894 the place where and the manner in which interested persons may  
895 present their views thereon. (b) Include a statement identifying the  
896 entities that may be financially affected by the proposed regulation  
897 and the potential financial impact, if any, upon local government.

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

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

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

907 4. The Administrator shall keep, retain and make available for  
908 public inspection written minutes and an audio recording or transcript  
909 of each public hearing held pursuant to this section in the manner  
910 provided in NRS 241.035. A copy of the minutes *or draft minutes,*  
911 *as applicable,* or audio recordings must be made available to a  
912 member of the public upon request at no charge pursuant to NRS  
913 241.035.

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

917 **Sec. 25.** NRS 422A.190 is hereby amended to read as follows:  
918 422A.190 1. Before adopting, amending or repealing any regulation  
919 for the administration of a program of public assistance or any other  
920 program for which the Division is responsible, the Administrator  
921 must give at least 30 days' notice of the intended action.

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

923 (a) Include a statement of the need for and purpose of the  
924 proposed regulation, and either the terms or substance of the proposed  
925 regulation or a description of the subjects and issues involved, and of  
926 the time when, the place where and the manner in which interested  
927 persons may present their views thereon.

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

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

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

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

940 4. The Administrator shall keep, retain and make available for  
941 public inspection written minutes and an audio recording or transcript  
942 of each public hearing held pursuant to this section in the manner  
943 provided in NRS 241.035. A copy of the minutes *or draft minutes,*  
944 *as applicable,* or audio recordings must be made available to a  
945 member of the public upon request at no charge pursuant to NRS  
946 241.035.

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

950 **Sec. 26.** NRS 541.110 is hereby amended to read as follows:

951 541.110 1. Each director before entering upon his or her official  
952 duties shall take and subscribe to an oath, before a person authorized  
953 to administer oaths, that he or she will support the Constitutions of  
954 the United States and the State of Nevada and will honestly, faithfully  
955 and impartially perform the duties of the office. 2. Upon taking oath,  
956 the board shall choose one of their number chair of the board and  
957 president of the district, and shall elect some suitable person secretary  
958 of the board and of the district, who may or may not be a member of  
959 the board. The board shall adopt a seal and shall keep audio  
960 recordings or transcripts of all meetings and, in a well-bound book, a  
961 record of all its proceedings, minutes of all meetings, certificates,  
962 contracts, bonds given by employees and all corporate acts, which,  
963 except as otherwise provided in NRS 241.035, must be open to  
964 inspection of all owners of property in the district, as well as to all  
965 other interested persons. A copy of the minutes *or draft minutes, as*  
966 *applicable,* or audio recordings must be made available to a member  
967 of the public upon request at no charge pursuant to NRS 241.035.

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

973 **Sec. 27.** NRS 543.330 is hereby amended to read as follows:  
974 543.330 1. The board shall meet in July of each year to organize and  
975 choose one of its members as chair of the board and president of the  
976 district, and elect a secretary of the board and of the district, who may  
977 or may not be a member of the board.

978 2. The county treasurer is the treasurer of the board and of the  
979 district.

980 3. The secretary shall keep audio recordings or transcripts of all  
981 meetings and, in a well-bound book, a record of all of the board's  
982 proceedings, minutes of all meetings, certificates, contracts, bonds  
983 given by employees, and all corporate acts, which, except as  
984 otherwise provided in NRS 241.035, must be open to inspection by  
985 all owners of real property in the district as well as other interested  
986 persons. A copy of the minutes *or draft minutes, as applicable*, or  
987 audio recordings must be made available to a member of the public  
988 upon request at no charge pursuant to NRS 241.035.

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

992 5. No member of the board may receive compensation for the  
993 member's services, but members may be reimbursed for their  
994 necessary expenses in attending district meetings and for necessary  
995 expenses incurred in traveling within and without the State when  
996 required to carry out the affairs of the district.

997 **Sec. 28.** NRS 561.095 is hereby amended to read as follows:

998 561.095 1. The members of the Board may meet at such times and  
999 at such places as may be specified by the call of the Chair or a  
1000 majority of the Board, and a meeting of the Board may be held  
1001 regularly at least once every 3 months. In case of an emergency,  
1002 special meetings may be called by the Chair or by the Director.

1003 2. Six members of the Board constitute a quorum. A quorum  
1004 may exercise all the authority conferred on the Board.

1005 3. Minutes and audio recordings or transcripts of each meeting,  
1006 regular or special, must be filed with the Department and, except as  
1007 otherwise provided in NRS 241.035, are public records. A copy of  
1008 the minutes *or draft minutes, as applicable*, or audio recordings must

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1009 be made available to a member of the public upon request at no charge  
1010 pursuant to NRS 241.035.

1011 **Sec. 29.** NRS 590.505 is hereby amended to read as follows:  
1012 590.505 1. The Board may adopt a seal for its own use which must  
1013 have imprinted thereon the words "Board for the Regulation of  
1014 Liquefied Petroleum Gas." The care and custody of the seal is the  
1015 responsibility of the Secretary-Treasurer of the Board.

1016 2. The Board may appoint an Executive Secretary and may  
1017 employ or, pursuant to NRS 333.700, contract with such other  
1018 technical, clerical or investigative personnel as it deems necessary.  
1019 The Board shall fix the compensation of the Executive Secretary and  
1020 all other employees and independent contractors. Such compensation  
1021 must be paid out of the money of the Board. The Board may require  
1022 the Executive Secretary and any other employees and independent  
1023 contractors to give a bond to the Board for the faithful performance  
1024 of their duties, the premiums on the bond being paid out of the money  
1025 of the Board.

1026 3. In carrying out the provisions of NRS 590.465 to 590.645,  
1027 inclusive, and holding its regular or special meetings, the Board: (a)  
1028 Shall adopt written policies setting forth procedures and methods of  
1029 operation for the Board.

1030 (b) May adopt such regulations as it deems necessary.

1031 4. The Board shall keep accurate records, minutes and audio  
1032 recordings or transcripts of all meetings and, except as otherwise  
1033 provided in NRS 241.035, the records, minutes, audio recordings and  
1034 transcripts so kept must be open to public inspection at all reasonable  
1035 times. A copy of the minutes *or draft minutes, as applicable*, or audio  
1036 recordings must be made available to a member of the public upon  
1037 request at no charge pursuant to NRS 241.035. The Board shall also  
1038 keep a record of all applications for licenses and licenses issued by it.  
1039 The record of applications and licenses is a public record.

1040 **Sec. 30.** Section 7 of the Airport Authority Act for Battle Mountain,  
1041 being chapter 458, Statutes of Nevada 1983, as last amended by  
1042 chapter 98, Statutes of Nevada 2013, at page 334, is hereby amended  
1043 to read as follows:

1044 Sec. 7. 1. The Board shall elect a Chair, Vice Chair, Secretary  
1045 and Treasurer, who must be members of the Board. The  
1046 Secretary and the Treasurer may be one person. The terms of  
1047 the officers expire on the date their successors are elected and  
1048 qualified in the general election.

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1049 2. The Secretary shall keep audio recordings or  
1050 transcripts of all meetings of the Board and, in a well-bound  
1051 book, a record of all of the proceedings of the Board, minutes  
1052 of all meetings, certificates, contracts, bonds given by  
1053 employees, and all other acts of the Board. Except as otherwise  
1054 provided in NRS 241.035, the minute book, audio recordings,  
1055 transcripts and records must be open to the inspection of all  
1056 interested persons, at all reasonable times and places. A copy  
1057 of the minutes *or draft minutes, as applicable*, or audio  
1058 recordings must be made available to a member of the public  
1059 upon request at no charge pursuant to NRS 241.035.

1060 3. The Treasurer shall keep, in permanent records, strict  
1061 and accurate accounts of all money received by and disbursed  
1062 for and on behalf of the Board and the Authority. The Treasurer  
1063 shall file with the County Clerk, at Authority expense, a  
1064 corporate fidelity bond in an amount not less than \$25,000,  
1065 conditioned for the faithful performance of his or her duties.

1066 **Sec. 31.** Section 6 of the Airport Authority Act for Carson City,  
1067 being chapter 844, Statutes of Nevada 1989, as last amended by  
1068 chapter 98, Statutes of Nevada 2013, at page 334, is hereby amended  
1069 to read as follows:

1070 Sec. 6. 1. The Board shall elect a Chair, Vice Chair, Secretary  
1071 and Treasurer from its members. The Secretary and the  
1072 Treasurer may be one person. The terms of the officers expire  
1073 on July 1 of each odd-numbered year.

1074 2. The Secretary shall keep audio recordings or  
1075 transcripts of all meetings of the Board and a record of all of  
1076 the proceedings of the Board, minutes of all meetings,  
1077 certificates, contracts, bonds given by employees, and all other  
1078 acts of the Board. Except as otherwise provided in NRS  
1079 241.035, the records must be open to the inspection of all  
1080 interested persons, at a reasonable time and place. A copy of  
1081 the minutes *or draft minutes, as applicable*, or audio  
1082 recordings must be made available to a member of the public  
1083 upon request at no charge pursuant to NRS 241.035.

1084 3. The Treasurer shall keep an accurate account of all  
1085 money received by and disbursed on behalf of the Board and  
1086 the Authority. The Treasurer shall file with the Clerk of Carson  
1087 City, at the expense of the Authority, a fidelity bond in an  
1088 amount not less than \$10,000, conditioned for the faithful  
1089 performance of his or her duties.

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1090 **Sec. 32.** Section 7 of the Reno-Tahoe Airport Authority Act, being  
1091 chapter 474, Statutes of Nevada 1977, as last amended by chapter 98,  
1092 Statutes of Nevada 2013, at page 334, is hereby amended to read as  
1093 follows:

1094 Sec. 7. 1. The Board shall choose one of its members as Chair  
1095 and one of its members as Vice Chair, and shall elect a  
1096 Secretary and a Treasurer, who may be members of the Board.  
1097 The Secretary and the Treasurer may be one person. The terms  
1098 of the officers expire on July 1 of each year.

1099 2. Chairs must be selected from trustees appointed by  
1100 the participating local governments in the following order:

- 1101 (a) The City of Reno;  
1102 (b) The City of Sparks;  
1103 (c) Washoe County; and  
1104 (d) The County Fair and Recreation Board of Washoe County.

1105 3. The Secretary shall keep audio recordings or  
1106 transcripts of all meetings of the Board and, in a well-bound  
1107 book, a record of all of the proceedings of the Board, minutes  
1108 of all meetings, certificates, contracts, bonds given by  
1109 employees, and all other acts of the Board. Except as otherwise  
1110 provided in NRS 241.035, the minute book, audio recordings,  
1111 transcripts and records must be open to the inspection of all  
1112 interested persons, at all reasonable times and places. A copy  
1113 of the minutes *or draft minutes, as applicable*, or audio  
1114 recordings must be made available to a member of the public  
1115 upon request at no charge pursuant to NRS 241.035.

1116 4. The Treasurer shall keep, in permanent records, strict  
1117 and accurate accounts of all money received by and disbursed  
1118 for and on behalf of the Board and the Authority. The Treasurer  
1119 shall file with the County Clerk, at Authority expense, a  
1120 corporate fidelity bond in an amount not less than \$25,000,  
1121 conditioned for the faithful performance of his or her duties.

1122 **Sec. 33.** Section 9.5 of Reno-Tahoe Airport Authority Act, being  
1123 chapter 369, Statutes of Nevada 2005, as amended by chapter 98,  
1124 Statutes of Nevada 2013, at page 335, is hereby amended to read as  
1125 follows:

1126 Sec. 9.5. 1. Except as otherwise determined by the Board or  
1127 provided in subsection 2, the provisions of any law requiring  
1128 public bidding or otherwise imposing requirements on any  
1129 public contract, project, acquisition, works or improvements,

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1130 including, without limitation, the provisions of chapters 332,  
1131 338 and 339 of NRS, do not apply to any contract entered into  
1132 by the Board if the Board: (a) Complies with the provisions of  
1133 subsection 3; and (b) Finances the contract, project,  
1134 acquisition, works or improvement by means of:  
1135 (1) Revenue bonds issued by the Authority; or  
1136 (2) An installment obligation of the Authority in a  
1137 transaction in which:  
1138 (I) The Authority acquires real or personal property and  
1139 another person acquires or retains a security interest in that or  
1140 other property; and  
1141 (II) The obligation by its terms is extinguished by failure  
1142 of the Board to appropriate money for the ensuing fiscal year  
1143 for payment of the amounts then due.  
1144 2. A contract entered into by the Board pursuant to this section  
1145 must:  
1146 (a) Contain a provision stating that the requirements of  
1147 NRS 338.010 to 338.090, inclusive, apply to any construction  
1148 work performed pursuant to the contract; and  
1149 (b) If the contract is with a design professional who is  
1150 not a member of a design-build team, comply with the  
1151 provisions of NRS 338.155. As used in this paragraph, "design  
1152 professional" has the meaning ascribed to it in subsection 7 of  
1153 NRS 338.010.  
1154 3. For contracts entered into pursuant to this section that are  
1155 exempt from the provisions of chapters 332, 338 and 339 of  
1156 NRS pursuant to subsection 1, the Board shall adopt  
1157 regulations pursuant to subsection 4 which establish:  
1158 (a) One or more competitive procurement processes for  
1159 letting such a contract; and  
1160 (b) A method by which a bid on such a contract will be  
1161 adjusted to give a 5 percent preference to a contractor who  
1162 would qualify for a preference pursuant to NRS 338.147, if:  
1163 (1) The estimated cost of the contract exceeds \$250,000;  
1164 and  
1165 (2) Price is a factor in determining the successful bid on  
1166 the contract.  
1167 4. The Board:  
1168 (a) Shall, before adopting, amending or repealing a  
1169 permanent or temporary regulation pursuant to subsection 3,

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1170 give at least 30 days' notice of its intended action. The notice  
1171 must:  
1172 (1) Include:  
1173 (I) A statement of the need for and purpose of the proposed  
1174 regulation.  
1175 (II) Either the terms or substance of the proposed regulation or  
1176 a description of the subjects and issues involved.  
1177 (III) The estimated cost to  
1178 the Board for enforcement of the proposed  
1179 regulation.  
1180 (IV) The time when, the place where and the manner in  
1181 which interested persons may present their views regarding the  
1182 proposed regulation.  
1183 (V) A statement indicating whether the regulation  
1184 establishes a new fee or increases an existing fee.  
1185 (2) State each address at which the text of the proposed  
1186 regulation may be inspected and copied.  
1187 (3) Be mailed to all persons who have requested in writing that  
1188 they be placed upon a mailing list, which must be kept by  
1189 the Authority for that purpose.  
1190 (b) May adopt, if it has adopted a temporary regulation  
1191 after notice and the opportunity for a hearing as provided in  
1192 this subsection, after providing a second notice and the  
1193 opportunity for a hearing, a permanent regulation.  
1194 (c) Shall, in addition to distributing the notice to each  
1195 recipient of the Board's regulations, solicit comment generally  
1196 from the public and from businesses to be affected by the  
1197 proposed regulation.  
1198 (d) Shall, before conducting a workshop pursuant to  
1199 paragraph (g), determine whether the proposed regulation is  
1200 likely to impose a direct and significant economic burden upon  
1201 a small business or directly restrict the formation, operation or  
1202 expansion of a small business. If the Board determines that  
1203 such an impact is likely to occur, the Board shall:  
1204 (1) Insofar as practicable, consult with owners and officers of  
1205 small businesses that are likely to be affected by the  
1206 proposed regulation.  
1207 (2) Consider methods to reduce the impact of the proposed  
1208 regulation on small businesses.  
1209 (3) Prepare a small business impact statement and make  
1210 copies of the statement available to the public at the

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workshop conducted pursuant to paragraph (g) and the public hearing held pursuant to paragraph (h).

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

(1) A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary. (2) The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(I) Both adverse and beneficial effects; and

(II) Both direct and indirect effects.

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

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

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

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

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

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

(2) In any other manner reasonably calculated to provide such notice to the general public and any business that may be affected by a proposed regulation which addresses the general topics to be considered at the workshop. (h) Shall set a time and place for an oral public hearing, but if no one appears who will be directly affected by the proposed

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1251 regulation and requests an oral hearing, the Board may  
1252 proceed immediately to act upon any written submissions.

1253 The Board shall consider fully all written and oral  
1254 submissions respecting the proposed regulation.

1255 (i) Shall keep, retain and make available for public  
1256 inspection written minutes of each public hearing held  
1257 pursuant to paragraph (h) in the manner provided in  
1258 subsections 1 and ~~2~~ 3 of NRS 241.035. A copy of the minutes  
1259 *or draft minutes, as applicable*, must be made available to a  
1260 member of the public upon request at no charge pursuant to  
1261 NRS 241.035.

1262 (j) May record each public hearing held pursuant to  
1263 paragraph (h) and make those recordings available for public  
1264 inspection in the manner provided in subsection ~~4~~ 5 of NRS  
1265 241.035. A copy of the audio recordings must be made  
1266 available to a member of the public upon request at no charge  
1267 pursuant to NRS 241.035.

1268 (k) Shall ensure that a small business which is aggrieved  
1269 by a regulation adopted pursuant to this subsection may object  
1270 to all or a part of the regulation by filing a petition with the  
1271 Board within 90 days after the date on which the regulation  
1272 was adopted. Such petition may be based on the following:

1273 (1) The Board failed to prepare a small business impact  
1274 statement as required pursuant to subparagraph (3) of  
1275 paragraph (d); or

1276 (2) The small business impact statement prepared by the  
1277 Board did not consider or significantly underestimated the  
1278 economic effect of the regulation on small businesses. ↘ After  
1279 receiving a petition pursuant to this paragraph, the  
1280 Board shall determine whether the petition has merit. If the  
1281 Board determines that the petition has merit, the Board may,  
1282 pursuant to this subsection, take action to amend the regulation  
1283 to which the small business objected.

1284 5. The determinations made by the Board pursuant to this  
1285 section are conclusive unless it is shown that the Board acted  
1286 with fraud or a gross abuse of discretion.

1287 **Sec. 34.** Section 9 of the Elko Convention and Visitors Authority  
1288 Act, being chapter 227, Statutes of Nevada 1975, as last amended by  
1289 chapter 98, Statutes of Nevada 2013, at page 338, is hereby amended  
1290 to read as follows:

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1291 Sec. 9. 1. The Board shall adopt a seal, establish a principal  
1292 place of business and adopt, and thereafter from time to time  
1293 amend, if necessary, appropriate rules and regulations not  
1294 inconsistent with this act for carrying on the business and  
1295 affairs of the Board and of the Authority. Each member shall,  
1296 upon election or acceptance of his or her appointment, file with  
1297 the Clerk of Elko County his or her oath of office.  
1298 2. No member may receive any compensation as an  
1299 employee of the Board or otherwise, and a member of the  
1300 Board shall not be interested in any contract or transaction with  
1301 the Board except in his or her official representative capacity.  
1302 3. At the first meeting of the Board following each  
1303 general authority election, the Board shall choose one of its  
1304 members as Chair and one of its members as Vice Chair, and  
1305 shall appoint or hire a Secretary and a Treasurer, who must not  
1306 be members of the Board. The Secretary and Treasurer may  
1307 not be one person.  
1308 4. The Secretary shall keep audio recordings or  
1309 transcripts of all meetings of the Board and a record of all of  
1310 the proceedings of the Board, minutes of all meetings,  
1311 certificates, contracts, bonds given by employees, and all other  
1312 acts of the Board. Except as otherwise provided in NRS  
1313 241.035, the minute book, audio recordings, transcripts and  
1314 records are open to the inspection of all interested persons, at  
1315 all reasonable times and places. A copy of the minutes *or draft*  
1316 *minutes, as applicable,* or audio recordings must be made  
1317 available to a member of the public upon request at no charge  
1318 pursuant to NRS 241.035.  
1319 5. The Treasurer shall keep, in permanent records, strict  
1320 and accurate accounts of all money received by and disbursed  
1321 for and on behalf of the Board. The Treasurer shall file with  
1322 the County Clerk, at the Authority's expense, a corporate  
1323 fidelity bond in an amount not less than \$5,000, conditioned on  
1324 the faithful performance of the duties of the Treasurer.  
1325 6. The Board shall appoint the Elko County Treasurer  
1326 and Auditor to act as Treasurer and Auditor of the Authority.  
1327 The Treasurer and Auditor may employ such persons as are  
1328 necessary to carry out the duties of the Treasurer and Auditor  
1329 of the Authority. The Board shall determine the salary of each  
1330 person employed pursuant to this subsection. The salaries and

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1331 expenses of the employees must be paid by the Board from the  
1332 money of the Authority.

1333 7. The Board shall meet regularly at a time and in a  
1334 place to be designated by it. Special meetings may be held as  
1335 often as the needs of the Board require, on notice to each Board  
1336 member.

1337 8. The Board may require from an officer or employee  
1338 of the Authority, except a member of the Board, sufficient  
1339 security for the faithful and honest performance of his or her  
1340 duties. A blanket fidelity bond or blanket position bond, or  
1341 other type of bond suitable for public employees or officers,  
1342 may be furnished at the expense of the Authority for an officer  
1343 or employee of the Authority, in an amount set by the Board  
1344 and conditioned on the faithful and honest performance of his  
1345 or her duties.

1346 **Sec. 35.** Section 4 of the Nevada Commission for the Reconstruction  
1347 of the V & T Railway Act of 1993, being chapter 566, Statutes of  
1348 Nevada 1993, as last amended by chapter 62, Statutes of Nevada  
1349 2017, at page 242, is hereby amended to read as follows:

1350 Sec. 4. 1. The commissioner appointed pursuant to paragraph  
1351 (b) or (d) of subsection 1 of section 3 of this act shall file his  
1352 or her oath of office with the county clerk of Storey County,  
1353 and all other commissioners shall file their oaths of office with  
1354 the Clerk of Carson City.

1355 2. The commissioners must serve without  
1356 compensation, but a commissioner may be reimbursed for  
1357 expenses actually incurred for travel authorized by the  
1358 Commission.

1359 3. The Commission shall elect a Chair, Vice Chair,  
1360 Secretary and Treasurer from among its members. The  
1361 Secretary and the Treasurer may be one person. The terms of  
1362 the officers expire on July 1 of each odd-numbered year.

1363 4. The Secretary shall maintain audio recordings or  
1364 transcripts of all meetings of the Commission and a record of  
1365 all of the proceedings of the Commission, minutes of all  
1366 meetings, certificates, contracts and other acts of the  
1367 Commission. Except as otherwise provided in NRS 241.035,  
1368 the records must be open to the inspection of all interested  
1369 persons at a reasonable time and place. A copy of the minutes  
1370 *or draft minutes, as applicable*, or audio recordings must be

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1371 made available to a member of the public upon request at no  
1372 charge pursuant to NRS 241.035.

1373 5. The Treasurer shall keep an accurate account of all  
1374 money received by and disbursed on behalf of the  
1375 Commission. The Treasurer shall file with the Clerk of Carson  
1376 City, at the expense of the Commission, a fidelity bond in an  
1377 amount not less than \$10,000, conditioned for the faithful  
1378 performance of his or her duties.

1379 **Sec. 36.** Section 27 of the Western Regional Water Commission Act,  
1380 being chapter 531, Statutes of Nevada 2007, as amended by chapter  
1381 98, Statutes of Nevada 2013, at page 340, is hereby amended to read  
1382 as follows:

1383 Sec. 27. 1. The Board shall elect one of its members as Chair  
1384 and one of its members as Vice Chair, and shall elect a  
1385 Secretary and a Treasurer, who may be members of the Board.  
1386 The Secretary and the Treasurer may be the same person. The  
1387 terms of the officers expire on December 31 of each year.

1388 2. The Secretary shall keep audio recordings or transcripts of  
1389 all meetings of the Board and, in a well-bound book, a record  
1390 of all the proceedings of the Board, minutes of all meetings,  
1391 certificates, contracts, bonds given by employees and all other  
1392 acts of the Board. Except as otherwise provided in NRS  
1393 241.035, the minute book, audio recordings, transcripts and  
1394 records must be open to the inspection of all interested persons,  
1395 at all reasonable times and places. A copy of the minutes *or*  
1396 *draft minutes, as applicable*, or audio recordings must be  
1397 made available to a

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**\*AB70\***



1 member of the public upon request at no charge pursuant to  
2 NRS 241.035.  
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 Regional  
Water 6 Commission.  
7 **Sec. 37.** The provisions of NRS 354.599 do not apply to any 8  
additional expenses of a local government that are related to the 9  
provisions of this act.

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