

Senate Bill No. 329—Senator Care

Joint Sponsor: Assemblyman Parks

CHAPTER.....

AN ACT relating to public bodies; prohibiting certain public bodies from taking action by vote without the affirmative vote of a majority of the members of the public body; and providing other matters properly relating thereto.

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

Section 1. Chapter 241 of NRS is hereby amended by adding thereto a new section to read as follows:

A public body that is required to be composed of elected officials only may not take action by vote unless at least a majority of all the members of the public body vote in favor of the action. For purposes of this section, a public body may not count an abstention as a vote in favor of an action.

Sec. 2. NRS 241.015 is hereby amended to read as follows:

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

1. “Action” means:

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

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

~~(c) A~~

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

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

2. “Meeting” means the gathering of members of a public body at which a quorum is present to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.

3. Except as otherwise provided in this subsection, “public body” means any administrative, advisory, executive or legislative body of the state or a local government which expends or disburses or is supported in whole or in part by tax revenue or which advises or makes recommendations to any entity which expends or disburses or is supported in whole or in part by tax revenue, including, but not limited to, any board, commission, committee, subcommittee or other subsidiary thereof and includes an educational foundation as defined in subsection 3 of NRS 388.750 and a university foundation as defined in subsection 3 of NRS 396.405. “Public body” does not include the legislature of the State of Nevada.

4. “Quorum” means a simple majority of the constituent membership of a public body or another proportion established by law.

Sec. 3. NRS 244.060 is hereby amended to read as follows:

244.060 1. ~~{A}~~ *Except as otherwise provided in section 1 of this act,* a majority of the board ~~{shall form}~~ *constitutes* a quorum for the transaction of business.

2. When a majority only of the members ~~{shall be}~~ *is* present at ~~{the}~~ *a* meeting of the board, in case of a tie vote on any question, ~~{it shall}~~ *the vote must* be postponed to a subsequent meeting.

Sec. 4. NRS 244.345 is hereby amended to read as follows:

244.345 1. Every natural person wishing to be employed as an entertainer for an entertainment by referral service and every natural person, firm, association of persons or corporation wishing to engage in the business of conducting a dancing hall, escort service, entertainment by referral service or gambling game or device permitted by law, outside of an incorporated city, must:

(a) Make application to the license board of the county in which the employment or business is to be engaged in, for a county license of the kind desired. The application must be in a form prescribed by the regulations of the license board.

(b) File the application with the required license fee with the county license collector, as provided in chapter 364 of NRS, who shall present the application to the license board at its next regular meeting.

The board, in counties whose population is less than 400,000, may refer the petition to the sheriff, who shall report upon it at the following regular meeting of the board. In counties whose population is 400,000 or more, the board shall refer the petition to the metropolitan police department. The department shall conduct an investigation relating to the petition and report its findings to the board at the next regular meeting of the board. The board shall at that meeting grant or refuse the license prayed for or enter any other order consistent with its regulations. Except in the case of an application for a license to conduct a gambling game or device, the county license collector may grant a temporary permit to an applicant, valid only until the next regular meeting of the board. In unincorporated towns and cities governed pursuant to the provisions of chapter 269 of NRS, the license board has the exclusive power to license and regulate the employment and businesses mentioned in this subsection.

2. The board of county commissioners, and in a county whose population is less than 400,000, the sheriff of that county constitute the license board, and the county clerk or other person designated by the license board is the clerk thereof, in the respective counties of this state.

3. The license board may, without further compensation to the board or its clerk:

(a) Fix, impose and collect license fees upon the employment and businesses mentioned in this section.

(b) Grant or deny applications for licenses and impose conditions, limitations and restrictions upon the licensee.

(c) Adopt, amend and repeal regulations relating to licenses and licensees.

(d) Restrict, revoke or suspend licenses for cause after hearing. In an emergency, the board may issue an order for immediate suspension or limitation of a license, but the order must state the reason for suspension or limitation and afford the licensee a hearing.

4. The license board shall hold a hearing before adopting proposed regulations, before adopting amendments to regulations, and before repealing regulations relating to the control or the licensing of the employment or businesses mentioned in this section. Notice of the hearing must be published in a newspaper published and having general circulation in the county at least once a week for 2 weeks before the hearing.

5. Upon adoption of new regulations, the board shall designate their effective date, which may not be earlier than 15 days after their adoption. Immediately after adoption, a copy of any new regulations must be available for public inspection during regular business hours at the office of the county clerk.

6. ~~A majority vote of the members of the license board present governs in the transaction of all business. A~~ *Except as otherwise provided in section 1 of this act, a* majority of the members constitutes a quorum for the transaction of business.

7. Any natural person, firm, association of persons or corporation who engages in the employment of any of the businesses mentioned in this section without first having obtained the license and paid the license fee as provided in this section is guilty of a misdemeanor.

8. In a county whose population is 400,000 or more, the license board shall not grant any license to a petitioner for the purpose of operating a house of ill fame or repute or any other business employing any person for the purpose of prostitution.

9. As used in this section:

(a) “Entertainer for an entertainment by referral service” means a natural person who is sent or referred for a fee to a hotel or motel room, home or other accommodation by an entertainment by referral service for the purpose of entertaining the person located in the hotel or motel room, home or other accommodation.

(b) “Entertainment by referral service” means a person or group of persons who send or refer another person to a hotel or motel room, home or other accommodation for a fee in response to a telephone or other request for the purpose of entertaining the person located in the hotel or motel room, home or other accommodation.

Sec. 5. NRS 266.235 is hereby amended to read as follows:

266.235 ~~A~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the council shall constitute a quorum to do business, but a less number may meet and adjourn from time to time and may compel the attendance of absentees under such penalties as may be prescribed by ordinance.

Sec. 6. NRS 266.250 is hereby amended to read as follows:

266.250 1. The council’s deliberations, sessions and proceedings must be public.

2. The council shall keep a journal of its own proceedings. The yeas and nays ~~shall~~ *must* be taken upon the passage of all ordinances, and all propositions to create any liability against the city, or to grant, deny,

increase, decrease, abolish ~~{,}~~ or revoke licenses, and in all other cases at the request of any member or of the mayor, which yeas and nays ~~{shall}~~ *must* be entered upon the journal of its proceedings.

3. The ~~{concurrence}~~ *affirmative vote* of a majority of *all* the members elected to the city council ~~{shall be}~~ *is* necessary to pass any such ordinance or proposition.

Sec. 7. NRS 269.025 is hereby amended to read as follows:

269.025 1. The town board or board of county commissioners of any county in this state having jurisdiction of the affairs of any town or city, as in this chapter provided, shall hold a regular meeting in the town offices or in the courthouse at the county seat at least once in each month, on a day previously fixed by the board, for the purpose of transacting the business provided for in this chapter, and shall continue in session from day to day until such business is completed.

2. The town board or board of county commissioners may also hold special meetings upon a call of the chairman of the board, or a majority of the members thereof.

3. A majority of the town board or board of county commissioners ~~{shall be necessary to constitute}~~ *constitutes* a quorum . ~~{, and at}~~ *An affirmative* vote of the majority of the whole board ~~{shall be}~~ *is* necessary to carry any question.

Sec. 8. NRS 278.349 is hereby amended to read as follows:

278.349 1. Except as otherwise provided in subsection 2, the governing body, if it has not authorized the planning commission to take final action, shall, by *an affirmative vote of* a majority ~~{vote}~~ of *all* the members , ~~{present,}~~ approve, conditionally approve ~~{,}~~ or disapprove a tentative map filed pursuant to NRS 278.330:

(a) In a county whose population is 40,000 or more, within 45 days; or

(b) In a county whose population is less than 40,000, within 60 days,
after receipt of the planning commission's recommendations.

2. If there is no planning commission, the governing body shall approve, conditionally approve or disapprove a tentative map:

(a) In a county whose population is 40,000 or more, within 45 days; or

(b) In a county whose population is less than 40,000, within 60 days,
after the map is filed with the clerk of the governing body.

3. The governing body, or planning commission if it is authorized to take final action on a tentative map, shall consider:

(a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

(b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;

(c) The availability and accessibility of utilities;

(d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;

(e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;

(f) General conformity with the governing body's master plan of streets and highways;

(g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

(h) Physical characteristics of the land such as flood plain, slope and soil;

(i) The recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 to 278.348, inclusive; and

(j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

4. The governing body or planning commission shall, by *an affirmative vote of* a majority ~~vote~~ of *all* the members, ~~present,~~ make a final disposition of the tentative map. Any disapproval or conditional approval must include a statement of the reason for that action.

Sec. 9. NRS 309.120 is hereby amended to read as follows:

309.120 1. The officers of such district shall consist of three, five or seven directors as aforesaid, a president and a vice president elected from their number, a secretary and a treasurer. The board may also appoint an assistant secretary who shall exercise such ~~of the~~ powers and perform such ~~of the~~ duties of the secretary as may be designated by the board of directors, except that such assistant secretary shall not be invested with authority to sign on behalf of the secretary any bonds of the district. The secretary and treasurer shall be appointed by the board of directors and may or may not be members of the board. Such officers shall serve at the will of the board. One person may be appointed to serve as secretary and treasurer.

2. The directors immediately upon their election and qualification shall meet and organize. The board of directors shall designate some place within the county where the organization of the district was effected as the office of the board, and the board shall hold a regular monthly meeting in its office on such day of the month as that fixed upon by resolution duly entered upon the minutes, and when the time for such a monthly meeting has been fixed, it cannot again be changed for 12 months, and it can only be changed by resolution passed at least 2 months prior to the time such change ~~shall~~ *will* take effect and upon publication in a newspaper of general circulation in the district for at least 2 weeks prior to such change. Should the regular meeting day fall upon a nonjudicial day, such meeting ~~shall~~ *must* be held on the first judicial day thereafter.

3. The board of directors shall hold such special meetings as shall be required for the purpose of transaction of business, ~~if~~ but all special meetings must be called by the president or a majority of the board. The order calling such special meeting ~~shall~~ *must* be entered on the record, and the secretary shall give each member not joining in the order 3 days' notice of such special meeting. The order must specify the business to be

transacted at such special meeting, ~~it~~ and none other than that specified shall be transacted.

4. Whenever all members of the board are present at a meeting, the same shall be deemed a legal meeting and any lawful business may be transacted. All meetings of the board ~~shall~~ **must** be public and a majority of the members ~~shall constitute~~ **constitutes** a quorum for the transaction of business, but on all questions requiring a vote there ~~shall be a concurrence of~~ **must be an affirmative vote of** at least a majority of **all** the members of the board.

5. All records of the board ~~shall~~ **must** be open to the inspection of any elector during business hours.

6. At the regular monthly meeting in January next following their elections, the board of directors shall meet and organize and elect a president and vice president and appoint a secretary and treasurer. The appointees aforesaid shall file bonds, which ~~shall~~ **must** be approved by the board, for the faithful performance of their duties.

7. Any vacancies in the offices of directors ~~shall~~ **must** be filled from the division in which the vacancy occurs by the remaining members of the board. A director appointed to fill a vacancy, as above provided, shall hold his office until the next biennial election and until his successor is elected and qualified.

Sec. 10. NRS 320.090 is hereby amended to read as follows:

320.090 1. After taking oaths and filing bonds, the members of the board shall, by a majority vote, elect a chairman, vice chairman, secretary and treasurer from among the members. The secretary and treasurer may be one person. After the initial election, the chairman, vice chairman, secretary and treasurer serve in that office for a term of 1 year beginning on July 1 of each year. If a vacancy occurs in any of those offices, the members of the board shall elect a member of the board to serve in that office for the remainder of the unexpired term.

2. Three members of the board constitute a quorum, and ***except as otherwise provided in section 1 of this act***, a quorum may exercise all the powers and duties of the board.

3. The board shall:

(a) Meet at such times and places specified by a call of the chairman or by a majority of the members of the board;

(b) Adopt bylaws prescribing its management and government; and

(c) Comply with the provisions of chapter 241 of NRS.

4. The members of the board serve without compensation and are not entitled to the per diem and travel expenses provided for state officers and employees generally.

5. If a vacancy occurs in the membership of the board, the remaining members of the board shall appoint a person to serve on the board until his successor is elected and qualified. A person appointed to serve on the board pursuant to this subsection must qualify in the manner provided in NRS 320.070. If the board fails to fill a vacancy within 30 days after the vacancy occurs, the board of county commissioners where the district is located shall appoint a person to serve on the board in the manner provided in this subsection.

Sec. 11. NRS 353.015 is hereby amended to read as follows:

353.015 ~~1A~~ *Except as otherwise provided in section 1 of this act, a* majority of the state board of examiners ~~shall constitute~~ *constitutes* a quorum and may, as such, discharge any of the duties specified by law.

Sec. 12. NRS 403.040 is hereby amended to read as follows:

403.040 1. The board of county highway commissioners must hold regular meetings monthly on or about the 1st day of each month.

2. Special meetings may be called by the chairman, but no bills ~~shall~~ *may* be allowed at special meetings. Every member ~~shall~~ *must* be notified of special meetings in ample time to attend.

3. In counties having three county commissioners, two members ~~shall~~ constitute a quorum, but *an affirmative vote of* a majority ~~vote~~ of all the members ~~shall be~~ *is* required at all times for the passing of any motion. In counties having five county commissioners, three members ~~shall~~ constitute a quorum, but *an affirmative vote of* a majority ~~vote~~ of all the members ~~shall be~~ *is* required at all times for the passing of any motion.

Sec. 13. NRS 450.140 is hereby amended to read as follows:

450.140 1. The board of hospital trustees shall hold meetings at least once each month, and shall keep a complete record of all its transactions.

2. *Except as otherwise provided in section 1 of this act:*

(a) In counties where three county commissioners are not members of the board, three members of the board constitute a quorum for the transaction of business.

~~3. Except~~

(b) *And except* as otherwise provided in ~~subsection 4,~~ *paragraph (c),* in counties where three county commissioners are members of the board, any five of the members constitute a quorum for the transaction of business.

~~4.~~ (c) In counties where the board of county commissioners is the board of hospital trustees, a majority of the board constitutes a quorum for the transaction of business.

Sec. 14. NRS 539.095 is hereby amended to read as follows:

539.095 A majority of the members ~~shall constitute~~ *constitutes* a quorum for the transaction of business, but on all questions requiring a vote, there ~~shall be a concurrence~~ *must be an affirmative vote* of at least a majority of *all* the members of the board.

Sec. 15. NRS 548.305 is hereby amended to read as follows:

548.305 A majority of the supervisors ~~shall constitute~~ *constitutes* a quorum, and *except as otherwise provided in section 1 of this act,* the concurrence of a majority of the quorum in any matter within their duties ~~shall be~~ *is* required for their determination.

Sec. 16. Section 2.040 of the charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, at page 58, is hereby amended to read as follows:

Sec. 2.040 Meetings: Quorum.

1. The city council shall hold at least two regular meetings each month, and by ordinance may provide for additional regular meetings.

2. ~~1A~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the city council constitutes a quorum to do

business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members.

3. Except as otherwise provided by law, all sessions and all proceedings of the city council ~~shall~~ *must* be public.

Sec. 17. Section 2.050 of the charter of the City of Carlin, being chapter 344, Statutes of Nevada 1971, at page 606, is hereby amended to read as follows:

Sec. 2.050 Meetings: Quorum.

1. The board of councilmen shall hold at least one regular meeting each month, and by ordinance may provide for additional regular meetings.

2. ~~At~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the board of councilmen constitutes a quorum to do business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members.

3. Except as otherwise provided by law, all sessions and all proceedings of the board of councilmen ~~shall~~ *must* be public.

Sec. 18. Section 2.050 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, at page 295, is hereby amended to read as follows:

Sec. 2.050 Meetings: Quorum.

1. The board shall hold at least two regular meetings each month, and by ordinance may provide for the holding of additional regular meetings.

2. Special meetings may be held on call of the mayor or by a majority of the board, by giving a minimum of 6 hours' notice of such special meeting to each member of the board prior to the meeting. No contract involving the expenditure of money may be made or claim allowed at a special meeting unless notice of the meeting called to consider such action is published in a newspaper within Carson City at least 1 day before such meeting, and no business may be transacted at a special meeting except such as has been stated in the call of the meeting, and no ordinance may be passed at a special meeting except an emergency ordinance.

3. ~~At~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the board constitutes a quorum to do business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members.

4. Except as otherwise provided by law, the sessions and all proceedings of the board ~~shall~~ *must* be public.

Sec. 19. Section 2.050 of the charter of the City of Elko, being chapter 276, Statutes of Nevada 1971, at page 477, is hereby amended to read as follows:

Sec. 2.050 Meetings: Quorum.

1. The board of supervisors shall hold at least one regular meeting each month, and by ordinance may provide for additional regular meetings.

2. ~~At~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the board of supervisors constitutes a

quorum to do business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members.

3. Except as otherwise provided by law, all sessions and all proceedings of the board of supervisors ~~shall~~ *must* be public.

Sec. 20. (Deleted by amendment.)

Sec. 21. Section 2.040 of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 405, is hereby amended to read as follows:

Sec. 2.040 Meetings: Quorum.

1. The city council shall hold at least two regular meetings each month, and by ordinance may provide for additional regular meetings.

2. ~~At~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the city council constitutes a quorum to do business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members.

3. Except as otherwise provided by law, all sessions and all proceedings of the city council ~~shall~~ *must* be public.

Sec. 22. Section 2.060 of the charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1395, is hereby amended to read as follows:

Sec. 2.060 Meetings: Quorum.

1. ~~At~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the city council constitutes a quorum to do business, but a lesser number may meet and recess from time to time or compel the attendance of the absent members, or both, under such penalties as may be prescribed by ordinance.

2. ~~Unless~~ *Except as otherwise provided in section 1 of this act, and unless* otherwise provided by *any other provision of* law, including sections 1.160, 2.100 and 3.050 and subsection 3 of section 2.110 of this charter, the concurrence of a majority of a quorum of the city council is necessary to pass any proposition.

Sec. 23. Section 2.040 of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as amended by chapter 301, Statutes of Nevada 1979, at page 451, is hereby amended to read as follows:

Sec. 2.040 Meetings: Quorum.

1. The city council shall hold at least one regular meeting each month, and by ordinance may provide for additional regular meetings.

2. ~~At~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the city council constitutes a quorum to do business.

3. Except as otherwise provided by law, all sessions and all proceedings of the city council ~~are~~ *must be* public.

Sec. 24. Section 2.040 of the charter of the City of Reno, being chapter 662, Statutes of Nevada 1971, as amended by chapter 203, Statutes of Nevada 1989, at page 444, is hereby amended to read as follows:

Sec. 2.040 Meetings: Quorum.

1. The city council shall hold not less than two regular meetings each month. The times and dates of the meetings must be established by ordinance.

2. ~~1A~~ *Except as otherwise provided in section 1 of this act, a* majority of all the members of the city council constitutes a quorum to do business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members.

3. Except as otherwise provided by law, all sessions and all proceedings of the city council must be public.

Sec. 25. Section 2.030 of the charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, as last amended by chapter 450, Statutes of Nevada 1985, at page 1313, is hereby amended to read as follows:

Sec. 2.030 Meetings: Regular; special; quorum.

1. The city council shall hold regular meetings at least twice each month at times it designates by ordinance. When a regular meeting falls on a holiday, the council must hold the meeting on the next business day.

2. Special meetings may be held on a call of the mayor or by a majority of the council. Reasonable effort must be made to give notice of a special meeting to each member of the council, the mayor, city clerk, city attorney, city manager and to any other person who has submitted a request for notice to the city clerk. Notice is not required if the mayor has declared an emergency.

3. At a special meeting, unless the entire city council otherwise consents:

(a) Or unless notice of the meeting is published in a newspaper of general circulation in the city at least 1 day before the meeting, a contract or claim involving the expenditure of money may not be approved;

(b) Only emergency ordinances may be passed; and

(c) Only that business which was stated in the call of the meeting may be discussed.

4. ~~1A~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the city council constitutes a quorum to do business, but a lesser number may meet and recess and compel the attendance of the absent members.

5. No meeting of the city council may be held for the purpose of conducting or discussing city business except as provided in this section.

Sec. 26. Section 2.050 of the charter of the City of Wells, being chapter 275, Statutes of Nevada 1971, at page 460, is hereby amended to read as follows:

Sec. 2.050 Meetings: Quorum.

1. The board of councilmen shall hold at least one regular meeting each month, and by ordinance may provide for additional regular meetings.

2. ~~1A~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the board of councilmen constitutes a quorum to do business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members.

3. Except as otherwise provided by law, all sessions and all proceedings of the board of councilmen ~~shall~~ *must* be public.

Sec. 27. Section 2.040 of the charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as amended by chapter 184, Statutes of Nevada 1985, at page 643, is hereby amended to read as follows:

Sec. 2.040 Meetings: Quorum.

1. The city council shall hold at least two regular meetings each month, on the second and fourth Mondays, and by ordinance may provide for additional regular meetings.

2. If the date of any regular meeting of the city council falls on a legal holiday, the meeting must be held on the next day which is not a legal holiday.

3. ~~At~~ *Except as otherwise provided in section 1 of this act, a* majority of all members of the city council constitutes a quorum to do business.

Sec. 28. Section 8 of chapter 167, Statutes of Nevada 1947, as last amended by chapter 468, Statutes of Nevada 1977, at page 932, is hereby amended to read as follows:

Sec. 8. The officers of the district shall consist of directors as specified in section 5.1, a president, a vice president, a secretary ~~and~~ and a treasurer. The chairman of the board of county commissioners of Clark County may be president of the board of directors of the district, or the board of county commissioners may, at its first meeting in January of each year, designate another of its members to serve as president of the board of directors of the district for a term of 1 year. The vice chairman of the board of county commissioners may be vice president of the board of directors of the district, or the board of county commissioners may, at its first meeting in January of each year, designate another of its members to serve as vice president of the board of directors of the district for a term of 1 year. The board may appoint an assistant secretary, who shall exercise such ~~of the~~ powers and perform such ~~of the~~ duties of the secretary as may be designated by the board of directors, except that the assistant secretary may not sign on behalf of the secretary any bonds of the district. The secretary and treasurer shall be appointed by the board of directors and may not be members of the board. These officers shall serve at the will of the board. One person may be appointed to serve as secretary and treasurer. The board may designate the county clerk of Clark County and the county treasurer of Clark County, respectively, to act ex officio as secretary and treasurer, or it may designate some other person to fill either or both of the offices. No additional bond may be required of the county treasurer of Clark County as ex officio district treasurer. The board may also appoint an engineer and manager and such other assistants as may be necessary. The board of directors shall designate some place within the county as the office of the board *and* shall hold a regular monthly meeting in this office on such day of the month as that fixed upon by resolution duly entered upon the minutes. All meetings of the board ~~shall~~ *must* be public, and, *except as otherwise provided in section 1 of this act,* a majority of the members ~~shall constitute~~ *constitutes* a quorum for the transaction of business, but on all questions requiring *a* vote, there ~~shall be a concurrence~~ *must be an affirmative vote* of at least a

majority of *all* the members of the board. All records of the board ~~shall~~ *must* be open to the inspection of any elector during business hours.

Sec. 29. Section 10 of chapter 227, Statutes of Nevada 1975, as amended by chapter 275, Statutes of Nevada 1979, at page 379, is hereby amended to read as follows:

Sec. 10. ~~It is~~ *Except as otherwise provided in section 1 of this act, a* majority of the members ~~constitute~~ *constitutes* a quorum at any meeting ~~it~~ and the ~~Board~~ *board* may take action either by motion or by resolution, which must be adopted by at least a majority of the members present and constituting a quorum.

Sec. 30. Section 8 of chapter 458, Statutes of Nevada 1983, as amended by chapter 97, Statutes of Nevada 1985, at page 363, is hereby amended to read as follows:

Sec. 8. 1. The board shall meet regularly at a time and in a place to be designated by the board. Special meetings may be held as often as the needs of the board require, on notice to each board member.

2. A majority of the members ~~shall constitute~~ *constitutes* a quorum at any meeting. ~~Every~~ *Except as otherwise provided in section 1 of this act, every* motion and resolution of the board must be adopted by at least a majority of the members present and constituting the quorum at such meeting.

3. If any member is absent from three consecutive regular meetings of the board, without good cause as determined by the board, his office thereupon becomes vacant.

4. The board shall adopt a seal.

Sec. 31. Section 4 of chapter 477, Statutes of Nevada 1983, as amended by chapter 175, Statutes of Nevada 1999, at page 886, is hereby amended to read as follows:

Sec. 4. All powers, duties and privileges of the Moapa Valley Water District must be exercised and performed by the governing board of the district. Except as otherwise provided in section 5 of this chapter, the board consists of five members elected as prescribed in this act. A simple majority of the members of the board constitutes a quorum. The *affirmative* vote of a ~~simple~~ majority of ~~the quorum~~ *all the members of the board* is required to take action.

Sec. 32. Section 8 of chapter 477, Statutes of Nevada 1983, as amended by chapter 175, Statutes of Nevada 1999, at page 888, is hereby amended to read as follows:

Sec. 8. 1. The board shall:

(a) Choose one of its members chairman of the board and president of the district, and prescribe the term of office and the powers and duties thereof.

(b) Fix the time and place at which its regular meetings must be held and provide for the calling and conduct of special meetings.

(c) Fix the location of the principal place of business of the district.

(d) Elect a secretary-treasurer of the board and the district, who may or may not be a member of the board.

(e) Appoint a general manager who must not be a member of the board.

(f) Delegate and redelegate to officers of the agency the power to employ necessary executives, clerical workers, engineering assistants and laborers, and retain legal, accounting or engineering services, subject to such conditions and restrictions as may be imposed by the board.

(g) Prescribe the powers, duties, compensation and benefits of all officers and employees of the district, and require all bonds necessary to protect the money and other property of the district.

(h) Take all actions and do all things reasonably and lawfully necessary to conduct the business of the district and *to* achieve the purpose of this act.

2. No regular or special meeting of the board may commence or continue unless a quorum of at least three members is present. ~~A majority~~ *The affirmative* vote of the ~~quorum present~~ *majority of all the members of the board* is required to take action with respect to any matter.

3. Members of the board serve without compensation, except that they are entitled to reasonable per diem and travel expenses, set by the board, for attendance at meetings and conducting other business of the district.

Sec. 33. Section 9 of chapter 489, Statutes of Nevada 1999, at page 2531, is hereby amended to read as follows:

Sec. 9. 1. The board shall meet each month at a time and place designated by the chairman of the board. The board may hold special meetings as often as the needs of the board require, upon notice to each member of the board.

2. The board ~~must~~ *shall* provide notice of a meeting in the manner prescribed by NRS 241.020.

3. Except as otherwise provided in subsection 4 ~~and section 1 of this act:~~

(a) A majority of the members of the board constitutes a quorum; and

(b) All actions must be adopted by at least a majority of the members present and constituting the quorum at such a meeting.

4. The affirmative vote of at least two-thirds of the members of the board is necessary to pass an action relating to:

(a) A budgetary matter or a matter which involves an expenditure of public money; or

(b) A contract or other instrument that creates a binding legal obligation on a public entity.

Sec. 34. Section 12 of Assembly Bill No. 11 of this session is hereby amended to read as follows:

Sec. 12. Section 2.050 of the charter of the City of Elko, being chapter 276, Statutes of Nevada 1971, at page 477, is hereby amended to read as follows:

Sec. 2.050 Meetings: Quorum.

1. The ~~{board of supervisors}~~ *city council* shall hold at least one regular meeting each month, and , by ordinance , may provide for additional regular meetings.

2. Except as otherwise provided in section 1 of *Senate Bill No. 329 of this {act,} session*, a majority of all members of the ~~{board of supervisors}~~ *city council* constitutes a quorum to do business, but a lesser number *of the members of the city council* may meet and recess from time to time, and compel the attendance of the absent members.

3. Except as otherwise provided by law, all sessions and all proceedings of the ~~{board of supervisors}~~ *city council* must be public.

Sec. 35. This act becomes effective on July 1, 2001.