

**Amendment No. 661**

Senate Amendment to Assembly Bill No. 91 First Reprint

(BDR 1-472)

**Proposed by:** Senator Amodei**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will:

- (1) MAINTAIN a 2/3s majority vote requirement for final passage of AB91 R1 (§§ 1, 11); and  
 (2) MAINTAIN an unfunded mandate not requested by the affected local government to AB91 R1 (§ 1).

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 2, line 4, by deleting “fees:” and inserting “~~{fees:}~~ *compensation:*”.Amend section 1, page 3, line 12, by deleting “~~{\\$3.55}~~ \$3.75” and inserting “\$3.55”.Amend section 1, page 3, line 13, by deleting “~~{55 cents}~~ \$1” and inserting “55 cents”.Amend section 1, page 3, line 36, by deleting “fees” and inserting “~~{fees}~~ *compensation*”.Amend section 1, page 4, line 3, by deleting “fees” and inserting “~~{fees}~~ *compensation*”.Amend section 1, page 4, line 5, by deleting “fee” and inserting “~~{fee}~~ *compensation*”.Amend section 1, page 4, lines 11 and 18, by deleting “fees” and inserting “~~{fees}~~ *compensation*”.Amend section 1, page 4, line 21, by deleting “fee” and inserting “~~{fee}~~ *compensation*”.Amend section 1, page 4, line 26, by deleting “fees” and inserting “~~{fees}~~ *compensation*”.

BAW

Date: 4/28/2005

A.B. No. 91—Makes various changes relating to court reporters and court reporting firms.



Amend section 1, page 5, line 3, by deleting “fees” and inserting “[~~fees~~] *compensation*”.

Amend section 1, page 5, line 6, by deleting:

“A fee of [~~\$5.33~~]” and inserting:

“[~~A fee of \$5.33~~] *Compensation of*”.

Amend section 1, page 5, lines 11, 12, 13, 14 and 16, by deleting “fees” and inserting “[~~fees~~] *compensation*”.

Amend section 1, page 5, line 17, by deleting “are” and inserting “[~~are~~] *is*”.

Amend section 1, page 5, lines 19 and 33, by deleting “fees” and inserting “[~~fees~~] *compensation*”.

Amend section 1, page 5, line 36, by deleting “whole fee.” and inserting:

“[~~whole fee.~~] *entire compensation.*”.

Amend section 1, page 5, line 37, by deleting “fees” and inserting “[~~fees~~] *compensation*”.

Amend section 1, page 5, line 40, by deleting “fees have” and inserting:

“[~~fees have~~] *compensation has*”.

Amend section 1, page 5, line 43, by deleting “fees” and inserting “[~~fees~~] *compensation*”.

Amend the bill as a whole by adding new sections designated sections 1.3 and 1.7, following section 1, to read as follows:

“**Sec. 1.3.** NRS 4.410 is hereby amended to read as follows:

4.410 1. If the person designated to transcribe the proceedings is:

(a) Regularly employed as a public employee, he is not entitled to additional compensation for preparing the transcript.

(b) Not regularly employed as a public employee and not a certified court reporter, he is entitled to such compensation for preparing the transcript as the board of county commissioners determines.

(c) A certified court reporter, he is entitled to the same ~~{fees}~~ **compensation** as set forth in NRS 3.370.

2. The ~~{fees}~~ **compensation** for transcripts and copies must be paid by the party ordering them. In a civil case the preparation of the transcript need not commence until the ~~{fees have}~~ **compensation has** been deposited with the deputy clerk of the court.

**Sec. 1.7.** NRS 18.005 is hereby amended to read as follows:

18.005 For the purposes of NRS 18.010 to 18.150, inclusive, the term “costs” means:

1. Clerks’ fees.
2. Reporters’ fees for depositions, including a reporter’s fee for one copy of each deposition.
3. Jurors’ fees and expenses, together with reasonable compensation of an officer appointed to act in accordance with NRS 16.120.
4. Fees for witnesses at trial, pretrial hearings and deposing witnesses, unless the court finds that the witness was called at the instance of the prevailing party without reason or necessity.
5. Reasonable fees of not more than five expert witnesses in an amount of not more than \$1,500 for each witness, unless the court allows a larger fee after determining that the circumstances surrounding the expert’s testimony were of such necessity as to require the larger fee.
6. Reasonable fees of necessary interpreters.
7. The fee of any sheriff or licensed process server for the delivery or service of any summons or subpoena used in the action, unless the court determines that the service was not necessary.
8. ~~{The fees of}~~ **Compensation for** the official reporter or reporter pro tempore.
9. Reasonable costs for any bond or undertaking required as part of the action.
10. Fees of a court bailiff who was required to work overtime.

11. Reasonable costs for telecopies.
12. Reasonable costs for photocopies.
13. Reasonable costs for long distance telephone calls.
14. Reasonable costs for postage.
15. Reasonable costs for travel and lodging incurred taking depositions and conducting discovery.
16. Fees charged pursuant to NRS 19.0335.
17. Any other reasonable and necessary expense incurred in connection with the action, including reasonable and necessary expenses for computerized services for legal research.”.

Amend the bill as a whole by adding a new section designated sec. 13.5, following sec. 13, to read as follows:

“**Sec. 13.5.** NRS 656.290 is hereby amended to read as follows:

656.290 1. The Board may subpoena and bring before it any person in this State and take testimony orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed in civil cases in courts of this State.

2. Any district court, upon the application of the accused or complainant or of the Board may, by order, require the attendance of witnesses and the production of relevant books and papers before the Board in any hearing relative to the application for or refusal, recall, suspension or revocation of a license or certificate, and the court may compel obedience to its order by proceedings for contempt.

3. The Board shall provide a court reporter to transcribe the testimony and preserve a record of all proceedings at the hearing of any case wherein a license or certificate is revoked or suspended.

The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board and its orders constitute the record of the proceedings. The Board shall furnish a transcript of the record to any person interested in the hearing upon payment therefor of the statutory ~~fees~~ *compensation* for transcription as provided in NRS 3.370.

4. At any time after the suspension or revocation of any license or certificate, the Board may restore it to the accused without examination upon unanimous vote by the Board.”.

Amend sec. 17, page 13, by deleting line 12 and inserting:

“3. Sections 1, 1.3, 1.7, 4, 5, 11, 12, 13.5, 14 and 16 of this act become”.

Amend the title of the bill, first line, by deleting “fees” and inserting “compensation”.

**If this amendment is adopted, the Legislative  
Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Existing law establishes the fees for the services of court reporters in district courts. (NRS 3.370)

This bill revises the terminology in the existing law to refer to money paid to such court reporters as compensation, instead of fees. This bill also increases the compensation paid to such court reporters for various services and provides for compensation for such court reporters who deliver transcripts on a daily basis if the court determines that the services of more than one court reporter are necessary for such a task.

Under existing law, a person must be licensed by the Certified Court Reporters' Board of Nevada to conduct business as a court reporting firm. To obtain such a license, the applicant is not required to be a certified court reporter. (NRS 656.185)

This bill requires each court reporting firm to appoint a person affiliated with the court reporting firm as the designated representative of the court reporting firm. To be appointed as the designated representative of a court reporting firm the person must either be a certified court reporter or must pass an examination administered by the Board. If the person acting as the designated representative of the firm is not a certified court reporter, the person must also comply with continuing education requirements established by the Board.

Existing law establishes the fees relating to the issuance or renewal of a certificate of registration as a court reporter or a license as a court reporting firm. (NRS 656.220)

This bill increases the fees relating to the issuance or renewal of a certificate of registration as a court reporter or a license as a court reporting firm.

Existing law specifies grounds for the denial, suspension or revocation of a certificate of registration as a court reporter and of a license to conduct business as a court reporting firm. (NRS 656.240, 656.250, 656.253)

This bill expands the grounds for the denial, suspension or revocation of such a certificate or license.

Under existing law, a person may engage in the practice of court reporting on a temporary basis with reference to a single proceeding with the approval of the Board. (NRS 656.340)

This bill removes the condition that the temporary practice of court reporting be limited to a single proceeding. The bill further provides that a person who wishes to temporarily engage in the practice of court reporting submit certain information to the Board concerning his qualifications.