



STATE OF NEVADA CERTIFIED COURT REPORTERS BOARD

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WILLIAM LABORDE

Court Reporter Member

KEVIN DIAMOND

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LINDA SHAW

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Legislative Regulations Committee Members:

KEVIN DIAMOND – Chair

WILLIAM LA BORDE – Vice Chair

LORI JUDD

PAULINE MAY

PEGGY ELIAS

LEGISLATIVE REGULATIONS COMMITTEE MEETING MINUTES

Date: Tuesday, February 6, 2024

Start Time: 5:30pm

End Time: 6:30pm

Location: Virtual Zoom Meeting

Present Via Zoom:	Kevin Diamond	William LaBorde	Peggy Elias	Pauline May
	Lori Judd	Debbie Uehara	Kim Farkas	Lori Unruh
	Robin Ravize	Christie Cabrajac	Kit McDonald	Susan Naylor
	Jazz Taylor	Yolanda Henry	Dawn Gustin	Evelyn Stubbs
	Vicki Larsen	Sharon Bradley	Pamela Cotten	Kele Smith
	Sherry Graham	Alex Nagle	Connie Eisenberg	Carolyn Harkins
	John Nagle	Kerrie Keller	John Fahrenwald	Terry Thompson
	Debbie Hines	Sharon Cahn	Deidre Rand	Heidi Hunter
	Mary Randle	Lisa Moskowitz	Cindy Vegas	Matthew Spievak
	Kristine Fluker	Laurie Miller	Monice Campbell	Carrie Hewerdine
	Rhonda Aquilina			

ITEM #1: Meeting Called to Order:

Kevin Diamond called the meeting to order at 5:30pm.

Committee Members:

Present: William LaBorde
Present: Peggy Elias
Present: Kevin Diamond
Present: Lori Judd (announced at 6:03pm)
Present: Pauline May

ITEM #2: Public Comments: No public comments.

ITEM #3: Approval of the Agenda:

MOTION by Peggy Elias: That the Legislative Regulations Committee approves the agenda in its entirety. Motion seconded by Pauline May, all in favor, motion moves forward.

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ITEM #4 **Discussion to Amend R193-22:** Kevin Diamond shared comments received from the Legislative Commission on December 14, 2023. A copy of the audio was provided to each committee member. The Legislative Commission shared their concerns on how the language was written in Section 4(3); some legislatures felt it was violation of confidentiality for a court reporter to sell a copy of a transcript to a third party. They questioned why the word deposition was replaced with proceeding. Senator Daly referred to Section 6 and questioned why a person applying for a certificate would petition the Board to review their criminal history when the applicant is responsible to submit their criminal history. The Legislative Commission did not pass R193-22 and directed the Board to continue their discussion and rework the language. Mr. Diamond instructed Debbie Uehara to contact LCB to seek their assistance in formulating revised language. Ms. Uehara will inquire if LCB would like a transcript or a copy of the audio from the December 14, 2023 meeting. No further comments.

Motion by Kevin Diamond: That the Legislative Regulations Committee will seek the assistance of LCB to redraft language in R193-22. Motion by Peggy Elias, all in favor, motion moves forward.

ITEM #5: **Review Proposed Language for a Temporary Certificate by Endorsement:** Kevin Diamond presented proposed language for a temporary certificate by endorsement, pursuant to NRS 622.530. It was determined to change the fee to \$200, equal to the annual fee for a court reporter. Peggy Elias amended Section 2 to read:

2. A temporary certificate by endorsement shall remain in effect, upon payment of the required fee, for a period not to exceed 12 months after being issued.

No further comments.

Motion by William LaBorde: That the Legislative Regulations Committee will present the proposed language for a temporary certificate by endorsement to the Board at the February 12, 2024 open meeting. Motion seconded by Peggy Elias, all in favor, motion moves forward.

ITEM #6: **Formulate a Definition for a Temporary Certificate by Endorsement:** Kevin Diamond opened the floor for suggestions to create a definition for a temporary certificate by endorsement. Peggy Elias suggested the following language:

NAC 656-XXX “Temporary Certificate by Endorsement” means a certificate to practice court reporting issued to a person on a temporary basis.

Debbie Uehara will contact LCB to confirm if the definition should be placed in NRS or NAC. No further comments.

MOTION by William LaBorde: That the Legislative Regulations Committee will present the proposed definition for a temporary certificate by endorsement to the Board at the February 12, 2024 open meeting. Motion seconded by Lori Judd, all in favor, motion moves forward.

- ITEM #7:** **Amend NRS and NAC Chapter 656 to Establish the Official Record:** Kim Farkas shared her personal experience of sitting for a 19-day trial and providing final certified daily transcripts while the court simultaneously used their JAVS system. It was later determined the JAVS audio was the official record and transcripts were ordered through the courts using a transcriber and not the certified court reporter. Ms. Farkas asked if the Board could write language to avoid future situations like this. Peggy Elias stated the Board is governed by NRS and NAC Chapter 656. Official reporters are governed by 3.320 and the Board does not have the authority to amend 3.320. Ms. Elias suggested Ms. Farkas contact the court reporter’s association and their lobbyist to seek the necessary changes. No further comments. No motion was made.
- ITEM #8:** **New Guidelines Relating to Independent Contractors:** Lori Judd presented new guidelines relating to the classification of independent contractors set forth by the Department of Labor. The new guidelines go into effect on March 11, 2024. Peggy Elias stated the new guidelines would affect court reporting firms when hiring court reporters. Ms. Elias suggested this matter be placed on an open meeting agenda for further discussion. No further comments.
- ITEM #9:** **Next Open Meeting Date and Agenda Items:** A future committee meeting date and agenda items will be determined at a later time. No further comments.
- ITEM #10:** **Roll Call for Continuing Education Credit:** Debbie Uehara took final roll call for participants to earn 1 continuing education credit. A copy of the attendance list will be kept on file and posted on the Board’s website. No further comments.
- ITEM #11:** **Adjournment:**
MOTION by Lori Judd: That the Legislative Regulation Committee meeting is adjourned at 6:30pm. Motion seconded by Kevin Diamond, all in favor, motion moves forward.