



**STATE OF NEVADA**  
**COMMISSION ON ETHICS**  
704 West Nye Lane, Suite 204  
Carson City, Nevada 89703  
(775) 687-5469 • Fax (775) 687-1279  
<http://ethics.nv.gov>

**NEVADA COMMISSION ON ETHICS**  
**PUBLIC RECORDS POLICY**

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**A. Purpose**

To provide members of the public with reasonable uniform procedures to access, inspect and copy public books and records of the Nevada Commission on Ethics (“Commission”) as permitted by law in compliance with the Nevada Public Records Act set forth in NRS Chapter 239 and interpretive regulations located in NAC Chapter 239 (collectively referred to as the “Public Records Act”).

**B. Policy Statement**

**1. Access to Public Records.** The Commission is committed to providing access to public records in accordance with the Public Records Act. In furtherance of the Public Records Act, the Ethics in Government Law set forth in NRS Chapter 281A and NAC Chapter 281A (collectively referred to as the “Ethics Law”) contain statutory authority and interpretive regulations declaring specific proceedings and records of the Commission confidential. Any controlling law or governing amendments to the Public Records Act or the Ethics Law shall control and supersede any conflicting provisions of this policy. Additionally, the Commission adopts, as general guidelines for processing public records requests, the applicable

Updated 8/16/17

provisions of the *Nevada Public Records Act: A Manual for State Agencies, latest edition*, as duly issued and approved. The Manual is available at [nsla.nv.gov](http://nsla.nv.gov).

**2. Assistance and Compliance with Americans with Disabilities Act (“ADA”).** In accordance with the ADA, reasonable accommodations are made available to the public for the inspection and copying of public records including providing the opportunity to request public records in an alternative format. The public should direct requests for reasonable accommodations to the Commission’s designated Records Official.

**NOTICE:** For assistance with ADA compliance or any other questions, please contact the Commission during regular business hours on Monday through Thursday, from 7:00 a.m. to 5:30 p.m., excluding holidays and other official business closures.

**3. Public Records located on Official Website.** Copies of agendas, minutes, proposed regulations and final Commission Opinions constitute public records and will be provided to the public without charge. The Commission maintains an official website located at [www.ethics.nv.gov](http://www.ethics.nv.gov) where these and certain other public records may be obtained.

**4. Confidential and Restricted Records.** A number of proceedings and records of the Commission are declared to be confidential under Nevada law. In addition to records of the Commission designated as confidential pursuant to the Public Records Act and Ethics Law, the Commission acknowledges all other laws declaring the records of the Commission to be confidential or restricted, including interpretive regulations, cases, and other legal precedent. Each public records

request received by the Commission will be reviewed to determine whether the records requested are confidential or restricted.

**C. Public Records Request Guidelines:**

The following guidelines are provided to assist the public in completing a public records request:

**1. Public Records Request Form.** A Public Records Request form (Exhibit "A") is provided to facilitate a request for public records of the Commission. When completing the Public Records Request Form, it is important to be as specific as possible and provide concise and legible information. Details identifying the public records such as names, dates, and any other identifying information will assist with the processing of a request. Public Records Requests may be sought via the Commission's official website at [www.ethics.nv.gov](http://www.ethics.nv.gov) or sent to the attention of Yvonne M. Nevarez-Goodson, Esq., Executive Director, as the designated Records Official for the Commission:

**E-Mail:** [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov)

**Mailing and Physical Address:**

State of Nevada Commission on Ethics  
704 West Nye Lane, Suite 204  
Carson City, NV 89703  
Phone: (775) 687-5469 / Fax: (775) 687-1279

The Records Official is available to assist individuals with disabilities with a public records request including processing of public records in an alternative form.

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**2. Processing of Public Records Request.** Pursuant to NRS 239.0105, within five (5) business days after receiving a request for a public record, the Records Official will:

- Allow the requestor to inspect or copy the record; or
- Notify the requestor that the office does not possess the information and provide the name and address of the entity that does, if known; or
- Notify the requestor that the information will not be available within five (5) business days and provide a date and time after which the record will be available to inspect or copy; or
- Notify the requestor that the information is confidential and cite the statute or other legal authority to deny the request.

**3. Fee Schedule for Public Records.** Pursuant to NRS 239.052, a governmental entity may charge a fee for providing a copy of a public record. The Commission's Fee Schedule for Public Records is attached hereto as Exhibit "B." The Fee Schedule sets forth both Standard Fees and Extraordinary Use Fees. Standard Fees are charged separate from and in addition to any Extraordinary Use Fee.

Standard Fees represent the actual costs authorized pursuant to NRS 239.052, including costs for reproduction, copying, postage, and transcription fees allowed under NRS 239.053. Extraordinary Fees represent additional fees authorized pursuant to NRS 239.055 when the extraordinary use of personnel or technological resources is required to respond to a public records request.

The Commission will provide an estimate of Standard Fees and Extraordinary Fees (“Fee Estimate”) for producing requested records to the Requestor, and will not produce the records until after the Requester remits a deposit in the amount of the Fee Estimate. If the actual fees are less than the Fee Estimate, the Commission will refund the difference to the Requestor. If the actual fees exceed the Fee Estimate, the Commission will send an invoice to the Requestor, and the Requester shall remit payment to the Commission within thirty (30) days.

**D. Effective Date**

This policy was adopted by a majority vote of the Commission on August 23, 2017, and continues in force until it is amended or revoked.

Dated: This 23<sup>rd</sup> day of August, 2017.

By:           /s/ Cheryl A. Lau            
Cheryl A. Lau, Esq., Chair

By:           /s/ Yvonne M. Nevarez-Goodson            
Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

# EXHIBIT A



## State of Nevada Commission on Ethics Public Records Request

Email, Deliver, Mail or Fax to:

704 W. Nye Lane, Suite 204

Carson City, NV 89703

Tel. 775-687-5469, Fax: 775-687-1279

[www.ethics.nv.gov](http://www.ethics.nv.gov) || [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov)

### Section A – Requester Information

<b>Date of Request</b>	
<b>Requester Contact Information</b>	
Name:	
Organization:	
Address:	
City, State, Zip:	
Phone:	
E-mail:	

### Section B – Record(s) Requested

<b>Records Requested:</b>
Check one: <input type="checkbox"/> Electronic copies <input type="checkbox"/> Paper Copies <input type="checkbox"/> Inspection (in person)
<i>Describe the record(s) you are requesting. Please be as specific as possible and include enough detail to assist the Nevada Commission on Ethics staff in locating the records(s). Include relevant dates or date ranges. You may attach additional pages, if necessary.</i>

### Section C – Receiving Records

<i>Please specify the preferred method of receiving the requested record(s):</i>			
<input type="checkbox"/> E-mail or drop box (no charge)	<input type="checkbox"/> I will pick up	<input type="checkbox"/> Please send USPS	<input type="checkbox"/> Please FedEx <i>Fed Ex billing number:</i>

<b>Statement</b>	
<input type="checkbox"/> By signing below, I certify that the information above is true and correct to the best of my knowledge. I understand that copying and other associated fees may apply and that records will not be released until the estimated fee deposit is received.	
<b>Requester Signature</b>	<b>Date</b>
_____	_____
<b>Requester Signature</b>	<b>Date</b>

## Exhibit B – Fee Schedule



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### **PUBLIC RECORDS POLICY**

### **FEE SCHEDULE**

Pursuant to Nevada Revised Statutes Chapter 239 and the Nevada Commission on Ethics' ("Commission") Public Records Policy, the Commission's schedule of fees for copies of public records, where not otherwise set by state or federal law or regulation, is set forth below.

- 1. Records available at No Charge:** Agendas, minutes or proposed regulations are available electronically at no charge. Certain other records and data maintained by the Commission are available for viewing at no charge on the Commission's website, [www.ethics.nv.gov](http://www.ethics.nv.gov).
- 2. Cost Estimates:** The Commission will provide an estimate of actual costs of producing records to the requester and if the fee is estimated to exceed \$25, the records will not be produced until after payment is remitted. If the actual cost is less than the estimated cost, the Commission will refund the difference to the requester. If the actual cost exceeds the cost estimate, the Commission will issue an invoice and the requester shall remit payment within thirty (30) days.
- 3. Standard Fees:**
  - 3.1. Copying Fees** – The Commission will deliver electronic copies of records via email or other electronic means which have no associated cost to the Commission at no charge, unless the response requires an extraordinary use of personnel or resources. For printed copies, the Commission will provide the first fifty (50) pages at no charge if printable on standard or legal sized paper. After the first fifty (50) pages, the Commission will charge one cent (\$.01) per page for standard letter or legal sized paper. The Commission will charge five cents (\$.05) per page for copies of documents or photographs in color.

3.2. Use of Outside Copying Service – The Commission will charge actual costs for any copies of records reproduced by a service vendor. The selected vendor will be a local bonded copying service vendor, which directly charges the requester for its services.

3.3. Postage – The Commission will deliver responses to all public records requests via e-mail or U.S. Mail, unless otherwise requested and approved by the Commission for delivery via other methods. The Commission will charge the requester the actual costs for delivery by U.S. Mail or as otherwise requested and approved by the Commission.

3.4. Transcripts – NRS 239.053 authorizes the Commission to charge an additional fee for reproduction of transcripts of its administrative proceedings. The Commission's transcription services are provided by Litigation Services (doing business as Sunshine Litigation), a duly authorized contracted vendor with the State of Nevada. Pursuant to the vendor contract, the Commission will refer requests for transcripts directly to the vendor. Rates are subject to change and the requester should confirm the current rate with the vendor. The 2017 quoted rates for Transcript fees from the vendor are:

- OUTSIDE SALE COPIES: TWO DOLLARS (\$2.00) PER PAGE

3.5. Other – Copies of records provided via other media including, without limitation, CDs, DVDs, flash (thumb) drives, audiotapes, microfilm, etc., not listed as having a specific fee herein shall be charged at the actual cost of the medium.

**4. Extraordinary Use Fees:** In addition to any other fee authorized herein, the Commission may charge an additional fee, not to exceed fifty cents (\$.50) per page, for extraordinary use of personnel and/or technological resources. See NRS 239.055. Without limitation, examples of public records requests that implicate an extraordinary use include: (1) requests for a voluminous or substantial number of records; (2) redacting confidential information that the requester is not entitled to receive which requires extensive copying; and (3) requests requiring computer programming skills in order to retrieve the requested public record. Extraordinary use fees will not include time spent for locating or retrieving public records or other fees which are precluded under the provisions of NRS Chapter 239.



- 4.1. Personnel – Given the limited number of Commission staff, a request that is reasonably estimated to take more than sixty (60) minutes of staff time will be deemed extraordinary.
- 4.2. Technology – Extraordinary use of technological resources refers to the use of information systems or information services acquired, developed, operated, maintained or otherwise used by the Commission. If services of the State or contract services are required to produce the requested records, such services are considered extraordinary use of technological resources, and the actual cost of such services will be utilized to determine the additional extraordinary use fee within the fifty cent (\$.50) per page statutory limitation.
5. **Waiver:** Under NRS 239.052, the Commission may waive all or a portion of a charge or a fee for a public record for good cause shown.