



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
Carson City, Nevada 89701-4717

CATHERINE CORTEZ MASTO
Attorney General

KEITH G. MUNRO
Assistant Attorney General

NOTICE OF PUBLIC MEETING

OPEN MEETING LAW TASK FORCE

DATE: November 9, 2010
TIME: 2:00 p.m.
LOCATIONS: Office of the Attorney General
Mock Courtroom
100 N. Carson Street
Carson City, NV 89701

VIDEOCONFERENCE TO:

Office of the Attorney General
Grant Sawyer Building
555 W. Washington Ave., Suite 3900
Room 3315
Las Vegas, NV 89101

AGENDA

1. Call to order and roll call of members of the Open Meeting Law Task Force.
2. Review and approval of minutes from August 16, 2010.*
3. Legislative Agenda*:
 - a. Proposed concepts for amending the Open Meeting law: (each of the following proposed amendments is further described in Supporting documents.*
 1. Create administrative subpoena power or amend limitations periods to allow extension where a public body has not been responsive to a request for documents or information.

2. Require public acknowledgement of OML violation by public body.
3. Require public body to take corrective action: "cure" (based on Section 11 of the AG's Manual).
4. Clarify and redefine "public body," "committees and subcommittees"; NRS 241.020(3).
5. Create "civil infraction" for violation of OML, accompanying fee schedule, and appeal process.

b. Further discussion and/or action on additional concepts being considered for adoption as proposed amendments, clarifications to the OML:

1. Public body agendas must denote action items by placing the term "for possible action" next to the appropriate item.
2. A public body may not take agenda items out of order unless the agenda states that items may be taken out of order.
3. A public body may combine two agenda items for consideration.
4. A public body may "pull" an item or delay discussion on an agenda item at any time.
5. "Time, place or manner" restrictions on public comment must be reasonable and must be clearly stated on the agenda. Public comment can't be restricted based on content.

c. Further discussion and/or action on definitions considered for adoption as proposed amendments.

1. Deliberation: Currently the OML does not define "deliberation": the Nevada Supreme court supplied a definition in *Dewey v. City of Reno Redevelopment Authority*: "to examine, weigh and reflect upon the reasons for or against the choice ... thus connoting not only collective discussion, but the collective acquisition or the exchange of facts preliminary to the ultimate decision."
2. "Gathering" of public body members which would be legally sufficient to constitute a meeting.
3. "Present" in the context of a public meeting for the purpose of conducting public business, whether by electronic means or physically present.
4. Attorney General's administrative agenda:
 - a. Review of proposed periodic OML training requirement for members of public body.
 - b. Discussion/action regarding proposal to make all AG OML dispositions available online. (reference: OML minutes of April 29, 2010, p.10).
5. Discussion/suggestions for future agenda items.*

6. Comments from the public – please limit comments to 5 minutes.

7. Adjourn.*

*THE COMMITTEE MAY TAKE ACTION ON THESE AGENDA ITEMS OR INDICATES ITEMS REQUIRING A VOTE/ACTION BY THE COMMITTEE. AGENDA ITEMS MAY BE HEARD OUT OF ORDER AT THE DISCRETION OF THE CHAIR.

Notice of this meeting was posted in the following locations:

Blasdel Building, 209 E. Musser St., Carson City, NV
Capitol Building, 101 N. Carson Street, Carson City, NV
Legislative Building, 401 N. Carson Street, Carson City, NV
Nevada State Library and Archives, 100 Stewart Street, Carson City, NV
Office of the Attorney General, 100 N. Carson Street, Carson City, NV

Notice of this meeting was faxed for posting to the following location:

Capitol Police, Grant Sawyer State Office Building, 555 E. Washington Ave., Las Vegas, NV

Notice of this meeting was posted to the following website: <http://ag.state.nv.us/org/bga/gnr/oml/oml.htm>

We are pleased to make reasonable accommodations for members of the public who are disabled and would like to attend the meeting. If special arrangements for the meeting are required, please notify Linda Fitzgerald, Office of the Attorney General, at least one working day before the meeting at (775) 684-1112 or you can fax your request to (775) 684-1108.