



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
100 North Carson Street
Carson City, Nevada 89701-4717

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NOTICE OF PUBLIC MEETING
OPEN MEETING LAW TASK FORCE

DATE: January 30, 2014
TIME: 10:00 a.m. - _____ 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 4500
Las Vegas, NV 89101

AGENDA

1. Call to order and roll call of members of the 2015 Open Meeting Law Task Force.
2. Discussion, possible revision and correction of June 21, 2012 meeting minutes.
For possible action.
3. Comments from the public – please limit comments to 5 minutes.
4. **Welcome Task Force members;** preview of legislative agenda and OML issues since the last legislative session; discussion of purpose this session; member comments, suggestions for conduct of meetings. **Discussion;**
5. Whether an OML complaint is confidential, and not subject to release during investigation, or is it a public record when received so that it is subject to disclosure upon request? See OML Manual §11.12. **Discussion;**

6. Whether virtual meetings among members of a public body, when the public is invited to call in, are legal under the OML. There would be no physical address for a meeting location. Electronic Bulletin boards: are matters/information posted there considered supporting materials under OML. **Discussion;**
7. Should the OML specify how a public body may approve minutes from a closed meeting (personnel) without waiving privilege. **Discussion;**
8. Whether public/private entities including nonprofit corporations created by or privatized by the state or local government should be defined in the OML as a public body, and what criteria must be applied to determine whether such a body is subject to the OML? **Discussion;**
9. Should the OML designate a public body member's personal email or other social media communication which may be used by a public body member to document a government transaction or activity subject to the OML and/or public record law. If private devices (smart phones, tablets, laptops) are used to conduct public business with other members of a public body, should that communication be subject to subpoena and/or public records request under NRS 239? Should using a private device to conduct public business be a violation of the OML? Whether personal communication by members of a public body on government issued phones or computers, or on privately owned devices on which public business has been conducted should be subject to public records law disclosure and subpoena under the OML. Is NRS 241.039(2) sufficient authority to subpoena records of conduct of public business by personal email? **Discussion;**
10. Consideration of revising NRS 241.025. As amended last session it applies only to designees appointed by a member of the public body who needs someone to attend a meeting for him/her. **Discussion.** Should the statute apply to designees appointed by a public body and to the Governor? **Discussion;**
11. Consider clarification of NRS 241.020(8) (AB65, 2013). Clarify that public bodies are not under any legal requirement to mail supporting materials to anyone even if the public body publishes supporting materials online or makes them available to a requester electronically by request. **Discussion;**
12. Clarify the meaning of "constituent membership" in NRS 241.015(5); Many advisory bodies suffer from chronic vacancies making the gathering of a quorum difficult. Does constituent membership mean the total number of available appointed seats? **Discussion;**
13. Should county deferred compensation committees be subject to the OML? NRS 287.440 **Discussion;**
14. Does merely faxing or emailing a public meeting notice and agenda to the location of posting constitute compliance with the statutory requirement in NRS 241.020(2). **Discussion;**
15. Clarify the definition of "working day" in NRS 241.020(2). **Discussion;**

16. Comments from the public – please limit comments to 5 minutes.
17. Adjourn. **For possible Action**

* Items may be taken out of order. Two or more items may be combined for consideration by the Task Force. Any item may be removed from the agenda at any time or discussion of an item may be delayed at any time.

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 through the following website: <http://ag.nv.gov/>

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 Michele Smaltz, Office of the Attorney General, at least one working day before the meeting at (775) 684-1195 or you can fax your request to (775) 684-1108.

Supporting public material provided to Committee members for this meeting may be requested from Michele Smaltz, Legal Office Manager, Office of the Attorney General at (775) 684.1195 and is/will be available at the following location:

Meeting Locations, or Office of the Attorney General, 100 N. Carson St., Carson City, NV 89701