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STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
OPEN MEETING LAW TASK FORCE

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MEETING MINUTES
OPEN MEETING LAW TASK FORCE

The Teams meeting of the Open Meeting Law Task Force was called to order by Chief Deputy Attorney General Rosalie Bordelove at 10:05 a.m. on Wednesday, April 1, 2024. Rosalie opened the discussion with welcoming members, and the purpose of this meeting is to discuss potential changes to Nevada's Open Meeting Law. The meeting started with public comment.

1. Public Comment:

Jeffrey Church – submitted written comments prior to the meeting expressing concern that investigations of Open Meeting Law (OML) complaints within the Attorney General's Office are taking a significant amount of time to process. He also noted concerns regarding repeated violations and suggested that new procedures be implemented for submitting public comments, whether by phone or online.

2. Roll Call/Members Present:

Rosalie Bordelove, Nevada Attorney General's Office
Brian Allfrey, Nevada Press Association
Sarah Bradley, Board of Medical Examiners
Lea Cartwright, Cartwright NV Government Affairs
Sara Montalvo, Washoe County School District
Leslie Nino Piro, Nevada Attorney General's Office
Nicholas Vaskov, City of Henderson
Doug Ritchie, Douglas County District Attorney's Office

Ryan Russell, Allison McKenzie Law Firm
Dan Yu, Carson City District Attorney's Office
Nicole Malich, Clark County District Attorney's Office
Christina Giunchigliani
Benjamin Lipman, Las Vegas Review Journal
Tyler Shaw, City of Reno
Cali Shy, City of Reno
Dr. Landon Hester, Cartwright NV Government Affairs

3. Consideration of Potential Recommended Statutory Changes to NRS Chapter 241 and Related Issues

Rosalie Bordelove welcomed members and stated the purpose of this meeting is to brainstorm and that members are highly encouraged to submit draft language for proposed changes to Nevada's Open Meeting Law and noted that the task force typically meets three to four times with a goal of finalizing recommendations to be included in a BDR for the 2027 Legislative session.

Contract Lobbyist, Lea Cartwright represents several clients, non-profit organizations and explains that AI note takers are not always being allowed into meetings citing NRS 241.0365 subsection 3. She suggested clarification in the law or definition of what is a disruption.

Chief Bordelove indicated that this is on her list among many other questions on whether AI note takers can be allowed in public meetings. This has been a recurring issue and will be considered for clarification.

Tyler Shaw expressed concern about how expensive it is to prepare written minutes for numerous advisory boards. Tyler Shaw proposed an alternative to minutes for these bodies that would include posting the recording online.

Members discussed whether certain advisory or subcommittees should be partially exempt from Open Meeting Law requirements and whether that would solve the problem or deprive public from participation in the deliberative process. Discussion also included expanding authority for advisory bodies to meet virtually.

Christina Giunchigliani brought up an issue with the Clark County School District Board of Trustees and a member moving out of state. She would like to see a definition of what a member can do remotely. She also suggested requiring the first public comment period to general.

Sara Montalvo brought up notice to people whose character will be discussed during a public meeting and what to do when the individual is intentionally evading service. She noted that the problem is specific to employees of the public body.

Rosalie Bordelove suggested creating a confidentiality provision that protects investigative materials when the Attorney General's Office investigates OML complaints.

Nicholas Vaskov raised an issue of what can be discussed by a public body during public comment. He proposed potentially changing the definition of deliberation to be clearer.

Daniel Yu proposed modifying the definition of supporting material.

Rosalie Bordelove discussed the disincentive for public bodies to go into closed session to discuss character because of the witness requirements contained in NRS 241.030(4)(c) and potentially removing that subsection.

Doug Ritchie proposed removing NRS 241.035(1)(e) to remove potential burden on minutes.

Rosalie Bordelove proposed allowing for closed sessions to discuss emergency plans, infrastructure issues, or other matters regarding public safety. Other members pointed to similar statutes to pull from.

Rosalie Bordelove asked members to draft language proposals and that the task force will reconvene for further discussion of proposals in the upcoming meetings.

4. Public Comment

None.

5. Adjournment

The meeting was adjourned at 11:57 a.m.