



STATE OF NEVADA OFFICE OF THE ATTORNEY
GENERAL

OPEN MEETING LAW TASK FORCE

555 E. Washington Ave. Suite 3900
Las Vegas, Nevada 89101

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 3, 2024. Starting with introductions by the attendees.

Members Present:

Sarah Bradley, Board of Medical Examiners
Lea Case, Bell & Case Law Firm
Kami Dempsey-Gougeon, Nevada Press Association
Nicole Malice, Clark County DA's Office
Jimmy Martinez, Nevada System of Higher Education
Sara Montalvo, Washoe County School District
Leslie M. Nino Piro, Nevada Attorney General's Office
Michael Oh, Attorney – City of Henderson
Greg Ott, Nevada Attorney General's Office
Doug Ritchie, Douglas County DA's Office
Neil Rombardo, Washoe County School District
Ryan Russell, Allison McKenzie Law Firm
Jacob Smith, American Civil Liberties Union
Nicholas Vaskov, Attorney – City of Henderson

Public Comment:

Jeffrey Church – Submitted comments in writing prior to this meeting remarking on the length of time the AG's Office takes to process and investigate OML complaints and he would like to see this streamlined by putting new procedures in place.

A. Discussion

- 1) Chief Bordelove explained that this meeting was a brainstorming session in order to get input and to discuss ideas for potential statutory changes concerning the Open Meeting Law for the next Legislative Session.
 - a) Nicholas Vaskov suggested amending definition in NRS 241.015(3), editing it to read ‘receive legal advice from an attorney. . . ‘ to make clear that you can meet with the public body to give legal advice, no matter whether it relates to potential or existing litigation, as long as it is truly legal advice. Chief Bordelove agreed, and discussion followed with other members giving their thoughts.
 - b. Chief Bordelove mentioned Attorney Client Privilege as it is defined in other case law which is specific to advice. Discussion followed regarding legal advice offered outside of a meeting.
 - c. Doug Ritchie mentioned privileged statements being made during public comment portions of public hearings, along with personal attacks on members of the boards and staff. Asking for input on how this should be handled. Discussion followed regarding public comments, possible stricter time limits, tolerance concerning the speaker and accommodations.
 - d. Doug Ritchie brought up the possibility of putting a minimum time limit on public comment for what is considered reasonable. Discussion followed regarding how time is calculated and whether such a minimum in the statute would be beneficial.
 - e. Chief Bordelove suggested changing the language added by AB219 from 2023 requiring a phone number to be read during the first public comment period to apply only to entirely virtual meetings.
 - f. Chief Bordelove brought up a requirement that board meetings concerning contested cases under NRS 233, as well as any board meetings consider a regulation, has to have a physical location. It is not clear as to what consider regulations means. Discussion followed.
 - g. Chief Bordelove asked if anyone was aware of challenges to litigation delegations under NRS 241.0357. No one was.

Public Comment:

Jeffrey Church – Expressed agreement with the ACLU’s statements regarding the privilege for public comment statements. Stated the Attorney General’s Office is taking too long to respond to Open Meeting Law complaints. He feels it is unreasonable for public bodies to require general public comment to be at the end of long meetings.

B. Adjournment

The meeting was adjourned at 11:43 a.m.

DRAFT