

Open Meeting Law

- Intent of open meeting law that board deliberations and board actions be conducted openly
- Open meeting law is necessary when at least a quorum of a public body is present to deliberate toward a decision or take action on a matter
- Serial communication must not be used to circumvent OML
 - Walking quorum – talking individually or less than quorum, but the series of discussions or gatherings collectively constitutes a quorum
 - Don't deliberate outside of meetings
- Notice
 - Important to inform public of what will be discussed at meeting
- Agenda
 - For possible action
 - Deliberation, decision, motion, vote
 - Discussion only
- Person may make OML complaint to Attorney General
 - AG may void an action
 - Serious violations can be a misdemeanor
 - Not a violation if relying on counsel
- Follow agenda and stay within the scope of the item

Ethics

- Disclose
 - If a member has a conflict of interest, it must be disclosed at the time a matter is called
 - Conflicts include commitments in a private capacity to the interests of others in the matter, pecuniary interest in the matter, receipt of a gift or loan in connection with a matter, etc.
 - Recusal necessary where the independence of judgment of a reasonable person in the public officer's situation would be materially affected by the conflict
- Public Officer **SHALL NOT**:
 - Seek or accept any gift or service that would improperly influence
 - Use position to get unwarranted privileges
 - Negotiate contracts with business entities they have significant pecuniary interests in or which they have commitment in a private capacity
 - Accept payment from private sources for performance of duties
 - Use confidential information to further a pecuniary interest
 - Use governmental property improperly
- 281A.500 requires filing a form with Nevada Ethics Commission

NEVADA ACKNOWLEDGMENT OF ETHICAL STANDARDS FOR PUBLIC OFFICERS ("ACKNOWLEDGMENT FORM")

Pursuant to NRS 281A.500, each public officer* shall file an Acknowledgment of Ethical Standards as prescribed by this form.

NAME:	TITLE OF PUBLIC OFFICE:
PUBLIC ENTITY:	
DATE APPOINTED (if applicable):	DATE ELECTED (if applicable):
TERM OF OFFICE (if applicable):	
ADDRESS:	CITY, STATE, ZIP:
TELEPHONE	EMAIL:

I HEREBY ACKNOWLEDGE:

INITIAL HERE

I have received, read and understand the statutory ethical standards for public officers and public employees provided in NRS Chapter 281A (NRS 281A.500(3)(a)); and

INITIAL HERE

I have a responsibility to inform myself of any amendments to the statutory ethical standards as soon as reasonably practicable after each session of the Legislature (NRS 281A.500(3)(b)).

I understand that my refusal to execute and file this Acknowledgment Form constitutes a willful violation of NRS Chapter 281A and non-feasance in office pursuant to NRS 283.440, which may subject me to civil penalties. Further, if I am subject to removal from office pursuant to NRS 283.440, the Commission may file a complaint in the appropriate court for my removal for nonfeasance in office (NRS 281A.500(11)).

Date: _____ Signature: _____

WHO IS REQUIRED TO FILE:		WHEN TO FILE:
Appointed	Public officer appointed for a definite term of office.	Within 30 days of taking office, and within 30 days of each reappointment to office, for each term of office.
	Public officer who serves at the pleasure of the appointing authority and does not have a definite term of office.	Within 30 days of taking office and then January 15 every even-numbered year while holding that office.
Elected	Public officer who is elected at general election.	January 15 of the year following the general election, for each term of office.
	Public officer who is elected at an election other than the general election.	Within 30 days of taking office, for each term of office.

* Public Officers are those persons serving in a position designated by NRS 281A.160 or 281A.182.

Pursuant to NRS 281A.500(7), if a public officer is serving in a public office and executes and files this Acknowledgment Form for that office as required by the provisions of NRS 281A.500, the public officer shall be deemed to have satisfied the requirements of this section for any other concurrently held office.

**You may submit this Acknowledgment Form using the Commission's online form submission at ethics.nv.gov (Preferred); or
You may submit this form bearing your signature to the Executive Director at:
Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City,
Nevada, 89703; email NCOE@ethics.nv.gov; or fax (775) 687-1279.**