

# MEMO



*Connecting People to Policy*

DATE: Thursday, April 7, 2022  
TO: Members of the Nevada Silver Haired Legislative Forum  
FROM: Ashlee Kalina, Senior Policy Analyst, Research Division  
SUBJECT: **Meeting Protocol and Guidelines of Decorum**

---

With certain limitations, public bodies have an inherent right to regulate their own procedures. This includes controlling how members interact with one another and members of the public in Forum hearings. A hearing serves a two-fold purpose:

1. Because it is open to the public, a hearing provides members of the public with valuable information about the deliberations and actions of the Forum.
2. Because policy experts, lobbyists, and members of the public offer testimony, the hearing provides an important educational opportunity for Forum members to use the information they learn from the witnesses to improve legislation, express concerns, and provide timely answers to constituents' questions.

This brief guide describes the procedures of a Forum hearing and the language that should be employed when participating in a hearing. This procedural information reflects the rules and procedures utilized by other public bodies.

## **PROCEDURES FOR THE FORUM CHAIR**

The Forum president serves as chair and is responsible for calling the hearing to order, conducting the hearing, calling witnesses, and adjourning the hearing. The chair may temporarily delegate this responsibility to the vice chair or, in his or her absence, another member of the Forum. The Forum chair should be referred to as "President or Vice President [Last Name]," or "Chair [Last Name]."

### **OPENING THE HEARING**

- The chair will call the meeting to order.
- The chair will then begin the consideration of the items on the agenda. The chair may ask whether any of the items need to be taken out of order (and if so, why) and may or may not grant permission for this.
- The chair will begin with the first item on the agenda.

### **CONDUCTING THE HEARING**

- Once all testimony has been taken, the chair will ask if Forum members have questions. A Forum member with a question or comments should raise his or her hand to indicate that he or she has a question. The member must wait until he or she is recognized by the chair to proceed.
- Members participating in a meeting virtually may indicate they have a question or comment by raising their voice and saying "President [Last Name], I have a question/comment."

- If action is required for an agenda item, the chair will ask for a motion from Forum members to take action on the item in question.
- After announcing the motion, the chair will ask if there is any further discussion on the motion. If so, the chair will recognize those who indicate that they wish to speak. Once the discussion has been exhausted, the chair will call for a voice vote.
- If the results of the voice vote cannot be determined, then the chair may call for a roll call vote.
- The chair will announce the result of the vote.

Once testimony, discussion, and action on an agenda item are completed, the chair will move the Forum to the next item on the agenda.

## VIRTUAL MEETING CONSIDERATIONS

In the event Forum members decide to participate in meetings virtually, there are some “best practices” to be aware of to make the virtual meeting experience more positive.

- Virtual meeting participation requires good Internet connection. A wired connection facilitates the best chance to be seen and heard without interruption. Wi-Fi connection is also a good option if hard-wired connection is not available.
- Members should make sure their electronic device has a functioning video camera and microphone and is fully charged or plugged in to stay connected to the meeting.
- It is important to stay mindful of background visuals and lighting to minimize interruptions or distractions while participating in a meeting.
- It is advised to reduce to a minimum any other audio sources in the room to prevent audio delay issues during the meeting.
- Members should be familiar with the Zoom controls to be used during a meeting. It is critical for members to keep their microphone muted until they are called upon to speak. The camera needs to be turned on at all times to ensure presence of a member.
- It is critical to remember that public hearings require open deliberation, therefore content or discussions related to agenda items cannot be shared in group emails or the Zoom chat box. The chat box is restricted to identifying and resolving technical issues that may arise during virtual meetings.

## PUBLIC COMMENT AND ADJOURNMENT

- When all the items on the agenda have been addressed, the chair will ask for any public comment or testimony on any issues related to the business of the Forum. The chair may limit the time for any such testimony.
- Public comment creates a limited opportunity in which greater free-speech protections apply for members of the public who wish to participate. As a result, it is necessary for Forum members to refrain from discussion of additional topics that may be mentioned that have not been included on the agenda. Issues identified during public comment should be noted, and members can request staff to schedule further discussion at a later meeting date.
- After public comment, or if no one comes forward to testify, the chair may discuss the next meeting time and place with the Forum members.

- If there is nothing more to come before the Forum, the chair will adjourn the meeting. The chair does not need a motion to adjourn the meeting.

## **PROCEDURES FOR FORUM MEMBERS**

The members of the Forum are responsible for listening to testimony, questioning witnesses, and making motions based on witness testimony and other information provided to the Forum. Forum members may not speak or ask questions until they have been recognized by the chair.

### **CONDUCTING THE HEARING: WITNESS TESTIMONY AND ACTIONS**

- After the chair has called a witness to testify before the Forum, and the witness has completed the testimony, Forum members may ask the witness questions or make comments on the testimony they have heard.
- To ask questions, a Forum member must raise his or her hand and wait to be recognized by the chair. Once the chair has recognized the Forum member, that person may proceed with the question or comment.
- Forum members must address the chair as either "President or Vice President [Last Name]" or "Chair [Last Name]" and witnesses as "Mr. /Ms. [Last Name]" or, if they have an official title (such as Doctor, Senator, Governor, et cetera).
- Once the testimony concerning an agenda item has been completed, the chair may ask Forum members to take some kind of action on the item, or the chair may move on to the next agenda item. When the chair asks for a motion, a Forum member may propose a motion regarding what to do with the agenda item.
- In order for a motion to be put to a vote, it must be recognized by the chair and seconded by another Forum member.
- Normally, a voice vote will be taken in which Forum members must vote either "yes" or "no." If, however, the result of the voice vote is unclear, any Forum member may request a roll call vote, in which the recording secretary calls out each individual Forum member's name and records his or her vote.

## **PROCEDURES CONCERNING WITNESSES**

Witnesses are members of the public, experts in a particular field, public officials, or others who testify before the Forum regarding a particular issue. Witnesses must identify themselves for the record, stating their name and the capacity in which they appear before the Forum. Witnesses must refer to Forum members formally (for example, President [Last Name], Vice President [Last Name], and Mr. or Ms. [Last Name]). Similarly, witnesses themselves must be referred to formally by members of the Forum (for example, Mr. or Ms. [Last Name], Dr. [Last Name], and Senator [Last Name]).

## **OPEN MEETING LAW (*NEVADA REVISED STATUTES [NRS]* CHAPTER 241)**

- The Forum is a public body and is subject to the open meeting law (OML) along with its subcommittees.
- Public bodies working on behalf of Nevada citizens must conform to statutory requirements in open meetings under an agenda that provides full notice and disclosure of discussion topics and any possible action.

- Deliberation and action must be properly noticed and taken openly ([NRS 241.010](#)).
- Action is only taken by the body as a whole; members have no individual decision-making powers and may only speak on behalf of the body if authorized to do so during an open meeting (subsection 1 of [NRS 241.015](#)).
- To the extent a multimember group is appointed by a public body and given the task of making recommendations to that public body, that group is also a “public body” subject to the OML (subsection 4 of [NRS 241.015](#)).

## CONCLUDING REMARKS

This memorandum provides an overview and does not address every possible topic regarding meeting protocol and guidelines. However, I trust that the information is beneficial, and I invite you to please contact me if you should have any further questions or comments.

AK/jb:G221471.11H