State of Nevada
COMMISSION ON ETHICS

3476 Executive Pointe Way, Suite 10
Carson City, Nevada 89706
(775) 687-5469 • FAX (775) 687-1279

September 1, 2007

Members of the Nevada Commission on Ethics:

Nevada Administrative Code 281.053(2) requires the Executive Director to report on the state of the affairs of the Commission for the prior fiscal year and on the goals for the Commission for the new fiscal year. Updated with current information, analyzed and compiled by the Commission's able staff, the annual report is presented for your consideration.

Respectfully submitted,

Adriana G. Fralick
General Counsel and Interim Executive Director

ANNUAL REPORT FISCAL YEAR 2007

TABLE OF CONTENTS

Section	Page Number
Table of Contents	2
Commission Members and Staff	3
Commission Vision and Mission	4
Commission Description	4
Commission History	5
Statutory Authorization	6
Request for Opinion Caseload	6
Public Education and Information Activities	8
Legislation Report	9
Litigation Report	10
Public Officer Financial Disclosure	10
Commission Funding	11
Commission Fiscal Operations	11
Commission Internal/External Issues Assessment	12
Commission Goals	14

Appendix A – Organization Chart

Appendix B - Summary of 2007 Legislative Session changes to Chapter 281 of Nevada Revised Statutes

Appendix C – History of Nevada Commission on Ethics Members

Nevada Commission on Ethics

as of June 30, 2007

Chairman
James Kosinski, Esq. (D) **
Reno
Term: 07/01/04 – 06/30/08

Vice Chairman
Mark A. Hutchison, Esq. (R) *
Las Vegas
Term: 07/01/07 – 06/30/11

Members

Randall V. Capurro (R) **
Las Vegas
Term: 10/01/05 – 09/30/09

William Flangas, P.E. (D) *
Las Vegas
Term: 10/01/03 – 09/30/07

Caren Jenkins, Esq. (D) **
Carson City
Term: 10/01/03 – 09/30/07

Timothy Cashman (D) *
Las Vegas
Term: 06/11/04 – 10/31/07

Rick R. Hsu, Esq. (R) *
Reno
Term: 07/01/04 – 06/30/08

George M. Keele, Esq. (R) **
Minden
Term: 10/1/03 – 9/30/07

* *Appointed by Governor*
** *Appointed by Legislative Commission*

Staff

Adriana G. Fralick, Esq.
Commission Counsel & Interim Executive Director

Tami E. DeVries
Research Analyst

Emily H. Nunez
Office Manager

Matt C. DiOrio
Senior Investigator

Offices

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Commission Vision:

Principled public servants preserving the public trust.

Commission Mission:

By presiding over the Ethics in Government Law, the Commission strives to have public officers and public employees uphold the public trust by committing themselves to avoid conflicts between their private and public interests.

Commission Description:

The Commission on Ethics was established by the Nevada Legislature in 1975, and is charged with ensuring the public trust in elected and appointed public officers and employees. The Commission performs four main functions in this role:

1. Interpreting and providing guidance to public officers and employees on the provisions of Nevada Revised Statutes (NRS) sections 281.411 through 281.581 (Ethics in Government Law);
2. Investigating and adjudicating third-party ethics complaints against public officers and employees for violating the provisions of NRS 281.411 through 281.581;
3. Educating public officers and employees regarding ethics mandates and prohibitions under Nevada law; and
4. Accepting financial disclosure statements of certain public officers.

The Commission is an independent agency of state government which serves in a quasi-judicial capacity. Pursuant to NRS 281.455, the Commission has eight members, four of whom are appointed by the Legislative Commission and four of whom are appointed by the Governor. The members serve rotating four-year terms.

Of the four members named by the Governor, at least two must be former public officers or public employees, and at least one must be an attorney licensed to practice law in this State. Of the four members named by the Legislative Commission, at least two must be former public officers and at least one must be an attorney licensed to practice law in this State. All Commissioners must be Nevada residents. Not more than four members of the commission may be members of the same political party, and not more than four members may be residents of the same county. In this way, the Commission was designed to provide a fair division among political parties, to avoid favoritism to any single party, and to provide an equitable balance between the urban and rural areas.

NRS 281.455 prohibits Commissioners while serving on the commission from: 1) holding another political office; 2) being actively involved in the work of any political party or campaign; and 3) communicating for compensation directly with a member of the legislative branch on behalf of someone other than himself or the commission.

Commission History:

The Nevada Legislature adopted its first Ethics in Government Law in 1975. Three public officers challenged the constitutionality of the financial disclosure provisions of the law as unconstitutionally vague and an overbroad intrusion upon their right to privacy. John Sheehan, then Executive Director of the Department of Taxation; Jerome Mack, then Chairman of the Nevada Tax Commission; and Harley Harmon, then a member of the Nevada State Board of Finance, took the case to the Nevada Supreme Court where on April 29, 1976 the Court voided the financial disclosure provisions of the law. Further, the Court ruled the entire Ethics in Government Law invalid by presuming the Legislature would not have passed the remaining portions of the law without the provisions for financial disclosure (*Dunphy v. Sheehan,* 92 Nev. 259, 549 P.2d 322 (1976)).

The 1977 Nevada Legislature enacted Assembly Bill 450, which declared it public policy of the State of Nevada that a public office is a public trust and shall be held for the sole benefit of the people. Further, it declared that public officers and employees must commit themselves to avoid conflicts between their private interests and those of the general public whom they serve. Codified as *Nevada Revised Statutes* 281.411 through 281.581, AB450 the Ethics in Government Law. It sets forth a code of ethical standards and prohibits activities in which a public officer or employee could use his or her position in government to gain personally or financially. The law also created the Nevada Commission on Ethics to enforce the code.

Though the enforcement process may result in the assessment of civil penalties for willful violations of ethics laws, the Commission is also required by NRS 281.551 to refer elected public officers for removal or impeachment. For the majority of elected public officers, the Commission has discretion regarding a referral for removal from office by a district court upon the finding of one willful violation of the ethics laws; however, upon the finding of three willful violations, the Commission must refer the elected public officer for removal by a district court.

Legislators and public officers elected to positions established by the Nevada Constitution are held to a higher standard. Upon finding one willful violation of ethics laws, the Commission must refer these public officers for consideration of impeachment proceedings. NRS 281.551(4)(a).

In September 2004, the Commission found State Controller Kathy Augustine willfully violated ethics laws three times and filed a report regarding same with the Nevada Assembly. Governor Kenny Guinn convened a special session of the Nevada Legislature in November 2004, and the Nevada Assembly unanimously passed articles of impeachment. The Nevada Senate found Controller Augustine guilty of one of the three articles of impeachment and issued her a formal censure in early December of that year. Ms. Augustine was the first public officer to be referred for removal or impeachment by the Commission, and was also the first public officer in Nevada history to be impeached.

Statutory Authorization:

The Commission on Ethics enforces the provisions of *Nevada Revised Statutes* Chapter 281 - known as the Ethics in Government Law (see NRS 281.411 through 281.581. After the 2007 Legislative session, the Ethics in Government Law will be codified as NRS Chapter 281A.) Commission regulations can be found in *Nevada Administrative Code* Chapter 281.

In establishing the Commission on Ethics, the Nevada Legislature declared its intent in NRS 281.421:

> 1. It is hereby declared to be the public policy of this state that:
>
> (a) A public office is a public trust and shall be held for the sole benefit of the people.
>
> (b) A public officer or employee must commit himself to avoid conflicts between his private interests and those of the general public whom he serves.
>
> 2. The legislature finds that:
>
> (a) The increasing complexity of state and local government, more and more closely related to private life and enterprise, enlarges the potentiality for conflict of interests.
>
> (b) To enhance the people's faith in the integrity and impartiality of public officers and employees, adequate guidelines are required to show the appropriate separation between the roles of persons who are both public servants and private citizens.
>
> (c) Members of the legislature serve as "citizen legislators" who have other occupations and business interests. Each legislator has particular philosophies and perspectives that are necessarily influenced by the life experiences of that legislator, including, without limitation, professional, family and business experiences. Our system assumes that legislators will contribute those philosophies and perspectives to the debate over issues with which the legislature is confronted. The law concerning ethics in government is not intended to require a member of the legislature to abstain on issues which might affect his interests, provided those interests are properly disclosed and that the benefit or detriment accruing to him is not greater than that accruing to any other member of the general business, profession, occupation or group.

Request for Opinion Caseload:

Approximately 56 percent of all written requests for opinion received by the Commission originate from northern Nevada (46 of 82 written complaints). The majority of requests for opinion are ethics complaints. In Fiscal Year 2007, 26 percent of requests for opinion sought advisory guidance from the Commission.

	Actual FY 2006	Actual FY 2007	Projected FY 2008	Projected FY 2009
Opinion requests received	58	82	95	100
Percent of requests for opinion filed which are investigated	50%	33%	55%	50%
Percent of investigations completed in 45 days	0%	10%	50%	70%
Percent of Commission opinions under judicial review	3%	1%	3.1%	3%
First-party advisory opinion requests	22	22	30	30
Third-party opinion requests (ethics complaints)	36	60	65	70
Requests for opinion pending	12	4	-	-

Each incoming complaint must be reviewed by legal counsel to determine whether the person is in fact a public officer or employee pursuant to statute, and to evaluate the essence of the complaint prior to exercising jurisdiction. Some complaints must be returned to the requestor because the Commission lacks jurisdiction to investigate. The reasons for this vary – the subject does not meet the definition of a public officer or employee, the complaint does not have sufficient credible evidence to open an investigation, or the complaint does not allege a violation of the ethics in government law (rather, it might allege an open meeting law violation or an elections law violation). Often, significant staff time is expended to review each incoming complaint and to either accept jurisdiction or to officially decline jurisdiction. This is an area where limited staff resources have resulted in a backlog.

Jurisdiction Backlog	**Number of No Jurisdiction Determinations**	**Range of Days Between Filing Date and Notification of No Jurisdiction Mailed**	**Average Number of Days to Send No Jurisdiction Letters**
Calendar Year 2002	20	1 to 3 days	Less than 2 days
Calendar Year 2003	49	1 to 25 days	14.5 days
Calendar Year 2004	50	1 to 115 days	35 days
Calendar Year 2005	31	1 to 51 days	21.5 days
Calendar Year 2006	41	1 to 43 days	14 days

Once the Commission accepts jurisdiction, the Executive Director has 60 days (effective July 1, 2007) to complete an investigation and convene a panel proceeding to evaluate his/her recommendations regarding just and sufficient cause pursuant to NRS 281.511(3).

Investigations Backlog	Average Days Between Filing Date and Panel Proceeding	Range of Days Between Filing Date and Panel Proceeding	Percent of Investigations Taking Greater Than 45 Days
Calendar Year 2002	60 days	26 to 95 days	40 percent
Calendar Year 2003	71 days	28 to 157 days	42 percent
Calendar Year 2004	178 days	46 to 342 days	100 percent
Calendar Year 2005	297 days	243 to 370 days	100 percent
Calendar Year 2006	158 days	39 to 275 days	90 percent

Public Education and Information Activities:

The Commission strongly believes that compliance with Nevada ethics law begins with effective educational programs and active public information efforts for public officers, employees, and the general public. The Commission accomplishes these goals through proactive educational programs to increase understanding and compliance with Nevada Ethics in Government law among public officers and employees in state, county, and city government, as well as the continued expansion of the Commission web site and the development of electronic publications to educate and inform the public about the Commission and the Nevada Ethics in Government law.

Statute presently requires the Executive Director to conduct training regarding ethics law and Commission opinions upon the request of any public officer or public employer (see NRS 281.4635(1)(e)). These educational sessions are conducted utilizing PowerPoint presentations, and provide for lecture, group interaction and participant question and answer sessions. The sessions average between 60 to 90 minutes.

The Commission recently drafted a progressive outreach strategic plan, which includes many proactive methods of providing education and information to the public officers and public employees in the state as well as creating a synergy with other jurisdictions and ethics organizations.

During Fiscal Year 2006, the Commission began posting electronic versions of the Financial Disclosure Statements on its web site. To date, the public can research the financial disclosure statements that were filed by appointed public officers in January of 2006 and 2007. The Commission intends to continue this posting as financial disclosure statements are filed in the future.

The Commission has made publications a priority for Fiscal Year 2008, specifically the Ethics Manual, and anticipates that the Ethics Manual will be published this fiscal year and will be made available in hard copy and on the Commission web site.

	Actual FY 2006	Actual FY 2007	Projected FY 2008	Projected FY 2009
Educational programs held	17	18	15	15
Percent of education programs evaluated as relevant, useful, and well-prepared	95%	93%	95%	95%
Annual web hits	185,449	348,241	250,000	280,000
Average web site hits per day	506	954	800	850
Average web site session length	14 min	14 min	15 min	15 min
Average number of web site users Per day	158	243	135	189
Average percentage of repeat web site users per month	30%	36%	32%	35%

Legislation Report:

A summary of the legislative changes may be found under Appendix B of this report.

While there were several changes proposed during the 2007 Legislative Session, very few were passed. The Commission submitted a bill draft request, which was introduced as Senate Bill 495 and initially contained several items that the Commission recommended by and through its authority under NRS 281.471(5). The final version of Senate Bill 495 contained the following:

1. The Ethics in Government Law (NRS 281.411 to 281.581, inclusive) will be moved into a new chapter created in the Nevada Revised Statutes to be numbered chapter 281A;
2. The date for filing agency representation forms was changed from January 10 to January 15 in order to coincide with the filing deadline for financial disclosure statements;
3. NRS 281.511(3) was amended so that if a public officer or public employee who had been found to have violated the Ethics in Government Law had also resulted in the realization of a financial benefit the Commission may require that they pay a civil penalty of not more than twice the amount so realized (previously the statute did not include the term "current or former public officer or employee" it simply stated "another person"); and
4. NRS 281.553(5) was amended to remove the criminality of accepting or receiving an honorarium and replaced with the requirement that the public officer or employee forfeit the amount of the honorarium in addition to any other penalty imposed by the Commission.

Senate Bill 495 will become effective October 1, 2007.

Other bills amended the Ethics in Government Law under chapter 281 of Nevada Revised Statutes:

Assembly Bill 143 amended subsection 1 of NRS 281.511 by adding a requirement that the Commission render an opinion on advisory opinion requests as soon as practicable or within 45 days after receiving the request, whichever is sooner. This bill also amended subsection 3 of NRS 281.511 by changing the amount of days that the Executive Director has to present his recommendation relating to just and sufficient cause to the panel from 45 days to 60 days.

Assembly Bill 143 became effective July 1, 2007.

Senate Bill 425 amended subsection 4 of NRS 281.501 by adding the requirement that a public officer or employee disclose any contributions to a legal defense fund that the public officer reported under chapter 294A of NRS. A definition for the term "legal defense fund" will be codified under chapter 294A of NRS.

Senate Bill 425 became effective on June 15, 2007.

Senate Bill 548 amended NRS 281.559 and NRS 281.561 by clarifying that the financial disclosure statements must include the required information for the full calendar year immediately preceding the date of filing.

Senate Bill 548 became effective on June 13, 2007.

Of special note:

Assembly Bill 593 did not amend the Ethics in Government Law, although it amended NRS 218.697 by eliminating the requirement that the Legislative Counsel represent any Legislator in any matter before the Commission on Ethics.

Litigation Report:

The Commission has one legal challenge pending in Nevada courts.

Oscar B. Goodman v. NCOE
Petition for Judicial Review of *NCOE Opinion No. 04-05*, issued December 28, 2004 to Las Vegas Mayor Oscar B. Goodman resulted in a ruling for Mayor Goodman. The Commission filed an appeal with the Nevada Supreme Court on April 17, 2006. The mandatory settlement conference was held on May 24, 2006. The Commission considered a proposed settlement at its June 14, 2006 meeting but no settlement was reached. The Commission's final brief was filed with the Court on January 29, 2007. Oral argument will not be scheduled and this appeal will stand submitted for decision to the Court based on an Order received from the Court on August 8, 2007.

Public Officer Financial Disclosure:

The Commission accepts filings by appointed public officers required to file annual financial disclosure statements with the Commission pursuant to NRS 281.559. Any appointed public officer who fails to file a financial disclosure statement, or who files the statement late, is forwarded to the Secretary of State's office for the assessment of civil penalties pursuant to NRS 281.581.

The Commission staff is often asked by public officers and employees to determine whether they are required to file a financial disclosure statement. In these instances, the Commission staff refers the inquiring public officers to their assigned counsel based upon the definition of a public officer. Assigned counsel for each public officer should determine whether job duties involve "the exercise of a public power, trust or duty" as defined in subsection 1 of NRS 281.4365.

During Fiscal Year 2007, the Commission began posting the financial disclosure statements filed by appointed public officers on its web site. Filings are now posted on the Commission's website for calendar years 2005 and 2006. The Commission will continue to post future filings on its website and is striving to post archived statements on the web as well.

	Actual Calendar 2006	**Actual Calendar 2007**	**Projected Calendar 2008**	**Projected Calendar 2009**
Financial disclosure statements filed	470	345	500	500

Commission Funding:

NRS 281.4647 provides that cities and counties with more than 10,000 in population are required to proportionally share in the NCOE funding. The local government assessment is based on the source of the NCOE request for opinion caseload from the previous biennium.

The NCOE is responsible for billing cities and counties on August 1 and February 1 of each year of the biennium. If a city or county fails to pay the assessment, the Commission's Executive Director is authorized to submit a billing claim to the Department of Taxation, and the Department of Taxation is authorized to deduct the funds from that city or county's share of the Local Government Tax Distribution Account. The Commission staff experienced no difficulties in collecting the local government cost-share of the NCOE budget during FY 2007.

The funds collected from local government pursuant to NRS 281.4647 are restricted for the enforcement of the Nevada Ethics in Government law, and do not revert to the General Fund at the end of any fiscal year.

Any civil penalties assessed by the Commission for violations of state law are deposited into the State General Fund. The Commission collected $10,100 in civil penalties during FY 2007.

Commission Fiscal Operations:

The Commission maintains two offices, one in Las Vegas and one in Carson City. The Carson City office is considered the "principal office" of the Commission and all filings should be directed to that office; however, exceptions can be made to accommodate a deadline, if necessary.

The Commission budget is appropriated by the Nevada Legislature each biennium. The Commission did not request any enhancements to its budget during the 2007 Legislative Session, which approved budgets for FY08 and FY09.

The following represents the budget provided by the Legislature for the biennium.

	FY 2008		FY 2009	
Personnel	$ 473,902	69.2%	$ 499,674	67.5%
Out-of-State Travel	$ 2,206	0.3%	$ 2,206	0.3%
In-State Travel	$ 17,673	2.6%	$ 17,673	2.4%
Operating	$ 102,349	14.9%	$ 103,332	14.0%
Equipment	$ -	0.0%	$ -	0.0%
Court Reporting	$ 19,953	2.9%	$ 19,953	2.7%
Investigations	$ 7,755	1.1%	$ 7,755	1.0%
Information Technology	$ 13,600	2.0%	$ 13,561	1.8%
Training	$ 1,936	0.1%	$ 1,936	0.3%
Purchasing Assessment	$ 468	0.1%	$ 488	0.1%
Statewide Cost Allocation	$ 19,766	2.9%	$ 19,766	2.7%
AG Cost Allocation Plan	$ 25,290	3.7%	$ 54,155	7.3%
	$ 684,898	100%	$ 740,499	100%

Commission Internal/External Issues Assessment:

Commission Strategic Issues

1. The Commission on Ethics struggles with a public misperception of the Commission mission, jurisdiction, and duties.
2. High turnover in elected and appointive public office creates an on-going need to educate public officers and employees on the provisions of the Ethics in Government Law.
3. The 120-day biennial Legislative Session limits the amount of time the Commission has to provide necessary information to educate legislators regarding Commission functions, making it difficult to effect changes in state law.
4. Four-year Commissioner terms may result in frequent turnover on the Commission, and can result in varying policy interpretations of state law.
5. The Commission is one of only a few state Commissions statutorily located between the Legislative and Executive Branches, which causes confusion as to whom the Commission reports.
6. The Commission must balance its role as a part of the Executive Branch (for budget purposes) with its statutory mandate to investigate and adjudicate ethics complaints against public officers and employees in the Executive Branch.

Commission Threats

1. Statutory restraints on timelines may cause dismissal of otherwise valid complaints.
2. The Commission has limited staff and budget resources, which may make it difficult to respond to fluctuations in workload caused by a large influx of complaints, advisory opinion requests, or major litigation.
3. Public misperceptions about the role of the Commission may cause public relations issues with the Legislature, state and local governments, and the media.
4. Budget constraints, both within the Commission and at the local government level, make a proactive educational program regarding the Nevada Ethics in Government law difficult to fund and sustain.

Commission Opportunities

1. Efforts are underway to implement an Outreach program that will assist in better compliance with Nevada Ethics in Government law and lead to a better public understanding of the Commission's mission, jurisdiction, and duties.
2. The Commission will have an opportunity during Fiscal Year 2008 to adopt new and amend existing regulations to further refine and clarify its policies and procedures.
3. Using communications tools such as the Commission web site and training seminars to promote the Commission's activities provides opportunities to educate public officers, public employees, and the general public regarding the Commission's functions. The Commission will continue to be on the government forefront of making more information available on-line.

Planning Assumptions:

1. The Commission must prioritize and focus on essential tasks and efficiently and effectively utilize its resources.
2. Ongoing budget constraints make utilizing new technology such as videoconferencing, web site publications, and e-mail distribution important to achieve cost savings to ensure the Commission stays within its legislatively appropriated budget.
3. Funding and administering a proactive outreach program regarding the Nevada Ethics in Government law is essential to ensure better compliance and eliminate misperception by public officials, employees, and the public about the Commission's mission, jurisdiction, and duties.
4. Closely monitoring the agency budget is a critical component of ensuring that the Commission uses its monetary resources in the most efficient and effective manner possible to meet the statutory requirements placed on the agency.
5. Compiling a comprehensive, well-justified budget and preparing an informative and concise budget presentation is essential in ensuring the Commission receives funding sufficient to support the Commission goals and programs.

Commission Goals:

Goals, objectives, and performance measures were developed in calendar year 2003 as part of the agency strategic planning process. The Commission is currently reviewing those goals, objectives and performance measures. The goals and objectives are listed below. Performance measures have been previously reported in this publication.

- **Goal 1** - To investigate and adjudicate all requests for opinion filed by public officers, public employees, candidates, and the general public in accordance with the provisions of NRS Chapter 281.

Objective 1: To timely investigate third-party requests for opinion and issue recommendations regarding just and sufficient cause to a Commission panel.

Objective 2: To expedite first-party requests for opinion as provided for in NRS 281.511 to ensure timely consideration and rendering of opinions by the Commission.

Objective 3: To issue written opinions timely after the Commission renders its decisions, and to make such opinions publicly accessible.

Objective 4: To streamline Commission operations by providing staff with up-to-date computer equipment, software, and training.

- **Goal 2** – To administer Nevada Ethics in Government law effectively by providing educational programs and the information necessary for public officers and employees to comply with the Ethics in Government Law.

Objective 1: To provide proactive educational programs to increase understanding and compliance with Nevada Ethics in Government law among public officers and employees in state, county, and city government.

Objective 2: To expand the Commission web site and develop electronic publications to educate and inform the public about Nevada Ethics in Government law.

Objective 3: To facilitate increased compliance with laws requiring the filing of disclosure statements by working with the Secretary of State's office to maintain a public officer database, pursuant to NRS 281.574, to disseminate information about the requirement to file disclosure statements, and to inform public officers regarding the appropriate filing location.

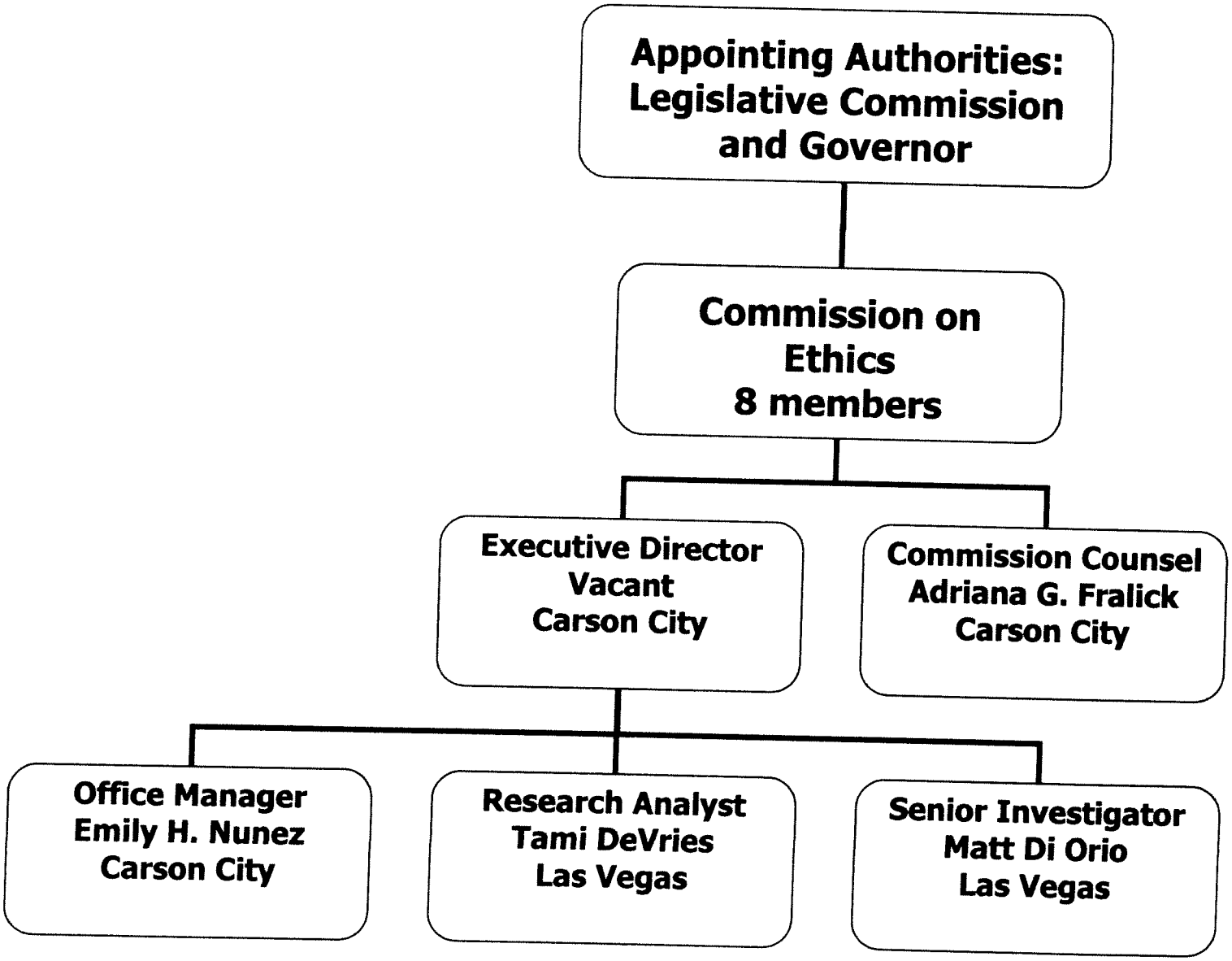
NEVADA COMMISSION ON ETHICS

ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

FISCAL YEAR 2007

Appendix A

Organization Chart


Appointing Authorities: Legislative Commission and Governor
Commission on Ethics 8 members
Executive Director Vacant Carson City
Commission Counsel Adriana G. Fralick Carson City
Office Manager Emily H. Nunez Carson City
Research Analyst Tami DeVries Las Vegas
Senior Investigator Matt Di Orio Las Vegas

Appendix B

Summary of 2007 Legislative Changes

To the Ethics in Government Law
(NRS 281.411 to 281.581, inclusive)

State of Nevada
COMMISSION ON ETHICS

3476 Executive Pointe Way, Suite 10
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http://ethics.nv.gov

NEVADA COMMISSION ON ETHICS
2007 LEGISLATIVE SESSION
BILL SUMMARY REPORT

Bill #	Description	Effective Date:	Statute affected:
AB 143	Requiring the Commission to render certain opinions within a certain period; **increasing the time within which the Executive Director of the commission is required to complete his investigation** of the facts and circumstances relating to certain requests for an opinion; and providing other matters properly relating thereto.	1-Jul-07	NRS 281.511(1) & (3)
AB 593	Relating to the Legislative Branch of Government; making various changes relating to the Legislature and the Legislative Counsel Bureau; and providing other matters properly relating thereto. **Deletes the requirement for the Legislative Counsel to represent any Legislator in any matter before the Commission on Ethics.**	upon passage and approval 6/14/07	NRS 218.697(1)
SB 425	Relating to campaign practices; requiring a person administering a legal defense fund to report the creation of, contributions received by and expenditures from the fund; prohibiting contributions over a certain amount to a legal defense fund; providing that a "political purpose" includes a legal defense fund for purposes of the provisions prohibiting the solicitation or acceptance of monetary contributions by certain persons during a specified period; providing a penalty; and providing other matters properly relating thereto. **Adds a requirement to disclose any contributions to a legal defense fund that the public officer reported pursuant to section 1.7 of this act.**	upon passage and approval 6/15/07	NRS 281.501(4)

SB 495	Creates a new chapter of law under NRS specifically for the Ethics in Government Law (NRS 281.411-581 to be moved to a new chapter numbered NRS 281A). Moves deadline for filing disclosure of representation before cetain agencies from Jan. 10th to Jan. 15th, in order to be consistent with deadlines to file FDS. Amends NRS 281.551authorizing the imposition of a penalty if the public officer or employee that comitted a violation realizes any financial benefit. Removes the criminal penalty for accepting an honorarium.	1-Oct-07	NRS 281.491; 281.551 and 281.553
SB 548	Relating to public office; **revising the provisions governing filing of statements of financial disclosure by public officers and candidates for public office;** requiring certain statements advocating the election or defeat of a candidate for state or local office and published by persons receiving compensation from the candidates, opponents of the candidates or certain political groups to contain disclosures of certain information regarding that compensation; and providing other matters properly relating thereto.	1-Oct-07	NRS 281.559 and 281.561

Appendix C

History of

Nevada Commission on Ethics Members

HISTORY OF
NEVADA COMMISSION ON ETHICS MEMBERS

2006-2007

Commission on Ethics

Jim Kosinski, Reno, Chairman
Mark A. Hutchison, Las Vegas, Vice Chairman
Randall V. Capurro, Las Vegas
Timothy Cashman, Las Vegas
William Flangas, Las Vegas
Caren Jenkins, Carson City
Rick R. Hsu, Reno
George M. Keele, Minden

2005 - 2006

Commission on Ethics

Caren Jenkins, Carson City, Chairman
Mark A. Hutchison, Las Vegas, Vice Chairman
Randall V. Capurro, Las Vegas
Timothy Cashman, Las Vegas
William Flangas, Las Vegas
Rick R. Hsu, Reno
George M. Keele, Minden

Jim Kosinski, Reno

2004 - 2005

Commission on Ethics

Rick R. Hsu, Reno, Chairman
Caren Jenkins, Carson City, Vice Chairman
Timothy Cashman, Las Vegas
William Flangas, Las Vegas
Mark A. Hutchinson, Las Vegas
George Keele, Minden
Jim Kosinski, Reno

Elizabeth Goff Gonzalez, Las Vegas, served from January through April 2004

2003

Commission on Ethics

Todd Russell, Carson City, Chairman
William Flangas, Las Vegas, Vice Chairman
Ernest E. Adler, Carson City
Merle A. Berman, Las Vegas
Lizzie R. Hatcher, Las Vegas
Rick R. Hsu, Reno
Jim Kosinski, Reno
Thomas R. Sheets, Las Vegas

James Rogers, Las Vegas, served from September 2001, through August 2002
Thomas Sheets, Las Vegas, served as Chair from July 2003, through December 2003

2001

Commission on Ethics

Peter C. Bernhard, Las Vegas, Chairman
Todd Russell, Carson City, Vice Chairman
Raymond C. (Skip) Avansino, Jr., Reno
William Flangas, Las Vegas
Lizzie R. Hatcher, Las Vegas
Rick R. Hsu, Reno
Jim Kosinski, Reno
R. Hal Smith, Las Vegas

1999

Commission on Ethics

Mary Boetsch, Reno, Chairman
Mario G. Recanzone, Fallon, Vice Chairman
Jud Allen, Reno
William Bible, Las Vegas
R. Hal Smith, Las Vegas
Joni Wines, Stateline

1997

Commission on Ethics

Mary Boetsch, Reno, Chairman
Helen Chisolm, Las Vegas, Vice Chairman
Jud Allen, Reno
James J. Guinan, Reno
Scott Sherer, Las Vegas
Joni Wines, Las Vegas

1995

Commission on Ethics

Thomas (Spike) Wilson, Reno, Chairman

William R. Morse, Las Vegas, Vice Chairman
Jud Allen, Reno
Mary Boetsch, Reno
Helen Chisolm, Las Vegas
Joni Wines, Las Vegas

1993

Commission on Ethics

Thomas (Spike) Wilson, Reno, Chairman
William R. Morse, Las Vegas, Vice Chairman
George "Bud" Albright, Las Vegas
Jud Allen, Reno
Helen Chisolm-Wright, Las Vegas
Michael F. Mackedon, Fallon

1991

Commission on Ethics

Thomas (Spike) Wilson, Reno, Chairman
Barbara Bennett, Reno, Vice Chairman
George "Bud" Albright, Las Vegas
Bonnie Jean James, Las Vegas
Michael Mackedon, Fallon
William R. Morse, Las Vegas

1989

Commission on Ethics

Carl Dodge, Fallon, Chairman
Barbara Bennett, Reno, Vice Chairman
George "Bud" Albright, Las Vegas
Bonnie Jean James, Las Vegas
Michael Mackedon, Fallon
William R. Morse, Las Vegas

1987

Commission on Ethics

Carl Dodge, Fallon, Chairman
Barbara Bennett, Reno, Vice Chairman

George "Bud" Albright, Las Vegas
Paul S. Garwood, Reno
Michael Mackedon, Fallon
William R. Morse, Las Vegas

Legislation adopted in 1985 created a single ethics commission for both the legislative and executive branches of government. Prior to 1985, both executive and legislative branch ethics commissions operated independently of one another.

1985

Executive Ethics Commission

Paul H. Huffey, Las Vegas, Chairman
Janice L. Haupt, Las Vegas
Mills Lane, Reno
Michael F. Mackedon, Fallon
Sandra L. Pardo, Las Vegas
Larry Struve, Carson City

1983

Executive Ethics Commission

Information not available

Legislative Ethics Commission

Manuel J. Cortez, Las Vegas, Chairman
W. R. (Walt) Martini, Las Vegas
Ronald W. Player, Sparks
Roger Teglia, Sparks

1981

Executive Ethics Commission

Bruno P. Menicucci, Reno, Chairman
Dominic Daileda, Las Vegas
C. E. (Dutch) Horton, Ely
Wilson McGowan, Carson City
Dennis Simmons, Las Vegas

Legislative Ethics Commission

Manuel J. Cortez, Las Vegas, Chairman
W. R. (Walt) Martini, Las Vegas
Ronald W. Player, Sparks
Roger Teglia, Sparks

Ethel Warren, Reno

1979

Executive Ethics Commission

Bruno P. Menicucci, Reno, Chairman
Dominic Daileda, Las Vegas
C. E. (Dutch) Horton, Ely
Wilson McGowan, Carson City
Dennis Simmons, Las Vegas
Ethel Warren, Reno

Legislative Ethics Commission

Manuel J. Cortez, Las Vegas, Chairman
W. R. (Walt) Martini, Las Vegas
Ronald W. Player, Sparks
Nash M. Sena, Henderson
Roger Teglia, Sparks
Robert L. Weise, Carson City
C. Clifton Young, Reno