



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Request for Opinion
Concerning the Conduct of
Robert Eliason, North Las Vegas City
Councilman,
State of Nevada,

Request for Opinion No.: 11-56C

Subject.

PANEL DETERMINATION

NRS 281A.440(5); NAC 281A.440

Facts and Jurisdiction

The Nevada Commission on Ethics received an Ethics Request for Opinion (RFO) regarding the conduct of Robert Eliason, North Las Vegas City Councilman, a public officer, alleging certain violations of the Ethics in Government Law set forth in NRS 281A. Commission staff presented the Investigatory Panel with the allegations in the Request for Opinion that Mr. Eliason violated: NRS 281A.020 and 281A.420 (1) and (3) by failing to fully disclose a conflict of interest and abstain from voting in two instances.

At the time of the alleged conduct, Mr. Eliason was an elected member of the North Las Vegas City Council, a public officer as defined in NRS 281A.160. The Commission has jurisdiction over the conduct of public officers pursuant to NRS 281A.280. Therefore, the Commission has jurisdiction in this matter.

Panel Proceeding

On July 28, 2011, pursuant to NRS 281A.440(5), an Investigatory Panel consisting of Commissioners George M. Keele, Esq. and James Shaw reviewed the 1) Ethics Request for Opinion; 2) Mr. Eliason's response to the Ethics Request for Opinion, 3) The Executive Director's Report and Recommendation.

The allegations center on two June 2011 City Council meetings. Specifically, the RFO alleged that on June 15, 2011, Eliason opposed the passage of an agenda item regarding canvassing the recent election results. Mr. Eliason disclosed on the record that he had made a campaign contribution to a person interested in the matter before the City Council, and then proceeded to participate and vote. At the next Council

meeting, on June 30, 2011, regarding a similar issue, he made no disclosure of his campaign contribution and voted in favor of holding a new election.

The following are the Panel's unanimous findings and conclusions as to each of the allegations. NRS 281A.420 requires disclosure of certain conflicts of interest, but expressly exempts campaign contributions from such requirements. As a result, the Investigatory Panel held that credible evidence does not exist to support a finding of just and sufficient cause for the Commission to render an opinion whether Eliason violated NRS 281A.420, and no credible evidence exists to forward the matter further. As a result, the Panel found that no just and sufficient cause exists for the full Commission to hold a hearing regarding any of the allegations.

Therefore, the Investigatory Panel will not refer this matter to the Commission for a hearing and the rendering of an opinion, and dismisses the RFO in its entirety.

Dated: October 4, 2011



Caren Jenkins, Esq.
Executive Director

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I deposited for mailing, via U.S. Postal Service, through the State of Nevada mailroom, a true and correct copy of the **PANEL DETERMINATION IN REQUEST FOR OPINION No. 11-56C**, addressed as follows:

Robert Eliason
City of North Las Vegas
2222 Constitution Way
North Las Vegas, NV 89030

First Class Mail

Leonard Cardinale
North Las Vegas Police Supervisors
Association
3525 W. Cheyenne, Ste. 102
North Las Vegas, NV 89032

Cert. No. 7010 0780 0001 0973 5136

DATED: October 4, 2011

Valerie Carter

Valerie Carter, Nevada Commission on Ethics