



## STATE OF NEVADA

### BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Request for Opinion  
Concerning the Conduct of **SHARI BUCK**,  
Mayor, City of North Las Vegas,  
State of Nevada

Request for Opinion No.: 11-63C

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**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 Shari Buck, Mayor, North Las Vegas, 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 Ms. Buck violated NRS 281A.020 and 281A.420 (1) and (3) by failing to keep adequate separation between her public duties and private interests, and failing to adequately disclose a conflict of interest and undertake the abstention analysis in two instances.

At the time of the alleged conduct, Ms. Buck was the elected Mayor of North Las Vegas, 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 various documents, including the 1) Ethics Request for Opinion; 2) Mayor Buck's response to the Ethics Request for Opinion, and 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, when the agenda item was called regarding a canvass of the recent municipal election results, the Mayor disclosed on the record that

she had made a campaign contribution to a person interested in the matter and that her husband was paid to work on that person's campaign. She did not disclose that she endorsed the candidate in various printed materials. She then announced that she would abstain. At the next Council meeting, on June 30, 2011, regarding whether to hold a new election, she referred to the comments she made on June 15, announced her intent to abstain, and then offered her opinion regarding the legality and wisdom 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 public officers to disclose certain conflicts of interest, but expressly exempts campaign contributions from such requirements. However, due to the presence of credible evidence that Mayor Buck had a commitment in a private capacity to the interest of her husband's employer, she likely was required both to disclose the nature and extent of her conflict and the likely effect her participation or abstention may have had on her interest. She also may have been required to undertake the so-called "abstention analysis" on the record as well, and refrain from advocating for or against the matter in which she intended to abstain.

As a result, the Investigatory Panel held that credible evidence exists to support a finding of just and sufficient cause for the Commission to render an opinion whether Buck violated NRS 281A.020 and 281A.420 on June 15, 2011 and June 30, 2011. The Panel expressed that evidence presented or found in the course of the investigation may implicate either or both the fact of and the adequacy of the disclosures and abstentions made by Ms. Buck.

Therefore, the Investigatory Panel refers these allegations to the Commission for a hearing and the rendering of an opinion.

Dated: \_\_\_\_\_

*October 4, 2011*



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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. 11-63C**, addressed as follows:

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DATED: October 4, 2011

Valerie Carter  
Valerie Carter, Nevada Commission on Ethics