



STATE OF NEVADA
COMMISSION ON ETHICS
<http://ethics.nv.gov>

MINUTES
of the meeting of the
COMMISSION ON ETHICS
January 8, 2009

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics.
A certified court reporter transcribed the minutes of the meeting and a transcript is available.

The Commission on Ethics held a public meeting on Thursday, January 8, 2009, beginning at 1:00 p.m. at the following locations:

The Nevada State Contractors Board, 9670 Gateway Drive, Suite 100, Reno, Nevada, and the Nevada State Contractors Board, 2310 Corporate Circle Suite 200, Henderson, Nevada.

The sites were connected by videoconference.

Call to Order, Roll Call.

In Las Vegas, Chair Mark Hutchison called the meeting to order and called the roll at 1:00 p.m., Thursday, January 8, 2009. Commissioners Timothy Cashman and John T. Moran, III, Esq. were present in Las Vegas. Present also in Las Vegas were Tami E. DeVries, Research Analyst, and Michel Vavra, Investigator.

Present in Reno were Commissioners Erik Beyer, George M. Keele, Esq., Paul H. Lamboley, Esq., John W. Marvel, and James M. Shaw. Also present in Reno were Executive Director Patricia D. Cafferata, Esq., Adriana G. Fralick, Esq., General Counsel, and Michelle A. Ené, Executive Assistant. Members of the public were asked to sign in, and the sign-in sheets are attached to the original minutes as Exhibit A. No members of the public were present in either location.

1. Action to elect a Vice Chair for the remainder of Commissioner Tim Cashman's term ending on June 30, 2009, pursuant to NAC 281A.170.

Commissioner Moran moved that Commissioner George Keele be elected Vice Chair for the remainder of Fiscal Year 2009. Commissioner Cashman seconded the motion. The motion passed unanimously.

2. Approval of minutes of the November 13, 2008 meeting.

Keele moved for the approval of the minutes of the November 13, 2008 subject to grammatical changes to be made. Shaw seconded the motion. The motion passed unanimously. Marvel abstained from voting because he was not present at the November 13, 2008 meeting.

3. Open session to brief the Commissioners on their duties and overview of procedures and standards for panel proceedings and commission hearings.

Adriana Fralick, General Counsel, gave an informational presentation on Commissioners' duties and standards for panel proceedings and commission hearings.

4. Open session on 2009 Legislative Session for discussion of legislation, including Commission's bill, SB 104, bill drafts, resolutions, amendments to bills, and status of bills that are related to ethics and the Ethics Commission, and discussion of committee meetings, testimony, the Commission's budget and other matters properly related thereto.

The Executive Director Patricia Cafferata stated that the Commission's budget is being reviewed by the Governor and will be submitted to the Legislature by the end of the month. Cafferata stated that the Attorney General cost allocation issue has not been resolved. Cafferata stated that there is talk of proposed legislation to split the Ethics Commission into two commissions. If this happens there will be substantial budget cuts.

Commissioner John Marvel inquired as to how much work the Attorney General actually does for the Commission. Cafferata stated that they do no work for the Commission. The Commission's Attorney General cost allocation is \$54,000 this year. Marvel suggested that the Commission appear before the money committees at the Legislature and ask for relief on this item.

Tami DeVries, Research Analyst, stated that there are two bill draft requests that the Commission is tracking, SB11 and SB104. DeVries gave an overview of the Commission's bill, SB104. She stated that SB104, is being introduced by the Senate Committee on Legislative Operations and Elections. Fralick gave a brief overview on the main changes to the law being proposed in the bill draft. A discussion followed regarding the difference between "legislative action" and "legislative function."

Cafferata stated that the bill is the Commission's housekeeping bill. The Commission's other bill that was submitted was a request for money for an interim study. She stated that the bill was attached to some other fiscal bill and not included in SB104.

Cafferata stated that the Commission's number one priority is to include the "cooling off period" in the statute, the second was the interim study, and the third was the housekeeping bill. Cafferata stated that all three priorities will be addressed in the upcoming legislative session.

5. Open session for a report on the status of litigation on Sparks City Councilman Mike Carrigan and on State Senator Warren Hardy matters.

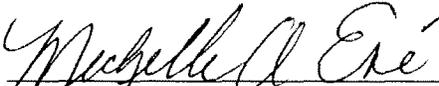
Chair Hutchison moved to close the agenda item. Keele seconded the motion. This item was closed to discuss pending litigation.

6. Public comment.

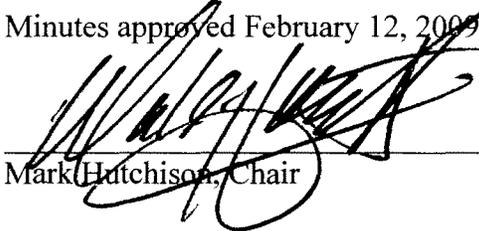
No public comment was made.

Hutchison adjourned the meeting at 3:15 p.m.

Minutes transcribed by:


Michelle A. Ené, Executive Assistant

Minutes approved February 12, 2009:


Mark Hutchison, Chair