

STATE OF NEVADA



COMMISSION ON ETHICS

**COMMISSION PANEL DETERMINATION  
REGARDING JUST AND SUFFICIENT CAUSE**

NRS 281.511(3)

**COMMISSION PANEL: JIM KOSINSKI AND GEORGE KEELE**

**IN THE MATTER OF THE REQUEST FOR OPINION  
CONCERNING THE CONDUCT OF  
Donna Bailey, Member  
Board of Eureka County Commissioners**

**Request for Opinion  
No. 07-07C**

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On May 15, 2007, pursuant to NRS 281.462, a Commission Panel reviewed the Executive Director's Report and Recommendation Regarding Just and Sufficient Cause, the request for opinion, and all related documents. The Panel determined that just and sufficient cause exists for the Commission to hold a hearing and render an opinion on the allegations that Ms. Bailey violated the provisions of NRS 281.501(2) and NRS 281.501(4).

Specifically, the Panel determined that just and sufficient cause exists for the Commission to hold a hearing and render an opinion regarding whether Ms. Bailey violated:

- NRS 281.501(4), at the April 6, 2006 Board of Eureka County Commissioners meeting, by failing to publicly disclose her relationship to her nephew, Reese Marshall, someone with whom she has a commitment in a private capacity, at the time a matter concerning Mr. Marshall was considered.
- NRS 281.501(2), at the April 6, 2006 Board of Eureka County Commissioners meeting, by voting on an agenda item involving Mr. Marshall, someone with whom Ms. Bailey has a commitment in a private capacity.
- NRS 281.501(4), at the July 20, 2006 Board of Eureka County Commissioners meeting, by failing to publicly disclose her relationship to

Mr. Marshall, someone with whom she has a commitment in a private capacity, at the time a matter concerning Mr. Marshall was considered.

- NRS 281.501(2), at the July 20, 2006 Board of Eureka County Commissioners meeting, by voting on an agenda item involving Mr. Marshall, someone with whom Ms. Bailey has a commitment in a private capacity.

The Panel also determined that just and sufficient cause does not exist for the Commission to hold a hearing and render an opinion on the allegations that Ms. Bailey violated the provisions of NRS 281.481(2), NRS 281.501(2), and NRS 281.501(4) at the April 20, 2006 Eureka County Commission meeting. Those allegations are, therefore, dismissed.

The Panel further determined that just and sufficient cause does not exist for the Commission to hold a hearing and render an opinion on the allegations that Ms. Bailey violated NRS 281.481(2) at the April 6, 2006 and July 20, 2006 Eureka County Commission meetings. Accordingly, those allegations are dismissed.

The Request for Opinion is, therefore, REFERRED TO THE NEVADA COMMISSION ON ETHICS, and is scheduled for hearing on Wednesday, June 13, 2007 at 9:00 a.m. at the Boardroom of the State of Nevada Gaming Control Board, 1919 E. College Parkway, Carson City, Nevada.

DATED: May 16, 2007

  
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L. Patrick Hearn, Executive Director