



STATE OF NEVADA

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In the Matter of the Request for Opinion  
Concerning the Conduct of **JIM DAVIS**,  
Member, Beatty Water and Sanitation District,  
State of Nevada,

Request for Opinion No.: 09-88C

Subject. /

**PANEL DETERMINATION**

NRS 281A.440(4); NAC 281A.440

Facts and Jurisdiction

An Ethics Complaint was filed against Jim Davis (Davis) alleging violations of NRS 281A.420(1) for his failure to make any disclosure or provide any explanation whatsoever for his abstention during the October 16, 2009 District meeting, as described more fully in the Panel Proceedings below.

At the time of the alleged conduct, Davis was and still is a member of the Beatty Water and Sanitation District, a public officer as defined in NRS 281A.160. Therefore, the Commission has jurisdiction in this matter.

Panel Proceeding

On March 11, 2010, pursuant to NRS 281A.440(4), a Panel consisting of Commissioners Paul Lamboley and John Marvel reviewed the following: Ethics Complaint, Davis' response to the Complaint, Investigator's Report, Executive Director's Recommendation and Approval of Investigator's Report, and the evidence collected by Commission staff.

The following are the Panel's unanimous findings and conclusions:

Just and sufficient cause **does not exist** for the Commission to hold a hearing and render an opinion on whether Davis violated NRS 281A.420(1), when he abstained from voting at the October 16, 2009 District meeting without first making a disclosure or offering an explanation.

The Request for Opinion is, therefore, DISMISSED.

Dated: March 19, 2010

Caren Jenkins  
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 placed a true and correct copy of the **PANEL DETERMINATION** and the investigation materials in Request for Opinion No. 09-88C in an envelope and caused the same to be mailed via certified mail return receipt requested through the State of Nevada Mailroom to Davis' Counsel and a true and correct copy of the **PANEL DETERMINATION** to Davis and the Complainant via regular mail through the State of Nevada Mailroom addressed as follows:

Rebecca Bruch, Esq.  
Erickson, Thorpe & Swainston, Ltd.  
99 West Arroyo Street  
Reno, NV 89505

**Cert. No. 7002 2030 0005 8442 5222**

Jim Davis, Member  
Board of Directors  
Beatty Water and Sanitation District  
P.O. Box 381  
Beatty, NV 89003

First Class Mail

Ray H. Williams, III  
P.O. Box 262  
Austin, NV 89310

First Class Mail

DATED:

03/22/10



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An employee, Nevada Commission on Ethics