



STATE OF NEVADA
BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Request for Opinion
Concerning the Conduct of **JACK CLARK**,
Former Councilman, City of Henderson,
Clark County, State of Nevada,

Request for Opinion No. 09-53C

Subject.

PANEL DETERMINATION

NRS 281A.440(4),(5)

An Ethics Complaint was filed against Jack Clark (Clark) alleging violations of NRS 281A (Ethics in Government Law), specifically NRS 281A.420(3), when he failed to abstain from voting on matters relating to the Henderson Space and Science Center (HSSC).

In his public capacity, at the time of the alleged conduct, Clark was a city councilman for the City of Henderson, a public officer as defined in NRS 281A.160. Therefore, the Commission has jurisdiction in this matter.

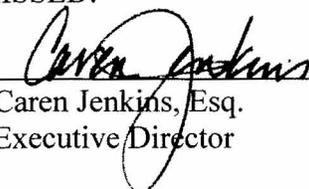
On September 10, 2009, pursuant to NRS 281A.440(4), a Panel consisting of Commissioners Paul Lamboley, Esq., and John Marvel reviewed the following: Ethics Complaint; Clark's response to the Complaint; Investigator's Report; and the evidence collected by Commission staff.

The following is the Panel's unanimous conclusion:

Just and sufficient cause does not exist for the Commission to hold a hearing and render an opinion on whether Clark violated NRS 281A.420(3). The Panel received no evidence indicating that Clark's conduct was out of line with his duties as a public officer or a former public officer, or that his participation in the deliberations and vote caused any unwarranted benefit to accrue to him. Further, should the board of directors of the private non-profit corporation wish to provide compensation to its officers and directors, assuming he is an officer or director at that time, Clark may receive such compensation as is provided to other officers and directors.

Therefore, Request for Opinion No. 09-53C is DISMISSED.

Dated: October 1, 2009


Caren Jenkins, Esq.
Executive Director