



**In the Matter of the Request for Opinion  
Concerning the Conduct of SCOTT RAINE,  
Commissioner, Nevada Department of Wildlife,  
State of Nevada,**

**Request for Opinion No.: 10-55C**

**Subject. /**

**EXECUTIVE DIRECTOR'S RECOMMENDATION  
AND APPROVAL OF INVESTIGATOR'S REPORT**

The following is the Executive Director's recommendation based on consideration and investigation of the Ethics Complaint filed against Scott Raine, member of the Nevada Board Wildlife Commissioners ("Subject"), a public officer, and on the Subject's written response to the Complaint, attached to the Investigator's Report. I approve that Report and attach it for the consideration of this two-commissioner investigatory panel.

**Allegations:**

**1. Issues:**

The issues are whether Raine violated:

- I. NRS 281A.400(2) when he allegedly used his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for his mother's boyfriend's son, Pat Laughlin, by voting to approve numerous matters initiated by Nevada Alliance 4 Wildlife, an organization in which Mike Laughlin serves as President.
- II. NRS 281A.420(1) by failing to disclose his relationship with Pat Laughlin before the vote on numerous projects presented by Nevada Alliance 4 Wildlife, an organization presided over by Mike Laughlin, who presented numerous projects before the Wildlife Commission, Heritage Wildlife Committee and Wildlife Damage Management Committee of which Raine is a member.
- III. NRS 281A.420(3) by failing to abstain from a vote or advocating the passage of a matter to which his independence of judgment would be materially affected by a commitment in a private capacity to the interest of Pat Laughlin, his son, Mike Laughlin, or Raine's mother Arlene Raine.

### **Jurisdiction:**

The Nevada Commission on Ethics has jurisdiction over public officers, pursuant to NRS 281A.280. As a member of the Nevada Board of Wildlife Commissioners, Raine is a public officer as defined in NRS 281A.160. Therefore, the Commission has jurisdiction to investigate and take appropriate action in this matter pursuant NRS 281A.280 and NRS 281A.440.

### **Facts:**

The allegations are based on an alleged relationship between Scott Raine and Pat Laughlin, the son of Mike Laughlin, who is in a romantic relationship with Raine's mother, Arlene Raine. The Complaint alleges that the relationship between Raine's mother and Mike Laughlin results in family-like relationship between Raine and Pat Laughlin equivalent to step-brothers. The Request alleges that the relationship causes a conflict of interest due to Pat Laughlin's appearances before the Wildlife Commission.

### **Recommendation:**

After reviewing the evidence and NRS 281A.400 and NRS 281A.420 and the related subsections, I recommend that the Panel find just and sufficient cause **DOES NOT EXIST** for the Commission to render an opinion on the allegations because no reliable and competent form of proof was presented that Raine has a commitment in a private capacity to the interests of Mr. Laughlin, or that he used his position in government to benefit that relationship, as follows:

- NRS 281A.400(2) by using his position in government to secure or grant unwarranted benefits for Pat Laughlin;
- NRS 281A.420(1) by failing to disclose his relationship with Pat Laughlin before acting on matters promoted by Nevada Alliance 4 Wildlife or;
- NRS 281A.420 (3) by failing to abstain from acting on matters promoted by Nevada Alliance 4 Wildlife, an organization in which Pat Laughlin serves as President;

**NAC 281A.435 Basis for finding by panel; unanimous finding required for determination that no just and sufficient cause exists. (NRS 281A.290)**

1. A finding by a panel as to whether **just and sufficient cause** exists for the Commission to render an opinion on an ethics complaint **must be based on credible evidence.**

2. A finding by a panel that no just and sufficient cause exists for the Commission to render an opinion on an ethics complaint must be unanimous.

3. As used in this section, **“credible evidence” means the minimal level of any reliable and competent form of proof** provided by witnesses, records, documents, exhibits, concrete objects, and other such similar means, **that supports a reasonable belief by a panel that the Commission should hear the matter and render an opinion.** The term does not include a newspaper article or other media report if the article or report is offered by itself.

**Conclusion:**

**I hereby approve the attached Investigator’s Report and provide this, my recommendation, to this honorable panel.**

  
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Caren Jenkins, Esq.  
Executive Director

Date: 8/27/10