



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

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

Request for Opinion No.: 10-55C

Subject. /

PANEL DETERMINATION

NRS 281A.440(5); NAC 281A.440

Facts and Jurisdiction

The Nevada Commission on Ethics received a Request for Opinion regarding the conduct of Scott Raine, Commissioner, Nevada Department of Wildlife, State of Nevada, alleging certain violations of the Ethics in Government Law set forth in NRS 281A. Commission staff presented the Investigatory Panel with the allegations that 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 Pat Laughlin.
- 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 Laughlin.
- 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 or Raine's mother Arlene Raine.

At the time of the alleged conduct, Raine was, and still is, a member of the Board of Wildlife Commissioners, a public officer as defined in NRS 281A.160. The

Ethics Commission has jurisdiction over the conduct of public officers pursuant to NRS 281A.280. Therefore, the Commission has jurisdiction in this matter.

Panel Proceeding

On September 3, 2010, pursuant to NRS 281A.440(5), an Investigatory Panel consisting of Commissioner Magdalena Groover and Commissioner Jim Shaw reviewed the following: 1) Request for Opinion; 2) Mr. Raine's response to the Request for Opinion, 3) the Investigator's Report; and 4) the Executive Director's Recommendation and Approval of Investigator's Report. The following are the Panel's unanimous findings and conclusions as to each of the allegations:

Credible evidence does not exist to support a finding of just and sufficient cause for the Commission to render an opinion whether Subject violated NRS 281A.400(2) or NRS 281A.420(1) and (3) by participating in the consideration of and failing to disclose his relationship to his mother before voting on various matters before the Board of Wildlife Commissioners. The panel found that a minimum level of reliable and competent evidence did not exist to support a reasonable belief by the panel that Raine's commitment in a private capacity to the interests of his mother or the status of his mother's romantic relationship fell within the disclosure requirements of Chapter 281A, as alleged.

Therefore, the Investigatory Panel will not refer these allegations to the Commission for a hearing and the rendering of an opinion.

Dated: September 15, 2010



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 in Request for Opinion No. 10-55C**, in an envelope and caused same to be mailed via certified mail, return receipt requested, through the State of Nevada Mailroom to Scott Raine's counsel, Bryan L. Stockton, Esq., and a true and correct copy of the **PANEL DETERMINATION in Request for Opinion No. 10-55C** to Scott Raine, and the Requester, David L. McNinch, via regular mail through the State of Nevada Mailroom addressed as follows:

Bryan L. Stockton, Esq.
Senior Deputy Attorney General
100 N. Carson Street
Carson City, Nevada 89701-4717

Cert. No. 70022030000584424904

Counsel for Scott Raine

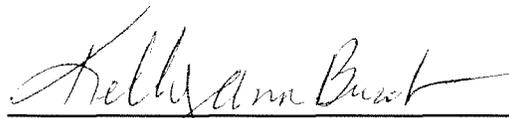
Scott Raine
PO Box 812
Eureka, NV 89316

First Class Mail

David L. McNinch
5155 Ross Drive
Reno, NV 89519

First Class Mail

DATED: 9-16-10



An employee, Nevada Commission on Ethics