

Abstract of Opinion No. 99-48

BEFORE THE NEVADA COMMISSION ON ETHICS

IN THE MATTER OF THE OPINION REQUEST OF RURAL COUNTY DISTRICT ATTORNEY

This matter came before the Nevada Commission on Ethics (hereinafter "Commission") for hearing in a closed session on Thursday, November 18, 1999, on the first-party opinion request filed by Rural County District Attorney. Notice of the hearing was properly served. Rural County District Attorney did not appear, nor did any other person on behalf of the school board. Opinion No. 99-48 is confidential pursuant to NRS 281.511(5).

The request seeks an opinion from the Commission generally interpreting the statutory ethical standards with regard to school board trustees who may have familial or marital relationships with classified school district employees.

The Commission has jurisdiction to "render an opinion interpreting the statutory ethical standards and apply the standards to a given set of facts and circumstances upon request from a public officer or employee who is seeking guidance on questions which directly relate to the propriety of his own past, present or future conduct as an officer or employee." NRS 281.511(1).

The Request for Opinion in this matter seeks general guidance and provides no specific set of facts about an individual trustee from which the Commission can form an opinion as to whether there exists a conflict which requires a trustee's abstention.

The Commission's statutory authority to render an opinion is limited to those requests submitted by public officers or employees who seek guidance on questions which directly relate to the propriety of *their own* past, present or future conduct.

WHEREFORE, on motion duly made, seconded, and approved by unanimous vote of the Commission, this matter is **DISMISSED** for lack of jurisdiction.

DATED: November 30, 1999.

NEVADA COMMISSION ON ETHICS

By: /s/ PETER C. BERNHARD, Chairman