



**STATE OF NEVADA
COMMISSION ON ETHICS**
<http://ethics.nv.gov>

NOTICE OF PUBLIC MEETING

NAME OF ORGANIZATION: NEVADA COMMISSION ON ETHICS

DATE & TIME OF MEETING: Wednesday, August 23, 2017 at 10:30 a.m.

PLACE OF MEETING: This meeting will be held at the following location:

**Nevada Legislative Building
Room 3137
401 S. Carson Street
Carson City, NV 89701**

and via video-conference to:

**Grant Sawyer State Building
Room 4412E
555 E. Washington Avenue
Las Vegas, NV 89101**

AGENDA

NOTES:

- Two or more agenda items may be combined for consideration.
- At any time, an agenda item may be taken out of order, removed, or delayed.
- Public comment will be accepted at the beginning of the open session and again before the conclusion of the open session of the meeting. Comment and/or testimony by the public may be limited to three (3) minutes. No action may be taken on any matter referred to in remarks made as public comment. Members of the public may also submit written public comment to the Commission at NCOE@ethics.nv.gov.

	1. Call to Order, Roll Call, and Pledge of Allegiance to the Flag.
	2. Public Comment. Comment and/or testimony by any member of the public will be limited to three (3) minutes. No action will be taken under this agenda item.
For Possible Action	3. Approval of Minutes of the June 19, 2017 and July 25, 2017 Commission Meetings.
For Possible Action	4. Presentation and approval FY17 Annual Report prepared by the Executive Director pursuant to NAC 281A.180(2).

For Possible Action	<p>5. Report and recommendations by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:</p> <ul style="list-style-type: none"> • Updated Public Records Policy • Commissioner Appointments • Quarterly Case Status Update • Upcoming Commission Meetings • FY18 Budget Status • Education and Outreach by the Commission
For Possible Action	<p>6. Election of Commission Chair and Vice Chair for Fiscal Year 2017-18, pursuant to NAC 281A.150.</p>
	<p>7. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.</p>
	<p>8. Public Comment. Comment and/or testimony by any member of the public may be limited to three (3) minutes. No action will be taken under this agenda item.</p>
	<p>9. Adjournment.</p>

NOTES:

- ❖ The Commission is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada Commission on Ethics, in writing at 704 W. Nye Lane, Ste. 204, Carson City, Nevada 89703; via email at ncoe@ethics.nv.gov or call 775-687-5469 as far in advance as possible.
- ❖ To request an advance copy of the supporting materials for any open session of this meeting, contact Executive Director Yvonne M. Nevarez-Goodson, Esq. at ncoe@ethics.nv.gov or call 775-687-5469.
- ❖ This Agenda and supporting materials are posted and are available not later than the 3rd working day before the meeting at the Commission's office, 704 W. Nye Lane, Ste. 204, Carson City, Nevada, or on the Commission's website at www.ethics.nv.gov. A copy also will be available at the meeting location on the meeting day.

This Notice of Public Meeting and Agenda was posted in compliance with NRS 241.020 before 9:00 a.m. on the third working day before the meeting at the following locations:

- Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City
- Nevada Commission on Ethics' website: <http://ethics.nv.gov>
- Nevada Public Notice Website: <http://notice.nv.gov>
- State Library & Archives Building, 100 North Stewart Street, Carson City
- Blasdel Building, 209 E. Musser Street, Carson City
- Washoe County Administration Building, 1001 East 9th Street, Reno
- Grant Sawyer State Office Building, 555 E. Washington Ave., Las Vegas

AGENDA ITEM NO. 3

AGENDA ITEM NO. 3



**STATE OF NEVADA
COMMISSION ON ETHICS**

<http://ethics.nv.gov>

**MINUTES
of the meeting of the
NEVADA COMMISSION ON ETHICS**

June 19, 2017

The Commission on Ethics held a public meeting on
Monday, June 19, 2017, at 2:30 p.m.
at the following location:

**Governor's Office of Economic Development
808 W. Nye Lane
Carson City, NV 89703**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. Verbatim transcripts are available for public inspection at the Commission's office located in Carson City.

1. Call to Order, Roll Call and Pledge of Allegiance to the Flag.

Chair Cheryl A. Lau, Esq. called the meeting to order at 2:30 p.m. in Carson City, Nevada. Also present in Carson City were Commissioners Brian Duffrin and Philip "P.K." O'Neill. Present via telephone were Vice-Chair Keith A. Weaver, Esq. and Commissioners Barbara Gruenewald, Esq. and Lynn Stewart. Present for Commission staff in Carson City were Executive Director Yvonne M. Nevarez-Goodson, Esq., Commission Counsel Tracy L. Chase, Esq., Associate Counsel Judy A. Prutzman, Esq. and Executive Assistant Valerie M. Carter, CPM.

Commissioner Amanda C. Yen, Esq. was excused from the meeting.

The pledge of allegiance was conducted.

2. Public Comment.

No public comment.

3. Approval of Minutes of the May 15, 2017 Commission Meeting.

Commissioner O'Neill moved to approve the May 15, 2017 Meeting Minutes. Commissioner Duffrin seconded the Motion. The Motion was put to a vote and carried unanimously.

4. Discussion and approval of a Proposed Stipulation concerning Third-Party Request for Opinion No. 16-78C regarding Brad Bonkowski, Supervisor, Ward 2, Carson City, submitted pursuant to NRS 281A.440(2).

Commissioner Gruenewald and Commissioner Stewart were excused from participating in this agenda item as they served on the Investigatory Panel for this matter.

Appearing before the Commission in this matter was Subject Brad Bonkowski and his counsel, Adrianna Fralick, Chief Deputy District Attorney for Carson City. Appearing on behalf of the Executive Director was Associate Counsel Judy Prutzman, Esq.

Commissioner O'Neill disclosed that the Subject of Request for Opinion No. 16-78C, Brad Bonkowski, and he were professional acquaintances who regularly attend the same community events and each supported one another's campaigns in 2016; Mr. Bonkowski's campaign for reelection to the Board of Supervisors and Commissioner O'Neill's campaign for reelection to the Nevada State Assembly. Commissioner O'Neil stated he consulted with Commission Counsel Chase, and concluded he did not have a commitment in a private capacity to Mr. Bonkowski and could otherwise act impartially with respect to this agenda item.

Mr. Bonkowski stated he had no objection to Commissioner O'Neill's participation.

Ms. Prutzman stated the Request for Opinion alleged that Mr. Bonkowski used his public position to further his private interests related to certain commercial property and improperly voted on a matter that had a material effect on his property during a Board of Supervisors meeting on July 7, 2016.

Ms. Prutzman stated that the Stipulated Agreement before the Commission proposed to resolve the Request for Opinion with a finding of one willful violation of the Ethics Law, implicating NRS 281A.420(1)and(3), with an associated civil penalty in the amount of \$2,500. She stated the Stipulated Agreement also dismissed allegations implicating NRS 281A.400(2), as the investigation did not yield a preponderance of evidence to support a violation of that statute.

Ms. Prutzman provided an overview of Mr. Bonkowski's private business interests and the effect of those interests on the Board of Supervisors' agenda item on July 7, 2016.

Both Ms. Prutzman and Ms. Fralick provided brief closing statements. Commissioner O'Neill requested a closed session for discussion on the Stipulated Agreement.

Chair Lau called the meeting into closed session for deliberations of the matter as exempt from the Open Meeting Law.

Chair Lau called the meeting back into open session and opened Agenda Item No. 9 to take public comment prior to the decision of the Commission on Agenda Item 4.

9. Open Session for Public Comment.

This agenda item was called out of order.

Jerry Vaccaro, Requester in RFO 16-78C, commented on his view of the details relating to the allegations in his Complaint.

Jim Shirk, former Carson City Supervisor, stated he was not commenting for or against Mr. Bonkowski, but wanted to inform the Commission that he served on the Board at the time of the July 7, 2016 meeting at issue, and voted against the relevant agenda item such that it was not a unanimous approval as Mr. Bonkowski had indicated in his testimony before the Commission. Mr. Shirk stated he believed the agenda item was presented incorrectly by the City and that the disclosure should have been part of the agenda item.

At the close of public comment, Chair Lau called Agenda Item 4 back for consideration.

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4. Discussion and approval of a Proposed Stipulation concerning Third-Party Request for Opinion No. 16-78C regarding Brad Bonkowski, Supervisor, Ward 2, Carson City, submitted pursuant to NRS 281A.440(2).

Commissioner Duffrin moved to accept the terms of the Stipulation as presented by the parties and directed Commission Counsel to finalize the Stipulation in appropriate form, provided that such form would not materially change the terms as approved by the Commission. Vice-Chair Weaver seconded the Motion.

Commissioner O'Neill thanked Mr. Bonkowski for accepting his responsibility and stated he appreciated the comments made by members of the public, as well as the work of Commission staff and Ms. Fralick.

The Motion was put to a vote and carried unanimously.

6. Consideration and approval of a salary enhancement for the Commission's Executive Director, Yvonne M. Nevarez-Goodson, Esq., for the next biennium (FY 18-19), up to and including the maximum allowable salary for this position (\$110,132) in the unclassified service of the State of Nevada, as established by Assembly Bill 517 of the 79th Legislative Session of the Nevada Legislature (2017), effective on July 1, 2017.

This agenda item was called out of order.

Executive Director Nevarez-Goodson explained that after several requests for salary enhancements for Commission staff to obtain parity in pay with similar positions in other State agencies, the Legislature approved the Unclassified Pay Bill of the 79th Legislative Session (2017) with salary enhancements for the Executive Director, Commission Counsel and a slight increase for the Senior Legal Researcher. She further clarified that the Associate Counsel was properly designated in the Pay Bill as "Associate Counsel" at the appropriate salary and that the Legislature did not approve the title change or salary enhancement for the Commission's Executive Assistant. She explained this Agenda Item satisfied the Open Meeting Law requirements for discussion of any employee's character or competence when considering a pay increase.

Commissioner Duffrin stated he believed the Executive Director should be paid more than the Unclassified Pay Bill allows, but understands the maximum limit of salaries in the Bill.

Chair Lau moved to approve the salary enhancement for the Executive Director for the next biennium, up to and including the maximum allowable salary for this position. Commissioner Stewart seconded the Motion. The Motion was put to a vote and carried unanimously.

7. Consideration and approval of a salary enhancement for the Commission's Commission Counsel, Tracy L. Chase, Esq., for the next biennium (FY 18-19), up to and including the maximum allowable salary for this position (\$110,132) in the unclassified service of the State of Nevada, as established by Assembly Bill 517 of the 79th Legislative Session of the Nevada Legislature (2017), effective on July 1, 2017.

This agenda item was called out of order.

Commissioner Duffrin stated he appreciated having such good counsel and believed the position should be paid more than the Unclassified Pay Bill allows, but understand the limit of salaries in the Bill. He indicated he hoped both the Executive Director and Commission Counsel, and all other staff are still around next legislative session to continue to fight for parity in pay.

Chair Lau moved to approve the salary enhancement for the Commission Counsel for the next biennium, up to and including the maximum allowable salary for this position. Commissioner Stewart seconded the Motion. The Motion was put to a vote and carried unanimously.

Vice-Chair Weaver was excused from the remainder of the meeting.

5. Update regarding the 79th Legislative Session (2017), including, without limitation, the Commission's 2018-2019 Budget, Assembly Bill 517, Senate Bill 84 and Senate Concurrent Resolution 6.

Executive Director Nevarez-Goodson reminded the Commission that the Agency's Budget for the next biennia (FY18-FY19) had been approved by the Legislature as recommended by the Governor. She reported that the legislative budget committees approved a technical amendment adding \$7,200/FY for the ongoing costs associated with the Commission's new Case Management System and Opinion Database.

Director Nevarez-Goodson reported that A.B. 517, the Unclassified Pay Bill, included slight salary enhancements for the Commission's Executive Director, Commission Counsel and Senior Legal Researcher and also included the requested title change for the Associate Counsel position, which had originally gone into the Pay Bill as a second "Commission Counsel". She reported the title change and salary enhancement for the Executive Assistant was not granted, but hopes that the interim salary study approved via SCR 6 will shed light on the unparalleled pay of similar positions in similar agencies.

Director Nevarez-Goodson reported that the Commission's Bill, S.B. 84, passed through the Legislature as intended and had been signed by the Governor. She stated the majority of the statutory changes will go into effect on July 1, 2017. She reported the Commission's Senior Legal Researcher was preparing an informal codification so Commissioners and Staff can review the statutory changes in the near future.

8. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.

No Commissioner comments.

9. Open Session for Public Comment.

No public comment.

10. Adjournment.

Commissioner O'Neill moved to adjourn the meeting. Commissioner Duffrin seconded the Motion. The Motion was put to a vote and carried unanimously. The meeting adjourned at 4:07 p.m.

Minutes prepared by:

/s/ Valerie Carter

Valerie Carter, CPM
Executive Assistant

/s/ Yvonne M. Nevarez-Goodson

Yvonne M. Nevarez-Goodson, Esq.
Executive Director

Minutes approved August 23, 2017:

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.
Chair

/s/ Keith A. Weaver

Keith A. Weaver, Esq.
Vice-Chair



**STATE OF NEVADA
COMMISSION ON ETHICS**

<http://ethics.nv.gov>

**MINUTES
of the meeting of the
NEVADA COMMISSION ON ETHICS**

July 25, 2017

The Commission on Ethics held a public meeting on
Monday, July 25, 2017, at 1:30 p.m.
at the following location:

**Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, NV 89703**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. Verbatim transcripts are available for public inspection at the Commission's office located in Carson City.

1. Call to Order and Roll Call.

Chair Cheryl A. Lau, Esq. called the meeting to order at 1:30 p.m. via telephone. Also appearing telephonically were Vice-Chair Keith A. Weaver, Esq. and Commissioners Barbara Gruenewald, Esq., Lynn Stewart and Amanda Yen, Esq. Present at the meeting location in Carson City, Nevada were Commissioner Brian Duffrin, Executive Director Yvonne M. Nevarez-Goodson, Esq., Commission Counsel Tracy L. Chase, Esq., Associate Counsel Judy A. Prutzman, Esq. and Executive Assistant Valerie M. Carter, CPM.

2. Public Comment.

No public comment.

Chair Lau called the meeting into closed session for a discussion regarding pending litigation at 1:35 p.m.

Commissioner Philip "P.K." O'Neill joined the meeting telephonically at 1:42 p.m.

Chair Lau called the meeting into open session at 1:47 p.m.

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3. Authorization for Commission Counsel to represent and defend the interests of the Ethics Commission of the State of Nevada in all legal proceedings related to the litigation identified as “Gerald R. Antinoro, Petitioner, vs. Nevada Commission on Ethics” et al., Case No. 17OC001381B, filed in the First Judicial District Court of Nevada. Without limitation, the Commission provides authorization for Commission Counsel to file all notices, motions, pleadings and any other documents in any court having jurisdiction over the identified litigation, including appellate review.

Commission Counsel Tracy Chase, Esq. provided a disclosure on behalf of Commissioner O’Neill stating that Commissioner O’Neill had known Sheriff Antinoro for several years, including during his time with the State Division of Investigation and the State Legislature and that they also both serve as members of the Nevada Sheriff’s and Chief’s Association. Commission Counsel further reported Commissioner O’Neill’s disclosure in consultation with the Commission Counsel that the provisions of NRS 281A.420 and the judicial canons did not require his abstention because his professional relationship with the Sheriff and his membership with the Association did not establish personal interests or relationships that required abstention. Commissioner O’Neill believed he could be fair and impartial in participating in the matter.

Commissioner Gruenewald moved to authorize Commission Counsel to represent and defend the interests of the Commission in all legal proceedings regarding litigation identified as “Antinoro vs. The Nevada Commission on Ethics”. Commissioner Yen seconded the Motion. The Motion was put to a vote and carried unanimously.

4. Authorization for Commission Counsel to continue to represent and defend the interests of the Ethics Commission of the State of Nevada in all legal proceedings related to the litigation identified as “Nevada Commission on Ethics, Appellant, vs. Ira Hansen, Assemblyman and Jim Wheeler, Assemblyman, Respondents”, Case No. 69100, filed in the Nevada Supreme Court, including rehearing and En Banc proceedings pertaining to the recent decision of “The Commission on Ethics of the State of Nevada v. Hansen et al, 133 Nev. Op. 39, issued June 29, 2017. Without limitation, the Commission provides authorization for Commission Counsel to file all notices, motions, pleadings, petitions and any other documents in any court having jurisdiction over the identified litigation, including any appellate review.

Commissioner Stewart disclosed that he previously served in the Nevada Legislature during the same session as Assemblymen Hansen and Wheeler, but his relationships with both of them are not current, as he has not spoken to either Assemblyman in over two years. Commissioner Stewart confirmed he had conferred with Commission Counsel Chase and believed that his professional relationship with the Assemblyman did not fall within the type of personal relationships that require abstention under the Ethics Law.

Commission Counsel Chase provided a disclosure on behalf of Commissioner O’Neill that he served in the same Legislative Session as Assemblymen Hansen and Wheeler but his current relationship with the Assemblymen is not within the defined relationships listed in NRS 281A.065 that could rise to a level of conflict under the Ethics Law. However, Pursuant to Judicial Cannon 2.11, Commissioner O’Neill has personal knowledge about certain underlying facts in dispute, and combined with his prior relationships with the Assemblymen, his impartiality to consider this matter could be called into question. Accordingly, Commissioner O’Neill has disqualified himself from participating in the matter to maintain the integrity and impartiality of the process and to avoid any potential appearances of impropriety.

Commissioner Duffrin moved to authorize Commission Counsel to represent and defend the interests of the Commission on all legal proceedings regarding The Nevada Commission on Ethics, Appellant vs. Ira Hansen, Assemblyman and Jim Wheeler, Assemblyman, Respondents, in Nevada Supreme Court Case No. 69100. Commissioner Stewart seconded the Motion. The motion was put to a vote and carried unanimously, with Commissioner O’Neill abstaining.

5. Discussion and approval of the purpose and content of proposed permanent regulations of the Nevada Commission on Ethics for the Nevada Administrative Code ("NAC") Chapter 281A which are consistent with the amendatory provisions of NRS Chapter 281A enacted by Senate Bill 84 of the 79th Legislative Session (2017) and any amendments to NAC Chapter 281A previously adopted by the Commission pursuant to temporary regulation T003-16 that remain consistent with NRS Chapter 281A and Senate Bill 84.

Executive Director Yvonne M. Nevarez-Goodson, Esq. explained the intention of the agenda item was discuss the need to amend sections of the Nevada Administrative Code Chapter 281A so they are consistent with the amendatory provisions of Senate Bill 84, which revised sections of NRS Chapter 281A. Director Nevarez-Goodson summarized the procedural process for the Commission to formally adopt new regulations pursuant to NAC 233B.

Commissioner Gruenewald moved to approve the conceptual proposed amendments to the Commission's Regulations under NAC Chapter 281A, including any Notice of a Public Workshop and Public Hearing. Commissioner O'Neill seconded the Motion. The Motion was put to a vote and carried unanimously.

6. Open Session for Public Comment.

No public comment.

7. Adjournment.

Commissioner Yen moved to adjourn the meeting. Commissioner O'Neill seconded the Motion. The Motion was put to a vote and carried unanimously. The meeting adjourned at 2:04 p.m.

Minutes prepared by:

/s/ Valerie Carter

Valerie Carter, CPM
Executive Assistant

/s/ Yvonne M. Nevarez-Goodson

Yvonne M. Nevarez-Goodson, Esq.
Executive Director

Minutes approved August 23, 2017:

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.
Chair

/s/ Keith A. Weaver

Keith A. Weaver, Esq.
Vice-Chair

AGENDA ITEM NO. 5

AGENDA ITEM NO. 5



STATE OF NEVADA
COMMISSION ON ETHICS
704 West Nye Lane, Suite 204
Carson City, Nevada 89703
(775) 687-5469 • Fax (775) 687-1279
<http://ethics.nv.gov>

NEVADA COMMISSION ON ETHICS
PUBLIC RECORDS POLICY

A. Purpose

To provide members of the public with reasonable uniform procedures to access, inspect and copy public books and records of the Nevada Commission on Ethics ("Commission") as permitted by law in compliance with the Nevada Public Records Act set forth in NRS Chapter 239 and interpretive regulations located in NAC Chapter 239 (collectively referred to as the "Public Records Act").

B. Policy Statement

1. Access to Public Records. The Commission is committed to providing access to public records in accordance with the Public Records Act. In furtherance of the Public Records Act, the Ethics in Government Law set forth in NRS Chapter 281A and NAC Chapter 281A (collectively referred to as the "Ethics Law") contain statutory authority and interpretive regulations declaring specific proceedings and records of the Commission confidential. Any controlling law or governing amendments to the Public Records Act or the Ethics Law shall control and supersede any conflicting provisions of this policy. Additionally, the Commission adopts, as general guidelines for processing public records requests, the applicable

Updated 8/16/17

provisions of the *Nevada Public Records Act: A Manual for State Agencies, latest edition*, as duly issued and approved. The Manual is available at nsla.nv.gov.

2. Assistance and Compliance with Americans with Disabilities Act (“ADA”). In accordance with the ADA, reasonable accommodations are made available to the public for the inspection and copying of public records including providing the opportunity to request public records in an alternative format. The public should direct requests for reasonable accommodations to the Commission’s designated Records Official.

NOTICE: For assistance with ADA compliance or any other questions, please contact the Commission during regular business hours on Monday through Thursday, from 7:00 a.m. to 5:30 p.m., excluding holidays and other official business closures.

3. Public Records located on Official Website. Copies of agendas, minutes, proposed regulations and final Commission Opinions constitute public records and will be provided to the public without charge. The Commission maintains an official website located at www.ethics.nv.gov where these and certain other public records may be obtained.

4. Confidential and Restricted Records. A number of proceedings and records of the Commission are declared to be confidential under Nevada law. In addition to records of the Commission designated as confidential pursuant to the Public Records Act and Ethics Law, the Commission acknowledges all other laws declaring the records of the Commission to be confidential or restricted, including interpretive regulations, cases, and other legal precedent. Each public records

request received by the Commission will be reviewed to determine whether the records requested are confidential or restricted.

C. Public Records Request Guidelines:

The following guidelines are provided to assist the public in completing a public records request:

1. Public Records Request Form. A Public Records Request form (Exhibit "A") is provided to facilitate a request for public records of the Commission. When completing the Public Records Request Form, it is important to be as specific as possible and provide concise and legible information. Details identifying the public records such as names, dates, and any other identifying information will assist with the processing of a request. Public Records Requests may be sought via the Commission's official website at www.ethics.nv.gov or sent to the attention of Yvonne M. Nevarez-Goodson, Esq., Executive Director, as the designated Records Official for the Commission:

E-Mail: ncoe@ethics.nv.gov

Mailing and Physical Address:

State of Nevada Commission on Ethics
704 West Nye Lane, Suite 204
Carson City, NV 89703
Phone: (775) 687-5469 / Fax: (775) 687-1279

The Records Official is available to assist individuals with disabilities with a public records request including processing of public records in an alternative form.

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2. Processing of Public Records Request. Pursuant to NRS 239.0105, within five (5) business days after receiving a request for a public record, the Records Official will:

- Allow the requestor to inspect or copy the record; or
- Notify the requestor that the office does not possess the information and provide the name and address of the entity that does, if known; or
- Notify the requestor that the information will not be available within five (5) business days and provide a date and time after which the record will be available to inspect or copy; or
- Notify the requestor that the information is confidential and cite the statute or other legal authority to deny the request.

3. Fee Schedule for Public Records. Pursuant to NRS 239.052, a governmental entity may charge a fee for providing a copy of a public record. The Commission's Fee Schedule for Public Records is attached hereto as Exhibit "B." The Fee Schedule sets forth both Standard Fees and Extraordinary Use Fees. Standard Fees are charged separate from and in addition to any Extraordinary Use Fee.

Standard Fees represent the actual costs authorized pursuant to NRS 239.052, including costs for reproduction, copying, postage, and transcription fees allowed under NRS 239.053. Extraordinary Fees represent additional fees authorized pursuant to NRS 239.055 when the extraordinary use of personnel or technological resources is required to respond to a public records request.

The Commission will provide an estimate of Standard Fees and Extraordinary Fees ("Fee Estimate") for producing requested records to the Requestor, and will not produce the records until after the Requester remits a deposit in the amount of the Fee Estimate. If the actual fees are less than the Fee Estimate, the Commission will refund the difference to the Requestor. If the actual fees exceed the Fee Estimate, the Commission will send an invoice to the Requestor, and the Requester shall remit payment to the Commission within thirty (30) days.

D. Effective Date

This policy was adopted by a majority vote of the Commission on August 23, 2017, and continues in force until it is amended or revoked.

Dated: This ____ day of _____, 2017.

By: _____
Cheryl A. Lau, Esq., Chair

By: _____
Yvonne M. Nevarez-Goodson, Esq.
Executive Director

EXHIBIT A



State of Nevada Commission on Ethics Public Records Request

Email, Deliver, Mail or Fax to:

704 W. Nye Lane, Suite 204

Carson City, NV 89703

Tel. 775-687-5469, Fax: 775-687-1279

www.ethics.nv.gov || ncoe@ethics.nv.gov

Section A – Requester Information

Date of Request	
Requester Contact Information	
Name:	
Organization:	
Address:	
City, State, Zip:	
Phone:	
E-mail:	

Section B – Record(s) Requested

Records Requested:
Check one: <input type="checkbox"/> Electronic copies <input type="checkbox"/> Paper Copies <input type="checkbox"/> Inspection (in person)
<i>Describe the record(s) you are requesting. Please be as specific as possible and include enough detail to assist the Nevada Commission on Ethics staff in locating the records(s). Include relevant dates or date ranges. You may attach additional pages, if necessary.</i>

Section C – Receiving Records

<i>Please specify the preferred method of receiving the requested record(s):</i>			
<input type="checkbox"/> E-mail or drop box (no charge)	<input type="checkbox"/> I will pick up	<input type="checkbox"/> Please send USPS	<input type="checkbox"/> Please FedEx <i>Fed Ex billing number:</i>

Statement	
<input type="checkbox"/> By signing below, I certify that the information above is true and correct to the best of my knowledge. I understand that copying and other associated fees may apply and that records will not be released until the estimated fee deposit is received.	
Requester Signature	<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: center;">Requester Signature</div>
	<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: center;">Date</div>

Exhibit B – Fee Schedule



STATE OF NEVADA
COMMISSION ON ETHICS
704 West Nye Lane, Suite 204
Carson City, Nevada 89703
(775) 687-5469 • Fax (775) 687-1279
<http://ethics.nv.gov>

PUBLIC RECORDS POLICY

FEE SCHEDULE

Pursuant to Nevada Revised Statutes Chapter 239 and the Nevada Commission on Ethics' ("Commission") Public Records Policy, the Commission's schedule of fees for copies of public records, where not otherwise set by state or federal law or regulation, is set forth below.

- 1. Records available at No Charge:** Agendas, minutes or proposed regulations are available electronically at no charge. Certain other records and data maintained by the Commission are available for viewing at no charge on the Commission's website, www.ethics.nv.gov.
- 2. Cost Estimates:** The Commission will provide an estimate of actual costs of producing records to the requester and if the fee is estimated to exceed \$25, the records will not be produced until after payment is remitted. If the actual cost is less than the estimated cost, the Commission will refund the difference to the requester. If the actual cost exceeds the cost estimate, the Commission will issue an invoice and the requester shall remit payment within thirty (30) days.
- 3. Standard Fees:**
 - 3.1. Copying Fees** – The Commission will deliver electronic copies of records via email or other electronic means which have no associated cost to the Commission at no charge, unless the response requires an extraordinary use of personnel or resources. For printed copies, the Commission will provide the first fifty (50) pages at no charge if printable on standard or legal sized paper. After the first fifty (50) pages, the Commission will charge one cent (\$.01) per page for standard letter or legal sized paper. The Commission will charge five cents (\$.05) per page for copies of documents or photographs in color.

3.2. Use of Outside Copying Service – The Commission will charge actual costs for any copies of records reproduced by a service vendor. The selected vendor will be a local bonded copying service vendor, which directly charges the requester for its services.

3.3. Postage – The Commission will deliver responses to all public records requests via e-mail or U.S. Mail, unless otherwise requested and approved by the Commission for delivery via other methods. The Commission will charge the requester the actual costs for delivery by U.S. Mail or as otherwise requested and approved by the Commission.

3.4. Transcripts – NRS 239.053 authorizes the Commission to charge an additional fee for reproduction of transcripts of its administrative proceedings. The Commission's transcription services are provided by Litigation Services (doing business as Sunshine Litigation), a duly authorized contracted vendor with the State of Nevada. Pursuant to the vendor contract, the Commission will refer requests for transcripts directly to the vendor. Rates are subject to change and the requester should confirm the current rate with the vendor. The 2017 quoted rates for Transcript fees from the vendor are:

- OUTSIDE SALE COPIES: TWO DOLLARS (\$2.00) PER PAGE

3.5. Other – Copies of records provided via other media including, without limitation, CDs, DVDs, flash (thumb) drives, audiotapes, microfilm, etc., not listed as having a specific fee herein shall be charged at the actual cost of the medium.

4. Extraordinary Use Fees: In addition to any other fee authorized herein, the Commission may charge an additional fee, not to exceed fifty cents (\$.50) per page, for extraordinary use of personnel and/or technological resources. See NRS 239.055. Without limitation, examples of public records requests that implicate an extraordinary use include: (1) requests for a voluminous or substantial number of records; (2) redacting confidential information that the requester is not entitled to receive which requires extensive copying; and (3) requests requiring computer programming skills in order to retrieve the requested public record. Extraordinary use fees will not include time spent for locating or retrieving public records or other fees which are precluded under the provisions of NRS Chapter 239.

- 4.1. Personnel – Given the limited number of Commission staff, a request that is reasonably estimated to take more than sixty (60) minutes of staff time will be deemed extraordinary.
- 4.2. Technology – Extraordinary use of technological resources refers to the use of information systems or information services acquired, developed, operated, maintained or otherwise used by the Commission. If services of the State or contract services are required to produce the requested records, such services are considered extraordinary use of technological resources, and the actual cost of such services will be utilized to determine the additional extraordinary use fee within the fifty cent (\$.50) per page statutory limitation.
5. **Waiver:** Under NRS 239.052, the Commission may waive all or a portion of a charge or a fee for a public record for good cause shown.

State of Nevada Commission on Ethics Case Status Log

RFO No.	Date Filed	Jurisdiction	Subject of RFO	Requester	Status
17-32C	8/7/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	J & I Determination by Commission Expected 8/23/17
17-31C	8/7/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	J & I Determination by Commission Expected 8/23/17
17-30C	8/7/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	J & I Determination by Commission Expected 8/23/17
17-29C	8/2/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	J & I Determination by Commission Expected 8/23/17
17-28C	7/24/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	Hearing Expected 8/23/17
17-27C	7/20/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	J & I Determination by Commission Expected 8/23/17
17-26C	7/17/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	J & I Determination by Commission Expected 8/23/17
17-25C	7/13/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	J & I Determination by Commission Expected 8/23/17
↑ FISCAL YEAR 2017-2018 ↑					
17-24C	6/29/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Investigation
17-23C	6/27/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Investigation
17-22C	6/26/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Investigation
17-21C	6/26/17	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Investigation
17-10A	3/20/17	XXXXXXXXXX	XXXXXXXXXX	Self	Abstract Opinion Pending, to be issued in next 30 days

State of Nevada Commission on Ethics Case Status Log

RFO No.	Date Filed	Jurisdiction	Subject of RFO	Requester	Status
17-08A	3/13/17	XXXXXXXXXX	XXXXXXXXXX	Self	Abstract Opinion Pending, to be issued in next 30 days
17-04A	1/24/17	XXXXXXXXXX	XXXXXXXXXX	Self	Abstract Opinion Pending, to be issued in next 30 days
16-81C	11/23/16	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	Hearing on Proposed Stipulated Agreement Expected 9/17 or 10/17
16-80C	11/22/16	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Review Hearing Expected 8/23/17
↑ FISCAL YEAR 2016-2017 ↑					
16-54C	6/2/16	Storey County	Gerald Antinoro, Sheriff, Storey County	Kris Thompson	Pending Litigation
15-74A	12/10/15	XXXXXXXXXX	XXXXXXXXXX	Self	Pending Litigation
↑ FISCAL YEAR 2015-2016 ↑					
14-22C	3/5/14	State of Nevada	Jim Wheeler, Assemblyman, Nevada Legislature	Fred Voltz	Pending Litigation
14-21C	3/5/14	State of Nevada	Ira Hansen, Assemblyman, Nevada Legislature	Fred Voltz	Pending Litigation
↑ FISCAL YEAR 2013-2014 ↑					