



**STATE OF NEVADA**  
**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Dwayne McClinton**,  
Director, Governor's Office of Energy,  
State of Nevada,

Ethics Complaint  
Case No. 24-168C

\_\_\_\_\_  
Subject. /

**STIPULATED AGREEMENT**

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaint Case No. 24-168C before the Nevada Commission on Ethics ("Commission") concerning Dwayne McClinton ("McClinton"), Director of the Governor's Office of Energy ("GOE").

2. **JURISDICTION:** At all material times, McClinton served as the Director of GOE and was a public employee as defined in NRS 281A.150. The Ethics in Government Law ("Ethics Law") set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. The Commission has jurisdiction over McClinton in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION:**

a. In October of 2024, the Commission initiated Ethics Complaint No. 24-168C and directed the Executive Director to issue an *Order Initiating Complaint by Motion* regarding the alleged violations of NRS 281A.400(1) and (2) and NRS 281A.420(1) and (3).

b. On October 28, 2024, the Executive Director served McClinton with a *Notice of Complaint and Investigation* regarding the alleged violations of NRS 281A.400(1) and (2) and NRS 281A.420(1) and (3) and provided McClinton with an opportunity to submit a response to the allegations.

c. On December 19, 2024, McClinton provided his Response to the allegations through his attorney Deputy Attorney General Nicole N. Ting, Esq.

d. On January 16, 2025, the Executive Director presented a recommendation relating to just and sufficient cause to a three-member review panel pursuant to NRS 281A.725.

e. A Review Panel Determination issued on January 16, 2025, found the facts established credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1) and (2) and NRS 281A.420(1) and (3).

f. On February 25, 2025, the parties attended a settlement conference and subsequently reached an agreement to resolve this matter on the terms reflected in this Stipulated Agreement ("Agreement").

g. On April 16, 2025, the parties, having previously negotiated a settlement agreement, attended a meeting of the Commission, where the original settlement agreement was rejected by the Commission.

h. In lieu of an adjudicatory hearing before the Commission, McClinton and the Commission now enter into this Agreement.

#### **4. STIPULATED FACTS:**

a. McClinton is the current Director of GOE and was appointed in February 2023.

b. In 2024, the Vegas Golden Knights ("VGK") launched a new sustainability initiative and as part of that initiative reached out to GOE regarding a potential sponsorship.

c. McClinton believed that the potential sponsorship was consistent with one of the primary goals of the GOE, increasing public awareness of GOE programs and directed staff to explore the potential sponsorship and gather additional information.

d. During discussions of a potential sponsorship of VGK by GOE, McClinton was offered, and did accept two tickets for a VGK game on March 9, 2024.

e. McClinton and a guest attended the March 9 game between the VGK and the Detroit Redwings in Las Vegas sitting in Section 6, Row E..

f. VGK has informed the parties that the tickets provided were valued at \$330 season ticket price per seat.

g. Two days after the game, McClinton asked his staff to find time to meet with the VGK to discuss a sponsorship.

h. On March 22, 2024, the VGK provided McClinton with a quoted sponsorship package price of \$380,000.

i. McClinton asked his GOE staff to review existing GOE funds and determine whether a VGK sponsorship was an acceptable use of existing agency funds.

j. After a subsequent meeting between the VGK and his staff, on March 30, 2024, McClinton attended a Partner Watch Party accessible only to sponsors, partners, and other specially invited guests.

k. At the Partner Watch Party, McClinton discussed the benefits of partnership with existing and prospective VGK sponsors.

l. Ultimately the GOE declined to enter into a sponsorship agreement with VGK.

m. McClinton ended up attending The Nevada Sustainability Summit, which was cosponsored by GOE and hosted by Ceres, Lee's Family Forum and VGK without disclosing his previous gift from the VGK. The Governor was scheduled to attend the Nevada Sustainability Summit, but was unable to attend because of a conflict.

**5. TERMS / CONCLUSIONS OF LAW:** Based on the foregoing, McClinton and the Commission agree as follows:

a. Each of the stipulated facts enumerated in Section 4 of this Agreement is agreed to by the parties.

b. Allegations that McClinton violated NRS 281A.400(2) and NRS 281A.420(1) and (3) are hereby dismissed by stipulation of the parties.

c. McClinton's conduct constitutes a single course of conduct resulting in one violation of the Ethics Law, violating the provisions of NRS 281A.400(1). *See In re Lopez*, Comm'n Op. No. 15-73C (2016).

d. Based upon the consideration and application of the statutory factors set forth in NRS 281A.775, McClinton and the Commission agree that pursuant to NRS 281A.170 one willful violation will be imposed for his violation of NRS 281A.400(1) for the following reasons:

- 1) Seriousness of Violation: The Commission takes seriously when gifts are sought or accepted by public officers by organizations or individuals who are expressly or implicitly seeking government funding or action from the recipient of the gift. *See Lopez and In re City of Reno*, Comm'n Op. No. 96-

78 (1997). In this case, the VGK sought a corporate-style sponsorship from GOE, and provided McClinton with game tickets and other experiences to woo or otherwise convince McClinton to seriously consider the sponsorship opportunity.

- 2) Previous History: McClinton has not previously been the subject of any violation of the Ethics Law or previous ethics complaints.
- 3) Cost of Investigation and Proceedings: McClinton was diligent to cooperate with and participate in the Commission's investigation and resolution of this matter. Because McClinton was willing to resolve the matter prior to an adjudicatory hearing, significant Commission resources were preserved.
- 4) Prompt correction of the violation or other mitigating factors: There was no self-reporting, prompt correction, or request for an advisory opinion and the gift was not listed on McClinton's financial disclosure statement filed with the Secretary of State. A mitigating fact in favor of McClinton is that no funding ever transferred to the VGK from the GOE nor was an agreement between VGK and GOE ever executed.
- 5) Restitution: This is not a case where restitution is a factor.
- 6) Financial Gain: McClinton received the financial gain of attending the VGK game with a personal guest without paying the cost of either admission.
- 7) Additional Factors: The Commission notes that after receiving the game tickets and the partner party access, McClinton requested additional partner party access for himself and coworkers.

e. For his willful violation of NRS 281A.400(1), McClinton agrees to pay the full value of the benefit received of \$330 per ticket of \$660, plus a penalty of \$340.00, for a total monetary penalty of \$1,000, pursuant to NRS 281A.790(3).

f. The \$1,000 penalty is due in one-lump sum 90 days following finalization of this stipulation or as otherwise outlined in a payment plan approved by the Executive Director. McClinton must coordinate Ethics Law training as approved by the Executive Director for himself and the staff of GOE within 60 days following finalization of this stipulation. He must successfully complete Ethics Training himself as approved by the Executive Director.

g. The Commission admonishes Subject pursuant to NRS 281A.785(1)(b) providing this written expression of disapproval of his conduct.

h. This Agreement is based on the specific facts, circumstances, and law now before the Commission. Facts or circumstances that differ from those present in this matter may create a different resolution.

i. This Agreement is not intended to be applicable to or create any admission of liability by McClinton for any other proceedings against or involving McClinton, and such use is prohibited to the extent permitted by the jurisdiction of the Commission. If the Commission rejects this Agreement, none of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

**6. WAIVER**

a. McClinton knowingly and voluntarily waives his right to a hearing before the full Commission on the allegations in Ethics Complaint Case No. 24-168C and all rights he may be accorded with in regard to this matter pursuant to NRS Chapter 281A, the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B), and any other applicable provisions of law.

b. McClinton knowingly and voluntarily waives his right to any judicial review of this matter as provided in NRS Chapter 281A, NRS Chapter 233B, or any other applicable provisions of law.

**7. ACCEPTANCE:** We, the undersigned parties, have read this Agreement, understand each and every provision therein, and agree to be bound thereby once approved by the Commission. In addition, the parties orally agreed to be bound by the terms of this Agreement during the regular meeting of the Commission on June 18, 2025.<sup>1</sup>

DATED this 27 day of May, 2025.

Dwayne McClinton  
Dwayne McClinton

FOR DWAYNE MCCLINTON

DATED this 2<sup>nd</sup> day of June, 2025.

Greg D. Ott, Esq.  
Greg D. Ott, Esq.

<sup>1</sup> Subject waived any right to receive written notice pursuant to NRS 241.033 of the time and place of the Commission's meeting to consider his character, alleged misconduct, professional competence, or physical or mental health.

DATED this 22 day of May, 2025.

  
\_\_\_\_\_  
Ross E. Armstrong, Esq.  
Executive Director

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Elizabeth J. Bassett, Esq.  
Commission Counsel

The Stipulated Agreement is accepted by the Nevada Commission on Ethics:

DATED this \_\_\_\_ day of June, 2025.

By: /s/ \_\_\_\_\_  
Scott Scherer, Esq.  
Chair

By: /s/ \_\_\_\_\_  
John Miller  
Commissioner

By: /s/ \_\_\_\_\_  
Michael E. Langton, Esq.  
Commissioner

By: /s/ \_\_\_\_\_  
Terry J. Reynolds  
Commissioner

By: /s/ \_\_\_\_\_  
Teresa Lowry, Esq.  
Commissioner

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this 18th day of June, 2025.

/s/ Elizabeth J. Bassett

Elizabeth J. Bassett, Esq.  
Commission Counsel

The Stipulated Agreement is accepted by the Nevada Commission on Ethics:

DATED this 18th day of June, 2025.

By: /s/ Scott Scherer

Scott Scherer, Esq.  
Chair

By: /s/ John Miller

John Miller  
Commissioner

By: Absent

Michael E. Langton, Esq.  
Commissioner

By: /s/ Terry J. Reynolds

Terry J. Reynolds  
Commissioner

By: /s/ Teresa Lowry

Teresa Lowry, Esq.  
Commissioner