

County Manger Thom Reilly's Comments to the Ethics Task Force  
June 11, 2003

I want to thank each of you for taking time out of your very busy schedules to serve as a member of this Ethics Task Force.

As you know, the Board of County Commissioners asked me to reconvene this group to review certain aspects of our existing ethics policies, consider some new provisions and bring recommendations to the board for action. The Board specifically asked for a review of:

1. The application of the "cooling off" period for former County officials; whether any exceptions to this policy should be permitted; and, whether all levels of staff should be considered off limits for lobbying, or only certain levels.
2. The potential for petitioners to "create" conflicts for elected officials by hiring their firms or through other such activities.
3. What penalties, if any, can and should legally and practically be applied – and to whom should these penalties apply?
4. Clarification of when an elected official must abstain from voting on an item, and when he/she can disclose a potential conflict but remain eligible to participate in the proceedings and vote.

There is little that is more critical importance than that the people be allowed to have complete trust in the working of their government and faith in their elected representatives. In our modern, complex world, the answers to the questions that have been posed are not always easy. Every citizen has a right to petition the government and to forcefully advocate for their rights – this must apply equally to both the powerful and the weak. On the other hand, certain forms of advocacy can cross the line from assertion of rights to manipulation of the process that citizens depend on for fair treatment. For elected officials serving in part-time positions, the issues brought about by private employments can become critical. We enjoy the fact that citizens from all walks of life are able to serve in elected office – indeed it is one of the important hallmarks of Nevada

government. But we also see the real and potential conflicts can develop, and in some cases that can be purposefully created by an interested petitioner.

The Board of County Commissioners and the Clark County community need answers I to these questions and sincerely appreciate your work.

I want to also take the opportunity to thank Dick Morgan, Dean of the Boyd School of Law at UNLV, for agreeing to serve as chair of the Task Force. That position was very ably filled by former Nevada Assemblyman Larry Spitler, who had to step down in order to fulfill other commitments. We thank Larry for the thoughtful leadership he brought to the task and commend Dick Morgan for his willingness to take on this new service to the community.

It was also suggested that the Task Force ask the Nevada Ethics Commission for guidance on the important issue of when a conflict requires a Board member to abstain from voting, and to review other aspects of the Task Force's work. This would insure state and local consensus on some of the important legal issues that will be involved.

With that, Mr. Chairman, I ask that the Task Force begin its work and report back to Board as quickly as you are able. When the Board originally discussed this, I suggested that we could have something back to them within 60 days. I think it's obvious that that will prove difficult, at best, but do believe it would be helpful to establish a target date for completion of your work within 60 to 90 days.

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