



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Consolidated Requests for
Opinion Concerning the Conduct of **GUY
WELLS, STEPHEN QUINN, WILLIAM KING,
NATHANIEL HODGSON, MICHAEL
EFSTRATIS AND KEVIN BURKE**, Members,
Nevada State Board of Contractors, State of
Nevada.

**Request for Opinion No. 11-09C
11-10C
11-11C
11-12C
11-13C
11-14C**

Subjects.

ERRATUM TO CONSOLIDATED PANEL DETERMINATION

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

The Nevada Commission on Ethics received six Requests for Opinion, one regarding the conduct of each of six subjects: GUY WELLS, STEPHEN QUINN, WILLIAM KING, NATHANIEL HODGSON AND KEVIN BURKE, members of the Nevada State Board of Contractors ("Contractors Board"), and MICHAEL EFSTRATIS, former member of the Contractors Board (collectively "Subjects"), alleging certain violations of the Ethics in Government Law set forth in NRS 281A .

Among the issues Commission staff presented the Investigatory Panel were allegations in the Requests for Opinion that Subjects violated NRS 281A.420(1) by failing to properly disclose conflicts of interest when matters involving companies with which they have a personal or pecuniary interest came before the Contractors' Board.

On April 14, 2011, pursuant to NRS 281A.440(5), an Investigatory Panel consisting of Commissioners Paul Lamboley, Esq. and John Marvel reviewed the following: 1) Requests for Opinion; 2) the Subjects' responses to the Requests for Opinion, and 3) the Executive Director's Report and Recommendation. Following the Panel's review, the Executive Director published a Panel Determination stating, among other matters, that:

Credible evidence was provided to the Panel to support a finding of just and sufficient cause for the Commission to render an opinion whether the Subjects violated NRS 281A.420(1) by simply listing the consent agenda

items on which they did not intend to vote rather than providing the disclosure of their conflicts of interest required by statute. Therefore, the Investigatory Panel refers these allegations to the Commission for a hearing and the rendering of an opinion.

Although the original Panel Determination states that the Panel found credible evidence of a disclosure violation relevant to "consent agenda items," the evidence presented to and considered by the Panel included action on items concerning matters other than consent agendas.

After careful review of the transcript of the Panel's hearing, this Erratum corrects a ministerial error in the April 19, 2011 Panel Determination. The Panel considered "the executive directors' report . . . and recommendations, along with a rather extensive exhibit booklet" (Panel Transcript, 6:2-4) and found that credible evidence was provided to support a finding of just and sufficient cause for the Commission to render an opinion whether the Subjects violated NRS 281A.420(1) and "determine whether there have been conflicts of interest that arise between the individual members' commitments to themselves personally or to others with a pecuniary interest before voting or advocating on matters which come before the state contractors board." See Panel Transcript, 10:8-12. Accordingly, the Panel determined that the Commission should consider all action items identified in the record between January 2009 and January 2011 in which there was a conflict of interest, not only those relating to consent agendas.

This Erratum does not provide new facts or allegations on which the Commission will take action. It instead merely clarifies the existing notice provided in the April 19, 2011 Panel Determination. All other matters set forth in the Panel Determination remain true and accurate statements of the Panel's findings.

Dated: June 2, 2011



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 **ERRATUM TO CONSOLIDATED PANEL DETERMINATION in Requests for Opinion No. 11-09C, 11-10C, 11-11C, 11-12C, 11-13C and 11-14C** in an envelope and caused same to be mailed via certified mail, return receipt requested, through the State of Nevada Mailroom to Subjects' counsel, Bruce Robb, Esq., and a true and correct copy to the Requester, J.R. Williams, via regular mail through the State of Nevada Mailroom, addressed as follows:

Walter Bruce Robb, Esq.
201 West Liberty Street, Suite 210
Reno, NV 89501
Counsel for Subjects

Cert. No. 7002 2030 0005 8442 4386

J. R. Williams
P. O. Box 7975
Tahoe City, CA 96145
Requester

First Class Mail

DATED: 4/2/2011



An employee, Nevada Commission on Ethics