Executive Order 2011-02

ESTABLISHING ETHICS REQUIREMENTS FOR CERTAIN PUBLIC OFFICERS AND EMPLOYEES

WHEREAS, the people of the state of Nevada entrust its public officers and employees with the pursuit of the common good;

WHEREAS, the pursuit of the common good requires a commitment to the interests of the public at large, not the interests of a few;

WHEREAS, high ethical standards are essential in maintaining the integrity of public officers and employees' commitment to the public;

WHEREAS, public confidence in government is strengthened by ethical standards that assure decisions are made with the interests of the public at large in mind; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada."

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

1. Subject to the exceptions set forth below, a public officer or employee covered by this order is prohibited from accepting a gift or other compensation, either directly or indirectly, that might be intended to influence or reward the individual in the performance of official business.

2. For purposes of this order and subject to the exceptions set forth below, the term "gift" includes any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of training, transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

3. The term "gift" does not include:
    a. campaign contributions received in accordance with State and Federal law;
    b. food or refreshments of limited value served other than as part of a meal;
    c. an item presented on behalf of another state or foreign government that becomes the property of the State;
    d. opportunities, discounts, rewards and prizes open to the general public or all employees and officers of the State of Nevada;
    e. plaques or mementos recognizing service;
    f. trinkets or mementos of nominal value;

g. gifts from family members, extended family members, or other employees of the State of Nevada;
h. gifts from personal friends where it is clear that the gift is motivated by personal friendship and not by the employee or officer's position with the State.
i. small efforts of common courtesy or other services of nominal monetary value;
j. attendance or participation at events sponsored by other governmental entities;
k. attendance or participation at widely attended events that are related to governmental duties;
l. travel within the state of Nevada to and from widely attended events related to governmental duties where acceptance of such travel would result in financial savings to the State of Nevada;
m. meals, lodgings, transportation and other benefits resulting from the business or employment activities of an employee or officer's spouse when it is clear that such benefits have not been offered or enhanced because of the employee or officer's official position;
n. benefits customarily provided by a prospective employer in connection with bona fide employment discussions; and
o. anything for which market value is paid.

4. Persons subject to this order include myself, my Senior Staff, my Cabinet and all Division Heads of Cabinet agencies.

5. In addition to the prohibition on gifts, my Cabinet and their Division Heads shall ensure that those who do business with the State of Nevada and those who receive grant funds from the State of Nevada are notified of the terms of Nevada's ethics requirements, including, but not limited to, NRS 281A and this order, upon their initial contact with the State or as soon as practicable thereafter.

6. Nothing in this order limits the application of NRS 281A or any other provision of State or Federal law. Failure to comply with this Executive Order will result in appropriate discipline.

7. This order shall expire on my last day as Governor of the State of Nevada.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this third day of January, in the year two thousand eleven.

Governor of the State of Nevada

By the Governor:

Secretary of State

Deputy Secretary of State

ROSS MILLER
SECRETARY OF STATE
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