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**Janine Hansen**

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**From:** "Christopher Hansen"  
**To:** "Janine Hansen" <info@nevadafamilies.org>  
**Sent:** Friday, February 14, 2003 4:34 PM  
**Subject:** SUN on Ethics  
 Today: February 14, 2003 at 11:26:16 PST

## Ethics Commission can't agree on fines for IAP candidates

By Cy Ryan

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SUN CAPITAL BUREAU

CARSON CITY -- The state Ethics Commission deadlocked Thursday on imposing fines of more than \$6,000 on 26 political candidates from the Independent American Party for failure to comply with the state's financial disclosure law.

Instead, the commission voted unanimously to seek a court ruling to interpret whether the candidates followed the law by filing statements on time but refusing to disclose their finances, claiming it was a violation of their constitutional rights.

"It's a great victory for us," Janine Hansen, an IAP officer, said after the commission meeting.

It gives the party a chance to argue that the financial statements interfere with the candidates' free speech rights, she said.

Hansen said the party has been seeking a court test all along.

Political candidates were required by state law to submit financial statements by May 30, 2002. Some of IAP members complied. But the majority filed the statement but failed to include key information on their assets and liabilities. Instead they claimed that requiring them to do so violated their constitutional rights.

The proposed fine was for \$6,175, but IAP officials have been seeking a waiver of the fine.

Commissioner Rick Shu of Reno said he felt that the IAP candidates complied with the law even though they did not submit the required information. The documents were submitted by the deadline, he noted.

There is nothing in the law, Shu said, that requires the state Ethics Commission to determine the accuracy of the financial statement. And the commission doesn't even have the staff to audit the statements, he said.

Shu's motion to waive the fines lost on a 4-3 vote, with Commissioners Tom Sheets and Merle Berman, both of Las Vegas, voting with Shu.

Commissioner Todd Russell suggested that the IAP candidates be given 30 days to file the necessary information to avert the fine.

Russell said that assessing a big fine might discourage people from filing for public office.

"My reluctance is to fine anybody," he said.

But that motion also failed on a 4-3 vote with Berman and Bill Flangas of Las Vegas voting with Russell.

Commissioner Jim Kosinski said he believes the law was constitutional and that the fine should stand.

Commissioner Liz Hatcher of Las Vegas sided with Kosinski.

The commission finally accepted Sheets' recommendation to ask a judge to rule on the issue.

The two-hour meeting Thursday was spiced with critical comments of the commissioners by IAP members. Party members suggested the commission was "fascist" and accused it of breaking the "law of God."

"You can rule against us and try to penalize us for refusing to surrender our God-given unalienable rights and constitutional protections," Greg Miller of Reno told the commission, "and prove you are the fascists we have claimed you are by placing this fascist law above the constitutions, the Bill of Rights

and our God-given unalienable rights."

Boyd Ballard, who was a candidate for the Clark County Commission, told the commission: "I call on you to repent in the name of Jesus Christ."

Joshua Hansen, who was a candidate for the Assembly, said: "You cannot justify your actions before God Almighty."

Two Capital Police officers were assigned to the small meeting room Thursday to make sure the estimated 15 IAP members on hand would cause no disruptions.