

**OPEN SESSION**  
**MINUTES OF THE MEETING OF THE**  
**NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION**

**Friday, September 10, 2021**

**Room 1524 State Capitol**

**Lincoln, Nebraska**

**Call to Order** – Chairman Davis called the meeting to order at 9:00 a.m. and announced the location in the meeting room of a copy of the Open Meetings Law.

Roll Call –

Roderic Anderson – Present  
Ann Ashford - Excused  
Marty Callahan – Present  
Tom Carlson – Excused  
Jeffery Davis - Present  
Robert Evnen – Present  
Douglas Hegarty – Present  
Jeffery Peetz – Excused  
Kate Sullivan – Excused

**Approval of the Open Session Minutes of the June 4, 2021 Meeting** – Chairman Davis referred the Commissioners to their copies of the Open Session minutes of the previous meeting.

**Motion by Evnen, second by Anderson, that the Open Session Minutes of the June 4, 2021 meeting be approved as presented** - Roll Call Vote: Commissioners Anderson, Callahan, Davis, Evnen, and Hegarty voted yes. Motion carried (5-0-0).

**Report on late filing fees and requests for relief: Lincoln Independent Business Association PAC, Bud Synhorst** – Executive Director Daley indicated that Lincoln Independent Business Association PAC had received a late contribution and was required to file a Report of Late Contribution on March 31, 2021. The late contribution was reported on April 26, 2021. Late filing fees of \$1,100 were assessed. A request for relief was denied by the Executive Director in that the PAC had paid late fees in the two years prior to the due date of the filing. He referred the Commission to a letter dated May 21, 2021 from Bud Synhorst, President and Representative for the Lincoln Independent Business Association-LIBA regarding good cause.

Robert Bryant, LIBA Treasurer, made a presentation on behalf of the PAC.

Discussion followed.

**Motion by Hegarty, second by Callahan, that the Commission reduce the late filing fee from \$1,100.00 to \$250.00** – Roll Call Vote: Commissioners Anderson, Callahan, Davis, Evnen, and Hegarty voted yes. Motion carried (5-0-0).

**Executive Director's Report (includes personnel activity, budget status, budget process and litigation status)** - The Executive Director referred the Commissioner's to their packets.

The Executive Director reported that Governor Ricketts reappointed Commissioner Davis to a six-year term that expires on June 30, 2027. He explained that Commissioner Davis was initially filling an unexpired term, and as such was eligible for reappointment.

The Executive Director reported that Secretary of State Robert Evnen appointed Ann Ashford of Omaha to a six-year term on the Commission. Her term will expire on June 30, 2027. Commissioner Ashford was selected by a list of names provided by the Nebraska Democratic Party. She succeeds Matthew Enebach whose term has expired.

Executive Director Daley reported that the term of Commissioner Jeffery Peetz expired on June 30, 2021. Mr. Peetz is not eligible for reappointment. His successor will be named by the Secretary of State. Until his successor is appointed, Commissioner Peetz will remain on the Commission.

The Executive Director indicated that two months into the current fiscal year, the Commission had expended approximately 20% of the agency budget.

Executive Director Daley indicated that the electronic filing project relating to the Statements of Financial Interests was launched in February. Mr. Daley reported that approximately 2,400 Statements of Financial Interests have been entered into the new system. Commission staff are currently entering campaign finance data into the new system for use beginning with the 2022 elections.

Executive Director Daley reported that the Lobbyist and Principal Reports for the 2<sup>nd</sup> Quarter were due on July 30, 2021. Reports filed are available for review on the Clerk of the Legislature's website.

The Executive Director next reported that Lincoln and Omaha held city elections in May. For Lincoln candidates, the Post General Election Campaign Statements were due on June 14, 2021. For Omaha candidates, the Post General Campaign

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Statements were due June 21, 2021 Those filed are available for viewing on the Commission website.

Executive Director Daley noted in his report that the Council of Governmental Ethics Laws (COGEL) Conference was scheduled to be in Denver this year from December 5<sup>th</sup> through December 8<sup>th</sup>. However, since the report was issued, COGEL has advised that it will hold a virtual conference instead. The conference focuses on laws, litigation and in the areas of governmental ethics, campaign finance and lobbying.

Executive Director Daley reported that oral argument was held on September 2<sup>nd</sup> before the Nebraska Supreme Court in the matter of NADC v. Timothy Moore.

Discussion followed.

**Report of Conflicts Committee** – Chairman Davis indicated that there was no report.

**Report of Executive Committee** – Chairman Davis indicated that there are no issues to report at this time.

**Closed Session - Motion by Hegarty, second by Anderson, that the NADC go into Closed Session pursuant to the confidentiality provisions of the NPADA** – Roll Call Vote: Commissioners Anderson, Callahan, Davis, Evnen, and Hegarty voted yes. Motion carried (5-0-0).

The NADC went into Closed Session at 9:30 a.m.

The NADC returned to Open Session at 10:31 a.m.

**Announcements from Closed Session** – Executive Director Daley announced the following actions taken by the Commission in closed session.

**Executive Director v. Greg Goree (#21-13)** – The Executive Director announced that the Commission approved a settlement agreement by which the Commission found six violations of §49-14,103.01(1) of the NPADA. By terms of the agreement, no civil penalty was assessed. The Commission approved the settlement agreement with five Commissioners concurring, none dissenting, and none abstaining.

**Adjournment – Motion by Evnen, second by Callahan, that the NADC adjourn.** Roll Call Vote: Commissioners Anderson, Callahan, Davis, Evnen, and Hegarty voted yes. Motion carried (5-0-0).

Chairman Davis declared the meeting adjourned at 10:35 p.m.