

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

Friday, June 7, 2024
State Capitol Room 1507

Lincoln, Nebraska

Call to Order – Vice-Chairman Anderson 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. He stated that notice of the meeting was posted on the Commission’s website and on the State’s Public Meeting Calendar.

Roll Call –

Roderic Anderson – Present
Marty Callahan – Present
Janet Chung – Present
Jeffery Davis – Present
Robert Evnen – Present
Andrew Reuss – Excused
Kate Sullivan – Excused

Approval of the Open Session Minutes of the April 12, 2024 Meeting – Vice Chairman Anderson referred the Commissioners to their copies of the Open Session minutes of the previous meeting.

Motion by Davis, second by Evnen, that the Open Session Minutes of the April 12, 2024 meeting be approved - Roll Call Vote: Commissioners Anderson, Callahan, Chung, Davis, and Evnen voted yes. Motion carried (5-0-0).

The Executive Director indicated a correction to the actual late filing fees amount owed by Skillwork. The amount owed is \$750 and not \$1,500.

Report on late filing fees and requests for relief: Skillwork, LLC - Executive Director Hunter indicated that Skillwork filed six Form B-7’s on February 14, 2024, all B-7’s filed were after their due dates. Hunter indicated that relief was granted on (4) B-7 reports due January, April, May and September 2023 under Good Cause Shown. He explained that the recipient candidate committee was not in the FirstTuesday system as a choice for use by B-7 filers until September 2023. The remaining (2) reports were due in October and November of 2023 and could have been filed on time. Hunter noted the October B-7 late fee was reduced to \$25 and paid, while the November B-7 was assessed a late fee of \$750.

Discussion followed.

Commissioner Anderson indicated that after discussion, no action was taken by the Commission, and the late fee amount of \$750 will stand.

Executive Director's Report (includes personnel activity, budget status, budget process and litigation status) – Executive Director Hunter reported to the Commission that former Commissioner Joseph Grant passed away on May 16, 2024. Mr. Grant had been appointed by Secretary of State John Gale, and served on the Commission from September 3, 2009 to June 30, 2013. A sympathy card was sent on behalf of the Commission.

The term of Commissioner Marty Callahan will expire on June 30, 2024. Mr. Callahan's successor will be appointed by the Governor from a list of five names supplied by the Legislature. There are currently two vacancies on the Commission to be selected by the Secretary of State.

Executive Director Hunter reported that the Commission is working to fill the Deputy Director position.

The Executive Director indicated that the agency in collaboration with State Personnel Training and Development will record an ethics video on demand, as a part of an Ethics in Government project.

The Executive Director indicated that ten months into the current fiscal year the Commission had expended approximately 64.5% of the agency budget.

Executive Director Hunter explained that the State of Nebraska budget is for 2 fiscal years and called a biennium. The upcoming biennium will cover the fiscal years 25/26 and 26/27. The Executive Director indicated that each state agency receives budget instructions and upon receipt the NADC will prepare a proposed budget in accordance with the budget instructions. Mr. Hunter will prepare and present a proposed budget at the August 23rd meeting. At that time the Commission may approve the proposal or direct the staff to make modifications. If there are modifications to be made, the staff will make the changes and submit the modified budget for approval at the September 13th 2024 meeting. The budget is due September 15th 2024.

Discussion followed.

Executive Director Hunter indicated that the Lobbyist Statement of Activity Reports are due June 3rd 2024. Lobbyist and Principal 2nd Quarterly Reports are due July 30, 2024. Reports that are filed will be available for review on the Clerk of the Legislature's website.

The Executive Director indicated that the 2nd Primary Campaign Statements were due May 6th, Also, initiative petition committees are filing monthly campaign statements. The Post Primary Campaign Statements are due June 24th. Statements that are filed are available for review on the FirstTuesday website.

The Executive Director indicated that there is no significant pending litigation.

Executive Director Hunter indicated that upcoming meeting dates are August 23, and September 13, 2024.

Discussion followed.

2024 Legislative Update including consideration of position on new legislative bills
– The Executive Director next discussed the legislative bills that are of interest to the Commission.

LB 287 – A bill by Senator Brewer. This bill would amend the NPADA and extend the Conflict of Interests provisions to all public officials and also to employees of political sub-divisions that earn more than \$150,000 in salary and benefits. LB 287 will go into effect in mid-July.

LB 1070 – This bill by Senator Bostar would change the reporting period and deadlines for monthly campaign statements filed by a ballot question and initiative petition committees. LB 1070 includes an emergency clause and took effect in April. The NADC directly contacted the committees this bill would affect.

Evaluation of the Executive Director and setting of Salary - Commissioner Anderson announced that Chairman Sullivan had drawn up an evaluation instrument that would give each Commissioner the opportunity to provide feedback on the evaluation of the Executive Director. Commissioner Anderson stated that Chairman Sullivan's report indicated Director Hunter has performed in an exemplary manner since being appointed.

Motion by Evnen, second by Chung, to approve the salary increase of 2% plus 3% for the Executive Director effective July 1, 2024 – Roll Call Vote: Commissioners Anderson, Callahan, Chung, Davis, and Evnen voted yes. Motion carried (5-0-0).

Executive Director Hunter expressed his gratitude for the kind words and salary increase.

Report of Conflicts Committee – Commissioner Anderson indicated that there were no questions or concerns to report.

Report of Executive Committee – Commissioner Anderson indicated that there are no issues to report.

Discussion on filling the Deputy Director position - Commissioner Anderson indicated that the Commission received a request from David Hunter to step down from the Executive director position and return to the Deputy Director position.

Discussion followed.

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

The NADC went into Closed Session at 9:21 a.m.

The NADC returned to Open Session at 9:56 a.m.

Announcements from Closed Session - Executive Director Hunter indicated that there was nothing to report from Closed Session.

Election of officers – Commissioner Anderson indicated that Chairman Sullivan had prepared a proposed slate of officers to commence in August. Mr. Anderson state the slate of proposed officers as follows: Commissioner Jeff Davis, Chairman; Commissioner Andrew Reuss, Vice-Chair; and, Commissioner Janet Chung, Secretary.

Discussion followed.

Motion by Evnen, second by Callahan, to approve and adopt the slate of officers and elect Commissioner Davis, Commissioner Reuss, and Commissioner Chung as Chairman, Vice-Chairman and Secretary, respectively – Commissioners Anderson, Callahan, Chung, Davis, and Evnen voted yes. Motion carried (5-0-0).

Recognition of the service of Marty Callahan – Executive Director Hunter stated that today the Commission would bid Marty Callahan farewell and recognize him for his more than 6 years of service to the Commission. Appointed by Governor Pete Ricketts on February 6, 2018. Marty Callahan has also served on the Greeley Village Board of Trustees, the Greeley Planning & Zoning Commission, and President of the Greeley Public School Board. He owned and operated a local Newspaper and owns and operates a local cable T.V. and internet company. Hunter noted that these experiences in government and business made Marty Callahan a tremendous asset to the Commission. And that while as Director, he had come to appreciate Commissioner Callahan for his down to earth reasoning, thoughtful comments and insight. Executive Director Hunter thanked Commissioner Callahan and presented him with an engraved clock as a token of appreciation on behalf of the Commission.

Commissioner Callahan thanked Executive Director Hunter and the Commission.

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The Secretary of State Robert Evnen next took the opportunity to address Commissioner Callahan and the Commission. Mr. Evnen described that his observations, insight and breadth of knowledge was enormously beneficial to the operation of the Commission and would be missed very greatly. Secretary of State Evnen presented Commissioner Callahan with a Secretary of State Service Citation, a Certificate for exemplary service to the Nebraska Accountability and Disclosure Commission and the citizens of the State of Nebraska.

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

Acting Chairman Anderson declared the meeting adjourned at 10:12 a.m.