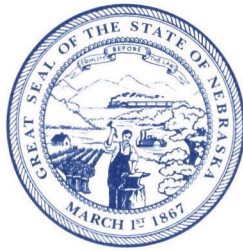


State of Nebraska

Accountability and Disclosure Commission

P.O. BOX 95086
Lincoln, Nebraska 68509
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Centre Terrace, 1225 L St. #400
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Synopsis Case #21-24

Action Taken on January 21, 2022

Respondent: Michael Cruikshank, Respondent

The Respondent was a Director of the Logan Valley Public Power District who was required to file a Statement of Financial Interests on or before March 1, 2021 covering calendar year 2020. He failed to do so in violation of §49-1493 of the Nebraska Political Accountability and Disclosure Act. The Executive Director of the Commission commenced a Preliminary Investigation on July 23, 2021 alleging a failure to file a Statement of Financial Interests in violation of §49-1493. The required statement was filed on September 14, 2021. A hearing was held on October 29, 2021 before Hearing Officer Karen Flowers. The Respondent did not appear. Thereafter, Hearing Officer Flowers submitted her recommended Findings of Fact and Conclusions of Law. On January 21, 2022, the Commission, with eight Commissioners concurring, no Commissioners dissenting and no Commissioners abstaining entered Findings of Fact, Conclusions of Law and an Order by which:

Violation: The Commission found that the Respondent failed to file a Statement of Financial Interests covering calendar year 2020 on or before March 1, 2021 in violation §49-1493 of the NPADA.

Civil Penalty: \$1,000.00 and cost of hearing.

Other: The required statement is now on file. The Respondent shall pay the costs of the action.

Attorney for the Commission: Neil B. Danberg

Synopsis Prepared by: Frank Daley
Executive Director
Nebraska Accountability & Disclosure Commission
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BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

In the Matter of)	
Michael Cruikshank)	Case #21-24
)	
)	Findings of Fact, Conclusions of Law
)	and Order

Statement of Case

This matter was heard on October 29, 2021 before Hearing Officer Karen Flowers. The allegation is that Michael Cruikshank failed to file a Statement of Financial Interests covering calendar year 2020 in violation of §49-1493 of the NPADA. Neil Danberg appeared for the Nebraska Accountability and Disclosure Commission (the Commission). Though properly noticed, there was no appearance by or on behalf of Mr. Cruikshank. Evidence was presented by way of the testimony of Frank Daley, Jr., Executive Director of the Commission and the receipt of Exhibits 2-7. Judicial Notice was taken of the relevant statutes. Thereafter, the Hearing Officer submitted her recommended findings of fact and conclusions of law.

Findings of Fact

In 2020 Michael Cruikshank was a Director of the Loup Valley Public Power District. Under the Nebraska Accountability and Disclosure Act (the Act), Cruikshank had a duty to file a Statement of Financial Interest, commonly known as a C-1. Neb. Rev. Stat. §49-1493(6). The C-1 for the calendar year 2020 was due by March 1, 2021. When the Commission failed to receive a C-1 from Cruikshank by that date, it contacted him by letter reminding him of his duty to file and extending the deadline. In fact, the Commission sent three such letters to which Mr. Cruikshank did not respond. E2(a)-2(c). On July 23, 2021 Cruikshank was notified that the Commission had begun a preliminary investigation to determine whether there was probable cause to believe that he had violated the Act by failing to file a C-1 for 2020. E3. It determined there was and on September 10, 2021 sent Cruikshank notice of its finding. E4. On September 14, 2021, more than six months

after its original due date, the Commission received a C-1 from Cruikshank covering the calendar year 2020. E6. The Commission set a hearing date on Cruikshank's failure to file his C-1 within the time required by statute and served notice upon Cruikshank by certified mail. E7. As noted above, neither Mr. Cruikshank or anyone on his behalf appeared at the hearing.

Conclusions of Law


Based on the foregoing, Mr. Siedschlag failed to file a Statement of Financial Interests in violation of the Nebraska Accountability and Disclosure Act, specifically Neb. Rev. Stat. §49-1493(6).

Order

Wherefore, with 8 Commissioners concurring, 0 Commissioners dissenting and 0 Commissioners abstaining, the Commission adopts the Findings of Fact and Conclusions of Law set forth above and finds that Michael Cruikshank failed to file a Statement of Financial Interests in violation of §49-1493 of the NPADA.

Wherefore, with 8 Commissioners concurring, 0 Commissioners dissenting and 0 Commissioners abstaining, the Commission orders that Michael Cruikshank be assessed a civil penalty of \$ 1,000; and b) that he be directed to pay the costs of the hearing.

Dated this 21 day of January 2022.



Jeffery Davis, Chairman
Nebraska Accountability and
Disclosure Commission