

State of Nebraska

Accountability and Disclosure Commission

P.O. BOX 95086
Lincoln, Nebraska 68509
www.nadc.nebraska.gov



Centre Terrace, 1225 L St. #400
Phone (402) 471-2522
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Synopsis Case #19-41 and 20-05
Action Taken on June 4, 2021

Respondents: Nebraska Unity PAC and Michael Hughes, Treasurer

Nebraska Unity PAC is an independent committee which was active in the 2018 elections. Michael Hughes is its treasurer. The Respondents failed to report expenditures in violation of §49-1455(1)(h) of the NPADA and failed to file an annual campaign statement covering calendar year 2019 in violation of §49-1462.

The parties entered into a settlement agreement by which the Commission found that the Respondents had failed to properly report expenditures on a 2018 Primary Campaign Statement in violation of §49-1455(1)(h) and failed to file an annual campaign statement for 2019 in violation of §49-1462. The agreement also provides that the Respondents will pay a late filing fee of \$750.00 and a civil penalty of \$250.00.

The Commission approved the Settlement Agreement with nine Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining.

Violation: Pursuant to the Settlement Agreement, the Commission found one violation of §49-1455(1)(h) and one violation of §49-1462 of the NPADA.

Civil Penalty: \$250.00

Other: The required statement has been filed. The \$750.00 late fee and \$250.00 civil penalty have been paid.

Attorney for the Commission: Neil B. Danberg

Synopsis Prepared by: Frank Daley ,
Executive Director
Nebraska Accountability & Disclosure Commission
P.O. Box 95086
Lincoln, NE 68509
402-471-2522

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

In the Matter of Nebraska Unity PAC)
And Michael Hughes, Treasurer,)
Respondents)
)

Case #19-41 and #20-05

ORDER

Now on this 4th day of June, 2021, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Anderson, Callahan, Carlson, Davis, Enenbach, Evnen, Hegarty, Peetz and Sullivan are present with Commissioner Davis presiding. The Respondent is not present. The Commission notes the submission of a proposed Settlement Agreement.

Whereupon, the Commission, with nine Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining, finds that the attached Settlement Agreement should be and hereby is approved and incorporated into this Order. Pursuant to that Agreement, the Commission finds one violation of §49-1455(1)(h) and one violation of §49-1462 of the NPADA by the Respondents.

In accordance with the Settlement Agreement, the Commission directs that the Respondents shall pay a civil penalty of \$250.00 and acknowledges that the agreement provides that the Respondents shall pay a late filing fee of \$750.00.

Issued this 4th day of June, 2021.

Nebraska Accountability and Disclosure Commission

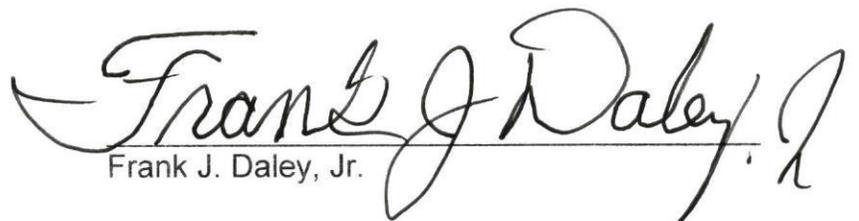


Frank J. Daley, Jr.
Executive Director

Certificate of Service

I hereby certify that a copy of this ~~Order~~ was sent by certified U.S. Mail, postage prepaid, return receipt requested on this 4th day of June 2021, to the following address:

Nebraska Unity PAC
Michael Hughes, Treasurer
7405 North 142nd Street
Omaha, NE 68142



Frank J. Daley, Jr.

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

Also B-4/19 Annual
5/17/21

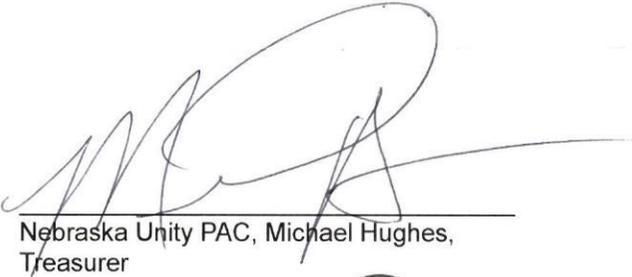
CASES # 19-41 and 20-05

Nebraska Unity PAC,
Michael Hughes, Treasurer

SETTLEMENT AGREEMENT

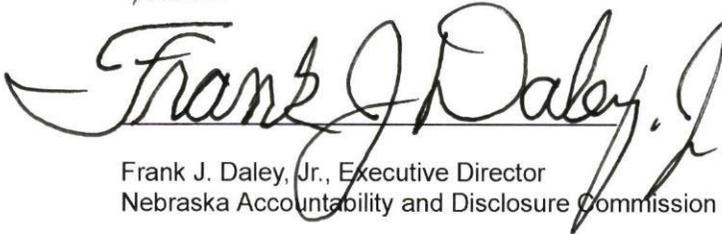
- 1) Parties: The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and Nebraska Unity PAC, Michael Hughes, Treasurer, hereafter referred to as the "Respondents."
- 2) Jurisdiction: The Respondents acknowledge that the Commission has jurisdiction in this matter pursuant to the terms of Nebraska Statutes 49-1401 et seq., known as the Nebraska Political Accountability and Disclosure Act ("NPADA").
- 3) Intention: The parties hereby agree and intend that this Agreement shall constitute a waiver of any further proceedings in this matter, thereby resolving the matter without further delay and expense to the parties.
- 4) The Alleged Violation: In its Notices of Preliminary Investigation in these cases, the Commission has alleged that Nebraska Unity PAC, Michael Hughes, Treasurer, failed to properly report expenditures on its 2018 Post Primary Campaign Statement, in violation of Section 49 1455(1)(h) of the NPADA, and failed to file an annual Campaign Statement for 2019, in violation of 49-1462 of the NPADA.
- 5) Stipulation: The Respondent and the Commission stipulate and agree that at the time of the alleged violations, the Respondents had an obligation to report the expenditures and file the Campaign Statement, as described above in Paragraph 4, and as detailed in the Notice of Preliminary Investigation in this matter.
- 6) The Alleged Violations, Agreement: The Respondents state that it was not their intent to violate the NPADA as alleged, but Respondents agree and stipulate that if this matter proceeded to a Hearing, there is sufficient evidence from which the Commission could make findings of violations with respect to the alleged violations as described in Paragraph 4, above. The Respondents further agree that the Commission may enter an order in accordance with said findings, and that the Respondents would not contest such a finding or order. The Respondents further state that the Campaign Statement has now been filed, and it has been accepted by the Commission.
- 7) Civil Penalties, Late Filing Fees and Dissolution of a Committee. Respondents Nebraska Unity PAC, Michael Hughes, Treasurer, have agreed to pay a late filing fee in the total amount of \$750, and a civil penalty in the amount of \$250.00. Further possible late filing fees and civil penalties will be waived by the Commission.
- 8) The Commission must approve this Agreement in order for it to be effective: The parties agree that in order for this Agreement to become effective, the Commission must approve it, and the Commission shall, if it approves the Settlement, enter an Order in accordance with the terms of this Agreement.

- 9) Effective Date of Agreement: This Agreement shall not be binding upon the parties until the date it is approved by the Commission and the Commission issues an order in accordance with the terms of this Agreement. The date upon which the Commission enters its Order approving this Agreement shall be deemed its effective date. If this Agreement is not approved in whole by the Commission, this Settlement Agreement shall be void and may not be used in this or any other proceeding. The parties acknowledge that this Settlement Agreement and any subsequent Order shall be announced at an open public meeting of the Commission. The parties further acknowledge that, upon adoption, this Settlement Agreement, the Order, and the Commission's file pertaining to this matter shall become open and public.
- 10) Right to Address the Commission: The Respondents have a right to address the Commission on the matter of the approval of this Settlement Agreement.
- 11) Advice of Counsel: The Respondents acknowledges that they have had an opportunity to seek the advice of an attorney in connection with the terms of this agreement.



Nebraska Unity PAC, Michael Hughes,
Treasurer

5/11/21
Date



Frank J. Daley, Jr., Executive Director
Nebraska Accountability and Disclosure Commission

6-4-21
Date