

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
Fax (402) 471-6599

Synopsis Case #18-08

Action Taken on June 7, 2019

Respondent: Al Riskowski

Respondent Al Riskowski was a candidate for Legislature in the 2018 Primary Election. His candidate committee was Al Riskowski for Legislature. On May 10, 2018 a Complaint was filed by Amy Wimer alleging that Riskowski paid for and distributed printed materials relating to his campaign and failed to include a proper disclaimer in violation of §49-1474.01 of the Nebraska Political Accountability and Disclosure Act. Printed materials are required to include the name and street address of the person paying for the materials. A Preliminary Investigation was commenced on May 21, 2018 alleging a failure to include a proper disclaimer on printed campaign materials in violation of §49-1474.01. The parties entered into a settlement agreement by the terms of which the Commission could find a violation of §49-1474.01 by Al Riskowski for Legislature Committee and assess a civil penalty of up to \$400.00. The agreement provides for the case against Riskowski as an individual to be dismissed. The Commission approved the Settlement Agreement with seven Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining. The Commission assessed no civil penalty.

Violation: Pursuant to the Settlement Agreement, the Commission found that the Al Riskowski for Legislature candidate committee failed to include a proper disclaimer on printed campaign materials in violation §49-1474.01 of the NPADA.

Civil Penalty: None

Attorney for the Respondent: J.L. Spray, Lincoln

Attorney for the Commission: Neil 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 Al Riskowski)
and Al Riskowski for Legislature,) Case #18-08
Respondents)
ORDER

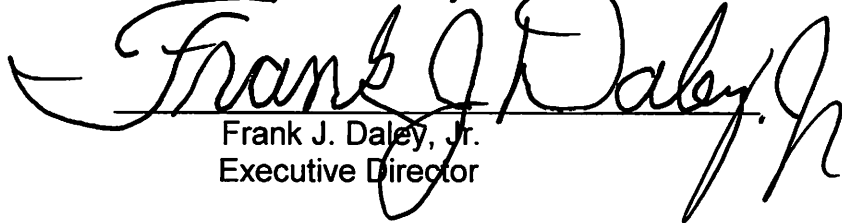
Now on this 7th day of June, 2019, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Callahan, Carlson, Davis, Evnen, Loudon, Peetz and Sullivan are present with Commissioner Davis presiding. Commissioners Enenbach and Hegarty are excused. The Respondents are not present. The Commission notes the submission of a proposed Settlement Agreement.

Whereupon, the Commission, with seven (7) 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 that the Respondent, Al Riskowski for Legislature, has committed a violation of Nebraska Revised Statutes, Section 49-1474.01, as more fully set forth in the attached Settlement Agreement. The Agreement further provides, and the Commission so orders, that the allegation against Al Riskowski, individually, is hereby dismissed.

Pursuant to the terms of the Settlement Agreement, the Commission elects to waive any civil penalty with respect to the Respondent, Al Riskowski for Legislature.

Issued this 7th day of June, 2019.

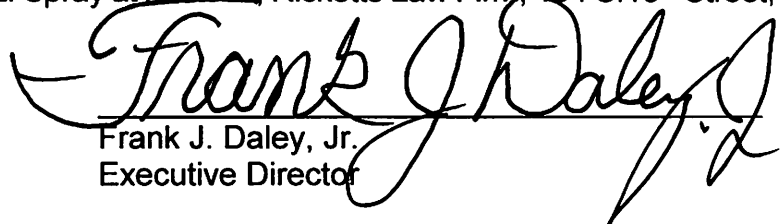
Nebraska Accountability and Disclosure Commission



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 7th day of June, 2019, to the following person at the following address : Al Riskowski, 2525 Fresh Water Lane, Martell, NE 68404; and by regular U.S. Mail to his attorney, J.L. Spray at Mattson, Ricketts Law Firm, 134 S.13th Street, Lincoln, NE 68508.



Frank J. Daley, Jr.
Executive Director

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION
CASE No. 18-08

NEBRASKA
POLITICAL ACCOUNTABILITY AND DISCLOSURE ACT

In the Matter of Al Riskowski and
Al Riskowski for Legislature

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SETTLEMENT AGREEMENT

FILED IN CASE NO. 18-08
JAN 27 2018

- 1) Parties: The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and both Al Riskowski, personally, and his campaign committee, known as Al Riskowski for Legislature, hereafter referred to as the "Respondents".
- 2) Jurisdiction: The Respondents acknowledge the jurisdiction of the Commission pursuant to 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 Amended Notice of Preliminary Investigation in this case, the Commission alleged Respondents Al Riskowski and Al Riskowski for Legislature, a campaign committee, committed a violation of the NPADA, Section 49-1474.01 by paying for and distributing certain written materials in support of his candidacy in early 2018, without including the street address of the person paying for said materials.
- 5) The Alleged Violation: Stipulation: The Respondents and the Commission stipulate and agree that at the time of the alleged violation, Respondent Riskowski was a candidate for the Nebraska Legislature, and he was assisted by his campaign committee, Respondent Al Riskowski for Legislature, and that before the primary election in May, 2018, the campaign committee paid for and distributed certain written materials in support of Respondent Riskowski's candidacy.
- 6) The Alleged Violation: Agreement: With respect to the Violation, as described above in Paragraph 4, the Respondents and the Commission hereby agree that the Respondent, Al Riskowski for Legislature, a campaign committee, agrees to accept a finding by the Commission of a violation of Section 49-1474.01. In view of this, the Commission hereby agrees, pursuant to the terms of this Agreement, to dismiss the allegation against Respondent Riskowski, personally. In this regard, Al Riskowski, on behalf of his campaign committee, states that it was not the intention of anyone associated with the committee to violate Nebraska law as alleged. Nonetheless, Al Riskowski, on behalf of Respondent Al Riskowski for Legislature, a campaign committee, agrees and stipulates that if this matter proceeded to a hearing, there is sufficient evidence from which the Commission could make a finding that there has

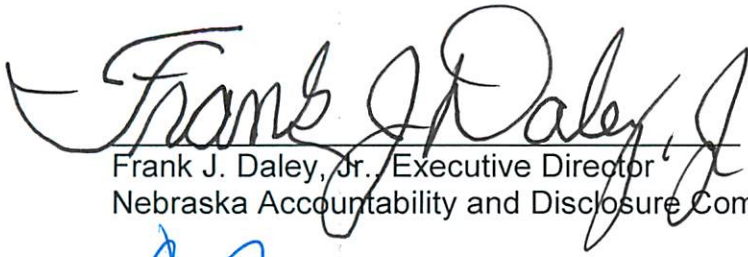
been a violation by Respondent Al Riskowski for Legislature, a campaign committee, as alleged in the Amended Notice of Preliminary Investigation and as described in Paragraph 4, above. Al Riskowski, on behalf of the Respondent Al Riskowski for Legislature, a campaign committee, further agrees that the Commission may enter an order in accordance with said findings, and he would not contest such an order. For its part, the Commission agrees to dismiss the allegation, stated above in paragraph 4, with respect to Respondent Al Riskowski, personally.

- 7) Limitation of Civil Penalty: The parties have agreed that, upon acceptance of this Agreement by the Commission, the Commission may, but is not required to, impose a civil penalty upon the Respondent, Al Riskowski for Legislature, a campaign committee. The parties further agree that In the event the Commission elects to impose a civil penalty, such penalty will not exceed the amount of \$400.00.
- 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 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 acknowledge that they have had an opportunity to seek the advice of their attorney in connection with the terms of this agreement.



Al Riskowski, as representative of Respondent
Al Riskowski for Legislature, campaign committee

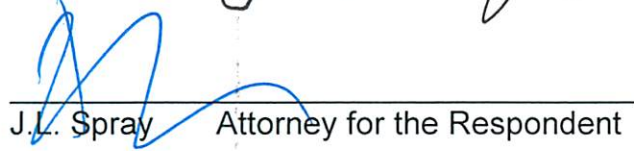
3-29-19
Date



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

6/7/19

Date



J.L. Spray Attorney for the Respondent

4/9/19

Date