

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 #21-20

Action Taken on October 22, 2021

Respondent: Lemuel Harlan

The Respondent is a Thurston County Supervisor who was required to file an annual 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 of violation of §49-1493. The required statement was filed on October 12, 2021. The parties entered into a settlement agreement by the terms of which the Commission finds a violation of §49-1493 and assessed a civil penalty of \$150.00. The Commission approved the Settlement Agreement with seven Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining.

Violation: Pursuant to the Settlement Agreement, the Commission found that the Respondent failed to file an Annual Statement of Financial Interests covering calendar year 2021 in violation §49-1493 of the NPADA.

Civil Penalty: \$150.00

Other: Required statement is now on file.

Synopsis Prepared by: Frank Daley
Executive Director
Nebraska Accountability & Disclosure Commission
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Lincoln, NE 68509
402-471-2522
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BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

In the Matter of Lemuel Harlan,)
)
Respondent)
)
)
)

Case #21-20

ORDER

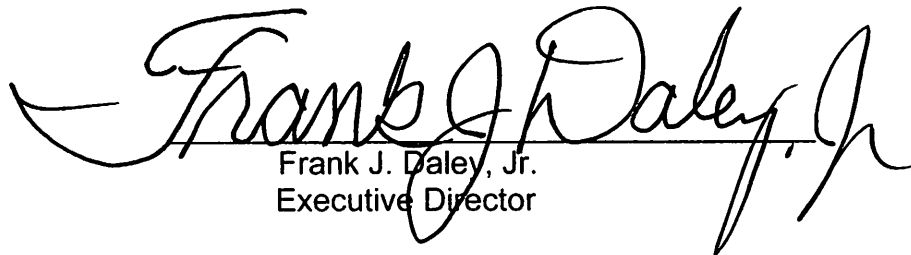
Now on this 22nd day of October 2021, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Anderson, Ashford, Callahan, Carlson, Davis, Evnen, and Sullivan are present with Commissioner Davis presiding. The Respondent is not present. The Commission notes the submission of a proposed Settlement Agreement.

Whereupon, the Commission with seven 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 has committed a violation of Nebraska Revised Statute §49-1493 as more fully set forth in the attached Settlement Agreement.

In accordance with the Settlement Agreement, the Commission assesses a civil penalty of \$150.00 against the Respondent.

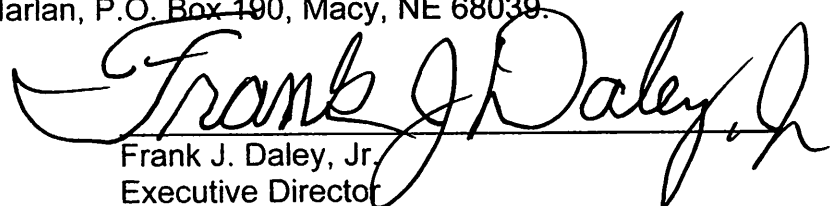
Issued this 22nd day of October 2021.

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 22nd day of October 2021, to the following at the following address or addresses: Lemuel Harlan, P.O. Box 190, Macy, NE 68039.


Frank J. Daley, Jr.
Executive Director

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

Lemuel Harlan,
Respondent

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CASE No. 21-20

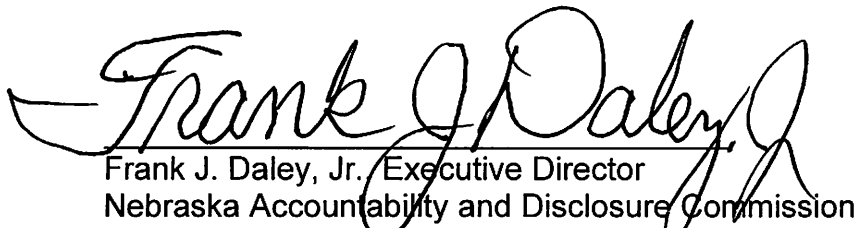
SETTLEMENT AGREEMENT

- 1) Parties: The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and Lemuel Harlan, hereafter referred to as the "Respondent."
- 2) Jurisdiction: The Respondent acknowledges 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 Violations: In its Notice of Preliminary Investigation in this case, the Commission has alleged that the Respondent has committed one violation of Section 49-1493 of the NPADA, by failing to file a Statement of Financial Interests to cover the period of calendar year 2020.
- 5) Stipulation: The Respondent and the Commission stipulate and agree that at the time of the alleged violation, the Respondent was subject to the terms of the NPADA.
- 6) The Alleged Violation and Agreement: The Respondent and the Commission agree that the violation in question is summarized in Paragraph 4 of this Agreement, and is set forth in the Notice of Preliminary investigation in this case. With respect to said violation the Respondent agrees and stipulates that: (a) 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 as alleged in Paragraph 4, above, and as more fully set forth in the Notice of Preliminary Investigation; and (b) the Commission may enter an order that there has been a violation as alleged in the Notice of Preliminary Investigation, and as described above.
- 7) Agreement to pay Civil Penalty and to file the Statement of Financial Interests as described in Paragraph 4 and the Notice of Preliminary Investigation. With respect to the violation as described above, the Respondent agrees to pay a civil penalty in the total amount of \$150.00, and to file with the Commission the Statement of Financial Interests for calendar year 2020.

- 8) Future Compliance. Respondent further agrees that he will exercise due diligence with respect to all future filings required by the NPADA, and, specifically, he will file future required Statements of Financial Interests on or before the date upon which they are due.
- 9) 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.
- 10) 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.
- 11) Right to Address the Commission: The Respondents have a right to address the Commission on the matter of the approval of this Settlement Agreement.
- 12) Advice of Counsel: The Respondents acknowledge that they have had an opportunity to seek the advice of an attorney in connection with the terms of this Agreement.


Lemuel Harlan

10-12-21
Date


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

Date