

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 of Case 17-11 Action Taken April 20, 2018

Respondent: Ian M. Swanson for Legislature and Ian M. Swanson, Candidate

The respondent, Ian Swanson, was a candidate for Legislature in 2016. His candidate committee is Ian M. Swanson for Legislature. The respondent was required to file a post-general election campaign statement on or before January 17, 2017, but failed to do so. A preliminary investigation was commenced alleging that the respondent failed to file a post-general election campaign statement in violation of §49-1462. The parties reached a settlement agreement. By the terms of the agreement the respondent admits that he failed to file a campaign statement in violation of §49-1459(1)(c). The agreement notes that late filing fees are pending and therefore provides for no civil penalty. The Commission approved the settlement agreement with seven Commissioners concurring, none dissenting and none abstaining from participating and voting.

Violation: The Commission found that the respondent failed to file a post-general election campaign statement as required by §49-1459(1)(c) of the Nebraska Political Accountability and Disclosure Act.

Civil Penalty: None

Other: The required annual campaign statement is now on file

Attorney for the Respondent: None

Attorney for the Commission: Neil Danberg

Synopsis Prepared by: Frank Daley
Executive Director
Nebraska Accountability & Disclosure Commission
1225 L Street, #400
P.O. Box 95086
Lincoln, NE 68509
402-471-2522

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

In the Matter of Ian M Swanson
For Legislature and Ian Swanson,
Candidate, Respondents

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Case #17-11

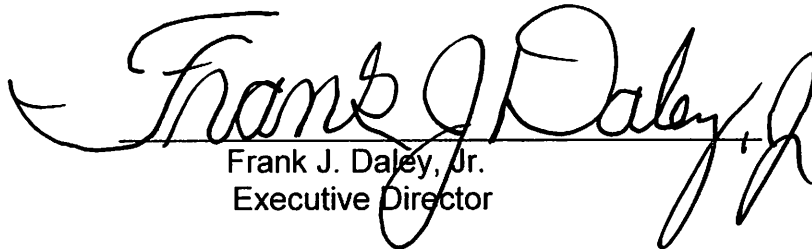
ORDER

Now on this 20th day of April, 2018, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Callahan, Carlson, Davis, Gale, 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 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 Respondents have violated Section 49-1459(1)(c) of the Nebraska Revised Statutes, by failing to file a post-general election campaign statement, as more fully set forth in the attached Settlement Agreement. Pursuant to the agreement, the Commission imposes no civil penalty.

Issued this 20th day of April, 2018

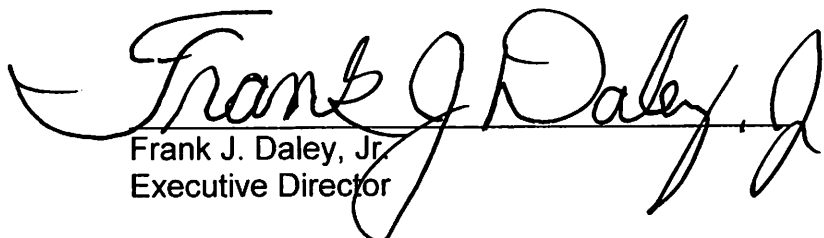
Nebraska Accountability and Disclosure Commission



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 20th day of April 2018, to the following at the following address or addresses: Ian Swanson, 16616 Polk Street, Omaha, NE 68135-2913



Frank J. Daley, Jr.
Executive Director

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

)	CASE No. 17-11
)	
In the Matter of Ian M. Swanson)	SETTLEMENT AGREEMENT
For Legislature and Ian M.)	
Swanson, Candidate)	

- 1) **Parties:** The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and Ian M. Swanson for Legislature and Ian M. Swanson, Candidate, hereafter collectively referred to as the "Respondent".
- 2) **Jurisdiction:** The Respondent acknowledges 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 an investigation or a formal hearing on the alleged violation as described in Paragraph 4 of this Agreement, thereby resolving the matter without further delay and expense to the parties.
- 4) **The Alleged Violation:** In its Notice of Preliminary Investigation in this case, the Commission alleged the Respondent committed a violation of the NPADA, Section 49-1459(1)(c), as follows: Failure to file a Post-General Election Campaign Statement on or before January 17, 2017.
- 5) **The Alleged Violation: Stipulations and Agreements.** The Respondent and the Commission stipulate and agree that at the time of the alleged violation, Ian Swanson had recently been a candidate for the Nebraska Legislature, and that he had a legal obligation under Section 49-1459(1)(c) of the NPADA to file a Post General Election Campaign Statement, on or before January 17, 2017, but did not do so.
- 6) **The Alleged Violation: Findings.** With respect to the alleged violation, as described above in Paragraphs 4 and 5, the Respondent 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 as alleged, and the Commission may enter an order that there has been a violation as alleged, and that he would not contest such a finding or order.
- 7) **Waiver of Civil Penalty:** The parties have agreed that, upon acceptance of this Agreement by the Commission, and in view of late filing fees which the Respondent has already paid to the Commission, the Commission will not impose a civil penalty in this matter.

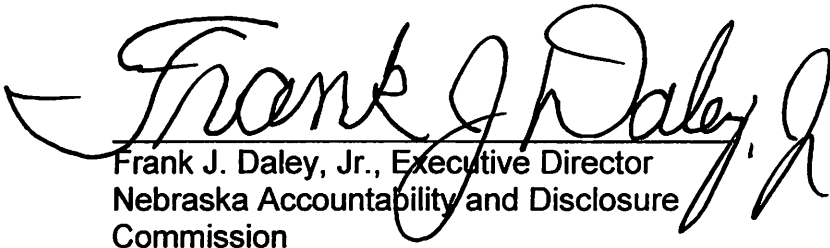
- 8) The Commission must approve this Agreement in order for it to be effective: The parties agree that in order for this Agreement to become effective, the Commission must approve it and shall, if it approves the Settlement, enter an Order in accordance with the terms of this Agreement.
- 9) Effective 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 Respondent has a right to address the Commission on the matter of the amount of civil penalty and approval of this Settlement Agreement.
- 11) Advice of Counsel: The Respondent acknowledges that he has had an opportunity to seek the advice of his attorney in connection with the terms of this agreement.



Ian M. Swanson for Legislature
and Ian Swanson, Candidate

March 13, 2018

Date



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

4/20/18

Date