

# State of Nebraska

## Accountability and Disclosure Commission

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

May 30, 2023

Wayne Connell  
P.O. Box 81  
Hersey, NE 69143



Centre Terrace, 1225 L St. #400  
Phone (402) 471-2522  
Fax (402) 471-6599

Dear Mr. Connell:

Reference is made to your Potential Conflict of Interest Statement which was filed with this office on May 25, 2023. As I understand it, you currently serve as a Deputy Sheriff for Lincoln County. Lincoln County recently created the Lincoln County Inland Port Authority. It is seeking members for the Inland Port Authority Board. You are under consideration for the position. You wish to know if you may serve on the Inland Port Authority Board while continuing your service as a Lincoln County Deputy Sheriff.

In my opinion, there is nothing in the Nebraska Political Accountability and Disclosure Act (NPADA) which would prohibit you from serving in both positions. The NPADA does not address the issue of an individual serving in two government positions simultaneously.

Inland port authorities are established pursuant to the Municipal Inland Port Authority Act. See sections 13-3301 to 13-3313 of the Nebraska Statutes. An inland port authority has all of the indicia of being a political subdivision. That is, it is a governmental entity and, as stated, the NPADA does not address such situations.

Section 13-3311 of the Municipal Inland Port Authority Act includes restrictions on who may or may not serve as on an inland port authority board. You may wish to consult with legal counsel for the board to determine if any of these provisions apply to you.

**Summary:** There is nothing in the Nebraska Political Accountability and Disclosure Act which would prohibit you from simultaneously serving as a Lincoln County Deputy Sheriff and as a commissioner of the Inland Port Authority.

Please understand that this is a staff opinion only and not a formal Commission Advisory Opinion. It is based upon the facts that you have provided. If any of these stated facts are incorrect or incomplete, please advise as this could affect the stated conclusion.

Sincerely,

Frank J. Daley, Jr.  
Executive Director