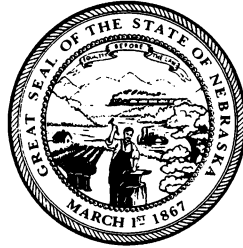


# **State of Nebraska**

## **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

June 23, 2023

Royce Schaneman  
245 Fallbrook Blvd., Suite 202  
Lincoln, NE 68521

Re: Potential Conflict of Interest Inquiry

Dear Mr. Schaneman,

This will acknowledge receipt of an e-mail from you on Wednesday, June 14, 2023. In the e-mail, you requested a response from the Commission with respect to two possible conflict of interest questions. We also reference a meeting which we had with you on Tuesday, June 13, 2023, concerning the same subjects.

You are the Executive Director of the Nebraska Wheat Board ("NWB"). You have been offered an additional position as Executive Director of Plains Grains, Inc. ("PGI"). You have identified PGI as a 501(c)(3) organization which conducts tests and then does marketing for Hard Red Winter ("HRW") wheat. The NWB is already a member of PGI, with two voting board seats. There are twelve states represented in PGI, with a total of 24 board seats.

You have advised us that the NWB has voted to permit you to accept the position with PGI. You have assured us that PGI does not present a conflict of interest with the Nebraska Wheat Board.

The Nebraska Political Accountability and Disclosure Act ("NPADA"), does not address individuals holding multiple jobs. However, holding two or more positions would not, by itself, constitute a conflict of interest.

With respect to possible conflict of interest issues, the applicable Statute under the NPADA would be Section 49-1499.02, which states in pertinent part as follows:

"(1) An official or employee of the executive branch of state government who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or

detriment to him or her, a member of his or her immediate family, or an business with which he or she is associated...shall take the following actions...[prepare a written statement describing such potential conflict]"

Based upon the information which you have provided, there does not appear to be any potential conflict of interest with respect to the proposed position with PGI. However, you must ensure that no public resources under the care and control of the NWB are expended in support of your position with PGI. In this regard, PGI should reimburse the NWB for any resources which the Board may expend on behalf of PGI. With this understanding, we see no objection under the NPADA to your assuming the proposed position with PGI.

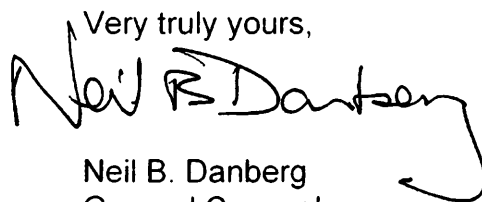
The second question which you have raised concerns a new and smaller State Commission, known as the Nebraska Dry Pea and Lentil Commission ("NDPLC").

You have advised that since its recent inception, the NDPLC has relied heavily upon the NWB. Now, the NDPLC has requested that you serve as its Executive Director. You have further advised that this position would not require very much of your time, and the NWB has agreed that you may undertake this additional position. You have also said that the NDPLC intends to rely upon the NWB for its administrative needs, and would pay for this use.

As noted above, the NPADA does not address multiple positions held by a single person. We also note that the NDPLC is a State Commission, and there would not be a conflict of interest between the two State Commissions-- the NWB and the NDPLC. Based upon these facts, there does not appear to be any objection based upon the NPADA which would prevent you from assuming the position of Executive Director for the NDPLC.

In preparing this opinion, we are relying upon the accuracy of the facts, as we have expressed them in the letter. If our expressed understanding of these facts is incorrect or incomplete, please advise us immediately.

Thank you for your timely filing of the subject Statement. Please contact me directly if you have any questions concerning this opinion.

Very truly yours,  
  
Neil B. Danberg  
General Counsel

## Danberg, Neil

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**From:** Schaneman, Royce  
**Sent:** Wednesday, June 14, 2023 1:44 PM  
**To:** Danberg, Neil  
**Subject:** Wheat Board Questions of Possible Conflict of Interest

Neil,

I wanted to get a written opinion from the Accountability and Disclosure office regarding the Nebraska Wheat Board's (NWB), executive director assuming additional duties. The first addition would be to serve as the executive director for the Nebraska Dry Pea and Lentil Commission (NDPLC).

The second addition would be for the executive director of the NWB to serve as the executive director of Plains Grains Inc. (PGI). PGI is a 501C-3, LLC, created in Oklahoma to provide quality testing of the Hard Red Winter (HRW) wheat crop and analyze that data for use in marketing the U.S. HRW crop both domestically and internationally. The NWB funds PGI through dues, which allows the NWB two voting board seats. The entire PGI consists of 24 total board members. The membership dues are just the cost of the sample collection and testing for each state. The PGI board approved and extended an offer. The payment to the executive director is as a contract employee for salary and reimbursement of expenses. The NWB moved to allow this dual roll and is reflected in the meeting minutes of their March 1, 2023, board meeting.

Please respond if you see any issues that would prevent the executive director from taking on these additional duties or additional steps that should be taken to provide fully transparency.

Thanks,

Royce



**Royce Schaneman**

Executive Director

**Phone:** (402) 471-2358

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