



Indiana State Department of Agriculture
Governor Eric Holcomb
Lt. Governor Suzanne Crouch, Secretary of Agriculture and Rural Development
Bruce Kettler, Director

INDIANA STATE ETHICS COMMISSION

SEP 12 2019

FILED

POST-EMPLOYMENT WAIVER

September 3, 2019

As the Appointing Authority of the Indiana State Department of Agriculture, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Connie M. Neininger in his/her post-employment as an economic development consultant with local and/or regional economic development organizations and as an outreach coordinator for Purdue Center for Regional Development.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of (Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):

- IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker. (Please provide a brief description of the specific particular matter(s) to which this waiver applies below):



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B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.

1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

Neininger advises the Indiana Economic Development Corporation (IEDC), regional economic development directors, and local economic development directors on the benefits of agriculture as an economic driver for Indiana, especially in rural communities. She assists agribusinesses in growth and expansion opportunities and works to attract new agribusiness to Indiana. She also assists in identifying sources of raw material for value-added processing and to further develop the value-added supply chain in all sections. Neininger does not have any regulatory or licensing responsibilities for ISDA, and does not have any decision-making authority on policy, rules, contracts, budgets, or incentives for economic development projects.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

As an outreach coordinator with Purdue Center for Regional Development (PCRD), Neininger will advise communities in community and economic development and facilitate the ongoing development of economic development strategies utilizing the Rural Economic Development Model. PCRD will contract with Neininger as an outreach coordinator to promote the Rural Economic Development Model, which is a program designed to help rural communities identify the agricultural assets in a region that can be utilized in value-added processing. She will guide a community through the data analysis and identification of key sectors, which will be utilized to develop an agricultural economic development strategy specific to the region. PCRD is the agency that provides the in-depth data analysis and the Indiana Economic Development Association (IEDA) is the fiscal agent and coordinator of the program.

As a private economic development consultant, Neininger will work in an advisory role for cities, counties and regions to assist the communities in identifying key areas to target based on the assets of the region, developing economic development strategies, communicating a region's strategies to internal and external organizations, advising the communities on capacity building opportunities with infrastructure, permitting and planning to facilitate the growth of existing businesses, and the attraction of new business to the area. Depending on the analysis of a region's assets, all sectors may be targeted, including hardwoods and dairy.



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The key objective is to advise the communities on all of their options and provide them the tools to help them make informed decisions.

Connie will help in implementing procedures that are universal in her field, not just to ISDA or government Economic Development

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

The Indiana State Department of Agriculture is involved with the Indiana Economic Development Corporation on the attraction of agribusiness to Indiana. Working as an economic development consultant, Neininger will continue to have contact with ISDA to assist in the business retention, expansion and attraction of ag-related businesses, including the growth of international trade and exports. ISDA will not have any oversight or authority over the work that is being done by Neininger.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

Neininger working as an economic development consultant with local communities and regional economic development groups will provide a local voice on the importance of agriculture as an economic driver in the state of Indiana, which is greatly needed in many communities. Many rural communities have stated an interest in agriculture as part of their development strategies, and more specific the Rural Economic Development Model, but they are challenged when it comes to the ability to follow-through on the implementation.

With limited capacity within ISDA to move the Rural Economic Development strategies forward for rural communities, Neininger working directly with PCRD as an outreach coordinator will provide greater efficiencies for the state, and particularly ISDA, which will allow state resources to be deployed elsewhere. Having an outreach coordinator for the Rural Economic Development Model will engage local officials more in the outcomes of the process and allow the private sector to step up and take on the costs and responsibilities of building strategies for their rural communities. The involvement of more community leaders and local officials in the overall process, will ensure commitment and sustainability in the process.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:



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Connie Nelninger has worked in the economic development field for over 13 years, of which seven (7) were prior to coming to the Indiana State Department of Agriculture. The prior years were in local communities as the director of economic development. Community leaders across the state of Indiana and outside of Indiana often come to her for information and guidance on best practices in the industry. Economic and community development is the field in which she most excels and limiting her ability to work in this field would be detrimental to her financial well-being and ability to find meaningful work.

C. Signatures

1. Appointing authority/state officer of agency

By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.

Bruce Kettler signature and name

9/5/19 DATE

2. Ethics Officer of agency

By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).

Erin Sheridan signature and name

9/5/19 DATE

D. Approval by State Ethics Commission

FOR OFFICE USE ONLY
Approved by State Ethics Commission
[Signature]
9-12-19