

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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BOARD MEMBERS:

James Albert, Chair
Janet Carl, Vice Chair
Gerald Sullivan
Betsy Roe
John Walsh
Patricia Harper

CONSENTS FOR SALES/LEASES

As the Iowa Ethics and Campaign Disclosure Board (Board) is defined as a “regulatory agency” under Iowa Code section 68B.2(23), the members of the Board and the Board’s staff are required to obtain consent prior to selling or leasing goods or services to individuals, associations, or corporations that are subject to the Board’s jurisdiction.

Pursuant to Iowa Code section 68B.4 as amended by 2006 Iowa Acts, House File 2593, section 2 and Board rule 351—6.11, the Board hereby grants, enters, and files this consent for sales and leases by members of the Board and the Board’s staff as follows:

1. Potentially every individual, association, and corporation is subject to the Board’s regulatory authority (any person is capable of triggering the campaign laws, the lobbying laws, or the ethics laws in Chapters 68A and 68B). This would result in the members of the Board and the Board’s staff being required to obtain consent under the procedure set out in rule 351—6.11 prior to every sale or lease of a good or service as part of their private lives.

2. In order to avoid such an application of the law, the Board grants blanket consent for the members of the Board and the Board’s staff to sell or lease goods or services without obtaining prior consent under rule 351—6.11 except for sales or leases when it should be reasonably known to the member of the Board or the member of the Board’s staff that the sale or lease would be to one of the following:

- A. Campaign committee registered with the Board;
- B. Candidate for state or local office in Iowa;
- C. Lobbyist registered with the Board as an executive branch lobbyist;
- D. Public official or public employee;
- E. State and local government entity in Iowa;

F. Person who is currently subject to a complaint, information provided to the Board alleging a violation, a Board investigation, under Board administrative resolution, a party to a contested case proceeding, or any person involved in litigation with the Board.

G. Person when the sales or lease would result in: a conflict of interest in violation of Iowa Code section 68B.2A, a violation of Iowa Code section 68B.4 as amended by 2006 Iowa Acts, House File 2593, section 2, or rule 351—6.11(4).

3. A member of the Board or a member of the Board's staff that desires to make a sale or lease of goods or services to any of the persons listed in (2)"A" through "G" above shall first obtain consent under the procedure set out in rule 351—6.11. There may be situations when a particular sale or lease involves a class of sales or leases or a class of persons who will be buying or leasing the good or service, in such situations members of the Board and the Board's staff may request a blanket consent for the class of sales or leases or for the class of persons involved in the proposed transaction.

4. As provided in rule 351—6.11(8), this consent is not a defense to a complaint alleging a violation of law or rule. It is the responsibility of members of the Board and the Board's staff to ensure compliance with all laws and rules relating to sales or leases of goods or services to individuals, associations, and corporations subject to the regulatory authority of the Board.

BY DIRECTION AND VOTE OF THE BOARD

James Albert, Chair
Janet Carl, Vice Chair
Gerald Sullivan
Betsy Roe
John Walsh
Patricia Harper

Entered on July 12, 2006.