

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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BOARD MEMBERS:
James Albert, Chair
John Walsh, Vice Chair
Carole Tillotson
Jonathan Roos
Mary Rueter

MINUTES
REGULAR MEETING
July 19, 2017
JESSIE PARKER BUILDING
510 EAST 12TH, Ste 1A
DES MOINES, IA

I. CALL TO ORDER

Albert calls the meeting to order at 12:07 pm
Albert, Roos, Walsh, Tillotson and Rueter are present. There is a quorum

II. Election of Board Chair and Vice Chair

In accordance with Iowa Code § 68B.32(3), the Board shall annually elect one member to serve as Chair and one member to serve as Vice Chair.

Tillotson moves to elect Albert as Chair and Walsh as Vice Chair, second by Rueter. All ayes, motion carries unanimously

III. APPROVAL OF MINUTES

Motion by Rueter, second by Roos to approve minutes of open and closed sessions of meeting held on November 17, 2016. All ayes, motion carries unanimously

IV. ADJOURN TO CLOSED SESSION

Motion by Rueter, second by Walsh to adjourn to closed session to discuss complaints in accordance with the provisions of Iowa Code 21.5(1) "c" & "g". All ayes by roll call vote. Motion carries unanimously. Board moves into closed session at 12:13 pm

V. RETURN TO OPEN SESSION-

Board returns to open session at 12:40 pm

1. Complaint against Scott Kibby alleging misuse of government resources for political purposes

Tillotson said the email by Mr. Kibby was ill-advised but did not meet the definition of express advocacy. Tillotson said school districts should stick to the facts when they are communicating with the public about a bond issue. Roos added that school districts should not select facts but provide comprehensive. Albert said school districts should seek the director's advice before sending these types of communications.

Motion by Tillotson, second by Rueter, to dismiss. All ayes, motion carries unanimously.

2. Complaint against Skip Moore alleging misuse of government resources for political purposes

Board discussed the need for further investigation. Motion by Roos, second by Walsh, to further investigate and focus on whether Moore's statements met the definition of express advocacy.

VI. ADVISORY OPINION REQUESTS

1. To Brad Anderson regarding online contributions

Motion by Rueter, second by Roos to adopt proposed advisory opinion. All ayes, motion carries unanimously.

VII. RULEMAKING

1. Notice of Intended Action to update chapter 4 of the Board's administrative rules to remove outdated references to paper filing of campaign disclosure reports

Motion to approve by Walsh, second by Tillotson. Motion carries unanimously.

VIII. REQUESTS FOR WAIVER OF CIVIL PENALTIES (RULE 351 IAC 4.60)

- STATE COMMITTEES (Rule 351 IAC 4.59(3))
 1. Committee to Elect Greg Forristall – recommend waiver
 2. Ruth Smith for Senate – recommend denial
 3. Weller for Representative – recommend accepting \$122 and admonishment
- STATE PACS (Rule 351 IAC 4.59(3))
 1. Iowa Pride PAC – recommend reducing to \$25
- COUNTY CENTRAL COMMITTEES (Rule 351 IAC 4.59(2))
 1. Lucas County Democratic Central Committee – recommend waiver and reprimand
- COUNTY LOCAL COMMITTEES (Rule 351 IAC 4.59(2))
 1. Jessica Beck for Iowa – recommend waiver
 2. Citizens for Appanoose County Law Center – recommend denial
 3. Kuzela4Council – recommend denial
- PERSONAL FINANCIAL DISCLOSURE STATEMENTS (Rule 351 IAC 7.5(1))
 1. Phyllis Reimer – recommend waiver

Tillotson moves to approve Tooker's recommendations regarding waiver requests, second by Roos. Motion carries unanimously.

IX. RECAP OF SESSION AND THE END OF FISCAL YEAR 2017

Tooker tells the Board that the legislature did not de-appropriate any money for the Board's fiscal year 2017 budget. Many other agencies received significant cuts. The Board's fiscal year 2018 appropriation was for the same amount as fiscal year 2017.

Tooker tells the Board that the Board's administrative assistant is still on medical leave and may not be able to return to work. Tooker says the Board does not have sufficient funds to hire a replacement in the event the Board's administrative assistant retires. Tooker is exploring other options, such as a hiring a part-time employee or sharing an employee with another agency. The Board also has the option to pay DAS and QCI for some of the duties previously performed by the administrative assistant.

Tooker is also looking at other time-saving opportunities, such as requiring agencies to file their gift reports electronically.

Tooker tells the Board that none of its bills became law this year. Tooker says the Board needs to change its 68A.505 bill to allow the use of personal cell phones. Tooker says the Board should resubmit its other bills next year.

X. ADJOURNMENT

Motion to adjourn by Tillotson, second by Rueter. Motion carries unanimously.