

# 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  
Elaine Olson

## Minutes **MEETING**

July 13, 2018 at noon

**Department of Corrections Conference Room**

510 E. 12<sup>th</sup> Street  
Des Moines, IA

### I. **CALL TO ORDER**

Albert calls meeting to order at 12:00 pm. All board members present.

### II. **APPROVAL OF MINUTES**

Motion by Tillotson, second by Rueter, to approve minutes for meeting held on April 12, 2018. All ayes. Motion carries.

### III. **ADJOURN TO CLOSED SESSION**

Motion by Rueter, second by Walsh, to adjourn to closed session in accordance with the provisions of Iowa Code 21.5(1) "c" & "g" to discuss pending complaints. Motion carries by roll call vote. At 12:02pm.

### IV. **RETURN TO OPEN SESSION-**

1. **Complaint against Jim Mowrer alleging statewide candidate establishing, directing or maintaining a PAC.** Motion by Tillotson, second by Walsh, to reprimand Mowrer and order \$100 civil penalty for maintaining a PAC while simultaneously running for statewide office. All ayes. Motion carries.
2. **Complaint against Rebel Snodgrass, alleging in-kind contributions from a corporation and signs on corporate property.** Motion by Rueter, second by Roos, to order an investigation into whether candidate accepted corporate in-kind contributions. All ayes. Motion carries.
3. **Complaint against Iowa Board of Pharmacy alleging unfair investigatory and enforcement techniques.** Motion by Roos, second by Tillotson, to dismiss complaint due to allegations occurring more than three years ago. All ayes. Motion carries.
4. **Complaint against City of Windsor Heights alleging use of public moneys for political purposes.** Motion by Roos, second by Rueter, to reprimand City and order it to pay \$500 civil penalty for violating Iowa Code section 68A.505 when it sent postcard containing express advocacy. All ayes. Motion carries.
5. **Complaint against City of Des Moines alleging use of public moneys for political purposes.** Motion by Rueter, second by Walsh, to dismiss complaint due to email not containing express advocacy. All ayes. Motion carries.

## V. ADVISORY OPINIONS

1. **To Reyma McCoy McDeid re: whether it is permissible to use campaign funds for childcare expenses.** Motion by Rueter, second by Tillotson, to approve draft that does not allow campaign funds to be used for childcare expenses and to order staff to send advisory opinion to leadership in Iowa legislature. All ayes, except for Walsh who votes nay. Motion carries.
2. **To all interested persons re: Iowa Code section 68A.405A.** Board discusses adding the following language to page three of draft opinion: "For a radio, newspaper, or television advertisement to be 'paid,' the statewide elected official must expend or permit the expenditure of public moneys, directly or indirectly, to a media company for the broadcast or publication of an advertisement or promotion. The prohibition does not apply to earned or non-paid radio, newspaper or television coverage such as news stories, ~~or~~ interviews, or public service announcements." Motion by Walsh, second by Olson, to approve draft with these changes. All ayes. Motion carries.
3. **To Karen Austin re: Iowa Code section 68A.405A.** Board discusses changing the following sentence on page six of the draft opinion: "Informational material sent to individuals who have requested it sent to leads and non-responders would likely have a primary purpose of promoting a program and thus could does not qualify as a 'paid direct mass mailing' even if sent to more than 500 physical addresses within a thirty day period by United States mail or similar delivery system." Motion by Rueter, second by Roos, to approve draft with these changes. All ayes. Motion carries.

## VI. RECAP OF LEGISLATIVE SESSION

Tooker provides brief recap of HF2475, HF2502, SF2256, SF2323 and SF2416.

## VII. DISCUSSION RE: GUIDANCE FOR FILING PERSONAL FINANCIAL DISCLOSURE STATEMENTS

Board discusses whether and what kind of additional guidance for filers would be appropriate. General consensus is for Tooker to draft FAQ for Board to review at next meeting and to seek input from the public and state agencies.

Rueter leaves meeting at approximately 2:35 pm.

## VIII. DISCUSSION RE: BOARD MEMBERS EMAIL ADDRESSES

Board discusses whether staff should redact board members' email addresses in response to public records request.

Tillotson leaves meeting at approximately 2:50.

General consensus is iowa.gov email address is not necessary due to cost to agency. Board members agree to provide Tooker with an email address they are comfortable may become public. Board will consider in future whether to provide their personal email addresses on Board's website.

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

Motion by Walsh, second by Roos, to adopt Tooker's recommendations on waiver requests. All ayes. Motion carries 4-0.

- STATE COMMITTEES (Rule 351 IAC 4.59(3))
  1. Tracy Freese for Iowa Senate

2. Mary Boote, EPC Commissioner

- STATE PACS (Rule 351 IAC 4.59(3))
  1. Montgomery County Republican Women
- COUNTY CENTRAL COMMITTEES (Rule 351 IAC 4.59(2))
  1. Montgomery County Democratic Central Committee
  2. Wayne County Democratic Central Committee
  3. Sac County Republican Party Central Committee
  4. Wapello County Democratic Central Committee
- COUNTY LOCAL COMMITTEES (Rule 351 IAC 4.59(2))
  1. (none)

**X. ADJOURNMENT**

Motion by Roos, second by Olson, to adjourn. All ayes. Motion carries 4-0. Meeting adjourns at 2:58 pm.