

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 68B.32A, the Iowa Ethics and Campaign Disclosure Board hereby gives Notice of Intended Action to amend Chapter 4, "Campaign Disclosure Procedures," Iowa Administrative Code.

The proposed amendments clarify that when payment of a civil penalty is made for a late-filed campaign report, it is not being made to advocate for or against a candidate or ballot issue. Therefore, the payment of a civil penalty may be made by a person who would otherwise be prohibited from making a campaign contribution under Iowa Code section 68A.503. The payment, if made by a person other than the committee, is not required to be disclosed on a campaign disclosure report.

The proposed amendments do not contain a waiver provision as no new obligation is being imposed.

Any interested person may make written comments on the proposed amendments on or before December 23, 2008. Comments should be directed to Charlie Smithson, Iowa Ethics and Campaign Disclosure Board, 510 E. 12th Street, Suite 1A, Des Moines, Iowa 50319. Persons who wish to comment orally should contact Charlie Smithson at (515)281-3489.

These amendments are intended to implement Iowa Code sections 68A.401(3) and 68B.32A(8).

The following amendments are proposed.

ITEM 1. Amend subrule 4.62(2) as follows:

4.62(2) Who may make payment. Payment may be made at the person's discretion, including from funds of a committee or from personal funds of an officer of a committee. ~~Payments from corporate entities as described in Iowa Code Supplement section 68A.503 are prohibited, except in the case of a ballot issue committee.~~

ITEM 2. Rescind and reserve subrule **4.62(3)**.