

# IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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

To: Administration and Regulation Appropriations Subcommittee  
From: Megan Tooker  
Date: February 8, 2017  
Re: Fiscal Year 2018

## 1. About the Ethics Board

The Board is an independent agency of the Executive Branch. Its mission is to foster the public trust and confidence in government by ensuring the integrity of political campaigns, the ethical standards of public official and employees of the Executive Branch, and the oversight of Executive Branch lobbyists. The Board enforces the provisions of the "Campaign Disclosure-Income Tax Checkoff Act" in Iowa Code chapter 68A, the "Government Ethics and Lobbying Act" in chapter 68B, the reporting of gifts and bequests received by state agencies under section 8.7, and the Board's administrative rules in Chapter 351 of the Iowa Administrative Code.

## 2. The Board has 4 main areas of responsibility

- a. Ensuring compliance of Iowa's campaign finance laws
  - i. Currently 1500 open committees registered with the Board (750 local candidate and ballot issue committees; 200 central committees; 250 statewide PACs and 320 legislative and statewide candidate committees)
  - ii. Educate committees
  - iii. Provide informal and formal advice
  - iv. Investigate complaints
  - v. Publish campaign disclosure statements and reports
- b. Ensuring Executive Branch officials and employees comply with ethics laws
  - i. Investigate complaints
  - ii. Educate officials and employees
  - iii. Provide informal and formal advice
  - iv. Publish ethics reports and statements
- c. Accept agency gift law reports
- d. Provide informal and formal advice to county and city officials and employees on ethics laws
  - i. Board has no enforcement authority at the local level with respect to Iowa Code chapter 68B.
  - ii. County attorneys responsible for investigating and enforcement

## 2. Miscellaneous jurisdiction

- i. The Board has the discretion to enter into an agreement with a political subdivision authorizing the board to enforce a local code of ethics.
- ii. The Board has the authority to review complaints regarding whether a supervisor district plan was drawn for improper political reasons.

## 3. Budget request for FY2018

The Board requests a minimum of \$607,501 for FY2018. This amount is \$60,000 more than the Board's appropriation for FY2017.<sup>1</sup> This increase is necessary in order to maintain current staff level and to begin procurement process for a new electronic filing system for campaign disclosure reports and statements.

## 4. Trends and items of interest

- a. Independent expenditures – becoming increasingly popular after *Citizens United* decision
- b. All committees are now required to e-file their statements and reports

## 5. Legislative priorities

- a. Amending section 68B.3, which prohibit government officials and employees from selling in any one occurrence, any goods or services in excess of \$2,000 to any state agency unless publicly bid. The Board is seeking an amendment to exclude from the prohibition contracts that are exempt from public bidding (e.g. expert witnesses, doctors, lawyers, architects, engineers).
- b. Amending section 68B.35, which requires hundreds of executive branch and legislative branch employees and officials to file annual personal financial disclosure statements. The Board is seeking an amendment to require additional disclosure to ensure filers are in compliance with sections 68B.2A (conflicts – prohibited outside employment and activities), 68B.3 (sales to state agencies), 68B.4 (sales or leases by regulatory agency officials and employees to the regulated community), 68B.4A (sales by legislative employees to clients of lobbyists), and 68B.4B (sales or leases by governor staff to lobbyists or clients of lobbyists).
- c. Amending section 68A.505, which prohibits the state and a “governing body” of a political subdivision of the state from “expend[ing] or permitting the expenditure of public moneys for political purposes.” The Board will seek an amendment to clarify that the statute prohibits the use of government resources for political purposes even if no additional expenditure is made by the government and to clarify that the prohibition extends to individual government employees and officials.

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<sup>1</sup> The Board was appropriated \$547,501 in FY2017, and \$550,000 in FY2016 and FY2015.

6. Other Priorities

- a. Create a new, more user-friendly website
- b. In-person campaign finance training (coming this summer)
- c. Webinar campaign finance training
- d. On-demand video training for Executive Branch Training (and possibly for campaign finance too)
- e. In-person ethics training for Executive Branch agencies