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RECEIPT 726453

DATE 2/22/18
 RECEIVED FROM Connie Russell-Schmetz
 ADDRESS _____
 FOR Civil penalty for false PFDs. DOLLARS \$ 250-

2000
IA 50309-2510

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	<input checked="" type="checkbox"/>
BALANCE DUE		MONEY ORDER	

BY IECDB
MTOOK
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VIA HAND DELIVERY

Megan Tooker, Executive Director
 Iowa Ethics and Campaign Disclosure Board
 510 East 12th Street, Suite 1A
 Des Moines, Iowa 50319

**Re: Connie Schmetz
 Order of Reprimand and Civil Penalty**

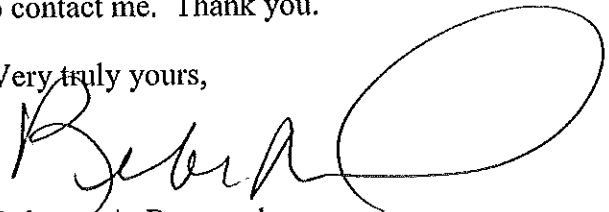
Dear Megan:

Enclosed please find the \$250.00 civil penalty from Ms. Schmetz in satisfaction of the Order of Reprimand and Civil Penalty issued on February 7, 2018.

This concludes the matter involving Ms. Schmetz and the Iowa Ethics and Campaign Disclosure Board.

If you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,



Rebecca A. Brommel

RAB:mkd

Enclosure



Brown Winick
ATTORNEYS AT LAW®

Brown, Winick, Graves, Gross,
Baskerville and Schoenebaum, P.L.C.

666 Grand Avenue, Suite 2000
Ruan Center, Des Moines, IA 50309-2510

February 16, 2018

direct phone: [REDACTED]

direct fax: [REDACTED]

email: [REDACTED]

VIA HAND DELIVERY

Megan Tooker, Executive Director
Iowa Ethics and Campaign Disclosure Board
510 East 12th Street, Suite 1A
Des Moines, Iowa 50319

**Re: Connie Schmett
Order of Reprimand and Civil Penalty**

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Very truly yours,

Rebecca A. Brommel

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BALANCE DUE		MONEY ORDER	

IECDB

BY MTOUW

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CONNIE L. RUSSELL Schmetz

72-335/739

8935

DATE 2/13/2018

PAY TO THE ORDER OF

Iowa Ethics & Campaign Disclosure \$ 250.00
Two hundred fifty and no/100

DOLLARS

Heat Reactive Ink



www.WestBankStrong.com

MEMO

Connie Russell Schmetz

08935

LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

MEGAN TOOKER
Executive Director
& Legal Counsel

510 East 12th, Suite 1A
Des Moines, Iowa 50319
Telephone 515-281-4028/Fax 515-281-4073
www.iowa.gov/ethics

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

To: File
From: Megan
Date: 2/16/18
Re: conversation with Angie Hughes of Reynolds campaign

Talked to Angie on 2/15 regarding Connie's Schmett's FARA filing indicating she gave the Reynolds campaign \$150 on 8/28/17.

Angie said the campaign has no record of Connie's contribution.

It received \$100 from Kim Schmett on 5/15/2017 which it returned to Kim on 12/1/2017.

Left a message with attorney Becki Brommel on 2/16/18 asking for assistance on this matter.

Becki called on 2/16/18. Said
Connie will get copy of
cancelled check to Becki
next week (week on 2/19/18)

2/19/18:

Bucki Frommel provided duplicate of check ~~she~~^{Connie} wrote to Reynolds Committee. Connie doesn't remember whether she ~~was~~ gave check in person or by mail. Connie checked ~~one~~ w/ her bank & check was never cashed.



Tooker, Megan <megan.tooker@iowa.gov>

RE: Connie Schmett - Check to Reynolds Campaign

1 message

Mon, Feb 19, 2018 at 3:35 PM

Brommel, Rebecca A [redacted] m>
To: "Tooker, Megan" <megan.tooker@iowa.gov>

Megan:

Connie does not recall how this contribution was given in terms of mail or in person.

Thanks. Becki

From: Tooker, Megan [mailto:megan.tooker@iowa.gov]
Sent: Monday, February 19, 2018 12:31 PM
To: Brommel, Rebecca A.
Subject: Re: Connie Schmett - Check to Reynolds Campaign

Thanks Becki,

Do you know how she gave this contribution to the committee?
Was it mailed or given in person?

On Mon, Feb 19, 2018 at 12:06 PM, Brommel, Rebecca A. [redacted] m> wrote:

Megan:

Please see attached.

Thanks. Becki

BrownWinick

Rebecca A. Brommel
Attorney

[redacted]
Main Phone [redacted]
Toll Free 1 [redacted]

[redacted]
www.brownwinick.com

[Redacted] Direct
[Redacted] Mobile
[Redacted] Direct Fax

Brown, Winick, Graves, Gross, Baskerville, & Schoenebaum P.L.C.

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--

Megan Tooker

Director and Counsel

Iowa Ethics and Campaign Disclosure Board


510 E. 12th Street, Suite 1A

Des Moines, IA 50319

tel. (515) 281-3489

Like us on Facebook! <https://www.facebook.com/IowaEthicsBoard>

Rebecca A. Brommel



Brown Winick
ATTORNEYS AT LAW*

"A Firm Commitment to Business"

Attorney

[Redacted] *direct*
[Redacted] *mobile*
[Redacted] *direct fax*

www.brownwinick.com

666 Grand Avenue
Suite 2000 Ruan Center
Des Moines, IA 50309
Main Phone [Redacted]
Toll Free [Redacted]

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2/22/2018

State of Iowa Mail - RE: Connie Schmett - Check to Reynolds Campaign



Tooker, Megan <megan.tooker@iowa.gov>

Connie Schmett - Check to Reynolds Campaign

1 message

Mon, Feb 19, 2018 at 12:06 PM

Brommel, Rebecca A. <[REDACTED]>
To: "Tooker, Megan (megan.tooker@iowa.gov)" <megan.tooker@iowa.gov>

Megan:

Please see attached.

Thanks. Becki

BrownWinick

Rebecca A. Brommel
Attorney

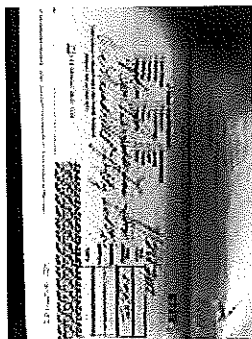
666 Grand Avenue
Suite 2000 Ruan Center
Des Moines, IA 50309
Main Phone [REDACTED]
Toll Free [REDACTED]

[REDACTED]
www.brownwinick.com

[REDACTED] Direct
[REDACTED] Mobile
[REDACTED] 2 Direct Fax

Brown, Winick, Graves, Gross, Baskerville, & Schoenebaum P.L.C.

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FullSizeRender.jpg
130K

For enhanced security your account number will not be printed on this copy.

NOT NEGOTIABLE

- Track Your Expenses
- Auto/Travel
 - Business
 - Charities
 - Clothing
 - Dependent Care
 - Education
 - Entertainment
 - Food
 - Home
 - Insurance
 - Medical/Dental
 - Savings
 - Taxes
 - Utilities
 - Other

Duplicate is produced using soy-based materials. Images may appear light.

TAX DEDUCTIBLE ITEM



ITEM	AMOUNT	BALANCE	FOR TO
DEPOSIT	150.00		

One thousand fifty and 00/100

8/28/2017

John Joseph [unclear]

8729



Tooker, Megan <megan.tooker@iowa.gov>

corrected order

1 message


Tooker, Megan <megan.tooker@iowa.gov>

Wed, Feb 7, 2018 at 11:25 AM

To: "Brommel, Rebecca A." <[REDACTED]>

--
Megan Tooker
Director and Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, IA 50319
tel. (515) 281-3489

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1164K

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

MEGAN TOOKER
Executive Director
& Legal Counsel

510 East 12th, Suite 1A
Des Moines, Iowa 50319
Telephone 515-281-4028/Fax 515-281-4073
www.iowa.gov/ethics

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

February 7, 2018

Rebecca Brommel
Brown Winick
666 Grand Avenue, Suite 2000
Des Moines, IA 50309

Dear Rebecca,

Please find the "Order of Reprimand and Civil Penalty" in the matter of Connie Schmett's personal financial disclosure statements. As we discussed on the telephone, I agreed to modify one sentence on the second page to accurately reflect that a third party paid Schmett and Associates for Connie and Kim's work on behalf of Saudi Arabia. Please let me know if you have any questions.

Sincerely,


Megan Tooker

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

IN THE MATTER OF:

Connie Schmett, a member of the
Health Facilities Council

ORDER OF REPRIMAND AND
CIVIL PENALTY

On January 25, 2018, the above-captioned matter came before the Iowa Ethics and Campaign Disclosure Board. The Ethics Board elects to handle this matter by administrative resolution rather than through a contested case proceeding process. See Iowa Admin. Code r. 351—9.4(2). For the reasons that follow, the Ethics Board hereby reprimands Connie Schmett and orders her to pay a civil penalty in the amount of \$250.

BACKGROUND

Connie Schmett is a member of the Health Facilities Council. Her term began on May 1, 2013 and ends on April 30, 2019.

Iowa Code section 68B.35 requires certain state government officials and employees, including Health Facilities Council members, to file annual personal financial disclosure statements. These officials and employees are required to list each business, occupation or profession in which the person is engaged and the nature of that business, occupation or profession, unless already apparent.ⁱ They are also required to list any other sources of income that produce more than \$1,000 annually in gross income.ⁱⁱ

A statement is due on April 30th for the preceding calendar year.ⁱⁱⁱ Ms. Schmett filed personal financial disclosure statements in 2015, 2016 and 2017.

ANALYSIS

The Ethics Board's jurisdiction includes administering chapter 68B of the Iowa Code and setting standards for, investigating complaints relating to, and monitoring the ethics of officials, employees, lobbyists, and candidates for office in the executive branch of state government.^{iv} The definition of an "official" includes members of boards or commissions as defined under section 7E.4.^v The Health Facilities Council is a "commission" under section 7E.4

because it has rulemaking authority.^{vi} Thus, the Ethics Board has jurisdiction to ensure Ms. Schmett complies with chapter 68B.

The Ethics Board also has the authority to initiate investigations into matters that the Ethics Board believes may be subject to its jurisdiction.^{vii} In 2017, the Board's staff learned Ms. Schmett registered as a foreign agent as a result of lobbying work she did on behalf of the Kingdom of Saudi Arabia.^{viii} According to her registration statements, she did this work in 2016 and 2017. She reported on her statements that she and her husband were paid \$101,500 by Saudi Arabia.

Ms. Schmett did not include any outside business, employment or income on the personal financial disclosure statement she filed in 2017. Ms. Schmett claimed it was an oversight and offered to make any amendments to her previously filed personal financial disclosure statements. Her attorney contacted the Ethics Board's staff and indicated a company on behalf of Saudi Arabia paid Schmett and Associates, which in turn paid Ms. Schmett for her work. Therefore, Ms. Schmett should have disclosed her work for Schmett and Associates on her statement filed in 2017. Ms. Schmett's attorney also indicated Ms. Schmett should have disclosed Schmett and Associates on the statement Ms. Schmett filed in 2016 along with Social Security income. Her statement filed in 2017 should have also disclosed income from IPERS, Social Security as well as income earned from an investment account she inherited. After Ms. Schmett amended the statements she previously filed in 2016 and 2017, the Ethics Board's staff reviewed Ms. Schmett's tax returns to ensure her personal financial disclosure statements are now complete.

Additionally, the Ethics Board's staff investigated why Ms. Schmett did not file a statement in 2014 covering her first year on the Health Facilities Council. The Ethics Board's rules direct its staff to contact each executive branch agency annually to determine which persons are required to file personal financial disclosure statements.^{ix} While staff contacted the Department of Public Health, the Department failed to inform the Ethics Board's staff in early 2014 that Ms. Schmett had been appointed to the Health Facilities Council in 2013. Consequently, the Ethics Board's staff did not notify Ms. Schmett that she was required to file a personal financial disclosure statement for the year 2013. Therefore, we don't fault her for not filing one. Ms. Schmett did file a statement for 2013 on November 21, 2017. The rest of Ms. Schmett's personal financial disclosure statements were timely filed.

According to the Ethics Board's rules, "[i]t shall be considered a violation of Iowa Code section 68B.35 for an individual holding a designated position in the executive branch to file a disclosure statement containing false or fraudulent information."* We find that Ms. Schmett's statements filed in 2016 and 2017 were false because she indicated she had no other business, occupation or profession other than her service on the Health Facilities Council and Cultural Trust Board when in fact she was doing significant consulting and lobbying work for Schmett and Associates during those years.

We now need to determine whether Ms. Schmett's omissions necessitate a penalty. The Ethics Board's rules allow violations to be handled by administrative resolution rather than through the full investigative and contested case proceeding process. The Board elects to handle this matter by administrative resolution since it is satisfied that Ms. Schmett's personal financial disclosure statements are now complete. *See id.* r. 9.4(2). The administrative resolution process allows the Board to direct the violator to take specified remedial action. The rules also allow the Board to issue a letter of reprimand or impose a civil penalty up to \$500.

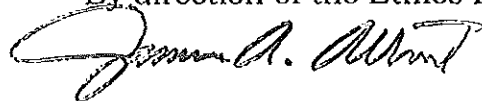
Ms. Schmett has already performed remedial action by amending her 2016 and 2017 statements. The Board finds that a reprimand and a civil penalty of \$250 is the appropriate remedy.

SUMMARY

The Ethics Board finds Ms. Schmett violated Iowa Code section 68B.35 by failing to include her consulting work for Schmett and Associates on two financial disclosure statements.

Ms. Schmett is hereby reprimanded and ordered to pay a civil penalty in the amount of \$250. Pursuant to Iowa Administrative Code rule 351—9.4(3), Ms. Schmett may appeal the issuance of the reprimand and civil penalty by submitting within 30 days a written request for a contested case hearing.

By direction of the Ethics Board



James Albert, Chair
John Walsh, Vice Chair

Carole Tillotson
Jonathan Roos
Mary Rueter

CERTIFICATE OF SERVICE

The undersigned hereby certifies this order was sent by first class mail, address service requested, on February 7, 2018, to:

Rebecca Brommel
Brown Winick
666 Grand Avenue, Suite 2000
Des Moines, IA 50309

Attorney for Connie Schmett

By: 
Megan Tooker, Executive Director for the Board

ⁱ Iowa Code § 68B.35(1).

ⁱⁱ *Id.*

ⁱⁱⁱ *Id.* r. 351—7.1.

^{iv} Iowa Code § 68B.32(1).

^v *Id.* § 68B.2(17).

^{vi} *See id.* § 135.62.

^{vii} *Id.* §68B.32B(7).

^{viii} *See* 22 U.S.C. § 611 et seq.

^{ix} *See Id.* r. 351—7.3(1).

^x Iowa Admin Code r. 351—7.5(3).



Tooker, Megan <megan.tooker@iowa.gov>

order

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Tue, Feb 6, 2018 at 4:57 PM


To: "Brommel, Rebecca A." <[REDACTED]>

Here you go. I put a hard copy in the mail. It will go out tomorrow.

--

Megan Tooker
Director and Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, IA 50319
tel. (515) 281-3489

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IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

IN THE MATTER OF:

Connie Schmett, a member of the
Health Facilities Council

ORDER OF REPRIMAND AND
CIVIL PENALTY

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Ms. Schmett has already performed remedial action by amending her 2016 and 2017 statements. The Board finds that a reprimand and a civil penalty of \$250 is the appropriate remedy.

SUMMARY

The Ethics Board finds Ms. Schmett violated Iowa Code section 68B.35 by failing to include her consulting work for Schmett and Associates on two financial disclosure statements.

Ms. Schmett is hereby reprimanded and ordered to pay a civil penalty in the amount of \$250. Pursuant to Iowa Administrative Code rule 351—9.4(3), Ms. Schmett may appeal the issuance of the reprimand and civil penalty by submitting within 30 days a written request for a contested case hearing.

By direction of the Ethics Board



James Albert, Chair
John Walsh, Vice Chair

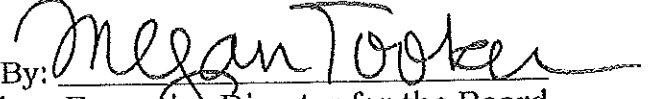
Carole Tillotson
Jonathan Roos
Mary Rueter

CERTIFICATE OF SERVICE

The undersigned hereby certifies this order was sent by first class mail, address service requested, on February 7, 2018, to:

Rebecca Brommel
Brown Winick
666 Grand Avenue, Suite 2000
Des Moines, IA 50309

Attorney for Connie Schmett

By: 
Megan Tooker, Executive Director for the Board

ⁱ Iowa Code § 68B.35(1).

ⁱⁱ *Id.*

ⁱⁱⁱ *Id.* r. 351—7.1.

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^{viii} *See* 22 U.S.C. § 611 et seq.

^{ix} *See Id.* r. 351—7.3(1).

^x Iowa Admin Code r. 351—7.5(3).



Tooker, Megan <megan.tooker@iowa.gov>

(no subject)

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Tue, Feb 6, 2018 at 10:12 AM

To: "Brommel, Rebecca A." <[REDACTED]>

--
Megan Tooker
Director and Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, IA 50319
tel. (515) 281-3489

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 **new board and commission members.pdf**
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Governor's New Board and Commission Members' Orientation
Monday, November 6, 2017
Ethics by Megan Tooker

I. CONTACT INFORMATION

1. Iowa Ethics & Campaign Disclosure Board
510 East 12th, Suite 1A
Des Moines, IA 50319
General information: (515) 281-4028
Board's website: www.iowa.gov/ethics/
2. Megan is the Executive Director and Legal Counsel for the Board
Megan's direct line: (515) 281-3489
megan.tooker@iowa.gov

II. THE BOARD'S MISSION

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

III. CONFLICTS OF INTEREST

1. Prohibited outside employment and activities (Iowa Code § 68B.2A)

- a. Conflict definition: A conflict between the public obligations and the private interests of a public official.
- b. Prohibited outside employment and activities
 - i. You may not engage in an outside employment or activity that involves the state's time, facilities, equipment, and supplies or the use of evidence of office or employment to give you or member of your immediate family (i.e. spouse and dependent children) an advantage or monetary benefit that is not available to the general public (absolute prohibition)
 - ii. You may not engage in an outside employment or an activity that involves the receipt of, promise of, or acceptance of money or other consideration by you or a member of your immediate

- family, from anyone other than the state for the performance of any act that you would be required or expected to perform as a part of your regular duties for the state (absolute prohibition)
- iii. You may not engage in an outside employment or an activity that is subject to your official control, inspection, review, audit, or enforcement authority, during the performance of your duties of office with the state UNLESS you either
 - 1. cease the outside employment or activity OR
 - 2. publicly disclose the existence of a conflict & refrain from taking any official action or perform any official duty that would detrimentally affect or create a benefit for your outside employment or activity
 - a. Official action or duty includes voting, influencing any vote, granting license or permit, determining the fact or law in a contested case or rulemaking proceeding, conducting any inspection or providing any other official service or thing
 - c. Although not required by statute, you should refrain from taking any official action or performing any official duty in any matter where your objectivity or impartiality could reasonably be questioned.

2. When Public Bids required-disclosure of income from other sales (Iowa Code § 68B.3)

- a. You may not sell, in any one occurrence, any services having a value in excess of \$2,000 to the subunit of the department or independent agency in which you serve or with which you have substantial and regular contact as part of your official duties unless the sale is made pursuant to an award or contract let after public notice and competitive bidding.
- b. "Services" does not include instruction at an accredited education institution if the person providing the instruction meets the minimum education and licensing requirements established for instructors at the education institution.
- c. You shall file a report with the Ethics Board within twenty days of making a permissible sale. The report shall include but not be limited to the parties to the sale, the date of the sale, the total amount of the sale, and the type of goods or services being sold.
- d. If you sell goods or services to a political subdivision of the state, you shall disclose whether income has been received from commissions from the sales on your personal financial disclosure statement filed with the Ethics Board.

3. Sales or leases by regulatory agency officials and employees (Iowa Code § 68B.4)

- a. You may not sell or lease, either directly or indirectly, any goods or services to individuals, associations, or corporations subject to the regulatory authority of the agency you serve, except when you have met all of the following conditions:
- b. The consent of the regulatory agency is obtained and you don't have the authority to determine whether agency consent is to be given under this section.
- c. The duties or functions you perform for the regulatory agency are not related to the regulatory authority of the agency over the individual, association, or corporation; or the selling or leasing of goods or services by you to the individuals, associations, or corporations does not affect your duties or functions at the regulatory agency.
- d. The selling or leasing of any goods or services by you to an individual, association, or corporation does not include advocacy on behalf of the individual, association, or corporation to the regulatory agency in which the person is an official or employee
- e. 23. "Regulatory agency" means the department of agriculture and land stewardship, department of workforce development, department of commerce, Iowa department of public health, department of public safety, department of education, state board of regents, department of human services, department of revenue, department of inspections and appeals, department of administrative services, public employment relations board, state department of transportation, civil rights commission, department of public defense, department of homeland security and emergency management, Iowa ethics and campaign disclosure board, and department of natural resources.

4. Services against state prohibited (Iowa Code § 68B.6)

- a. You may not receive, directly or indirectly, or enter into any agreement, express or implied, for any compensation, in whatever form, for the appearance or rendition of services against the interest of the state in relation to any case, proceeding, application, or other matter before the subunit of an agency in which you serve, or with which you have substantial and regular contact as part of your official duties.

5. Use of confidential information (Iowa Admin Rule 351—6.9)

You may not disclose or use confidential information, including the contents of a sealed bid acquired during the course of your official duties, for the personal gain or benefit of any person.

IV. GIFTS

1. Gifts to public officials and employees (Iowa Code § 68B.22)

- a. Legislative intent: public officials and employees should be extremely cautious about accepting a gratuity or favor especially from persons having substantial interest in the legislative, administrative or political actions of the official or employee.
- b. A "gift" is broadly defined to mean the rendering of anything of value in return for which legal consideration or equal or greater value is not given and received.
- c. Except as provided below, neither you nor your immediate family (spouse and dependent children) may accept or receive any gift or series of gifts from a restricted donor.
- d. A restricted donor means a person or entity that is any of the following:
 - i. Is or is seeking to be a party to any sales, purchases, leases, or contracts to, from, or with your agency
 - ii. Will personally be, or is the agent of a person who will be, directly and substantially affected financially by the performance or nonperformance of your official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry, or region.
 - iii. Is the subject of or party to a matter pending before a regulatory agency and over which you have discretionary authority as part of your official duties
 - iv. Is a lobbyist or a client of a lobbyist with respect to matters within your jurisdiction.
- e. You and/or your immediate family may accept the following gifts from a restricted donor:
 - i. Contributions to a candidate or candidate's committee
 - ii. Informational material relevant to your duties with your board or commission (pamphlets, books, reports, documents)
 - iii. Anything received from anyone related within the fourth degree of kinship or marriage unless the donor is acting as an agent or intermediary for another person not so related
 - iv. An inheritance
 - v. Anything available or distributed free of charge to members of the general public
 - vi. Items received from a bona fide charitable, professional, educational or business organization to which you belong as a dues-paying member if the items are given to all members of the organization
 - vii. Your actual expenses for food, beverages, registration, travel, and lodging for a meeting which is given in return for your participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days in which you have participation or presentation responsibilities

- viii. Plaques or items of negligible resale value which are given as recognition for your public service
- ix. Food and beverages provided at a meal that is part of a bona fide event or program at which you are being honored for public service
- x. Nonmonetary items with a value of \$3.00 or less that are received from any one donor during one calendar day
- xi. Funeral flowers or memorials given to a church or nonprofit organization
- xii. Gifts which are given to you for your wedding or 25th or 50th wedding anniversary
- xiii. Actual registration costs for informational meetings or sessions which assist you in the performance of your official functions.
 - 1. The costs of food, drink, lodging and travel are not "registration costs".
 - 2. Meetings or sessions which you attend for personal or professional licensing purposes are not "meetings or sessions which assist an official or employee in the performance of the person's official functions"
- f. You may avoid violating Iowa Code § 68B.22 by donating an otherwise prohibited nonmonetary gift within 30 days of receipt to a public body, DAS, or a bona fide educational or charitable organization. You may also pay the restricted donor for the gift or return the gift to the donor.

2. Honoraria (Iowa Code § 68B.23)

- a. Honoraria means the payment of compensation or the giving of anything of value to an official or employee in relation to a speaking engagement from a restricted donor (see definition above)
- b. Except for the following circumstances, you may not accept an honoraria from a restricted donor:
 - i. The honorarium consists of the payment of actual expenses for your registration, food, beverages, travel, and lodging paid in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which you have participation or presentation responsibilities
 - ii. The honorarium consists of one or more nonmonetary items you donate within 30 days to a public body, a bona fide educational or charitable organization or DAS
 - iii. The honorarium consists of a payment made to you for services rendered as part of a bona fide private business, trade, or profession in which you are engaged if the payment is commensurate with the actual services rendered and is not being made because of your status as a government official or

employee, but rather because of some special expertise or other qualification.

3. Gifts to State Agencies (Iowa Code § 8.7)

- a. All gifts and bequests received by an agency or accepted by the Governor on behalf of the state shall be reported to the Ethics Board within 20 days of receipt.

V. MISCELLANEOUS

1. Lobbying on behalf of board or commission (Iowa Code § 68B.36)

- a. A lobbyist includes any person designated by a state agency to encourage the passage, defeat, approval, veto, or modification of legislation, a rule, or an executive order by members of the general assembly, a state agency, or any statewide elected official
- b. If you are designated by your agency or board or commission to lobby on behalf of your agency, board or commission, you must register with the legislature on or before the day your lobbying activity begins

2. Personal financial disclosure (Iowa Code § 68B.35)

- a. Members of many boards and commissions are required to file personal financial disclosure statements with the Ethics Board. The Ethics Board will contact you if you are required to file a personal financial disclosure statement.
- b. If required, you must disclose each and every source of income in excess of \$1,000. You are not required to disclose your actual income and you are not required to disclose your spouse's income.

3. How to avoid unethical conduct

- a. Be familiar with the applicable laws and rules
 - i. Always read definition sections!
- b. Use common sense
- c. Seek guidance from the Ethics Board or counsel for your board or commission
- d. When in doubt, assume conduct or act is unethical and behave accordingly



Tooker, Megan <megan.tooker@iowa.gov>

letter to Governor

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Mon, Jan 29, 2018 at 2:04 PM

To: "Brommel, Rebecca A." <[REDACTED]>

Hi Becki,

Here is the final version of the letter sent to the Governor regarding the Schmetts. I didn't have time to draft an order regarding Connie's penalty. I hope to get that done today.

--

Megan Tooker
Director and Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, IA 50319
tel. (515) 281-3489

Like us on Facebook! <https://www.facebook.com/IowaEthicsBoard>

letter to Governor final with attachments.pdf
1250K

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

MEGAN TOOKER
Executive Director
& Legal Counsel

510 East 12th, Suite 1A
Des Moines, Iowa 50319
Telephone 515-281-4028/Fax 515-281-4073
www.iowa.gov/ethics

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

January 25, 2018

The Honorable Kim Reynolds
Capitol Building
1007 E. Grand Avenue
Des Moines, IA 50319

Dear Governor Reynolds,

In November, you asked the Ethics Board to review whether Kim or Connie Schmett violated any law within the Ethics Board's jurisdiction. The purpose of this letter is to detail the Board's findings and conclusions.

BACKGROUND

Connie Schmett is a member of the Health Facilities Council and the Cultural Trust Board.ⁱ Her husband, Kim Schmett, serves as chair of the Iowa Employment Appeal Board.ⁱⁱ In addition to their official duties, the Schmetts have a political consulting company called Schmett and Associates.

In the fall of 2016, the Kingdom of Saudi Arabia hired Schmett and Associates (as well as several other firms) to lobby the U.S. Congress and encourage elected officials to vote against the Justice Against Sponsors of Terrorism Act. This legislation narrows the scope of foreign sovereign immunity and allows foreign states to be sued in U.S. federal courts under some circumstances for supporting international terrorism. Several media outlets reported on the lobbying efforts by the Kingdom of Saudi Arabia. Some of these reports alleged United States veterans were recruited to travel to Washington D.C. to lobby against this bill. Some veterans claimed they were not told the Kingdom of Saudi Arabia paid for their trip.

Schmett and Associates' work on behalf of the Kingdom of Saudi Arabia necessitated Kim and Connie to register as foreign agents under the Foreign Agents Registration Act.ⁱⁱⁱ Their filings indicate they were paid \$101,500 for work done on behalf of the Kingdom of Saudi Arabia. Neither Kim nor Connie traveled to Washington D.C. for this work. Kim reports Connie did most of the work for this client.

ANALYSIS

The Ethics Board has the authority to “set standards for, investigate complaints relating to, and monitor the ethics of officials, employees, lobbyists, and candidates for office in the executive branch of state government.”^{iv} Kim’s service on the Employment Appeal Board and Connie’s service on the Health Facilities Council and the Cultural Affairs Board qualify them as executive branch officials.^v The Ethics Board’s jurisdiction is limited to the application of Iowa Code chapters 68A and 68B, Iowa Code section 8.7, and rules in Iowa Administrative Code chapter 351.^{vi} The Ethics Board does not have authority to interpret or enforce federal law and we do not consider whether Kim or Connie complied with federal law.

a. Conflicts of interest regarding outside employment and activities

Iowa Code section 68B.2A prohibits any person who serves the state from engaging in an outside employment or activity that is in conflict with the person’s official duties and responsibilities. The statute describes situations in which an unacceptable conflict could exist:

1. The outside employment or activity involves the use of the state’s resources, including time, facilities, equipment, and supplies.
2. The outside employment or activity involves the promise or acceptance of consideration for the performance of any act the person would be required or expected to perform as part of the person’s regular duties or during the hours which the person performs service or work for the state.
3. The outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the person during the performance of official state duties.

Kim is the chair of the Iowa Employment Appeal Board, which is considered a full-time board and he receives a salary of \$80,000. He also does consulting work for Schmett and Associates and is an adjunct professor at William Penn University. Kim acknowledges he and the other two board members do not keep regular office hours and frequently work from home. The Board’s primary duty is hearing unemployment appeal claims. The Board meets on most days of the work week and the typical meeting lasts for approximately half an hour. The rest of board members’ time is spent reviewing cases for the next meeting. The Ethics Board’s staff reviewed three years’ worth of Employment Appeal Board meeting minutes. Kim attended nearly every meeting in that time and the vast majority of the Board’s decisions were made within forty days. In short, it appears Kim is performing the essential duties of his position. The Ethics Board found no evidence that Kim was using state resources for his consulting work or his teaching responsibilities. The Ethics Board found no evidence that Kim has been paid by anyone other than

the State of Iowa for any act that he is required or expected to do at the Employment Appeal Board. The Ethics Board found no evidence Kim took any official action or performed any official duty with respect to his consulting or teaching work.

Connie serves on both the Health Facilities Council and the Cultural Affairs Board. She does not receive compensation for her service on the Council or Board. The Ethics Board found no evidence that Connie used state resources for her consulting work nor did the Ethics Board find any evidence she was paid by anyone for any act she was required or expected to perform as part of her duties at the Council or Board. The Ethics Board found no evidence Connie took any official action or performed any official duty with respect to her consulting work.

Additionally, nothing in Iowa Code chapter 68B prohibits an executive branch official or employee from engaging in an outside employment or activity that requires the person to register under the federal Foreign Agents Registration Act.^{vii} However, House File 2018 was recently introduced in the Iowa House and would add a new section to chapter 68B prohibiting officials and state employees from simultaneously being a registered Foreign Agent.

b. Sales or leases by regulatory agency officials and employees

Iowa Code section 68B.4 requires an official or employee of any regulatory agency to obtain the consent of the regulatory agency before selling any goods or services to individuals or entities subject to the regulatory authority of the agency he or she serves. The Employment Appeal Board and the Health Facilities Council are part of regulatory agencies.^{viii} The Ethics Board found no evidence Schmett and Associates does consulting work for individuals or entities regulated by the Department of Public Health or the Department of Inspections and Appeals. Therefore, the Schmetts were not required to obtain the consent of either the Department of Public Health or the Department of Inspections and Appeals before engaging in consulting services.

c. Ban on certain lobbying activities

Iowa Code section 68B.5A provides restrictions on lobbying activities by certain government officials and employees. The level of restriction depends on the individual's position. A person who serves as "the executive or administrative head of an agency of government" shall not act as a lobbyist during the time in which the person serves unless the person is designated by the agency to represent the official position of the agency.^{ix} Moreover, any person subject to these restrictions shall not become a lobbyist within two years after the termination of service to the state.^x

A "lobbyist" is an individual who receives compensation or is the designated representative of an organization or government agency to encourage the passage, defeat or modification of legislation, a rule or an executive order by members of the general assembly, a state agency, or any statewide elected official.^{xi} "Statewide elected official means the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, secretary of agriculture, and attorney general of the state of Iowa."^{xii}

Kim and the other two board members of the Employment Appeal Board are the executive or administrative heads of the Employment Appeal Board and thus subject to the restrictions described above.^{xiii} Consequently, Kim may not lobby members of the general assembly, a state agency or any statewide elected official except in his official capacity as chair of the Employment Appeal Board and he may not lobby those individuals in any capacity for two years following the termination of his service on the Board.

The Ethics Board found no evidence Kim has lobbied state employees or officials during his service on the Employment Appeal Board. Kim signed an affidavit to that effect (see attached) and his lobbying work through Schmett and Associates appears to be limited to lobbying the federal government. The Ethics Board has previously opined section 68B.5A does not apply to lobbying activities in a jurisdiction outside of Iowa.^{xiv} Thus, the Ethics Board found no evidence Kim violated section 68B.5A.

Connie serves on the Cultural Trust Board and the Health Facilities Council. The Supreme Court of Iowa has held the restrictions on lobbying in section 68B.5A do not apply to members of part-time boards or commissions.^{xv} Thus, the restrictions in section 68A.5A do not apply to Connie. Nevertheless, the Ethics Board found no evidence she acted as a lobbyist before state government during her service on the Cultural Trust Board and the Health Facilities Council. She signed an affidavit to that effect as well (see attached).

d. Personal financial disclosure statements

Iowa Code section 68B.35 requires certain state government officials and employees to file annual personal financial disclosure statements. These officials and employees are required to list each business, occupation or profession in which the person is engaged and the nature of that business, occupation or profession, unless already apparent.^{xvi} They are also required to list any other sources of income that produce more than \$1,000 annually in gross income.^{xvii} According to the Ethics Board's rules, "[i]t shall be considered a violation of Iowa Code section 68B.35 for

an individual holding a designated position in the executive branch to file a disclosure statement containing false or fraudulent information.”^{xviii}

The Ethics Board’s rules direct its staff to contact each executive branch agency annually to determine which persons are required to file personal financial disclosure statements.^{xix}

Iowa Code section 68B.35 requires members of the Employment Appeal Board and the Health Facilities Council to file personal financial disclosure statements with the Ethics Board.^{xx} Thus, Kim is required to file annual financial statements during his service on the Employment Appeal Board and Connie is required to file annual financial statements during her service on the Health Facilities Council.^{xxi}

Connie’s term on the Health Facilities Council began in 2013 and she should have filed a personal financial disclosure statement for that year. However, the Department of Public Health failed to inform the Ethics Board’s staff in early 2014 that Connie had been appointed to the Health Facilities Council in 2013. Consequently, the Ethics Board’s staff did not notify Connie that she was required to file a personal financial disclosure statement for the year 2013. Therefore, we don’t fault her for not filing one. Connie did file a statement for 2013 on November 21, 2017. The rest of Connie’s personal financial disclosure statements were timely filed. However, she failed to disclose all of her financial activity on her statements for 2015 and 2016. In both years, she failed to disclose she did consulting work for Schmett and Associates. She also failed to disclose social security income for 2015 and 2016 and IPERS income for 2016. Finally, she failed to disclose income she received in 2016 from an investment account that she inherited. Connie has amended her 2015 and 2016 reports and the Ethics Board’s staff has reviewed the Schmetts’ tax returns to ensure their personal financial disclosure statements are now complete. Connie claims her omissions were merely an oversight.

Kim’s term on the Employment Appeal Board began in 2014. He has timely filed personal financial disclosure statements for 2014, 2015, and 2016. His statements were consistent with his tax returns except that he failed to disclose income from an annuity he inherited in 2016. He amended his statement to include the annuity.

e. Campaign contributions

It is fair to say Connie and Kim are long-time political activists. They regularly give campaign contributions to state and federal campaign committees, co-hosted a fundraiser for the Kim Reynolds for Iowa committee and were among a long list of that committee’s county co-chairs. Connie has volunteered on presidential campaigns and Kim is active in the Westside Conservative Club, a breakfast group that meets

twice a month. Nothing in the Ethics Board's jurisdiction prohibits executive branch officials or employees from engaging in political activity during their service or employment with the State of Iowa. However, there are some state government positions that are banned from engaging in political activities. (see attached list) For example, the members of the Public Employment Relations Board are prohibited from engaging in any political activity while holding office.^{xxii} However, the members of the Employment Appeal Board are not prohibited by statute from engaging in political activities. Given the fact the Employment Appeal Board is a full-time quasi-judicial board, the Iowa legislature may want to consider banning the Board's members from engaging in political activity.

Finally, during our review of the Schmetts' activities, we discovered Connie has given campaign contributions to state and local campaign committees under both the name Connie Schmett and Connie Russell. (see attachment) Connie's legal surname is Schmett and it has been since 1994 when she and Kim married. However, Connie has maintained a checking account under the name Connie Russell throughout her marriage and has given campaign contributions from this checking account, causing campaign committees to report contributions from Connie Russell instead of Connie Schmett. Connie provided an affidavit to the Board explaining she uses this checking account for her household expenses as well as campaign contributions. The Ethics Board's staff reviewed examples of several months' worth of bank statements and confirmed this is an active checking account, which is used for everyday expenses. Connie denies any intent to misrepresent her identity.

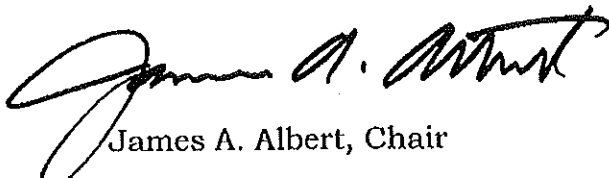
Iowa Code section 68A.501 states "[p]ersons requested to make a contribution at a fundraising event shall be advised that it is illegal for a person to make a campaign contribution in excess of twenty-five dollars without providing the person's name and address." Iowa Code section 68A.502 states "[a] person shall not make a campaign contribution in the name of another person." We do not believe Connie has violated either of these provisions by giving contributions using her former name because that is not the name of "another person" and section 68A.501 applies to anonymous contributions given by way of fundraising events like "pass the hat."

CONCLUSION

The Ethics Board has reviewed Kim and Connie Schmett's activities to determine whether they are complying with Chapters 68A and 68B of the Iowa Code. We find that Kim made one omission and Connie made several omissions on their personal financial disclosure statements. We reprimanded Connie and ordered her to pay a civil penalty in the amount

of \$250 for filing false personal financial disclosure statements. Nothing in the Ethics Board's jurisdiction prohibits the Schmetts from lobbying the federal government while they serve the State of Iowa. Nothing in the Ethics Board's jurisdiction prohibits the Schmetts from engaging in outside employment activities provided those outside activities do not create a conflict-of-interest with their state positions. Nothing in the Ethics Board's jurisdiction prohibits the Schmetts from engaging in political activity or making political contributions. The Ethics Board finds Iowa law does not expressly prohibit giving campaign contributions under one's former name. At our next board meeting, we will consider whether to recommend any changes to Iowa Code chapters 68A and 68B in light of our investigation into this matter.

On behalf of the Board,



James A. Albert, Chair

ⁱ Connie is serving her second term on the Cultural Trust Board. Her first term began on May 1, 2011 and her second term will end on April 30, 2021. Her term on the Health Facilities Council began on May 1, 2013 and ends on April 30, 2019.

ⁱⁱ Kim is serving a six-year term on the Employment Appeal Board. His term began on May 1, 2014 and ends on April 30, 2020.

ⁱⁱⁱ 22 U.S.C. § 611 et. seq.

^{iv} Iowa Code § 68B.32(1).

^v *Id.* § 68B.2(17) (defining "official" to include "members of boards or commissions as defined under section 7E.4).

^{vi} *See generally id.* § 68B.32A.

^{vii} *See* 22 U.S.C. § 611 et seq.

^{viii} The Health Facilities Council is part of the Department of Public Health and the Employment Appeal Board is part of the Department of Inspections and Appeals. Both agencies are regulatory agencies. Iowa Code § 68B.2(23).

^{ix} Iowa Code § 68B.5A(1).

^x *Id.* § 68B.5A(4).

^{xi} *Id.* § 68B.2(13).

^{xii} *Id.* § 68B.2(25).

^{xiii} See *id* § 68B.2(1) (defining “agency” to include a board).

^{xiv} IECDB AO 2005-03; see also IECDB AO 2002-09 (opining the term “lobbyist” does not apply to individuals lobbying before other states or the federal government).

^{xv} *Iowa Farm Bureau Fed’n v. Envtl. Prot. Comm’n*, 850 N.W.2d 403, 413 (Iowa 2014) (“the narrowest ban on lobbying contained in section 68B.5A(3) does not apply to members of boards or commissions”)

^{xvi} Iowa Code § 68B.35(1).

^{xvii} *Id.*

^{xviii} Iowa Admin Code r. 351—7.5(3).

^{xix} See *Id.* r. 351—7.3(1).

^{xx} Iowa Code § 68B.35(1).

^{xxi} Members of the Cultural Trust Board are not required to file personal financial disclosure statements. See *id.*

^{xxii} Iowa Code § 20.5(1).

AFFIDAVIT

COUNTY OF POLK)
) ss
STATE OF IOWA)

Each of the undersigned individuals being duly sworn on oath, deposes and states as follows:

1. I am at least eighteen (18) years of age, and I make the following statement based upon my personal knowledge.
2. Since at least 2013, I have not served as a lobbyist, as that term is defined in Iowa Code section 68B.2(13), with regard to any members of the Iowa general assembly, a state agency or any statewide elected official.

FURTHER, AFFIANT SAYETH NOT.

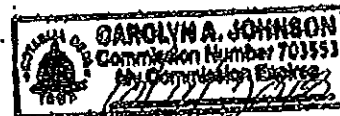
01/16/2018
Date

Connie L. Schmett
Connie L. Schmett

Signed and sworn to before me on January 16, 2018, by Connie L. Schmett.

Carolyn A. Johnson
Notary Public
in and for said State

My commission expires: 6/9/2018



FURTHER, AFFIANT SAYETH NOT.

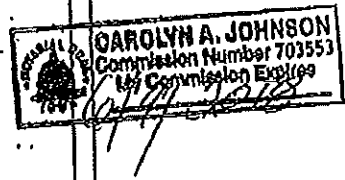
01-16-18
Date

Kim D. Schmett
Kim D. Schmett

Signed and sworn to before me on January 16, 2018, by Kim D. Schmett.

Carolyn A. Johnson
Notary Public
in and for said State

My commission expires: 6/9/2018



AFFIDAVIT

COUNTY OF POLK)
) ss
STATE OF IOWA)

The undersigned being duly sworn on oath, deposes and states as follows:

1. I am at least eighteen (18) years of age, and I make the following statement based upon my personal knowledge.

2. My given name was Connie L. Bishop. In August, 1964, I married Gary Robert Russell and became Connie L. Russell. Gary Russell and I divorced in July, 1985, but my name continued to be Connie L. Russell, and both of my children had the last name Russell.

3. On October 2, 1994, I married Kim Schmetz. Although my married name became Connie L. Schmetz, I have continued to utilize the last name Russell and/or used "Russell-Schmetz" in various contexts.

4. Because I had been known as Connie Russell for thirty years – including through much of my professional life and during a time when I worked in and became more active in politics – many people know or refer to me as Connie Russell or Connie Russell-Schmetz.

5. When Kim and I married, we kept our own bank accounts and have always maintained separate bank accounts. We have also maintained separate ownership of real estate and investments since the time of our marriage.

6. I started an account at West Bank in the late 1970s or early 1980s when my legal name was Connie L. Russell. This is the same bank account that I have today, and I did not change my name on the account when I married Kim.

7. The West Bank account is my primary checking account, and I utilize it for all of my household expenses, Medicare, house payments, insurance payments and other expenses. It

is also the account from which I have made political donations to various campaigns or organizations. The West Bank account was not created for nor was it ever used solely for the purpose of making political donations.

8. I have written numerous checks over the years utilizing the name Connie Russell. See, e.g., Account Statement and Cancelled Checks from February, 2007 and October, 2017 Statement and Cancelled Check, attached as Exhibit 1. While I sometimes add "Schmett" to the top of the checks, I did not consistently do so. See Cancelled Checks to Campaigns, attached as Exhibit 2.

9. The address utilized for the West Bank account that is listed at the top of the checks (10141 Lincoln Avenue, Clive, Iowa) has been the same address that I have lived at since Gary Russell and I built the home in 1979, and I remained in the home even after we divorced in 1985.

10. In various contexts since marrying Kim in October, 1994, I have held myself out as Connie Schmett, Connie Russell or Connie Russell-Schmett or otherwise did not correct anyone whom I was referred to as Connie Russell or Connie Russell-Schmett. For example, in the ownership and mortgage documents for my home, I am listed as Connie Russell-Schmett (although it is spelled incorrectly as "Russll" on the Assessor's website). See Assessor's Website, Deed and Mortgage Documents for 10141 Lincoln Avenue, Clive, Iowa, attached as Exhibit 3.

11. In issuing checks to political campaigns or organizations, I did not intend to mislead anyone regarding my identity or misrepresent my identity. I believed that many people knew me by both Connie Russell and Connie Schmett, and my checks bore the address at which I have lived for almost 40 years and where I continue to live.

12. Furthermore, I did not utilize the West Bank checking account to make campaign donations on behalf of or for other individuals, and I was not reimbursed by anyone for such donations. The funds in the West Bank account were funds that I earned or received through compensation for services I performed or from retirement benefits.

FURTHER, AFFIANT SAYETH NOT.

01/16/2018
Date

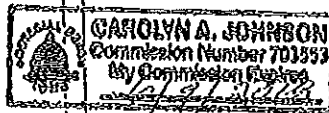
Connie L. Schmett
Connie L. Schmett

Signed and sworn to before me on January 16, 2018, by Connie L. Schmett.

Carolyn A. Johnson
Notary Public

in and for said State

My commission expires: 6/9/2018



Government Positions Banned from Political Activities

These statutes are not under the Board's jurisdiction and are not enforced by the Board. This information is being provided as a service only. This is not intended to be an inclusive list. Refer to the Code of Iowa for all official information.

Rule 351-1.4 Members and staff of the Iowa Ethics and Campaign Disclosure Board

IC § 2A.1(4) Legislative Service Agency

The director and all other employees of the legislative services agency shall not participate in partisan political activities and shall not be identified as advocates or opponents of issues subject to legislative debate except as otherwise provided by law or by the legislative council.

IC § 8A.102 Department of Administrative Services

The director shall not be a member of any local, state, or national committee of a political party, an officer or member of a committee in any partisan political club or organization, or hold or be a candidate for a paid elective public office. The director is subject to the restrictions on political activity as provided in section 8A.416

IC § 16.7(1) Iowa Finance Authority

The executive director shall not directly or indirectly exert influence to induce any other officers or employees of the state to adopt a political view, or to favor a political candidate for office.

IC § 16A.5 Economic Protective and Investment Authority

The executive director shall not, directly or indirectly, exert influence to induce other officers or employees of the state to adopt a political view, or to favor a political candidate for office.

IC § 16A.5 Economic Protective and Investment Authority - Executive director--staff

1. The governor, subject to confirmation by the senate, shall appoint an executive director of the authority, who shall serve a four-year term at the pleasure of the governor. . . . The executive director shall not, directly or indirectly, exert influence to induce other officers or employees of the state to adopt a political view, or to favor a political candidate for office.

IC § 20.5(1) Public Employment Relations Board

...[N]o member shall engage in any political activity while holding office....

IC § 29C.16(2) Emergency Management

Any employee of an organization for emergency management shall not become a candidate for any partisan elective office. (Organizations of emergency management are also prohibited from certain political activities under IC 29C.16)

IC § 80.2 Department of Public Safety

The commissioner shall not engage in any other trade, business, or profession, nor engage in any partisan or political activity.

IC § 80E.1 Drug Policy Coordinator

The coordinator shall not engage in political activity while holding the office.

IC § 86.4 Division of Workers' Compensation

It shall be unlawful for the commissioner or a chief deputy workers' compensation commissioner to espouse the election or appointment of any candidate to any political office....

IC § 97B.3 IPERS CEO

The chief executive officer shall not be a member of a political committee, participate in a political campaign, or be a candidate for a partisan elective office, and shall not contribute to a political campaign fund....

IC § 996.2(3) IOWA LOTTERY AUTHORITY

The lottery games shall be operated and managed in a manner that provides continuing entertainment to the public, maximizes revenues, and ensures that the lottery is operated with integrity and dignity and free from political influence.

IC § 123.17 Alcoholic Beverage Control

Commission members, officers, and employees of the division shall not, while holding such office or position . . . directly or indirectly, use their office or employment to influence, persuade, or induce any other officer, employee, or person to adopt their political views or to favor any particular candidate for an elective or appointive public office; nor, directly or indirectly, solicit or accept, in any manner or way, any money or other thing of value for any person seeking an elective or appointive public office, or to any political party or any group of persons seeking to become a political party.

IC § 175.7(2) Agricultural Development and Marketing

The executive director shall not, directly or indirectly, exert influence to induce any other officers or employees of the state to adopt a political view, or to favor a political candidate for office.

IC § 217.5 Department of Human Services

The director shall not engage in political activity while holding this position.

IC § 307.11 Department of Transportation

The director shall not...serve on or under a committee of a political party, or contribute to the campaign fund of any person or political party.

IC § 421.1A Property assessment appeal board –General Counsel

General counsel shall not be a member of a political committee, contribute to a political campaign, participate in a political campaign, or be a candidate for partisan political office.

IC § 421.3 Department of Revenue

The director...shall not serve on or under any committee of any political party or contribute to the campaign fund of any person or political party.

IC § 474.10 General Counsel of Utilities Board

During employment the counsel shall not be a member of a political committee, contribute to a political campaign fund..., participate in a political campaign, or be a candidate for a political office.

IC § 475A.1(4) Consumer Advocate (appointed by attorney general)

The advocate shall not be a member of a political committee or contribute to a political campaign fund...or take part in political campaigns or be a candidate for a political office.

IC § 904.107 Department of Corrections

The director shall not be a member of a political committee, participate in a political campaign, be a candidate for a partisan elective office, and shall not contribute to a political campaign fund..... The director shall not hold any other office under federal or state law....

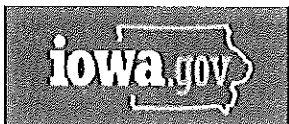
Date	Contributed By	Address	City	Received By	Amount
12/29/2017	Russell, Connie L	10141 Lincoln Ave	Clive	#2107 Schneider for State Senate	\$100.00
10/22/2016	Russell, Connie	10141 Lincoln Ave	Clive	#1737 Hagenow for Iowa House	\$50.00
4/19/2016	Russell, Connie	10141 Lincoln Ave.	Clive	#9156 Polk County Republican Central Committee	\$250.00
7/28/2015	Russell, Connie	10141 Lincoln Ave	Clive	#9156 Polk County Republican Central Committee	\$60.00
8/20/2014	Russell, Connie L	10141 Lincoln Avenue	Clive	#9156 Polk County Republican Central Committee	\$200.00
7/15/2014	Russell, Connie L	10141 Lincoln Avenue	Clive	#9156 Polk County Republican Central Committee	\$50.00
11/13/2013	Russell, Connie	10141 Lincoln Avenue	Clive	#9156 Polk County Republican Central Committee	\$450.00
9/26/2013	Russell, Connie	10141 Lincoln Ave.	Clive	#1991 Friends for Landon	\$250.00
7/24/2013	Russell, Connie	10141 Lincoln Avenue	Clive	#9628 Polk County Republican Women's Club	\$25.00
5/31/2013	Russell, Connie	10141 Lincoln Avenue	Clive	#9156 Polk County Republican Central Committee	\$300.00
10/24/2012	Russell, Connie	10141 Lincoln Ave	Clive	#9156 Polk County Republican Central Committee	\$250.00
10/18/2012	Russell, Connie	10141, Lincoln	Clive	#2102 Citizens For Williams	\$100.00
3/10/2012	Russell, Connie	10141 Lincoln Ave	Clive	#9156 Polk County Republican Central Committee	\$40.00
11/19/2011	Russell, Connie L	10141 Lincoln Avenue	Clive	#5140 Governor Branstad Committee	\$65.00
11/16/2011	Russell, Connie L	10141 Lincoln Avenue	Clive	#1977 Mullen For Senate	\$35.00
10/15/2010	Russell, Connie	10141 Lincoln Ave	Clive	#1654 Garrett for Statehouse Committee	\$25.00
9/28/2010	Russell, Connie	10141 Lincoln Avenue	Clive	#9156 Polk County Republican Central Committee	\$25.00
5/19/2010	Russell, Connie J.	10141 Lincoln Avenue	Clive	#9156 Polk County Republican Central Committee	\$750.00
8/28/2008	Russell, Connie L	10141 Lincoln Avenue	Clive	#1521 Zaun for Iowa Senate	\$100.00
12/20/2006	Russell, Connie L	10141 Lincoln Avenue	Clive	#1521 Zaun for Iowa Senate	\$125.00
1/9/2004	Russell, Connie L	10141 Lincoln Ave.	Clive	#1224 Sievers For State House	\$25.00
9/10/2003	Russell, Connie	10141 Lincoln Ave	Clive	#1224 Sievers For State House	\$30.00
					\$3,305.00

Date	Contributed By	Address	City	State	Received By	Amount
12/23/2017	Schmett, Connie L	10141 Lincoln Avenue	Clive	IA	#1953 Friends of Whitver	\$100.00
12/12/2017	Schmett, Connie L	10141 Lincoln Ave	Clive	IA	#1737 Hagenow for Iowa House	\$75.00
6/21/2016	Schmett, Connie L	10141 Lincoln Ave	Clive	IA	#1737 Hagenow for Iowa House	\$125.00
5/19/2015	Schmett, Connie	10141 Lincoln Ave	Clive	IA	#1991 Friends for Landon	\$250.00
10/14/2014	Schmett, Connie	10141 Lincoln Ave.	Clive	IA	#1737 Hagenow for Iowa House	\$50.00
3/18/2014	Schmett, Connie L	10141 Lincoln Ave	Clive	IA	#9628 Polk County Republican Women's Club	\$45.00
8/20/2012	Schmett, Connie	10141 Lincoln Ave	Clive	IA	#1949 Iowans for Stogdill	\$25.00
2/24/2012	Schmett, Connie	10141 Lincoln Ave	Clive	IA	#9156 Polk County Republican Central Committee	\$20.00
9/7/2011	Schmett, Connie	10141 Lincoln Ave	Clive	IA	#13935 Citizens For Weaver	\$50.00
8/10/2011	Schmett, Connie	10141 Lincoln Avenue	Clive	IA	#9156 Polk County Republican Central Committee	\$288.00
6/18/2011	Schmett, Connie	1014 Lincoln Avenue	Clive	IA	#13965 Citizens for Jon Kallen	\$100.00
6/7/2011	Schmett, Connie	10141 Lincoln Avenue	Clive	IA	#9156 Polk County Republican Central Committee	\$250.00
2/8/2011	Schmett, Connie	10141 Lincoln Avenue	Clive	IA	#9156 Polk County Republican Central Committee	\$20.00
1/23/2010	Schmett, Connie	10141 Lincoln Avenue	Clive	IA	#9156 Polk County Republican Central Committee	\$20.00

Date	Contributed By	Contributed By Address	Contribute Received By	Amount
5/15/2017	Schmett, Kim	10141 Lincoln Ave	Clive #5173 Kim Reynolds for Iowa	\$100.00
4/5/2017	Schmett, Kim & Connie	10141 Lincoln Ave	Clive #18491 The Committee to Elect Chad Alhert	\$140.00
11/28/2016	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$150.00
10/28/2016	Schmett, Kim	10141 Lincoln Ave.	Clive #9156 Polk County Republican Central Committee	\$50.00
10/7/2016	Schmett, Kim	10141 Lincoln Avenue	Clive #1953 Friends of Whitver	\$100.00
7/9/2016	Schmett, Kim	10141 Lincoln Ave.	Clive #5123 Northey for Iowa Agriculture	\$100.00
4/9/2016	Schmett, Kim	10141 Lincoln Ave.	Clive #9156 Polk County Republican Central Committee	\$16.00
4/3/2016	Schmett, Kim	10141 Lincoln Ave.	Clive #9156 Polk County Republican Central Committee	\$120.00
3/15/2016	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$20.00
2/4/2016	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$40.00
12/11/2015	Schmett, Kim	10141 Lincoln Ave	Clive #1737 Hagenow for Iowa House	\$50.00
10/22/2015	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$175.00
8/14/2015	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$125.00
7/28/2015	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$60.00
5/16/2015	Schmett, Kim & Connie	10141 Lincoln Ave	Clive #18491 The Committee to Elect Chad Alhert	\$80.00
5/1/2015	Schmett, Kim & Connie	10141 Lincoln Ave.	Clive #9049 Dallas County Republican Central Committee	\$75.00
2/9/2015	Schmett, Kim & Connie	10141 Lincoln Ave.	Clive #9049 Dallas County Republican Central Committee	\$25.00
10/22/2014	Schmett, Kim D	10141 Lincoln Ave.	Clive #5154 Mosman for State Auditor	\$100.00
10/20/2014	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$565.00
10/2/2014	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$100.00
8/21/2014	Schmett, Kim D	10141 Lincoln Avenue	Clive #5176 Adam Gregg for Iowa	\$100.00
7/14/2014	Schmett, Kim	10141 Lincoln Ave.	Clive #5123 Northey for Iowa Agriculture	\$100.00
5/29/2014	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$750.00
5/22/2014	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$200.00
2/20/2014	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$200.00
1/21/2014	Schmett, Kim	10141 Lincoln Avenue	Clive #5158 Pate for Iowa	\$500.00
11/21/2013	Schmett, Kim & Connie	10141 Lincoln Ave	Clive #18491 The Committee to Elect Chad Alhert	\$150.00
11/13/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$250.00
11/13/2013	Schmett, Kim D	10141 Lincoln Avenue	Clive #1521 Zaub for Iowa Senate	\$50.00
11/12/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #9628 Polk County Republican Women's Club	\$40.00
11/9/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #2126 Bob Anderson For State Senate	\$50.00
11/6/2013	Schmett, Kim	10141 Lincoln Ave	Clive #1654 Garrett for Statehouse Committee	\$50.00
10/18/2013	Schmett, Kim	10141 Lincoln Ave	Clive #1334 Watts for House	\$100.00
9/10/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$250.00
9/10/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$15.00
9/5/2013	Schmett, Kim D	10141 Lincoln Ave	Clive #13293 The Committee to elect Scott Clarksena	\$50.00
9/3/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #9628 Polk County Republican Women's Club	\$15.00
8/14/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$125.00
7/13/2013	Schmett, Kim	10141 Lincoln Ave.	Clive #5123 Northey for Iowa Agriculture	\$50.00
5/31/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$300.00
4/18/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$500.00
4/4/2013	Schmett, Kim	10141 Lincoln	Clive #5137 Friends of Matt Schultz	\$100.00
2/5/2013	Schmett, Kim	10141 Lincoln Avenue	Clive #9156 Polk County Republican Central Committee	\$525.00
11/20/2012	Schmett, Kim D	10141 Lincoln Ave	Clive #2107 Schneider for State Senate	\$100.00
11/19/2012	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$165.00
11/15/2012	Schmett, Kim & Connie	10141 Lincoln Ave.	Clive #9049 Dallas County Republican Central Committee	\$70.00
10/25/2012	Schmett, Kim D.	10141 Lincoln Avenue	Clive #40018 Citizens For Good Government	\$100.00
10/17/2012	Schmett, Kim	10141 Lincoln Ave	Clive #1996 Carley for Iowa	\$100.00
8/13/2012	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$10.00
7/16/2012	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$35.00
7/16/2012	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$70.00
6/15/2012	Schmett, Kim & Connie	10141 Lincoln Ave	Clive #18491 The Committee to Elect Chad Alhert	\$135.00
6/2/2012	Schmett, Kim	10141 Lincoln Ave	Clive #1654 Garrett for Statehouse Committee	\$50.00
5/25/2012	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$750.00
4/21/2012	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$40.00
3/26/2012	Schmett, Kim	10141 Lincoln Avenue	Clive #9628 Polk County Republican Women's Club	\$12.00
3/10/2012	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$10.00
3/10/2012	Schmett, Kim	10141 Lincoln Ave	Clive #9156 Polk County Republican Central Committee	\$10.00
10/12/2011	Schmett, Kim D	10141 Lincoln Avenue	Clive #9106 Johnson County Republican Central Committee	\$20.00
10/4/2011	Schmett, Kim & Connie	10141 Lincoln Ave	Clive #18491 The Committee to Elect Chad Alhert	\$100.00
8/8/2011	Schmett, Kim D.	10141 Lincoln Avenue	Clive #1724 Kapucian for State Senate	\$100.00
7/15/2011	Schmett, Kim	10141 Lincoln Ave.	Clive #1123 Raecker for State Representative Committee	\$100.00
11/2/2010	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$200.00
10/22/2010	Schmett, Kim	10141 Lincoln Avenue	Clive #5140 Governor Branstad Committee	\$50.00
10/15/2010	Schmett, Kim	10141 Lincoln Ave	Clive #18491 The Committee to Elect Chad Alhert	\$100.00

7/10/2010	Schmett, Kim	10141 Lincoln Ave.	Clive	#5123 Northey for Iowa Agriculture	\$50.00
6/29/2010	Schmett, Kim	10141 Lincoln Ave.	Clive	#1737 Hagenow for Iowa House	\$100.00
5/13/2010	Schmett, Kim	10141 Lincoln Ave	Clive	#18491 The Committee to Elect Chad Althart	\$25.00
4/28/2010	Schmett, Kim	10141 Lincoln Avenue	Clive	#9156 Polk County Republican Central Committee	\$40.00
1/23/2010	Schmett, Kim	10141 Lincoln Avenue	Clive	#9156 Polk County Republican Central Committee	\$10.00
11/7/2009	Schmett, Kim	10141 Lincoln Avenue	Clive	#5140 Governor Branstad Committee	\$40.00
10/29/2009	Schmett, Kim	10141 Lincoln Ave	Clive	#1334 Watts for House	\$50.00
9/22/2009	Schmett, Kim D	10141 Lincoln Avenue	Clive	#1521 Zaun for Iowa Senate	\$50.00
8/1/2008	Schmett, Kim	10141 Lincoln Ave	Clive	#1666 Vandall for Iowa House	\$20.50
8/11/2007	Schmett, Kimberly	10141 Lincoln Ave	Clive	#1705 Klein for Statehouse	\$100.00
7/19/2007	Schmett, Kim	10141 Lincoln Ave.	Clive	#5123 Northey for Iowa Agriculture	\$50.00
7/2/2007	Schmett, Kim	10141 Lincoln Ave	Des Moines	#6155 Iowans for Tax Relief PAC (formerly Taxpayers Unite	\$20.00
1/7/2007	Schmett, Kim D.	10141 Lincoln Avenue	Clive	#1612 Citizens for Gronstal	\$100.00
10/30/2006	Schmett, Kim D	10141 Lincoln Avenue	Clive	#5136 Rod Roberts for Governor	\$25.00
7/13/2006	Schmett, Kim	10141 Lincoln Ave.	Clive	#1123 Raccker for State Representative Committee	\$125.00
5/12/2006	Schmett, Kim	10141 Lincoln Ave.	Clive	#5123 Northey for Iowa Agriculture	\$100.00
12/10/2005	Schmett, Kim D	10141 Lincoln Avenue	Clive	#1521 Zaun for Iowa Senate	\$100.00
11/1/2004	Schmett, Kim	10141 Lincoln Ave.	Clive	#1123 Raccker for State Representative Committee	\$15.00
10/21/2004	SCHMETT, KIM D	10141 LINCOLN AVE	CLIVE	#952 Lundby For Iowa Senate	\$50.00
9/16/2004	Schmett, Kim	10141 Lincoln Ave	Clive	#440 Volunteers for Maggie Tinsman	\$35.00
8/4/2004	Schmett, Kim D	10141 Lincoln Avenue	Clive	#1521 Zaun for Iowa Senate	\$100.00
7/25/2004	Schmett, Kim	10141 Lincoln Avenue	Clive	#1499 Melsterling for State House	\$50.00
1/11/2004	SCHMETT, KIM D	10141 LINCOLN AVE	CLIVE	#952 Lundby For Iowa Senate	\$50.00
1/7/2004	Schmett, Kim D	10141 Lincoln Ave.	Clive	#1147 Boal for Iowa House	\$50.00
1/2/2004	Schmett, Kim D	10141 Lincoln Ave	Clive	#868 Jacobs Committee	\$50.00
12/22/2003	Schmett, Kim	10141 Lincoln Ave	Clive	#964 Angelo for Senate	\$30.00
10/12/2003	Schmett, Kim D	10141 Lincoln Ave.	Clive	#1319 Putney for Senate	\$50.00
9/19/2003	Schmett, Kim	10141 Lincoln Ave	Des Moines	#6155 Iowans for Tax Relief PAC (formerly Taxpayers Unite	\$200.00

\$10,673.50



Tooker, Megan <megan.tooker@iowa.gov>

The Legal Monitor - January 2018

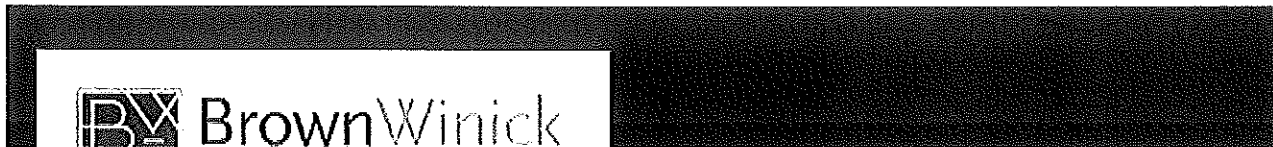
1 message

Debi Bull <[redacted]>
Reply-To: [redacted]@brownwinick.com
To: Megan Tooker <megan.tooker@iowa.gov>

Wed, Jan 24, 2018 at 1:56 PM

Web Version

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The LEGAL MONITOR

January 2018 Edition



Do I Need to Update Workplace Postings?

By Ann Kendell

YES! Iowa has updated its Job Safety and Health posting this year. There are some subtle changes, but the key difference is identifying how to report a workplace fatality or "hospitalization, amputation or

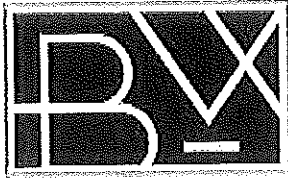


New Partnership Audit Rules Apply in 2018, Business Should Take Action Now

By Colin Hendricks, Law Clerk / Reviewed by BrownWinick attorneys Chris Nuss and Cynthia Lande

In 2018, the IRS is changing the audit procedures for businesses taxed as partnerships, which includes

the loss of an eye". [Read more.](#)



Are You Ready if a Sexual Harassment Scandal Hits Your Business?

By Mike Dee and Megan Moritz

For the past several months, we have been inundated with daily news about entertainers, media personalities, and politicians being accused of sexual harassment and worse.

Does your business have the basics covered? [Read more.](#)

Does your business have a handle on its policy enforcement? [Read more.](#)



OSHA Penalties Going Down?!?!

By Brent Soderstrum

Beginning on January 28, 2018, OSHA penalties will actually be going down. That is not a misprint. They won't be going down by much but they will be going down. The adjustments which take place every year are based on the

LLCs taxed as partnerships. [Read more.](#)



Iowa's Next Energy Frontier - Microgrids

By Haley Van Loon

Living in Iowa, you have likely driven within sight of a wind turbine farm with its tubular towers sprouting up hundreds of feet above the local farmer's crops, or noticed angled solar panels in tight groupings along some shadow-free earth or perched on the edge of a new building's rooftop. After such an observation, did you pause to wonder how these wind or solar capturing devices might be used to directly benefit your business or community?. [Read more.](#)



Maintaining Confidentiality When Selling Your Business

By Brandon Cole

If you are looking to sell your business, there are many things to consider. One of these considerations is confidentiality. Before a deal is completed, a prospective buyer will likely want access to

Consumer Price Index. Read more.

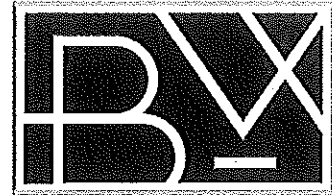
private information regarding your business.. Read more.



Mobile Technology

By Megan Moritz

Mobile technology continues to become more and more a part of our daily lives. While experts debate what this means in the context of personal lives and family lives, there's no question it also introduces some unique issues to the workplace.. **Read more.**



BrownWinick Law Firm Ranked in U.S. News - Best Lawyers 2018 "Best Law Firms" List

BrownWinick has been included in the U.S. News - Best Lawyers® 2018 "Best Law Firms" rankings. The eighth edition of the U.S. News & World Report and Best Lawyers released the 2018 "Best Law Firms" rankings on November 1, 2017. **Read more.**



BrownWinick Attorney Becki Brommel Receives Honorable Mention for the Nonprofit Board Leadership Award



BrownWinick Attorney Brian Rickert Named to Super Lawyers "Top 10 List" of all Lawyers in Iowa



Furry Friends Refuge



Iowa Mission of Mercy



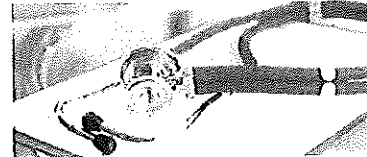
Blank Children's Hospital Festival of Trees and Book Drive



WorkplaceWise Blog



www.brownwinick.com



Health Law Blog

NOTE: This newsletter is intended solely for general informational purposes and should not be construed as, or used as a substitute for legal advice with respect to specific transactions. Such advice requires a detailed analysis of applicable requirements and an evaluation of precise factual information. We do not undertake to keep recipients advised as to all relevant legal developments.

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Tooker, Megan <megan.tooker@iowa.gov>

RE: Agenda & Materials for Thursday Meeting

1 message

Mon, Jan 22, 2018 at 5:06 PM

Brommel, Rebecca A. <[REDACTED]>
To: "Tooker, Megan" <megan.tooker@iowa.gov>

Sounds good. I'm glad it wasn't just me who experienced a struggle with finding things on the website! ☺

Thank you! Becki

From: Tooker, Megan [mailto:megan.tooker@iowa.gov]
Sent: Monday, January 22, 2018 4:05 PM
To: Brommel, Rebecca A.
Subject: Re: Agenda & Materials for Thursday Meeting

HI Becki,

I hope to have the agenda posted today or first thing in the morning. I will send it to you when I do.

On Mon, Jan 22, 2018 at 12:20 PM, Brommel, Rebecca A. <[REDACTED]> wrote:
Megan:

Have you posted or will you post an agenda and/or meeting materials for this Thursday's Board meeting? If so, where will those be posted? I'm not seeing anything on the website.

Thanks! Becki



BW BrownWinick
ATTORNEYS AT LAW[®]

"A Firm Commitment to Business"

Rebecca A. Brommel
Attorney
[REDACTED] direct
[REDACTED] mobile
[REDACTED] direct fax
www.brownwinick.com

1/29/2018

State of Iowa Mail - RE: Agenda & Materials for Thursday Meeting

[REDACTED]
Main Phone [REDACTED]
Toll Free [REDACTED]

Brown, Winick, Graves, Gross, Baskerville, & Schoenebaum P.L.C.

Notice: This E-mail (including any attachments) is covered by the Electronic

Communications Privacy Act, 18 U.S.C. §§2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

--

Megan Tooker

Director and Counsel

Iowa Ethics and Campaign Disclosure Board

510 E. 12th Street, Suite 1A

Des Moines, IA 50319

tel. (515) 281-3489

Like us on Facebook! <https://www.facebook.com/IowaEthicsBoard>



Tooker, Megan <megan.tooker@iowa.gov>

Re: Agenda & Materials for Thursday Meeting

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Mon, Jan 22, 2018 at 4:06 PM

To: "Brommel, Rebecca A." <[redacted]>

BTW--our website is really old and the one person who could update it had a stroke last year and was forced to retire. We are building a new website that will be up in February (hopefully). On that website, we will be able to frequently update it.


On Mon, Jan 22, 2018 at 12:20 PM, Brommel, Rebecca A. <[redacted]> wrote:

Megan:

Have you posted or will you post an agenda and/or meeting materials for this Thursday's Board meeting? If so, where will those be posted? I'm not seeing anything on the website.

Thanks! Becki

Rebecca A. Brommel



Brown Winick
ATTORNEYS AT LAW*

"A Firm Commitment to Business"

Attorney

[redacted] direct
[redacted] mobile
[redacted] direct fax

www.brownwinick.com

[redacted]

Main Phone [redacted]
Toll Free 1-800-[redacted]

Brown, Winick, Graves, Gross, Baskerville, & Schoenebaum P.L.C.

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Communications Privacy Act, 18 U.S.C. §§2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

--

Megan Tooker
Director and Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, IA 50319
tel. (515) 281-3489

Like us on Facebook! <https://www.facebook.com/iowaEthicsBoard>



Tooker, Megan <megan.tooker@iowa.gov>

Re: Agenda & Materials for Thursday Meeting

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Mon, Jan 22, 2018 at 4:05 PM

To: "Brommel, Rebecca A." [REDACTED] >

HI Becki,

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On Mon, Jan 22, 2018 at 12:20 PM, Brommel, Rebecca A. [REDACTED] wrote:

Megan:

Have you posted or will you post an agenda and/or meeting materials for this Thursday's Board meeting? If so, where will those be posted? I'm not seeing anything on the website.

Thanks! Becki

Rebecca A. Brommel

BY BrownWinick
ATTORNEYS AT LAW®

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Attorney
 [REDACTED] direct
 [REDACTED] 7 mobile
 [REDACTED] direct fax
 [REDACTED]
 www.brownwinick.com

[REDACTED]
 Toll Free 1 [REDACTED]

Brown, Winick, Graves, Gross, Baskerville, & Schoenebaum P.L.C.

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1/29/2018

State of Iowa Mail - Re: Agenda & Materials for Thursday Meeting

--

Megan Tooker
Director and Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, IA 50319
tel. (515) 281-3489

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Tooker, Megan <megan.tooker@iowa.gov>

Agenda & Materials for Thursday Meeting

1 message

Brommel, Rebecca A. [REDACTED]
To: "Tooker, Megan (megan.tooker@iowa.gov)" <megan.tooker@iowa.gov>


Mon, Jan 22, 2018 at 12:20 PM

Megan:

Have you posted or will you post an agenda and/or meeting materials for this Thursday's Board meeting? If so, where will those be posted? I'm not seeing anything on the website.

Thanks! Becki

Rebecca A. Brommel



Brown Winick
ATTORNEYS AT LAW*

"A Firm Committed to Business"

Attorney

[REDACTED] direct
[REDACTED] mobile
[REDACTED] direct fax

www.brownwinick.com

[REDACTED]

Main Phone [REDACTED]
Toll Free [REDACTED]

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Tooker, Megan <megan.tooker@iowa.gov>

Fwd: OTC

1 message

Tooker, Megan <megan.tooker@iowa.gov>
To: Mark Roth [REDACTED]@brownwinick.com>

Thu, Jan 18, 2018 at 3:39 PM

----- Forwarded message -----

From: **Tooker, Megan** <megan.tooker@iowa.gov>
Date: Thu, Jan 18, 2018 at 1:29 PM
Subject: OTC
To: [REDACTED]@brownwinick.com

Marc,

Take a look at 68A.402(9), which pertains to permanent organizations temporarily engaging in political activity. It basically says if a "permanent organization meets the definition of a PAC, then it has to register a PAC. Also take a look at 68A.203(2)(d), which says a "permanent organization" temporarily engaging in PAC activity does not need to open a separate bank account as long as the contribution is made from existing general operating funds.

In order to make this process as easy as possible, we have created the OTC form, which someone (I can't even remember who) deemed a "flash PAC." That form allows a permanent organization to register a PAC, report the contribution and dissolve the PAC in one form. Here is the link to file the OTC form electronically:

https://webapp.iecdb.iowa.gov/OTC/OTC_Contribution.aspx

Here are our administrative rules for the OTC form. It should be \$1,000 instead of \$750. I need to get our rules updated. But otherwise, the rule is right on point:

351—4.35(68A) Permanent organizations forming temporary political committees; one-time contributor filing Form DR-OTC. Pursuant to Iowa Code section 68A.402(9), a permanent organization temporarily engaging in activity that exceeds the \$750 financial filing threshold described in rule 351—4.1(68A,68B) is required to organize and register a political committee (PAC), file disclosure reports, and, upon completion of activity, file a notice of dissolution. A permanent organization that is temporarily a political committee shall comply with all of the campaign laws in Iowa Code chapter 68A and this chapter. A permanent organization that makes loans to a candidate or committee or that is owed debts from a candidate or committee is not deemed to be engaging in political activity requiring registration.

4.35(1) Form DR-OTC. A permanent organization that makes a one-time contribution in excess of \$750 to a committee may, in lieu of filing a statement of organization,

disclosure reports, and a notice of dissolution, file Form DR-OTC. The following information shall be disclosed on Form DR-OTC: a. The name and address of the organization making the contribution. b. The name and address of a contact person for the organization making the contribution. c. The name and address of the campaign committee receiving the contribution. If the contribution is to a candidate or a candidate's committee, the source of the original funds used to make the contribution shall be disclosed. d. The date and amount of the contribution. If the contribution is an in-kind contribution, a description of the provided goods or services must be included. e. The date of election and the county in which the recipient committee is located if the committee is a county or local committee. f. The date and signature of the person filing Form DR-OTC. A Form DR-OTC that is filed electronically using the board's Web site is deemed signed when filed. A permanent organization that makes more than one contribution is not eligible to file Form DR-OTC and is required to file a statement of organization, file disclosure reports, and file a notice of dissolution.

4.35(2) Place of filing. Form DR-OTC shall be filed with the board at 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319, filed by fax at (515)281-4073, or filed electronically using the board's Web site at www.iowa.gov/ethics.

4.35(3) Time of filing. Form DR-OTC shall be filed with the board within ten days after the one-time contribution in excess of \$750 is made. The form must be physically received by the board or, if mailed, must bear a United States Postal Service postmark dated on or before the report due date. A faxed or electronically filed Form DR-OTC must be submitted on or before 11:59 p.m. of the tenth day after the organization of the committee is required. If the tenth day falls on a Saturday, Sunday, or holiday on which the board office is closed, the filing deadline is extended to the next working day when the board office is open.

4.35(4) Failure to register. If the board discovers that a permanent organization has become subject to the provisions of Iowa Code Supplement chapter 68A but did not timely file a statement of organization or file Form DR-OTC, as applicable, the permanent organization is subject to the possible imposition of board sanctions.

4.35(5) Partial refund of contribution. A committee that receives a contribution from a permanent organization that causes the organization to become subject to the provisions of Iowa Code Supplement chapter 68A may refund all or part of a contribution to the organization so as to reduce the contribution to \$750 or less and remove the organization's filing obligations. This rule is intended to implement Iowa Code sections 68A.102(18) and 68A.402.

--

Megan Tooker
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Tooker, Megan <megan.tooker@iowa.gov>

OTC

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Thu, Jan 18, 2018 at 1:29 PM

To: [REDACTED]@brownwinick.com

Marc,

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--

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Tooker, Megan <megan.tooker@iowa.gov>

Re: Kim & Connie Schmett

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Wed, Jan 17, 2018 at 10:06 AM

To: "Brommel, Rebecca A." <[REDACTED]>

thanks!

On Tue, Jan 16, 2018 at 5:09 PM, Brommel, Rebecca A. <[REDACTED]> wrote:


Megan:

Attached please find an Affidavit signed by Kim and Connie Schmett.

Please let me know if you have any questions.

Thank you! Becki

Rebecca A. Brommel



Brown Winick
ATTORNEYS AT LAW*

"A Firm Commitment to Business"

Attorney

[REDACTED] direct

[REDACTED] mobile

[REDACTED] direct fax

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[REDACTED]

Main Phone [REDACTED]

Toll Free 1 [REDACTED]

Brown, Winick, Graves, Gross, Baskerville, & Schoenebaum P.L.C.

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1/29/2018

State of Iowa Mail - Re: Kim & Connie Schmett

--

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Tooker, Megan <megan.tooker@iowa.gov>

Kim & Connie Schmett

1 message

Brommel, Rebecca A. <[redacted]>
To: "Tooker, Megan (megan.tooker@iowa.gov)" <megan.tooker@iowa.gov>

Tue, Jan 16, 2018 at 5:09 PM


Megan:

Attached please find an Affidavit signed by Kim and Connie Schmett.

Please let me know if you have any questions.

Thank you! Becki

Rebecca A. Brommel



Brown Winick
ATTORNEYS AT LAW*

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Attorney

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[redacted] direct fax

www.brownwinick.com


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Toll Free 1-800-[redacted]

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 **Schmett Affidavit 1.16.2018 (01455722x9F897).pdf**
746K

AFFIDAVIT

COUNTY OF POLK)
) ss
STATE OF IOWA)

Each of the undersigned individuals being duly sworn on oath, deposes and states as follows:

1. I am at least eighteen (18) years of age, and I make the following statement based upon my personal knowledge.

2. Since at least 2013, I have not served as a lobbyist, as that term is defined in Iowa Code section 68B.2(13), with regard to any members of the Iowa general assembly, a state agency or any statewide elected official.

FURTHER, AFFIANT SAYETH NOT.

01/16/2018
Date

Connie L. Schmelt
Connie L. Schmelt

Signed and sworn to before me on January 16, 2018, by Connie L. Schmelt.

Carolyn A. Johnson
Notary Public
in and for said State

My commission expires: 6/9/2018



FURTHER, AFFIANT SAYETH NOT.

01-16-18

Date

Kim D. Schmett

Kim D. Schmett

Signed and sworn to before me on January 16, 2018, by Kim D. Schmett.

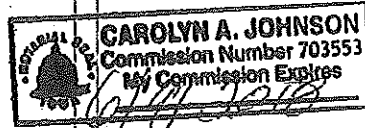
Carolyn A. Johnson

Notary Public

in and for said State

My commission expires:

6/9/2018





Tooker, Megan <megan.tooker@iowa.gov>

updated personal financial disclosure statements

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Fri, Jan 12, 2018 at 12:56 PM

To: [REDACTED]

Hi Becky,

I have updated the Schmetts' statements per your instructions. Let me know if I got anything wrong. I put the inheritances under "other":

<https://webapp.iecdb.iowa.gov/PublicView/?d=pdf%2f2017>

--

Megan Tooker
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tel. (515) 281-3489

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Tooker, Megan <megan.tooker@iowa.gov>

Schmett amended filings

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Fri, Dec 1, 2017 at 11:15 AM

To: bromn[REDACTED]

We did a quick fix on our online filing system to add the amended date to any report that is amended.

https://webapp.iecdb.iowa.gov/PublicView/pfd/2016/Schmett_Connie.pdf

https://webapp.iecdb.iowa.gov/PublicView/pfd/2017/Schmett_Connie.pdf

And here is her original statement for 2013, which she filed in 2014:

https://webapp.iecdb.iowa.gov/PublicView/pfd/2014/Schmett_Connie.pdf

In the future, if we need to amend a personal financial disclosure statement, simply let us know what needs to be added and we can amend the statement internally to reflect the additional information. Ethics Board staff can amend statements but the filers cannot.

Have a good weekend!

--

Megan Tooker
Director and Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, IA 50319
tel. (515) 281-3489

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Tooker, Megan <megan.tooker@iowa.gov>

Monday meeting

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Wed, Nov 8, 2017 at 4:40 PM

To: [REDACTED], [REDACTED] m

Hi Connie,

I talked to Doug Gross and Becky Brommel and they confirmed they are representing you and Kim. They asked that I not meet with you until they have an opportunity to gather some materials from you and review that information. They told me they will be in touch with me once they have reviewed that information. We'll reschedule our meeting once I get the go ahead from Doug and Becky.

--

Megan Tooker
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Tooker, Megan <megan.tooker@iowa.gov>

personal financial disclosure statements

1 message

Tooker, Megan <megan.tooker@iowa.gov>

Wed, Nov 8, 2017 at 4:04 PM

To: [REDACTED]

Hi Becky,

It was a pleasure speaking with you today. Here is the link to all of our personal financial disclosure statements:

<http://www.iowa.gov/ethics/viewreports/pfdindex.htm>

To find a report, click on the year which is the year that the report is filed. The reports themselves cover the prior year. So, if you want to see the Schmetts' most recent reports, click on 2017 and you will see what they filed for the 2016 calendar year.

Let me know if you have any questions.

--

Megan Tooker
Director and Counsel
Iowa Ethics and Campaign Disclosure Board
510 E. 12th Street, Suite 1A
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tel. (515) 281-3489

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