IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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BOARD MEMBERS:
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Janet Carl, Vice Chair
Gerald Sullivan
Betsy Roe
John Walsh
Patricia Harper

December 9, 2005

Jason Geary, Candidate
Jason Geary for City Council
2622 South Coral
Sioux City, IA 51106

CIVIL PENALTY ASSESSMENT ORDER

On December 1, 2005, the Iowa Ethics and Campaign Disclosure Board found that the Jason Geary for City Council committee failed to file the January 19, 2005 campaign disclosure report on or before the date required by Iowa Code section 68A.402. Further, the Board found that the report has not been filed as of today's date.

The Jason Geary for City Council committee is hereby directed to pay the State of Iowa an automatically assessed civil penalty in the amount of **$100.00**. The basis for computation is set forth in rule 351 IAC 4.59(2). Payment shall be by check or money order made payable to the "State of Iowa" and submitted to the Board's office.

As provided in rule 351 IAC 4.60, if a committee feels that there are mitigating circumstances which prevented timely filing, it may make a written request for waiver of the penalty. The request shall set out and outline the circumstances that the committee believes justifies a waiver. A request for waiver must be submitted within 30 days of service of this notice. The Board will review the request and issue a total waiver, partial waiver, or denial of the request.

If the waiver is denied or partially waived, pursuant to rule 351 IAC 4.61, a committee may accept resolution of this matter by paying the assessed penalty or may request a contested case proceeding. Such a request must be filed within 30 days of service of the notice of denial or partial waiver. The failure to request a contested case proceeding is a failure to exhaust administrative remedies for purposes of judicial review of an agency action.

BY DIRECTION OF THE BOARD

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