

# IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

W. CHARLES SMITHSON  
Executive Director  
& Legal Counsel

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

## BOARD MEMBERS:

James Albert, Chair  
Gerald Sullivan  
Betsy Roe  
John Walsh  
Patricia Harper  
Saima Zafar

May 3, 2010

Scott Porter  
2849 Birdsley Rd  
Council Bluffs, IA 51503

## CIVIL PENALTY ASSESSMENT ORDER

**Name of Committee:** Scott Porter for City Council

**Report Due Date:** 1/19/2010

**Date Report Filed:** Report never filed

**Amount of Penalty:** \$ 100

**Rule Imposing Penalty:** 351—4.59(2)

**Waiver Request Filed:**  yes <sup>1</sup>  no

Your committee is hereby directed to pay the State of Iowa an automatically assessed civil penalty for failing to file the report as set out above. Payment shall be made by check or money order made payable to the "State of Iowa" and submitted to the Board's office.

As provided in rule 351—4.60, if a committee feels there are mitigating circumstances that prevented filing the report, it may make a request for waiver of the penalty by filling out the attached form and returning it to the Board office. A waiver request 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—4.61(1) 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

James Albert, Chair  
Gerald Sullivan  
Betsy Roe  
John Walsh  
Patricia Harper  
Saima Zafar

<sup>1</sup> If a waiver request has already been filed with the Board, then no further action or payment is required until further notice is given by the Board to do so.