

**BEFORE THE IOWA
ETHICS AND CAMPAIGN DISCLOSURE BOARD
Pursuant to Chapter 17A and Chapter 68B**

IN THE MATTER OF:)	
)	Case No. <u>2005 IECDB14</u>
IOWA RESPITE & CRISIS)	
CARE COALITION,)	
An Executive Branch Lobbyist Client,)	
JAY BREWER,)	STATEMENT of CHARGES and
As Executive Director & Lobbyist,)	NOTICE of HEARING to APPEAL
RESPONDENTS.)	CIVIL PENALTY

TAKE NOTICE that in response to this Statement of Charges, a contested case hearing will be held pursuant to Iowa Code section 68B.32C before Presiding Officer James Albert. The hearing is scheduled for 4:30 p.m. on February 1, 2006, and shall be held telephonically. On or before January 27, 2006, the Respondents shall provide the Board's Legal Counsel with a telephone number where their representatives will be available for the hearing.

ALLEGATION

1. The Iowa Respite & Crisis Care Coalition was an executive branch lobbyist client in 2004 and 2005 and Jay Brewer was its designated executive branch lobbyist.
2. Respondents violated Iowa Code section 68B.38 by failing to timely file an August 1, 2005 executive branch client report and was assessed a \$25 civil penalty pursuant to Board rule.
3. Respondents filed a request for waiver of the civil penalty and the Board denied the request leading to the Respondents requesting a contested case to appeal the denial.
4. The Board's Legal Counsel is responsible for proving that the August 1, 2005 executive branch client report was not timely filed.

Both parties may present evidence, call witnesses, and enter motions.

Respondents may be represented by counsel at their own expense. Copies of all filings should be addressed to the Board's Legal Counsel:

W. Charles Smithson
Iowa Ethics & Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, Iowa 50319
(515) 281-3489
(515) 281-3701 (fax)

The Board's jurisdiction and authority are provided in Iowa Code chapter 68B. The hearing will be conducted in accordance with the procedural rules in 351-Chapter 11. Pursuant to 351-11.8(3), within 10 days of service of this notice either party may request that the presiding officer be an administrative law judge assigned by the Department of Inspections and Appeals. The procedure for settlement of this matter is governed by rule 351-9.5.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this Statement of Charges and Notice of Hearing was sent by first class mail, address service requested, on December 30, 2005, to:

Iowa Respite & Crisis Care Coalition
C/O Jay Brewer
3821 71st Street, Suite A
Urbandale, Iowa 50322


W. Charles Smithson, IECDB Legal Counsel