

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


IN THE MATTER OF:)	
)	
MAX KNAUER,)	Case No. <u>2005 IECDB 08</u>
In His Capacity as the Candidate for the)	
Citizens for Max Knauer committee,)	DEFAULT DECISION and ORDER
<u>RESPONDENT.</u>)	

Pursuant to rule 351—11.21, this DEFAULT DECISION and ORDER is entered:

1. Respondent had proper notice of the date and location of the July 19, 2005 hearing.
2. The hearing was to determine if the Respondent violated Iowa Code section 68A.402 by failing to file a January 2005 campaign disclosure report.
3. As the Respondent failed to appear for the hearing or otherwise provide a defense despite being given the opportunity to do so, the allegation set out in the Statement of Charges are uncontroverted and are found to be true and correct. Therefore, it is determined that the Respondent violated Iowa Code section 68A.402 as alleged. It is also determined that letters were sent to the Respondent before and after the due date and a notice of hearing was provided.
4. This is the second hearing that the Respondent has failed to appear at or otherwise provide a defense concerning allegations of campaign violations.
5. Pursuant to Iowa Code section 68B.32D, the Presiding Officer orders the following:
 - A. Respondent shall pay a civil penalty in the amount of **\$100** as calculated by the prescribed and scheduled penalties for said violation as set out in Board rule 351—4.59(2), of the Iowa Administrative Code.
 - B. As a remedial action, Respondent shall repay the Iowa Ethics and Campaign Disclosure Board **\$50** related to costs involved with this matter, including the drafting and mailing of correspondence, staff time, and hearings costs.
 - C. Respondent shall receive a Letter of Reprimand.
 - D. The Board's staff shall administratively dissolve the committee. Although the committee still has \$2,000 in the campaign account based on the last report that was filed, these funds were contributed by a parent of the Respondent. If the contributions had been from other sources than the Respondent's parent, disclosure of how this money was spent would have been ordered.
 - E. The Respondent shall pay the penalties set out in Case No. 2004 IECDB 05.

6. Pursuant to rule 351--11.21(3), this Default Decision and Order becomes final agency action for purposes of judicial review unless a motion to vacate is filed and served within 14 days. A motion to vacate automatically stays this order pending review of the motion.

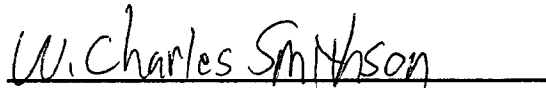
Dated this 28 day of November, 2005.

By 
James A. Albert, Presiding Officer

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that for purposes of filing a motion to vacate pursuant to rule 351—11.21(3), that this Default Decision and Order was sent on December 14, 2005. A motion to vacate must be filed within 14 days of that date to be considered timely filed. This Default Decision and Order was sent by first class mail, address service requested, December 14, 2005, to:

Max Knauer
4503 Wakonda Pkwy
Des Moines, Iowa 50315-3362



W. Charles Smithson, IECDB Legal Counsel