

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

MEGAN TOOKER
Executive Director
& Legal Counsel

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

MINUTES

TELEPHONIC MEETING

August 21, 2013 at 4pm
JESSIE PARKER BUILDING
510 EAST 12TH, Ste 1A
DES MOINES, IA

I. Call to Order

James Albert calls meeting to order at 4:02 pm

Members present: James Albert

Members by telephone: Jonathan Roos, Carole Tillotson, John Walsh, Saima Zafar

Member Not Present: Mary Rueter

Staff present: Megan Tooker, Sharon Wright, Cohl Bultje, Tim Annee

Others present: Mary Braun, Rod Boshart, Tom Witosky

By telephone: Joe Vanderhulst, Act Right Legal Foundation and Cleta Mitchell, Foley & Lardner, LLP, attorneys for National Organization on Marriage; Senator Liz Mathis; David Pitts, Rox Laird.

There is a quorum.

II. Presentation by National Organization for Marriage Legal Representatives

Joe Vanderhulst states that Cleta Mitchell will make presentation.

Mitchell says she believes there were numerous irregularities during the previous meeting including allowing the complainant to address the Board and numerous comments by Tooker. Mitchell says NOM does not believe Tooker will be fair in her investigation since she is a former law clerk for Justice Streit.

Tooker responds that she is always very careful not to make prejudicial comments to the press or during meetings. She says that she deals with candidates and PACs every day that have positions or opinions different from her own. She says those positions are irrelevant. The only thing that matters is whether a person or entity complies with Iowa law. She also notes that in her position she is merely responsible for fact gathering. It is the Board's responsibility to determine whether there has been a violation of the law.

Albert asks Mitchell whether NOM would send to the Board any and all emails and letters that mention the Iowa judicial retentions in either 2010 or 2012.

Williams replies that NOM will comply with the Board's requests provided they are submitted in writing.

Roos asks Tooker to describe the role of a law clerk. Tooker states that a law clerk works at the direction of a judge. A typical law clerk does a lot of research to assist the judge in writing his or her opinions.

Walsh states that he believes counsel acted in a professional manner. Zafar concurs and says Tooker simply presented explained the allegations in the complaint at the last meeting.

Roos says he agrees with the other board members and during the time that he has been on the board Tooker has handled everything with impartiality. Roos states that NOM is entitled to a full and impartial investigation.

Albert adds the board is going to gather the facts and the facts will determine the outcome, nothing else. He notes this could be a short investigation if NOM complies with the board's requests.

Motion to dismiss by Tillotson, Zafar second.

Albert calls for roll call vote on motion to dismiss.

Walsh, Zafar, Tillotson, Roos, Albert all ayes, motion carried.

III. Motion to Adjourn by Zafar, Roos second. Motion carries unanimously.

Adjourn 4:49 pm

Respectfully submitted,

Sharon Wright

Administrative Assistant