

JK
1991.5
.18
I59
1974

**Campaign Finance
Disclosure Commission
Rules**

and

Accounting Procedures

CAMPAIGN FINANCE DISCLOSURE COMMISSION RULES

Pursuant to the authority of Chapter 138, 1973 Session, 65th General Assembly, the following rules are adopted.

CHAPTER 1 COMPLAINT PROCEDURE

1.1(65 GA, ch138) **Filing.** A complaint to be filed under the Iowa campaign disclosure law must be filed within 1 year after the alleged offense takes place.

1.2(65 GA, ch138) **Forms.** The verified complaint and affidavit filed herewith shall be filed in triplicate on forms provided by the commission. The affidavit and all other supporting papers filed in connection with a complaint shall be kept confidential, but the complaint itself shall be public information.

1.3(65 GA, ch138) **Continuances.** Any person served notice of hearing may, at or before the time set for hearing, show good cause to the commission for a continuance to a date certain.

1.4(65 GA, ch138) **Issuance of subpoenas.** The commission shall, on application of any interested party to the action, issue subpoenas or subpoenas duces tecum to require and compel the attendance at such hearing of any person who has material facts concerning the allegations of the complaint and to compel the production of any records or other documents which are material to the complaint and which are required to be kept by chapter 138, 65th G.A. Any person desiring to issue a subpoena or subpoena duces tecum shall request same from the commission or any member thereof who may sign said subpoena or subpoena duces tecum after being advised of the materiality of the person and/or documents to be produced. The service of the subpoena shall be made in accordance with the Iowa rules of civil procedure.

1.5(65 GA, ch138) **Hearing officer.** The hearing shall commence at the time and

place specified in the notice of hearing issued by the commission, but thereafter it may be moved to a different place and may be continued from day to day or recessed to a later day without notice other than apprising the parties thereto at such hearing by the hearing officer. Said hearing shall be conducted by a hearing officer who shall be the chairman or vice-chairman of the commission or a commissioner designated by the chairman or vice-chairman to be hearing officer for that specific complaint.

1.6(65 GA, ch138) **Power of hearing officer.** The hearing officer shall have power to rule on the relevancy of any inquiry at the hearing and in all respects shall have powers of judicial magistrates in equitable matters as it pertains to the receipt of evidence. The hearing officer, however, shall restrict all testimony as to its relevancy and materiality to the complaint at issue.

Every hearing held by the commission shall provide for reasonable opportunity for all persons to be present. The commission, or hearing officer presiding at the hearing, shall have the power to administer oaths and affirmations, issue subpoenas, rule upon offers of proof and receive relevant, oral or documentary evidence, take or cause depositions to be taken, regulate the course of the hearing and conduct of the parties, hold informal conferences for the settlement or simplification of the issues by consent of the party or parties and dispose of procedural motions.

1.7(65 GA, ch138) **Representation by counsel.** All persons interested in the proceedings of a complaint shall have the right

to be represented by counsel and the rules of evidence in such proceedings shall be those applying to equitable actions, but subject to the hearing officer's power to rule on relevancy, materiality and form of the question.

1.8(65 GA, ch138) **Employment of shorthand reporter.** In connection with the hearings, the commission may employ a person qualified to administer oaths and to act as shorthand reporter or stenographer to take down all testimony, mark exhibits and to finalize the complete typewritten record. The commission may use a mechanical recording device. A party may request a stenographer at its cost by agreeing to file an original copy of the transcript with the commission.

1.9(65 GA, ch138) **Findings of fact and proposed orders.** Upon completion of the receipt of testimony and documents, the hearing officer shall make the complete record available to the commission together with the hearing officer's finding of fact and proposed orders. The commission shall review the record and the proposed findings of fact and order and shall, by majority vote, affirm, modify or reverse the findings of fact and proposed order of the hearing officer. The final decision shall be made within 10 days of the date that the hearing officer files the record, proposed findings and order with the commission.

1.10(65 GA, ch138) **Waiver of hearing.** Any person entitled to be present at the hearing so scheduled by the commission may file a waiver of an opportunity for hearing or to participate in the hearing together with a written statement regarding his position on the matters of fact and law involved in such hearing. Such statement shall be

made a part of the record and shall be considered in light of the lack of opportunity for cross-examination in determining the weight to be attached to the matters of fact asserted therein.

1.11(65 GA, ch138) **Failure to file or appear.** If any person entitled to a hearing fails to file a waiver of the hearing and fails to appear, he shall be deemed to have waived his opportunity for the hearing or to participate in the hearing unless he shows good cause for such failure.

1.12(65 GA, ch138) **Closed hearings.** Either party entitled to participate in the hearings may, at any time prior to the start of the hearing, request that the hearings be closed to the public. Upon request, timely made, the commission or hearing officer shall close the hearing to the public.

1.13(65 GA, ch138) **Conditions for cancellation of hearing.** If the complainant fails to appear or requests a dismissal prior to hearing, then the commission shall forthwith cancel said hearing and dismiss said complaint.

1.14(65 GA, ch138) **Burden of proof.** At any hearing scheduled by the commission on verified complaint, the complainant shall have the burden of proving, by a preponderance of evidence, that the facts alleged therein constitute a violation of the financial disclosure law.

These rules are intended to implement Chapter 138, 1973 Session, 65th General Assembly.

These rules shall become effective immediately upon filing in the office of Secretary of State as provided in Chapter 17A of the Code. (Filed July 3, 1974.)

CHAPTER 2

IOWA ELECTION CAMPAIGN FUND

2.1(65 GA, ch138) For the purpose of implementing chapter 138, section 19, 65th GA, the director of revenue shall, wherever feasible, interpret the marking of a tax return so as to give effect to the taxpayer's intent, as follows:

2.1(1) In a case of a single taxpayer who marks the columns designated for "spouse" said marking shall have the effect of making a \$1.00 contribution to the party so designated if only one party is designated.

2.1(2) A single taxpayer marking the box "spouse" and then marking either "republican" or "democrat" under the box for "yourself" shall be deemed to have contributed \$1.00 to the party so marked for himself.

2.1(3) In a case of a single taxpayer marking the box for both parties, this shall have the effect of making no contribution.

2.1(4) Taxpayers filing a joint return who mark 4 boxes shall be deemed to have indicated their intention to contribute \$1.00 to each political party.

2.1(5) Taxpayers filing a joint return who mark either "republican" or "democrat" under one column and both "republican" and "democrat" under the other column shall be deemed to have contributed \$1.00 to the party designated in the column where only 1 party is designated.

2.1(6) The words "mark", "marks", and "marking", shall mean any X, check, circle, line, filling in of the square, or any other reasonable indication of the intention of the taxpayer.

2.2(65 GA, ch138) The director of revenue shall submit a report to the commission and each state party chairman on the last day of each month beginning in May of 1974 and each month thereafter on the amount of money remitted to the Iowa election campaign fund that month and the total amount year-to-date with an estimate of the

total amount to be received during that taxable year.

2.3(65 GA, ch138) Each state chairman of a political party as defined by section 43.2, Code of Iowa, 1973, as amended, may apply for its share of the Iowa election campaign fund on forms provided by the commission. The application may be made at any time up to midnight of the 65th day prior to the general election. Only one such application shall be submitted per year and the application submitted in each calendar year shall be deemed a continuing application for funds received by the Iowa election campaign fund subsequent to the date of election. The comptroller shall pay over to such political party any funds received by that office after certification by the state commissioner that the party has qualified to have candidate names placed on the official general election ballot and every 30 days thereafter, except that the last payment shall be made 5 days before the state commissioner has certified the election returns of a general election. The comptroller shall, after making such last payment, commence to accumulate any additional funds received by that office from the department of revenue and shall hold them for distribution according to these rules for the next succeeding general election. Such accumulation of funds shall not be construed to include any funds not utilized by a political party which according to section 25 of chapter 138 revert to the general fund of the state.

2.4(65 GA, ch138) The funds provided for by the Iowa election campaign fund shall not be used to pay indebtedness of either party incurred prior to the expenses for any general election.

2.5(65 GA, ch138) The chairperson of each political party receiving funds from the political fund provided for herein shall provide invoices and cancelled checks or cash receipts for all state monies used in the campaign. All such funds shall be maintained in a separate account.

2.6(65 GA, ch138) All state political funds shall be used only for legitimate campaign expenses, examples of which are as follows:

2.6(1) Radio, television and newspaper advertising for the party or candidate.

2.6(2) Leaflets, fliers, buttons and stickers.

2.6(3) Campaign staff salaries: each staff person must be listed by name and the amount paid as salary and the amount paid as expense reimbursement.

2.6(4) Travel expenses, lodging and food for candidates and staff.

The above list should not be considered as exclusive and the fact that an expense may be listed under one of the items listed above does not per se entitle that expenditure to be listed as a legitimate campaign expense.

2.7(65 GA, ch138) A non-legitimate campaign expense shall be any expenditure

from campaign funds which is in violation of law or which is not intended to promote the candidacy of a person or persons seeking public office.

2.8(65 GA, ch138) The Iowa election campaign fund may not be used to purchase any item, the use of which or benefit derived therefrom, extends beyond the time within which those funds may be spent. Any leased item may not be paid with Iowa election campaign funds after the time limit for spending those funds has expired. Any item purchased or acquired by prepaid lease, the term of which extends beyond the time limits for spending Iowa election campaign funds, shall be considered to be unspent funds and shall revert to the general fund as provided for by law.

These rules are intended to implement Chapter 138, 1973 Session, 65th General Assembly.

These rules shall become effective immediately upon filing in the office of Secretary of State as provided in Chapter 17A of the Code. (Filed July 3, 1974.)

SUGGESTED ACCOUNTING SYSTEM POLITICAL CAMPAIGNS

This system is designed to be compact and simple, and to accomplish its purpose for accumulating data in sufficient detail so that quarterly information required by the State of Iowa can readily be obtained. It is also designed, if used properly, to provide sufficient audit trails to permit an independent party to perform an audit of campaign contributions received and cash disbursements incurred as a result of the campaign. It is designed to be flexible and all or parts of the system can be used depending on the length of the campaign and the number of transactions involved, and also on the operating budget of the individual seeking political office. This system consists of two major parts, as follows:

1. Political contribution system.
2. Combination check writing and payroll system.

Political campaign contributions or cash receipts:

This portion of the system is designed to be flexible according to the number and repetition of contributions from contributors and to the length of the campaign. A complete system, if needed, would consist of the following:

- a. A political contribution journal.
- b. Contributors accumulation ledger card.
- c. A three part NCR receipt.
 1. Original - white - contributors copy.
 2. Duplicate - canary - solicitors copy.
 3. Triplicate - pink - office copy with carbon strip.
- d. Receipt slip - to be completed when funds are returned to the central office by solicitors.

It is suggested for individuals having or anticipating only a limited number of contributions use only the three part NCR receipt. The office copy can serve as a source of information in place of the detailed ledger card to comply with the quarterly reporting requirements of the state.

Procedures - three part NCR receipt (prenumbered):

Step 1 - This form is prenumbered. Solicitors taking part in door to door fund raising will be issued a series of tickets and a log should be maintained in the central office showing the date of issuance and the party they have been issued to. Solicitor, upon receipt of a contribution will complete all the required information on the form and leave the original with the contributor.

Step 2 - The solicitor retains one copy (canary) of the receipt for their records and returns the third copy (pink) to the central office along with the funds. The central office will balance the funds turned in with the total tickets and a receipt will be issued to the solicitor indicating total contributions transferred to the central office and the ticket numbers returned, including used, unused, and voided tickets. The solicitor should attach this receipt to their copy of the three part NCR receipt for possible verification at a later date by independent parties performing an audit.

Step 3 - Recording of political contributions by the central office or by the individual seeking political office. The third copy (pink) of the three part NCR receipt has a carbon strip to transfer the necessary information to the contributors accumulated ledger card and the journal in one writing, which insures accuracy if procedures are followed. The ledger card shows the period in which the contribution was received and the accumulated contribution to date for each contributor. Quarterly reporting is required by the state and can be readily obtained from the ledger cards.

The political journal acts as a cash receipts journal and will tie into the deposits per the bank statement. Special

sections allow you to prove entries for balancing the subsidiary ledgers.

Combination check writing and payroll system procedures:

This combination check register and payroll system can be used by most individuals seeking a political office on a state or local level. However, it is questionable as to whether an individual seeking a political office, whose campaign expenditures are limited to a small number of transactions would need to invest in this system. It is suggested that these individuals establish a separate checking account in which political contributions can be deposited and expenses related to the political campaign can be paid from, thus segregating the financial activities of the campaign from other business or personal transactions.

This system is a combination check writing and payroll system. One check will handle both accounts payable and payroll check writing. The check register and payroll records are always up to date.

a. Procedures - cash disbursements - general:

In one writing, all vendors invoices can be quickly and properly paid. Place a check (C) on the first open line on the disbursements record (B) then select the proper vendors accumulated expense card (A) and slide under check. As you write the check, you automatically make the proper entry on the vendors detail card, check

register, and at the same time update the accumulated balance of payments to a particular supplier for reporting purposes. Accuracy is assured since all entries are made in the same writing. Special sections allow you to prove entries for balancing subsidiary records.

b. Procedures - payroll:

Step 1 - The cash disbursements system can readily be changed to a payroll system by simply folding the check register (B) back under check (C). Then select the proper employee's earnings record (D) and slide under check. (First open line on the earnings record should align with writing at the top of the check.) Then record all payroll information in the proper spaces.

The information is automatically posted to the earnings record and payroll journal in one writing. Now remove earnings record, restore it to the file and fold out check register.

Step 2 - Write check to employee - Fill in the center line of the check (C) with date, employee's name and address, check number and (N) net, (A) amount. Then detach check, sign and insert in the double window envelope for distribution to the employee.

The check has been automatically posted to your check register and your bank balance is always up to date. Payroll paper work is reduced substantially.

POLITICAL CONTRIBUTIONS JOURNAL

PAGE _____

DATES: FROM _____ TO _____ PREPARED BY _____ OF _____

LITHO U.S.A.

DATE	RECEIPT NUMBER	DESCRIPTION ACTIVITY-SPECIAL PROJECT	AMOUNT OF CONTRIBUTION	TOTAL YEAR-TO-DATE	CONTRIBUTOR
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38					
TOTALS					

Date	Receipt No.	Description-Activity-Special Project	Amount	Year-To-Date	Contributor
		PARTY CENTRAL COMMITTEE 123 MAIN STREET COUNTY SEAT, IOWA 12345	↑ This is Your Receipt For This Amount ↓		
CONTRIBUTOR:		_____			

			RECEIVED BY:		
			_____ SOLICITOR		
			_____ TREASURER		

Date	Receipt No.	Description-Activity-Special Project	Amount	Year-To-Date	Contributor
		PARTY CENTRAL COMMITTEE 123 MAIN STREET COUNTY SEAT, IOWA 12345	↑ This is Your Receipt For This Amount ↓		
CONTRIBUTOR:		_____			

			RECEIVED BY:		
			_____ SOLICITOR		
			_____ TREASURER		

Date	Receipt No.	Description-Activity-Special Project	Amount	Year-To-Date	Contributor
		PARTY CENTRAL COMMITTEE 123 MAIN STREET COUNTY SEAT, IOWA 12345	↑ This is Your Receipt For This Amount ↓		
CONTRIBUTOR:		_____			

			RECEIVED BY:		
			_____ SOLICITOR		
			_____ TREASURER		



Litho in USA

FORM NO. 40-380C

EMP. NO.	PERIOD ENDING	TIME WKD.	RATE	REG.	O. T.	TOTAL	FICA	FED. TAX	DEDUCTIONS				NET PAY
EARNINGS							DEDUCTIONS						

+

Detach Before Cashing

John Doe
 Box 111
 County Seat, Iowa 50000

DATE	INVOICE	AMOUNT	CODE

No 1858

72-34
739

PAY

DOLLARS

DATE	PAY TO THE ORDER OF	NET AMOUNT

To COUNTY SEAT SAVINGS BANK — County Seat, Iowa

SAMPLE

89-14-0011

⑆0739⑆0034⑆ 00 0063 8⑆

PAYMENT RECORD

LITHO IN USA

FORM NO. 60-380-J

INVOICE NO.	DATE	VENDOR CODE OR CHECK PAID TO	PAYMENT	OPENING BALANCE	PREVIOUS BALANCE	CHECK NO.	DISCOUNT	NET AMOUNT	✓	DEPOSITS	BANK BALANCE	
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
TOTAL			Col. A	Col. B	Col. C	Col. D	Col. E	Col. F			TOTAL	A-1
PREV. PAGE											PREV. PAGE	
TOTAL TO DATE											TOTAL TO DATE	
CODE											CODE	

Continued on next page

PROOF OF POSTING

COL. D TOTAL _____
 "PLUS" COL. B TOTAL _____
 SUB TOTAL _____

 EQUALS COL. C TOTAL _____
 <Accumulated Total>

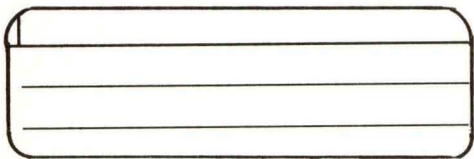
														MISCELLANEOUS			
														DESCRIPTION	AMOUNT		
1																	
2																	
3																	
4																	
5																	
6																	
7																	
8																	
9																	
10																	
11																	
12																	
13																	
14																	
15																	
16																	
17																	
18																	
19																	
20																	
21																	
22																	
23																	
24																	
	A-2	A-3	A-4	A-5	A-6	A-7	A-8	A-9	A-10	A-11	A-12	A-13				A-14	

NAME _____	SOC. SEC. NO. _____	DEPENDENTS _____
ADDRESS _____	JOB TITLE _____	DEDUCTIONS _____
NAME OF SPOUSE _____	DATE OF EMPLOYMENT _____	PAY RATE
PHONE NO. _____	TERMINATION REASON _____	DATE RATE
BIRTH DATE _____		RECORD OF CHANGES
		_____ _____

EMP. NO.	PERIOD ENDING	TIME WKD.	RATE	EARNINGS			DEDUCTIONS				NET PAY	CHECK NO.	CUMULATIVE			
				REG.	O.T.	TOTAL	FICA	FED. TAX						GROSS EARNINGS	F.I.C.A.	
3RD QTR				TOTALS YEAR TO DATE												
4TH QTR				TOTALS YEAR TO DATE												

JOHN DOE
Box 111
County Seat, Iowa 50000

10¢
Stamp



STATE LIBRARY OF IOWA



3 1723 02116 9263