

House Committee

COMMITTEE MINUTES for ETHICS

Date: *March 19, 2012*

Location: *Room 102*

Convened: *2:15 PM*

Adjourned: *2:55 PM*

Attendance Roll Call:

Present: Representatives Koester-CH, Raecker-VC, Thede-RM, Kelley, Smith, M., Van Engelenhoven

Absent:

Excused:

Representative Koester, CH called meeting to order. Roll was taken and all present. Minutes of previous meeting approved. LSA provided Committee with information requested at March 15, 2012 meeting. The bribery language in question is found within Iowa Code section 722.1 regarding a person ". . . otherwise engaged to serve . . ." 1. This was introduced into code 33 years ago in 1979. Since then, there are no legal opinions reported regarding section 722.1. 2. There is no case law in existence, at any time in the past record, related to alleged bribery of a candidate for office. 3. There is no case law to guide our committee regarding the bribery language in code. 4. Since 2000, 20% of previous ethic committee complaints were referred to independent special council. Following discussion, motion by Representative Smith; does this complaint fall within the Ethic Committee jurisdiction? Vote: 6 aye Motion by Representative Thede; does the complaint meet the requirements of code section 722.1? Vote: 6 nay Motion by Representative Raecker to dismiss the complaint with prejudice. Vote 4 aye, Koester, Raecker, Smith, Van Engelenhoven - 2 nay Thede, Kelley. Representative Smith proposed that the Committee review making some updates to Ethic Rules. Chair thanked the committee for the time spent to make this difficult decision, and Representative Smith for proposed revisions of ethic code, which the Committee will meet to consider. Adjourn

Representative Kevin Koester

Darlene Van Oort, Committee Secretary

