

Senate Adopted 2/7/91

FILED JAN 11 1991

1 SENATE RESOLUTION NO. 3
2 BY COMMITTEE ON ETHICS
3 (SUCCESSOR TO LSB 1827XC)

4 A Resolution to provide the senate rules governing lobbyists.

5 BE IT RESOLVED BY THE SENATE, That the senate rules
6 governing lobbyists for the ~~Seventy-third~~ Seventy-
7 fourth General Assembly shall be as follows:

8 SENATE RULES GOVERNING LOBBYISTS

9 1. DEFINITIONS. For the purposes of these rules
10 "lobbyist" is defined as a person who:

11 a. Is paid compensation or expends money for
12 encouraging the passage, defeat, or modification of
13 legislation, or influencing the decision of the
14 members of a legislative committee or a subcommittee;
15 or

16 b. Represents on a regular basis an organization
17 which has as one of its purposes the encouragement of
18 the passage, defeat, or modification of legislation,
19 or influencing the decision of the members of a
20 legislative committee or a subcommittee; or

21 c. Is a federal, state, or local government
22 official or employee representing the official
23 position of the official or employee's department,
24 commission, board, or agency and who attempts to
25 encourage the passage, defeat, or modification of
26 legislation, or influencing the decision of the
27 members of a legislative committee or a subcommittee
28 while the senator is at the state capitol for a
29 legislative session or for official legislative
30 business.

SR3

1 As used in these rules the word "gift" and the
2 phrases "immediate family member" and "public
3 disclosure" have the meaning provided in chapter 68B.
4 As used in these rules the term "political action
5 committee" means a committee, but not a candidate's
6 committee, which accepts contributions, makes expendi-
7 tures, or incurs indebtedness in the aggregate of more
8 than two hundred fifty dollars in any one calendar
9 year for the purpose of supporting or opposing a
10 candidate for public office or ballot issue or
11 influencing legislative action, or an association,
12 lodge, society, cooperative, union, fraternity,
13 sorority, educational institution, civic organization,
14 labor organization, religious organization, or
15 professional or other organization which makes
16 contributions in the aggregate of more than two
17 hundred fifty dollars in any one calendar year for the
18 purpose of supporting or opposing a candidate for
19 public office or ballot issue or influencing
20 legislative action.

21 2. EXCEPTIONS. The term "lobbyist" shall not
22 include within its definition:

23 a. Officials and employees of a political party
24 organized in the state of Iowa representing more than
25 two percent of the total votes cast for governor in
26 the last preceding general election, but only when
27 representing the political party in an official
28 capacity.

29 b. Representatives of the news media engaged only
30 in the reporting and dissemination of news and

1 editorials.

2 c. Federal, state, or local government officials
3 and employees who in the course of their official
4 duties submit proposed legislation or amendments to a
5 senator or senate committee or who provide information
6 or are requested or required to provide information to
7 a senator or to appear before a senate committee and
8 who do not actively encourage the passage, defeat, or
9 modification of legislation.

10 d. The governor and lieutenant governor of the
11 state of Iowa, and all other elected state officials.

12 e. Persons who exclusively represent their own
13 interests (as distinguished from the interests of a
14 group, employer, or organization), provided they are
15 not compensated by anyone for lobbying.

16 3. APPLICABILITY. These rules are only applicable
17 to lobbying activities involving the Iowa general
18 assembly.

19 4. REGISTRATION REQUIRED. All lobbyists shall, on
20 or before the day their lobbying activity begins,
21 register with the secretary of the senate by filing a
22 lobbyist's registration statement listing:

23 a. Name, permanent business address, temporary
24 residential and business address in Polk county during
25 the legislative session, and telephone numbers. If
26 two or more lobbyists are associated together or
27 consistently work together in all their lobbying, then
28 they may file a joint registration. The name,
29 permanent business address, temporary residential and
30 business address in Polk county during the legislative

1 session, and telephone numbers of all persons included
2 in the joint registration shall be listed.

3 b. The name and address of all individuals,
4 companies, firms, corporations, unions, associations,
5 or causes for which the individual lobbies.

6 c. The general subjects of legislation in which
7 the lobbyist is or may be interested, the numbers of
8 the bills and resolutions (if known) which will be
9 lobbied, and whether the lobbyist intends to lobby for
10 or against each bill (if known).

11 d. A detailed description of any agreement,
12 arrangement, or understanding concerning contingent
13 fees.

14 Any change in or addition to the foregoing
15 information shall be registered with the secretary of
16 the senate within ten days after the change or
17 addition is known to the lobbyist.

18 Registration is effective from the time and day of
19 the year on which the application is submitted to the
20 secretary of the senate until the first day of the
21 next legislative session.

22 5. CANCELLATION OF REGISTRATION. If a lobbyist's
23 service on behalf of a particular employer, client, or
24 cause is concluded prior to the end of the calendar
25 year, the lobbyist may cancel the registration on
26 appropriate forms supplied by the secretary of the
27 senate. Upon cancellation of registration, a lobbyist
28 is prohibited from engaging in any lobbying activity
29 on behalf of that particular employer, client, or
30 cause until ~~re-registering~~ reregistering and complying

1 with these rules. A lobbyist's registration is valid
2 for only one session of a general assembly.

3 6. GOVERNMENT OFFICIALS. All federal, state, and
4 local officials or employees representing the official
5 positions of their departments, commissions, boards,
6 or agencies shall present to the secretary of the
7 senate a letter of authorization from their department
8 or agency heads prior to the commencement of their
9 lobbying. The lobbyist registration statement of
10 these officials and employees shall not be deemed
11 complete until the letter of authorization is
12 attached. Federal, state, and local officials who
13 wish to lobby in opposition to the official position
14 of their departments, commissions, boards, or agencies
15 must indicate such on their lobbyist registration
16 statements.

17 7. CHARGE ACCOUNTS. Lobbyists and the
18 organizations they represent shall not allow any
19 senators to charge any amounts or items to any charge
20 account to be paid for by those lobbyists or by the
21 organizations they represent.

22 8. OFFERS OF ECONOMIC OPPORTUNITY. A lobbyist, an
23 employer of a lobbyist, or a political action
24 committee shall not offer economic or investment
25 opportunity or promise of employment to any senator
26 with intent to influence the senator's conduct in the
27 performance of official duties.

28 A lobbyist shall not take action intended to
29 negatively affect the economic interests of a senator.

30 For purposes of this rule, supporting or opposing a

1 candidate for office or supporting or opposing a bill,
2 amendment, or resolution shall not be considered to be
3 action intended to negatively affect the economic
4 interests of a senator.

5 9. MEMBERSHIP CONTRIBUTIONS. A lobbyist, or
6 employer of a lobbyist, shall not pay for membership
7 in or contributions to clubs or organizations on
8 behalf of a senator.

9 10. ACCESS TO SENATE FLOOR. Lobbyists shall not
10 be permitted on the floor of the senate while the
11 senate is in session. Elected state officials, except
12 the governor, lieutenant governor, and the members of
13 the house of representatives, shall not be permitted
14 on the floor of the senate while the senate is in
15 session to encourage the passage, defeat, or
16 modification of legislation.

17 11. EFFECTIVE PERIOD. These rules governing
18 lobbyists shall be in effect throughout the calendar
19 year, whether or not the general assembly is in
20 session.

21 12. REPORTING OF GIFTS. Persons who have made
22 gifts to any senator, senate employee, or any
23 immediate family member of a senator or senate
24 employee which has a value in excess of fifteen
25 dollars on any one calendar day shall file a report
26 with the secretary of the senate which includes:

27 a. A list of senators, senate employees, or their
28 immediate family members each to whom a gift was made,
29 the date of the occurrence, and the nature and amount
30 of the gift.

1 b. A monthly total of all gifts made by persons
2 and their employer or employers regardless of the
3 dollar value to senators, senate employees, and their
4 immediate family members, including the following:

5 (1) Food and refreshment.

6 (2) Entertainment, including the cost of a hospitality room.

7 (3) Travel.

8 (4) Recreation expense.

9 (5) Lodging expense.

10 (6) Other (including the nature of the gift).

11 c. If a gift is made to two or more members of the
12 general assembly, employees of the general assembly,
13 or their immediate families which cannot be precisely
14 attributed to each recipient, the value of the gift
15 shall be divided by the number of individuals
16 receiving the gift.

17 d. The reports required to be filed under this
18 rule shall be filed not later than the fifteenth day
19 of a month for gifts made or received during the
20 preceding month.

21 13. REPORTING GROUP EVENTS. Persons who host a
22 group event to which all members of the senate, or all
23 members of both houses, have been invited shall file a
24 report with the secretary of the senate, separately
25 for each event, listing the date, location, and total
26 expense incurred by the donor or donors for food,
27 beverages, registration, and scheduled entertainment.
28 The reporting requirements of Rule 12 apply.

29 14. REPORTING OF HONORARIA. Persons who have
30 provided honorarium in excess of fifteen dollars on

1 any one calendar day to any senator, senate employee,
2 or any immediate family member of a senator or senate
3 employee for a speech, writing for publication, or
4 other similar activity shall file a report with the
5 secretary of the senate. The report shall include the
6 identity of the person to whom the honorarium was
7 provided, the date it was provided, the nature and
8 amount of the honorarium, and the nature and amount of
9 reimbursement for or payment of actual expenses
10 incurred for public speaking engagements or other
11 formal public appearances. The report shall be filed
12 on the fifteenth of the month following the month in
13 which the honorarium was paid.

14 15. REPORTING OF ATTRIBUTED HONORARIUM. Persons
15 who have provided an honorarium for a speech, writing
16 for publication, or other similar activity in excess
17 of fifteen dollars in value on any one calendar day to
18 any person or organization, in the name of a senator,
19 shall file a report with the secretary of the senate.
20 The report shall include the identity of the senator
21 on whose behalf the honorarium was given, the person
22 or organization to whom the honorarium was given, the
23 date it was given, and the nature and amount of the
24 honorarium. The report shall be filed on the
25 fifteenth of the month following the month in which
26 the honorarium was given.

27 16. COMPLAINTS. Rules 9 through 15 of the senate
28 code of ethics apply to complaints and procedures
29 regarding violations of these rules.

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2 disclosure" have the meaning provided in chapter 68B.
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22 may register for that session and the following
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30 code of ethics apply to complaints and procedures

1 regarding violations of these rules.

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SENATE RESOLUTION 3

S-3011

1 Amend Senate Resolution 3 as follows:

2 1. Page 4, by striking lines 18 through 21 and
3 inserting the following:

4 "Registration expires upon the commencement of the
5 next regular session of the general assembly, except
6 that the secretary of the senate may adopt and
7 implement a reasonable pre-registration procedure in
8 advance of each regular session during which persons
9 may register for that session and the following
10 legislative interim."

By JEAN LLOYD-JONES

S-3011 FILED FEBRUARY 4, 1991

Adopted 2/7

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