

(P. 570) 3-10-93 House ADOPTED

HOUSE RESOLUTION NO. 6

BY COMMITTEE ON ETHICS

A Resolution to amend the rules governing lobbyists in the House of Representatives.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the HOUSE RULES GOVERNING LOBBYISTS be amended to read as follows:

HOUSE RULES GOVERNING LOBBYISTS

1. DEFINITIONS OF TERMS. As used in these rules, the word "client", "gift", "lobbyist", "person", and the phrases "immediate family members" and "public disclosure" have the meaning meanings provided in section 68B.2 of the Code and "person" has the meaning provided in section 4-1 of the Code, except that the terms "lobbyist" and "client" shall only refer to persons who are lobbyists or clients of lobbyists of the house of representatives. Except as otherwise provided, "employee of the house" means a full-time permanent paid employee of the house of representatives.

2. DEFINITION OF LOBBYIST:--For the purposes of these rules, "lobbyist" means a person who does any of the following:

a.--Receives compensation or reimbursement of expenses to encourage the passage, defeat, or modification of legislation or to influence the decisions of members of a legislative committee or subcommittee which relate to legislation.

b.--Represents an organization which has as one of its purposes the encouragement of the passage, defeat,

1 or-modification-of-legislation-or-influencing-the  
2 decisions-of-the-members-of-a-legislative-committee-or  
3 subcommittee-which-relate-to-legislation-

4 c.--Is-a-federal-,state-,or-local-official-or  
5 employee-representing-the-official-position-of-the  
6 official's-or-employee's-department-,commission-,  
7 board-,or-agency-,who-attempts-to-encourage-the  
8 passage-,defeat-,or-modification-of-legislation-or-to  
9 influence-the-decisions-of-the-members-of-a  
10 legislative-committee-or-subcommittee-which-relate-to  
11 legislation-

12 3.--EXCEPTIONS--"lobbyist"-does-not-mean-the  
13 following-

14 a.--Designated-representatives-of-political-parties  
15 organized-in-this-state-which-represent-more-than-two  
16 percent-of-the-total-votes-cast-for-governor-or  
17 president-in-the-preceding-general-election-,but-only  
18 when-representing-the-political-party-in-an-official  
19 capacity-

20 b.--Representatives-of-the-news-media-,but-only  
21 when-engaged-in-the-reporting-and-disseminating-of  
22 news-and-editorial-comment-to-the-general-public-

23 c.--Officials-and-employees-of-federal-,state-,and  
24 local-government-who-in-the-course-of-their-official  
25 duties-submit-legislation-or-amendments-to-a  
26 representative-,a-house-committee-or-subcommittee-,or  
27 who-are-requested-or-required-to-provide-information  
28 to-a-representative-,or-who-are-requested-or-required  
29 to-appear-before-a-house-committee-or-subcommittee-,  
30 and-who-do-not-encourage-the-passage-,defeat-,or

1 modification-of-legislation-

2 d.--Any-elected-state-official-

3 e.--Constituents-of-a-legislator-in-lobbying-their  
4 legislator-

5 f.--legislative-interns-approved-by-the-chief-clerk  
6 of-the-house-

7 g.--Any-person-who-does-not-receive-compensation-or  
8 reimbursement-for-expenses-for-lobbying-or-whose  
9 activities-are-limited-to-formal-appearances-to-give  
10 testimony-at-public-sessions-of-committees-of-the  
11 house-of-representatives-or-public-hearings-of-state  
12 agencies-and-whose-appearance,as-a-result-of  
13 testifying,is-recorded-in-the-records-of-the  
14 committee-or-agency-

15 4: REGISTRATION REQUIRED.

16 a. All lobbyists shall, on or before the day their  
17 lobbying activity begins, register with the chief  
18 clerk of the house by filing a lobbyist registration  
19 statement listing the following:

20 a.--Name,permanent-business-and-residential  
21 addresses,temporary-residential-and-business  
22 addresses-during-the-legislative-session,if-any,and  
23 their-telephone-numbers-

24 b.--The-name-and-address-of-each-individual,  
25 company,-firm,-corporation,-union,-association,-or  
26 cause-for-which-the-lobbyist-lobbies in the manner  
27 provided under section 68B.36. Lobbyist registration  
28 forms shall be available in the office of the chief  
29 clerk of the house.

30 c b. The In addition each registered lobbyist

1 shall file with the chief clerk of the house a  
2 statement of the general subjects of legislation in  
3 which the lobbyist is or may be interested, the file  
4 number of the bills and resolutions and the bill  
5 number of study bills, if known, which will be  
6 lobbied, whether the lobbyist intends to lobby for or  
7 against each bill, resolution, or study bill, if  
8 known, and on whose behalf the lobbyist is lobbying  
9 the bill, resolution, or study bill.

10 ~~Registration is effective from the time and day of~~  
11 ~~the year in which the application is submitted to the~~  
12 ~~chief clerk of the house until the first day of the~~  
13 ~~next legislative session.~~

14 ~~Any change in or addition to the information~~  
15 ~~required by this rule shall be registered with the~~  
16 ~~chief clerk of the house within ten days from the time~~  
17 ~~the change or addition is known to the lobbyist.~~

18 ~~Only one registration statement need be filed by a~~  
19 ~~lobbyist, even if the lobbyist represents more than~~  
20 ~~one client.~~

21 5 3. CANCELLATION OF REGISTRATION. If a  
22 lobbyist's service on behalf of a particular employer,  
23 client, or cause is concluded after the lobbyist  
24 ~~submitted an application to the chief clerk of the~~  
25 house registers but before the first day of the next  
26 legislative session, the lobbyist shall cancel the  
27 registration ~~on appropriate forms supplied by the~~  
28 chief clerk of the house in the manner required under  
29 section 68B.36. Upon cancellation of registration, a  
30 person is prohibited from engaging in any lobbying

1 activity on behalf of that particular employer,  
2 client, or cause until reregistering and complying  
3 with ~~these rules~~ the requirements of section 68B.36.  
4 ~~A lobbyist's registration is valid from the time and~~  
5 ~~day of the year in which the application is submitted~~  
6 ~~until the first day of the next legislative session,~~  
7 ~~or until the registration is canceled, whichever is~~  
8 ~~earlier.~~

9     6 4. PUBLIC ACCESS. All information filed by a  
10 lobbyist or a client of a lobbyist under ~~these rules~~  
11 chapter 68B is a public record and open to public  
12 inspection at any reasonable time.

13     7. ~~GOVERNMENT OFFICIALS.~~ ~~Employees of federal,~~  
14 ~~state, and local government offices who are designated~~  
15 ~~representatives of their agency shall not lobby on~~  
16 ~~behalf of their offices without a letter of~~  
17 ~~authorization from their respective offices.~~

18     8 5. CHARGE ACCOUNTS. Lobbyists and the  
19 organizations clients they represent shall not allow  
20 members of the house to charge any amounts or items to  
21 a charge account to be paid for by those lobbyists or  
22 by the organizations clients they represent.

23     9 6. ACCESS TO HOUSE FLOOR. Lobbyists shall only  
24 be permitted on the floor of the house pursuant to  
25 rule 20 of the rules of the house.

26     10 7. FEE OR BONUS PROHIBITED. A fee or bonus  
27 shall not be paid to any lobbyist with reference to  
28 any legislative action that is conditioned wholly or  
29 in part upon the results attained by the lobbyist.

30     11 8. OFFERS OF ECONOMIC OR INVESTMENT

1 OPPORTUNITY. A lobbyist, ~~or~~ employer, or client of a  
2 lobbyist, shall not offer economic or investment  
3 opportunity or promise of employment to any member of  
4 the house with intent to influence conduct in the  
5 performance of official duties.

6     ±2 9. PERSONAL OR FINANCIAL OBLIGATION. A  
7 lobbyist shall not do anything with the purpose of  
8 placing a member of the house under personal or  
9 financial obligation to a lobbyist or a lobbyist's  
10 principal or agent.

11     ±3 10. ATTEMPTS TO CREATE ADDITIONAL EMPLOYMENT.  
12 A lobbyist shall not cause or influence the  
13 introduction of any bill or amendment for the purpose  
14 of being employed to secure its passage or defeat.

15     ±4 11. CAMPAIGN SUPPORT. A lobbyist shall not  
16 influence or attempt to influence a member's actions  
17 by the promise of financial support for the member's  
18 candidacy or threat of financial support for an  
19 opposition candidate. A lobbyist shall not make a  
20 campaign contribution to a member or to a member's  
21 candidate's committee during the time that the general  
22 assembly is in session.

23     ±5 12. COMMUNICATION WITH MEMBER'S EMPLOYER  
24 PROHIBITED. A lobbyist shall not communicate with a  
25 member's employer for the purpose of influencing a  
26 vote of the member.

27     ±6 13. EXCESS PAYMENTS. A lobbyist shall not pay  
28 or agree to pay to a member a price, fee,  
29 compensation, or other consideration for the sale or  
30 lease of any property or the furnishing of services

1 which is substantially in excess of that which other  
2 persons in the same business or profession would  
3 charge in the ordinary course of business.

4 17 14. REPORTING OF PROHIBITION AGAINST GIFTS.

5 a- A person who provides lobbyist shall not,  
6 directly or indirectly, offer or make a gift or series  
7 of gifts ~~which exceeds fifteen dollars in cumulative~~  
8 ~~value in any one calendar day~~ to any member, officer,  
9 or full-time permanent employee of the house or the  
10 immediate family members of a member, officer, or  
11 full-time permanent employee of the house ~~shall file a~~  
12 ~~report, on the prescribed form, of the gift with the~~  
13 ~~chief clerk of the house except as otherwise provided~~  
14 ~~in section 68B.22. The report shall show the nature,~~  
15 ~~amount, date, donee, and donor of the gift. If more~~  
16 ~~than one person shares in the expense of providing a~~  
17 ~~gift or series of gifts which exceeds fifteen dollars~~  
18 ~~in cumulative value in any one calendar day and which~~  
19 ~~is required to be reported, each of the persons~~  
20 ~~sharing in the expense shall report the gift to the~~  
21 ~~chief clerk of the house as provided in section 68B.11~~  
22 ~~of the Code regardless of the amount of the person's~~  
23 ~~share of the expense.~~

24 b- A person who provides a gift or series of gifts  
25 to a member, officer, or employee of the house or the  
26 immediate family members of a member, officer, or  
27 employee of the house shall provide a copy of the  
28 report filed with the chief clerk of the house to the  
29 member, officer, or employee stating the value of each  
30 gift which is required to be reported by the member,

1 officer, or employee by the tenth day of the month  
2 following the month in which a gift is provided.

3 c. -- Persons who provide gifts to members, officers,  
4 and employees of the house and their immediate  
5 families shall include in the report to the chief  
6 clerk of the house the monthly total of all gifts made  
7 by the person, and the employer or employers,  
8 regardless of the dollar value, including the total of  
9 each of the following listed separately:

10 (1) -- Food and beverage.

11 (2) -- Entertainment, including the cost of a  
12 hospitality room.

13 (3) -- Travel.

14 (4) -- Recreation expense.

15 (5) -- Lodging expense.

16 (6) -- Other gifts, including the nature of the  
17 gifts.

18 d. -- Persons who host a group event to which all  
19 members of the house or all members of both houses  
20 have been invited shall file a report with the chief  
21 clerk of the house, separately for each event, listing  
22 the date, location, and total expense incurred by the  
23 donor or donors for food, beverages, registration, and  
24 scheduled entertainment.

25 e. -- The reports required to be filed with the chief  
26 clerk of the house under this rule shall be filed in  
27 the office of the chief clerk by the fifteenth day of  
28 the month following the month in which a gift is  
29 provided which is required to be reported or in which  
30 an event is hosted.

1       § 15. FINANCIAL TRANSACTIONS. Each A lobbyist  
2 shall report ~~any financial transaction with a value of~~  
3 ~~at least five hundred dollars between the lobbyist, or~~  
4 ~~a principal or agent of the lobbyist, and not,~~  
5 directly or indirectly, make a loan to a member of the  
6 house, ~~a house member's immediate family, or a~~  
7 ~~business with which the member or the member's family~~  
8 is associated or to an employee of the house. Each  
9 report ~~shall include all of the following:~~

- 10       a. ~~The date of the transaction;~~  
11       b. ~~The nature of the transaction;~~  
12       c. ~~The parties to the transaction;~~  
13       d. ~~The amount involved in the transaction;~~

14       A financial transaction loan prohibited under this  
15 section does not include a transaction undertaken loan  
16 made in the ordinary course of business of a lobbyist  
17 if the primary business of the lobbyist is something  
18 other than lobbying, if consideration of equal or  
19 greater value is received by the lobbyist, and if fair  
20 market value is given or received for the benefit  
21 conferred.

22       The report ~~shall be filed in the office of the~~  
23 ~~chief clerk of the house by the fifteenth day of the~~  
24 ~~month following the month in which the financial~~  
25 ~~transaction takes place.~~

26       19. ~~GIFT LIMITS.~~ ~~A person is prohibited from~~  
27 ~~providing a gift or series of gifts to a member,~~  
28 ~~officer, or employee of the house which has a~~  
29 ~~cumulative value of thirty-five dollars or more in any~~  
30 ~~one calendar day, pursuant to section 68B-5 of the~~

1 Iowa-Code.

2 20 16. REPORTING-OF HONORARIA -- RESTRICTIONS.

3 A lobbyist, or an organization or client which a  
4 lobbyist represents that has as one of its purposes  
5 the encouragement of the passage, defeat, or  
6 modification of legislation, shall ~~report-the-amount~~  
7 ~~of-any~~ not pay an honorarium paid to a member,  
8 officer, or employee of the house for a speaking  
9 engagement or other formal public appearance in the  
10 official capacity of the member, officer, or employee  
11 except as otherwise provided in section 68B.23. The  
12 ~~report-shall-be-filed-in-the-office-of-the-chief-clerk~~  
13 ~~of-the-house-by-the-fifteenth-day-of-the-month~~  
14 ~~following-the-month-in-which-the-honorarium-is-paid.~~

15 21 17. COMPLAINTS. The procedures for complaints  
16 and enforcement of these rules shall be the same as  
17 those provided in the house code of ethics.

18 22 18. REPORTS PROCEDURES AND FORMS. The chief  
19 clerk of the house, subject to the approval of the  
20 house ethics committee, shall prescribe procedures for  
21 compliance with these rules, and shall prepare forms  
22 for the filing of ~~these-reports~~ complaints and make  
23 them available to any person ~~who-is-required-to-file-a~~  
24 ~~report.~~ ~~The-reports-filed-with-the-chief-clerk-of-the~~  
25 ~~house-shall-be-maintained-by-the-chief-clerk-of-the~~  
26 ~~house-and-be-available-for-public-inspection-as~~  
27 ~~provided-in-chapter-22-of-the-Code.--The-committee-on~~  
28 ~~ethics-may-authorize-the-chief-clerk-of-the-house-to~~  
29 ~~prepare-and-make-available-to-the-public-an-annual~~  
30 ~~summary-of-the-reports-filed-with-the-chief-clerk-of~~

1 the-house-under-these-rules-

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

HOUSE RESOLUTION 6

H-3182

1 Amend House Resolution 6 as follows:

2 1. Page 4, by striking lines 14 through 17 and  
3 inserting the following:

4 "Any change in or addition to the information re-  
5 quired by this rule shall be registered with the chief  
6 clerk of the house within ten days from the time the  
7 change or addition is known to the lobbyist."

By CARPENTER of Polk HURLEY of Fayette  
NEUHAUSER of Johnson PETERSON of Carroll  
BEATTY of Warren ROYER of Page

H-3182 FILED MARCH 5, 1993

*adopted 3-10-93 (p. 569)*

HOUSE RESOLUTION 6

H-3199

1 Amend House Resolution 6 as follows:

2 1. Page 7, line 5, by inserting after the word  
3 "lobbyist" the following: "or client of a lobbyist".

4 2. Page 7, line 8, by striking the word "  
5 officer," and inserting the following: "~~7-officer7~~".

6 3. Page 7, line 10, by striking the word "  
7 officer," and inserting the following: "~~7-officer7~~".

8 4. Page 10, by striking lines 3 through 6, and  
9 inserting the following: "A lobbyist~~7-or-an~~  
10 organization-which-a-lobbyist-represents-that-has-as  
11 one-of-its-purposes-the-encouragement-of-the-passage~~7~~  
12 defeat~~7-or-modification-of-legislation7~~ or client of a  
13 lobbyist shall report-the-amount".

14 5. Page 10, lines 7 and 8, by striking the words  
15 "member, officer," and inserting the following:  
16 "member~~7-officer7~~".

17 6. Page 10, line 10, by striking the word "  
18 officer," and inserting the following: "~~7-officer7~~".

By CARPENTER of Polk  
NEUHAUSER of Johnson

H-3199 FILED MARCH 9, 1993

*Adopted 3-10-93  
(p. 570)*