

*See Book
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(P.1294) 4/22/93 Adopted
4/22/93 Motion Rk by Horn
4/27/93 " *withdrawn*

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SENATE RESOLUTION NO. 11
BY COMMITTEE ON ETHICS

A Resolution to provide for the Senate Code of Ethics.
BE IT RESOLVED BY THE SENATE, That the Senate Code
of Ethics for the ~~Seventy-fourth~~ Seventy-fifth General
Assembly shall be as follows:

SENATE CODE OF ETHICS

PREAMBLE. Every legislator owes a duty to uphold
the integrity and honor of the general assembly, to
encourage respect for the law and for the general
assembly and the members thereof, and to observe the
legislative code of ethics.

In doing so, each member of the senate has a duty
to conduct oneself so as to reflect credit on the
general assembly, and to inspire the confidence,
respect, and trust of the public, and to strive to
avoid both unethical and illegal conduct and the
appearance of unethical and illegal conduct.

Recognizing that service in the Iowa general
assembly is a part-time endeavor and that members of
the general assembly are honorable individuals who are
active in the affairs of their localities and
elsewhere and that it is necessary that they maintain
a livelihood and source of income apart from their
legislative compensation, the following rules are
adopted pursuant to section ~~68B-10~~ 68B.31, to assist
the members in the conduct of their legislative
affairs.

1. ECONOMIC INTEREST OF SENATOR. Taking into
account that legislative service is part-time, a

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1 senator shall not accept economic or investment
2 opportunity, under circumstances where the senator
3 knows, or should know, that there is a reasonable
4 possibility that the opportunity is being afforded the
5 senator with intent to influence the senator's conduct
6 in the performance of official duties.

7 a 2. Investment DEVESTITURE. Where a senator
8 learns that an economic or investment opportunity
9 previously accepted was offered with the intent of
10 influencing the senator's conduct in the performance
11 of official duties, the senator shall take steps to
12 divest that senator of that investment or economic
13 opportunity, and shall report the facts of the
14 situation to the senate ethics committee.

15 b 3. Charges-for-Services CHARGES FOR SERVICES. A
16 senator shall not charge to or accept from a person,
17 corporation, partnership, or association known to have
18 a legislative interest a price, fee, compensation, or
19 other consideration for the sale or lease of any
20 property or the furnishing of services which is in
21 excess of that which the senator would charge another.

22 c 4. Use-of-Confidential-Information USE OF
23 CONFIDENTIAL INFORMATION. A senator in order to
24 further the senator's own economic or other interests,
25 or those of any other person, shall not disclose or
26 use confidential information acquired in the course of
27 official duties.

28 d 5. Honoraria HONORARIA. A senator shall not
29 accept an honorarium from any-person a restricted
30 donor for a speech, writing for publication, or other

1 similar activity, ~~that-is-in-excess-of-five-hundred~~
2 ~~dollars-in-value~~ except as otherwise provided in
3 section 68B.23.

4 e 6. Employment EMPLOYMENT. A senator shall not
5 accept employment, either directly or indirectly, from
6 a political action committee. A senator may accept
7 employment from a political party, but shall disclose
8 the employment relationship in writing to the
9 secretary of the senate within ten days after the
10 beginning of each legislative session. If a senator
11 accepts employment from a political party during a
12 legislative session, the senator shall disclose the
13 employment relationship within ten days after
14 acceptance of the employment.

15 For the purpose of this rule, a political action
16 committee means a committee, but not a candidate's
17 committee, which accepts contributions, makes
18 expenditures, or incurs indebtedness in the aggregate
19 of more than two hundred fifty dollars in any one
20 calendar year for the purpose of supporting or
21 opposing a candidate for public office or ballot issue
22 or influencing legislative action, or an association,
23 lodge, society, cooperative, union, fraternity,
24 sorority, educational institution, civic organization,
25 labor organization, religious organization, or
26 professional organization which makes contributions in
27 the aggregate of more than two hundred fifty dollars
28 in any one calendar year for the purpose of supporting
29 or opposing a candidate for public office or ballot
30 issue or influencing legislative action.

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1 2 7. ECONOMIC INTERESTS OF LOBBYIST. With the
2 exception of exercising unfettered discretion in
3 supporting or refusing to support proposed
4 legislation, a senator shall not take action intended
5 to affect the economic interests of a lobbyist or
6 citizen supporting or opposing proposed legislation.

7 3 8. APPEARANCE BEFORE GOVERNMENTAL AGENCY. A
8 senator may appear before a governmental agency or
9 board in any representation case, except that the
10 senator shall not ~~appear before a governmental agency~~
11 ~~or board for compensation if the matter is subject to~~
12 ~~legislative review~~ act as a lobbyist. Whenever a
13 senator appears before a governmental agency or board,
14 the senator shall carefully avoid all conduct which
15 might in any way lead members of the general public to
16 conclude that the senator is using the senator's
17 official position to further the senator's
18 professional success or personal financial interest.

19 4 9. CONFLICTS OF INTERESTS. In order to permit
20 the general assembly to function effectively, a
21 senator will sometimes be required to vote on bills
22 and participate in committee work which will affect
23 the senator's employment and other monetary interests.
24 In making a decision relative to the senator's
25 activity on given bills or committee work which are
26 subject to the code, the following factors shall be
27 considered:

28 a. Whether a substantial threat to the senator's
29 independence of judgment has been created by the
30 conflict situation.

1 b. The effect of the senator's participation on
2 public confidence in the integrity of the legislature.

3 c. ~~Whether the senator's participation is likely~~
4 ~~to have any significant effect on the disposition of~~
5 ~~the matter.~~

6 d. The need for the senator's particular
7 contribution, such as special knowledge of the subject
8 matter, to the effective functioning of the
9 legislature.

10 A senator with a conflict of interest may
11 participate in floor debate if prior to debate the
12 senator indicates the conflict of interest.

13 10. GIFTS. Except as otherwise provided in
14 section 68B.22, a senator, or that person's immediate
15 family member, shall not, directly or indirectly,
16 accept or receive any gift or series of gifts from a
17 restricted donor.

18 5 11. DISCLOSURE REQUIRED. Each senator shall
19 file with the secretary of the senate within ten days
20 after the adoption of the code of ethics by the
21 senate, and within ten days after the convening of the
22 second session of the general assembly, a statement
23 under section 68B.35 on forms provided by the
24 secretary of the senate setting forth the following
25 information:

26 a. The nature of each business in which the
27 senator is engaged and the nature of the business of
28 each company in which the senator ~~or the senator's~~
29 ~~spouse~~ has a financial interest. A senator shall not
30 be required to file a report or be assumed to have a

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1 financial interest if an the annual income derived
2 from the investment in stocks, bonds, bills, notes,
3 mortgages, or other securities offered for sale
4 through recognized financial brokers is less than five
5 percent-of-the-total-outstanding-issue-of-any-such
6 stock,-bonds,-bills,-notes,-mortgages,-or-ether
7 securities-of-the-offering-entity one thousand
8 dollars.

9 b.--The-name-of-any-state-or-national-business,
10 trade,-labor,-farm,-professional,-religious,
11 educational,-or-charitable-association,-foundation,-or
12 organization-which-is-involved-in-supporting-or
13 opposing-legislation-brought-before-the-general
14 assembly-and-by-which-the-senator,-the-senator's
15 partner,-or-business-associate-is-employed-or-retained
16 or-has-rendered-services-for-compensation-within-the
17 last-twelve-months.

18 c.--Every-office-or-directorship-held-by-the
19 senator-in-any-corporation,-firm,-enterprise,-labor
20 union,-farm-organization,-cooperative,-religious,
21 educational,-or-charitable-association-or
22 organization,-or-trade-or-professional-association
23 held-during-the-last-twelve-months-and-every
24 membership-in-such-an-organization-which-is-engaged-in
25 actively-supporting-or-opposing-legislation-in-the
26 general-assembly.--The-name-of-the-entity-shall-be-set
27 out.

28 Disclosures required under this rule shall be as of
29 the date filed unless provided to the contrary, and
30 shall be amended to include interests and changes

1 encompassed by this rule that occur while the general
2 assembly is in session. All filings under this rule
3 shall be open to public inspection in the office of
4 the secretary of the senate at all reasonable times.

5 The secretary of the senate shall inform the ethics
6 committee of the statements which are filed and shall
7 report to the ethics committee the names of any
8 senators who appear not to have filed complete
9 statements. The chairperson of the ethics committee
10 shall request in writing that a senator who has failed
11 to complete the report or appears to have filed an
12 incomplete report do so within five days, and, upon
13 the failure of the senator to comply, the ethics
14 committee shall require the senator to appear before
15 the committee.

16 ~~d.--Senators-and-employees-of-the-senate-shall-file
17 a-report-with-the-secretary-of-the-senate,-of-a-gift,
18 which-does-not-include-food-or-drink-provided-for
19 immediate-consumption,-or-series-of-gifts-made-to-them
20 or-each-family-member-from-any-one-donor-which-exceed
21 fifteen-dollars-in-cumulative-value-in-any-one
22 calendar-day.--The-report-shall-list-the-nature,-date,
23 amount-or-equivalent-value,-and-donor-of-the-gift-and
24 shall-be-filed-by-the-fifteenth-of-the-month-covering
25 the-preceding-month-~~

26 ~~e.--A-senator-who-receives-an-honorarium-in-excess
27 of-fifteen-dollars-in-value-for-a-speech,-writing-for
28 publication,-or-other-similar-activity,-relating-to
29 the-senator's-duties-in-the-general-assembly,-shall
30 report-the-honorarium-to-the-secretary-of-the-senate-~~

1 The report shall include the nature and amount of the
2 honorarium, the date it was provided, from whom it was
3 received, and the nature and amount of reimbursement
4 for or payment of any actual expenses. -- The report
5 shall be filed by the senator on the fifteenth of the
6 month following the month in which the honorarium was
7 paid.

8 5. -- A senator, in whose name an honorarium in
9 excess of fifteen dollars in value is given to a
10 person or organization for a speech, writing for a
11 publication, or other similar activity, and who has
12 knowledge of such honorarium, shall report the
13 honorarium to the secretary of the senate. -- The report
14 shall include the nature and amount of the honorarium,
15 the date it was given, by whom it was given, and to
16 whom it was given. -- The report shall be filed by the
17 senator on the fifteenth of the month following the
18 month in which the honorarium was given.

19 6 12. STATUTORY VIOLATIONS. Members of the
20 general assembly are urged to familiarize themselves
21 with ~~chapter~~ chapters 68B, ~~and chapter~~ 721, and 722.

22 7 13. CHARGE ACCOUNTS. Senators shall not charge
23 any amount or item to any charge account to be paid
24 for by any lobbyist or any organization client the
25 lobbyist represents.

26 8 14. TRAVEL EXPENSES. A senator shall not charge
27 to the state of Iowa amounts for travel and expenses
28 unless the senator actually has incurred those mileage
29 and expense costs. Senators shall not file the
30 vouchers for weekly mileage reimbursement required by

1 section 2.10, subsection 1, unless the travel was
2 actually incurred at commensurate expense to the
3 senator.

4 9 15. COMPLAINTS. Complaints or charges against
5 any senator or any lobbyist shall be in writing, made
6 under oath, and filed with the secretary of the senate
7 or the chairperson of the ethics committee. If filed
8 with the secretary of the senate, the secretary shall
9 immediately advise the chairperson of the ethics
10 committee of the receipt of the complaint.

11 Complaint forms shall be available from the
12 secretary of the senate, or the chairperson of the
13 ethics committee, but a complaint shall not be
14 rejected for failure to use an approved form if the
15 complaint substantially complies with senate
16 requirements.

17 A complainant may submit exhibits and affidavits
18 attached to the complaint.

19 ~~10~~ 16. FILING OF COMPLAINTS.

20 a. Persons entitled. Complaints may be filed by
21 any person believing that a senator or lobbyist has
22 violated the senate ethics code, the senate rules
23 governing lobbyists, or chapter 68B of the Iowa Code.
24 A violation of the criminal law may be considered to
25 be a violation of this code of ethics if the violation
26 constitutes a serious misdemeanor or greater, or a
27 repetitive and flagrant violation of the law.

28 b. Committee complaint. The ethics committee may,
29 upon its own motion, initiate a complaint,
30 investigation, or disciplinary action.

1 c. Timeliness of filing. A complaint will be
2 considered to be timely filed if it is filed during
3 ~~the legislative session when an~~ within three years of
4 the occurrence of the alleged violation of the ethics
5 code occurs. ~~If the alleged unethical conduct occurs~~
6 ~~after adjournment, the complaint may be filed at any~~
7 ~~time up to and including the first fifteen days of the~~
8 ~~following legislative session.~~

9 ~~If the complaint alleges a violation of Iowa's~~
10 ~~criminal law, it is timely if filed during the~~
11 ~~legislative session when the alleged violation~~
12 ~~occurred, or during the session when the criminal~~
13 ~~charges are disposed of.~~

14 ~~11~~ 17. PERMANENT RECORD. The secretary of the
15 senate shall maintain a permanent record of all
16 complaints filed, evidence received by the committee,
17 and any transcripts or other recordings made of
18 committee proceedings, including a separate card file
19 containing the date filed, name and address of the
20 complainant, name and address of the respondent, a
21 brief statement of the charges made, and ultimate
22 disposition of the complaint. The secretary shall
23 keep each such complaint confidential until public
24 disclosure is made by the ethics committee.

25 ~~12~~ 18. PREHEARING PROCEDURE.

26 a. Defective complaint. Upon receipt of a
27 complaint, the chairperson and ranking member of the
28 ethics committee shall determine whether the complaint
29 substantially complies with the requirements of this
30 code of ethics and section 68B.31, subsection 6. If

1 the complaint does not substantially comply with the
2 requirements for formal sufficiency under the code of
3 ethics, the complaint may be returned to the
4 complainant with a statement that the complaint is not
5 in compliance with the code and a copy of the code.
6 If the complainant fails to amend the complaint to
7 comply with the code within a reasonable time, the
8 chair and ranking member may dismiss the complaint
9 with prejudice for failure to prosecute.

10 b. Service of complaint on respondent. Upon
11 receipt of any complaint substantially complying with
12 the requirements of this code of ethics, the
13 chairperson of the ethics committee shall cause a copy
14 of the complaint and any supporting information to be
15 delivered promptly to the respondent, requesting a
16 written response to be filed within ten days. The
17 response may do any of the following:

18 (1) Admit or deny the allegation or allegations,
19 or.

20 (2) Object that the allegation fails to allege a
21 violation of chapter 68B or the code of ethics, or.

22 (3) Object to the jurisdiction of the committee,
23 or.

24 (4) Request a more specific statement of the
25 allegation or allegations.

26 c. Objection to member. In addition to the items
27 which may be included in a response pursuant to
28 paragraph "b", the response may also include an
29 objection to the participation of any member of the
30 committee in the consideration of the allegation or

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1 allegations on the grounds that the member cannot
2 render an impartial and unbiased decision.

3 d. Extension of time. At the request of the
4 respondent and upon a showing of good cause, the
5 committee, or the chairperson and ranking member, may
6 extend the time for response, not to exceed ten
7 additional days.

8 e. Scheduling hearing. Upon receipt of the
9 response, the committee shall schedule a public
10 meeting to review the complaint and available
11 information, and shall:

12 (1) Notify the complainant that no further action
13 will be taken, unless further substantiating
14 information is produced, or

15 (2) Dismiss the complaint for failure to meet the
16 statutory and code of ethics requirements for valid
17 complaints, or

18 ~~(2 3) Conduct-its-own-investigation-or, upon~~
19 ~~approval-of-the-senate-or-the-senate-rules-and~~
20 ~~administration-committee-when-the-senate-is-not-in~~
21 ~~session, -arrange-for~~ Request that the chief justice of
22 the supreme court appoint an independent special
23 counsel to conduct an investigation of the complaint
24 by-independent-counsel and supporting information, to
25 make a determination of probable cause, and to report
26 the findings to the committee, to which shall be
27 received within a reasonable time, or

28 ~~{3}--Cause-the-complaint-to-be-scheduled-for-a~~
29 ~~public-hearing-before-the-committee, -or~~

30 (4) Cause the complaint to be scheduled for a

1 public hearing upon receipt of the report of the
2 independent special counsel, or

3 (5) Dismiss the complaint upon receipt of a report
4 by independent special counsel that insufficient
5 evidence exists to support a finding of probable
6 cause.

7 13 19. HEARING PROCEDURE.

8 a. Notice of hearing. If the committee causes a
9 complaint to be scheduled for a public hearing, notice
10 of the hearing date and time shall be given to the
11 complainant and respondent in writing, and of the
12 respondent's right to appear in person, be represented
13 by legal counsel, present statements and evidence, and
14 examine and cross-examine witnesses. The committee
15 shall not be bound by formal rules of evidence, but
16 shall receive relevant evidence, subject to
17 limitations on repetitiveness. Any evidence taken
18 shall be under oath.

19 b. Subpoena power. The committee may require, by
20 subpoena or otherwise, the attendance and testimony of
21 witnesses and the production of such books, records,
22 correspondence, memoranda, papers, documents, and any
23 other things it deems necessary to the conduct of the
24 inquiry.

25 c. Ex post facto. An investigation shall not be
26 undertaken by the committee of a violation of a law,
27 rule, or standard of conduct that is not in effect at
28 the time of violation.

29 d. Disqualification of member. Members of the
30 committee may disqualify themselves from participating

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1 in any investigation of the conduct of another person
2 upon submission of a written statement that the member
3 cannot render an impartial and unbiased decision in a
4 case. A member may also be disqualified by a
5 unanimous vote of ~~four-fifths~~ of the ~~legislative~~
6 remaining eligible members of the committee.

7 A member of the committee is ineligible to
8 participate in committee meetings, as a member of the
9 committee, in any proceeding relating to the member's
10 own official conduct.

11 If a member of the committee is disqualified or
12 ineligible to act, the majority or minority leader,
13 ~~after-consultation-with-the-minority-leader,~~ who
14 appointed the member shall appoint a ~~senator-of-the~~
15 ~~same-political-party-as-the-disqualified-committee~~
16 replacement member to serve as a member of the
17 committee during the period of disqualification or
18 ineligibility.

19 e. Hearing. At the hearing, the chairperson shall
20 open the hearing by stating the charges, the purpose
21 of the hearing, and its scope. The burden of proof
22 rests upon the complainant to establish the facts as
23 alleged, by clear and convincing evidence. However,
24 questioning of witnesses shall be conducted by the
25 members of the committee, by ~~legal~~ independent special
26 counsel appointed by the committee, or by a senator,
27 ~~the-senate-legal-counsel,~~ ~~or-legal-counsel-from-the~~
28 ~~legislative-service-bureau,~~ ~~if-designated-by-the~~
29 ~~chairperson-and-ranking-member-of-the-committee.~~ The
30 chairperson shall also permit questioning by legal

1 counsel representing the complainant or respondent.

2 The chairperson or other member of the committee
3 presiding at a hearing shall rule upon procedural
4 questions or any question of admissibility of evidence
5 presented to the committee. Rulings may be reversed
6 by a majority vote of the committee members present.

7 The committee may continue the hearing to a future
8 date if necessary for appropriate reasons or purposes.

9 f. Committee action. Upon receipt of all relevant
10 evidence and arguments, the committee shall consider
11 the same and recommend to the senate:

12 (1) That the complaint be dismissed, or

13 (2) That the senator or lobbyist be censured or
14 reprimanded, and recommend the appropriate form of
15 censure or reprimand, or

16 (3) Any other appropriate sanction, including
17 suspension or expulsion from membership in the senate,
18 or suspension of lobbying privileges.

19 g. Disposition resolution. By appropriate
20 resolution, the senate may amend, adopt, or reject the
21 report of the ethics committee, including the
22 committee's recommendations regarding disciplinary
23 action.

24 ~~14~~ 20. COMMITTEE AUTHORIZED TO MEET. The senate
25 ethics committee is authorized to meet ~~during-the-time~~
26 ~~the-general-assembly-is-not-in-session~~ at the
27 discretion of the chairperson to conduct hearings and
28 other business that properly may come before it. If
29 the committee submits a report seeking senate action
30 against a senator or lobbyist after the second regular

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1 session of a general assembly has adjourned sine die,
2 the report shall be submitted to and considered by the
3 subsequent general assembly.

4 15 21. COMPLAINT FILING FORM. The following form
5 shall be used to file a complaint under these rules:

6 THE SENATE
7 Ethics Complaint Form

8 Re: _____ (Senator/Lobbyist),
9 of _____, Iowa.

10 I, _____ (Complainant), residing
11 at _____, in the City of _____,
12 State of _____, hereby complain that
13 _____ (Senator/Lobbyist), whose
14 address is _____,

15 has violated the Senate Rule of Ethics or Senate Rules
16 Governing Lobbyists in that:

17 (Explain the basis for the complaint here. Use addi-
18 tional pages, if necessary).

19 Under penalty of perjury, I certify that the above
20 complaint is true and correct as I verily believe.

21 _____
22 Signature of Complainant

23 SUBSCRIBED AND AFFIRMED to before me this _____
24 day of _____, 19____.

25 _____
26 Notary Public in and for the
27 State of _____

28 16 22. COMPLAINT NOTICE FORM. The following form
29 shall be used for notice of a complaint under these
30 rules:

1 STATE OF IOWA
 2 THE SENATE
 3 COMMITTEE ON ETHICS)
 4 IOWA STATE SENATE)
 5)
 6 On The Complaint Of) NOTICE OF COMPLAINT
 7)
 8 _____)
 9)
 10 And Involving)
 11)
 12 _____)
 13 †

14 TO _____,
 15 Senator or Lobbyist named above:

16 You are hereby notified that there is now on file
 17 with the Secretary of the Senate, State Capitol, Des
 18 Moines, Iowa, a complaint which alleges that you have
 19 committed a violation of the Senate's Ethics Code or
 20 Senate Rules Governing Lobbyists.

21 A copy of the complaint and the Senate rules for
 22 processing the same are attached hereto and made a
 23 part of this notice.

24 You are further notified and requested to file your
 25 written answer to the complaint within ten days of the
 26 date upon which the notice was caused to be delivered
 27 to you, _____, 19___. Your answer is
 28 to be filed with the Secretary of the Senate, State
 29 Capitol, Des Moines, Iowa.

30 Dated this _____ day of _____, 19__.

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Chair, Senate Ethics Committee,
or Secretary of the Senate

§7 23. HEARING NOTICE FORM. The following form
shall be used for notice of a hearing under these
rules:

STATE OF IOWA
THE SENATE

COMMITTEE ON ETHICS)

IOWA STATE SENATE)

)

On The Complaint Of) NOTICE OF HEARING

)

_____)

)

And Involving)

)

_____)

)

TO _____,

Senator or Lobbyist named above:

You are hereby notified that there is now on file
with the Secretary of the Senate, State Capitol, Des
Moines, Iowa, a complaint which alleges that you have
committed a violation of the Senate's Ethics Code or
Senate Rules Governing Lobbyists.

A copy of the complaint and the Senate rules for
processing the same are attached hereto and made a
part of this notice.

You are further notified that, after preliminary

1 review, the committee has caused a public hearing to
2 be scheduled on
3 (date) _____, 19____, at (hour) _____
4 (a.m.) (p.m.), in Room _____, State Capitol, Des Moines,
5 Iowa.

6 At the hearing, you will have the right to appear
7 in person, be represented by legal counsel at your own
8 expense, present statements and evidence, and examine
9 and cross-examine witnesses. The committee shall not
10 be bound by formal rules of evidence, but shall
11 receive relevant evidence, subject to limitations on
12 repetitiveness. Any evidence taken shall be under
13 oath.

14 The committee may continue the hearing to a future
15 date if necessary for appropriate reasons or purposes.

16 You are further notified that the committee will
17 receive such evidence and take such action as
18 warranted by the evidence.

19 Dated this _____ day of _____, 19____.

20 _____
21 Chair, Senate Ethics Committee,
22 or Secretary of the Senate

23 24. PERSONAL FINANCIAL DISCLOSURE FORM. The following form
24 shall be used for disclosure of economic interests
25 under these rules and section 68B.35:

26 STATEMENT OF ECONOMIC INTERESTS
27 Name: _____
28 (Last) (First) (Middle Initial)
29 Address: _____
30 (Street Address, Apt.# - P.O. Box)

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2 _____
3 (City) (State) (Zip)

4 Phone: (Home) - - (Business) - -

5 *****

6 a. Please list each business, occupation, or
7 profession in which you are engaged. In listing the
8 business, occupation, or profession, it is not
9 necessary that your employer or the name of the
10 business be listed, although all businesses,
11 occupations, or professions must be listed, regardless
12 of the amount of income derived or time spent
13 participating in the activity. (Examples of types of
14 businesses, occupations, or professions that may be
15 listed: teacher, lawyer, legislator, real estate
16 agent, insurance adjuster, salesperson....)

17 (1) _____

18 (2) _____

19 (3) _____

20 (4) _____

21 (5) _____

22 2. Please list the nature of each of the
23 businesses, occupations, or professions which you
24 listed in paragraph "a", above, unless the nature of
25 the business, occupation, or profession is already
26 apparent from the information indicated above. The
27 descriptions in this paragraph should correspond by
28 letter to the letters for each of the businesses,
29 occupations, or professions listed in paragraph "a".
30 (Examples: If you indicated, for example, that you
were a salesperson in subparagraph (1) of paragraph

1 "a", you should list in subparagraph (1) of this
 2 paragraph the types of goods or services sold in this
 3 item. If you indicated that you were a teacher in
 4 subparagraph (2) of paragraph "a", you should indicate
 5 in subparagraph (2) of this paragraph the type of
 6 school or institution in which you provide instruction
 7 or whether the instruction is provided on a private
 8 basis. If you indicated that you were a lawyer in
 9 subparagraph (3) of paragraph "a", you should indicate
 10 your areas of practice and whether you are in private,
 11 corporate, or government practice in subparagraph (3)
 12 of this paragraph. If you indicated in subparagraph
 13 (4) of paragraph "a" that you were a consultant, in
 14 subparagraph (4) of this paragraph you should indicate
 15 the kind of services provided and types of clients
 16 served.)

- 17 (1) _____
- 18 (2) _____
- 19 (3) _____
- 20 (4) _____
- 21 (5) _____

22 c. Please list each source, by general
 23 description, from which you receive, or which
 24 generates, more than one thousand dollars in gross
 25 annual income in the categories listed below. For
 26 purposes of this item, a source produces gross annual
 27 income if the revenue produced by the source is
 28 subject to federal or state income taxes. In
 29 completing this item, it is not necessary to list the
 30 name of the company, business, financial institution,

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1 corporation, partnership, or other entity which
2 constitutes the source of the income and the amount or
3 value of the holding should not be listed.

4 (1) Securities (Here for example, you need not
5 state that you own X number of shares of any specific
6 company by brand or corporate name, or that the stock
7 is of a certain value, but may instead state that you
8 possess stock in a company and indicate the nature of
9 the company's business.):

10 _____
11 _____
12 _____
13 _____
14 _____

15 (2) Instruments of Financial Institutions (You
16 need not indicate, for example, in which institutions
17 you hold certificates of deposit that produce annual
18 income over the one thousand dollar threshold, but
19 simply listing the nature of the institution will
20 suffice, e.g., bank, credit union, or savings and loan
21 association.):

22 _____
23 _____
24 _____
25 _____
26 _____

27 (3) Trusts (The name of the particular trust need
28 not be listed. However, if the income is received
29 from a charitable trust/foundation, such as the Pugh
30 Charitable Trust, in the form of a grant, the fact

SR 11

1 that the trust is a charitable trust should be noted
2 here.):

3 _____
4 _____
5 _____
6 _____
7 _____

8 (4) Real Estate (When listing real estate, it is
9 not necessary to list the location of the property,
10 but the general nature of the real estate interest
11 should be indicated, e.g. residential leasehold
12 interest or farm leasehold interest.):

13 _____
14 _____
15 _____
16 _____
17 _____

18 (5) Retirement Systems (When listing retirement
19 benefits, it is not necessary to list the name of the
20 particular pension system or company, but rather the
21 type of benefit should be listed, e.g., health
22 benefits, life insurance benefits, private pension, or
23 government pension.):

24 _____
25 _____
26 _____
27 _____
28 _____

29 (6) Other Income Categories Specified in State or
30 Federal Income Tax Regulations (List description of

SR 11

1 other sources of income producing over one thousand
2 dollars in annual income not previously reported
3 above, but which must be reported for income tax
4 purposes.):

5 _____
6 _____
7 _____
8 _____
9 _____
10 _____
11 _____

12 (Signature of filer) (Date)

13

14

15

SENATE RESOLUTION 11

16

S-3594

17

1 Amend Senate Resolution 11 as follows:

18

2 1. Page 12, by inserting after line 7 the
3 following:

19

4 " Confidentiality. If a complaint is not
5 otherwise made public, the members of the committee
6 shall treat the complaint and all supporting
7 information as confidential until the written response
8 is received from the respondent."

20

21

22

9 2. By lettering and relettering as necessary.

23

By RICHARD DRAKE

24

EMIL J. HUSAK

S-3594 FILED APRIL 22, 1993

25

ADOPTED

26

27

28

29

30

1 senator shall not accept economic or investment
2 opportunity, under circumstances where the senator
3 knows, or should know, that there is a reasonable
4 possibility that the opportunity is being afforded the
5 senator with intent to influence the senator's conduct
6 in the performance of official duties.

7 a 2. ~~Divestiture~~ DIVESTITURE. Where a senator
8 learns that an economic or investment opportunity
9 previously accepted was offered with the intent of
10 influencing the senator's conduct in the performance
11 of official duties, the senator shall take steps to
12 divest that senator of that investment or economic
13 opportunity, and shall report the facts of the
14 situation to the senate ethics committee.

15 b 3. ~~Charges-for-Services~~ CHARGES FOR SERVICES. A
16 senator shall not charge to or accept from a person,
17 corporation, partnership, or association known to have
18 a legislative interest a price, fee, compensation, or
19 other consideration for the sale or lease of any
20 property or the furnishing of services which is in
21 excess of that which the senator would charge another.

22 c 4. ~~Use-of-Confidential-Information~~ USE OF
23 CONFIDENTIAL INFORMATION. A senator in order to
24 further the senator's own economic or other interests,
25 or those of any other person, shall not disclose or
26 use confidential information acquired in the course of
27 official duties.

28 d 5. ~~Honoraria~~ HONORARIA. A senator shall not
29 accept an honorarium from any-person a restricted
30 donor for a speech, writing for publication, or other

1 similar activity, ~~that-is-in-excess-of-five-hundred~~
2 ~~dollars-in-value~~ except as otherwise provided in
3 section 68B.23.

4 e 6. Employment EMPLOYMENT. A senator shall not
5 accept employment, either directly or indirectly, from
6 a political action committee. A senator may accept
7 employment from a political party, but shall disclose
8 the employment relationship in writing to the
9 secretary of the senate within ten days after the
10 beginning of each legislative session. If a senator
11 accepts employment from a political party during a
12 legislative session, the senator shall disclose the
13 employment relationship within ten days after
14 acceptance of the employment.

15 For the purpose of this rule, a political action
16 committee means a committee, but not a candidate's
17 committee, which accepts contributions, makes
18 expenditures, or incurs indebtedness in the aggregate
19 of more than two hundred fifty dollars in any one
20 calendar year for the purpose of supporting or
21 opposing a candidate for public office or ballot issue
22 or influencing legislative action, or an association,
23 lodge, society, cooperative, union, fraternity,
24 sorority, educational institution, civic organization,
25 labor organization, religious organization, or
26 professional organization which makes contributions in
27 the aggregate of more than two hundred fifty dollars
28 in any one calendar year for the purpose of supporting
29 or opposing a candidate for public office or ballot
30 issue or influencing legislative action.

1 2 7. ECONOMIC INTERESTS OF LOBBYIST. With the
2 exception of exercising unfettered discretion in
3 supporting or refusing to support proposed
4 legislation, a senator shall not take action intended
5 to affect the economic interests of a lobbyist or
6 citizen supporting or opposing proposed legislation.

7 3 8. APPEARANCE BEFORE GOVERNMENTAL AGENCY. A
8 senator may appear before a governmental agency or
9 board in any representation case, except that the
10 senator shall not ~~appear-before-a-governmental-agency~~
11 ~~or-board-for-compensation-if-the-matter-is-subject-to~~
12 ~~legislative-review~~ act as a lobbyist. Whenever a
13 senator appears before a governmental agency or board,
14 the senator shall carefully avoid all conduct which
15 might in any way lead members of the general public to
16 conclude that the senator is using the senator's
17 official position to further the senator's
18 professional success or personal financial interest.

19 4 9. CONFLICTS OF INTERESTS. In order to permit
20 the general assembly to function effectively, a
21 senator will sometimes be required to vote on bills
22 and participate in committee work which will affect
23 the senator's employment and other monetary interests.
24 In making a decision relative to the senator's
25 activity on given bills or committee work which are
26 subject to the code, the following factors shall be
27 considered:

28 a. Whether a substantial threat to the senator's
29 independence of judgment has been created by the
30 conflict situation.

1 b. The effect of the senator's participation on
2 public confidence in the integrity of the legislature.

3 c. ~~Whether the senator's participation is likely~~
4 ~~to have any significant effect on the disposition of~~
5 ~~the matter:~~

6 d. The need for the senator's particular
7 contribution, such as special knowledge of the subject
8 matter, to the effective functioning of the
9 legislature.

10 A senator with a conflict of interest may
11 participate in floor debate if prior to debate the
12 senator indicates the conflict of interest.

13 10. GIFTS. Except as otherwise provided in
14 section 68B.22, a senator, or that person's immediate
15 family member, shall not, directly or indirectly,
16 accept or receive any gift or series of gifts from a
17 restricted donor.

18 5 11. DISCLOSURE REQUIRED. Each senator shall
19 file with the secretary of the senate within ten days
20 after the adoption of the code of ethics by the
21 senate, and within ten days after the convening of the
22 second session of the general assembly, a statement
23 under section 68B.35 on forms provided by the
24 secretary of the senate setting forth the following
25 information:

26 a. The nature of each business in which the
27 senator is engaged and the nature of the business of
28 each company in which the senator ~~or the senator's~~
29 ~~spouse~~ has a financial interest. A senator shall not
30 be required to file a report or be assumed to have a

1 financial interest if an the annual income derived
2 from the investment in stocks, bonds, bills, notes,
3 mortgages, or other securities offered for sale
4 through recognized financial brokers is less than five
5 ~~percent-of-the-total-outstanding-issue-of-any-such~~
6 ~~stock,-bonds,-bills,-notes,-mortgages,-or-other~~
7 ~~securities-of-the-offering-entity~~ one thousand
8 dollars.

9 b. ~~---The name of any state or national business,~~
10 ~~trade,-labor,-farm,-professional,-religious,~~
11 ~~educational,-or-charitable-association,-foundation,-or~~
12 ~~organization-which-is-involved-in-supporting-or~~
13 ~~opposing-legislation-brought-before-the-general~~
14 ~~assembly-and-by-which-the-senator,-the-senator's~~
15 ~~partner,-or-business-associate-is-employed-or-retained~~
16 ~~or-has-rendered-services-for-compensation-within-the~~
17 ~~last-twelve-months.~~

18 c. ~~---Every office or directorship held by the~~
19 ~~senator in any corporation,-firm,-enterprise,-labor~~
20 ~~union,-farm-organization,-cooperative,-religious,~~
21 ~~educational,-or-charitable-association-or~~
22 ~~organization,-or-trade-or-professional-association~~
23 ~~held-during-the-last-twelve-months-and-every~~
24 ~~membership-in-such-an-organization-which-is-engaged-in~~
25 ~~actively-supporting-or-opposing-legislation-in-the~~
26 ~~general-assembly.---The name of the entity shall be set~~
27 ~~out.~~

28 Disclosures required under this rule shall be as of
29 the date filed unless provided to the contrary, and
30 shall be amended to include interests and changes

1 encompassed by this rule that occur while the general
2 assembly is in session. All filings under this rule
3 shall be open to public inspection in the office of
4 the secretary of the senate at all reasonable times.
5 The secretary of the senate shall inform the ethics
6 committee of the statements which are filed and shall
7 report to the ethics committee the names of any
8 senators who appear not to have filed complete
9 statements. The chairperson of the ethics committee
10 shall request in writing that a senator who has failed
11 to complete the report or appears to have filed an
12 incomplete report do so within five days, and, upon
13 the failure of the senator to comply, the ethics
14 committee shall require the senator to appear before
15 the committee.

16 ~~d.--Senators-and-employees-of-the-senate-shall-file~~
17 ~~a-report-with-the-secretary-of-the-senate,-of-a-gift,~~
18 ~~which-does-not-include-food-or-drink-provided-for~~
19 ~~immediate-consumption,-or-series-of-gifts-made-to-them~~
20 ~~or-each-family-member-from-any-one-donor-which-exceed~~
21 ~~fifteen-dollars-in-cumulative-value-in-any-one~~
22 ~~calendar-day.--The-report-shall-list-the-nature,-date,~~
23 ~~amount-or-equivalent-value,-and-donor-of-the-gift-and~~
24 ~~shall-be-filed-by-the-fifteenth-of-the-month-covering~~
25 ~~the-preceding-month.~~

26 ~~e.--A-senator-who-receives-an-honorarium-in-excess~~
27 ~~of-fifteen-dollars-in-value-for-a-speech,-writing-for~~
28 ~~publication,-or-other-similar-activity,-relating-to~~
29 ~~the-senator's-duties-in-the-general-assembly,-shall~~
30 ~~report-the-honorarium-to-the-secretary-of-the-senate.~~

1 The report shall include the nature and amount of the
2 honorarium, the date it was provided, from whom it was
3 received, and the nature and amount of reimbursement
4 for or payment of any actual expenses. The report
5 shall be filed by the senator on the fifteenth of the
6 month following the month in which the honorarium was
7 paid.

8 5. A senator, in whose name an honorarium in
9 excess of fifteen dollars in value is given to a
10 person or organization for a speech, writing for a
11 publication, or other similar activity, and who has
12 knowledge of such honorarium, shall report the
13 honorarium to the secretary of the senate. The report
14 shall include the nature and amount of the honorarium,
15 the date it was given, by whom it was given, and to
16 whom it was given. The report shall be filed by the
17 senator on the fifteenth of the month following the
18 month in which the honorarium was given.

19 6 12. STATUTORY VIOLATIONS. Members of the
20 general assembly are urged to familiarize themselves
21 with ~~chapter~~ chapters 68B, ~~and chapter~~ 721, and 722.

22 7 13. CHARGE ACCOUNTS. Senators shall not charge
23 any amount or item to any charge account to be paid
24 for by any lobbyist or any organization client the
25 lobbyist represents.

26 8 14. TRAVEL EXPENSES. A senator shall not charge
27 to the state of Iowa amounts for travel and expenses
28 unless the senator actually has incurred those mileage
29 and expense costs. Senators shall not file the
30 vouchers for weekly mileage reimbursement required by

1 section 2.10, subsection 1, unless the travel was
2 actually incurred at commensurate expense to the
3 senator.

4 9 15. COMPLAINTS. Complaints or charges against
5 any senator or any lobbyist shall be in writing, made
6 under oath, and filed with the secretary of the senate
7 or the chairperson of the ethics committee. If filed
8 with the secretary of the senate, the secretary shall
9 immediately advise the chairperson of the ethics
10 committee of the receipt of the complaint.

11 Complaint forms shall be available from the
12 secretary of the senate, or the chairperson of the
13 ethics committee, but a complaint shall not be
14 rejected for failure to use an approved form if the
15 complaint substantially complies with senate
16 requirements.

17 A complainant may submit exhibits and affidavits
18 attached to the complaint.

19 16. FILING OF COMPLAINTS.

20 a. Persons entitled. Complaints may be filed by
21 any person believing that a senator or lobbyist has
22 violated the senate ethics code, the senate rules
23 governing lobbyists, or chapter 68B of the Iowa Code.
24 A violation of the criminal law may be considered to
25 be a violation of this code of ethics if the violation
26 constitutes a serious misdemeanor or greater, or a
27 repetitive and flagrant violation of the law.

28 b. Committee complaint. The ethics committee may,
29 upon its own motion, initiate a complaint,
30 investigation, or disciplinary action.

1 c. Timeliness of filing. A complaint will be
2 considered to be timely filed if it is filed during
3 ~~the legislative session when an~~ within three years of
4 the occurrence of the alleged violation of the ethics
5 code occurs. ~~if the alleged unethical conduct occurs~~
6 ~~after adjournment, the complaint may be filed at any~~
7 ~~time up to and including the first fifteen days of the~~
8 ~~following legislative session.~~

9 ~~if the complaint alleges a violation of Iowa's~~
10 ~~criminal law, it is timely if filed during the~~
11 ~~legislative session when the alleged violation~~
12 ~~occurred, or during the session when the criminal~~
13 ~~charges are disposed of.~~

14 ~~it~~ 17. PERMANENT RECORD. The secretary of the
15 senate shall maintain a permanent record of all
16 complaints filed, evidence received by the committee,
17 and any transcripts or other recordings made of
18 committee proceedings, including a separate card file
19 containing the date filed, name and address of the
20 complainant, name and address of the respondent, a
21 brief statement of the charges made, and ultimate
22 disposition of the complaint. The secretary shall
23 keep each such complaint confidential until public
24 disclosure is made by the ethics committee.

25 ~~it~~ 18. PREHEARING PROCEDURE.

26 a. Defective complaint. Upon receipt of a
27 complaint, the chairperson and ranking member of the
28 ethics committee shall determine whether the complaint
29 substantially complies with the requirements of this
30 code of ethics and section 68B.21, subsection 6. If

1 the complaint does not substantially comply with the
2 requirements for formal sufficiency under the code of
3 ethics, the complaint may be returned to the
4 complainant with a statement that the complaint is not
5 in compliance with the code and a copy of the code.
6 If the complainant fails to amend the complaint to
7 comply with the code within a reasonable time, the
8 chair and ranking member may dismiss the complaint
9 with prejudice for failure to prosecute.

10 b. Service of complaint on respondent. Upon
11 receipt of any complaint substantially complying with
12 the requirements of this code of ethics, the
13 chairperson of the ethics committee shall cause a copy
14 of the complaint and any supporting information to be
15 delivered promptly to the respondent, requesting a
16 written response to be filed within ten days. The
17 response may do any of the following:

18 (1) Admit or deny the allegation or allegations;
19 or.

20 (2) Object that the allegation fails to allege a
21 violation of chapter 68B or the code of ethics; or.

22 (3) Object to the jurisdiction of the committee;
23 or.

24 (4) Request a more specific statement of the
25 allegation or allegations.

26 c. Objection to member. In addition to the items
27 which may be included in a response pursuant to
28 paragraph "b", the response may also include an
29 objection to the participation of any member of the
30 committee in the consideration of the allegation or

1 allegations on the grounds that the member cannot
2 render an impartial and unbiased decision.

3 d. Extension of time. At the request of the
4 respondent and upon a showing of good cause, the
5 committee, or the chairperson and ranking member, may
6 extend the time for response, not to exceed ten
7 additional days.

8 e. Confidentiality. If a complaint is not
9 otherwise made public, the members of the committee
10 shall treat the complaint and all supporting
11 information as confidential until the written response
12 is received from the respondent.

13 f. Scheduling hearing. Upon receipt of the
14 response, the committee shall schedule a public
15 meeting to review the complaint and available
16 information, and shall:

17 (1) Notify the complainant that no further action
18 will be taken, unless further substantiating
19 information is produced, or

20 (2) Dismiss the complaint for failure to meet the
21 statutory and code of ethics requirements for valid
22 complaints, or

23 ~~(2 3) Conduct-its-own-investigation-or, upon~~
24 ~~approval-of-the-senate-or-the-senate-rules-and~~
25 ~~administration-committee-when-the-senate-is-not-in~~
26 ~~session, arrange-for~~ Request that the chief justice of
27 the supreme court appoint an independent special
28 counsel to conduct an investigation of the complaint
29 by-independent-counsel and supporting information, to
30 make a determination of probable cause, and to report

1 the findings to the committee, to which shall be
2 received within a reasonable time, or

3 ~~(3) -- Cause the complaint to be scheduled for a~~
4 ~~public hearing before the committee, or~~

5 (4) Cause the complaint to be scheduled for a
6 public hearing upon receipt of the report of the
7 independent special counsel, or

8 (5) Dismiss the complaint upon receipt of a report
9 by independent special counsel that insufficient
10 evidence exists to support a finding of probable
11 cause.

12 ~~13~~ 19. HEARING PROCEDURE.

13 a. Notice of hearing. If the committee causes a
14 complaint to be scheduled for a public hearing, notice
15 of the hearing date and time shall be given to the
16 complainant and respondent in writing, and of the
17 respondent's right to appear in person, be represented
18 by legal counsel, present statements and evidence, and
19 examine and cross-examine witnesses. The committee
20 shall not be bound by formal rules of evidence, but
21 shall receive relevant evidence, subject to
22 limitations on repetitiveness. Any evidence taken
23 shall be under oath.

24 b. Subpoena power. The committee may require, by
25 subpoena or otherwise, the attendance and testimony of
26 witnesses and the production of such books, records,
27 correspondence, memoranda, papers, documents, and any
28 other things it deems necessary to the conduct of the
29 inquiry.

30 c. Ex post facto. An investigation shall not be

1 undertaken by the committee of a violation of a law,
2 rule, or standard of conduct that is not in effect at
3 the time of violation.

4 d. Disqualification of member. Members of the
5 committee may disqualify themselves from participating
6 in any investigation of the conduct of another person
7 upon submission of a written statement that the member
8 cannot render an impartial and unbiased decision in a
9 case. A member may also be disqualified by a
10 unanimous vote of ~~four-fifths-of~~ the legislative
11 remaining eligible members of the committee.

12 A member of the committee is ineligible to
13 participate in committee meetings, as a member of the
14 committee, in any proceeding relating to the member's
15 own official conduct.

16 If a member of the committee is disqualified or
17 ineligible to act, the majority or minority leader,
18 ~~after-consultation-with-the-minority-leader,~~ who
19 appointed the member shall appoint a ~~senator-of-the~~
20 ~~same-political-party-as-the-disqualified-committee~~
21 replacement member to serve as a member of the
22 committee during the period of disqualification or
23 ineligibility.

24 e. Hearing. At the hearing, the chairperson shall
25 open the hearing by stating the charges, the purpose
26 of the hearing, and its scope. The burden of proof
27 rests upon the complainant to establish the facts as
28 alleged, by clear and convincing evidence. However,
29 questioning of witnesses shall be conducted by the
30 members of the committee, by ~~legat~~ independent special

1 counsel appointed by the committee, or by a senator,
2 ~~the-senate-legal-counsel, or-legal-counsel-from-the~~
3 ~~legislative-service-bureau, if-designated-by-the~~
4 ~~chairperson-and-ranking-member-of-the-committee.~~ The
5 chairperson shall also permit questioning by legal
6 counsel representing the complainant or respondent.

7 The chairperson or other member of the committee
8 presiding at a hearing shall rule upon procedural
9 questions or any question of admissibility of evidence
10 presented to the committee. Rulings may be reversed
11 by a majority vote of the committee members present.

12 The committee may continue the hearing to a future
13 date if necessary for appropriate reasons or purposes.

14 f. Committee action. Upon receipt of all relevant
15 evidence and arguments, the committee shall consider
16 the same and recommend to the senate:

17 (1) That the complaint be dismissed, or

18 (2) That the senator or lobbyist be censured or
19 reprimanded, and recommend the appropriate form of
20 censure or reprimand, or

21 (3) Any other appropriate sanction, including
22 suspension or expulsion from membership in the senate,
23 or suspension of lobbying privileges.

24 g. Disposition resolution. By appropriate
25 resolution, the senate may amend, adopt, or reject the
26 report of the ethics committee, including the
27 committee's recommendations regarding disciplinary
28 action.

29 14 20. COMMITTEE AUTHORIZED TO MEET. The senate
30 ethics committee is authorized to meet ~~during-the-time~~

1 ~~the general assembly is not in session at the~~
2 discretion of the chairperson to conduct hearings and
3 other business that properly may come before it. If
4 the committee submits a report seeking senate action
5 against a senator or lobbyist after the second regular
6 session of a general assembly has adjourned sine die,
7 the report shall be submitted to and considered by the
8 subsequent general assembly.

9 §5 21. COMPLAINT FILING FORM. The following form
10 shall be used to file a complaint under these rules:

11 THE SENATE

12 Ethics Complaint Form

13 Re: _____ (Senator/Lobbyist),
14 of _____, Iowa.

15 I, _____ (Complainant), residing
16 at _____, in the City of _____,
17 State of _____, hereby complain that
18 _____ (Senator/Lobbyist), whose
19 address is _____,

20 has violated the Senate Rule of Ethics or Senate Rules
21 Governing Lobbyists in that:

22 (Explain the basis for the complaint here. Use addi-
23 tional pages, if necessary).

24 Under penalty of perjury, I certify that the above
25 complaint is true and correct as I verily believe.

26 _____
27 Signature of Complainant

28 SUBSCRIBED AND AFFIRMED to before me this _____
29 day of _____, 19____.

30 _____

1 Notary Public in and for the
2 State of _____

3 ¶6 22. COMPLAINT NOTICE FORM. The following form
4 shall be used for notice of a complaint under these
5 rules:

6 STATE OF IOWA
7 THE SENATE
8 COMMITTEE ON ETHICS)
9 IOWA STATE SENATE)
10)
11 On The Complaint Of) NOTICE OF COMPLAINT
12)
13 _____)
14)
15 And Involving)
16)
17 _____)
18)

19 TO _____,

20 Senator or Lobbyist named above:

21 You are hereby notified that there is now on file
22 with the Secretary of the Senate, State Capitol, Des
23 Moines, Iowa, a complaint which alleges that you have
24 committed a violation of the Senate's Ethics Code or
25 Senate Rules Governing Lobbyists.

26 A copy of the complaint and the Senate rules for
27 processing the same are attached hereto and made a
28 part of this notice.

29 You are further notified and requested to file your
30 written answer to the complaint within ten days of the

1 date upon which the notice was caused to be delivered
2 to you, _____, 19___. Your answer is
3 to be filed with the Secretary of the Senate, State
4 Capitol, Des Moines, Iowa.

5 Dated this _____ day of _____, 19___.
6 _____

7 Chair, Senate Ethics Committee,
8 or Secretary of the Senate

9 ¶ 23. HEARING NOTICE FORM. The following form
10 shall be used for notice of a hearing under these
11 rules:

12 STATE OF IOWA

13 THE SENATE

14 COMMITTEE ON ETHICS)

15 IOWA STATE SENATE)

16)

17 On The Complaint Of)

NOTICE OF HEARING

18)

19 _____)

20)

21 And Involving)

22)

23 _____)

24)

25 TO _____,

26 Senator or Lobbyist named above:

27 You are hereby notified that there is now on file
28 with the Secretary of the Senate, State Capitol, Des
29 Moines, Iowa, a complaint which alleges that you have
30 committed a violation of the Senate's Ethics Code or

1 Senate Rules Governing Lobbyists.

2 A copy of the complaint and the Senate rules for
3 processing the same are attached hereto and made a
4 part of this notice.

5 You are further notified that, after preliminary
6 review, the committee has caused a public hearing to
7 be scheduled on

8 (date) _____, 19____, at (hour) _____
9 (a.m.) (p.m.), in Room _____, State Capitol, Des Moines,
10 Iowa.

11 At the hearing, you will have the right to appear
12 in person, be represented by legal counsel at your own
13 expense, present statements and evidence, and examine
14 and cross-examine witnesses. The committee shall not
15 be bound by formal rules of evidence, but shall
16 receive relevant evidence, subject to limitations on
17 repetitiveness. Any evidence taken shall be under
18 oath.

19 The committee may continue the hearing to a future
20 date if necessary for appropriate reasons or purposes.

21 You are further notified that the committee will
22 receive such evidence and take such action as
23 warranted by the evidence.

24 Dated this _____ day of _____, 19____.

25

26 _____
27 Chair, Senate Ethics Committee,
28 or Secretary of the Senate

29 24. PERSONAL FINANCIAL DISCLOSURE FORM. The following form
30 shall be used for disclosure of economic interests
under these rules and section 68B.35:

1 STATEMENT OF ECONOMIC INTERESTS

2 Name:
3 (Last) (First) (Middle Initial)

4 Address:
5 (Street Address, Apt.# - P.O. Box)

6
7 (City) (State) (Zip)

8 Phone: (Home) - - (Business) - -

9 *****

10 a. Please list each business, occupation, or
11 profession in which you are engaged. In listing the
12 business, occupation, or profession, it is not
13 necessary that your employer or the name of the
14 business be listed, although all businesses,
15 occupations, or professions must be listed, regardless
16 of the amount of income derived or time spent
17 participating in the activity. (Examples of types of
18 businesses, occupations, or professions that may be
19 listed: teacher, lawyer, legislator, real estate
20 agent, insurance adjuster, salesperson....)

- 21 (1) _____
- 22 (2) _____
- 23 (3) _____
- 24 (4) _____
- 25 (5) _____

26 2. Please list the nature of each of the
27 businesses, occupations, or professions which you
28 listed in paragraph "a", above, unless the nature of
29 the business, occupation, or profession is already
30 apparent from the information indicated above. The

1 descriptions in this paragraph should correspond by
2 letter to the letters for each of the businesses,
3 occupations, or professions listed in paragraph "a".
4 (Examples: If you indicated, for example, that you
5 were a salesperson in subparagraph (1) of paragraph
6 "a", you should list in subparagraph (1) of this
7 paragraph the types of goods or services sold in this
8 item. If you indicated that you were a teacher in
9 subparagraph (2) of paragraph "a", you should indicate
10 in subparagraph (2) of this paragraph the type of
11 school or institution in which you provide instruction
12 or whether the instruction is provided on a private
13 basis. If you indicated that you were a lawyer in
14 subparagraph (3) of paragraph "a", you should indicate
15 your areas of practice and whether you are in private,
16 corporate, or government practice in subparagraph (3)
17 of this paragraph. If you indicated in subparagraph
18 (4) of paragraph "a" that you were a consultant, in
19 subparagraph (4) of this paragraph you should indicate
20 the kind of services provided and types of clients
21 served.)

22 (1) _____

23 (2) _____

24 (3) _____

25 (4) _____

26 (5) _____

27 c. Please list each source, by general
28 description, from which you receive, or which
29 generates, more than one thousand dollars in gross
30 annual income in the categories listed below. For

1 purposes of this item, a source produces gross annual
2 income if the revenue produced by the source is
3 subject to federal or state income taxes. In
4 completing this item, it is not necessary to list the
5 name of the company, business, financial institution,
6 corporation, partnership, or other entity which
7 constitutes the source of the income and the amount or
8 value of the holding should not be listed.

9 (1) Securities (Here for example, you need not
10 state that you own X number of shares of any specific
11 company by brand or corporate name, or that the stock
12 is of a certain value, but may instead state that you
13 possess stock in a company and indicate the nature of
14 the company's business.):

15 _____
16 _____
17 _____
18 _____
19 _____

20 (2) Instruments of Financial Institutions (You
21 need not indicate, for example, in which institutions
22 you hold certificates of deposit that produce annual
23 income over the one thousand dollar threshold, but
24 simply listing the nature of the institution will
25 suffice, e.g., bank, credit union, or savings and loan
26 association.):

27 _____
28 _____
29 _____
30 _____

1 _____
2 (3) Trusts (The name of the particular trust need
3 not be listed. However, if the income is received
4 from a charitable trust/foundation, such as the Pugh
5 Charitable Trust, in the form of a grant, the fact
6 that the trust is a charitable trust should be noted
7 here.):

8 _____
9 _____
10 _____
11 _____
12 _____

13 (4) Real Estate (When listing real estate, it is
14 not necessary to list the location of the property,
15 but the general nature of the real estate interest
16 should be indicated, e.g. residential leasehold
17 interest or farm leasehold interest.):

18 _____
19 _____
20 _____
21 _____
22 _____

23 (5) Retirement Systems (When listing retirement
24 benefits, it is not necessary to list the name of the
25 particular pension system or company, but rather the
26 type of benefit should be listed, e.g., health
27 benefits, life insurance benefits, private pension, or
28 government pension.):

29 _____
30 _____

1 _____
2 _____
3 _____
4 (6) Other Income Categories Specified in State or
5 Federal Income Tax Regulations (List description of
6 other sources of income producing over one thousand
7 dollars in annual income not previously reported
8 above, but which must be reported for income tax
9 purposes.):
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____

17 (Signature of filer) (Date)

18
19
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