

Drake
McKean
Kibbie

SSB-1010

Ethics

Succeeded By

SF/HF SR4

1 SENATE RESOLUTION NO.
2 BY (PROPOSED COMMITTEE ON ETHICS
3 RESOLUTION BY CHAIRPERSON DRAKE)

4 A Resolution relating to the Senate Code of Ethics
5 governing the conduct of members of the Senate in
6 relation to their senatorial duties during the
7 Seventy-ninth General Assembly.

8 BE IT RESOLVED BY THE SENATE, That the Senate Code
9 of Ethics for the ~~Seventy-eighth~~ Seventy-ninth General
10 Assembly shall be amended to read as follows:

11 SENATE CODE OF ETHICS

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

17 In doing so, members of the senate have a duty to
18 conduct themselves so as to reflect credit on the
19 general assembly, and to inspire the confidence,
20 respect, and trust of the public, and to strive to
21 avoid both unethical and illegal conduct and the
22 appearance of unethical and illegal conduct.

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

1 members in the conduct of their legislative affairs.

2 1. ECONOMIC INTEREST OF SENATOR. Taking into
3 account that legislative service is part-time, a
4 senator shall not accept economic or investment
5 opportunity, under circumstances where the senator
6 knows, or should know, that there is a reasonable
7 possibility that the opportunity is being afforded the
8 senator with intent to influence the senator's conduct
9 in the performance of official duties.

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

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

25 4. USE OF CONFIDENTIAL INFORMATION. A senator in
26 order to further the senator's own economic or other
27 interests, or those of any other person, shall not
28 disclose or use confidential information acquired in
29 the course of official duties.

30 5. HONORARIA. A senator shall not accept an

1 honorarium from a restricted donor for a speech,
2 writing for publication, or other similar activity,
3 except as otherwise provided in section 68B.23.

4 6. EMPLOYMENT. A senator shall not accept
5 employment, either directly or indirectly, from a
6 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 five hundred dollars in any one calendar
20 year ~~for-the-purpose-of-supporting-or-opposing to~~
21 expressly advocate the nomination, election, or defeat
22 of a candidate for public office or to expressly
23 advocate the passage or defeat of a ballot issue or
24 influencing legislative action, or an association,
25 lodge, society, cooperative, union, fraternity,
26 sorority, educational institution, civic organization,
27 labor organization, religious organization, or
28 professional organization which makes contributions in
29 the aggregate of more than five hundred dollars in any
30 one calendar year ~~for-the-purpose-of-supporting-or~~

1 opposing to expressly advocate the nomination,
2 election, or defeat of a candidate for public office
3 or ballot issue or influencing legislative action.

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

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

20 9. CONFLICTS OF INTERESTS. In order to permit the
21 general assembly to function effectively, a senator
22 will sometimes be required to vote on bills and
23 participate in committee work which will affect the
24 senator's employment and other monetary interests. In
25 making a decision relative to the senator's activity
26 on given bills or committee work which are subject to
27 the code, the following factors shall be 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. The need for the senator's particular
4 contribution, such as special knowledge of the subject
5 matter, to the effective functioning of the
6 legislature.

7 A senator with a conflict of interest may
8 participate in floor debate if prior to debate the
9 senator indicates the conflict of interest.

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

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

22 The nature of each business in which the senator is
23 engaged and the nature of the business of each company
24 in which the senator has a financial interest. A
25 senator shall not be required to file a report or be
26 assumed to have a financial interest if the annual
27 income derived from the investment in stocks, bonds,
28 bills, notes, mortgages, or other securities offered
29 for sale through recognized financial brokers is less
30 than one thousand dollars.

1 Disclosures required under this rule shall be as of
2 the date filed unless provided to the contrary, and
3 shall be amended to include interests and changes
4 encompassed by this rule that occur while the general
5 assembly is in session. All filings under this rule
6 shall be open to public inspection in the office of
7 the secretary of the senate at all reasonable times.

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

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

22 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 client the lobbyist
25 represents.

26 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 15. COMPLAINTS. Complaints or charges against any
5 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 within
3 three years of the occurrence of the alleged violation
4 of the ethics code.

5 17. PERMANENT RECORD. The secretary of the senate
6 shall maintain a permanent record of all complaints
7 filed, evidence received by the committee, and any
8 transcripts or other recordings made of committee
9 proceedings, including a separate card file containing
10 the date filed, name and address of the complainant,
11 name and address of the respondent, a brief statement
12 of the charges made, and ultimate disposition of the
13 complaint. The secretary shall keep each such
14 complaint confidential until public disclosure is made
15 by the ethics committee.

16 18. PREHEARING PROCEDURE.

17 a. Defective complaint. Upon receipt of a
18 complaint, the chairperson and ranking member of the
19 ethics committee shall determine whether the complaint
20 substantially complies with the requirements of this
21 code of ethics and section 68B.31, subsection 6. If
22 the complaint does not substantially comply with the
23 requirements for formal sufficiency under the code of
24 ethics, the complaint may be returned to the
25 complainant with a statement that the complaint is not
26 in compliance with the code and a copy of the code.
27 If the complainant fails to amend the complaint to
28 comply with the code within a reasonable time, the
29 chair and ranking member may dismiss the complaint
30 with prejudice for failure to prosecute.

1 b. Service of complaint on respondent. Upon
2 receipt of any complaint substantially complying with
3 the requirements of this code of ethics, the
4 chairperson of the ethics committee shall cause a copy
5 of the complaint and any supporting information to be
6 delivered promptly to the respondent, requesting a
7 written response to be filed within ten days. The
8 response may do any of the following:

9 (1) Admit or deny the allegation or allegations.

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

12 (3) Object to the jurisdiction of the committee.

13 (4) Request a more specific statement of the
14 allegation or allegations.

15 c. Objection to member. In addition to the items
16 which may be included in a response pursuant to
17 paragraph "b", the response may also include an
18 objection to the participation of any member of the
19 committee in the consideration of the allegation or
20 allegations on the grounds that the member cannot
21 render an impartial and unbiased decision.

22 d. Extension of time. At the request of the
23 respondent and upon a showing of good cause, the
24 committee, or the chairperson and ranking member, may
25 extend the time for response, not to exceed ten
26 additional days.

27 e. Confidentiality. If a complaint is not
28 otherwise made public, the members of the committee
29 shall treat the complaint and all supporting
30 information as confidential until the written response

1 is received from the respondent.

2 f. Communications with ethics committee. After a
3 complaint has been filed or an investigation has been
4 initiated, a party to the complaint or investigation
5 shall not communicate, or cause another to
6 communicate, as to the merits of the complaint or
7 investigation with a member of the committee, except
8 under the following circumstances:

9 (1) During the course of any meetings or other
10 official proceedings of the committee regarding the
11 complaint or investigation.

12 (2) In writing, if a copy of the writing is
13 delivered to the adverse party or the designated
14 representative for the adverse party.

15 (3) Orally, if adequate prior notice of the
16 communication is given to the adverse party or the
17 designated representative for the adverse party.

18 (4) As otherwise authorized by statute, the senate
19 code of ethics, the senate rules governing lobbyists,
20 or vote of the committee.

21 g. Scheduling hearing. Upon receipt of the
22 response, the committee shall schedule a public
23 meeting to review the complaint and available
24 information, and shall:

25 (1) Notify the complainant that no further action
26 will be taken, unless further substantiating
27 information is produced, or

28 (2) Dismiss the complaint for failure to meet the
29 statutory and code of ethics requirements for valid
30 complaints, or

1 (3) Request that the chief justice of the supreme
2 court appoint an independent special counsel to
3 conduct an investigation of the complaint and
4 supporting information, to make a determination of
5 probable cause, and to report the findings to the
6 committee, which shall be received within a reasonable
7 time.

8 h. Public hearing. If independent special counsel
9 is appointed, upon receipt of the report of
10 independent special counsel's findings, the committee
11 shall schedule a public meeting to review the report
12 and shall do either of the following:

13 (1) Cause the complaint to be scheduled for a
14 public hearing.

15 (2) Dismiss the complaint based upon a
16 determination by independent special counsel and the
17 committee that insufficient evidence exists to support
18 a finding of probable cause.

19 19. HEARING PROCEDURE.

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

1 b. Subpoena power. The committee may require, by
2 subpoena or otherwise, the attendance and testimony of
3 witnesses and the production of such books, records,
4 correspondence, memoranda, papers, documents, and any
5 other things it deems necessary to the conduct of the
6 inquiry.

7 c. Ex post facto. An investigation shall not be
8 undertaken by the committee of a violation of a law,
9 rule, or standard of conduct that is not in effect at
10 the time of violation.

11 d. Disqualification of member. Members of the
12 committee may disqualify themselves from participating
13 in any investigation of the conduct of another person
14 upon submission of a written statement that the member
15 cannot render an impartial and unbiased decision in a
16 case. A member may also be disqualified by a
17 unanimous vote of the remaining eligible members of
18 the committee.

19 A member of the committee is ineligible to
20 participate in committee meetings, as a member of the
21 committee, in any proceeding relating to the member's
22 own official conduct.

23 If a member of the committee is disqualified or
24 ineligible to act, the majority or minority leader who
25 appointed the member shall appoint a replacement
26 member to serve as a member of the committee during
27 the period of disqualification or ineligibility.

28 e. Hearing. At the hearing, the chairperson shall
29 open the hearing by stating the charges, the purpose
30 of the hearing, and its scope. The burden of proof

1 rests upon the complainant to establish the facts as
2 alleged, by clear and convincing evidence. However,
3 questioning of witnesses shall be conducted by the
4 members of the committee, by independent special
5 counsel, or by a senator. The chairperson shall also
6 permit questioning by legal counsel representing the
7 complainant or respondent.

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

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

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

18 (1) That the complaint be dismissed, or

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

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

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

30 20. COMMITTEE AUTHORIZED TO MEET. The senate

1 ethics committee is authorized to meet 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. However, the report may
9 be submitted to and considered during any special
10 session which may take place after the second regular
11 session of a general assembly has adjourned sine die,
12 but before the convening of the next general assembly.

13 20A. ADVISORY OPINIONS.

14 a. Requests for formal opinions. A request for a
15 formal advisory opinion may be filed by any person who
16 is subject to the authority of the ethics committee.
17 The ethics committee may also issue a formal advisory
18 opinion on its own motion, without having previously
19 received a formal request for an opinion, on any issue
20 that is within the jurisdiction of the committee.

21 Requests shall be filed with either the secretary of
22 the senate or the chairperson of the ethics committee.

23 b. Form and contents of requests. A request for a
24 formal advisory opinion shall be in writing and may
25 pertain to any subject matter that is related to the
26 application of the senate code of ethics, the senate
27 rules governing lobbyists, or chapter 68B of the Code
28 to any person who is subject to the authority of the
29 ethics committee. Requests shall contain one or more
30 specific questions and shall relate either to future

1 conduct or be stated in the hypothetical. A request
2 for an advisory opinion shall not specifically name
3 any individual or contain any other specific
4 identifying information, unless the request relates to
5 the requester's own conduct. However, any request may
6 contain information which identifies the kind of
7 individual who may be affected by the subject matter
8 of the request. Examples of this latter kind of
9 identifying information may include references to
10 conduct of a category of individuals, such as but not
11 limited to conduct of legislators, legislative staff,
12 or lobbyists.

13 c. Confidentiality of formal requests and
14 opinions. Requests for formal opinions are not
15 confidential and any deliberations of the committee
16 regarding a request for a formal opinion shall be
17 public. Opinions issued in response to requests for
18 formal opinions are not confidential, shall be in
19 writing, and shall be placed on file in the office of
20 the secretary of the senate. Persons requesting
21 formal opinions shall personally receive a copy of the
22 written formal opinion that is issued in response to
23 the request.

24 20B. CALCULATION OF TIME -- DAYS.

25 For purposes of these rules, unless the context
26 otherwise requires, the word "day" or "days" shall
27 mean a calendar day except that if the day is the last
28 day of a specific time period and falls upon a
29 Saturday, Sunday, or legal holiday, the time
30 prescribed shall be extended so as to include the

1 whole of the next day in which the offices of the
2 senate and the general assembly are open for official
3 business.

4 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 Code of Ethics or Senate
16 Rules 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 _____, _____.

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

28 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 Code of Ethics
20 or 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, (date) _____, _____. Your
28 answer is to be filed with the Secretary of the Senate,
29 State Capitol, Des Moines, Iowa.
30 Dated this _____ day of _____, _____.

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Chair, Senate Ethics Committee,
or Secretary of the Senate

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 Code of Ethics
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
review, the committee has caused a public hearing to

1 be scheduled on
2 (date) _____, _____, at (hour) _____
3 (a.m.) (p.m.), in Room _____, State Capitol, Des Moines,
4 Iowa.

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

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

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

18 Dated this _____ day of _____,
19 _____

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

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

26 STATEMENT OF ECONOMIC INTERESTS

27 Name: _____

28 (Last) (First) (Middle Initial)

29 Address: _____

30 (Street Address, Apt.# - P.O. Box)

1

2

(City)

(State)

(Zip)

3

Phone:(Home) ___-___-____ (Business) ___-___-____

4

5

a. Please list each business, occupation, or

6

profession in which you are engaged. In listing the

7

business, occupation, or profession, it is not

8

necessary that your employer or the name of the

9

business be listed, although all businesses,

10

occupations, or professions must be listed, regardless

11

of the amount of income derived or time spent

12

participating in the activity. (Examples of types of

13

businesses, occupations, or professions that may be

14

listed: teacher, lawyer, legislator, real estate

15

agent, insurance adjuster, salesperson....)

16 (1)

17 (2)

18 (3)

19 (4)

20 (5)

21

b. Please list the nature of each of the

22

businesses, occupations, or professions which you

23

listed in paragraph "a", above, unless the nature of

24

the business, occupation, or profession is already

25

apparent from the information indicated above. The

26

descriptions in this paragraph should correspond by

27

number to the numbers for each of the businesses,

28

occupations, or professions listed in paragraph "a".

29

(Examples: If you indicated, for example, that you

30

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,

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

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

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 _____
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12 (Signature of filer)

(Date)

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2/6/01 adopted

FILED JAN 25 '01

SENATE RESOLUTION NO. 4
BY COMMITTEE ON ETHICS
(SUCCESSOR TO SSB 1010)

1
2
3
4 A Resolution relating to the Senate Code of Ethics
5 governing the conduct of members of the Senate in
6 relation to their senatorial duties during the
7 Seventy-ninth General Assembly.

8 BE IT RESOLVED BY THE SENATE, That the Senate Code
9 of Ethics for the Seventy-eighth Seventy-ninth General
10 Assembly shall be amended to read as follows:

11 SENATE CODE OF ETHICS

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

17 In doing so, members of the senate have a duty to
18 conduct themselves so as to reflect credit on the
19 general assembly, and to inspire the confidence,
20 respect, and trust of the public, and to strive to
21 avoid both unethical and illegal conduct and the
22 appearance of unethical and illegal conduct.

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

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1 members in the conduct of their legislative affairs.

2 1. ECONOMIC INTEREST OF SENATOR. Taking into
3 account that legislative service is part-time, a
4 senator shall not accept economic or investment
5 opportunity, under circumstances where the senator
6 knows, or should know, that there is a reasonable
7 possibility that the opportunity is being afforded the
8 senator with intent to influence the senator's conduct
9 in the performance of official duties.

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

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

25 4. USE OF CONFIDENTIAL INFORMATION. A senator in
26 order to further the senator's own economic or other
27 interests, or those of any other person, shall not
28 disclose or use confidential information acquired in
29 the course of official duties.

30 5. HONORARIA. A senator shall not accept an

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1 honorarium from a restricted donor for a speech,
2 writing for publication, or other similar activity,
3 except as otherwise provided in section 68B.23.

4 6. EMPLOYMENT. A senator shall not accept
5 employment, either directly or indirectly, from a
6 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 five hundred dollars in any one calendar
20 year ~~for-the-purpose-of-supporting-or-opposing to~~
21 expressly advocate the nomination, election, or defeat
22 of a candidate for public office or to expressly
23 advocate the passage or defeat of a ballot issue or
24 influencing legislative action, or an association,
25 lodge, society, cooperative, union, fraternity,
26 sorority, educational institution, civic organization,
27 labor organization, religious organization, or
28 professional organization which makes contributions in
29 the aggregate of more than five hundred dollars in any
30 one calendar year ~~for-the-purpose-of-supporting-or~~

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1 opposing to expressly advocate the nomination,
2 election, or defeat of a candidate for public office
3 or ballot issue or influencing legislative action.

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

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

20 9. CONFLICTS OF INTERESTS. In order to permit the
21 general assembly to function effectively, a senator
22 will sometimes be required to vote on bills and
23 participate in committee work which will affect the
24 senator's employment and other monetary interests. In
25 making a decision relative to the senator's activity
26 on given bills or committee work which are subject to
27 the code, the following factors shall be 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. The need for the senator's particular
4 contribution, such as special knowledge of the subject
5 matter, to the effective functioning of the
6 legislature.

7 A senator with a conflict of interest may
8 participate in floor debate if prior to debate the
9 senator indicates the conflict of interest.

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

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

22 The nature of each business in which the senator is
23 engaged and the nature of the business of each company
24 in which the senator has a financial interest. A
25 senator shall not be required to file a report or be
26 assumed to have a financial interest if the annual
27 income derived from the investment in stocks, bonds,
28 bills, notes, mortgages, or other securities offered
29 for sale through recognized financial brokers is less
30 than one thousand dollars.

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1 Disclosures required under this rule shall be as of
2 the date filed unless provided to the contrary, and
3 shall be amended to include interests and changes
4 encompassed by this rule that occur while the general
5 assembly is in session. All filings under this rule
6 shall be open to public inspection in the office of
7 the secretary of the senate at all reasonable times.

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

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

22 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 client the lobbyist
25 represents.

26 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

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

4 15. COMPLAINTS. Complaints or charges against any
5 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.

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1 c. Timeliness of filing. A complaint will be
2 considered to be timely filed if it is filed within
3 three years of the occurrence of the alleged violation
4 of the ethics code.

5 17. PERMANENT RECORD. The secretary of the senate
6 shall maintain a permanent record of all complaints
7 filed, evidence received by the committee, and any
8 transcripts or other recordings made of committee
9 proceedings, including a separate card file containing
10 the date filed, name and address of the complainant,
11 name and address of the respondent, a brief statement
12 of the charges made, and ultimate disposition of the
13 complaint. The secretary shall keep each such
14 complaint confidential until public disclosure is made
15 by the ethics committee.

16 18. PREHEARING PROCEDURE.

17 a. Defective complaint. Upon receipt of a
18 complaint, the chairperson and ranking member of the
19 ethics committee shall determine whether the complaint
20 substantially complies with the requirements of this
21 code of ethics and section 68B.31, subsection 6. If
22 the complaint does not substantially comply with the
23 requirements for formal sufficiency under the code of
24 ethics, the complaint may be returned to the
25 complainant with a statement that the complaint is not
26 in compliance with the code and a copy of the code.
27 If the complainant fails to amend the complaint to
28 comply with the code within a reasonable time, the
29 chair and ranking member may dismiss the complaint
30 with prejudice for failure to prosecute.

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1 b. Service of complaint on respondent. Upon
2 receipt of any complaint substantially complying with
3 the requirements of this code of ethics, the
4 chairperson of the ethics committee shall cause a copy
5 of the complaint and any supporting information to be
6 delivered promptly to the respondent, requesting a
7 written response to be filed within ten days. The
8 response may do any of the following:

- 9 (1) Admit or deny the allegation or allegations.
- 10 (2) Object that the allegation fails to allege a
11 violation of chapter 68B or the code of ethics.
- 12 (3) Object to the jurisdiction of the committee.
- 13 (4) Request a more specific statement of the
14 allegation or allegations.

15 c. Objection to member. In addition to the items
16 which may be included in a response pursuant to
17 paragraph "b", the response may also include an
18 objection to the participation of any member of the
19 committee in the consideration of the allegation or
20 allegations on the grounds that the member cannot
21 render an impartial and unbiased decision.

22 d. Extension of time. At the request of the
23 respondent and upon a showing of good cause, the
24 committee, or the chairperson and ranking member, may
25 extend the time for response, not to exceed ten
26 additional days.

27 e. Confidentiality. If a complaint is not
28 otherwise made public, the members of the committee
29 shall treat the complaint and all supporting
30 information as confidential until the written response

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1 is received from the respondent.

2 f. Communications with ethics committee. After a
3 complaint has been filed or an investigation has been
4 initiated, a party to the complaint or investigation
5 shall not communicate, or cause another to
6 communicate, as to the merits of the complaint or
7 investigation with a member of the committee, except
8 under the following circumstances:

9 (1) During the course of any meetings or other
10 official proceedings of the committee regarding the
11 complaint or investigation.

12 (2) In writing, if a copy of the writing is
13 delivered to the adverse party or the designated
14 representative for the adverse party.

15 (3) Orally, if adequate prior notice of the
16 communication is given to the adverse party or the
17 designated representative for the adverse party.

18 (4) As otherwise authorized by statute, the senate
19 code of ethics, the senate rules governing lobbyists,
20 or vote of the committee.

21 g. Scheduling hearing. Upon receipt of the
22 response, the committee shall schedule a public
23 meeting to review the complaint and available
24 information, and shall:

25 (1) Notify the complainant that no further action
26 will be taken, unless further substantiating
27 information is produced, or

28 (2) Dismiss the complaint for failure to meet the
29 statutory and code of ethics requirements for valid
30 complaints, or

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1 (3) Request that the chief justice of the supreme
2 court appoint an independent special counsel to
3 conduct an investigation of the complaint and
4 supporting information, to make a determination of
5 probable cause, and to report the findings to the
6 committee, which shall be received within a reasonable
7 time.

8 h. Public hearing. If independent special counsel
9 is appointed, upon receipt of the report of
10 independent special counsel's findings, the committee
11 shall schedule a public meeting to review the report
12 and shall do either of the following:

13 (1) Cause the complaint to be scheduled for a
14 public hearing.

15 (2) Dismiss the complaint based upon a
16 determination by independent special counsel and the
17 committee that insufficient evidence exists to support
18 a finding of probable cause.

19 19. HEARING PROCEDURE.

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

1 b. Subpoena power. The committee may require, by
2 subpoena or otherwise, the attendance and testimony of
3 witnesses and the production of such books, records,
4 correspondence, memoranda, papers, documents, and any
5 other things it deems necessary to the conduct of the
6 inquiry.

7 c. Ex post facto. An investigation shall not be
8 undertaken by the committee of a violation of a law,
9 rule, or standard of conduct that is not in effect at
10 the time of violation.

11 d. Disqualification of member. Members of the
12 committee may disqualify themselves from participating
13 in any investigation of the conduct of another person
14 upon submission of a written statement that the member
15 cannot render an impartial and unbiased decision in a
16 case. A member may also be disqualified by a
17 unanimous vote of the remaining eligible members of
18 the committee.

19 A member of the committee is ineligible to
20 participate in committee meetings, as a member of the
21 committee, in any proceeding relating to the member's
22 own official conduct.

23 If a member of the committee is disqualified or
24 ineligible to act, the majority or minority leader who
25 appointed the member shall appoint a replacement
26 member to serve as a member of the committee during
27 the period of disqualification or ineligibility.

28 e. Hearing. At the hearing, the chairperson shall
29 open the hearing by stating the charges, the purpose
30 of the hearing, and its scope. The burden of proof

1 rests upon the complainant to establish the facts as
2 alleged, by clear and convincing evidence. However,
3 questioning of witnesses shall be conducted by the
4 members of the committee, by independent special
5 counsel, or by a senator. The chairperson shall also
6 permit questioning by legal counsel representing the
7 complainant or respondent.

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

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

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

18 (1) That the complaint be dismissed, or

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

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

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

30 20. COMMITTEE AUTHORIZED TO MEET. The senate

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1 ethics committee is authorized to meet 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. However, the report may
9 be submitted to and considered during any special
10 session which may take place after the second regular
11 session of a general assembly has adjourned sine die,
12 but before the convening of the next general assembly.

13 20A. ADVISORY OPINIONS.

14 a. Requests for formal opinions. A request for a
15 formal advisory opinion may be filed by any person who
16 is subject to the authority of the ethics committee.
17 The ethics committee may also issue a formal advisory
18 opinion on its own motion, without having previously
19 received a formal request for an opinion, on any issue
20 that is within the jurisdiction of the committee.

21 Requests shall be filed with either the secretary of
22 the senate or the chairperson of the ethics committee.

23 b. Form and contents of requests. A request for a
24 formal advisory opinion shall be in writing and may
25 pertain to any subject matter that is related to the
26 application of the senate code of ethics, the senate
27 rules governing lobbyists, or chapter 68B of the Code
28 to any person who is subject to the authority of the
29 ethics committee. Requests shall contain one or more
30 specific questions and shall relate either to future

1 conduct or be stated in the hypothetical. A request
2 for an advisory opinion shall not specifically name
3 any individual or contain any other specific
4 identifying information, unless the request relates to
5 the requester's own conduct. However, any request may
6 contain information which identifies the kind of
7 individual who may be affected by the subject matter
8 of the request. Examples of this latter kind of
9 identifying information may include references to
10 conduct of a category of individuals, such as but not
11 limited to conduct of legislators, legislative staff,
12 or lobbyists.

13 c. Confidentiality of formal requests and
14 opinions. Requests for formal opinions are not
15 confidential and any deliberations of the committee
16 regarding a request for a formal opinion shall be
17 public. Opinions issued in response to requests for
18 formal opinions are not confidential, shall be in
19 writing, and shall be placed on file in the office of
20 the secretary of the senate. Persons requesting
21 formal opinions shall personally receive a copy of the
22 written formal opinion that is issued in response to
23 the request.

24 20B. CALCULATION OF TIME -- DAYS. For purposes of
25 these rules, unless the context otherwise requires,
26 the word "day" or "days" shall mean a calendar day
27 except that if the day is the last day of a specific
28 time period and falls upon a Saturday, Sunday, or
29 legal holiday, the time prescribed shall be extended
30 so as to include the whole of the next day in which

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1 the offices of the senate and the general assembly are
2 open for official business.

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

5 THE SENATE

6 Ethics Complaint Form

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

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

14 has violated the Senate Code of Ethics or Senate
15 Rules Governing Lobbyists in that:

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

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

20 _____
21 Signature of Complainant

22 SUBSCRIBED AND AFFIRMED to before me this _____
23 day of _____, _____.

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

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

30 STATE OF IOWA

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

13 TO _____,

14 Senator or Lobbyist named above:

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

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

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

29 Dated this _____ day of _____, _____.

30

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1 Chair, Senate Ethics Committee,
2 or Secretary of the Senate
3 23. HEARING NOTICE FORM. The following form shall
4 be used for notice of a hearing under these rules:

5 STATE OF IOWA

6 THE SENATE

7 COMMITTEE ON ETHICS)

8 IOWA STATE SENATE)

9)

10 On The Complaint Of) NOTICE OF HEARING

11)

12 _____)

13)

14 And Involving)

15)

16 _____)

17)

18 TO _____,

19 Senator or Lobbyist named above:

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

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

28 You are further notified that, after preliminary
29 review, the committee has caused a public hearing to
30 be scheduled on (date) _____,

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1 _____, at (hour) _____ (a.m.) (p.m.),
2 in Room _____, State Capitol, Des Moines, Iowa.

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

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

13 You are further notified that the committee will
14 receive such evidence and take such action as
15 warranted by the evidence.

16 Dated this _____ day of _____, _____.

17 _____
18 Chair, Senate Ethics Committee,
19 or Secretary of the Senate

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

24 STATEMENT OF ECONOMIC INTERESTS

25 Name: _____

26 (Last) (First) (Middle Initial)

27 Address: _____

28 (Street Address, Apt.# - P.O. Box)

29 _____

30 (City) (State) (Zip)

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1 Phone: (Home) ___-___-____ (Business) ___-___-____

2 *****

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

- 14 (1) _____
- 15 (2) _____
- 16 (3) _____
- 17 (4) _____
- 18 (5) _____

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

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

- 15 (1) _____
- 16 (2) _____
- 17 (3) _____
- 18 (4) _____
- 19 (5) _____

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

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1 value of the holding should not be listed.

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

8 _____
9 _____
10 _____
11 _____
12 _____

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

20 _____
21 _____
22 _____
23 _____
24 _____

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

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1 _____
2 _____
3 _____
4 _____
5 _____

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

11 _____
12 _____
13 _____
14 _____
15 _____

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

22 _____
23 _____
24 _____
25 _____
26 _____

27 (6) Other Income Categories Specified in State or
28 Federal Income Tax Regulations (List description of
29 other sources of income producing over one thousand
30 dollars in annual income not previously reported

JR 4

1 above, but which must be reported for income tax
2 purposes.):

3 _____
4 _____
5 _____
6 _____
7 _____
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9 _____

10 (Signature of filer) (Date)

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S-3019

1 Amend Senate Resolution 4 as follows:

2 1. Page 5, by inserting after line 9 the
3 following:

4 "9A. FALSE OR MISLEADING POLITICAL ADVERTISING. A

5 senator shall not sponsor any published material on
6 behalf of or in opposition to any candidate or ballot
7 issue that contains any assertion, representation, or
8 statement of fact, including, but not limited to,
9 information concerning another candidate's prior
10 public record, which the senator knows to be untrue,
11 deceptive, or misleading.

12 For purposes of this rule, "published material"
13 means statements or graphic representations made
14 through any public medium which shall include, but is
15 not limited to, electronic media such as live or
16 prerecorded radio or television broadcasts, broadcasts
17 or transmissions through other publicly available
18 electronic communications, and video or audio tape
19 recordings which are publicly distributed; print
20 media, such as newspapers, pamphlets, folders, display
21 cards, signs, posters, and billboard advertisements;
22 or any other methods or mediums designed for publicly
23 advertising or publishing information.

24 For purposes of this rule, "sponsor" means to pay
25 for or take affirmative action to approve published
26 material and shall include a senator or a senator's
27 candidate's committee which knows and approves of an
28 independent expenditure made by another person under
29 section 56.13."

30 2. By renumbering as necessary.

By STEVEN D. HANSEN
MATT McCOY
BETTY A. SOUKUP
JOE BOLKCOM
PATRICIA HARPER

JACK HOLVECK
MARK SHEARER
JOHN P. KIBBIE
MICHAEL E. GRONSTAL

S-3019 FILED FEBRUARY 5, 2001

w/d 2/6/01
(p. 249)

SENATE RESOLUTION 4

S-3018

1 Amend Senate Resolution 4 as follows:

2 1. Page 24, by inserting after line 8 the
3 following:4 "d. Please list the name of each person from whom
5 you received a contribution for purposes of providing
6 revenue for an issue committee. For purposes of this
7 paragraph, an "issue committee" means a committee,
8 corporation, company, or association that is formed
9 for purposes of supporting or challenging an existing
10 law, administrative rule or agency action, or
11 executive order."

By MATT MCCOY

BETTY A. SOUKUP

PATRICK J. DELUHERY

JOE BOLKCOM

PATRICIA HARPER

JOHNIE HAMMOND

JACK HOLVECK

JOHN P. KIBBIE

MICHAEL E. GRONSTAL

S-3018 FILED FEBRUARY 5, 2001

Last 2/6/01

SENATE RESOLUTION 4

S-3016

1 Amend Senate Resolution 4 as follows:

2 1. Page 6, by inserting after line 21 the
3 following:4 "12A. APPLICABILITY OF LAWS TO SENATE. A senator
5 shall not be exempt from the applicability of any
6 general law, including any general law that otherwise
7 might be deemed inapplicable as a rule of proceeding
8 under article III of the Constitution of the State of
9 Iowa, section 9."

By MICHAEL E. GRONSTAL

S-3016 FILED FEBRUARY 5, 2001

Last 2/6/01 2/6/01

SENATE RESOLUTION 4

S-3017

1 Amend Senate Resolution 4 as follows:

2 1. Page 5, by inserting after line 9 the
3 following:4 "9A. A senator shall not solicit or use a
5 contribution from any person for purposes of paying
6 for expenses associated with duties of office or
7 constituency services if the contribution has not
8 first been received by the senator's candidate's
9 committee."

By ROBERT E. DVORSKY

MARK SHEARER

PATRICK J. DELUHERY

JOE BOLKCOM

PATRICIA HARPER

JOHNIE HAMMOND

JOHN P. KIBBIE

S-3017 FILED FEBRUARY 5, 2001

Last 2/6/01