

MAR 19 1997

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HOUSE FILE

697

Place On Calendar

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 225)

Passed House, Date 3/26/97 (p. 846)

Passed Senate, Date 4-29-97 (p. 1561)

Vote: Ayes 59 Nays 41

Vote: Ayes 45 Nays 2

Approved _____

A BILL FOR

1 An Act relating to certain procedures of the ethics and campaign
 2 disclosure board and filing requirements and certain
 3 requirements for use of campaign funds.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H-R-697

1 Section 1. Section 46.20, Code 1997, is amended to read as
2 follows:

3 46.20 DECLARATION OF CANDIDACY.

4 At least one hundred four days before the judicial election
5 preceding expiration of the initial or regular term of office,
6 a judge of the supreme court, court of appeals, or district
7 court including district associate judges, ~~or-a-clerk-of-the~~
8 ~~district-court-who-is-required-to-stand-for-retention-under~~
9 section-602-1216 may file a declaration of candidacy with the
10 state commissioner of elections to stand for retention or
11 rejection at that election. If a judge ~~or-clerk~~ fails to file
12 the declaration, the office shall be vacant at the end of the
13 term. District associate judges filing the declaration shall
14 stand for retention in the judicial election district of their
15 residence.

16 Sec. 2. Section 46.21, unnumbered paragraph 1, Code 1997,
17 is amended to read as follows:

18 At least sixty-nine days before each judicial election, the
19 state commissioner of elections shall certify to the county
20 commissioner of elections of each county a list of the judges
21 of the supreme court, court of appeals, and district court
22 including district associate judges, ~~and-clerks-of-the~~
23 ~~district-court~~ to be voted on in each county at that election.
24 The county commissioner of elections shall place the names
25 upon the ballot in the order in which they appear in the
26 certificate, unless only one county is voting thereon. The
27 state commissioner of elections shall rotate the names in the
28 certificate by county, or the county commissioner of elections
29 shall rotate them upon the ballot by precinct if only one
30 county is voting thereon. The names of all judges ~~and-clerks~~
31 to be voted on shall be placed upon one ballot, which shall be
32 in substantially the following form:

33 Sec. 3. Section 46.24, Code 1997, is amended to read as
34 follows:

35 46.24 RESULTS OF ELECTION.

1 A judge of the supreme court, court of appeals, or district
2 court including a district associate judge, ~~or-a-clerk-of-the~~
3 ~~district-court~~ must receive more affirmative than negative
4 votes to be retained in office. When the poll is closed, the
5 election judges shall publicly canvass the vote forthwith.
6 The board of supervisors shall canvass the returns on the
7 Monday or Tuesday after the election, and shall promptly
8 certify the number of affirmative and negative votes on each
9 judge ~~or-clerk~~ to the state commissioner of elections.

10 The state board of canvassers shall, at the time of
11 canvassing the vote cast at a general election, open and
12 canvass all of the returns for the judicial election. Each
13 judge of the supreme court, court of appeals or district court
14 including a district associate judge, ~~or-a-clerk-of-the~~
15 ~~district-court~~ who has received more affirmative than negative
16 votes shall receive from the state board of canvassers an
17 appropriate certificate so stating.

18 Sec. 4. Section 49.51, unnumbered paragraph 2, Code 1997,
19 is amended by striking the unnumbered paragraph.

20 Sec. 5. Section 56.3, subsections 1 and 2, Code 1997, are
21 amended to read as follows:

22 1. Every candidate's committee shall appoint a treasurer
23 who shall be an Iowa resident who has reached the age of
24 majority. Every political committee shall appoint both a
25 treasurer and a chairperson, each of whom shall have reached
26 the age of majority. Every candidate's committee shall
27 maintain all of the committee's funds in bank accounts in a
28 financial institution located in Iowa. Every political
29 committee shall either have an Iowa resident as treasurer or
30 maintain all of the committee's funds in bank accounts in a
31 financial institution located in Iowa. An expenditure shall
32 not be made by the treasurer or treasurer's designee for or on
33 behalf of a committee without the approval of the chairperson
34 of the committee, or the candidate. Expenditures shall be
35 remitted to the designated recipient within ~~fifteen~~ thirty

1 days of the date of the issuance of the payment.

2 2. An individual who receives contributions for a
3 committee without the prior authorization of the chairperson
4 of the committee or the candidate shall be responsible for
5 either rendering the contributions to the treasurer within
6 fifteen thirty days of the date of receipt of the
7 contributions, or depositing the contributions in the account
8 maintained by the committee within seven thirty days of the
9 date of receipt of the contributions. A person who receives
10 contributions for a committee shall, not later than fifteen
11 thirty days from the date of receipt of the contributions or
12 on demand of the treasurer, render to the treasurer the
13 contributions and an account of the total of all
14 contributions, including the name and address of each person
15 making a contribution in excess of ten dollars, the amount of
16 the contributions, and the date on which the contributions
17 were received. The treasurer shall deposit all contributions
18 within seven thirty days of receipt by the treasurer in an
19 account maintained by the committee. All funds of a committee
20 shall be segregated from any other funds held by officers,
21 members, or associates of the committee or the committee's
22 candidate. However, if a candidate's committee receives
23 contributions only from the candidate, or if a permanent
24 organization temporarily engages in activity which qualifies
25 it as a political committee and all expenditures of the
26 organization are made from existing general operating funds
27 and funds are not solicited or received for this purpose from
28 sources other than operating funds, then that committee is not
29 required to maintain a separate account in a financial
30 institution. The funds of a committee are not attachable for
31 the personal debt of the committee's candidate or an officer,
32 member, or associate of the committee.

33 Sec. 6. Section 56.5, subsection 2, paragraph a, Code
34 1997, is amended to read as follows:

35 a. The name, purpose, mailing address, and telephone

1 number of the committee.

2 (1) The committee name shall not duplicate the name of
3 another committee organized under this section.

4 (2) For candidate's committees filing initial statements
5 of organization on or after July 1, 1995, the candidate's name
6 shall be contained within the committee name.

7 (3) Except for a political committee formed to support or
8 oppose approval of a judge, the name of a political committee
9 shall not contain the name of any of the following:

10 (a) A candidate seeking election for federal, state,
11 county, city, or school office.

12 (b) A current federal, state, county, city, or school
13 officeholder.

14 Sec. 7. Section 56.6, subsection 3, paragraph f, Code
15 1997, is amended to read as follows:

16 f. The total amount of proceeds from any fund-raising
17 event. ~~Contributions-and-sales-at-fund-raising-events-which~~
18 ~~involve-the-sale-of-a-product-acquired-at-less-than-market~~
19 ~~value-and-sold-for-an-amount-of-money-in-excess-of-the-amount~~
20 ~~specified-in-paragraph-"b"-of-this-subsection-shall-be~~
21 ~~designated-separately-from-in-kind-and-monetary-contributions~~
22 ~~and-the-report-shall-include-the-name-and-address-of-the~~
23 ~~donor,-a-description-of-the-product,-the-market-value-of-the~~
24 ~~product,-the-sales-price-of-the-product,-and-the-name-and~~
25 ~~address-of-the-purchaser.~~

26 Sec. 8. Section 56.6, subsection 3, paragraph j, Code
27 1997, is amended by striking the paragraph.

28 Sec. 9. Section 56.7, Code 1997, is amended to read as
29 follows:

30 56.7 REPORTS SIGNED.

31 1. A report or statement required to be filed by a
32 ~~treasurer-of-a-political~~ committee, ~~a-candidate,-or-by-any~~
33 ~~other-person,~~ shall be signed by ~~the-person-filing-the-report.~~
34 as follows:

35 a. In the case of a candidate's committee, the report

1 shall be signed by the candidate or the treasurer.

2 b. In the case of a political committee, the report shall
3 be signed by the chairperson or the treasurer.

4 2. A copy of every report or statement shall be preserved
5 by the person filing it or the person's successor for at least
6 three five years following the filing of the report or
7 statement.

8 Sec. 10. Section 56.14, subsection 1, paragraph c, Code
9 1997, is amended to read as follows:

10 c. This subsection shall not be construed to require the
11 inclusion an individual to disclose that individual's identity
12 or address on published material of-information-which
13 discloses-the-identity-or-address-of-any relating to a ballot
14 issue, as long as the individual who is acting independently
15 and using has not expended more than five hundred dollars of
16 the individual's own modest resources in a calendar year in
17 order to publish or distribute the material. However, this
18 exception does not apply to text or graphics that are
19 transmitted to another computer by computer, via the internet,
20 or via other means.

21 Sec. 11. Section 56.41, subsection 1, Code 1997, is
22 amended to read as follows:

23 ~~1. A candidate and the candidate's committee shall use~~
24 ~~campaign funds only for campaign purposes, educational and~~
25 ~~other expenses associated with the duties of office, or~~
26 ~~constituency services, and shall not use campaign funds for~~
27 ~~personal expenses or personal benefit. The purchase of~~
28 ~~subscriptions to newspapers from or which circulate within the~~
29 ~~area represented by the office which a candidate is seeking or~~
30 ~~holds is presumed to be an expense that is associated with the~~
31 ~~duties of the campaign for and duties of office.~~

32 Sec. 12. Section 56.41, subsections 2 and 3, Code 1997,
33 are amended by striking the subsections.

34 Sec. 13. Section 56.42, subsection 1, Code 1997, is
35 amended to read as follows:

1 ~~1. In addition to the uses permitted under section 56.41,~~
2 a A candidate's committee may only transfer campaign funds in
3 one or more of the following ways:

4 a. Contributions to charitable organizations.

5 b. Contributions to national, state, or local political
6 party central committees, ~~or~~ to partisan political committees
7 organized to represent persons within the boundaries of a
8 congressional district, or to committees representing a
9 nonparty political organization described in section 44.1.

10 c. Transfers to the treasurer of state for deposit in the
11 general fund of the state, or to the appropriate treasurer for
12 deposit in the general fund of a political subdivision of the
13 state.

14 ~~d.---Return of contributions to contributors on a pro-rata~~
15 ~~basis, except that any contributor who contributed five~~
16 ~~dollars or less may be excluded from the distribution.~~

17 ~~e. d.~~ Contributions to another candidate's committee when
18 the candidate for whom both committees are formed is the same
19 person.

20 Sec. 14. Section 68B.32A, subsection 3, Code 1997, is
21 amended to read as follows:

22 3. Review the contents of all campaign finance disclosure
23 reports and statements filed with the board and promptly
24 advise each person or committee of errors found.

25 a. The board may verify information contained in the
26 reports with other parties to assure accurate disclosure. The
27 board may also verify information by requesting that a
28 candidate or committee produce copies of receipts, bills,
29 logbooks, or other memoranda of reimbursements of expenses to
30 a candidate for expenses incurred during a campaign.

31 b. For the purposes of obtaining verifying information,
32 the board may issue administrative subpoenas for the requested
33 information, which may be served upon the candidate,
34 committee, or third party by restricted certified mail or by
35 personal service as in civil actions. Information may be

1 sought from a third party by subpoena after notice to the
2 committee which is the subject of the review. However, if the
3 chairperson of the board concludes that notification to the
4 committee would have the potential of jeopardizing the
5 validity of the information sought, prior notice to the
6 committee which is the subject of the review is not required.

7 c. The board, upon its own motion, may initiate action and
8 conduct a hearing relating to requirements under chapter 56.

9 d. The board may require a county commissioner of
10 elections to periodically file summary reports with the board.

11 Sec. 15. Section 68B.37, Code 1997, is amended to read as
12 follows:

13 68B.37 LOBBYIST REPORTING.

14 1. A lobbyist before the general assembly shall file with
15 the general assembly, on forms prescribed by each house of the
16 general assembly, a report disclosing all of the following:

17 a. The lobbyist's clients.

18 b. Contributions made to candidates for state office by
19 the lobbyist during calendar months during the reporting
20 period when the general assembly is not in session.

21 c. The recipient of the campaign contributions.

22 d. Expenditures made by the lobbyist for the purposes of
23 providing the services enumerated under section 68B.2,
24 subsection 13, paragraph "a".

25 For purposes of this subsection, "expenditures" does not
26 include expenses that are reimbursed or paid by the client of
27 the lobbyist and are reported by the client pursuant to
28 section 68B.38, subsection 1, or expenditures made by any
29 organization for publishing a newsletter or other
30 informational release for its members.

31 2. A lobbyist before a state agency or the office of the
32 governor shall file with the board, on forms prescribed by the
33 board, a report disclosing the same items described in
34 subsection 1.

35 3. The reports by lobbyists ~~before the general assembly~~

1 shall be filed not-later-than-twenty-five-days-following-any
2 month-in-which-the-general-assembly-is-in-session-and
3 thereafter-on-or-before-July-31,-October-31,-and-January-31-
4 The-reports-filed-by-a-lobbyist-before-the-general-assembly
5 shall-contain-information-for-the-preceding-calendar-month-or
6 quarter-or-parts-thereof-during-which-the-person-was-engaged
7 in-lobbying.--Reports-filed-by-lobbyists-before-a-state-agency
8 shall-be-filed on or before April 30, July 31, October 31, and
9 January 31, for the preceding calendar quarter or parts
10 thereof during which the person was engaged in lobbying.

11 4. If a person cancels the person's lobbyist registration
12 at any time during the calendar year, the reports required by
13 this section are due on the dates required by this section or
14 fifteen days after cancellation, whichever is earlier. The
15 report-due-January-31-shall-include-all-reportable-items-for
16 the-preceding-calendar-year-in-addition-to-containing-the
17 quarterly-reportable-items.--A-lobbyist-who-cancels-the
18 person's-lobbyist-registration-before-January-1-of-a-year
19 shall-file-a-report-listing-all-reportable-items-for-the-year
20 in-which-the-cancellation-was-filed.--A-lobbyist-who-cancels
21 the-person's-lobbyist-registration-between-January-1-and
22 January-15-of-a-year-shall-file-a-report-listing-all
23 reportable-items-for-the-preceding-year-and-so-much-of-the
24 month-of-January-as-has-expired-at-the-time-of-cancellation-
25 However,-if

26 5. If a lobbyist is a person who is designated to
27 represent the interest of an organization as defined in
28 section 68B.2, subsection 13, paragraph "a", subparagraph (2),
29 but is not paid compensation for that representation and does
30 not expend more than one thousand dollars as provided in
31 section 68B.2, subsection 13, paragraph "a", subparagraph (4),
32 the lobbyist shall only be required to file the report
33 specified in this-section subsection 3 once annually, which
34 shall be performed at the time of filing the person's lobbyist
35 registration form or forms.

1 Sec. 16. Section 68B.38, Code 1997, is amended to read as
2 follows:

3 68B.38 LOBBYIST'S CLIENT REPORTING.

4 1. ~~Beginning in 1994, no~~ No later than January 31 ~~and July~~
5 ~~31~~ of each year, unless no payments are made, a lobbyist's
6 client shall file with the general assembly or board a report
7 that contains information on all salaries, fees, and
8 retainers, expenses, and reimbursements of expenses paid to
9 the lobbyist by the lobbyist's client ~~to the lobbyist~~ for
10 lobbying purposes during the preceding ~~six-calendar-months~~
11 year. Reports by lobbyists' clients shall be filed with the
12 same entity with which the lobbyist filed the lobbyist's
13 registration.

14 2. ~~The report due January 31 shall include a cumulative~~
15 ~~total of all salaries, fees, retainers, and reimbursements of~~
16 ~~expenses paid to the lobbyist for lobbying activities during~~
17 ~~the preceding calendar year.~~ The secretary of the senate,
18 chief clerk of the house, and the board shall develop forms to
19 implement this section.

20 Sec. 17. Section 602.1216, Code 1997, is repealed.

21 EXPLANATION

22 This bill strikes a portion of Code section 49.51, which
23 currently requires the ethics and campaign disclosure board to
24 receive a copy of sample ballots in county elections.

25 The bill amends Code section 56.3 by changing all
26 requirements for deposit in or payment from a bank account of
27 a candidate's committee to 30 days.

28 The bill amends Code section 56.5 to prohibit a political
29 committee from using the name of a current officeholder or
30 candidate in its name. This prohibition does not apply to
31 committees formed to support or oppose approval of a judge in
32 a judicial retention election.

33 The bill deletes language in Code section 56.6 that
34 requires committee disclosure reports to include information
35 relating to sale of products at fund-raising events and future

1 contracts.

2 The bill amends Code section 56.7 to specify that a
3 chairperson or candidate (according to the type of committee),
4 or a treasurer, must sign filed reports. The person required
5 to file a report or statement must preserve a copy for five
6 rather than three years.

7 The bill amends Code section 56.14 to replace language
8 regarding political material paid for by the "modest"
9 resources of an individual with the express amount of \$500,
10 the amount used as a financial threshold for filing disclosure
11 reports under Code chapter 56.

12 The bill amends Code section 56.41 to state that a
13 candidate shall not use campaign funds for personal purposes,
14 and deletes both the affirmative requirement that a candidate
15 use campaign funds only for campaign, educational, or
16 constituency purposes, as well as deleting all specific
17 prohibited uses of campaign funds.

18 This bill amends Code section 56.42 to permit transfers of
19 funds remaining in a candidate's account to minor political
20 parties, as well as to the major political parties currently
21 permitted under the Code. The bill also deletes language
22 permitting a pro rata return of funds to contributors.

23 The bill amends Code section 68B.32A to provide for service
24 of process by the ethics and campaign disclosure board by
25 certified mail, in addition to the current procedure of
26 service by the sheriff. Prior notice to a committee is
27 required under this provision, unless the board concludes that
28 prior notice would jeopardize the investigation.

29 The bill amends lobbyist reporting requirements under Code
30 section 68B.37, to parallel lobbyist reporting times for
31 executive branch lobbyists, and to eliminate reporting of
32 expenses reported by the lobbyist's client under Code section
33 68B.38. Code section 68B.38 is also amended to require only
34 one report per year from the client of a lobbyist.

35 Code section 602.1216, requiring a district clerk of court

1 to stand for retention in a judicial election if certain
2 requirements are met, is repealed. Conforming amendments are
3 made to Code sections 46.20, 46.21, and 46.24.

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HOUSE FILE 697

H-1381

1 Amend House File 697 as follows:

2 1. Page 7, lines 26 through 28, by striking the
3 words "expenses that are reimbursed or paid by the
4 client of the lobbyist and are reported by the client
5 pursuant to section 68B.38, subsection 1, or".

By DODERER of Johnson

H-1381 FILED MARCH 25, 1997

Last 3/26/97 (p. 840)

HOUSE FILE 697

H-1382

1 Amend House File 697 as follows:

2 1. Page 9, lines 4 and 5, by striking the words
3 "~~and July 31~~" and inserting the following: "and July
4 31".
5 2. Page 9, by striking lines 7 through 11 and
6 inserting the following: "that contains information
7 on all salaries, fees, and retainers paid by the
8 lobbyist's client to the lobbyist for lobbying
9 purposes during the preceding six calendar months.
10 Reports by lobbyists' clients shall be filed with
11 the".

By DODERER of Johnson

H-1382 FILED MARCH 25, 1997

Last 3/26/97 (p. 841)

HOUSE FILE 697

H-1393

- 1 Amend House File 697 as follows:
 2 1. Page 6, by striking lines 14 through 17 and
 3 inserting the following:
 4 "d. Return of contributions to contributors on a
 5 pro rata basis, except that any contributor who
 6 contributed ~~five ten~~ dollars or less may be excluded
 7 from the distribution.
 8 e. Contributions to another candidate's committee
 9 when".

By JOCHUM of Dubuque

H-1393 FILED MARCH 26, 1997

% , Motion to suspend rules, adopted (p. 846)

HOUSE FILE 697

H-1395

- 1 Amend House File 697 as follows:
 2 1. Page 5, by striking lines 21 through 33.
 3 2. By renumbering as necessary.

By JOCHUM of Dubuque

H-1395 FILED MARCH 26, 1997

% , Motion to suspend rules, lost

HOUSE FILE 697

H-1402

- 1 Amend the amendment, H-1382, to House File 697 as
 2 follows:
 3 1. Page 1, by striking lines 5 through 11 and
 4 inserting the following:
 5 "____. Page 9, lines 10 and 11, by striking the
 6 words "~~six-calendar-months~~ year." and inserting the
 7 following: "six calendar months."
 8 2. By renumbering as necessary.

By JOCHUM of Dubuque

H-1402 FILED MARCH 26, 1997

Adopted (p. 840)

HOUSE FILE 697

H-1392

- 1 Amend House File 697 as follows:
 2 1. Page 9, by inserting after line 20 the
 3 following:
 4 "Sec. _____. The legislative council is directed to
 5 establish an interim study committee to review all
 6 administrative rules adopted by the Iowa ethics and
 7 campaign disclosure board."
 8 2. By renumbering as necessary.

By JOCHUM of Dubuque

H-1392 FILED MARCH 26, 1997

% , Motion to suspend rules, adopted (p. 846)

HOUSE FILE 697

H-1389

1 Amend House File 697 as follows:

2 1. Page 9, by inserting after line 20 the
3 following:

4 "Sec. 100. CAMPAIGN FINANCE COMMISSION
5 ESTABLISHED. The campaign finance commission is
6 established to study the laws relating to the
7 financing of elections for office and to recommend
8 reforms in these laws, according to the following:

9 1. Appointment. The commission shall be composed
10 of seven members, bipartisan and gender-balanced in
11 accordance with sections 69.16 and 69.16A, and
12 appointed as follows:

13 a. Three members shall be the state chairs of each
14 of the political parties, as defined in section 43.2,
15 or their designees.

16 b. Four members shall be jointly appointed by the
17 majority and minority leaders of the house and senate.
18 These members shall be appointed from nonpartisan
19 organizations which have researched, studied, and
20 advocated the issue of political campaign finance
21 reform for fifteen years or more, or who are specially
22 qualified to serve on the commission because of
23 training or experience.

24 c. The commission shall elect a chair and vice-
25 chair at its first meetings.

26 2. Terms. The members of the commission shall
27 serve for the life of the commission.

28 3. Vacancies. A vacancy in the commission shall
29 be filled in the manner in which the original
30 appointment was made.

31 Sec. 101. POWERS AND DUTIES OF THE COMMISSION.

32 1. Hearings. The commission may hold hearings
33 which shall be open and announced in advance to the
34 public, take testimony, and receive evidence as the
35 commission considers appropriate. Activities of the
36 commission shall be held in accordance with chapter
37 21.

38 The commission shall hold at least one hearing in
39 each congressional district within the state
40 specifically to obtain public input on the issue of
41 campaign finance reform.

42 2. Quorum. Four members of the commission shall
43 constitute a quorum, but a lesser number may hold
44 hearings.

45 3. Report. Not later than December 15, 1997, the
46 commission shall submit to the general assembly a
47 report of the activities of the commission, together
48 with a draft of legislation recommended by the
49 commission to reform the laws regarding the financing
50 of political campaigns for consideration by the

H-1389

H-1389

Page 2

1 general assembly in 1998 according to the provisions
2 of this Act.

3 4. Matters to be considered. In holding hearings
4 and preparing the report required under subsection 3,
5 the commission shall consider all issues related to
6 campaign finance reform, including, but not limited to
7 expenditure limits, expenditure and contribution
8 disclosure, contribution limits by individuals and
9 committees, soft money, independent expenditures, and
10 negative campaigning. The commission may secure
11 directly from any department or agency such
12 information as the commission considers necessary, and
13 the department or agency shall promptly furnish such
14 information to the commission.

15 5. Staffing. Assistance shall be provided to the
16 commission by the central nonpartisan legislative
17 staff bureaus. The commission may utilize the
18 services of the legislative service bureau in
19 formulating a draft of legislation. The attorney
20 general's office and the ethics and campaign
21 disclosure board shall serve as consultants, and
22 advise the commission as necessary.

23 Sec. 102. FAST-TRACK PROCEDURE.

24 1. The legislation drafted by the commission shall
25 be filed with each chamber on the first day of the
26 1998 legislative session, and immediately assigned to
27 the committee on state government in each chamber.

28 2. Each committee on state government shall have
29 no more than one week from the first day of the
30 legislative session to review the legislation. If
31 approved by the committee, the legislation shall
32 immediately be placed on the calendar for
33 consideration by the full chamber. The legislation
34 must be approved or rejected by both chambers within
35 thirty days of the first day of the 1998 legislative
36 session.

37 3. No amendment to the draft legislation shall be
38 in order in either chamber of the general assembly,
39 either in committee or on the floor. No motion to
40 suspend the application of these rules shall be in
41 order in either chamber of the general assembly,
42 either in committee or on the floor.

43 4. All time periods under this section shall be
44 calculated according to calendar days. Weekends and
45 days when the general assembly is not in session shall
46 be included in any calculation.

47 Sec. 103. TERMINATION. The commission shall cease
48 to exist one month after the submission of its report
49 under section 101 of this Act."

By DODERER of Johnson

H-1389 FILED MARCH 25, 1997

Not germane 3/26/97 (p. 843)

S. 3/31/97 State Hod.
S. 4/3/97 Do Pass
S. 4/10/97 Unfinished Business Calendar

HOUSE FILE 697
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 225)

(As Amended and Passed by the House, March 26, 1997)

Passed House, Date _____ Passed Senate, Date ^{P. 1561} 4-29-97
Vote: Ayes _____ Nays _____ Vote: Ayes 45 Nays 2
Approved _____

A BILL FOR

1 An Act relating to certain procedures of the ethics and campaign
2 disclosure board and filing requirements and certain
3 requirements for use of campaign funds.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

1 Section 1. Section 46.20, Code 1997, is amended to read as
2 follows:

3 46.20 DECLARATION OF CANDIDACY.

4 At least one hundred four days before the judicial election
5 preceding expiration of the initial or regular term of office,
6 a judge of the supreme court, court of appeals, or district
7 court including district associate judges, ~~or-a-clerk-of-the~~
8 ~~district-court-who-is-required-to-stand-for-retention-under~~
9 ~~section-602-1216~~ may file a declaration of candidacy with the
10 state commissioner of elections to stand for retention or
11 rejection at that election. If a judge ~~or-clerk~~ fails to file
12 the declaration, the office shall be vacant at the end of the
13 term. District associate judges filing the declaration shall
14 stand for retention in the judicial election district of their
15 residence.

16 Sec. 2. Section 46.21, unnumbered paragraph 1, Code 1997,
17 is amended to read as follows:

18 At least sixty-nine days before each judicial election, the
19 state commissioner of elections shall certify to the county
20 commissioner of elections of each county a list of the judges
21 of the supreme court, court of appeals, and district court
22 including district associate judges, ~~and-clerks-of-the~~
23 ~~district-court~~ to be voted on in each county at that election.
24 The county commissioner of elections shall place the names
25 upon the ballot in the order in which they appear in the
26 certificate, unless only one county is voting thereon. The
27 state commissioner of elections shall rotate the names in the
28 certificate by county, or the county commissioner of elections
29 shall rotate them upon the ballot by precinct if only one
30 county is voting thereon. The names of all judges ~~and-clerks~~
31 to be voted on shall be placed upon one ballot, which shall be
32 in substantially the following form:

33 Sec. 3. Section 46.24, Code 1997, is amended to read as
34 follows:

35 46.24 RESULTS OF ELECTION.

1 A judge of the supreme court, court of appeals, or district
2 court including a district associate judge, ~~or-a-clerk-of-the~~
3 ~~district-court~~ must receive more affirmative than negative
4 votes to be retained in office. When the poll is closed, the
5 election judges shall publicly canvass the vote forthwith.
6 The board of supervisors shall canvass the returns on the
7 Monday or Tuesday after the election, and shall promptly
8 certify the number of affirmative and negative votes on each
9 judge ~~or-clerk~~ to the state commissioner of elections.

10 The state board of canvassers shall, at the time of
11 canvassing the vote cast at a general election, open and
12 canvass all of the returns for the judicial election. Each
13 judge of the supreme court, court of appeals or district court
14 including a district associate judge, ~~or-a-clerk-of-the~~
15 ~~district-court~~ who has received more affirmative than negative
16 votes shall receive from the state board of canvassers an
17 appropriate certificate so stating.

18 Sec. 4. Section 49.51, unnumbered paragraph 2, Code 1997,
19 is amended by striking the unnumbered paragraph.

20 Sec. 5. Section 56.3, subsections 1 and 2, Code 1997, are
21 amended to read as follows:

22 1. Every candidate's committee shall appoint a treasurer
23 who shall be an Iowa resident who has reached the age of
24 majority. Every political committee shall appoint both a
25 treasurer and a chairperson, each of whom shall have reached
26 the age of majority. Every candidate's committee shall
27 maintain all of the committee's funds in bank accounts in a
28 financial institution located in Iowa. Every political
29 committee shall either have an Iowa resident as treasurer or
30 maintain all of the committee's funds in bank accounts in a
31 financial institution located in Iowa. An expenditure shall
32 not be made by the treasurer or treasurer's designee for or on
33 behalf of a committee without the approval of the chairperson
34 of the committee, or the candidate. Expenditures shall be
35 remitted to the designated recipient within ~~fifteen~~ thirty

1 days of the date of the issuance of the payment.
2 2. An individual who receives contributions for a
3 committee without the prior authorization of the chairperson
4 of the committee or the candidate shall be responsible for
5 either rendering the contributions to the treasurer within
6 fifteen thirty days of the date of receipt of the
7 contributions, or depositing the contributions in the account
8 maintained by the committee within seven thirty days of the
9 date of receipt of the contributions. A person who receives
10 contributions for a committee shall, not later than fifteen
11 thirty days from the date of receipt of the contributions or
12 on demand of the treasurer, render to the treasurer the
13 contributions and an account of the total of all
14 contributions, including the name and address of each person
15 making a contribution in excess of ten dollars, the amount of
16 the contributions, and the date on which the contributions
17 were received. The treasurer shall deposit all contributions
18 within seven thirty days of receipt by the treasurer in an
19 account maintained by the committee. All funds of a committee
20 shall be segregated from any other funds held by officers,
21 members, or associates of the committee or the committee's
22 candidate. However, if a candidate's committee receives
23 contributions only from the candidate, or if a permanent
24 organization temporarily engages in activity which qualifies
25 it as a political committee and all expenditures of the
26 organization are made from existing general operating funds
27 and funds are not solicited or received for this purpose from
28 sources other than operating funds, then that committee is not
29 required to maintain a separate account in a financial
30 institution. The funds of a committee are not attachable for
31 the personal debt of the committee's candidate or an officer,
32 member, or associate of the committee.

33 Sec. 6. Section 56.5, subsection 2, paragraph a, Code
34 1997, is amended to read as follows:

35 a. The name, purpose, mailing address, and telephone

1 number of the committee.

2 (1) The committee name shall not duplicate the name of
3 another committee organized under this section.

4 (2) For candidate's committees filing initial statements
5 of organization on or after July 1, 1995, the candidate's name
6 shall be contained within the committee name.

7 (3) Except for a political committee formed to support or
8 oppose approval of a judge, the name of a political committee
9 shall not contain the name of any of the following:

10 (a) A candidate seeking election for federal, state,
11 county, city, or school office.

12 (b) A current federal, state, county, city, or school
13 officeholder.

14 Sec. 7. Section 56.6, subsection 3, paragraph f, Code
15 1997, is amended to read as follows:

16 f. The total amount of proceeds from any fund-raising
17 event. ~~Contributions-and-sales-at-fund-raising-events-which~~
18 ~~involve-the-sale-of-a-product-acquired-at-less-than-market~~
19 ~~value-and-sold-for-an-amount-of-money-in-excess-of-the-amount~~
20 ~~specified-in-paragraph-"b"-of-this-subsection-shall-be~~
21 ~~designated-separately-from-in-kind-and-monetary-contributions~~
22 ~~and-the-report-shall-include-the-name-and-address-of-the~~
23 ~~donor, a description of the product, the market value of the~~
24 ~~product, the sales price of the product, and the name and~~
25 ~~address of the purchaser.~~

26 Sec. 8. Section 56.6, subsection 3, paragraph j, Code
27 1997, is amended by striking the paragraph.

28 Sec. 9. Section 56.7, Code 1997, is amended to read as
29 follows:

30 56.7 REPORTS SIGNED.

31 1. A report or statement required to be filed by a
32 ~~treasurer of a political committee, a candidate, or by any~~
33 ~~other person,~~ shall be signed by the person filing the report.
34 as follows:

35 a. In the case of a candidate's committee, the report

1 shall be signed by the candidate or the treasurer.

2 b. In the case of a political committee, the report shall
3 be signed by the chairperson or the treasurer.

4 2. A copy of every report or statement shall be preserved
5 by the person filing it or the person's successor for at least
6 three five years following the filing of the report or
7 statement.

8 Sec. 10. Section 56.14, subsection 1, paragraph c, Code
9 1997, is amended to read as follows:

10 c. This subsection shall not be construed to require the
11 inclusion an individual to disclose that individual's identity
12 or address on published material of-information-which
13 discloses-the-identity-or-address-of-any relating to a ballot
14 issue, as long as the individual who is acting independently
15 and using has not expended more than five hundred dollars of
16 the individual's own modest resources in a calendar year in
17 order to publish or distribute the material. However, this
18 exception does not apply to text or graphics that are
19 transmitted to another computer by computer, via the internet,
20 or via other means.

21 Sec. 11. Section 56.41, subsection 1, Code 1997, is
22 amended to read as follows:

23 ~~1. A candidate and the candidate's committee shall use~~
24 ~~campaign-funds-only-for-campaign-purposes, educational and~~
25 ~~other-expenses-associated-with-the-duties-of-office, or~~
26 ~~constituency-services, and shall not use campaign funds for~~
27 ~~personal expenses or personal benefit. The purchase of~~
28 ~~subscriptions to newspapers from or which circulate within the~~
29 ~~area represented by the office which a candidate is seeking or~~
30 ~~holds is presumed to be an expense that is associated with the~~
31 ~~duties of the campaign for and duties of office.~~

32 Sec. 12. Section 56.41, subsections 2 and 3, Code 1997,
33 are amended by striking the subsections.

34 Sec. 13. Section 56.42, subsection 1, Code 1997, is
35 amended to read as follows:

1 ~~1. In addition to the uses permitted under section 56.41,~~
2 a A candidate's committee may only transfer campaign funds in
3 one or more of the following ways:

4 a. Contributions to charitable organizations.

5 b. Contributions to national, state, or local political
6 party central committees, ~~or~~ to partisan political committees
7 organized to represent persons within the boundaries of a
8 congressional district, or to committees representing a
9 nonparty political organization described in section 44.1.

10 c. Transfers to the treasurer of state for deposit in the
11 general fund of the state, or to the appropriate treasurer for
12 deposit in the general fund of a political subdivision of the
13 state.

14 d. Return of contributions to contributors on a pro rata
15 basis, except that any contributor who contributed five ten
16 dollars or less may be excluded from the distribution.

17 e. Contributions to another candidate's committee when the
18 candidate for whom both committees are formed is the same
19 person.

20 Sec. 14. Section 68B.32A, subsection 3, Code 1997, is
21 amended to read as follows:

22 3. Review the contents of all campaign finance disclosure
23 reports and statements filed with the board and promptly
24 advise each person or committee of errors found.

25 a. The board may verify information contained in the
26 reports with other parties to assure accurate disclosure. The
27 board may also verify information by requesting that a
28 candidate or committee produce copies of receipts, bills,
29 logbooks, or other memoranda of reimbursements of expenses to
30 a candidate for expenses incurred during a campaign.

31 b. For the purposes of obtaining verifying information,
32 the board may issue administrative subpoenas for the requested
33 information, which may be served upon the candidate,
34 committee, or third party by restricted certified mail or by
35 personal service as in civil actions. Information may be

1 sought from a third party by subpoena after notice to the
2 committee which is the subject of the review. However, if the
3 chairperson of the board concludes that notification to the
4 committee would have the potential of jeopardizing the
5 validity of the information sought, prior notice to the
6 committee which is the subject of the review is not required.

7 c. The board, upon its own motion, may initiate action and
8 conduct a hearing relating to requirements under chapter 56.

9 d. The board may require a county commissioner of
10 elections to periodically file summary reports with the board.

11 Sec. 15. Section 68B.37, Code 1997, is amended to read as
12 follows:

13 68B.37 LOBBYIST REPORTING.

14 1. A lobbyist before the general assembly shall file with
15 the general assembly, on forms prescribed by each house of the
16 general assembly, a report disclosing all of the following:

17 a. The lobbyist's clients.

18 b. Contributions made to candidates for state office by
19 the lobbyist during calendar months during the reporting
20 period when the general assembly is not in session.

21 c. The recipient of the campaign contributions.

22 d. Expenditures made by the lobbyist for the purposes of
23 providing the services enumerated under section 68B.2,
24 subsection 13, paragraph "a".

25 For purposes of this subsection, "expenditures" does not
26 include expenses that are reimbursed or paid by the client of
27 the lobbyist and are reported by the client pursuant to
28 section 68B.38, subsection 1, or expenditures made by any
29 organization for publishing a newsletter or other
30 informational release for its members.

31 2. A lobbyist before a state agency or the office of the
32 governor shall file with the board, on forms prescribed by the
33 board, a report disclosing the same items described in
34 subsection 1.

35 3. The reports by lobbyists ~~before-the-general-assembly~~

1 shall be filed not later than twenty-five days following any
2 month in which the general assembly is in session and
3 thereafter on or before July 31, October 31, and January 31.
4 The reports filed by a lobbyist before the general assembly
5 shall contain information for the preceding calendar month or
6 quarter or parts thereof during which the person was engaged
7 in lobbying. Reports filed by lobbyists before a state agency
8 shall be filed on or before April 30, July 31, October 31, and
9 January 31, for the preceding calendar quarter or parts
10 thereof during which the person was engaged in lobbying.

11 4. If a person cancels the person's lobbyist registration
12 at any time during the calendar year, the reports required by
13 this section are due on the dates required by this section or
14 fifteen days after cancellation, whichever is earlier. The
15 report due January 31 shall include all reportable items for
16 the preceding calendar year in addition to containing the
17 quarterly reportable items. A lobbyist who cancels the
18 person's lobbyist registration before January 1 of a year
19 shall file a report listing all reportable items for the year
20 in which the cancellation was filed. A lobbyist who cancels
21 the person's lobbyist registration between January 1 and
22 January 15 of a year shall file a report listing all
23 reportable items for the preceding year and so much of the
24 month of January as has expired at the time of cancellation.
25 However, if

26 5. If a lobbyist is a person who is designated to
27 represent the interest of an organization as defined in
28 section 68B.2, subsection 13, paragraph "a", subparagraph (2),
29 but is not paid compensation for that representation and does
30 not expend more than one thousand dollars as provided in
31 section 68B.2, subsection 13, paragraph "a", subparagraph (4),
32 the lobbyist shall only be required to file the report
33 specified in this section subsection 3 once annually, which
34 shall be performed at the time of filing the person's lobbyist
35 registration form or forms.

1 Sec. 16. Section 68B.38, Code 1997, is amended to read as
2 follows:

3 68B.38 LOBBYIST'S CLIENT REPORTING.

4 1. ~~Beginning in 1994, no~~ No later than January 31 ~~and July~~
5 ~~31~~ of each year, unless no payments are made, a lobbyist's
6 client shall file with the general assembly or board a report
7 that contains information on all salaries, fees, and
8 retainers, expenses, and reimbursements of expenses paid to
9 the lobbyist by the lobbyist's client ~~to the lobbyist~~ for
10 lobbying purposes during the preceding ~~six calendar months~~
11 year. Reports by lobbyists' clients shall be filed with the
12 same entity with which the lobbyist filed the lobbyist's
13 registration.

14 2. ~~The report due January 31 shall include a cumulative~~
15 ~~total of all salaries, fees, retainers, and reimbursements of~~
16 ~~expenses paid to the lobbyist for lobbying activities during~~
17 ~~the preceding calendar year.~~ The secretary of the senate,
18 chief clerk of the house, and the board shall develop forms to
19 implement this section.

20 Sec. 17. Section 602.1216, Code 1997, is repealed.

21 Sec. 18. The legislative council is directed to establish
22 an interim study committee to review all administrative rules
23 adopted by the Iowa ethics and campaign disclosure board.

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HOUSE FILE 697

S-3464

1 Amend House File 697, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 3, by striking lines 2 through 32, and
4 inserting the following:
5 "2. a. A contribution shall be deposited in the
6 account maintained by the committee within thirty days
7 of initial receipt of the contribution by the
8 candidate or the committee. An individual who
9 receives contributions for a committee without the
10 prior authorization of the chairperson of the
11 committee or the candidate shall be responsible for
12 either rendering the contributions to the treasurer
13 within-fifteen-days-of-the-date-of-receipt-of-the
14 contributions, who shall deposit the contribution in
15 the account maintained by the committee, or for
16 depositing the contributions in the account maintained
17 by the committee within-seven-days-of-the-date-of
18 receipt-of-the-contributions, but the contribution
19 must be deposited within the thirty-day period.
20 b. A person who receives contributions for a
21 committee shall, ~~not later than fifteen days from the~~
22 ~~date of receipt of the contributions or on demand of~~
23 ~~the treasurer,~~ render to the treasurer the
24 contributions and an account of the total of all
25 contributions, including the name and address of each
26 person making a contribution in excess of ten dollars,
27 the amount of the contributions, and the date on which
28 the contributions were received. ~~The treasurer shall~~
29 ~~deposit all contributions within seven days of receipt~~
30 ~~by the treasurer in an account maintained by the~~
31 ~~committee.~~
32 c. All funds of a committee shall be segregated
33 from any other funds held by officers, members, or
34 associates of the committee or the committee's
35 candidate. However, if a candidate's committee
36 receives contributions only from the candidate, or if
37 a permanent organization temporarily engages in
38 activity which qualifies it as a political committee
39 and all expenditures of the organization are made from
40 existing general operating funds and funds are not
41 solicited or received for this purpose from sources
42 other than operating funds, then that committee is not
43 required to maintain a separate account in a financial
44 institution.
45 d. The funds of a committee are not attachable for
46 the personal debt of the committee's candidate or an
47 officer, member, or associate of the committee."
48 2. Page 4, by striking lines 16 through 25, and
49 inserting the following:
50 "f. ~~The total amount of proceeds~~ Proceeds from any

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~~1 fund-raising event--Contributions-and-sales-at-fund-
2 raising-events-which-involve-the-sale-of-a-product
3 acquired-at-less-than-market-value-and-sold-for-an
4 amount-of-money-in-excess-of-the-amount-specified-in
5 paragraph-"b"-of-this-subsection shall be designated
6 separately-from reported with other monetary
7 contributions reported under paragraph "b". Products
8 donated for sale at the fund-raising event shall be
9 reported with other in-kind and-monetary contributions
10 and-the-report-shall-include-the-name-and-address-of
11 the-donor,-a-description-of-the-product,-the-market
12 value-of-the-product,-the-sales-price-of-the-product,
13 and-the-name-and-address-of-the-purchaser reported
14 under paragraph "d".~~

15 3. Page 5, by striking lines 23 through 31, and
16 inserting the following:

17 "1. A candidate and the candidate's committee
18 shall use campaign funds only for campaign purposes,
19 educational and other expenses associated with the
20 duties of office, or constituency services, and shall
21 not use campaign funds for personal expenses or
22 personal benefit. The purchase of subscriptions to
23 newspapers from or which circulate within the area
24 represented by the office which a candidate is seeking
25 or holds is presumed to be an expense that is
26 associated with the duties of the campaign for and
27 duties of office. The candidate and the candidate's
28 committee shall, in reports filed with the board,
29 explain each expenditure of funds, but need not
30 categorize each expenditure as for campaign purposes,
31 educational expense, an expense associated with the
32 duties of office, or for constituency services. Board
33 review of the explanations pursuant to section
34 68B.32A, subsection 3, shall be limited to confirming
35 that the explanation describes a permitted use of
36 campaign funds under this division."

37 4. Page 5, by striking lines 32 and 33.

38 5. Page 9, lines 22 and 23, by striking the words
39 "rules adopted by" and inserting the following:
40 "rules, policies, and procedures of".

41 6. By renumbering, relettering, redesignating, or
42 correcting internal references as necessary.

By ROD HALVORSON

S-3464 FILED APRIL 10, 1997

adapted
4-29-97
(p. 1559)

HOUSE FILE 697

S-3516

1 Amend House File 697, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 6, by inserting before line 20 the
4 following:

5 "Sec. _____. Section 68B.32, subsection 1, Code
6 1997, is amended to read as follows:

7 1. An Iowa ethics and campaign disclosure board is
8 established as an independent agency. Effective
9 January 1, 1994, the board shall administer this
10 chapter and set standards for, investigate complaints
11 relating to, and monitor the ethics of officials,
12 employees, lobbyists, and candidates for office in the
13 ~~executive-branch-of~~ state government. The board shall
14 also administer and set standards for, investigate
15 complaints relating to, and monitor the campaign
16 finance practices of candidates for public office.
17 The board shall consist of six members and shall be
18 balanced as to political affiliation as provided in
19 section 69.16. The members shall be appointed by the
20 governor, subject to confirmation by the senate."

21 2. Page 7, by inserting before line 11 the
22 following:

23 "Sec. _____. Section 68B.32A, subsection 12, Code
24 1997, is amended to read as follows:

25 12. Establish rules relating to ethical conduct
26 for persons holding a state office in the executive
27 branch of state government, ~~including-candidates,-and~~
28 for employees of the executive branch of state
29 government, and for candidates for any state office.
30 The board shall also establish regulations governing
31 the conduct of lobbyists of the executive branch of
32 state government,-including. The rules which
33 regulations shall include, but are not limited to,
34 rules and regulations governing conflicts of interest,
35 abuse of office or position, misuse of public or
36 campaign property, campaign advertising, use of
37 confidential information, participation in matters in
38 which an official or state employee has a financial
39 interest, and rejection of improper offers.

40 Sec. _____. Section 68B.32B, subsection 1, Code
41 1997, is amended to read as follows:

42 1. Any person may file a complaint alleging that a
43 candidate, committee, person holding a state office in
44 the executive branch of state government, employee of
45 the executive branch of state government, or other
46 person has committed a violation of chapter 56 or
47 rules adopted by the board. Any person may file a
48 complaint alleging that a person holding a state
49 office in the executive branch of state government, an
50 employee of the executive branch of state government,

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Page 2

1 a candidate for state office, or a lobbyist or a
 2 client of a lobbyist of the executive branch of state
 3 government has committed a violation of this chapter
 4 or rules adopted by the board. The board shall
 5 prescribe and provide forms for this purpose. A
 6 complaint must include the name and address of the
 7 complainant, a statement of the facts believed to be
 8 true that form the basis of the complaint, including
 9 the sources of information and approximate dates of
 10 the acts alleged, and a certification by the
 11 complainant under penalty of perjury that the facts
 12 stated to be true are true to the best of the
 13 complainant's knowledge."

14 3. By renumbering as necessary.

WIT. _____
 4-29-97 (p. 1560) By DON GETTINGS

S-3516 FILED APRIL 15, 1997

HOUSE FILE 697

S-3519

1 Amend House File 697, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 5, by inserting before line 21 the
 4 following:

5 "Sec. ____ . Section 56.40, Code 1997, is amended to
 6 read as follows:

7 56.40 CAMPAIGN FUNDS.

8 1. As used in this division, "campaign funds"
 9 means contributions to a candidate or candidate's
 10 committee which are required by this chapter to be
 11 deposited in a separate campaign account.

12 2. A candidate's committee shall not accept
 13 contributions from any other candidate's committee
 14 including candidate's committees from other states or
 15 for federal office, unless the candidate for whom each
 16 committee is established is the same person. For
 17 purposes of this section, "contributions" does not
 18 mean travel costs incurred by a candidate in attending
 19 a campaign event of another candidate.

20 3. This section shall not be construed to prohibit
 21 a candidate or candidate's committee from using
 22 campaign funds or accepting contributions for the
 23 following:

24 a. The purchase of tickets to meals if the
 25 candidate attends solely for the purpose of enhancing
 26 the person's candidacy or the candidacy of another
 27 person.

28 b. Meals purchased while executing the duties
 29 associated with public office, provided that such
 30 expenditures do not exceed thirty-five dollars per
 31 day."

32 2. By renumbering as necessary.

WIT. _____
 4-29-97 By MARY A. LUNDBY
 MERLIN E. BARTZ

S-3519 FILED APRIL 15, 1997

S-3524

1 Amend the amendment, S-3464, to House File 697, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 2, by inserting before line 15 the
5 following:

6 "_____. Page 5, by inserting before line 21 the
7 following:

8 "Sec. _____. Section 56.40, Code 1997, is amended to
9 read as follows:

10 56.40 CAMPAIGN FUNDS.

11 1. As used in this division, "campaign funds"
12 means contributions to a candidate or candidate's
13 committee which are required by this chapter to be
14 deposited in a separate campaign account.

15 2. A candidate's committee shall not accept
16 contributions from any other candidate's committee
17 including candidate's committees from other states or
18 for federal office, unless the candidate for whom each
19 committee is established is the same person. For
20 purposes of this section, "contributions" does not
21 mean travel costs incurred by a candidate in attending
22 a campaign event of another candidate.

23 3. This section shall not be construed to prohibit
24 a candidate or candidate's committee from using
25 campaign funds or accepting contributions for the
26 following:

27 a. The purchase of tickets to meals if the
28 candidate attends solely for the purpose of enhancing
29 the person's candidacy or the candidacy of another
30 person.

31 b. Meals purchased while executing the duties
32 associated with public office, provided that such
33 expenditures do not exceed thirty-five dollars per
34 day."

35 2. Page 2, by inserting before line 38 the
36 following:

37 "_____. Page 5, by inserting before line 34 the
38 following:

39 "Sec. _____. Section 56.41, subsection 2, paragraph
40 i, Code 1997, is amended to read as follows:

41 i. Meals, groceries, or other food expense, except
42 for the following:

43 (1) The purchase of tickets to meals that the
44 candidate attends solely for the purpose of enhancing
45 the candidacy or the candidacy of another person.

46 ~~However, payment for food~~

47 (2) Food and drink purchased for campaign related
48 purposes and for entertainment of campaign volunteers
49 is permitted.

50 (3) Meals purchased while executing the duties of

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Page 2

1 office, provided that such expenditures do not exceed
2 thirty-five dollars per day."

3 3. By renumbering as necessary.

By MARY A. LUNDBY
MERLIN E. BARTZ

WITHDRAWN 4/24/97 (p. 1434)

S-3524 FILED APRIL 15, 1997

S-3493

- 1 Amend House File 697, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 2, line 20, through page 3,
- 4 line 32.
- 5 2. By renumbering as necessary.

By ROD HALVORSON

S-3493 FILED APRIL 14, 1997

WITHDRAWN 4-29-97

HOUSE FILE 697

S-3494

- 1 Amend House File 697, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 4, by striking lines 26 and 27.
- 4 2. By renumbering as necessary.

WITHDRAWN 4-29-97 By ROD HALVORSON

S-3494 FILED APRIL 14, 1997

WITHDRAWN 4-29-97

HOUSE FILE 697

S-3495

- 1 Amend House File 697, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 5, by striking lines 21 through 33.
- 4 2. By renumbering as necessary.

By ROD HALVORSON

S-3495 FILED APRIL 14, 1997

WITHDRAWN
4-29-97
(P.1559)

HOUSE FILE 697

S-3536

1 Amend the amendment, S-3464, to House File 697, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking line 50, through page 2,
5 line 14, and inserting the following:

6 "f. ~~The total amount of proceeds~~ Proceeds from any
7 fund-raising event; ~~Contributions and sales at fund-~~
8 ~~raising events which involve the sale of a product~~
9 ~~acquired at less than market value and sold for an~~
10 ~~amount of money in excess of the amount specified in~~
11 shall be reported as a monetary contribution under
12 paragraph "b" of this subsection shall be designated
13 separately from. Products donated for sale at the
14 fund-raising event shall be reported as in-kind and
15 monetary contributions and the report shall include
16 the name and address of the donor, a description of
17 the product, the market value of the product, the
18 sales price of the product, and the name and address
19 of the purchaser under paragraph "d"."

20 2. Page 2, by inserting before line 15 the
21 following:

22 "Sec. ____ . Section 56.40, Code 1997, is amended to
23 read as follows:

24 56.40 CAMPAIGN FUNDS.

25 1. As used in this division, "campaign funds"
26 means contributions to a candidate or candidate's
27 committee which are required by this chapter to be
28 deposited in a separate campaign account.

29 2. A candidate's committee shall not accept
30 contributions from any other candidate's committee
31 including candidate's committees from other states or
32 for federal office, unless the candidate for whom each
33 committee is established is the same person. For
34 purposes of this section, "contributions" does not
35 mean travel costs incurred by a candidate in attending
36 a campaign event of another candidate.

37 3. This section shall not be construed to prohibit
38 a candidate or candidate's committee from using
39 campaign funds or accepting contributions for either
40 of the following:

41 a. The purchase of tickets to meals if the
42 candidate attends solely for the purpose of enhancing
43 the person's candidacy or the candidacy of another
44 person.

45 b. Meals purchased while executing the duties
46 associated with public office, provided that such
47 expenditures do not exceed thirty-five dollars per
48 day. However, the meal expenditure permitted under
49 this paragraph shall not be permitted on any day when
50 a statutory per diem pursuant to section 2.10, 7E.6,

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1 or 331.215, or any other provision allowing statutory
2 per diems for public officers, is authorized."
3 3. Page 2, by inserting before line 38 the
4 following:
5 " . Page 5, by inserting before line 34 the
6 following:
7 "Sec. . Section 56.41, subsection 2, paragraph
8 i, Code 1997, is amended to read as follows:
9 i. Meals, groceries, or other food expense, except
10 for the following:
11 (1) The purchase of tickets to meals that the
12 candidate attends solely for the purpose of enhancing
13 the candidacy or the candidacy of another person.
14 ~~However, payment for food~~
15 (2) Food and drink purchased for campaign related
16 purposes and for entertainment of campaign volunteers
17 is permitted.
18 (3) Meals purchased while executing the duties
19 associated with public office, provided that such
20 expenditures do not exceed thirty-five dollars per
21 day. However, the meal expenditure permitted under
22 this subparagraph shall not be permitted on any day
23 when a statutory per diem pursuant to section 2.10,
24 7E.6, or 331.215, or any other provision allowing
25 statutory per diems for public officers, is
26 authorized."
27 4. By renumbering as necessary.

By JAMES E. BLACK

S-3536 FILED APRIL 16, 1997

WITHDRAWN

4/24/97

HOUSE FILE 697

S-3538

1 Amend the amendment, S-3464, to House File 697, as
 2 amended, passed, and reprinted by the House, as
 3 follows:

4 1. Page 1, by striking line 50, through page 2,
 5 line 14, and inserting the following:

6 "f. ~~The total amount of proceeds~~ Proceeds from any
 7 fund-raising event, ~~Contributions and sales at fund-~~
 8 ~~raising events which involve the sale of a product~~
 9 ~~acquired at less than market value and sold for an~~
 10 ~~amount of money in excess of the amount specified in~~
 11 shall be reported as a monetary contribution under
 12 paragraph "b" of this subsection shall be designated
 13 separately from. Products donated for sale at the
 14 fund-raising event shall be reported as in-kind and
 15 monetary contributions and the report shall include
 16 the name and address of the donor, a description of
 17 the product, the market value of the product, the
 18 sales price of the product, and the name and address
 19 of the purchaser under paragraph "d"."

20 2. Page 2, by inserting before line 15 the
 21 following:

22 " . Page 5, by inserting before line 21 the
 23 following:

24 "Sec. . Section 56.40, Code 1997, is amended to
 25 read as follows:

26 56.40 CAMPAIGN FUNDS.

27 1. As used in this division, "campaign funds"
 28 means contributions to a candidate or candidate's
 29 committee which are required by this chapter to be
 30 deposited in a separate campaign account.

31 2. A candidate's committee shall not accept
 32 contributions from any other candidate's committee
 33 including candidate's committees from other states or
 34 for federal office, unless the candidate for whom each
 35 committee is established is the same person. For
 36 purposes of this section, "contributions" does not
 37 mean travel costs incurred by a candidate in attending
 38 a campaign event of another candidate.

39 3. This section shall not be construed to prohibit
 40 a candidate or candidate's committee from using
 41 campaign funds or accepting contributions for either
 42 of the following:

43 a. The purchase of tickets to meals if the
 44 candidate attends solely for the purpose of enhancing
 45 the person's candidacy or the candidacy of another
 46 person.

47 b. Meals purchased while executing the duties
 48 associated with public office, provided that such
 49 expenditures do not exceed thirty-five dollars per
 50 day. However, the meal expenditure permitted under

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1 this paragraph shall not be permitted on any day when
2 a statutory per diem pursuant to section 2.10, 7E.6,
3 or 331.215, or any other provision allowing statutory
4 per diems for public officers, is authorized."

5 3. Page 2, by inserting before line 38 the
6 following:

7 "____. Page 5, by inserting before line 34 the
8 following:

9 "Sec. ____ . Section 56.41, subsection 2, paragraph
10 i, Code 1997, is amended to read as follows:

11 i. Meals, groceries, or other food expense, except
12 for the following:

13 (1) The purchase of tickets to meals that the
14 candidate attends solely for the purpose of enhancing
15 the candidacy or the candidacy of another person.

16 ~~However, payment for food~~

17 (2) Food and drink purchased for campaign related
18 purposes and for entertainment of campaign volunteers
19 is permitted.

20 (3) Meals purchased while executing the duties
21 associated with public office, provided that such
22 expenditures do not exceed thirty-five dollars per
23 day. However, the meal expenditure permitted under
24 this subparagraph shall not be permitted on any day
25 when a statutory per diem pursuant to section 2.10,
26 7E.6, or 331.215, or any other provision allowing
27 statutory per diems for public officers, is
28 authorized."

29 4. By renumbering as necessary.

By JAMES E. BLACK

S-3538 FILED APRIL 16, 1997

A. Out of order 4/24/97 (P. 1433)

B. Lost 4/24/97 (P. 1434)

HOUSE FILE 697

S-3539

1 Amend House File 697, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 4, by striking lines 16 through 25, and
4 inserting the following:

5 ~~"f. The total amount of proceeds~~ Proceeds from any
6 fund-raising event--~~Contributions and sales at fund-~~
7 ~~raising events which involve the sale of a product~~
8 ~~acquired at less than market value and sold for an~~
9 ~~amount of money in excess of the amount specified in~~
10 shall be reported as a monetary contribution under
11 paragraph "b" of this subsection shall be designated
12 separately from. Products donated for sale at the
13 fund-raising event shall be reported as in-kind and
14 monetary contributions and the report shall include
15 the name and address of the donor, a description of
16 the product, the market value of the product, the
17 sales price of the product, and the name and address
18 of the purchaser under paragraph "d".

19 2. Page 5, by inserting before line 21 the
20 following:

21 "Sec. ____ . Section 56.40, Code 1997, is amended to
22 read as follows:

23 56.40 CAMPAIGN FUNDS.

24 1. As used in this division, "campaign funds"
25 means contributions to a candidate or candidate's
26 committee which are required by this chapter to be
27 deposited in a separate campaign account.

28 2. A candidate's committee shall not accept
29 contributions from any other candidate's committee
30 including candidate's committees from other states or
31 for federal office, unless the candidate for whom each
32 committee is established is the same person. For
33 purposes of this section, "contributions" does not
34 mean travel costs incurred by a candidate in attending
35 a campaign event of another candidate.

36 3. This section shall not be construed to prohibit
37 a candidate or candidate's committee from using
38 campaign funds or accepting contributions for either
39 of the following:

40 a. The purchase of tickets to meals if the
41 candidate attends solely for the purpose of enhancing
42 the person's candidacy or the candidacy of another
43 person.

44 b. Meals purchased while executing the duties
45 associated with public office, provided that such
46 expenditures do not exceed thirty-five dollars per
47 day. However, the meal expenditure permitted under
48 this paragraph shall not be permitted on any day when
49 a statutory per diem pursuant to section 2.10, 7E.6,
50 or 331.215, or any other provision allowing statutory

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1 per diems for public officers, is authorized."

2 3. Page 5, by inserting before line 34 the
3 following:

4 "Sec. ____ . Section 56.41, subsection 2, paragraph
5 i, Code 1997, is amended to read as follows:

6 i. Meals, groceries, or other food expense, except
7 for the following:

8 (1) The purchase of tickets to meals that the
9 candidate attends solely for the purpose of enhancing
10 the candidacy or the candidacy of another person.

11 ~~However, payment for food~~

12 (2) Food and drink purchased for campaign related
13 purposes and for entertainment of campaign volunteers
14 is permitted.

15 (3) Meals purchased while executing the duties
16 associated with public office, provided that such
17 expenditures do not exceed thirty-five dollars per
18 day. However, the meal expenditure permitted under
19 this subparagraph shall not be permitted on any day
20 when a statutory per diem pursuant to section 2.10,
21 7E.6, or 331.215, or any other provision allowing
22 statutory per diems for public officers, is
23 authorized."

24 4. By renumbering as necessary.

By JAMES E. BLACK

S-3539 FILED APRIL 16, 1997

WITHDRAWN

4-29-97

(p. 1559)

HOUSE FILE 697

S-3591

1 Amend House File 697, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 6, by inserting before line 20 the
4 following:

5 "Sec. _____. Section 68B.32, subsection 1, Code
6 1997, is amended to read as follows:

7 1. An Iowa ethics and campaign disclosure board is
8 established as an independent agency. Effective
9 January 1, 1994, the board shall administer this
10 chapter and set standards for, investigate complaints
11 relating to, and monitor the ethics of officials,
12 employees, lobbyists, and candidates for office in the
13 executive branch of state government, and candidates
14 for office in the general assembly. The board shall
15 also administer and set standards for, investigate
16 complaints relating to, and monitor the campaign
17 finance practices of candidates for public office.
18 The board shall consist of six members and shall be
19 balanced as to political affiliation as provided in
20 section 69.16. The members shall be appointed by the
21 governor, subject to confirmation by the senate."

22 2. Page 7, by inserting before line 11 the
23 following:

24 "Sec. _____. Section 68B.32A, subsection 12, Code
25 1997, is amended to read as follows:

26 12. Establish rules relating to ethical conduct
27 for persons holding a state office in the executive
28 branch of state government, ~~including-candidates,-and~~
29 for employees of the executive branch of state
30 government, and for candidates for any state office.
31 The board shall also establish regulations governing
32 the conduct of lobbyists of the executive branch of
33 state government,-including. The rules which
34 regulations shall include, but are not limited to,
35 rules and regulations governing conflicts of interest,
36 abuse of office or position, misuse of public or
37 campaign property, campaign advertising, use of
38 confidential information, participation in matters in
39 which an official or state employee has a financial
40 interest, and rejection of improper offers.

41 Sec. _____. Section 68B.32B, subsection 1, Code
42 1997, is amended to read as follows:

43 1. Any person may file a complaint alleging that a
44 candidate, committee, person holding a state office in
45 the executive branch of state government, employee of
46 the executive branch of state government, or other
47 person has committed a violation of chapter 56 or
48 rules adopted by the board. Any person may file a
49 complaint alleging that a person holding a state
50 office in the executive branch of state government, an

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1 employee of the executive branch of state government,
2 a candidate for state office, or a lobbyist or a
3 client of a lobbyist of the executive branch of state
4 government has committed a violation of this chapter
5 or rules adopted by the board. The board shall
6 prescribe and provide forms for this purpose. A
7 complaint must include the name and address of the
8 complainant, a statement of the facts believed to be
9 true that form the basis of the complaint, including
10 the sources of information and approximate dates of
11 the acts alleged, and a certification by the
12 complainant under penalty of perjury that the facts
13 stated to be true are true to the best of the
14 complainant's knowledge."
15 3. By renumbering as necessary.

By DON GETTINGS

S-3591 FILED APRIL 17, 1997

*Lost 4/29/97
(P. 1560)*

HOUSE FILE 697

S-3722

1 Amend the amendment, S-3464, to House File 697, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. By striking page 1, line 3, through page 2,
5 line 14, and inserting the following:

6 "____. Page 3, by striking lines 2 through 32, and
7 inserting the following:

8 "2. a. A contribution shall be deposited in the
9 account maintained by the committee within thirty days
10 of initial receipt of the contribution by the
11 candidate or the committee. An individual who
12 receives contributions for a committee without the
13 prior authorization of the chairperson of the
14 committee or the candidate shall be responsible for
15 either for rendering the contributions to the
16 treasurer ~~within fifteen days of the date of receipt~~
17 ~~of the contributions,~~ who shall deposit the
18 contribution in the account maintained by the
19 committee, or for depositing the contributions in the
20 account maintained by the committee ~~within seven days~~
21 ~~of the date of receipt of the contributions,~~ but the
22 contribution must be deposited within the thirty-day
23 period.

24 b. A person who receives contributions for a
25 committee shall, ~~not later than fifteen days from the~~
26 ~~date of receipt of the contributions or on demand of~~
27 ~~the treasurer,~~ render to the treasurer the
28 contributions and an account of the total of all
29 contributions, including the name and address of each
30 person making a contribution in excess of ten dollars,
31 the amount of the contributions, and the date on which
32 the contributions were received. ~~The treasurer shall~~
33 ~~deposit all contributions within seven days of receipt~~
34 ~~by the treasurer in an account maintained by the~~
35 ~~committee.~~

36 c. All funds of a committee shall be segregated
37 from any other funds held by officers, members, or
38 associates of the committee or the committee's
39 candidate. However, if a candidate's committee
40 receives contributions only from the candidate, or if
41 a permanent organization temporarily engages in
42 activity which qualifies it as a political committee
43 and all expenditures of the organization are made from
44 existing general operating funds and funds are not
45 solicited or received for this purpose from sources
46 other than operating funds, then that committee is not
47 required to maintain a separate account in a financial
48 institution.

49 d. The funds of a committee are not attachable for
50 the personal debt of the committee's candidate or an

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1 officer, member, or associate of the committee."

2 "____. Page 4, by striking lines 14 through 25 and
3 inserting the following:

4 "Sec. ____ . Section 56.6, subsection 3, paragraph
5 b, unnumbered paragraph 1, Code 1997, is amended to
6 read as follows:

7 The name and mailing address of each person who has
8 made one or more contributions of money to the
9 committee including the proceeds from any fund-raising
10 events ~~except those reportable under paragraph "f" of~~
11 ~~this subsection~~, when the aggregate amount in a
12 calendar year exceeds the amount specified in the
13 following schedule:

14 Sec. ____ . Section 56.6, subsection 3, paragraph d,
15 Code 1997, is amended to read as follows:

16 d. The name and mailing address of each person who
17 has made one or more in-kind contributions to the
18 committee when the aggregate market value of the in-
19 kind contribution in a calendar year exceeds the
20 amount specified in ~~subsection 3~~, paragraph "b", ~~of~~
21 ~~this section~~. In-kind contributions shall be
22 designated on a separate schedule from schedules
23 showing contributions of money and shall identify the
24 nature of the contribution and provide its estimated
25 fair market value. Items donated for sale at fund-
26 raising events shall be reported separately from other
27 in-kind contributions on the schedule reporting in-
28 kind contributions, and shall include only the name
29 and mailing address of the person donating the item, a
30 description of the item, and the price for which the
31 item is sold at the fund-raiser. The total price
32 received for such items shall be reported as a
33 contribution under paragraph "b", and shall not be
34 included in the total estimated fair market value of
35 other in-kind contributions under this paragraph.

36 Sec. ____ . Section 56.6, subsection 3, paragraph f,
37 Code 1997, is amended by striking the paragraph.

38 Sec. ____ . Section 56.6, subsection 3, paragraph i,
39 Code 1997, is amended to read as follows:

40 i. If a person listed under paragraph "b", "d", or
41 "e", ~~or "f"~~ as making a contribution or loan to or
42 purchase from a candidate's committee is related to
43 the candidate within the third degree of consanguinity
44 or affinity, the existence of that person's family
45 relationship shall be indicated on the report."

46 2. By renumbering, relettering, or correcting
47 internal references as necessary.

By STEVE KING .
ROD HALVORSON

S-3722 FILED APRIL 23, 1997

Adopted 4/24/97
(P.1433)

HOUSE FILE 697

S-3731

1 Amend House File 697, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 9, by inserting after line 23, the
4 following:
5 "Sec. 201. CAMPAIGN FINANCE COMMISSION. The
6 campaign finance commission is established to study
7 the laws relating to the financing of elections for
8 office and to recommend reforms in these laws,
9 according to the following:
10 1. Appointment. The commission shall be composed
11 of seven members, bipartisan and gender-balanced in
12 accordance with sections 69.16 and 69.16A, and
13 appointed as follows:
14 a. Three members shall be the state chairs of each
15 of the political parties, as defined in section 43.2,
16 or their designees.
17 b. Four members shall be jointly appointed by the
18 majority and minority leaders of the house and senate.
19 These members shall be appointed from nonpartisan
20 organizations which have researched, studied, and
21 advocated the issue of political campaign finance
22 reform for fifteen years or more, or who are specially
23 qualified to serve on the commission because of
24 training or experience.
25 c. The commission shall elect a chair and vice-
26 chair at its first meetings.
27 2. Terms. The members of the commission shall
28 serve for the life of the commission.
29 3. Vacancies. A vacancy in the commission shall
30 be filled in the manner in which the original
31 appointment was made.
32 Sec. 202. POWERS AND DUTIES OF THE COMMISSION.
33 1. Hearings. The commission may hold hearings
34 which shall be open and announced in advance to the
35 public, take testimony, and receive evidence as the
36 commission considers appropriate. Activities of the
37 commission shall be held in accordance with chapter
38 21.
39 The commission shall hold at least one hearing in
40 each congressional district within the state
41 specifically to obtain public input on the issue of
42 campaign finance reform.
43 2. Quorum. Four members of the commission shall
44 constitute a quorum, but a lesser number may hold
45 hearings.
46 3. Report. Not later than December 15, 1997, the
47 commission shall submit to the general assembly a
48 report of the activities of the commission, together
49 with a draft of legislation recommended by the
50 commission to reform the laws regarding the financing

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1 of political campaigns for consideration by the
2 general assembly in 1998 according to the provisions
3 of this Act.

4 4. Matters to be considered. In holding hearings
5 and preparing the report required under subsection 3,
6 the commission shall consider all issues related to
7 campaign finance reform, including, but not limited to
8 expenditure limits, expenditure and contribution
9 disclosure, contribution limits by individuals and
10 committees, soft money, independent expenditures, and
11 negative campaigning. The commission may secure
12 directly from any department or agency such
13 information as the commission considers necessary, and
14 the department or agency shall promptly furnish such
15 information to the commission.

16 5. Staffing. Assistance shall be provided to the
17 commission by the central nonpartisan legislative
18 staff bureaus. The commission may utilize the
19 services of the legislative service bureau in
20 formulating a draft of legislation. The attorney
21 general's office and the ethics and campaign
22 disclosure board shall serve as consultants, and
23 advise the commission as necessary.

24 Sec. 203. FAST-TRACK PROCEDURE.

25 1. The legislation drafted by the commission shall
26 be filed with each chamber on the first day of the
27 1998 legislative session, and immediately assigned to
28 the committee on state government in each chamber.

29 2. Each committee on state government shall have
30 no more than one week from the first day of the
31 legislative session to review the legislation. If
32 approved by the committee, the legislation shall
33 immediately be placed on the calendar for
34 consideration by the full chamber. The legislation
35 must be approved or rejected by both chambers within
36 thirty days of the first day of the 1998 legislative
37 session.

38 3. No amendment to the draft legislation shall be
39 in order in either chamber of the general assembly,
40 either in committee or on the floor. No motion to
41 suspend the application of these rules shall be in
42 order in either chamber of the general assembly,
43 either in committee or on the floor.

44 4. All time periods under this section shall be
45 calculated according to calendar days. Weekends and
46 days when the general assembly is not in session shall
47 be included in any calculation.

48 Sec. 204. TERMINATION. The commission shall cease
49 to exist one month after the submission of its report
50 under section 202 of this Act."

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- 1 2. By renumbering and correcting internal
- 2 references as necessary.

By JOHN P. KIBBIE

WITHDRAWN 4/29/97 (p. 1561)

S-3731 FILED APRIL 23, 1997

HOUSE FILE 697

S-3734

- 1 Amend House File 697 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 5, by inserting after line 20 the
- 4 following:
- 5 "Sec. . . . NEW SECTION. 56.14A NEW ADVERTISING
- 6 BEFORE ELECTION -- RESTRICTIONS.
- 7 A candidate or a candidate's committee shall not,
- 8 within the five-day period which immediately precedes
- 9 the election in which the candidate is seeking office,
- 10 publish, distribute, or cause to be published or
- 11 distributed, published material designed to promote or
- 12 defeat the election of the candidate or the
- 13 candidate's opponent unless the material was
- 14 previously published or distributed during the period
- 15 of time which preceded that five-day period. For
- 16 purposes of this subsection, "published material"
- 17 includes "published material" as defined under section
- 18 56.14 and paid political announcements broadcast
- 19 through electronic media including, but not limited
- 20 to, radio, television, or computer networks."
- 21 2. Title page, line 3, by inserting after the
- 22 word "for" the following: "campaign advertising and".
- 23 3. By renumbering as necessary.

By JOHN P. KIBBIE

S-3734 FILED APRIL 23, 1997

WITHDRAWN

4-29-97

(P. 1559)

HOUSE FILE 697

S-3729

1 Amend House File 697, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 5, by inserting after line 20 the
 4 following:
 5 "Sec. . NEW SECTION. 56.14A FALSE INFORMATION
 6 IN POLITICAL MATERIAL.
 7 1. A person shall not be a sponsor of any
 8 published material on behalf of or in opposition to
 9 any candidate or ballot issue that contains any
 10 assertion, representation, or statement of fact,
 11 including, but not limited to, information concerning
 12 a candidate's prior public record, which the sponsor
 13 knows to be untrue, deceptive, or misleading.
 14 2. For purposes of this section, "published
 15 material" means statements or graphic representations
 16 made through any public medium which includes, but is
 17 not limited to, any of the following:
 18 a. Electronic media such as live or prerecorded
 19 radio or television broadcasts, broadcasts or
 20 transmissions through other publicly available
 21 electronic communications, and video or audio tape
 22 recordings which are publicly distributed.
 23 b. Print media, such as newspapers, pamphlets,
 24 folders, display cards, signs, posters, or billboard
 25 advertisements.
 26 c. Any other methods or mediums designed for
 27 publicly advertising or publishing information.
 28 3. For purposes of this section, "sponsor" means a
 29 person who pays for or approves published material and
 30 shall include a candidate or committee which knows and
 31 approves of an independent expenditure made by another
 32 person under section 56.13."
 33 2. By renumbering as necessary.

By JOHN P. KIBBIE

S-3729 FILED APRIL 23, 1997

WITNESSES
 4-29-97

HOUSE FILE 697

S-3728

- 1 Amend House File 697, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 6, by inserting after line 19, the
4 following:
5 "Sec. _____. Section 56.42, subsection 2, Code 1997,
6 is amended to read as follows:
7 2. a. If an unexpended balance of campaign funds
8 remains in the committee's account when a candidate's
9 committee dissolves, the unexpended balance shall be
10 transferred pursuant to subsection 1.
11 b. If an unexpended balance of campaign funds
12 remains in the account of a candidate's committee for
13 at least seven years after the candidate's last day of
14 service in a public office, the unexpended balance
15 shall be transferred pursuant to subsection 1,
16 paragraph "b".
17 2. By renumbering as necessary.

By MIKE CONNOLLY

S-3728 FILED APRIL 23, 1997

~~RECEIVED~~

Adopted

4-29-97

(P.1560)

HOUSE FILE 697

S-3763

1 Amend the amendment, S-3728, to House File 697, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by inserting before line 17 the
5 following:
6 "____. Page 9, by inserting after line 23 the
7 following:
8 "Sec. ____ . RETROACTIVE APPLICABILITY. The portion
9 of this Act that amends Code section 56.42, subsection
10 2, paragraph "b", is retroactively applicable to all
11 candidate's committees, and is applicable six months
12 after enactment. The ethics and campaign disclosure
13 board shall notify, prior to the effective date of
14 that provision, all candidate's committees to which
15 the provision would require the transfer of funds
16 because the candidate has been out of public office
17 for seven or more years.""
18 2. By renumbering as necessary.

By MIKE CONNOLLY

S-3763 FILED APRIL 24, 1997

Adopted
4-29-97
(p. 1559)

S-3761

1 Amend the amendment, S-3464, to House File 697, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 2, by inserting before line 38 the
5 following:

6 " . Page 9, by striking lines 4 and 5 and
7 inserting the following:

8 "~~1. Beginning in 1994, no later than January 31~~
9 ~~and July 31 of each year, unless no payments are made,~~
10 ~~a A lobbyist's~~".

11 . Page 9, by striking lines 10 and 11 and
12 inserting the following: "lobbying purposes during
13 the preceding six calendar months. The reports shall
14 be filed on or before April 30, July 31, October 31,
15 and January 31, for the preceding calendar quarter.
16 Reports by lobbyists' clients shall be filed with
17 the".

18 2. By renumbering as necessary.

By ROD HALVORSON

S-3761 FILED APRIL 24, 1997

LOST (p. 435)

HOUSE FILE 697

S-3762

1 Amend House File 697, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 9, by striking lines 4 and 5 and
4 inserting the following:

5 "~~1. Beginning in 1994, no later than January 31~~
6 ~~and July 31 of each year, unless no payments are made,~~
7 ~~a A lobbyist's~~".

8 2. Page 9, by striking lines 10 and 11 and
9 inserting the following: "lobbying purposes during
10 the preceding six calendar months. The reports shall
11 be filed on or before April 30, July 31, October 31,
12 and January 31, for the preceding calendar quarter.
13 Reports by lobbyists' clients shall be filed with
14 the".

15 3. By renumbering as necessary.

By ROD HALVORSON

S-3762 FILED APRIL 24, 1997

WITHDRAWN

4/29/97

(p. 1561)

SEVENTY-SEVENTH GENERAL ASSEMBLY
1997 REGULAR SESSION
DAILY
HOUSE CLIP SHEET
APRIL 30, 1997

SENATE AMENDMENT TO HOUSE FILE 697

H-1990

1 Amend House File 697, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 3, by striking lines 2 through 32, and
4 inserting the following:

5 "2. a. A contribution shall be deposited in the
6 account maintained by the committee within thirty days
7 of initial receipt of the contribution by the
8 candidate or the committee. An individual who
9 receives contributions for a committee without the
10 prior authorization of the chairperson of the
11 committee or the candidate shall be responsible for
12 either for rendering the contributions to the
13 treasurer ~~within-fifteen-days-of-the-date-of-receipt~~
14 ~~of-the-contributions,~~ who shall deposit the
15 contribution in the account maintained by the
16 committee, or for depositing the contributions in the
17 account maintained by the committee within-seven-days
18 of-the-date-of-receipt-of-the-contributions, but the
19 contribution must be deposited within the thirty-day
20 period.

21 b. A person who receives contributions for a
22 committee shall ~~not-later-than-fifteen-days-from-the~~
23 ~~date-of-receipt-of-the-contributions-or-on-demand-of~~
24 ~~the-treasurer,~~ render to the treasurer the
25 contributions and an account of the total of all
26 contributions, including the name and address of each
27 person making a contribution in excess of ten dollars,
28 the amount of the contributions, and the date on which
29 the contributions were received. ~~The-treasurer-shall~~
30 ~~deposit-all-contributions-within-seven-days-of-receipt~~
31 ~~by-the-treasurer-in-an-account-maintained-by-the~~
32 ~~committee.~~

33 c. All funds of a committee shall be segregated
34 from any other funds held by officers, members, or
35 associates of the committee or the committee's
36 candidate. However, if a candidate's committee
37 receives contributions only from the candidate, or if
38 a permanent organization temporarily engages in
39 activity which qualifies it as a political committee
40 and all expenditures of the organization are made from
41 existing general operating funds and funds are not
42 solicited or received for this purpose from sources
43 other than operating funds, then that committee is not
44 required to maintain a separate account in a financial
45 institution.

46 d. The funds of a committee are not attachable for
47 the personal debt of the committee's candidate or an
48 officer, member, or associate of the committee."

49 2. Page 4, by striking lines 14 through 25 and
50 inserting the following:

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Page 2

1 "Sec. ____ . Section 56.6, subsection 3, paragraph
2 b, unnumbered paragraph 1, Code 1997, is amended to
3 read as follows:

4 The name and mailing address of each person who has
5 made one or more contributions of money to the
6 committee including the proceeds from any fund-raising
7 events ~~except-those-reportable-under-paragraph-"f"-of~~
8 ~~this-subsection~~, when the aggregate amount in a
9 calendar year exceeds the amount specified in the
10 following schedule:

11 Sec. ____ . Section 56.6, subsection 3, paragraph d,
12 Code 1997, is amended to read as follows:

13 d. The name and mailing address of each person who
14 has made one or more in-kind contributions to the
15 committee when the aggregate market value of the in-
16 kind contribution in a calendar year exceeds the
17 amount specified in ~~subsection-3~~, paragraph "b", ~~of~~
18 ~~this-section~~. In-kind contributions shall be
19 designated on a separate schedule from schedules
20 showing contributions of money and shall identify the
21 nature of the contribution and provide its estimated
22 fair market value. Items donated for sale at fund-
23 raising events shall be reported separately from other
24 in-kind contributions on the schedule reporting in-
25 kind contributions, and shall include only the name
26 and mailing address of the person donating the item, a
27 description of the item, and the price for which the
28 item is sold at the fund-raiser. The total price
29 received for such items shall be reported as a
30 contribution under paragraph "b", and shall not be
31 included in the total estimated fair market value of
32 other in-kind contributions under this paragraph.

33 Sec. ____ . Section 56.6, subsection 3, paragraph f,
34 Code 1997, is amended by striking the paragraph.

35 Sec. ____ . Section 56.6, subsection 3, paragraph i,
36 Code 1997, is amended to read as follows:

37 i. If a person listed under paragraph "b", "d", or
38 ~~"e"~~ ~~or~~ ~~"f"~~ as making a contribution or loan to or
39 purchase from a candidate's committee is related to
40 the candidate within the third degree of consanguinity
41 or affinity, the existence of that person's family
42 relationship shall be indicated on the report."

43 3. Page 5, by striking lines 23 through 31, and
44 inserting the following:

45 "1. A candidate and the candidate's committee
46 shall use campaign funds only for campaign purposes,
47 educational and other expenses associated with the
48 duties of office, or constituency services, and shall
49 not use campaign funds for personal expenses or
50 personal benefit. ~~The-purchase-of-subscriptions-to~~

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~~1 newspapers-from-or-which-circulate-within-the-area~~
~~2 represented-by-the-office-which-a-candidate-is-seeking~~
~~3 or-holds-is-presumed-to-be-an-expense-that-is~~
~~4 associated-with-the-duties-of-the-campaign-for-and~~
~~5 duties-of-office. The candidate and the candidate's~~
~~6 committee shall, in reports filed with the board,~~
~~7 explain each expenditure of funds, but need not~~
~~8 categorize each expenditure as for campaign purposes,~~
~~9 educational expense, an expense associated with the~~
~~10 duties of office, or for constituency services. Board~~
~~11 review of the explanations pursuant to section~~
~~12 68B.32A, subsection 3, shall be limited to confirming~~
~~13 that the explanation describes a permitted use of~~
~~14 campaign funds under this division."~~

15 4. Page 5, by striking lines 32 and 33.

16 5. Page 6, by inserting after line 19, the
17 following:

18 "Sec. _____. Section 56.42, subsection 2, Code 1997,
19 is amended to read as follows:

20 2. a. If an unexpended balance of campaign funds
21 remains in the committee's account when a candidate's
22 committee dissolves, the unexpended balance shall be
23 transferred pursuant to subsection 1.

24 b. If an unexpended balance of campaign funds
25 remains in the account of a candidate's committee for
26 at least seven years after the candidate's last day of
27 service in a public office, the unexpended balance
28 shall be transferred pursuant to subsection 1,
29 paragraph "b"."

30 6. Page 9, lines 22 and 23, by striking the words
31 "rules adopted by" and inserting the following:
32 "rules, policies, and procedures of".

33 7. Page 9, by inserting after line 23 the
34 following:

35 "Sec. _____. RETROACTIVE APPLICABILITY. The portion
36 of this Act that amends Code section 56.42, subsection
37 2, paragraph "b", is retroactively applicable to all
38 candidate's committees, and is applicable six months
39 after enactment. The ethics and campaign disclosure
40 board shall notify, prior to the effective date of
41 that provision, all candidate's committees to which
42 the provision would require the transfer of funds
43 because the candidate has been out of public office
44 for seven or more years."

45 8. By renumbering, relettering, or redesignating
46 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-1990 FILED APRIL 29, 1997

Hipp, chair
Johum
Holmes
Chiodo
Martin

HSB 225

STATE GOVERNMENT

by
SF HI 67

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CHAIRPERSON MARTIN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to certain procedures of the ethics and campaign
2 disclosure board and filing requirements and certain
3 requirements for use of campaign funds.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 46.20, Code 1997, is amended to read as
2 follows:

3 46.20 DECLARATION OF CANDIDACY.

4 At least one hundred four days before the judicial election
5 preceding expiration of the initial or regular term of office,
6 a judge of the supreme court, court of appeals, or district
7 court including district associate judges, ~~or-a-clerk-of-the~~
8 ~~district-court-who-is-required-to-stand-for-retention-under~~
9 ~~section-602-1216~~ may file a declaration of candidacy with the
10 state commissioner of elections to stand for retention or
11 rejection at that election. If a judge ~~or-clerk~~ fails to file
12 the declaration, the office shall be vacant at the end of the
13 term. District associate judges filing the declaration shall
14 stand for retention in the judicial election district of their
15 residence.

16 Sec. 2. Section 46.21, unnumbered paragraph 1, Code 1997,
17 is amended to read as follows:

18 At least sixty-nine days before each judicial election, the
19 state commissioner of elections shall certify to the county
20 commissioner of elections of each county a list of the judges
21 of the supreme court, court of appeals, and district court
22 including district associate judges, ~~and-clerks-of-the~~
23 ~~district-court~~ to be voted on in each county at that election.
24 The county commissioner of elections shall place the names
25 upon the ballot in the order in which they appear in the
26 certificate, unless only one county is voting thereon. The
27 state commissioner of elections shall rotate the names in the
28 certificate by county, or the county commissioner of elections
29 shall rotate them upon the ballot by precinct if only one
30 county is voting thereon. The names of all judges ~~and-clerks~~
31 to be voted on shall be placed upon one ballot, which shall be
32 in substantially the following form:

33 Sec. 3. Section 46.24, Code 1997, is amended to read as
34 follows:

35 46.24 RESULTS OF ELECTION.

1 A judge of the supreme court, court of appeals, or district
2 court including a district associate judge, ~~or-a-clerk-of-the~~
3 ~~district-court~~ must receive more affirmative than negative
4 votes to be retained in office. When the poll is closed, the
5 election judges shall publicly canvass the vote forthwith.
6 The board of supervisors shall canvass the returns on the
7 Monday or Tuesday after the election, and shall promptly
8 certify the number of affirmative and negative votes on each
9 judge ~~or-clerk~~ to the state commissioner of elections.

10 The state board of canvassers shall, at the time of
11 canvassing the vote cast at a general election, open and
12 canvass all of the returns for the judicial election. Each
13 judge of the supreme court, court of appeals or district court
14 including a district associate judge, ~~or-a-clerk-of-the~~
15 ~~district-court~~ who has received more affirmative than negative
16 votes shall receive from the state board of canvassers an
17 appropriate certificate so stating.

18 Sec. 4. Section 49.51, unnumbered paragraph 2, Code 1997,
19 is amended by striking the unnumbered paragraph.

20 Sec. 5. Section 56.3, subsections 1 and 2, Code 1997, are
21 amended to read as follows:

22 1. Every candidate's committee shall appoint a treasurer
23 who shall be an Iowa resident who has reached the age of
24 majority. Every political committee shall appoint both a
25 treasurer and a chairperson, each of whom shall have reached
26 the age of majority. Every candidate's committee shall
27 maintain all of the committee's funds in bank accounts in a
28 financial institution located in Iowa. Every political
29 committee shall either have an Iowa resident as treasurer or
30 maintain all of the committee's funds in bank accounts in a
31 financial institution located in Iowa. An expenditure shall
32 not be made by the treasurer or treasurer's designee for or on
33 behalf of a committee without the approval of the chairperson
34 of the committee, or the candidate. Expenditures shall be
35 remitted to the designated recipient within fifteen thirty

1 days of the date of the issuance of the payment.

2 2. An individual who receives contributions for a
3 committee without the prior authorization of the chairperson
4 of the committee or the candidate shall be responsible for
5 either rendering the contributions to the treasurer within
6 ~~fifteen~~ thirty days of the date of receipt of the
7 contributions, or depositing the contributions in the account
8 maintained by the committee within ~~seven~~ thirty days of the
9 date of receipt of the contributions. A person who receives
10 contributions for a committee shall, not later than ~~fifteen~~
11 thirty days from the date of receipt of the contributions or
12 on demand of the treasurer, render to the treasurer the
13 contributions and an account of the total of all
14 contributions, including the name and address of each person
15 making a contribution in excess of ten dollars, the amount of
16 the contributions, and the date on which the contributions
17 were received. The treasurer shall deposit all contributions
18 within ~~seven~~ thirty days of receipt by the treasurer in an
19 account maintained by the committee. All funds of a committee
20 shall be segregated from any other funds held by officers,
21 members, or associates of the committee or the committee's
22 candidate. However, if a candidate's committee receives
23 contributions only from the candidate, or if a permanent
24 organization temporarily engages in activity which qualifies
25 it as a political committee and all expenditures of the
26 organization are made from existing general operating funds
27 and funds are not solicited or received for this purpose from
28 sources other than operating funds, then that committee is not
29 required to maintain a separate account in a financial
30 institution. The funds of a committee are not attachable for
31 the personal debt of the committee's candidate or an officer,
32 member, or associate of the committee.

33 Sec. 6. Section 56.5, subsection 2, paragraph a, Code
34 1997, is amended to read as follows:

35 a. The name, purpose, mailing address, and telephone

1 number of the committee.

2 (1) The committee name shall not duplicate the name of
3 another committee organized under this section.

4 (2) For candidate's committees filing initial statements
5 of organization on or after July 1, 1995, the candidate's name
6 shall be contained within the committee name.

7 (3) Except for a political committee formed to support or
8 oppose approval of a judge, the name of a political committee
9 shall not contain the name of any of the following:

10 (a) A candidate seeking election for federal, state,
11 county, city, or school office.

12 (b) A current federal, state, county, city, or school
13 officeholder.

14 Sec. 7. Section 56.6, subsection 3, paragraphs f and g,
15 Code 1997, are amended to read as follows:

16 f. The total amount of proceeds from any fund-raising
17 event. ~~Contributions-and-sales-at-fund-raising-events-which~~
18 ~~involve-the-sale-of-a-product-acquired-at-less-than-market~~
19 ~~value-and-sold-for-an-amount-of-money-in-excess-of-the-amount~~
20 ~~specified-in-paragraph-"b"-of-this-subsection-shall-be~~
21 ~~designated-separately-from-in-kind-and-monetary-contributions~~
22 ~~and-the-report-shall-include-the-name-and-address-of-the~~
23 ~~donor,-a-description-of-the-product,-the-market-value-of-the~~
24 ~~product,-the-sales-price-of-the-product,-and-the-name-and~~
25 ~~address-of-the-purchaser.-~~

26 g. The name and mailing address of each person to whom
27 disbursements or loan repayments have been made by the
28 committee from contributions during the reporting period and
29 the amount, purpose, and date of each disbursement except that
30 disbursements of less than five dollars may be shown as
31 miscellaneous disbursements so long as the aggregate
32 miscellaneous disbursements to any one person during a
33 calendar year do not exceed one hundred dollars. ~~If~~
34 ~~disbursements-are-made-to-a-consultant,-the-consultant-shall~~
35 ~~provide-the-committee-with-a-statement-of-disbursements-made~~

1 ~~by the consultant during the reporting period showing the name~~
2 ~~and address of the recipient, amount, purpose, and date to the~~
3 ~~same extent as if made by the candidate, which shall be~~
4 ~~included in the report by the committee.~~

5 Sec. 8. Section 56.6, subsection 3, paragraph j, Code
6 1997, is amended by striking the paragraph.

7 Sec. 9. Section 56.7, Code 1997, is amended to read as
8 follows:

9 56.7 REPORTS SIGNED.

10 1. A report or statement required to be filed by a
11 ~~treasurer of a political~~ committee, ~~a candidate, or by any~~
12 ~~other person,~~ shall be signed by the person filing the report.
13 as follows:

14 a. In the case of a candidate's committee, the report
15 shall be signed by the candidate or the treasurer.

16 b. In the case of a political committee, the report shall
17 be signed by the chairperson or the treasurer.

18 2. A committee report that is signed in accordance with
19 this section is assumed to be in compliance with the law, and
20 shall not be subject to audit by the ethics and campaign
21 disclosure board unless a complaint is filed in accordance
22 with section 68B.32B.

23 ~~2.~~ 3. A copy of every report or statement shall be
24 preserved by the person filing it or the person's successor
25 for at least ~~three~~ five years following the filing of the
26 report or statement.

27 Sec. 10. Section 56.14, subsection 1, paragraph c, Code
28 1997, is amended to read as follows:

29 c. This subsection shall not be construed to require the
30 ~~inclusion~~ an individual to disclose that individual's identity
31 or address on published material of information which
32 ~~discloses the identity or address of any~~ relating to a ballot
33 issue, as long as the individual who is acting independently
34 and using has not expended more than five hundred dollars of
35 the individual's own modest resources in a calendar year in

1 order to publish or distribute the material. However, this
2 exception does not apply to text or graphics that are
3 transmitted to another computer by computer, via the internet,
4 or via other means.

5 Sec. 11. Section 56.41, subsection 1, Code 1997, is
6 amended to read as follows:

7 ~~1. A candidate and the candidate's committee shall use~~
8 ~~campaign funds only for campaign purposes, educational and~~
9 ~~other expenses associated with the duties of office, or~~
10 ~~constituency services, and shall not use campaign funds for~~
11 ~~personal expenses or personal benefit. The purchase of~~
12 ~~subscriptions to newspapers from or which circulate within the~~
13 ~~area represented by the office which a candidate is seeking or~~
14 ~~holds is presumed to be an expense that is associated with the~~
15 ~~duties of the campaign for and duties of office.~~

16 Sec. 12. Section 56.41, subsections 2 and 3, Code 1997,
17 are amended by striking the subsections.

18 Sec. 13. Section 56.42, subsection 1, Code 1997, is
19 amended to read as follows:

20 ~~1. In addition to the uses permitted under section 56.41,~~
21 ~~a~~ A candidate's committee may only transfer campaign funds in
22 one or more of the following ways:

23 a. Contributions to charitable organizations.

24 b. Contributions to national, state, or local political
25 party central committees, ~~or~~ to partisan political committees
26 organized to represent persons within the boundaries of a
27 congressional district, or to committees representing a
28 nonparty political organization described in section 44.1.

29 c. Transfers to the treasurer of state for deposit in the
30 general fund of the state, or to the appropriate treasurer for
31 deposit in the general fund of a political subdivision of the
32 state.

33 ~~d. Return of contributions to contributors on a pro-rata~~
34 ~~basis, except that any contributor who contributed five~~
35 ~~dollars or less may be excluded from the distribution.~~

1 e- d. Contributions to another candidate's committee when
2 the candidate for whom both committees are formed is the same
3 person.

4 Sec. 14. Section 68B.32A, subsection 3, Code 1997, is
5 amended to read as follows:

6 3. Review the contents of all campaign finance disclosure
7 reports and statements filed with the board and promptly
8 advise each person or committee of errors found.

9 a. The board may verify information contained in the
10 reports with other parties to assure accurate disclosure. The
11 board may also verify information by requesting that a
12 candidate or committee produce copies of receipts, bills,
13 logbooks, or other memoranda of reimbursements of expenses to
14 a candidate for expenses incurred during a campaign.

15 b. For the purposes of obtaining verifying information,
16 the board may issue administrative subpoenas for the requested
17 information, which may be served upon the candidate,
18 committee, or third party by restricted certified mail or by
19 personal service as in civil actions. Information may be
20 sought from a third party by subpoena after notice to the
21 committee which is the subject of the review. However, if the
22 chairperson of the board concludes that notification to the
23 committee would have the potential of jeopardizing the
24 validity of the information sought, prior notice to the
25 committee which is the subject of the review is not required.

26 c. The board, upon its own motion, may initiate action and
27 conduct a hearing relating to requirements under chapter 56.

28 d. The board may require a county commissioner of
29 elections to periodically file summary reports with the board.

30 Sec. 15. Section 68B.37, Code 1997, is amended to read as
31 follows:

32 68B.37 LOBBYIST REPORTING.

33 1. A lobbyist before the general assembly shall file with
34 the general assembly, on forms prescribed by each house of the
35 general assembly, a report disclosing all of the following:

1 a. The lobbyist's clients.

2 b. Contributions made to candidates for state office by
3 the lobbyist during calendar months during the reporting
4 period when the general assembly is not in session.

5 c. The recipient of the campaign contributions.

6 d. Expenditures made by the lobbyist for the purposes of
7 providing the services enumerated under section 68B.2,
8 subsection 13, paragraph "a".

9 For purposes of this subsection, "expenditures" does not
10 include expenses that are reimbursed or paid by the client of
11 the lobbyist and are reported by the client pursuant to
12 section 68B.38, subsection 1, or expenditures made by any
13 organization for publishing a newsletter or other
14 informational release for its members.

15 2. A lobbyist before a state agency or the office of the
16 governor shall file with the board, on forms prescribed by the
17 board, a report disclosing the same items described in
18 subsection 1.

19 3. ~~The reports by lobbyists before-the-general-assembly~~
20 ~~shall be filed not-later-than-twenty-five-days-following-any~~
21 ~~month-in-which-the-general-assembly-is-in-session-and~~
22 ~~thereafter-on-or-before-July-31, October-31, and-January-31.~~
23 ~~The-reports-filed-by-a-lobbyist-before-the-general-assembly~~
24 ~~shall-contain-information-for-the-preceding-calendar-month-or~~
25 ~~quarter-or-parts-thereof-during-which-the-person-was-engaged~~
26 ~~in-lobbying.--Reports-filed-by-lobbyists-before-a-state-agency~~
27 shall-be-filed on or before April 30, July 31, October 31, and
28 January 31, for the preceding calendar quarter or parts
29 thereof during which the person was engaged in lobbying.

30 4. If a person cancels the person's lobbyist registration
31 at any time during the calendar year, the reports required by
32 this section are due on the dates required by this section or
33 fifteen days after cancellation, whichever is earlier. ~~The~~
34 ~~report-due-January-31-shall-include-all-reportable-items-for~~
35 ~~the-preceding-calendar-year-in-addition-to-containing-the~~

1 quarterly-reportable-items.--A-lobbyist-who-cancels-the
2 person's-lobbyist-registration-before-January-1-of-a-year
3 shall-file-a-report-listing-all-reportable-items-for-the-year
4 in-which-the-cancellation-was-filed.--A-lobbyist-who-cancels
5 the-person's-lobbyist-registration-between-January-1-and
6 January-15-of-a-year-shall-file-a-report-listing-all
7 reportable-items-for-the-preceding-year-and-so-much-of-the
8 month-of-January-as-has-expired-at-the-time-of-cancellation.
9 However, if

10 5. If a lobbyist is a person who is designated to
11 represent the interest of an organization as defined in
12 section 68B.2, subsection 13, paragraph "a", subparagraph (2),
13 but is not paid compensation for that representation and does
14 not expend more than one thousand dollars as provided in
15 section 68B.2, subsection 13, paragraph "a", subparagraph (4),
16 the lobbyist shall only be required to file the report
17 specified in ~~this-section~~ subsection 3 once annually, which
18 shall be performed at the time of filing the person's lobbyist
19 registration form or forms.

20 Sec. 16. Section 68B.38, Code 1997, is amended to read as
21 follows:

22 68B.38 LOBBYIST'S CLIENT REPORTING.

23 1. ~~Beginning-in-1994, no~~ No later than January 31 ~~and July~~
24 ~~31~~ of each year, unless no payments are made, a lobbyist's
25 client shall file with the general assembly or board a report
26 that contains information on all salaries, fees, and
27 retainers, expenses, and reimbursements of expenses paid to
28 the lobbyist by the lobbyist's client ~~to the lobbyist~~ for
29 lobbying purposes during the preceding ~~six-calendar-months~~
30 year. Reports by lobbyists' clients shall be filed with the
31 same entity with which the lobbyist filed the lobbyist's
32 registration.

33 2. ~~The-report-due-January-31-shall-include-a-cumulative~~
34 ~~total-of-all-salaries, fees, retainers, and reimbursements-of~~
35 ~~expenses-paid-to-the-lobbyist-for-lobbying-activities-during~~

1 ~~the-preceding-calendar-year~~ The secretary of the senate,
2 chief clerk of the house, and the board shall develop forms to
3 implement this section.

4 Sec. 17. Section 602.1216, Code 1997, is repealed.

5 EXPLANATION

6 This bill strikes a portion of Code section 49.51, which
7 currently requires the ethics and campaign disclosure board to
8 receive a copy of sample ballots in county elections.

9 The bill amends Code section 56.3 by changing all
10 requirements for deposit in or payment from a bank account of
11 a candidate's committee to 30 days.

12 The bill amends Code section 56.5 to prohibit a political
13 committee from using the name of a current officeholder or
14 candidate in its name. This prohibition does not apply to
15 committees formed to support or oppose approval of a judge in
16 a judicial retention election.

17 The bill deletes language in Code section 56.6 that
18 requires committee disclosure reports to include information
19 relating to sale of products at fund-raising events,
20 consultant activity, and future contracts.

21 The bill amends Code section 56.7 to specify that a
22 chairperson or candidate (according to the type of committee),
23 or a treasurer, must sign filed reports. The person required
24 to file a report or statement must preserve a copy for five
25 rather than three years. The bill adds a provision that
26 states that a report signed and in accordance with this
27 provision will not be audited by the ethics and campaign
28 disclosure board unless a complaint is filed under Code
29 section 68B.32B.

30 The bill amends Code section 56.14 to replace language
31 regarding political material paid for by the "modest"
32 resources of an individual with the express amount of \$500,
33 the amount used as a financial threshold for filing disclosure
34 reports under Code chapter 56.

35 The bill amends Code section 56.41 to state that a

1 candidate shall not use campaign funds for personal purposes,
2 and deletes both the affirmative requirement that a candidate
3 use campaign funds only for campaign, educational, or
4 constituency purposes, as well as deleting all specific
5 prohibited uses of campaign funds.

6 This bill amends Code section 56.42 to permit transfers of
7 funds remaining in a candidate's account to minor political
8 parties, as well as to the major political parties currently
9 permitted under the Code. The bill also deletes language
10 permitting a pro rata return of funds to contributors.

11 The bill amends Code section 68B.32A to provide for service
12 of process by the ethics and campaign disclosure board by
13 certified mail, in addition to the current procedure of
14 service by the sheriff. Prior notice to a committee is
15 required under this provision, unless the board concludes that
16 prior notice would jeopardize the investigation.

17 The bill amends lobbyist reporting requirements under Code
18 section 68B.37, to parallel lobbyist reporting times for
19 executive branch lobbyists, and to eliminate reporting of
20 expenses reported by the lobbyist's client under Code section
21 68B.38. Code section 68B.38 is also amended to require only
22 one report per year from the client of a lobbyist.

23 Code section 602.1216, requiring a district clerk of court
24 to stand for retention in a judicial election if certain
25 requirements are met, is repealed. Conforming amendments are
26 made to Code sections 46.20, 46.21, and 46.24.

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