STATE GOVERNMENT
3-17-99 Referred to Ethics
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SENATE RESOLUTION NO. 8

BY SZYMONIAK, CONNOLLY, and HAMMOND

A Resolution to amend the Senate Code of Ethics.

BE IT RESOLVED BY THE SENATE, That rules 11 and 24 of the Senate Code of Ethics for the Seventy-eighth General Assembly shall be amended as follows:

11. DISCLOSURE REQUIRED.

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

(1) The name and nature of each business in which the senator and, if applicable, the spouse of the senator is engaged ~~and-the-nature-of-the-business-of each-company-in-which-the-senator-has-a-financial interest~~ and the job title or position held within each business. If a senator or the senator's spouse is self-employed and is doing business under the senator's or the spouse's given name, the senator shall indicate that the senator or the senator's spouse is self-employed. If the senator or the senator's spouse is self-employed and is doing business under a name other than the senator's or spouse's given name, the senator shall indicate that the senator or spouse is self-employed and list the name of the senator's or spouse's business. The senator shall also disclose the range of compensation

SR 8
STATE GOVERNMENT

SR 8

received or earned by the senator, within the ranges established in these rules.

(2) A list of any other sources of income of the senator and, if applicable, of the senator's spouse. If the income is derived from a corporation, business, or other entity, the list shall include the name of the corporation, business, or other entity from which the income is derived. If not apparent from the name, the nature of the business of the corporation, business, or other entity from which the income is derived shall also be listed. The type of interest held shall also be listed by the categories established in these rules, where applicable. A senator or a senator's spouse shall not be required to file a report or be assumed to have a financial interest if the annual income derived from the ~~investment-in-stocks,-bonds,-bills,-notes,-mortgages, or-other-securities-offered-for-sale-through recognized-financial-brokers~~ source of income is less than one thousand dollars.

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

The secretary of the senate shall inform the ethics committee of the statements which are filed and shall report to the ethics committee the names of any

SR8

senators who appear not to have filed complete statements. The chairperson of the ethics committee shall request in writing that a senator who has failed to complete the report or appears to have filed an incomplete report do so within five days, and, upon the failure of the senator to comply, the ethics committee shall require the senator to appear before the committee.

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

STATEMENT OF ECONOMIC INTERESTS

Name: ____

(Last) (First) (Middle Initial)

Spouse's Name: _____________________________________

_______________ (Last) ______ (First) ______ (Middle Initial)

Address: ____

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

____

(City) (State) (Zip)

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

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a. Please list the name of each business, occupation, or profession in which you and your spouse, if applicable, are engaged. In listing the business, occupation, or profession, ~~it-is-not necessary-that-your-employer-or-the-name-of-the business-be-listed,-although-all~~ if you are self-employed and you are doing business under your given

SR 8

name, you should indicate that you are self-employed. If you are self-employed and are doing business under another name, you should indicate that you are self-employed and list the name of the business. The same requirements apply to your spouse, if you are married. All businesses, occupations, or professions must be listed, regardless of the amount of income derived or time spent participating in the activity and each entry should indicate whether you or your spouse is the person engaged in the business, occupation, or profession. ~~(Examples of types of businesses, occupations, or professions that may be listed: teacher, lawyer, legislator, real estate agent, insurance adjuster, salesperson....)~~

(1) ______________________________

(2) ______________________________

(3) ______________________________

(4) ______________________________

(5) ______________________________

b. Please list the nature of each of the businesses, occupations, or professions which you listed in paragraph "a", above, for yourself or your spouse, unless the nature of the business, occupation, or profession is already apparent from the information indicated above. The descriptions in this paragraph should correspond by number to the numbers for and names of each of the businesses, occupations, or professions listed in paragraph "a". If not apparent, indicate specifically the business, occupation, or profession in which you are engaged or in which your

SR8

spouse is engaged. (Examples: If you indicated, for example, that you were ~~a-salesperson~~ employed by company X in subparagraph (1) of paragraph "a", you should list in subparagraph (1) of this paragraph, the types of goods or services ~~sold~~ produced or provided by company X in this item. If you indicated that you were ~~a-teacher~~ employed by school Y in subparagraph (2) of paragraph "a", you should indicate in subparagraph (2) of this paragraph, the type of school or institution in which you ~~provide-instruction-or whether-the-instruction-is-provided-on-a-private-basis~~ are employed. If you indicated that you ~~were-a-lawyer~~ work in a law firm in subparagraph (3) of paragraph "a", you should indicate ~~your~~ the areas of practice of the firm and whether ~~you-are-in~~ the firm is a private, corporate, or government practice in subparagraph (3) of this paragraph. If you indicated in subparagraph (4) of paragraph "a" that you were ~~a-consultant~~ self-employed, in subparagraph (4) of this paragraph you should indicate the kind of services provided and types of clients served.)

(1) ______________________________

(2) ______________________________

(3) ______________________________

(4) ______________________________

(5) ______________________________

c. Please list for each of the businesses, occupations, or professions which you listed in paragraph "a", above, the job title or position which you or, if applicable, your spouse holds in the

SR8

business, occupation, or profession. Each entry should indicate whether you or your spouse is the person who holds the title or position.

(1) ______________________________

(2) ______________________________

(3) ______________________________

(4) ______________________________

(5) ______________________________

d. Please list for each of the businesses, occupations, or professions which you listed in paragraph "a", above, as a business, occupation, or profession in which you engage, the compensation received or earned by you from the business, occupation, or profession within the following ranges:

$ 0 through $9,999.99
$10,000 through $24,999.99
$25,000 through $49,999.99
$50,000 through $99,999.99
$100,000 through $149,999.99
$150,000 through $249,999.99
$250,000 through $499,999.99
$500,000 through $999,999.99
$1,000,000 and above.

(1) ______________________________

(2) ______________________________

(3) ______________________________

(4) ______________________________

(5) ______________________________

~~c.~~ e. Please list each income source, by name, if applicable, and a general description of the nature of

SR8

the business of the income source if the nature of the business is not apparent, from which you receive, or which generates, more than one thousand dollars in gross annual income in the categories listed below. For purposes of this item, a source produces gross annual income if the revenue produced by the source is subject to federal or state income taxes. In completing this item, it is not necessary to list the ~~name-of-the-company,-business,-financial-institution,-corporation,-partnership,-or-other-entity-which constitutes-the-source-of-the-income-and-the~~ amount or value of the holding ~~should-not-be-listed~~.

(1) Securities (Here for example, you need not state that you own X number of shares ~~of-any-specific company-by-brand-or-corporate-name~~, or that the stock is of a certain value, but ~~may~~ instead shall state that you possess stock in a named company and indicate the nature of the company's business. If the interest held is in a mutual fund, you should state that you hold an interest in a mutual fund and give the name of the fund.):

(2) Instruments of Financial Institutions (You ~~need-not~~ shall indicate here, for example, the names of the institutions in which ~~institutions~~ you hold certificates of deposit that produce annual income

SR 8

over the one thousand dollar threshold, ~~but simply listing~~ and shall list the nature of the business of the institution ~~will suffice~~, e.g., bank, credit union, or savings and loan association.):

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

(4) Real Estate (When listing real estate, it is not necessary to list the location of the property, but the general nature of the real estate interest should be indicated, e.g. residential leasehold interest or farm leasehold interest. If the real estate is held in joint tenancy, the value of the entire property shall be considered when determining whether the $1,000 threshold has been reached.):

SR 8

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

(6) Other Income Categories Specified in State or Federal Income Tax Regulations (List the name of any other business or source of income and a description of the business or other sources of income producing over one thousand dollars in annual income not previously reported above, but which must be reported for income tax purposes.):

(Signature of filer) (Date)

BE IT FURTHER RESOLVED BY THE SENATE, That the

SR8

Senate Code of Ethics for the Seventy-eighth General Assembly be amended by adding the following new rule:

NEW RULE. 10A. RECEIPT OF CORPORATE CONTRIBUTIONS. A senator shall not solicit or receive campaign contributions for purposes of expressly advocating the nomination or election of the senator or the defeat of another senate candidate from an entity organized as a corporation pursuant to the laws of this state, the United States, or any other state, territory, or foreign country, whether for profit or not, or an officer, agent, or representative acting for the corporation.