

1 SENATE RESOLUTION NO. 6  
2 BY COMMITTEE ON ETHICS  
3 (SUCCESSOR TO SSB 1022)

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

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

11 SENATE CODE OF ETHICS

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

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

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

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1 members in the conduct of their legislative affairs.

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

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

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

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

30 5. HONORARIA. A senator shall not accept an

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

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

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

1 of a candidate for public office or ballot issue or  
2 influencing legislative action.

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

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

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

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

30 b. The effect of the senator's participation on

1 public confidence in the integrity of the legislature.

2 c. The need for the senator's particular  
3 contribution, such as special knowledge of the subject  
4 matter, to the effective functioning of the  
5 legislature.

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

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

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

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

30 Disclosures required under this rule shall be as of

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

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

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

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

25 14. TRAVEL EXPENSES. A senator shall not charge  
26 to the state of Iowa amounts for travel and expenses  
27 unless the senator actually has incurred those mileage  
28 and expense costs. Senators shall not file the  
29 vouchers for weekly mileage reimbursement required by  
30 section 2.10, subsection 1, unless the travel was

1 actually incurred at commensurate expense to the  
2 senator.

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

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

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

18 16. FILING OF COMPLAINTS.

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

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

30 c. Timeliness of filing. A complaint will be

1 considered to be timely filed if it is filed within  
2 three years of the occurrence of the alleged violation  
3 of the ethics code.

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

15 18. PREHEARING PROCEDURE.

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

30 b. Service of complaint on respondent. Upon



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

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

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

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

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

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

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

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

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

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

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

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

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

30 (3) Request that the chief justice of the supreme

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

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

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

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

18 19. HEARING PROCEDURE.

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

30 b. Subpoena power. The committee may require, by

1 subpoena or otherwise, the attendance and testimony of  
2 witnesses and the production of such books, records,  
3 correspondence, memoranda, papers, documents, and any  
4 other things it deems necessary to the conduct of the  
5 inquiry.

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

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

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

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

27 e. Hearing. At the hearing, the chairperson shall  
28 open the hearing by stating the charges, the purpose  
29 of the hearing, and its scope. The burden of proof  
30 rests upon the complainant to establish the facts as

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

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

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

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

17 (1) That the complaint be dismissed, or

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

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

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

29 20. COMMITTEE AUTHORIZED TO MEET. The senate  
30 ethics committee is authorized to meet at the

1 discretion of the chairperson to conduct hearings and  
2 other business that properly may come before it. If  
3 the committee submits a report seeking senate action  
4 against a senator or lobbyist after the second regular  
5 session of a general assembly has adjourned sine die,  
6 the report shall be submitted to and considered by the  
7 subsequent general assembly. However, the report may  
8 be submitted to and considered during any special  
9 session which may take place after the second regular  
10 session of a general assembly has adjourned sine die,  
11 but before the convening of the next general assembly.

12 20A. ADVISORY OPINIONS.

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

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

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

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

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

23 20B. CALCULATION OF TIME -- DAYS. For purposes of  
24 these rules, unless the context otherwise requires,  
25 the word "day" or "days" shall mean a calendar day  
26 except that if the day is the last day of a specific  
27 time period and falls upon a Saturday, Sunday, or  
28 legal holiday, the time prescribed shall be extended  
29 so as to include the whole of the next day in which  
30 the offices of the senate and the general assembly are

1 open for official business.

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

4 THE SENATE  
5 Ethics Complaint Form

6 Re: \_\_\_\_\_ (Senator/Lobbyist),  
7 of \_\_\_\_\_, Iowa.

8 I, \_\_\_\_\_ (Complainant), residing  
9 at \_\_\_\_\_, in the City of \_\_\_\_\_,  
10 State of \_\_\_\_\_, hereby complain that

11 \_\_\_\_\_ (Senator/Lobbyist), whose  
12 address is \_\_\_\_\_,

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

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

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

19 \_\_\_\_\_  
20 Signature of Complainant

21 SUBSCRIBED AND AFFIRMED to before me this \_\_\_\_\_  
22 day of \_\_\_\_\_, \_\_\_\_\_.

23 \_\_\_\_\_  
24 Notary Public in and for the  
25 State of \_\_\_\_\_

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

29 STATE OF IOWA  
30 THE SENATE



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

12 TO \_\_\_\_\_,  
 13 Senator or Lobbyist named above:

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

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

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

28 Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

29 \_\_\_\_\_  
 30 Chair, Senate Ethics Committee,

1 or Secretary of the Senate

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

4 STATE OF IOWA  
5 THE SENATE

6 COMMITTEE ON ETHICS )

7 IOWA STATE SENATE )

8 )

9 On The Complaint Of ) NOTICE OF HEARING

10 )

11 \_\_\_\_\_ )

12 )

13 And Involving )

14 )

15 \_\_\_\_\_ )

16 )

17 TO \_\_\_\_\_,

18 Senator or Lobbyist named above:

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

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

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

30 \_\_\_\_\_, at (hour) \_\_\_\_\_ (a.m.) (p.m.),

1 in Room \_\_\_\_\_, State Capitol, Des Moines, Iowa.

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

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

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

15 Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

16 \_\_\_\_\_  
17 Chair, Senate Ethics Committee,  
18 or Secretary of the Senate

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

23 STATEMENT OF ECONOMIC INTERESTS

24 Name: \_\_\_\_\_

25 (Last) (First) (Middle Initial)

26 Address: \_\_\_\_\_

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

28 \_\_\_\_\_

29 (City) (State) (Zip)

30 Phone: (Home) \_\_\_\_ - \_\_\_\_ - \_\_\_\_ (Business) \_\_\_\_ - \_\_\_\_ - \_\_\_\_

1 \*\*\*\*\*

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

- 13 (1) \_\_\_\_\_
- 14 (2) \_\_\_\_\_
- 15 (3) \_\_\_\_\_
- 16 (4) \_\_\_\_\_
- 17 (5) \_\_\_\_\_

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

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

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

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

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

7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_  
10 \_\_\_\_\_  
11 \_\_\_\_\_

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

19 \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_

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

30 \_\_\_\_\_

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

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

10 \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_

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

21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_

26 (6) Other Income Categories Specified in State or  
27 Federal Income Tax Regulations (List description of  
28 other sources of income producing over one thousand  
29 dollars in annual income not previously reported  
30 above, but which must be reported for income tax

1 purposes.):

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_

9 (Signature of filer) (Date)

10 25. CO-CHAIRPERSONS -- DUTIES. For purposes of  
11 the Eighty-first General Assembly, all of the  
12 following shall apply:

13 a. A reference in these rules to the chairperson  
14 of the ethics committee shall be considered to be a  
15 reference to the co-chairpersons of the ethics  
16 committee and a reference in these rules to the  
17 chairperson and ranking member of the ethics committee  
18 shall be considered to be a reference to the co-  
19 chairpersons of the ethics committee.

20 b. The co-chairpersons shall jointly perform the  
21 duties and responsibilities of the committee  
22 chairperson, including committee administration, staff  
23 assignments, and scheduling. The co-chairpersons  
24 shall agree upon a procedure for dividing the duties  
25 of presiding at committee meetings. The powers of the  
26 committee chairperson shall not be exercised  
27 individually by a co-chairperson without the prior  
28 agreement of both co-chairpersons, except that any co-  
29 chairperson may individually request a study bill on  
30 behalf of the committee.

31  
32  
33  
34  
35





1 members in the conduct of their legislative affairs.

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

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

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

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

30 5. HONORARIA. A senator shall not accept an

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

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

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

1 of a candidate for public office or ballot issue or  
2 influencing legislative action.

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

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

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

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

30 b. The effect of the senator's participation on

1 public confidence in the integrity of the legislature.

2 c. The need for the senator's particular  
3 contribution, such as special knowledge of the subject  
4 matter, to the effective functioning of the  
5 legislature.

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

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

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

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

30 Disclosures required under this rule shall be as of

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

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

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

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

25 14. TRAVEL EXPENSES. A senator shall not charge  
26 to the state of Iowa amounts for travel and expenses  
27 unless the senator actually has incurred those mileage  
28 and expense costs. Senators shall not file the  
29 vouchers for weekly mileage reimbursement required by  
30 section 2.10, subsection 1, unless the travel was

1 actually incurred at commensurate expense to the  
2 senator.

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

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

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

18 16. FILING OF COMPLAINTS.

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

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

30 c. Timeliness of filing. A complaint will be

1 considered to be timely filed if it is filed within  
2 three years of the occurrence of the alleged violation  
3 of the ethics code.

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

15 18. PREHEARING PROCEDURE.

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

30 b. Service of complaint on respondent. Upon



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (3) Request that the chief justice of the supreme

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

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

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

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

18 19. HEARING PROCEDURE.

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

30 b. Subpoena power. The committee may require, by

1 subpoena or otherwise, the attendance and testimony of  
2 witnesses and the production of such books, records,  
3 correspondence, memoranda, papers, documents, and any  
4 other things it deems necessary to the conduct of the  
5 inquiry.

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

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

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

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

27 e. Hearing. At the hearing, the chairperson shall  
28 open the hearing by stating the charges, the purpose  
29 of the hearing, and its scope. The burden of proof  
30 rests upon the complainant to establish the facts as

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

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

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

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

17 (1) That the complaint be dismissed, or

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

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

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

29 20. COMMITTEE AUTHORIZED TO MEET. The senate  
30 ethics committee is authorized to meet at the

1 discretion of the chairperson to conduct hearings and  
2 other business that properly may come before it. If  
3 the committee submits a report seeking senate action  
4 against a senator or lobbyist after the second regular  
5 session of a general assembly has adjourned sine die,  
6 the report shall be submitted to and considered by the  
7 subsequent general assembly. However, the report may  
8 be submitted to and considered during any special  
9 session which may take place after the second regular  
10 session of a general assembly has adjourned sine die,  
11 but before the convening of the next general assembly.

12 20A. ADVISORY OPINIONS.

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

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

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

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

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

23 20B. CALCULATION OF TIME -- DAYS. For purposes of  
24 these rules, unless the context otherwise requires,  
25 the word "day" or "days" shall mean a calendar day  
26 except that if the day is the last day of a specific  
27 time period and falls upon a Saturday, Sunday, or  
28 legal holiday, the time prescribed shall be extended  
29 so as to include the whole of the next day in which  
30 the offices of the senate and the general assembly are

1 open for official business.

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

4 THE SENATE

5 Ethics Complaint Form

6 Re: \_\_\_\_\_ (Senator/Lobbyist),  
7 of \_\_\_\_\_, Iowa.

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

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

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

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

19

\_\_\_\_\_  
Signature of Complainant

20  
21 SUBSCRIBED AND AFFIRMED to before me this \_\_\_\_\_  
22 day of \_\_\_\_\_, \_\_\_\_\_.

23

\_\_\_\_\_  
Notary Public in and for the  
State of \_\_\_\_\_

24  
25  
26 22. COMPLAINT NOTICE FORM. The following form  
27 shall be used for notice of a complaint under these  
28 rules:

29

STATE OF IOWA

30

THE SENATE



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

12 TO \_\_\_\_\_,

13 Senator or Lobbyist named above:

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

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

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

28 Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

29

30

\_\_\_\_\_  
Chair, Senate Ethics Committee,

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

4 STATE OF IOWA

5 THE SENATE

6 COMMITTEE ON ETHICS )

7 IOWA STATE SENATE )

8 )

9 On The Complaint Of ) NOTICE OF HEARING

10 )

11 \_\_\_\_\_ )

12 )

13 And Involving )

14 )

15 \_\_\_\_\_ )

16 )

17 TO \_\_\_\_\_,

18 Senator or Lobbyist named above:

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

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

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

30 \_\_\_\_\_, at (hour) \_\_\_\_\_ (a.m.) (p.m.),

1 in Room \_\_\_\_\_, State Capitol, Des Moines, Iowa.

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

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

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

15 Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

16

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

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

24 STATEMENT OF ECONOMIC INTERESTS

25 Name: \_\_\_\_\_

26 (Last) (First) (Middle Initial)

27 Address: \_\_\_\_\_

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

29 (City) (State) (Zip)

30 Phone: (Home) \_\_\_\_-\_\_\_\_-\_\_\_\_ (Business) \_\_\_\_-\_\_\_\_-\_\_\_\_

1 \*\*\*\*\*

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

- 13 (1) \_\_\_\_\_
- 14 (2) \_\_\_\_\_
- 15 (3) \_\_\_\_\_
- 16 (4) \_\_\_\_\_
- 17 (5) \_\_\_\_\_

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

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

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

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

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

7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_  
10 \_\_\_\_\_  
11 \_\_\_\_\_

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

19 \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_

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

30 \_\_\_\_\_

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

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

10 \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_

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

21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_

26 (6) Other Income Categories Specified in State or  
27 Federal Income Tax Regulations (List description of  
28 other sources of income producing over one thousand  
29 dollars in annual income not previously reported  
30 above, but which must be reported for income tax

1 purposes.):

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_

9 (Signature of filer) (Date)

10 25. CO-CHAIRPERSONS -- DUTIES. For purposes of  
11 the Eighty-first General Assembly, all of the  
12 following shall apply:

13 a. A reference in these rules to the chairperson  
14 of the ethics committee shall be considered to be a  
15 reference to the co-chairpersons of the ethics  
16 committee and a reference in these rules to the  
17 chairperson and ranking member of the ethics committee  
18 shall be considered to be a reference to the co-  
19 chairpersons of the ethics committee.

20 b. The co-chairpersons shall jointly perform the  
21 duties and responsibilities of the committee  
22 chairperson, including committee administration, staff  
23 assignments, and scheduling. The co-chairpersons  
24 shall agree upon a procedure for dividing the duties  
25 of presiding at committee meetings. The powers of the  
26 committee chairperson shall not be exercised  
27 individually by a co-chairperson without the prior  
28 agreement of both co-chairpersons, except that any co-  
29 chairperson may individually request a study bill on  
30 behalf of the committee.

31  
32  
33  
34  
35