

Senate Study Bill 1075 - Introduced

SENATE RESOLUTION NO. _____

BY (PROPOSED COMMITTEE ON ETHICS RESOLUTION BY
CHAIRPERSON SHIPLEY)

1 A Resolution relating to the Senate Code of Ethics
2 governing the conduct of members of the Senate in
3 relation to their senatorial duties during the
4 Ninetieth General Assembly.

5 BE IT RESOLVED BY THE SENATE, That the Senate Code
6 of Ethics for the ~~Eighty-ninth~~ Ninetieth General
7 Assembly shall be amended to read as follows:

8 SENATE CODE OF ETHICS

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

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

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

1 members in the conduct of their legislative affairs.

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

10 2. DIVESTITURE. Where a senator learns that
11 an economic or investment opportunity previously
12 accepted was offered with the intent of influencing
13 the 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, and
16 shall report the facts of the situation to the senate
17 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 legislative
21 interest a price, fee, compensation, or other
22 consideration for the sale or lease of any property or
23 the furnishing of services which is in excess of that
24 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 or from an organization
7 exempt from taxation under section 501(c)(4),
8 501(c)(6), or 527 of the Internal Revenue Code that
9 engages in activities related to the nomination,
10 election, or defeat of a candidate for public office.
11 A senator may accept employment from a political
12 party, but shall disclose the employment relationship
13 in writing to the secretary of the senate within ten
14 days after the beginning of each legislative session.
15 If a senator accepts employment from a political
16 party during a legislative session, the senator shall
17 disclose the employment relationship within ten days
18 after acceptance of the employment.

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

1 professional organization which makes contributions in
2 the aggregate of more than one thousand dollars in any
3 one calendar year to expressly advocate the nomination,
4 election, or defeat of a candidate for public office or
5 ballot issue or influencing legislative action.

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

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

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

30 a. Whether a substantial threat to the senator's

1 independence of judgment has been created by the
2 conflict situation.

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

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

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

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

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

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

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

19 11A. DISCLOSURE REQUIRED BY CANDIDATES FOR SENATE.
20 Each candidate for senate shall file with the secretary
21 of the senate within fourteen days after the deadline
22 for the filing of nomination papers or fourteen days
23 after the nominating convention, as applicable, a
24 financial statement under section 68B.35 on forms
25 provided by the secretary of the senate setting forth
26 the following information:

27 The nature of each business in which the candidate
28 for senate is engaged and the nature of the business
29 of each company in which the candidate for senate has a
30 financial interest. A candidate for senate shall not

1 be required to file a financial statement or be assumed
2 to have a financial interest if the annual income
3 derived from the investment in stocks, bonds, bills,
4 notes, mortgages, or other securities offered for sale
5 through recognized financial brokers is less than one
6 thousand dollars.

7 Disclosures required under this rule shall be for
8 the year preceding the year in which the election is to
9 be held. All filings under this rule shall be open to
10 public inspection in the office of the secretary of the
11 senate at all reasonable times.

12 The secretary of the senate shall provide
13 information to persons interested in becoming
14 candidates for senate of the duty to file financial
15 statements under this rule and the applicable
16 deadlines.

17 The secretary of the senate shall inform the ethics
18 committee of the financial statements that are filed
19 and shall report to the ethics committee the names
20 of any candidates for senate who appear not to have
21 filed complete financial statements. The secretary of
22 the senate shall request that a candidate for senate
23 who has failed to complete the financial statement
24 or appears to have filed an incomplete financial
25 report to do so within five days. If a candidate for
26 senate does not file a complete financial statement
27 within five days, the candidate shall be fined fifty
28 dollars, payable to the Iowa senate for deposit in the
29 general fund, and the ethics committee may require the
30 candidate to appear before the committee.

1 12. STATUTORY VIOLATIONS. Members of the general
2 assembly are urged to familiarize themselves with
3 chapters 68B, 721, and 722.

4 12A. HARASSMENT — RETALIATION. Senators,
5 lobbyists, and clients of lobbyists shall not engage
6 in conduct that constitutes harassment or retaliation
7 as provided in the personnel guidelines for the Iowa
8 Senate.

9 12B. DISCRIMINATION — HARASSMENT — ABUSE. As
10 provided and defined in the personnel guidelines of the
11 Iowa Senate, a senator shall not engage in any act of
12 discrimination, harassment, or abuse of any person.

13 13. CHARGE ACCOUNTS. Senators shall not charge any
14 amount or item to any charge account to be paid for by
15 any lobbyist or any client the lobbyist represents.

16 14. TRAVEL EXPENSES. A senator shall not charge
17 to the state of Iowa amounts for travel and expenses
18 unless the senator actually has incurred those mileage
19 and expense costs. Senators shall not file the
20 vouchers for weekly mileage reimbursement required
21 by section 2.10, subsection 1, unless the travel
22 was actually incurred at commensurate expense to the
23 senator.

24 15. COMPLAINTS. Complaints or charges against any
25 senator, candidate for senate, lobbyist, or client of
26 a lobbyist shall be in writing, made under penalty of
27 perjury, and filed with the secretary of the senate.
28 When filed with the secretary of the senate, the
29 secretary shall immediately advise the chairperson of
30 the ethics committee of the receipt of the complaint.

1 Complaint forms shall be available from the
2 secretary of the senate, or the chairperson of the
3 ethics committee, but a complaint shall not be rejected
4 for failure to use an approved form if the complaint
5 substantially complies with senate requirements.

6 A complainant may submit exhibits and affidavits
7 attached to the complaint.

8 16. FILING OF COMPLAINTS.

9 a. *Persons entitled.* Complaints may be filed by
10 any person believing that a senator, candidate for
11 senate, lobbyist, or client of a lobbyist has violated
12 the senate ethics code, the joint rules governing
13 lobbyists, or chapter 68B, as applicable. A violation
14 of the criminal law may be considered to be a violation
15 of this code of ethics if the violation constitutes a
16 serious misdemeanor or greater, or a repetitive and
17 flagrant violation of the law.

18 b. *Committee complaint.* The ethics committee
19 may, upon its own motion, initiate a complaint,
20 investigation, or disciplinary action.

21 17. PERMANENT RECORD. The secretary of the senate
22 shall maintain a permanent record of all complaints
23 filed, evidence received by the committee, and any
24 transcripts or other recordings made of committee
25 proceedings, including a separate file containing
26 the date filed, name and address of the complainant,
27 name and address of the respondent, a brief statement
28 of the charges made, and ultimate disposition of
29 the complaint. The secretary shall keep each such
30 complaint confidential until public disclosure is made

1 by the ethics committee.

2 18. PREHEARING PROCEDURE.

3 a. *Defective complaint.* Upon receipt of a
4 complaint, the chairperson and ranking member of the
5 ethics committee shall determine whether the complaint
6 substantially complies with the requirements of this
7 code of ethics and section 68B.31, subsection 6. If
8 the complaint does not substantially comply with
9 the requirements for formal sufficiency under the
10 code of ethics, the complaint may be returned to the
11 complainant with a statement that the complaint is not
12 in compliance with the code and a copy of the code. If
13 the complainant fails to amend the complaint to comply
14 with the code within a reasonable time, the chairperson
15 and ranking member may dismiss the complaint with
16 prejudice for failure to prosecute.

17 b. *Service of complaint on respondent.* Upon
18 receipt of any complaint substantially complying
19 with the requirements of this code of ethics, the
20 chairperson of the ethics committee shall cause a copy
21 of the complaint and any supporting information to be
22 delivered promptly to the respondent, requesting a
23 written response to be filed within ten days. At the
24 time delivery is made to the respondent, delivery of
25 copies of the complaint and any supporting information
26 shall be made to legislative staff assigned to the
27 ethics committee. The response may do any of the
28 following:

- 29 (1) Admit or deny the allegation or allegations.
30 (2) Object that the allegation fails to allege a

1 violation of chapter 68B, the joint rules governing
2 lobbyists, or the code of ethics.

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

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

6 c. *Objection to member.* In addition to the
7 items which may be included in a response pursuant
8 to paragraph "b", the response may also include an
9 objection to the participation of any member of the
10 committee in the consideration of the allegation or
11 allegations on the grounds that the member cannot
12 render an impartial and unbiased decision.

13 d. *Extension of time.* At the request of the
14 respondent and upon a showing of good cause, the
15 committee, or the chairperson and ranking member,
16 may extend the time for response, not to exceed ten
17 additional days.

18 e. *Confidentiality.* If a complaint is not
19 otherwise made public by the complainant, the members
20 of the committee and legislative staff assigned to
21 the ethics committee shall treat the complaint and
22 all supporting information as confidential until the
23 written response is received from the respondent.

24 f. *Communications with ethics committee.* After a
25 complaint has been filed or an investigation has been
26 initiated, a party to the complaint or investigation
27 shall not communicate, or cause another to communicate,
28 as to the merits of the complaint or investigation with
29 a member of the committee, except under the following
30 circumstances:

1 (1) During the course of any meetings or other
2 official proceedings of the committee regarding the
3 complaint or investigation.

4 (2) In writing, if a copy of the writing is
5 delivered to the adverse party or the designated
6 representative for the adverse party.

7 (3) Orally, if adequate prior notice of the
8 communication is given to the adverse party or the
9 designated representative for the adverse party.

10 (4) As otherwise authorized by statute, the senate
11 code of ethics, the joint rules governing lobbyists, or
12 vote of the committee.

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

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

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

23 (3) Take action on the complaint without requesting
24 the appointment of an independent special counsel
25 if the committee determines the complaint is valid
26 and determines no dispute exists between the parties
27 regarding the material facts that establish a
28 violation. The committee may do any of the following:

29 (a) Issue an admonishment to advise against the
30 conduct that formed the basis for the complaint and to

1 exercise care in the future.

2 (b) Issue an order to cease and desist the conduct
3 that formed the basis for the complaint.

4 (c) Make a recommendation to the senate that
5 the person subject to the complaint be censured or
6 reprimanded.

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

13 h. *Public hearing.* If independent special counsel
14 is appointed, upon receipt of the report of independent
15 special counsel's findings, the committee shall
16 schedule a public meeting to review the report and
17 shall do either of the following:

18 (1) Cause the complaint to be scheduled for a
19 public hearing.

20 (2) Dismiss the complaint based upon a
21 determination by independent special counsel and the
22 committee that insufficient evidence exists to support
23 a finding of probable cause.

24 19. HEARING PROCEDURE.

25 a. *Notice of hearing.* If the committee causes a
26 complaint to be scheduled for a public hearing, notice
27 of the hearing date and time shall be given to the
28 complainant and respondent in writing, and of the
29 respondent's right to appear in person, be represented
30 by legal counsel, present statements and evidence, and

1 examine and cross-examine witnesses. The committee
2 shall not be bound by formal rules of evidence, but
3 shall receive relevant evidence, subject to limitations
4 on repetitiveness. Any evidence taken shall be under
5 oath.

6 b. *Subpoena power.* The committee may require, by
7 subpoena or otherwise, the attendance and testimony of
8 witnesses and the production of such books, records,
9 correspondence, memoranda, papers, documents, and any
10 other things it deems necessary to the conduct of the
11 inquiry.

12 c. *Ex post facto.* An investigation shall not be
13 undertaken by the committee of a violation of a law,
14 rule, or standard of conduct that is not in effect at
15 the time of violation.

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

24 A member of the committee is ineligible to
25 participate in committee meetings, as a member of the
26 committee, in any proceeding relating to the member's
27 own official conduct.

28 If a member of the committee is disqualified or
29 ineligible to act, the majority or minority leader who
30 appointed the member shall appoint a replacement member

1 to serve as a member of the committee during the period
2 of disqualification or ineligibility.

3 e. *Hearing.* At the hearing, the chairperson shall
4 open the hearing by stating the charges, the purpose of
5 the hearing, and its scope. The burden of proof rests
6 upon the complainant to establish the facts as alleged,
7 by clear and convincing evidence. However, questioning
8 of witnesses shall be conducted by the members of the
9 committee, by independent special counsel, or by a
10 senator. The chairperson shall also permit questioning
11 by legal counsel representing the complainant or
12 respondent.

13 The chairperson or other member of the committee
14 presiding at a hearing shall rule upon procedural
15 questions or any question of admissibility of evidence
16 presented to the committee. Rulings may be reversed by
17 a majority vote of the committee members present.

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

20 f. *Committee action.* Upon receipt of all relevant
21 evidence and arguments, the committee shall consider
22 the same and recommend to the senate any of the
23 following:

24 (1) That the complaint be dismissed.

25 (2) That the senator, candidate for senate,
26 lobbyist, or client of a lobbyist be censured or
27 reprimanded, and recommend the appropriate form of
28 censure or reprimand.

29 (3) Any other appropriate sanction, including
30 suspension or expulsion from membership in the senate,

1 or suspension of lobbying privileges.

2 g. *Disposition resolution.* By appropriate
3 resolution, the senate may amend, adopt, or reject
4 the report of the ethics committee, including the
5 committee's recommendations regarding disciplinary
6 action.

7 20. COMMITTEE AUTHORIZED TO MEET. The senate
8 ethics committee is authorized to meet at the
9 discretion of the chairperson to conduct hearings and
10 other business that properly may come before it. If
11 the committee submits a report seeking senate action
12 against a senator, candidate for senate, lobbyist, or
13 client of a lobbyist after the second regular session
14 of a general assembly has adjourned sine die, the
15 report shall be submitted to and considered by the
16 subsequent general assembly. However, the report
17 may be submitted to and considered during any special
18 session which may take place after the second regular
19 session of a general assembly has adjourned sine die,
20 but before the convening of the next general assembly.

21 21. ADVISORY OPINIONS.

22 a. *Requests for formal opinions.* A request for a
23 formal advisory opinion may be filed by any person who
24 is subject to the authority of the ethics committee.
25 The ethics committee may also issue a formal advisory
26 opinion on its own motion, without having previously
27 received a formal request for an opinion, on any issue
28 that is within the jurisdiction of the committee.
29 Requests shall be filed with either the secretary of
30 the senate or the chairperson of the ethics committee.

1 b. *Form and contents of requests.* A request for
2 a formal advisory opinion shall be in writing and
3 may pertain to any subject matter that is related
4 to the application of the senate code of ethics, the
5 joint rules governing lobbyists, or chapter 68B to
6 any person who is subject to the authority of the
7 ethics committee. Requests shall contain one or
8 more specific questions and shall relate either to
9 future conduct or be stated in the hypothetical. A
10 request for an advisory opinion shall not specifically
11 name any individual or contain any other specific
12 identifying information, unless the request relates
13 to the requester's own conduct. However, any request
14 may contain information which identifies the kind
15 of individual who may be affected by the subject
16 matter of the request. Examples of this latter kind
17 of identifying information may include references
18 to conduct of a category of individuals, such as but
19 not limited to conduct of legislators, legislative
20 staff, candidates for senate, lobbyists, or clients of
21 lobbyists.

22 c. *Confidentiality of formal requests and opinions.*
23 Requests for formal opinions are not confidential and
24 any deliberations of the committee regarding a request
25 for a formal opinion shall be public. Opinions issued
26 in response to requests for formal opinions are not
27 confidential, shall be in writing, and shall be placed
28 on file in the office of the secretary of the senate.
29 Persons requesting formal opinions shall personally
30 receive a copy of the written formal opinion that is

1 issued in response to the request.

2 22. CALCULATION OF TIME — DAYS. For purposes of
3 these rules, unless the context otherwise requires,
4 the word "day" or "days" shall mean a calendar day
5 except that if the day is the last day of a specific
6 time period and falls upon a Saturday, Sunday, or legal
7 holiday, the time prescribed shall be extended so as to
8 include the whole of the next day in which the offices
9 of the senate and the general assembly are open for
10 official business.

11 23. COMPLAINT FILING FORM. The following form
12 shall be used to file a complaint under these rules:

13 THE SENATE

14 Ethics Complaint Form

15 Re: _____ (Senator/Candidate
16 for Senate/Lobbyist/Client of Lobbyist), of
17 _____, Iowa.

18 I, _____ (Complainant), residing
19 at _____, in the City of _____,
20 State of _____, hereby complain
21 that _____ (Senator/Candidate
22 for Senate/Lobbyist/Client of Lobbyist), whose address
23 is _____, has
24 violated the Senate Code of Ethics, chapter 68B, or
25 Joint Rules Governing Lobbyists in that:

26 (Explain the basis for the complaint here. Use
27 additional pages, if necessary.)

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

30 _____

S.R. _____

1 Signature of Complainant
2 SUBSCRIBED AND AFFIRMED to before me this _____
3 day of _____, _____.

4 _____
5 Notary Public in and for the
6 State of _____

7 24. COMPLAINT NOTICE FORM. The following form
8 shall be used for notice of a complaint under these
9 rules:

10 STATE OF IOWA
11 THE SENATE
12 COMMITTEE ON ETHICS)
13 IOWA STATE SENATE)
14)
15 On The Complaint Of) NOTICE OF COMPLAINT
16)
17 _____)
18)
19 And Involving)
20)
21 _____)
22)

23 TO _____,
24 Senator or Candidate for Senate or Lobbyist or
25 Client of Lobbyist named above:

26 You are hereby notified that there is now on file
27 with the Secretary of the Senate, State Capitol, Des
28 Moines, Iowa, a complaint which alleges that you have
29 committed a violation of the Senate's Code of Ethics,
30 chapter 68B, or Joint Rules Governing Lobbyists.

S.R. _____

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

4 You are further notified and requested to file your
5 written answer to the complaint within ten days of the
6 date upon which the notice was caused to be delivered
7 to you, (date) _____, _____.

8 Your answer is to be filed with the Secretary of the
9 Senate, State Capitol, Des Moines, Iowa.

10 Dated this _____ day of _____, _____.

11

Chairperson, Senate Ethics
Committee,

12

13

or Secretary of the Senate

14

15 25. HEARING NOTICE FORM. The following form shall
16 be used for notice of a hearing under these rules:

17

STATE OF IOWA

18

THE SENATE

19 COMMITTEE ON ETHICS)

20 IOWA STATE SENATE)

21)

22 On The Complaint Of) NOTICE OF HEARING

23)

24 _____)

25)

26 And Involving)

27)

28 _____)

29)

30 TO _____,

1 Senator or Candidate for Senate or Lobbyist or
2 Client of Lobbyist named above:

3 You are hereby notified that there is now on file
4 with the Secretary of the Senate, State Capitol, Des
5 Moines, Iowa, a complaint which alleges that you have
6 committed a violation of the Senate's Code of Ethics,
7 chapter 68B, or Joint Rules Governing Lobbyists.

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

11 You are further notified that, after preliminary
12 review, the committee has caused a public hearing to be
13 scheduled on (date) _____, _____, at
14 (hour) _____ (a.m.) (p.m.), in Room _____, State
15 Capitol, Des Moines, Iowa.

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

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

26 You are further notified that the committee will
27 receive such evidence and take such action as warranted
28 by the evidence.

29 Dated this _____ day of _____, _____.

30

1 Chairperson, Senate Ethics
2 Committee,
3 or Secretary of the Senate

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

7 STATEMENT OF ECONOMIC INTERESTS

8 Name: _____
9 (Last) (First) (Middle Initial)

10 Address: _____
11 (Street Address, Apt.#/P.O. Box)

12 _____
13 (City) (State) (Zip)

14 Phone: (Home) ____/____-____ (Business) ____/____-____

15 *****

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

- 27 (1) _____
- 28 (2) _____
- 29 (3) _____
- 30 (4) _____

1 (5) _____

2 b. Please list the nature of each of the
3 businesses, occupations, or professions which you
4 listed in paragraph "a", above, unless the nature of
5 the business, occupation, or profession is already
6 apparent from the information indicated above. The
7 descriptions in this paragraph should correspond by
8 number to the numbers for each of the businesses,
9 occupations, or professions listed in paragraph "a".
10 (Examples: If you indicated, for example, that you
11 were a salesperson in subparagraph (1) of paragraph
12 "a", you should list in subparagraph (1) of this
13 paragraph the types of goods or services sold in this
14 item. If you indicated that you were a teacher in
15 subparagraph (2) of paragraph "a", you should indicate
16 in subparagraph (2) of this paragraph the type of
17 school or institution in which you provide instruction
18 or whether the instruction is provided on a private
19 basis. If you indicated that you were a lawyer in
20 subparagraph (3) of paragraph "a", you should indicate
21 your areas of practice and whether you are in private,
22 corporate, or government practice in subparagraph (3)
23 of this paragraph. If you indicated in subparagraph
24 (4) of paragraph "a" that you were a consultant, in
25 subparagraph (4) of this paragraph you should indicate
26 the kind of services provided and types of clients
27 served.)

28 (1) _____

29 (2) _____

30 (3) _____

1 (4) _____

2 (5) _____

3 c. Please list each source, by general description,
4 from which you receive, or which generates, more than
5 one thousand dollars in gross annual income in the
6 categories listed below. For purposes of this item,
7 a source produces gross annual income if the revenue
8 produced by the source is subject to federal or state
9 income taxes. In completing this item, it is not
10 necessary to list the name of the company, business,
11 financial institution, corporation, partnership, or
12 other entity which constitutes the source of the income
13 and the amount or value of the holding should not be
14 listed.

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

21 _____
22 _____
23 _____
24 _____
25 _____

26 (2) Instruments of Financial Institutions (You
27 need not indicate, for example, in which institutions
28 you hold certificates of deposit that produce annual
29 income over the one thousand dollar threshold, but
30 simply listing the nature of the institution will

1 suffice, e.g., bank, credit union, or savings and loan
2 association.):

3 _____
4 _____
5 _____
6 _____
7 _____

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

13 _____
14 _____
15 _____
16 _____
17 _____

18 (4) Real Estate (When listing real estate, it is
19 not necessary to list the location of the property, but
20 the general nature of the real estate interest should
21 be indicated, e.g., residential leasehold interest or
22 farm leasehold interest.):

23 _____
24 _____
25 _____
26 _____
27 _____

28 (5) Retirement Systems (When listing retirement
29 benefits, it is not necessary to list the name of
30 the particular pension system or company, but rather

S.R. _____

1 the type of benefit should be listed, e.g., health
2 benefits, life insurance benefits, private pension, or
3 government pension.):

4 _____
5 _____
6 _____
7 _____
8 _____

9 (Signature of filer)

(Date)