

Senate Study Bill 1020 - Introduced

SENATE RESOLUTION NO. _____

BY (PROPOSED COMMITTEE ON ETHICS RESOLUTION BY
CHAIRPERSON ROWLEY)

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

5 BE IT RESOLVED BY THE SENATE, That the Senate
6 Code of Ethics for the ~~Ninetieth~~ Ninety-first 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
15 to conduct themselves so as to reflect credit on
16 the 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
22 of the general assembly are honorable individuals
23 who are active in the affairs of their localities
24 and elsewhere and that it is necessary that they
25 maintain a livelihood and source of income apart from
26 their legislative compensation, the following rules
27 are adopted pursuant to section 68B.31, to assist the

1 members in the conduct of their legislative affairs.

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

10 2. DIVESTITURE. Where a senator learns that an
11 economic or investment opportunity previously accepted
12 was offered with the intent of influencing the
13 senator's conduct in the performance of official
14 duties, the senator shall take steps to divest that
15 senator of that investment or economic opportunity, 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
20 action committee means a committee, but not a
21 candidate's committee, which accepts contributions,
22 makes expenditures, or incurs indebtedness in the
23 aggregate of more than one thousand dollars in
24 any one calendar year to expressly advocate the
25 nomination, election, or defeat of a candidate for
26 public office or to expressly advocate the passage or
27 defeat of a ballot issue or influencing legislative
28 action, or an association, lodge, society, cooperative,
29 union, fraternity, sorority, educational institution,
30 civic organization, labor organization, religious

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

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

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

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

1 a. Whether a substantial threat to the senator's
2 independence of judgment has been created by the
3 conflict situation.

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

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

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

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

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

1 financial brokers is less than one thousand dollars.

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

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

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

28 The nature of each business in which the candidate
29 for senate is engaged and the nature of the business
30 of each company in which the candidate for senate has

1 a financial interest. A candidate for senate shall
2 not be required to file a financial statement or be
3 assumed to have a financial interest if the annual
4 income derived from the investment in stocks, bonds,
5 bills, notes, mortgages, or other securities offered
6 for sale through recognized financial brokers is less
7 than one thousand dollars.

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

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

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

1 candidate to appear before the committee.

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

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

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

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

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

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

1 the ethics committee of the receipt of the complaint.
2 The secretary of the senate shall, as soon as
3 practicable, send a copy of the complaint to the ethics
4 committee, legislative staff assigned to the senate
5 ethics committee, and the respondent.

6 Complaint forms shall be available from the
7 secretary of the senate, or the chairperson of the
8 ethics committee, but a complaint shall not be rejected
9 for failure to use an approved form if the complaint
10 substantially complies with senate requirements.

11 A complainant may submit exhibits and affidavits
12 attached to the complaint.

13 16. FILING OF COMPLAINTS.

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

23 b. *Committee complaint.* The ethics committee
24 may, upon its own motion, initiate a complaint,
25 investigation, or disciplinary action.

26 17. PERMANENT RECORD. The secretary of the senate
27 shall maintain a permanent record of all complaints
28 filed, evidence received by the committee, and any
29 transcripts or other recordings made of committee
30 proceedings, including a separate file containing the

1 date filed, name and address of the complainant,
2 name and address of the respondent, a brief statement
3 of the charges made, and ultimate disposition of
4 the complaint. The secretary shall keep each such
5 complaint confidential until public disclosure is made
6 by the ethics committee.

7 18. PREHEARING PROCEDURE.

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

22 b. ~~Service of complaint on respondent~~ Respondent's
23 notice to respond. ~~Upon receipt of any complaint~~
24 ~~substantially complying with the requirements of this~~
25 ~~code of ethics, the chairperson of the ethics committee~~
26 ~~shall cause a copy of the complaint and any supporting~~
27 ~~information to be delivered promptly to the respondent,~~
28 ~~requesting a written response to be filed within~~
29 ~~ten days. At the time delivery is made to the~~
30 ~~respondent, delivery of copies of the complaint and~~

1 ~~any supporting information shall be made to legislative~~
2 ~~staff assigned to the ethics committee. Upon receipt~~
3 ~~of a complaint that the chairperson and ranking~~
4 ~~member of the ethics committee determine substantially~~
5 ~~complies with the requirements of this code of ethics,~~
6 ~~the respondent shall be notified of that determination.~~
7 The respondent shall be requested to file a written
8 response within ten days of the notice. The response
9 may do any of the following:

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

11 (2) Object that the allegation fails to allege a
12 violation of chapter 68B, the joint rules governing
13 lobbyists, or the code of ethics.

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

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

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

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

29 e. *Confidentiality.* If a complaint is not
30 otherwise made public by the complainant, the members

1 of the committee and legislative staff assigned to
2 the ethics committee shall treat the complaint and
3 all supporting information as confidential until the
4 written response is received from the respondent.

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

12 (1) During the course of any meetings or other
13 official proceedings of the committee regarding the
14 complaint or investigation.

15 (2) In writing, if a copy of the writing is
16 delivered to the adverse party or the designated
17 representative for the adverse party.

18 (3) Orally, if adequate prior notice of the
19 communication is given to the adverse party or the
20 designated representative for the adverse party.

21 (4) As otherwise authorized by statute, the senate
22 code of ethics, the joint rules governing lobbyists, or
23 vote of the committee.

24 g. *Scheduling hearing Committee meeting.* Upon
25 receipt of the response, the committee shall schedule
26 a public meeting to review the complaint and available
27 information, and shall do one of the following:

28 (1) Notify the complainant that no further action
29 will be taken, and that the complaint will be dismissed
30 without further consideration by the committee unless

1 further substantiating information is produced within
2 one hundred twenty days from the date of the public
3 meeting. Any complaint, including every complaint
4 filed prior to the adoption of this resolution, that
5 has been on file with the senate and awaiting further
6 substantiating information for longer than one hundred
7 twenty days from the date of the public meeting
8 shall be dismissed without further consideration by
9 the committee. The secretary of the senate shall
10 send notice of a dismissal for lack of further
11 substantiating information to the complainant.

12 (2) Dismiss the complaint for failure to meet the
13 statutory and code of ethics requirements for valid
14 complaints.

15 (3) Take action on the complaint without requesting
16 the appointment of an independent special counsel
17 if the committee determines the complaint is valid
18 and determines no dispute exists between the parties
19 regarding the material facts that establish a
20 violation. The committee may do any of the following:

21 (a) Issue an admonishment to advise against the
22 conduct that formed the basis for the complaint and to
23 exercise care in the future.

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

26 (c) Make a recommendation to the senate that
27 the person subject to the complaint be censured or
28 reprimanded.

29 (4) Request that the chief justice of the supreme
30 court appoint an independent special counsel to conduct

1 an investigation of the complaint and supporting
2 information, to make a determination of probable cause,
3 and to report the findings to the committee, which
4 shall be received within a reasonable time.

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

10 (1) Cause the complaint to be scheduled for a
11 public hearing.

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

16 19. HEARING PROCEDURE.

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

28 b. *Subpoena power.* The committee may require, by
29 subpoena or otherwise, the attendance and testimony of
30 witnesses and the production of such books, records,

1 correspondence, memoranda, papers, documents, and any
2 other things it deems necessary to the conduct of the
3 inquiry.

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

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

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

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

25 e. *Hearing*. At the hearing, the chairperson shall
26 open the hearing by stating the charges, the purpose of
27 the hearing, and its scope. The burden of proof rests
28 upon the complainant to establish the facts as alleged,
29 by clear and convincing evidence. However, questioning
30 of witnesses shall be conducted by the members of the

1 committee, by independent special counsel, or by a
2 senator. The chairperson shall also permit questioning
3 by legal counsel representing the complainant or
4 respondent.

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

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

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

16 (1) That the complaint be dismissed.

17 (2) That the senator, candidate for senate,
18 lobbyist, or client of a lobbyist be censured or
19 reprimanded, and recommend the appropriate form of
20 censure or reprimand.

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
26 the 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, candidate for senate, lobbyist, or
5 client of a lobbyist after the second regular session
6 of a general assembly has adjourned sine die, the
7 report shall be submitted to and considered by the
8 subsequent general assembly. However, the report may
9 be submitted to and considered during any special
10 session which may take place after the second regular
11 session of a general assembly has adjourned sine die,
12 but before the convening of the next general assembly.

13 21. ADVISORY OPINIONS.

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

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

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

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

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

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

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

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

5 THE SENATE

6 Ethics Complaint Form

7 Re: _____ (Senator/Candidate
8 for Senate/Lobbyist/Client of Lobbyist), of
9 _____, Iowa.

10 I, _____ (Complainant), residing
11 at _____, in the City of _____,
12 State of _____, hereby complain
13 that _____ (Senator/Candidate
14 for Senate/Lobbyist/Client of Lobbyist), whose address
15 is _____, has
16 violated the Senate Code of Ethics, chapter 68B, or
17 Joint Rules Governing Lobbyists in that:

18 (Explain the basis for the complaint here. Use
19 additional pages, if necessary.)

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

22 _____
23 Signature of Complainant

24 SUBSCRIBED AND AFFIRMED to before me this _____
25 day of _____, _____.

26 _____
27 _____
28 Notary Public in and for the
29 State of _____

30 24. COMPLAINT NOTICE FORM. The following form

1 shall be used for notice of a complaint under these
2 rules:

3 STATE OF IOWA
4 THE SENATE
5 COMMITTEE ON ETHICS)
6 IOWA STATE SENATE)
7)
8 On The Complaint Of) NOTICE OF COMPLAINT

9)
10 _____)
11)
12 And Involving)
13)
14 _____)
15)
16 TO _____,

17 Senator or Candidate for Senate or Lobbyist or
18 Client of 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 chapter 68B, or Joint Rules Governing Lobbyists.

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

27 You are further notified and requested to file your
28 written answer to the complaint within ten days of the
29 date upon which the notice was caused to be delivered
30 to you, (date) _____, _____.

S.R. _____

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

3 Dated this _____ day of _____, _____.

4

5 _____
6 Chairperson, Senate Ethics
7 Committee,

8 or Secretary of the Senate

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

11

STATE OF IOWA

12

THE SENATE

13 COMMITTEE ON ETHICS)

14 IOWA STATE SENATE)

15)

16 On The Complaint Of) NOTICE OF HEARING

17)

18 _____)

19)

20 And Involving)

21)

22 _____)

23)

24 TO _____,

25 Senator or Candidate for Senate or Lobbyist or
26 Client of Lobbyist named above:

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

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 that, after preliminary
5 review, the committee has caused a public hearing to
6 be scheduled on (date) _____, _____, at
7 (hour) _____ (a.m.) (p.m.), in Room _____, State
8 Capitol, Des Moines, Iowa.

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

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

19 You are further notified that the committee will
20 receive such evidence and take such action as warranted
21 by the evidence.

22 Dated this _____ day of _____, _____.

23

24 _____
25 Chairperson, Senate Ethics
26 Committee,
27 or Secretary of the Senate

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

STATEMENT OF ECONOMIC INTERESTS

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

- 22 (1) _____
- 23 (2) _____
- 24 (3) _____
- 25 (4) _____
- 26 (5) _____

27 c. Please list each source, by general description,
28 from which you receive, or which generates, more than
29 one thousand dollars in gross annual income in the
30 categories listed below. For purposes of this item,

1 a source produces gross annual income if the revenue
2 produced by the source is subject to federal or state
3 income taxes. In completing this item, it is not
4 necessary to list the name of the company, business,
5 financial institution, corporation, partnership, or
6 other entity which constitutes the source of the income
7 and the amount or value of the holding should not be
8 listed.

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

15 _____
16 _____
17 _____
18 _____
19 _____

20 (2) Instruments of Financial Institutions (You need
21 not indicate, for example, in which institutions you
22 hold certificates of deposit that produce annual
23 income over the one thousand dollar threshold, but
24 simply listing the nature of the institution will
25 suffice, e.g., bank, credit union, or savings and loan
26 association.):

27 _____
28 _____
29 _____
30 _____

1 _____

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

7 _____

8 _____

9 _____

10 _____

11 _____

12 (4) Real Estate (When listing real estate, it is
13 not necessary to list the location of the property, but
14 the general nature of the real estate interest should
15 be indicated, e.g., residential leasehold interest or
16 farm leasehold interest.):

17 _____

18 _____

19 _____

20 _____

21 _____

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

28 _____

29 _____

30 _____

S.R. _____

1 _____

2 _____

3 (Signature of filer)

(Date)

unofficial