

Senate Resolution 6 - Reprinted

PAG LIN

S.F. _____ H.F. _____

1 1 SENATE RESOLUTION NO. _____
1 2 BY COMMITTEE ON ETHICS
1 3 (SUCCESSOR TO SSB 1017)
1 4 A Resolution relating to the Senate Rules Governing
1 5 Lobbyists and their interactions with the Senate and
1 6 members of the Senate during the Eighty-third General
1 7 Assembly.
1 8 BE IT RESOLVED BY THE SENATE, That the Senate Rules
1 9 Governing Lobbyists for the ~~Eighty-second~~ Eighty-third General
1 10 Assembly shall be as follows:
1 11 SENATE RULES GOVERNING LOBBYISTS
1 12 1. DEFINITIONS. As used in these rules, "client", "gift",
1 13 "honoraria" or "honorarium", "immediate family member", and
1 14 "lobbyist" have the meaning provided in chapter 68B. As used
1 15 in these rules, the term "political action committee" means a
1 16 committee, but not a candidate's committee, which accepts
1 17 contributions, makes expenditures, or incurs indebtedness in
1 18 the aggregate of more than seven hundred fifty dollars in any
1 19 one calendar year to expressly advocate the nomination,
1 20 election, or defeat of a candidate for public office or to
1 21 expressly advocate the passage or defeat of a ballot issue or
1 22 influencing legislative action, or an association, lodge,
1 23 society, cooperative, union, fraternity, sorority, educational
1 24 institution, civic organization, labor organization, religious
1 25 organization, or professional or other organization which
1 26 makes contributions in the aggregate of more than seven
1 27 hundred fifty dollars in any one calendar year to expressly
1 28 advocate the nomination, election, or defeat of a candidate
1 29 for public office or to expressly advocate the passage or
1 30 defeat of a ballot issue or influencing legislative action.
1 31 2. APPLICABILITY. These rules are only applicable to
1 32 lobbying activities involving the Iowa general assembly.
1 33 3. REGISTRATION REQUIRED. All lobbyists shall, on or
1 34 before the day their lobbying activity begins, register in the
1 35 manner provided under section 68B.36 by filing a completed
2 1 lobbyist's registration form with the person or persons
2 2 designated by the chief clerk of the house and the secretary
2 3 of the senate to receive lobbyist registration statements.
2 4 Lobbyist registration forms shall be available in the office
2 5 of the chief clerk of the house and the secretary of the
2 6 senate. In addition, the lobbyist shall file with the
2 7 secretary of the senate a statement of the general subjects of
2 8 legislation in which the lobbyist is or may be interested, the
2 9 numbers of the bills and resolutions and the bill number of
2 10 study bills (if known) which will be lobbied, whether the
2 11 lobbyist intends to lobby for or against each bill,
2 12 resolution, or study bill (if known), and on whose behalf the
2 13 lobbyist is lobbying the bill, resolution, or study bill.
2 14 Any change in or addition to the foregoing information
2 15 shall be registered with the person or persons designated by
2 16 the chief clerk of the house and the secretary of the senate
2 17 to receive lobbyist registration statements within ten days
2 18 after the change or addition is known to the lobbyist.
2 19 Registration expires upon the commencement of the next
2 20 regular session of the general assembly, except that the
2 21 secretary of the senate may adopt and implement a reasonable
2 22 preregistration procedure in advance of each regular session
2 23 during which persons may register for that session and the
2 24 following legislative interim.
2 25 4. CANCELLATION OF REGISTRATION. If a lobbyist's service
2 26 on behalf of a particular employer, client, or cause is
2 27 concluded prior to the end of the calendar year, the lobbyist
2 28 may cancel the registration on appropriate forms supplied by
2 29 the secretary of the senate. Upon cancellation of
2 30 registration, a lobbyist is prohibited from engaging in any
2 31 lobbying activity on behalf of that particular employer,
2 32 client, or cause until reregistering and complying with these
2 33 rules. A lobbyist's registration is valid for only one
2 34 session of a general assembly.
2 35 5. AMENDMENT OF REGISTRATION. If a registered lobbyist
3 1 represents more than one employer, client, or cause and the
3 2 lobbyist's services are concluded on behalf of a particular

3 3 employer, client, or cause after the lobbyist registers but
3 4 before the first day of the next legislative session, the
3 5 lobbyist shall file an amendment to the lobbyist's
3 6 registration indicating which employer, client, or cause is no
3 7 longer represented by the lobbyist and the date upon which the
3 8 representation concluded.

3 9 If a lobbyist is retained by one or more additional
3 10 employers, clients, or causes after the lobbyist registers but
3 11 before the first day of the next legislative session, the
3 12 lobbyist shall file an amendment to the lobbyist's
3 13 registration indicating the employer, client, or cause to be
3 14 added and the date upon which the representation begins.

3 15 Amendments to a lobbyist's registration regarding changes
3 16 which occur during the time that the general assembly is in
3 17 session shall be filed within one working day after the date
3 18 upon which the change in the lobbyist's representation becomes
3 19 effective.

3 20 6. PUBLIC ACCESS. All information filed by a lobbyist or
3 21 a client of a lobbyist under chapter 68B of the Code is a
3 22 public record and open to public inspection at any reasonable
3 23 time.

3 24 7. LOBBYIST AND CLIENT REPORTING. Each lobbyist
3 25 registered with the senate and each lobbyist's client shall
3 26 file the reports required under sections 68B.37 and 68B.38
3 27 with the secretary of the senate.

3 28 For purposes of this rule, and the reports required under
3 29 sections 68B.37 and 68B.38, "services enumerated under section
3 30 68B.2, subsection 13, paragraph "a" and "lobbying purposes"
3 31 include, but are not limited to, the following:

3 32 a. Time spent by the lobbyist at the state capitol
3 33 building commencing with the first day of a legislative
3 34 session and ending with the day of final adjournment of each
3 35 legislative session as indicated by the journals of the house
4 1 and senate.

4 2 b. Time spent by the lobbyist attending meetings or
4 3 hearings which results in the lobbyist communicating with
4 4 members of the general assembly or legislative employees about
4 5 current or proposed legislation.

4 6 c. Time spent by the lobbyist researching and drafting
4 7 proposed legislation with the intent to submit the legislation
4 8 to a member of the general assembly or a legislative employee.

4 9 d. Time spent by the lobbyist actually communicating with
4 10 members of the general assembly and legislative employees
4 11 about current or proposed legislation.

4 12 7A. ELECTRONIC FILING. A lobbyist or client of a lobbyist
4 13 required to file information with the secretary of the senate
4 14 pursuant to rules 3, 4, 5, and 7 is encouraged to make such
4 15 filings in an electronic format as directed by the secretary
4 16 of the senate. The committee on ethics may direct the
4 17 secretary of the senate to mandate electronic filing
4 18 requirements for lobbyists and clients of lobbyists beginning
4 19 for the 2010 legislative session.

4 20 8. GOVERNMENT OFFICIALS. All federal, state, and local
4 21 officials or employees representing their departments,
4 22 commissions, boards, or agencies shall present to the
4 23 secretary of the senate a letter of authorization from their
4 24 department or agency heads prior to the commencement of their
4 25 lobbying. The lobbyist registration statement of these
4 26 officials and employees shall not be deemed complete until the
4 27 letter of authorization is attached. Federal, state, and
4 28 local officials who wish to lobby in opposition to their
4 29 departments, commissions, boards, or agencies must indicate
4 30 such on their lobbyist registration statements.

4 31 9. CHARGE ACCOUNTS AND LOANS. Lobbyists and the
4 32 organizations they represent shall not allow any senators to
4 33 charge any amounts or items to any charge account to be paid
4 34 for by those lobbyists or by the organizations they represent.
4 35 A lobbyist shall not make a loan to a senator unless the loan
5 1 is made in the ordinary course of business, the lobbyist is in
5 2 the business of making loans, and the terms and conditions of
5 3 the loan are the same or substantially similar to the finance
5 4 charges and loan terms that are available to members of the
5 5 general public.

5 6 10. OFFERS OF ECONOMIC OPPORTUNITY. A lobbyist, an
5 7 employer of a lobbyist, or a political action committee shall
5 8 not offer economic or investment opportunity or promise of
5 9 employment to any senator with intent to influence the
5 10 senator's conduct in the performance of official duties.

5 11 A lobbyist shall not take action intended to negatively
5 12 affect the economic interests of a senator.

5 13 For purposes of this rule, supporting or opposing a

5 14 candidate for office or supporting or opposing a bill,
5 15 amendment, or resolution shall not be considered to be action
5 16 intended to negatively affect the economic interests of a
5 17 senator.

5 18 11. MEMBERSHIP CONTRIBUTIONS. A lobbyist, or employer of
5 19 a lobbyist, shall not pay for membership in or contributions
5 20 to clubs or organizations on behalf of a senator.

5 21 12. ACCESS TO SENATE FLOOR. Lobbyists shall not be
5 22 permitted on the floor of the senate while the senate is in
5 23 session. Elected state officials, except the governor,
5 24 lieutenant governor, and the members of the house of
5 25 representatives, shall not be permitted on the floor of the
5 26 senate while the senate is in session to encourage the
5 27 passage, defeat, or modification of legislation.

5 28 13. EFFECTIVE PERIOD. These rules governing lobbyists
5 29 shall be in effect throughout the calendar year, whether or
5 30 not the general assembly is in session.

5 31 14. GIFTS. A lobbyist or the client of a lobbyist shall
5 32 not, directly or indirectly, offer or make a gift or a series
5 33 of gifts to a senator, except as otherwise provided in section
5 34 68B.22.

5 35 15. HONORARIA. A lobbyist or client of a lobbyist shall
6 1 not give an honorarium to a member or employee of the senate,
6 2 except as otherwise provided in section 68B.23.

6 3 16. COMPLAINTS. Rules 15 through ~~23~~ 25 of the senate code
6 4 of ethics apply to complaints and procedures regarding
6 5 violations of these rules.

6 6 SR 6
6 7 tm/rj/jh/26