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COMMONWEALTH of VIRGINIA

DIVISION OF LEGISLATIVE SERVICES

General Assembly Building
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IN RESPONSE TO
THIS LETTER TELEPHONE
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JOHN A. HANAS, JR.
DIRECTOR

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DEPUTY DIRECTOR

MEMORANDUM

TO: Members of the Joint Subcommittee Studying a Code of Behavior for Members of the General Assembly

FROM: Oscar R. Brinson 
Staff Attorney

DATE: November 26, 1980

A copy of the final report from Senator Brault's Conflict of Interest and Disclosure Subcommittee is enclosed for your review. You will note that this report includes dissenting comments filed by Delegate Glasscock and Tom Woodward. Senator Schewel has requested that he also be included in this dissent.

Although approving the report, subcommittee member Rey Barry suggests that the phrase "for a period of one year" (page 15, part IV, last sentence) be deleted and Delegate Cantrell requests that the full subcommittee discuss changing the word "shall" to "may" on page 17 in the last sentence of part "e".

ORB/brh
enclosure

Members:

George E. Allen, Jr.
Hunter B. Andrews
Adelard L. Brault
Orby L. Cantrell
Jerry H. Geisler
J. Samuel Glasscock
John D. Gray
C. Hardaway Marks
Willard J. Moody
Thomas W. Moss, Jr.
William F. Parkerson, Jr.
A. L. Philpott
Elliot S. Schewel
L. Douglas Wilder
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cc:

Andrew P. Miller
Ralph Fairwater
James C. Roberson
Harold Sugg
Thomas L. Woodward
Rey Barry

REPORT OF THE SUBCOMMITTEE ON
CONFLICT OF INTERESTS AND DISCLOSURE
TO THE
JOINT RULES COMMITTEE STUDYING THE CODE OF
BEHAVIOR FOR MEMBERS OF THE GENERAL ASSEMBLY

In its review of conflict of interests and disclosure, the subcommittee solicited and received information from a number of sources including the National Conference of State Legislatures, the National Municipal League, and the Council of State Governments. Statutory provisions pertaining to conflict of interests, financial disclosure requirements and ethics commissions in twenty-four states with part-time legislatures similar to Virginia's were studied, and comments and suggestions were requested from various sources within the Commonwealth. Additionally, in an effort to broaden its perspective the subcommittee added six citizen members, including representatives from the news media.

Senator J. Harry Michael, Jr. served as a member of the subcommittee and made significant contributions. He was, however, confirmed as a member of the federal judiciary and resigned from the General Assembly prior to the completion of this report.

Three areas of concern were pinpointed for detailed study and analysis: (1) The adequacy of the Commonwealth's present financial disclosure requirements; (2) the advisability of creating an ethics commission; and (3) the adequacy of the statutory provisions of the Conflict of

Interests Act. Separate subcommittees were set up to consider each area and report their recommendations back to the full subcommittee for consideration.

The subcommittee studying ethics commissions recommended the establishment of a commission to oversee the General Assembly, but one which would not be involved with State or local officers or employees. It was suggested that this commission be authorized to issue advisory opinions to members of the General Assembly, investigate complaints against members, and review their financial disclosure forms. Citing a lack of need for such a commission in Virginia and possible constitutional infirmities, the full subcommittee by a divided vote declined this recommendation.

However, a number of proposals from the other two subcommittees were found to have merit and are reflected in the attached draft legislation.

SUMMARY OF PROPOSED LEGISLATION

The recommended changes in and additions to Virginia's Conflict of Interest Act are intended, generally speaking, to enhance ethical awareness among public officials while at the same time affording protection of the public interest by strengthening financial disclosure requirements.

The single change in § 2.1-347 is for the purpose of placing this section in accord with an Attorney General's opinion dated July 9, 1971, which interprets its wording to allow localities to have stricter standards than the Act

itself.

The word "financial" was felt to be a more appropriate description of the interests involved and disclosure required than the word "economic", and this substitution has been made throughout the Act.

A number of amendments have been made to that portion of § 2.1-358 which precedes the sample disclosure form. These changes are basically for the purposes of clarification, to make the form and the statutory language consistent, and to delete wording which is essentially meaningless.

Substantive changes within the disclosure form include a requirement for reporting payments of expenses (exceeding one hundred dollars) by others in connection with any appearance as an official of the Commonwealth relating to a governmental function. The source must be named and the occasion described (part IV). Under part III of the form, entities represented before State governmental agencies must be named, not only as to personal representation, but also under subpart B which covers such representation by those with a close financial association to the discloser. In each instance the State governmental agency must be named. A requirement that entities be named to whom services were furnished (for compensation in excess of one thousand dollars) is inserted in subpart C. The present form only calls for identification by type of entity. All members of the General Assembly must sign and have acknowledged an affirmation under part V of the form. Basically, this

affirmation pledges a prompt response to inquiries by the appropriate legislative committee and asserts that the member has not intentionally used his legislative position for a self-serving purpose or one contrary to the public interest.

Subsection (e) has been amended to subject a legislator to censure by the house in which he sits for a wilful misstatement of a material fact on his disclosure form.

The subcommittee also added subsections (f), (g), and (h) to the end of § 2.1-358. In light of the extraordinary demands on the time and energy of Virginia's citizen legislators, the subcommittee realized that the potential for unintended breaches of ethical conduct and disclosure requirements are at least as great as that for intentional misconduct. With this in mind, the subcommittee recommended mandatory review of all members' disclosure forms by the Rules Committee of each house or by such other committee as may be designated by each house [subsection (f)]. Currently, there is no formal review of disclosure forms filed by legislators. Should any form be inadequate, the member filing it is notified and given an opportunity to bring his form into compliance. Under subsection (g) ten percent of the membership of either house may request that the form of a member be reviewed again on the basis of newly discovered facts. Also, additional review may take place upon a majority vote of the Rules Committee (or other designated committee) on its own motion or upon a written request from a member of that house. Subsection (h)

provides for removal from all committee assignments of any member who fails to amend his disclosure form appropriately after it has been found to be inadequate.

Draft legislation incorporating these recommended revisions is attached.

Respectfully submitted,

Adelard L. Brauit, Chairman

Ray Barry

Orby L. Cantrell

J. Samuel Glasscock

C. Hardaway Marks

Andrew P. Miller

Ralph Rainwater

James C. Roberson

Elliot S. Schewel

Harold Sugg

Thomas L. Woodward

DISSENT OF J. SAMUEL GLASSCOCK AND THOMAS
L. WOODWARD, JR. TO THE REPORT OF THE
SUBCOMMITTEE ON CONFLICT OF INTERESTS
AND DISCLOSURE TO THE JOINT RULES COMMIT-
TEE STUDYING THE CODE OF BEHAVIOR FOR
MEMBERS OF THE GENERAL ASSEMBLY

We dissent from the report of the Subcommittee on Conflict of Interests and Disclosure to the Joint Rules Committee Studying the Code of Behavior for Members of the General Assembly.

The record of the members of the General Assembly for integrity is good, but it is not perfect. There are some improvements which can be made to help insure an even greater degree of integrity and also to improve the perception of the public about the legislative process. We now have the opportunity to offer some suggestions for improvement, but it appears to us that the report of the subcommittee fails to take advantage of that opportunity. The time allowed to us for registering some dissent to the subcommittee's report is brief, but we offer the following suggestions:

- (1) The subcommittee report should recommend the establishment of an ethics commission composed of members outside the General Assembly. The work of the subcommittee is advisory only and it seems that any proposal having the approval of a majority of the members of the subcommittee should be submitted to the Joint Rules Committee. Six of the eleven members

of the subcommittee favor the consideration of an ethics commission. The work of the subcommittee on this issue should be submitted to the full committee. The subcommittee examined a number of ethics committee arrangements in other states. Based on this study, it seems desirable to establish an ethics commission which would be independent, moderate in cost, provide a place for both members and the public to ask questions about legislative questions on ethics and also be designed in such a manner as to avoid political abuse. The subcommittee considered such a commission. It could be composed of members outside the General Assembly, but elected by the General Assembly. The commission could be empowered to give advisory opinions to members of the General Assembly, investigate complaints by any citizen and also review the disclosure forms filed by members of the General Assembly. The process could be arranged to provide confidentiality. It would certainly seem that if the General Assembly felt it desirable to have a commission to investigate complaints against judges, we should be willing to establish a procedure to investigate complaints of conflict of interests made against legislators.

(2) The report suggests that the existing statute be amended in several places to replace the term "economic interests" with the term "financial interests." It appears to us that the word "economic" is broader than the word "financial" and that the statute should not be changed in this regard as the report suggests.

(3) The report suggests the addition of the word "improperly" in Section 2.1-358 (c) (i). It would appear that the insertion of this word injects a subjective test which is not needed in this section of the code. If any member solicits a gift or favor which might reasonably tend to influence him in the discharge of his duties, then that action seems on its face to be improper.

(4) The report includes the recommendation for the addition of Section 2.1-358 (d) (v) which would require the reporting of payments or reimbursements received in connection with certain functions, such as speaking engagements, panel discussions and expense paid trips. We believe that such a section should be included in the code, but should contain the following language:

A list of all entities from whom compensation was received by the person making the disclosure as reimbursement for or payment of expenses, in cash or otherwise, incurred in connection with any appearance in an official capacity or relating to any governmental function, including speaking engagements, expense paid trips and all other similar occasions. Disclosure shall include reimbursement for or payment of expenses for any member of such person's immediate family accompanying such person and shall be made only to the extent that all such payments and reimbursements from any entity exceed one hundred dollars annually. Where disclosure is required, the entity shall be named, the occasion for which reimbursement or payment was received shall be described, and the amount received shall be listed.

(5) At the present time one of the areas of activity by legislators which causes the greatest public concern is appearances

before state agencies. Some people believe that there should be an absolute prohibition against such appearances by legislators. We do have a part-time legislature and if we are not going to prohibit appearances by legislators before state agencies, we should certainly give the public more information about such appearances. The present provisions on this point are inadequate. We believe that the conflict of interests statute would be strengthened if the requirements regarding information to be included on the disclosure form included some language such as the following:

A list of all appearances of the person making the disclosure before any State governmental agency for compensation and of all appearances in representation of any State governmental agency for compensation. Such listing shall include the name of each State governmental agency before which an appearance for compensation was made or which was represented for compensation, the date and purpose of each appearance or representation, and the total compensation received annually for all appearances and representations for each agency.

(6) In one respect it appears that the recommendation of the subcommittee goes too far. It does not appear helpful or appropriate to require the listing by name of entities to which services in excess of \$1000 were furnished. Such a listing would not be fair to the clients involved and may well involve the disclosure of certain information which should properly remain confidential. It is also possible that such a listing would not provide useful information, e.g., a payment by the "ABC Corporation" would not inform the public about the type of business conducted

FINAL APPROVED

1 D 1/6/81 DRB. C 1/13/81 smw

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2 A BILL to amend and reenact §§ 2.1-347, 2.1-353.2,
3 2.1-354.1, and 2.1-358 of the Code of Virginia, all
4 pertaining to the Virginia Conflict of Interest Act.

5

6 Be it enacted by the General Assembly of Virginia:

7 1. That §§ 2.1-347, 2.1-353.2, 2.1-354.1, and 2.1-358 of
8 the Code of Virginia are amended and reenacted as follows:

9 § 2.1-347. Declaration of legislative intent; repeal of
10 conflicting laws, ordinances, etc.; short title.--The
11 General Assembly intends by this chapter to establish a
12 single body of law applicable to all State and local
13 government officers and employees on the subject of conflict
14 of interests so that the standards of conduct of such
15 officers and employees may be uniform throughout the
16 Commonwealth, and that this chapter shall repeal and
17 supersede all general and special acts, charter provisions
18 and local ordinances which purport to deal with matters
19 covered by this chapter and are ~~inconsistent with less~~
20 stringent than this chapter.

21 This chapter may be cited as the Virginia Conflict of
22 Interests Act.

23 § 2.1-353.2. Annual disclosure of financial interests
24 by certain officers and employees.--A. Definition. - "Public
25 official" as used in this chapter means:

26 (1) The members of the Industrial Commission and the

1 ~~judges~~ Commissioners of the State Corporation Commission;
2 and judges of the circuit, general district, and juvenile
3 and domestic relations courts and justices of the Supreme
4 Court of Virginia.

5 (2) Any person designated by the Governor as a public
6 official for purposes of this section. The Governor may so
7 designate (i) any person appointed by him to be the
8 administrative head or a member of the governing body of a
9 State agency, (ii) any member of a regulatory board as
10 defined in ~~44-54-1-4~~ 54-1.18 and 54-950 of the Code, or
11 (iii) any person who heads a major division, bureau, or
12 section of a State agency, or reports directly to the head
13 or governing body of a State agency, and exercises
14 substantial power and discretion in the performance of
15 duties with regard to procurement, contracting, planning,
16 the receipt or expenditure of public funds, or inspecting,
17 licensing, regulating or auditing any person.

18 (3) There shall be excluded from the term "public
19 official" all persons appointed to advisory agencies and to
20 boards and agencies whose functions are solely cultural,
21 historical or educational.

22 B. Required annual disclosure. - The Governor shall
23 annually on or before October one prepare or have prepared a
24 list of all the offices and positions in the Commonwealth
25 coming within the purview of this section and persons
26 holding such offices and positions shall be public officials
27 required to file pursuant to this section. The Governor
28 shall have such public officials notified of the

1 requirements to file pursuant to this section not later than
2 October thirty-one of each year. Instead of the disclosure
3 required by § 2.1-353, public officials subject to this
4 section shall file annually, during the month of December,
5 with the Attorney General or the Executive Secretary of the
6 Supreme Court as provided in subsection C a written
7 statement of ~~economic~~ financial interests as specified in
8 paragraphs (ii) through (v) ~~and~~ (vii) and (viii) of
9 subsection (d) of § 2.1-358.

10 C. Place of filing; access to files. The lists and
11 written statements required by subsection B shall be filed
12 at and maintained as public records in the office of the
13 Attorney General; except that the written statements of
14 judges of the circuit, general district, and juvenile and
15 domestic relations courts and of justices of the Supreme
16 Court of Virginia shall be filed with and maintained as
17 public records by the Executive Secretary of the Supreme
18 Court. They shall be available for public inspection and
19 copying during regular working hours. The written statements
20 shall be kept for a period of three years after which time
21 they shall be destroyed. Any person seeking the inspection
22 of a written statement must submit a written request, a copy
23 of which is to be sent to the person whose file is
24 requested.

25 D. Filing as condition on taking office. - No person
26 appointed, elected or employed to serve as a public official
27 shall be allowed to take the oath of office or enter upon
28 his duties or receive compensation for the performance of

1 his duties unless he has filed a statement of his-economic
2 financial interests as required by this section.

3 § 2.1-354.1. Failure to file, etc., under the
4 provisions of § 2.1-353.2; penalty.--Any officer, employee
5 or public official who is subject to dismissal by the
6 Governor who willfully fails or refuses to file or willfully
7 includes misleading information in any written statement of
8 ~~economic~~ financial interests under § 2.1-353.2 may be
9 dismissed from his office or employment by the Governor.

10 § 2.1-358. Standards of conduct for the Governor,
11 Lieutenant Governor, Attorney General and candidates for
12 Governor, Lieutenant Governor and Attorney General and
13 members of and candidates for General Assembly.--(a) This
14 section relates to certain standards of conduct for members
15 of and candidates for the General Assembly to whom §§
16 2.1-351, 2.1-352 and 2.1-353-~~of-this-chapter~~ shall not
17 apply, and the Governor, Lieutenant Governor and Attorney
18 General and candidates for Governor, Lieutenant Governor and
19 Attorney General. It is the purpose of this section (i) to
20 establish proper standards of conduct for members of and
21 candidates for the General Assembly, (ii) to assure that the
22 conduct of members and candidates will be open to public
23 scrutiny, and (iii) to affirm the right of members to
24 introduce, debate and vote on legislation with which they
25 are particularly familiar because of their employment,
26 background and occupation unless a member should determine
27 in his own discretion that such action involves
28 self-interest or a conflict of interest. This section is

1 also intended to provide standards of conduct and disclosure
2 for the Governor, Lieutenant Governor and Attorney General
3 and candidates for Governor, Lieutenant Governor and
4 Attorney General.

5 (b) The following definitions shall be applicable in
6 this section unless the context otherwise requires:

7 (i) "Clerk" means the clerk of the Senate with respect
8 to members and members-elect of the ~~State~~ Senate and the
9 clerk of the House of Delegates with respect to members and
10 members-elect of the House of Delegates.

11 (ii) "Compensation" means any money, thing of value, or
12 ~~economic~~ financial benefit conferred on, or received by,
13 any person in return for services rendered, or to be
14 rendered, by himself or another.

15 (iii) "~~Economic~~ financial opportunity" means any
16 transaction or arrangement involving property or services
17 wherein a member may gain ~~an economic~~ a financial benefit.

18 (iv) "Legislative interest" means a substantial
19 ~~economic~~ financial interest, distinct from that of the
20 general public, in one or more legislative matters.

21 (v) "Legislative matter" means any bill, resolution,
22 nomination, or other issue or proposal pending before the
23 General Assembly or any committee or subcommittee thereof.

24 (vi) "Member" means a member or member-elect of the
25 General Assembly.

26 (vii) "Person" or "entity" means an individual,
27 proprietorship, partnership, association, trust, estate,
28 business trust, group, or corporation, whether or not

1 operated for profit, or a governmental agency, unit, or
2 subdivision.

3 (viii) "Person with whom the member maintains a close
4 economic financial association" means a person associated
5 with the member in a partnership, association or
6 professional service corporation, whether as partner,
7 officer, associate or otherwise.

8 (ix) "Candidate" means a person who has qualified
9 pursuant to § 24.1-166 or 24.1-184 of the Code of Virginia.

10 (c) The following standards shall govern the conduct of
11 members of the General Assembly:

12 (i) No member shall solicit, accept or agree to accept
13 gifts, loans, gratuities, discounts, favors, hospitality, or
14 services whether in the form of money, service, loan,
15 travel, entertainment-~~y~~-hospitality, thing or promise, or
16 in any other form that might reasonably tend to influence
17 him improperly in the discharge of his duties. This
18 paragraph shall not apply to: any political contribution
19 actually used for political campaign purposes; the purchase
20 of tickets to, or advertisements in journals for, political
21 or testimonial dinners; or an interest-bearing loan made in
22 the ordinary course of business.

23 (ii) No member shall accept any economic financial
24 opportunity under circumstances where he knows or should
25 know that there is a substantial possibility that the
26 opportunity is being afforded him with intent to influence
27 his conduct in the performance of his official duties.

28 (i) No member may charge to or accept from a person

1 known to have a legislative interest, a price, fee,
2 compensation or other consideration for the sale or lease of
3 any property or the furnishing of services which is
4 substantially in excess of that which the member would
5 charge or be entitled to charge in the ordinary course of
6 business.

7 (iv) No member in order to further his own-economic
8 financial interests, or those of any other person, may
9 disclose or use confidential information acquired in the
10 course of his official duties.

11 (v) No member may accept employment where there is
12 substantial reason for him to believe that it is being
13 offered with intent to obtain improper influence over a
14 State agency.

15 (vi) No member may use or attempt to use improper means
16 to influence a State agency.

17 (d) Members, except members who have not been elected
18 to serve in the next succeeding session of the General
19 Assembly, candidates and the Governor, Lieutenant Governor
20 and Attorney General and candidates for Governor, Lieutenant
21 Governor and Attorney General shall be subject to the
22 following requirements with respect to disclosure of their
23 economic-financial-interests:

24 (i) Every member and candidate shall file with the
25 clerk of ~~his house or~~ the respective house for which ~~he~~ the
26 person seeks election written statements of-economic
27 financial interests and relationships likely to create
28 conflicts of legislative interest. The same written

1 statements shall be filed by the Governor, Lieutenant
2 Governor and Attorney General and candidates for Governor,
3 Lieutenant Governor and Attorney General with the Secretary
4 of the Commonwealth. Such statements shall include the
5 information specified in paragraphs (ii) through ~~+(v)~~ (v)
6 below, be typed, and be ~~substantiated~~ in accordance with the
7 form set forth in paragraph ~~+(viii)~~ (viii) below. Such forms
8 shall be filed by members and the Governor, Lieutenant
9 Governor and Attorney General ~~and candidates for Governor,~~
10 ~~Lieutenant Governor and Attorney General~~ during the month of
11 December of each year. Such forms shall be filed by primary
12 candidates not later than ten days after the filing deadline
13 for the primary, and by all other candidates not later than
14 ten days after the second Tuesday in June and by candidates
15 in special elections by the time of qualifying as a
16 candidate, unless such forms have been filed in accordance
17 with these provisions for a member. The officer with whom
18 such statements are filed shall make copies of the same
19 available to any person who makes a written request and pays
20 a fee of fifty cents for each page of any statement received
21 by the person.

22 The clerks of the respective houses shall transmit
23 forthwith to the State Board of Elections a list of those
24 persons who have filed such forms; and the secretary of the
25 State Board of Elections shall advise the appropriate local
26 boards of the filing.

27 (ii) A list of ~~economic financial~~ interests of the
28 person making the disclosure and of members of ~~his~~ the

1 immediate family (~~his_a_spouse~~ or any other relative who
2 resides in the same household), held at the time of filing,
3 whether in the form of stocks, bonds, realty, equity or
4 creditor interests in proprietorships or partnerships, or
5 otherwise, in any entity ~~subject to regulation by a State~~
6 ~~agency, or which has a legislative interest~~ . Exempted from
7 disclosures are: interests in the form of accounts in banks
8 and savings and loan associations; and in the case of equity
9 interests, interests valued at less than five thousand
10 dollars and representing less than five percent of the total
11 equity interests in the entity. All interests, equitable or
12 otherwise, in any newspaper, magazine, news agency, press
13 association, wire service, radio station, television station
14 or other news medium irrespective of the amount or value of
15 interest held ~~and irrespective of legislative interest on~~
16 ~~the part of the member or candidate~~ shall be disclosed .

17 (iii) A list of every office, paid directorship or
18 salaried employment of the person making the disclosure and
19 of members of ~~his_the~~ immediate family (~~his_a_spouse~~ or
20 any other relative who resides in the same household), in
21 any entity ~~subject to regulation by a State agency, or which~~
22 ~~has a legislative interest~~ .

23 (iv) A list of all entities the member or candidate or
24 Governor, Lieutenant Governor or Attorney General
25 represented before any State governmental agency for
26 compensation valued at more than one thousand dollars during
27 the period covered by the report or in the case of an
28 initial report during the preceding year. Entities

1 represented before any State governmental agency for
2 compensation valued at more than one thousand dollars during
3 said period by a person with close-economic-financial
4 association with the member, Governor, Lieutenant Governor
5 or Attorney General shall also be listed, if the-member
6 person-making-disclosure knows of such activities. Other
7 entities that conduct business in Virginia to whom the
8 member or candidate or Governor, Lieutenant Governor or
9 Attorney General furnished compensated services valued at
10 more than five-one-thousand dollars during said period.

11 (vi) A list of all persons, associations, or other
12 sources from which the person making the disclosure received
13 compensation during the period covered by the report, or in
14 the case of an initial report during the preceding year, as
15 reimbursement for or payment of expenses, in cash or
16 otherwise, incurred in connection with any appearance as an
17 official of the Commonwealth relating to any governmental
18 function, such as, but not limited to, speaking engagements,
19 panel discussions and expense-paid trips but only when such
20 occasions or events resulted in compensation exceeding one
21 hundred dollars. When disclosure is required the occasion
22 shall be described.

23 (vi) Statements filed with the clerk and the Secretary
24 of the Commonwealth shall be open to public inspection.

25 (vii) The value of any interest required to be reported
26 under this subsection need not be disclosed.

27 ~~(viii)~~ (viii) The form for making disclosures required by
28 this subsection shall be printed and made available by the

1 Secretary of the Commonwealth, with appropriate
2 instructions, and be ~~substantiated~~ as follows:

3 FINANCIAL DISCLOSURE FORM

4 FOR

5 MEMBERS OF THE GENERAL ASSEMBLY,

6 GOVERNOR, LIEUTENANT GOVERNOR AND ATTORNEY GENERAL

7 AND

8 CANDIDATES FOR SUCH OFFICE

9 Name

10 Office held or sought

11 Address

12 I. -ECONOMIC FINANCIAL INTERESTS

13 The ~~economic~~ financial interests of myself and my
14 immediate family (my spouse and every other relative living
15 in my household) are as follows:

16 (Include all forms of interest held at the time of
17 filing: real estate, stocks, bonds, equity interests
18 in proprietorships and partnerships. You may exclude:
19 accounts in banks and savings and loan associations;
20 interests in any entity other than a news medium valued
21 at less than five thousand dollars and representing
22 less than five percent of the total equity value of the
23 entity. You need not state the value of any ~~economic~~
24 financial interest. ~~You need not name any entity other~~
25 ~~than a registered lobbyist or news medium, but you~~
26 ~~should identify each entity by its principal business~~
27 ~~activity.)~~

28 A. My ~~economic~~ financial interests are:

1 (1) Residence, address or if no address, location
2

3 (2) Other real estate, address or if no address,
4 location
5

6 ~~(3) Principal business activity or~~ Name of each entity
7 in which stock, bond or equity interest is held
8
9
10

11 8. ~~The economic financial~~ interests of my immediate
12 family are:

13 (1) Real estate, address or if no address, location
14

15 ~~(2) Principal business activity or~~ Name of each entity
16 in which stock, bond or equity interest is held
17
18
19

20 11. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

21 The offices, paid directorships and salaried
22 employments of myself and my immediate family (my spouse and
23 every other relative living in my household) are as follows:

24 (You need not state the dollar amount of any salary or
25 payment. Indicate each source of compensation and
26 include retirement benefits and social security.)

27 A. My offices, paid directorships and salaried
28 employments are:

1	Position held	Name of entity
2
3
4

5 B. The offices, paid directorships and salaried
6 employments of my immediate family are:

7	Position held	Name of entity
8
9
10

11 III. ENTITIES TO WHOM SERVICES WERE FURNISHED

12 A. The entities I have represented before any State
13 governmental agency, excluding any court or judge, for which
14 I have received compensation in excess of one thousand
15 dollars during the preceding year, excluding, however,
16 compensation for other services to such entities and
17 representation consisting solely of the filing of mandatory
18 papers, are as follows:

19 (You must identify such entities by name and also name the
20 state governmental agencies before which you appeared on
21 behalf of such entities.)

22	Name of entity	<u>Name of state governmental agency</u>
23
24

25 B. The entities that, to my knowledge, have been
26 represented before any State governmental agency, excluding
27 any court or judge, by persons with whom I have a close
28 economic financial association who received compensation in

1 excess of one thousand dollars during the preceding year,
 2 excluding, however, compensation for other services to such
 3 entities and representation consisting solely of the filing
 4 of mandatory papers, are as follows:

5 (~~You need only~~ identify such entities by type, name, and
 6 also name the state governmental agencies before which such
 7 persons appeared on behalf of such entities)

8	type <u>Name of entity</u>	<u>Name of state governmental agency</u>
9
10
11
12

13 C. All other entities listed below that conduct
 14 business in Virginia to which I furnished services were
 15 furnished and for which compensation in excess of one
 16 thousand dollars was received:

17 (~~Indicate by a check mark opposite each category of~~
 18 ~~entities listed those to which such services were~~
 19 ~~furnished~~) - (Identify such entities by name.)

20	type <u>Name</u> of Entity
21	Electric utilities
22	Gas utilities
23	Telephone utilities
24	Water utilities
25	Cable television companies
26	Intrastate transportation companies
27	Interstate transportation companies
28	Oil or gas retail companies

- 1 -Banks-----
- 2 -Savings-and-loan-associations-----
- 3 -Loan-or-finance-companies-----
- 4 -Manufacturing-companies-----
- 5 -Mining-companies-----
- 6 -Life-insurance-companies-----
- 7 -Casualty-insurance-companies-----
- 8 -Other-insurance-companies-----
- 9 -Retail-companies-----
- 10 -Beer,-wine-or-liquor-companies-or-distributors-----
- 11 -Trade-associations-----
- 12 -Professional-associations-----
- 13 -Associations-of-public-employees-or-officials-----
- 14 -Counties,-cities-or-towns-----
- 15 -Labor-organizations-----

16 IV. COMPENSATION FOR EXPENSES

17 The persons, associations, or other sources from which
 18 I have received compensation in excess of one hundred
 19 dollars, in cash or otherwise, as reimbursement for or
 20 payment of expenses in connection with my appearance, as an
 21 official of the Commonwealth relating to any governmental
 22 function, are as follows: (This subsection is inapplicable
 23 to candidates who have not held public office for a period
 24 of one year prior to the date of filing.)

25	<u>Name of source</u>	<u>Description of occasion</u>
26	-----	-----
27	-----	-----
28	-----	-----

V. AFFIRMATIONS BY GENERAL ASSEMBLY MEMBERS

A. In accordance with the rules of the house in which I sit, if I receive a request that this disclosure statement be corrected, augmented, or revised in any respect, I hereby pledge that I shall respond promptly to the request. I understand that if a determination is made that the statement is insufficient, I will satisfy such request or be subjected to disciplinary action of that house.

B. I have not intentionally used, and shall not intentionally use, my legislative position for the benefit of myself, my clients, customers, suppliers, creditors, or others involved in and associated with my occupation or profession, for a purpose which I know to be self-serving or contrary to the public interest. Should an occasion arise in which appearances indicate otherwise, I shall respond promptly and truthfully to any duly authorized inquiry in accordance with the rules of the house in which I sit.

Dated: _____ Signature

Commonwealth of Virginia

_____ of _____ to-wit:

The foregoing disclosure form was acknowledged before me this _____ day of _____ 19____ by _____

.....

Notary Public

My Commission Expires:

Forms for filing such reports shall be made available by the Secretary of the Commonwealth to the Governor,

1 Lieutenant Governor and the Attorney General, to candidates
2 for those offices and to the clerks of each house of the
3 General Assembly. Each clerk shall send the form to the
4 members of ~~his~~ the respective house and, upon request, to
5 candidates for that house .

6 (e) Any member ~~violating any provision of this section~~
7 who makes a willful misstatement of a material fact on the
8 disclosure form shall be subject to ~~discipline~~ disciplinary
9 action for such violations by the house ~~of~~ in ~~which he is a~~
10 ~~member for such violation~~ the member sits . Any candidate
11 failing to file such ~~statement form~~ in accordance with the
12 provisions of this section shall not be entitled to have ~~his~~
13 the person's name printed on the ballot .

14 (f) In accordance with the rules of each house, the
15 financial disclosure forms of all members of each house
16 shall be reviewed. If a member's form is found to be
17 inadequate as filed, the member shall be notified in
18 writing, directed to file an amended form correcting the
19 indicated deficiencies, and a time set within which such
20 amendment shall be filed. If the financial disclosure form,
21 in either its original or amended form, is found to be
22 adequate as filed, the member's filing shall be deemed in
23 full compliance with this section as to the information
24 disclosed thereon.

25 (g) Ten percent of the membership of a house, on the
26 basis of newly discovered facts, may in writing request the
27 house in which those members sit, in accordance with the
28 rules of that house, to review the financial disclosure form

1 of another member of that house in order to determine the
2 adequacy of his filing. In accordance with the rules of
3 each house, review may also be undertaken upon written
4 request from any member of that house. In accordance with
5 the rules of each house, each such disclosure form shall be
6 promptly reviewed, the adequacy of the filing determined,
7 and notice given in writing to the member whose disclosure
8 form is in issue of the determination. Should it be
9 determined that the disclosure form requires correction,
10 augmentation, or revision, the member involved shall be
11 directed to make the changes required within such time as
12 shall be set under the rules of each house.

13 (b) If a member, after having been notified in writing
14 in accordance with the rules of the house in which he sits
15 that his disclosure form is inadequate as filed, fails to
16 amend such form so as to come into compliance within the
17 time limit set, he shall be subjected to disciplinary action
18 as the first order of business when the house involved is in
19 session. Any recommendation made in accordance with the
20 rules of that house shall stand unless overruled by a
21 majority of the elected members of that house. No member
22 shall vote on any question relating to his own disclosure
23 form.

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