

REPORT OF THE

**Joint Subcommittee Studying
Conflict of Interest and
Lobbyist Disclosure Filings**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



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2006**

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Executive Summary

House Joint Resolution 186, agreed to during the 2004 Session of the General Assembly, established a joint subcommittee to study the disclosure filings required by the State and Local Government Conflict of Interest Act, the General Assembly Conflict of Interest Act and the Lobbyist Disclosure and Regulation Act.

The study charges the joint subcommittee to (i) examine the feasibility and associated costs of requiring the Secretary of the Commonwealth, the Clerk of the House of Delegates, and the Clerk of the Senate of Virginia to develop jointly a uniform conflicts of interests form for filings required by Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 and Chapter 13 (§ 30-100 et seq.) of Title 30 of the Code of Virginia; (ii) examine the lobbyist disclosure reports required by § 2.2-426 and the relationship between lobbyist and conflicts of interests disclosure forms; (iii) evaluate the costs and desirability of having the Secretary of the Commonwealth and Clerks of the House of Delegates and Senate jointly make certain information from the forms available on the Internet; and (iv) analyze the current forms to determine if the level of detail is appropriate and adequately informs the public of potential conflicts of interests. The joint subcommittee is required to complete its work in time for the 2006 Session of the General Assembly.

Two meetings were held during the 2004 interim, the first year of the study. The first meeting occurred on September 22, 2004, in Senate Room A of the General Assembly Building. At that meeting, the joint subcommittee elected Delegate Morgan Griffith as chair and Senator Frederick M. Quayle as vice-chair. The joint subcommittee also conducted an overview of the evolution of the state's conflict of interest and lobbyist disclosures laws and initiated a broad discussion with representatives of the House and Senate Clerks' Offices and the Secretary of the Commonwealth on how the various forms are administered and what actions could be taken to alleviate any problem areas. The joint subcommittee also adopted a work plan and established a website, which is found at <http://dls.state.va.us/disclosureforms.htm>. In addition, the joint subcommittee determined to set aside a portion of its next meeting as a public comment period to receive input from citizens and the other interested parties. A notice of the public comment period was sent to over 200 individuals and agencies.

The second meeting was held on November 17, 2004, in House Room C of the General Assembly Building. In addition to the joint subcommittee, four individuals participated in the public comment period held during the meeting. The joint subcommittee developed a list of issues for consideration including concerns and problematic areas pertaining to the content of the disclosure forms and how the forms were administered. The members reached consensus on three concepts that formed the basis of the recommendations for legislation to be introduced during the 2005 Session of the General Assembly:

- 1) Excusing reappointed individuals who have filed in January from having to file again when reappointed in the months after January;
- 2) Allowing individuals serving on multiple boards or other entities to file a single statement; and

- 3) Amending the lobbyist reporting provisions by: a) changing the reporting period from December 1 to November 30; b) requiring the lobbyist to provide his form to the legislator by a date in December rather than the current January 5th date; and c) including language appropriate to ensure that there is no gap in reporting coverage during the change of reporting period.

The joint subcommittee continued to develop consensus on several issues that had been offered for consideration by members of the joint subcommittee and other interested parties. A total of four full joint subcommittee meetings were held over the course of the 2005 interim: May 23rd, July 19th, August 22nd, and December 28th. In addition, the joint subcommittee established a work group to develop recommendations to alleviate conflict of interests concerns related to certain public-private partnerships.

After thoroughly reviewing the proposals, the joint subcommittee unanimously agreed on the following legislative recommendations:

- 1) Prohibit state and local officers and employees from having a personal interest in an interim or comprehensive agreement under the Public-Private Transportation Act (PPTA) and the Public-Private Education Facilities and Infrastructure Act (PPEA).

- 2) Require a private entity to include with its initial submission of a proposal for a qualifying project the disclosure of (i) whether the private entity employs or intends to use the services of a legislator and (ii) whether a legislator has a personal interest in the proposal or the private entity.

- 3) Amend the General Assembly and State and Local Government Conflict of Interest Acts to (i) clarify that individual stocks and amounts should be listed on the disclosure form, (ii) require net rather than gross amounts regarding disclosure of business interests, (iii) require disclosure of previously deferred compensation when the filer has begun to receive such compensation, (iv) require disclosure of payments made by a filer to a lobbyist for representation, (v) add definitions for "deferred compensation," "deferred compensation plan," and "contingent liability," (vi) revise the definition of "close financial association," and (vii) provide an extension for filing deadlines under the Acts that may fall on a weekend or a legal holiday.

- 4) Amend the registration and disclosure provisions for lobbyists to (i) raise the threshold for reporting any single entertainment event from \$50 to \$100, (ii) clarify provisions for exempting uncompensated lobbyists from registration and disclosure requirements, (iii) add a definition of "fair market value," and (iv) add persons employed by a member or member-elect of the General Assembly to provide legislative support to the definition of "legislative official."

**REPORT OF THE
JOINT SUBCOMMITTEE STUDYING
CONFLICT OF INTERESTS AND LOBBYIST DISCLOSURE FILINGS**

**To: The Honorable Timothy M. Kaine, Governor of Virginia,
and
The General Assembly of Virginia**

**Richmond, Virginia
June 2006**

I. Study Authority and Scope.

House Joint Resolution 186 (**Appendix A**), agreed to during the 2004 Session of the General Assembly, established a joint subcommittee to study the disclosure filings required by the State and Local Government Conflict of Interest Act, the General Assembly Conflict of Interest Act and the Lobbyist Disclosure and Regulation Act.

The study charges the joint subcommittee to (i) examine the feasibility and associated costs of requiring the Secretary of the Commonwealth, the Clerk of the House of Delegates, and the Clerk of the Senate of Virginia jointly to develop a uniform conflicts of interests form for filings required by Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 and Chapter 13 (§ 30-100 et seq.) of Title 30 of the Code of Virginia; (ii) examine the lobbyist disclosure reports required by § 2.2-426 and the relationship between lobbyist and conflicts of interests disclosure forms; (iii) evaluate the costs and desirability of having the Secretary of the Commonwealth and Clerks of the House of Delegates and Senate jointly make certain information from the forms available on the Internet; and (iv) analyze the current forms to determine if the level of detail is appropriate and adequately informs the public of potential conflicts of interests.

The joint subcommittee is comprised of 12 members: four members of the House of Delegates, appointed by the Speaker of the House; two members of the Senate, appointed by the Senate Committee on Rules; one citizen member with lobbying experience, appointed by the Speaker of the House; one citizen member at large, appointed by the Senate Committee on Rules; and the Attorney General, Secretary of the Commonwealth, Clerk of the House of Delegates and Clerk of the Senate, or their designees, serving ex officio without voting privileges. The joint subcommittee is required to complete its work in time for the 2006 Session of the General Assembly.

II. Background.

All levels of government in the United States, from the federal to the local level, are based on the ideal of a republic established on the foundations of representative government and open participation. Citizens give their elected representatives the authority to exercise their best judgment and make decisions on their behalf. Elected representatives in turn delegate a degree of that authority to appointed officials and employees, many of whom become career civil servants. In return for the grant of this great power, elected or appointed public officials are expected to provide their undivided loyalty to the public interests and not put their own interests or other private interest ahead of those interests.

The open nature of democracy, however, means that diverse factions demanding to be heard constantly surround public officials and employees. As government activity and responsibility has expanded over the past 70 years so have the number of individuals involved in both public service and lobbying activities. This has created a marked increase in both the occurrences of actual or potential conflicts of interests as well as the perception or appearance of conflicts or impropriety. Ultimately there remains a consistent need to have qualified public servants whose conduct would withstand constant public scrutiny and uphold public confidence. Through the years the General Assembly's establishment of the state's conflicts of interest and lobbyist regulation and disclosure laws have been aimed at sustaining the public's confidence in its government through the required disclosure of information regarding certain specified personal and financial interests of public officials and employees and the identity, expenditures, and activities of lobbyists.

III. Evolution of Virginia's Conflict of Interests Law.

The basis for today's concept of conflict of interests is found in the common law rules governing trusts. These rules are best described as follows: the public servant holds a position of trust and confidence and is obligated to act solely in the interest of the beneficiary of that trust – the public. Over the years this concept was broadened to include not only situations where the officer **actually** breached his fiduciary obligation, but also where the officer put himself in a position that allowed public doubts as to his undivided loyalty and integrity. These basic common law concepts were codified through the enactment of various statutes that were located throughout the Code of Virginia. Older enactments either took the form of individual statutes designed to cover a specific officer, problem or abuse, or statutes of broader application such as to prohibit officers and employees from having a personal interest in a public contract. Later statutes often complicated the law by addressing issues and creating exceptions that affected only certain officials and transactions. The resulting mass of law defining what activity may be undertaken by public officers and employees provided for cumbersome and inconsistent analyses whenever the statutes were applied to individual instances. Still, these statutes proved to be adequate for addressing conflict of interests issues that arose in the context of the small government organizations that existed for most of the state's history. With the growth of government in the twentieth century, the flaws of the conflict of interest laws began to be revealed.

Virginia legislators have struggled to develop proper and workable standards of conduct that could be applied fairly and uniformly to state and local officers and employees. In an

attempt to resolve this struggle, in 1968, the General Assembly passed Senate Joint Resolution 26 creating a commission to conduct a thorough investigation of the standards of conduct for public officers and employees and related issues concerning conflict of interests. The nine-member commission was charged to review the conduct of public officers and employees in four main areas: conflict of interests in contracts with government agencies; financial or beneficial interests in activities with the state or localities; professional representation of private interests or governmental agencies in adversary proceedings; and representing private interests before governmental agencies.

The commission initiated a broad review including all relevant statutes and case law, potential conflict of interests problems at the state and local level, incompatible office holding, and questions involving membership to governing and advisory boards. Based on its study, the commission concluded that the multiplicity of statutes on the subject of conflict of interests had a harmful effect and created confusion by either failing to cover certain cases or discouraging service by qualified individuals because of a lack of clear rules regarding potential conflict of interests. The commission further concluded that it was necessary to develop one basic statute that would govern the conduct of state and local officials and employees to replace and supersede the existing legislative patchwork.

The report of the commission included the recommendation for a proposed conflict of interest statute to codify in one legislative enactment uniform guidelines that will have standard application throughout the state.¹

A. Virginia Conflict of Interests Act (1970)

The commission's proposal was subsequently enacted by the 1970 Session of the General Assembly as the Virginia Conflict of Interest Act (1970 COIA). The 1970 Act contained the most comprehensive and far-reaching statutory limitations on conduct for public officers and employees that had ever been enacted in the state. Although separate provisions applied to state and local officers and members of the General Assembly, this initial uniform conflict of interest statute applied to all public officers. The 1970 COIA also mandated that officers or employees of governmental and advisory agencies had to disqualify themselves from voting or participating in any official action in which they had a material financial interest.² Officers and employees were required to disclose annually any material financial interest that the officer or employee had that would be substantially affected by the actions of the governmental or advisory agency for which they served or worked.³ The Attorney General and each attorney for the Commonwealth were required to establish procedures for implementation of the disclosure requirement.

Though initially believed to be superior to the previous system of several separate statutes, within five years after the enactment of the first uniform conflict of interest statute

¹ The proposed statute also repealed over 37 provisions of the Code of Virginia relating to conflict of interests.

² The 1970 COIA exempted members of the General Assembly from its disqualification provisions. The commission had recommended this exemption citing the "well-established" constitutional principle that each house should be the judge of the qualifications of its members. In its report, the commission urged the House of Delegates and the Senate to examine their rules to determine if changes were necessary.

³ The statute included a disclosure form to be used by members of the General Assembly.

legislators felt the need for further study particularly in the area of disclosure of interests. In 1975, the General Assembly passed Senate Bill 893 in response to several bills that had been introduced relating to the disclosure of financial interest. The bill directed the Courts of Justice Committee of the Senate and the Senate and House Committees on General Laws to jointly study the state's laws relating to conflicts of interest and disclosure by public officials. That study resulted in legislation recommending several changes to the law; however, the legislation failed.

B. Comprehensive Conflict of Interest Act (1983)

Despite the failure of attempts to amend the 1970 COIA, concerns among both citizen groups and public officials remained about the effectiveness of the Act. One of the major drawbacks that public officers and employees asserted was that the requirements for disclosure of interests were spread throughout the Act with no uniformity in the type of disclosure required or in the time, place and purpose of filing the required disclosures. As the 1983 Session of the General Assembly approached, concerns and complaints regarding the implementation of the Act had reached a climax.

The 1983 Session the General Assembly passed Senate Bill 23 repealing the 1970 COIA and enacted the Comprehensive Conflict of Interest Act (1983 COIA). The new Act attempted to clarify the standards of conduct expected of various classes of governmental officers and employees. It separated the officers and employees into four distinct groups: (i) members of the General Assembly, (ii) all other state officers and employees, (iii) members of the governing bodies of counties, cities and towns, and (iv) all other local officers and employees. Using these distinct categories, the new Act specified the prohibitions and limitations that were applicable to each category.

While the scope of the 1983 COIA was the same as the previous Act in terms of application to all state and local officers and employees, further differentiation was provided for members of the General Assembly. The 1983 COIA included an article establishing separate ethics panels in the Senate and the House of Delegates for the purpose of inquiring into alleged violations of the Act by General Assembly members. Regarding requirements for disclosing personal and financial interests in contracts or transactions, the 1983 COIA contained four substantive changes. First, except in limited circumstances, an officer or employer no longer had to provide prior written disclosure of his interests in a contract with a governmental agency. Second, only a few designated officers and employees were required to make annual written disclosures of their financial interests. Third, the form of the annual disclosure was specified. Fourth, all disclosure forms were required to be filed annually on or before January 15.

C. State and Local Government Conflict of Interest Act and General Assembly Conflict of Interest of Act (1987)

The 1983 COIA did not eliminate all the difficulties that conflict of interests laws posed for governmental officials or alleviate complaints concerning the Act. One significant constitutional issue was raised concerning the provision in the 1983 COIA that allowed the House or Senate Ethics Advisory Panel to, upon determination that a member of the General Assembly willfully violated the Act, refer the matter to the Attorney General for prosecution. Some believed that these provisions violated Article IV, Section 9 of the Constitution of Virginia

because it improperly subjected members to being answerable for legislative conduct outside of the legislative body to which they belonged.⁴

In response to this and other issues related to the area of conflict of interests, in 1986, the General Assembly passed a resolution establishing a joint subcommittee to evaluate the adequacy and effectiveness of the 1983 COIA.⁵ The joint subcommittee had a very broad charge including determining whether there was a need to revise the scope of the subject matter to which the Act applied and with regard to the personnel covered.

At the conclusion of its study the joint subcommittee recommended a major overhaul of the conflict of interests statute. The most prominent of the joint subcommittee recommendations was for the creation of separate conflict of interest statutes to govern state and local officials and employees and members of the legislature. In 1987, the General Assembly enacted legislation repealing the Comprehensive Conflict of Interest Act and establishing the State and Local Government Conflict of Interests Act, the most direct predecessor of the current Act, and the General Assembly Conflict of Interest Act.

IV. Evolution of Lobbyist Registration and Disclosure Provisions.

In 1938 the General Assembly adopted the first legislation to require the registration of persons "employed to promote or oppose in any manner the passage" of legislation. By 1962, the number of registered "legislative agents" or "legislative counsel," as they were called, had increased until they numbered more than the membership of the General Assembly itself. In addition, there were also a large number of unpaid representatives of organizations and groups seeking or opposing the adoption of legislation that were not required to register, but nonetheless were seeking to counsel delegates and state senators during legislative sessions. Complaints arose concerning the failure of some individuals to comply with the statute by not properly registering and, for those who did register, the failure to disclose the name of their principals or to file the required statement of compensation and expenses. There were also concerns related to the marked increase in the number of unpaid representatives who were not required to register. During the 1962 session, the General Assembly passed House Joint Resolution 103 directing the Virginia Advisory Legislative Council to study the 1938 law and recommend any changes that were necessary.

The Council conducted its study from 1962 to 1964. In its report presented to the General Assembly in January 1964, the Council concluded that strengthening the enforcement provisions of law regulating the activities of paid lobbyists was essential. The Council recommended that more information be required from lobbyists regarding their activities and the principals for whom they lobbied and for that information to be disclosed to members of the legislature and the public with the objective of facilitating enforcement. Pursuant to the

⁴ Article IV, Section 9 of the Constitution of Virginia reads: "Members of the General Assembly, shall in all cases except treason, felony, or breach of the peace, be privileged from arrest during the sessions of their respective houses; and for any speech or debate in either house shall not be questioned in any other place. They shall not be subject to arrest under any civil process during the sessions of the General Assembly; or during the fifteen days before the beginning or after the ending of any session. (emphasis added)

⁵ Senate Joint Resolution 68 (1986).

Council's recommendation, the General Assembly adopted legislation that repealed the previous statute and replaced it with a revised lobbyist registration provision.⁶

Over the next decade, several changes affected the operation of state government and the legislature. A major change was the adoption in 1971 of a new constitution providing for annual sessions of the General Assembly and making several other changes in the organization and government of the state. In addition, during this period there was an overall increase of governmental regulation at all levels of the affairs of individuals, associations and corporations of all types, which in turn produced an even greater need for citizens to have their views represented through various interest groups. This resulted in a substantial increase in the number and activities of persons seeking to communicate their views to the General Assembly. By 1975, the General Assembly recognized the need for another comprehensive review of the statutory regulation of lobbyists and lobbying and passed Senate Joint Resolution 166 creating the Special Commission on Lobbying to study the lobbying statute. The Special Commission had four key aims, to (i) inform the members of the General Assembly concerning the interests being promoted by those engaged in lobbying, (ii) provide information to the General Assembly and the general public concerning lobbyists and their employers, (iii) facilitate enforcement of the statute by administrative personnel and law-enforcement officials, and (iv) ensure the orderly and efficient functioning of the General Assembly when in session.

As a part of its work the Special Commission disseminated a questionnaire on the statute and possible legislative changes to all registered lobbyists, members of the General Assembly and state agency heads. Additional information was developed at a public hearing held in Richmond. The final report of the Special Commission included eight recommendations for changing the lobbying statute:⁷

1. Include in the statute a preamble stating the General Assembly's intent in requiring the registration of lobbyists and to recognize the First Amendment right of citizens to petition government.
2. Amend the definition of "lobbying" to include those uncompensated persons who are designated representatives of other persons to promote their legislative interests.
3. Expand the geographic and time limitations to reportable lobbying activity.
4. Require each agency head and local government official to designate legislative spokesmen for his agency and file the names of such persons with the Secretary of the Commonwealth.
5. Replace the two-form system for reporting lobbying activities, fees and expenses with one form, signed by both the lobbyist and his employer.
6. Remove the requirement for a lobbyist to estimate on his registration form the amount of funds to be received and expended by him during the session.

⁶ Chapter 2.1 of Title 30 (Sections 30-28.1 through 30-28.11)

⁷ Senate Document Number 26 (1976)

7. Provide additional time after the session to lobbyists for filing their final report of expenditures.
8. Remove the provisions for criminal prosecution for late filing from the statute and instead providing for a civil penalty for late filing of disclosure.

The Special Commission's recommendations were subsequently enacted by the 1976 Session of the General Assembly.⁸

V. Review of Conflicts of Interests and Lobbyist Registration and Disclosure Provisions since 1990.

Beginning in the early 1990s renewed interest in government accountability and ethics prompted additional comprehensive examinations of conflict of interests and lobbying statutes.

A. Governor's Commission on Campaign Finance Reform, Government Accountability, and Ethics (1992)

In June 1992, Governor L. Douglas Wilder established the Governor's Commission on Campaign Finance Reform, Government Accountability, and Ethics (Governor's Commission), charged with determining whether reforms were needed in the state's Constitution, statutes or regulations to foster increased accountability of public officials. The Governor's Commission held four public hearings around the state receiving oral testimony from more than 65 people and more than 1,600 pages of written testimony. After much debate among its 15 members, in December 1992, the Governor's Commission reached a consensus report establishing 37 recommendations divided into five areas: campaign finance reform, lobbying reform, government accountability, establishment of a State Ethics Commission, and ethics law and education.

Ten of the recommendations dealt with disclosure provisions under the two conflict of interests acts. These recommendations included (i) adopting a computerized financial disclosure system where all public information would be available to any person with access to a modem, (ii) adopting simplified disclosure forms that officials could complete on personal computers, (iii) requiring public officials of towns with a population of fewer than 3,500 to file financial disclosure statements, (iv) establishing a clearer and more detailed definition of "gift," and (iv) prohibiting a public official from accepting gifts or opportunities in certain circumstances.

Nine of the recommendations pertained to lobbyist registration and disclosure laws including (i) placing the burden on lobbyists for year-round and more complete disclosure of their activities, (ii) requiring the disclosure of lobbying directed at the executive branch and independent regulatory agencies, (iii) exempting volunteer lobbyists from the reporting requirement, and (iv) requiring public agencies and localities to disclose their advocacy of policy issues in which they have an interest.

⁸ Chapter 472 of the 1976 Acts of the Assembly

During the 1993 Session, the General Assembly reviewed a number of bills that were prompted by the Report of the Governor's Commission. The only recommendation relating to disclosure that was successfully enacted, however, was the requirement for year-round lobbyist disclosure. Most of the remaining recommendations were deferred for further study.

B. The Joint Subcommittee Studying the Report of the Governor's Commission on Campaign Finance Reform, Government Accountability, and Ethics and Related Matters (SJR 273, 1993)

The 1993 General Assembly established a joint subcommittee to review the report of the Governor's Commission and bring to the 1994 Session recommendations for further action.⁹ The joint subcommittee held two public hearings to supplement the series of hearings conducted previously by the Governor's Commission and met six times over the course of the 1993 interim.

In January 1994, the joint subcommittee completed its study of the Commission's report and recommended the following changes to conflicts of interests and lobbying provisions:

- expanding the coverage of the financial disclosure provisions of the State and Local Government Conflict of Interests Act to small towns;
- broadening the coverage of lobbying registration and disclosure requirements to cover executive action in legislation proposals and executive orders by higher-level executive branch officials;
- expanding the exemption from registration and reporting requirements to exclude persons paid or expending \$500 or less in a year (rather than \$100 or less);
- specifying which persons are exempt from registration and reporting requirements;
- requiring additional registration information and allowing a 15-day, rather than five-day, grace period for persons to register if they lobby outside of Richmond;
- expanding coverage of the lobbying law to include lobbying by local government personnel; require the locality to file with the Secretary of the Commonwealth a consolidated registration statement for its employees who lobby; requiring the locality to maintain public records in the locality to show lobbying expenditures; and repealing the prohibition against the employment of lobbyists by localities;
- requiring each covered executive official to maintain a record, available for public inspection, of oral communication with persons seeking to influence them on legislative and executive actions; and

⁹ Senate Joint Resolution 217 (1993) (Establishing the Joint Subcommittee to Study the Report of the Governor's Commission on Campaign Finance Reform, Government Accountability, and Ethics and Related Matters).

- codifying the lobbyists' disclosure form and requiring additional information.

Three primary bills encompassing all of the recommendations were endorsed by the joint subcommittee for consideration by the 1994 General Assembly: Senate Bill 487 (campaign finance reform), Senate Bill 498 (lobbying reform), and Senate Bill 486 (ethics matters). While Senate Bill 486 and Senate Bill 487 were defeated, Senate Bill 498, titled the Lobbyist Disclosure and Regulation Act, was enacted in a form that kept most of the joint subcommittee's recommendations regarding lobbying reform intact. The bill essentially repealed the existing lobbying laws and established a revised lobbying regulation law that included a codified lobbyist's disclosure form.

C. Recent Legislative Activity

Lobbyist Disclosure and Regulation Act

Since 1994 several bills have been enacted by the General Assembly amending the lobbyist disclosure and registration provisions. In 1997 legislation requiring the creation of an electronic database for information filed by lobbyists was passed.¹⁰ That same year legislation was also enacted to require more detailed information on entertainment event expenses for events costing more than \$100, the itemization of gifts with a value of more than \$25, and disclosure of the name of each recipient of a report gift.¹¹

In 1998, the legislature enacted Senate Bill 22, to require the disclosure of any single gift with a value to the recipient greater than \$50 and of multiple gifts with a cumulative value greater than \$100. The bill amended the statute to require disclosure of entertainment events with a value per person attending the event greater than \$50, and of the names of the executive and legislative officials who attended such events. The bill also changed the notification requirement by providing for the lobbyist to notify each executive and legislative official named in their disclosure reports once, rather than twice, each year by January 5 for the prior calendar year. The last legislative activity regarding lobbyist disclosure or regulation occurred during the 2000 Session with the passage of House Bill 830. This bill provided for the acceptance of electronic signatures of the principal and lobbyist.

Conflict of Interests Acts

In terms of legislative activity, the most recent and significant amendment of the General Assembly Conflict of Interest Act occurred in 2003 with the passage of House Bill 2515. The bill required disclosure by General Assembly members of certain relationships with lobbyists and amended the disclosure form by adding a definition of "lobbyist relationship" and including a schedule for disclosing such relationships. The added definition specifically provides that the disclosure does not constitute a waiver of the attorney-client or other privilege for third parties or require a waiver of any attorney-client or other privilege for a third party. In addition, the definition specifies that no disclosure is necessary for nonfinancial indirect associations.

¹⁰ Chapter 364 of the 1997 Acts of the Assembly

¹¹ See Chapters 616 and 843 of the 1997 Acts of the Assembly

The last major study in the conflict of interests area related specifically to the state and local government statute. House Joint Resolution 31, agreed to during the 2002 Session of the General Assembly, established a joint subcommittee to study the State and Local Government Conflict of Interests Act. At the conclusion of its study, the joint subcommittee recommended several changes to the State and Local Government Conflict of Interest Act, including requiring that the disclosure or declaration of interests that an officer or employee has in businesses or real property contains the full name of the business or address or parcel number of real estate and authorizing a locality to enact an ordinance prohibiting the acceptance of any gift by any of its officials or employees.¹² The recommendations of the joint subcommittee were included in a legislative draft introduced as House Bill 1546 passed by the 2003 Session of the General Assembly.

The most recent legislative action also related specifically to the state and local government statute. In 2004, the General Assembly passed Senate Bill 226 and House Bill 467, which provided for periodic orientation or training sessions for state government personnel on the content of the State and Local Government Conflict of Interests Act and other ethics provisions and for distribution of copies of the Act to all new state and local personnel.

VI. Overview of Disclosure Provisions

A. Conflict of Interests Acts

The State and Local Conflict of Interests Act requires governmental officers and employees to disclose certain information regarding their financial interests. The statute provides nine categories of state officers and employees, local government officers and employees and constitutional officers who are required to file the disclosures:

Category #1 (Section 2.2-3114 A)

Governor, Lieutenant Governor, Attorney General, Judges, Members of the State Corporation Commission, Worker's Compensation Commission, Commonwealth Transportation Board, State Lottery Board, Trustees of the Virginia Retirement System;

Category #2 (Section 2.2-3114 A)

Employees of the executive or legislative branch as designated by the Governor or the Joint Rules Committee respectively;

Category #3 (Section 2.2-3114 B)

Nonsalaried citizen members of policy and supervisory boards, commissions, and councils in the executive branch;

Category #4 (Section 2.2-3115 A, paragraph 1)

Members of the governing body and school board of each county and city and town in excess of 3,500 in population and persons designated by the governing body;

Category #5 (Section 2.2-3115 A, paragraph 2)

¹² House Document Number 31 (2003).

Members of county or city authorities having the power to issue bonds or expend funds in excess of \$10,000 in any fiscal year;

Category #6 (Section 2.2-3115 A, paragraph 3)

Employees designated by ordinance of the local governing body;

Category #7 (Section 2.2-3115 A, paragraph 4)

Employees designated by policy of the local school board;

Category #8 (Section 2.2-3115 B)

Nonsalaried citizen members of local boards, commissions, and councils as may be designated by the governing body; and

Category #9 (2.2-3116)

Treasurer, Sheriff, Attorney for the Commonwealth, Circuit Court clerk, and Commissioner of Revenue (constitutional officers).

The disclosure is required as a condition of taking office and must be filed annually by January 15 of each year. Disclosure must be made using one of two forms that are contained in the statute. The first form, the Statement of Financial Interests, is found at § 2.2-3117 and is required to be used by most public officials and employees. (Appendix B) Approximately 10,000 state officials and employees, 600 judges and over 11,000 local officials and employees are required to complete the form annually. The disclosure includes the following information: (i) paid offices and directorships, (ii) certain personal liabilities in excess of \$10,000 including those of immediate family members, (iii) payments for talks, meetings and publications, (iv) certain gifts valued in excess of \$50 or \$100, (v) certain business interests valued in excess of \$10,000, (vi) payments for representation by the filing individual, (vii) payments for representation by associated individuals, (viii) certain payments received from businesses in excess of \$1,000, and (ix) certain real estate valued in excess of \$10,000.

The second form, the Financial Disclosure Statement, is found at § 2.2-3118. This is the disclosure form submitted by approximately 3,000 nonsalaried citizen members of state or local boards and other specified entities. (Appendix C) This form requests less information in terms of financial disclosure.

In addition to having to submit one of the two statutory forms, a separate annual disclosure of real estate interests is required of all members of planning commissions, boards of zoning appeals, real estate assessors and all county, city, and town managers and executive officers. (Appendix D) Such individuals must disclose their real estate interests located in the locality in which they serve and any business in which they own an interest or from which any income is received if such business has as its primary purpose to own, develop or derive compensation through the sale, exchange or development of real estate in the locality.

For state officials and employees, the Secretary of the Commonwealth is charged with providing the required forms to the applicable individuals by November 30. After the forms are returned by the January 15 deadline, the Secretary must retain them for a period of five years. For local officers and employees, the Secretary must provide the forms to the appropriate local

clerk who then has until December 10 to distribute the form to the local officer or employee required to submit the disclosure. Once the form is returned to the appropriate local clerk it must be maintained as a record for five years. Any person who fails to file or knowingly files a disclosure form inaccurately is guilty of a Class 1 Misdemeanor. In addition, any person who knowingly files a disclosure form inaccurately may also be dismissed from office or employment.

Section 30-110 of the General Assembly Conflict of Interests Act directs every legislator, legislator-elect, and candidate for the General Assembly to file a statement of economic interests disclosing personal interests and other information as specified on the form, as a condition to assuming office. The form is set forth in § 30-111, and after the initial filing must be filed every year on or before January 8. (Appendix E) By November 30 of each year the clerk of the appropriate house is required to provide the form to each legislator and legislator-elect. The forms are maintained as public records for five years in the office of the clerk of the appropriate house.

While the legislative statement of economic interests form requests information that is identical to the information requested on the state and local form in most respects, there are two specific differences. First, the legislative form requests information concerning lobbyist relationships. This is found under "Business Interests" and within the "Business Interests" schedule. It provides for the disclosure of the name of the lobbyist, a description of the relationship, and the dates of the relationship. Second, the legislative form includes in its affirmation section a pledge that the legislator submitting the form will respond promptly to requests for the statement to be corrected, augmented or revised. Knowingly filing an inaccurate disclosure form is punishable by as a Class 1 Misdemeanor.

B. Lobbyist disclosure

"Lobbying" is defined as influencing or attempting to influence executive or legislative action through communication with an executive or legislative official or soliciting others to influence an executive or legislative official. A lobbyist is an individual who represents any person, business, organization, association or group, whether or not he is compensated and regardless of whether his expenses are reimbursed, in any effort to influence a legislator or other elected or appointed official. Pursuant to the Lobbyist Disclosure and Regulation Act, every lobbyist must register with the Office of the Secretary of the Commonwealth prior to engaging in any lobbying activity. Lobbyist registration is required annually beginning May 1. The fee for registering is \$50 for each principal on whose behalf the lobbyist will be lobbying.

In addition to the registration requirement, § 2.2-426 requires each lobbyist to file an annual report of expenditures, including gifts, for each principal for whom he has lobbied by July 1 for the preceding 12-month period complete through April 30. (Appendix F). The Secretary of the Commonwealth provides the form to each registered lobbyist. Failure to submit the statement by this date will result in a \$50 fine for both the lobbyist and the lobbyist's principle. After 10 days, both the lobbyist and the lobbyist's principle will incur an additional penalty of \$50 per day until the statement is filed. The Act also provides for criminal penalties. Any person who signs the disclosure statement knowing it to contain a material misstatement of fact is guilty of a Class 5 felony. Other violations of the Act are punishable by a Class 1 misdemeanor with the exception that an unpaid lobbyist is not subject to the criminal penalties.

Regarding the specific information that is requested to be disclosed by the form, under Part I, the lobbyist must identify the principal and the principal must sign the form. The lobbyist must also disclose total expenditures on entertainment, gifts, office expenses, communications, personal living and travel expenses, compensation of lobbyists, honoraria, registration costs, and other information for each principal. In addition, the lobbyist must provide a list of executive and legislative actions for which he has lobbied and a description of activities conducted.

In Part II, the lobbyist must disclose whether or not he is employed, retained, or not compensated. This portion of the form also requests the lobbyist to provide all lobbyists who have registered to represent the same principal as the discloser, job title, an explanation of “not compensated” status, dollar amount of compensation, and an explanation for that amount.

Part III addresses “not compensated” lobbyists, where the lobbyist must list all members of his/her firm, organization, association, corporation, or other entity that furnished lobbying services to his/her principal, also he/she must indicate the total amount paid to the firm, organization, association, corporation or other entity for services rendered. Three schedules are attached to the form for the disclosure of detailed information about entertainment, gifts and other expenses. The entertainment schedule requests itemization of every event with a value greater than \$50. Likewise, the gift schedule calls for the itemization of every gift greater than \$25. Schedule C provides for the itemization of any other expenses (a bill box rental during the General Assembly Session is provided as an example). Finally, the lobbyist and principal officer must each sign the disclosure statement attesting to its completeness and accuracy.

VII. Work of the Joint Subcommittee.

A. 2004 Meetings

September 17, 2004

The meeting was called to order by **Barbara Teague**, House Committee Operations, at 1:05 p.m. The joint subcommittee proceeded with the election of **Delegate Griffith** as the Chair and **Senator Quayle** as the vice-chair.

The joint subcommittee then received an overview of the evolution of the state’s conflict of interest and lobbyist disclosures laws from **Amigo Wade**, Senior Attorney, Division of Legislative Services.

After the overview, the joint subcommittee received presentations concerning how the disclosure filings were administered by the offices of the House and Senate Clerks and the Secretary of the Commonwealth.

General Assembly Conflict of Interest Disclosure form

The joint subcommittee received an overview of the process used by the Senate Clerk’s Office for disseminating and processing the forms. **Mr. John Garrett**, Deputy Clerk of the

Senate stated that General Assembly Conflict of Interest disclosure forms are sent by regular mail and electronic mail to each member of the Senate. Provided with the form is a copy of the most recent form submitted by the senator and a list of out of state travel taken by the senator. The forms are required to be filed by January 8, 2005. Once received, the forms are reviewed by a subcommittee of the Committee on Rules for completeness and accuracy.

In terms of public access, **Mr. Garrett** stated that a citizen may receive a complete copy of all disclosure forms at a cost of \$85. He indicated that over the course of the previous year, a total of five complete sets were ordered. Of those sets, three were ordered by the news media and two by individuals. Mr. Garret noted four problematic areas that may be appropriate for the joint subcommittee to consider making changes:

- i) Lobbyists are required to provide their forms to the legislative member by January 5th. The member is then required to provide their disclosure form to the respective clerks by January 8th. This gives the legislative members only three days to review and cross reference, if needed, any information from the lobbyist form.
- ii) Should individual stocks should be listed separately?
- iii) Whether the notarized portion of the form be revised to read clearer.

At the conclusion of **Mr. Garrett's** presentation, **Mr. Jeffrey Finch** addressed the joint subcommittee regarding conflict of interest filings for the House of Delegates. **Mr. Finch** stated that the process used by the House Clerk's Office was similar to that used by the Senate Clerk with the exception that there were more forms to administer. He also noted that the cost to the public for a total set of the forms was \$175.

Delegate Griffith noted that he intended for the joint subcommittee to review the possibility of revising the lobbyist and general assembly disclosure forms to include required disclosure of any payments made by a legislator to a lobbyist for representation.

Secretary Rimler then addressed the joint subcommittee on how her office administers disclosure statements under the Lobbyist Regulation and Disclosure Act and the State and Local Government Conflict of Interest Act.

Lobbyist Disclosure

Regarding lobbyist disclosure, **Secretary Rimler** stated that for the 2003-2004 reporting year her office had processed over 1,900 statements. She stated that the office initiates two mailings to lobbyists in an attempt to make sure that they file by the deadline. She stated that less than half of the lobbyists use electronic mail for their filings.

Secretary Rimler then provided the following concerns and suggestions for revisions to the Act on behalf of her office: i) raise the current \$50 trigger for single entertainment event, and ii) removing the requirement that a lobbyist disclose why they are not compensated if they have been terminated.

State and Local Government Disclosure

Regarding state and local disclosure, **Ms. Rimler** indicated that in the past year over 20,000 forms were processed. The form requests information that is nearly identical to the information requested by the General Assembly form. She noted that some of the suggestions for possible revision included: i) excusing individuals who have filed in January from having to file a new form when they have been reappointed in the months after January, ii) allowing one filing to cover all positions held by a single individual, iii) excusing persons who no longer occupy a position from filing, iv) requiring agency heads of independent and judicial agencies to disclose their economic interests, v) adding a definition of "representation, vi) clarifying how to disclose mutual funds and vii) clarifying how to appropriately disclose deferred compensation.

Delegate McQuigg asked if many reports are filed on line. **Secretary Rimler** responded that not many are filed electronically and that the main reason was that signature could not be provided. **Delegate McQuigg** stated that consideration should be given to the use of electronic notary clauses.

At the conclusion of **Ms. Rimler's** presentation, **Mr. Wade** presented a proposed work plan for the joint subcommittee. The joint subcommittee members also discussed the issues they believed should be included in the joint subcommittee's review. **Mr. Bailey** indicated that the issue of who polices individuals who have never registered to lobby should be considered. **Senator Houck** stated that an aspect of the policy questions involves whether the approach to conflict of interest filings will be that of disclosure or highly regulated with enforcement options afforded to the regulating entity. **Delegate Brink** indicated that there was a need to resolve any definition problems that are raised that tend to create confusion.

Delegate Griffith noted that he believed that legislators receiving in excess of a certain amount be required to provide more heightened disclosure. **Delegate Griffith** also noted that the proposed work plan included an opportunity for public comment at the next meeting, which would be helpful to the joint subcommittee in developing the issues that will be included in the study. The joint subcommittee agreed to the work plan in concept. The joint subcommittee scheduled its next meeting for November 17 at 1:00 p.m.

The meeting adjourned at 2:25 p.m.

November 17, 2004

Delegate Griffith called the meeting to order at 1:00 p.m. **Amigo Wade**, Division of Legislative Services, provided the joint subcommittee with an overview of the issues that were discussed by the joint subcommittee at its September 23, 2004, meeting titled "Issues for Consideration." (Appendix G)

The issues covered were as follows:

ISSUES RELATED TO THE GENERAL ASSEMBLY DISCLOSURE FORMS

- 1) *Review the timing for the disclosure filing by legislators. Lobbyists are required to provide their forms to the legislator by January 5th. The legislator is required to submit the General Assembly disclosure form to the respective clerks by January 8th. This gives the legislative members only three days to review and cross reference, if needed, any information from the lobbyist form. Review the time frames and consider changing the submission dates.*
- 2) *The notarized portion of the affirmation may be confusing to a notary because of the City/County distinction. Consider changing the form to read more clearly.*
- 3) *Clarify whether individual stocks and amounts should be listed separately on the form.*
- 4) *Expand the "Payments for Representation and Other Services" portion of the form to include payments made by a legislator to a lobbyist for representation or other services.*
- 5) *Require enhanced disclosure, i.e. frequency and/or detail, for legislators receiving payments over a certain threshold amount for representation or other services.*
- 6) *Explore electronic filing as an option.*

At this point in the overview **Delegate Griffith** informed the joint subcommittee that he had asked the Attorney General to look into the issue of enhanced disclosure for legislators receiving payments for representation.

Issues related to the State and Local Government disclosure forms:

- 1) *Excuse reappointed individuals who have filed in January from having to file again when reappointed in the months after January.*
- 2) *Allow individuals serving on multiple boards or other entities to file a single statement.*
- 3) *Excuse or exempt from the filing requirement individuals who no longer occupy the positions for which they are required to file.*
- 4) *Require the heads of independent, legislative and judicial agencies to disclose their interests.*
- 5) *Add a definition for the term "represent." (Persons commonly confuse lobbying representation and legal representation).*
- 6) *Revise the definition of "close financial association" to affirmatively state what would constitute such an association.*
- 7) *Add a definition for "contingent liability."*
- 8) *Add a definition for "furnishing." (For example, if an individual provides services as a condition of employment- does that constitute furnishing?)*

9) *Revise Schedule C disclosure provisions for securities.*

- a) *The schedule requests securities invested in one business with value over \$10,000; however, the filer must also account for individual mutual funds, few of which include ownership of \$10,000 or more in one business.*
- b) *To alleviate confusion regarding information requested on the name of issuer, the type of entity, and the type of security, provide examples for the filer to follow.*
- c) *Add provision for disclosure of economic interest when the filer has begun to collect previously deferred compensation.*
- d) *Revise instructions to include information or examples based on Attorney General opinions.*

10) *Revise/clarify the disclosure provision for close financial associates.*

11) *Require enhanced disclosure, i.e. frequency and/or detail, for filers receiving payments over a certain threshold amount for representation or other services.*

12) *Explore electronic filing as an option.*

Discussion arose among the joint subcommittee specifically pertaining to the disclosure of previously deferred compensation. It was noted that pursuant to previous opinions issued by the Office of the Attorney General, deferred compensation did not have to be listed until the filer was actually receiving payments. **Delegate Griffith** noted that this could conceivably lead to a situation where a filer could avoid disclosing compensation for representation simply because it was deferred for a period of time. **Ms. Hamlett** stated that the opinions issued by the Attorney General related to situations where the individual has had a relationship with the business over a long period of time and the person had no contact with the business. **Delegate Griffith** suggested that the joint subcommittee should look at the distinction between the two situations.

Lobbyist Disclosure and Regulation Act

1) *Raise the threshold for reporting any single entertainment. (Currently threshold is \$50)*

2) *Exempt lobbyists who are not compensated.*

Mr. Bailey stated that he did not recall this issue being discussed and that exempting uncompensated lobbyists would be problematic.

3) *Remove requirement that the filer disclose why they received no compensation if they have indicated on the form that as a lobbyist they are not compensated.*

Mr. Bailey asserted that he felt this provision should be kept in the form because there may be situations where such information would be relevant.

- 4) *Explore increased use of electronic filing as an option.*
- 5) *Explore methods for increased enforcement to enhance (i) compliance, and ii) accuracy of filing.*

At the conclusion of the overview the joint subcommittee reached a consensus that three of the issues covered could be addressed with legislation in the 2005 Session. The joint subcommittee voted unanimously to recommend the legislation to do the following:

- Excuse reappointed individuals who have filed in January from having to file again when reappointed in the months after January
- Allow individuals serving on multiple boards or other entities to file a single statement
- Change the lobbyist reporting period from December 1 to November 30; require the lobbyist to provide his form to the legislator by December 15th or 28th; include language appropriate to ensure that there is no gap in coverage.

The joint subcommittee then proceeded to open the meeting to public comment.

Martha Moore, of the Virginia Farm Bureau, stated that a lobbyist disclosure handbook including examples would be extremely helpful to lobbyists and also provide some consistency in application and adherence. In addition, **Ms. Smith** asserted that conducting workshops and including a definition of "off session" in the State and Local Conflict of Interest Act would also be helpful.

Jack Knapp of the Virginia Assembly of Independent Baptist, stated that he would be very wary of a handbook because it would not be read or understood. He agreed, however, that explanations and examples would be helpful and thought that was a better route to proceed. **Mr. Knapp** further commented that he did not believe those lobbyists who are not compensated should be exempted. **Delegate Griffith** stated that there must be exceptions for individuals who come to the General Assembly session to speak and work on behalf of single issues. **Mr. Hall** stated that a person who comes to the General Assembly session and buys a member dinner should have to disclose such action because the person at that point is more than just a citizen.

Aubrey El of Fathers for Virginia, stated that it was his experience that many citizens are not aware of the registration or filing requirements and are not familiar with the distinction between a citizen advocating an issue and a lobbyist. He further stated that individuals are not always clear where they stand in terms of the requirements and that any aspect of the Lobbyist Regulation and Disclosure Act that pertains to citizen lobbyists should be clearly written and easy to understand. **Mr. Knapp** stated that perhaps a dollar amount would be helpful. **Mr. El** responded that it is easy to spend money on things, such as copying and travel, over the course of a session and that there should be some protection for individuals who mistakenly go over the line. **Mr. Hall** stated that he liked the idea of a dollar amount and suggested perhaps \$5,000 or \$10,000. **Delegate McQuigg** stated that while she believed dinners and other entertainment

expenses should be included, she did not believe that printing and postage should be included. As an example, she cited the practice of the state 4-H organization providing each legislator with a plant.

Mr. Bailey noted that, while the current Code provides a \$500 limit, the joint subcommittee should consider situations where members of an organization come down to "flood the halls" of the General Assembly concerning a specific issue. Such persons may not spend much money as an individual on lobbying but the organization that brings them may do so.

Phillip Abraham of the Vector Corporation, stated that the legislature should not mandate electronic filing unless the state is willing to provide the funding necessary to secure the appropriate software. **Mr. Abraham** further asserted that the joint subcommittee should consider very closely changing the deadline for the lobbyist to provide his report to the legislator to be provided more time. In addition, he stated that the reporting period should be changed to December 1 through November 30.

There was discussion among the joint subcommittee membership regarding what date in December would be appropriate. It was resolved that either December 15 or 28 would be adequate in providing additional time to allow all parties involved to fulfill their responsibilities.

It was resolved by the joint subcommittee that the next meeting should be scheduled for a date before the reconvened session.

The meeting was adjourned at 2:35 p.m.

B. 2005 Meetings

May 23, 2005

Chairman Griffith called the meeting to order at 10:05 a.m. The meeting began with an overview of the activities taken by the joint subcommittee during the 2004, given by **Amigo Wade**, Division of Legislative Services. Included in the overview was a discussion of the legislation introduced by **Delegate McQuigg** on behalf of the Joint Subcommittee. House Bill 2111 amended the State and Local Government Conflict of Interest Act (COIA) to authorize the filing of a single current statement of economic interests or financial disclosure statement by a state officer or employee to suffice as the economic interest statement or financial disclosure statement for all state positions or offices held or sought during a single reporting period. (Appendix H) In addition, the legislation also amended the COIA to provide that a state officer or employee meeting the annual January filing requirement would not be required to file an additional statement upon that individual's reappointment if the reappointment occurs within 12 months after the submission of the annual filing. House Bill 2112 amended the Lobbyist Disclosure Act to change from January 5 to December 15 the date on which registered lobbyists must provide statements to legislative and executive officials with whom they have lobbied. (Appendix I) The bill also changed the reporting period for the statements from January 1 through December 31 to December 1 through November 30.

Additional Issues for Consideration

The Joint Subcommittee then moved to a discussion of its overall work plan for the interim. After briefly reviewing the list of issues for consideration that remained from the 2004 interim, **Mr. Wade** presented several additional issues for consideration that have been suggested for inclusion in the joint subcommittee's work.

Conflict of Interest Acts

Extension of filing deadlines.

During the recodification of Title 1 of the Code of Virginia the Code Commission discovered that the amended version of § 1-13.3:1 providing for an extension of certain judicial filing deadlines that fell on holidays, did not address nonjudicial acts including the due dates for filings under the General Assembly and the State and Local Conflict of Interest Acts. The Joint Subcommittee was requested to review the issue and consider recommending legislation to provide for an extension of the filing deadline if such deadline fell on a legal holiday or weekend.

House Bill 2621- prohibited personal interest in certain contracts.

As introduced, House Bill 2621 would have prohibited state and local officers and employees from having any personal interest in a comprehensive agreement entered into under the Public-Private Education Facilities and Infrastructure Act (PPEA). During the legislative process a substitute that included legislators under the prohibition against having a personal interest in such a comprehensive agreement and included comprehensive agreements under the Public Private Transportation Act (PPTA) was offered. The House General Laws Committee ultimately tabled the bill without approving the substitute and the patron requested the Joint Subcommittee to include the issues raised by the legislation and to recommend action to alleviate any concerns further.

Chairman Griffith indicated that **Delegate Kathy Byron**, the patron of the bill, had asked him to include an examination of the bill and its effect on the conflict of interest statutes in the work of the joint subcommittee. He stated that the issues the bill presented were fairly complex including whether a general prohibition on members of the General Assembly or state and local officers from having any interest in a comprehensive agreement under the PPEA or PPTA was appropriate or even feasible, and if such an interest was allowed, how to properly disclose the interest. **Chairman Griffith** noted that it would be important to have input from local government and practitioners and recommended the establishment of a work group to more closely review the issues and develop specific recommendations for the joint subcommittee. It was agreed that a work group would be established.

Adequacy of financial disclosure for citizen board members.

The members of 263 boards, commissions, and councils at the state and local level are required to file the § 2.2-3118 financial disclosure statement, which is also called the "short form." **Mr. Bailey** stated that the filers of the short form serve on boards that are charged with

making very important decisions. He suggested that the joint subcommittee consider reviewing the adequacy of the forms.

Lobbyist Disclosure

On behalf of **Mr. Hall, Ann Gamberdella** presented the following list of additional issues specifically related to lobbyist disclosure that was suggested for inclusion in the joint subcommittee's work.

Examine whether the disclosure forms should be set out in the Code.

Ms. Gamberdella stated that currently the form is set out in the Code and may only be changed through the legislative process. This makes the form very rigid and inflexible and for the most part does not provide for a great deal of participation on the part of the users. The result is that changes are made on a piecemeal basis. In addition, according to **Ms. Gamberdella**, the Secretary of the Commonwealth's office has taken the position that it does not have the authority to interpret the Code, which puts the users at a further disadvantage. Suggestions for possible changes include i) removing the form from the Code and authorize the Secretary of the Commonwealth to promulgate the forms through a regulatory process, or ii) allowing the form to remain in the Code but add language authorizing the use of forms that are "substantially similar" thereby allowing the Secretary of the Commonwealth more flexibility. **Mr. Henderson** noted that the regulatory process often takes longer than the legislative process and may prove to be even more rigid in terms of being able to be flexible to meet changing needs.

Examine the use and meaning of the terms "value" and "expenditure".

Ms. Gamberdella stated that "value" and "expenditure" are terms that have been consistently problematic and often misunderstood. The conflict of interest statutes use the term and concept of "value," while lobbyist disclosure provisions use "expenditure." In the case of a given event that is held, the lobbyists are reporting what the event costs to them while the legislator is reporting the value. In the end the legislator and the lobbyist are reporting on the same item or event but using a different basis to determine the value.

Clarify whether lobbyist may report cumulative gift amounts.

Under the current filing process, legislators are required to include a cumulative amount of their gifts, while it is not clear whether lobbyists are required to report cumulative amounts. This may result in lobbyist disclosure forms not clearly lining up with the legislator's financial disclosure form leading to confusion or inaccurate conclusions.

Examine how to properly report events that do not consist totally of lobbying activity.

Ms. Gamberdella noted that this was another area of inconsistency that often led to confusion on the part of filers. She provided the example of a convention held by a professional association or a golf tournament. These are events that, while legislators may attend or be invited, would be held whether legislators attended or not. In the instance of the golf tournament, the lobbyist would report the total cost of the tournament and the numbers in terms of money

spent may appear high. Possible suggestions for addressing the problem included adding a reporting provision that would allow the lobbyist to provide the total number of legislators attending **and** the total number of other attendees.

Examine whether the use of different reporting dates should be continued.

It was noted that the use of different reporting dates for lobbyists and legislators creates some confusion and delay in the information reported. There was some discussion that a possible option would be to consider making the reporting dates line up more closely.

Examine the reporting requirement for certain local government employees.

It was strongly suggested that the joint subcommittee include a review of the status of local government employees who are not required to register under the current definition of "lobbyist."

Examine the necessity of having both the lobbyist and the principal sign the disclosure form.

Under the current process, both the lobbyist and the principal must sign the disclosure form. This requirement creates difficulty for lobbying concerns that do work for foreign-based companies. **Ms. Gamberdella** noted that authorizing an officer of the corporation to sign the form would alleviate this concern.

Discussion of Work Plan

After conclusion of the presentation, it was the consensus of the joint subcommittee that all of the additional issues for consideration be added to the overall list of issues for consideration. **Chairman Griffith** directed staff to develop a revised list for dissemination to the public and joint subcommittee members.

Chairman Griffith then designated a House Bill 2621 Work Group consisting of the following individuals:

Delegate Griffith
Delegate Brink
Delegate McQuigg
Delegate Bryon
Roger Wiley
Phyllis Errico
Reginald Jones
Ralph Axselle
Chris Lloyd
A design professional appointed by the Chairman

Chairman Griffith stated that the work group would meet and present at least an initial recommendation at the next joint subcommittee meeting. In addition, it was resolved that the

next meeting of the joint subcommittee would be devoted to going over the revised issues for consideration document and possibly developing initial recommendations for action. The members would be polled for the next meeting.

The meeting was adjourned at 11:45 a.m.

July 19, 2005

Delegate Griffith called the meeting to order at 10:00 a.m. **Mr. Wade** provided a brief overview of the revised "Issues for Consideration" document. (Appendix J) The joint subcommittee then received the report of the House Bill 2621 Work Group.

The Work Group met on June 28, 2005, at 10:00 a.m. in the Speaker's 6th Floor Conference Room to review the legislation and develop recommendations for the joint subcommittee. **Mr. Bob Mills, P.E.** was added to the group as the design professional representative. The work group determined that there was a need to properly balance the individual needs of localities, especially small localities, with the need to ensure that the public interest was protected. It was agreed that an outright ban on local employees and officials from having any interest would not reach the objective. It was the consensus of the work group that two versions of legislation be offered. The first version would consist of three key components as follows:

- i) Prohibition on state officials and employees, local government officials and school board members from having a personal interest in comprehensive agreement with which their agency, governing body or board is a party;
- ii) Provision for a local government official or a member of a school board to have a personal interest if the remaining members of the governing body or board, by written resolution, state that the agreement is in the public interest and there is only one source practicably available; and
- iii) Requirement for legislators who have a personal interest in, or are under contract to provide services to, a business that is a proposer of a qualified project or have entered into a comprehensive agreement with a governmental agency in the executive branch of state government to disclose such interest in writing to the agency.

The second version contained the same provisions regarding state and local officials and school board members, but for legislators, an additional requirement was added to require disclosure to local governmental agencies in addition to executive branch agencies.

After some discussion, it was decided that interest in interim agreements, which had been added to the PPEA and PPTA by legislation passed in 2005, be included in the legislation. Regarding the third component of the recommended draft, it was resolved that it would be more practical to require the private entity submitting the proposal to disclose whether a legislator has a personal interest in the private entity or is under contract to provide services to the private

entity. It was further resolved that the required disclosure be added to the PPEA and the PPTA rather than being placed in the General Assembly Conflict of Interest Act. The joint subcommittee instructed staff to prepare redrafts of the legislation and disseminate it to interested parties.

The joint subcommittee commenced a work session consisting of an item by item review of the issues for consideration which were organized under three overall subjects: General Assembly Conflict of Interest Act, State and Local Government Conflict of Interest Act, and Lobbyist Disclosure.

A. General Assembly Conflict of Interest Act.

A.1. Consider changing the affirmation to read more clearly.

This issue stemmed from the belief that the current affirmation may be confusing to a notary because of the city-county distinction. **Senator Quayle** commented that this may be more an issue of education rather than legislation. It was the consensus of the work group that no action be taken.

A.2. Clarify whether individual stocks and amounts should be listed separately on the form.

Bruce Jamerson, Clerk of the House of Delegates, explained that it was the House's practice that regardless of the size of a member's stock portfolio he would only have to list individual stocks that were over \$10,000. **Delegate Griffith** stated that the question may be whether the \$10,000 threshold for reporting is too low and whether the "more than the \$50,000" is inadequate. **Mr. Hall** stated that an additional issue involves the valuation date of the stocks or portfolio. He asserted that there should be some consideration given to specifying the valuation date. **Mr. Jamerson** added that it was his understanding that most members look at the value of the stocks at the end of the year. It was also noted by **Mr. Jamerson** that there is an affirmative duty for members to make changes to the disclosure statement, including significant changes in valuation.

Mr. Hall asked what the purpose of the provision was and whether there was any enforcement. It was resolved to continue discussion on this issue. **Mr. Henderson** suggested adding a sentence specifying that the statement is accurate as of a certain date.

The joint subcommittee, by consensus, instructed staff to develop draft language clarifying that any stock over \$10,000 must be individually listed.

A.3. Expand the "Payments for Representation and Other Services" portion of the form to include payments made by a legislator to a lobbyist for representation or other services.

Delegate Griffith noted that the provision was added by House Bill 2515 passed during the 2003 session of the General Assembly. The current provision covers payments made to a legislator, but not those made by a legislator to a lobbyist for representation. **Delegate Griffith** requested staff to review that legislation and its background and report back to the joint subcommittee with possible options.

A.4. Require enhanced disclosure, i.e. frequency and/or detail, for legislators receiving payment over a certain threshold amount for representation or other services.

Delegate Griffith stated that he does not believe that the \$10,000 threshold provided adequate notice to citizens. He suggested perhaps a more heightened disclosure centering on particularly high payments. **Delegate McQuigg** suggested that the two additional categories be considered: i) \$50,001 to \$250,000 and ii) \$250,001 and over. **Senator Quayle**, citing the need to be more accurate in terms of valuation, stated that the gross value of an item was problematic. **Delegate Griffith** added that it appears that the objective of the provision was to get to the fair market value which was more accurately reflected in terms of the net value. **Senator Quayle** moved to have the term "gross" replaced with "net" where appropriate in both the General Assembly and the State and Local Government disclosure forms. The motion was carried unanimously.

A.5. Explore electronic filing as an option.

After brief discussion, it was the consensus of the joint subcommittee that no action be taken on this issue.

A.6. Examine whether legislators should be prohibited from having a personal interest in a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act.

The joint subcommittee decided it would await the final recommendation of the House Bill 2621 Work Group.

A.7. Consider adding a provision to resolve situations when filing deadlines fall on a holiday.

Staff presented language providing that when the filing deadline falls on a Saturday, Sunday or legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal holiday. The joint subcommittee unanimously agreed to the language and requested staff to include the language in a legislative draft.

B. State and Local Government Conflict of Interest Act.

B.1. Excuse or exempt from the filing requirement individuals who no longer occupy the positions for which they were required to file.

Mr. Henderson stated that this issue stems from the reality that individuals who are not re-appointed simply do not file the form. **Delegate Brink** noted that he thought the federal government had developed an "exit interview" procedure and that perhaps such a procedure could be used for exiting appointees. It was the consensus of the joint subcommittee to request staff to review the procedure and suggest a possible application for exiting state and local appointees.

B.2. Require the heads of independent, legislative and judicial agencies to disclose their interests.

Mr. Henderson noted that there are several agency heads outside of the executive branch that are not required to file the disclosure forms. **Mr. Jamerson** noted that there are several agency heads and employees in the legislative branch who are required by the Joint Rules Committee to file. The consensus of the joint subcommittee was that there was a need to determine which agency heads and employees outside of the executive branch currently filed financial disclosure forms. Staff was directed to develop a comprehensive list containing this information.

B.3. Add a definition for the term "represent."

According to representatives of the Secretary of the Commonwealth's Office, filers often confuse lobbying representation with legal representation. **Delegate Griffith** requested staff to develop a definition to alleviate the concern.

B.4. Revise the definition of "close financial association" to affirmatively state what would constitute such an association.

The current definition provides examples of what is not a close financial association. **Jonathan Young**, of the Secretary of the Commonwealth's Office, noted that an affirmative definition would be more helpful and instructive to filers. He explained that there is a 1988 opinion of the Attorney General that includes a good definition of close financial association that the joint subcommittee may wish to consider. That opinion states in part that a close financial association "refers only to those individuals with whom the declarant shares significant financial involvement in situations where the declarant would reasonably be expected to be aware of the individuals' business activities and the declarant would have access to the necessary records either directly or through the close financial associate." The joint subcommittee directed staff to develop language for a definition to be included in both the General Assembly and State and Local Government Conflict of Interest Acts.

B.5. Add a definition of "contingent liability."

Currently there is no definition for contingent liability and, according to the Secretary of the Commonwealth's office, the lack of a definition may cause some confusion and inconsistency in reporting. The joint subcommittee directed staff to develop language for a definition to be included in both the General Assembly and State and Local Government Conflict of Interest Acts.

B.6. Add a definition for "furnishing."

Mr. Wade explained that this suggestion was aimed at providing clarification to distinguish situations where an individual provides services directly as the result of an individual, arms-length agreement, and those where the services are provided as a condition of employment. According to information provided by the Secretary of the Commonwealth's Office, there is some confusion among filers as to how to accurately define and disclose such situations.

At this point, **Delegate Griffith** suggested that there was a need to ensure that any definitional changes in the State and Local Act have parallel changes made to the General Assembly Act, where appropriate. With the approval of the joint subcommittee, an ad hoc work group was established consisting of **Ms. Schaar**, **Mr. Jamerson** and **Mr. Wade** to review the definitions and recommend parallel changes where appropriate.

B.7. Explore electronic filing as an option.

There was consensus among the joint subcommittee that no action be taken on this issue.

B.8. Examine whether state and local government officials should be prohibited from having a personal interest in a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act.

The joint subcommittee decided it would await the final recommendation of the House Bill 2621 Work Group.

B.9. Revise Schedule C disclosure provisions.

a. Consider revising the schedule requesting the filer to disclose securities invested in one business with value over \$10,000.

The joint subcommittee determined that both schedules should be changed to clarify that any single security over \$10,000 should be specifically disclosed.

b. Provide examples for the filer to follow to alleviate confusion regarding information requested on the name of issuer, the type of entity, and the type of security.

Delegate Griffith explained that the examples could include the types of businesses that would be considered a "utility company" and possibly some examples. He noted that any changes would be included in both conflict of interest statutes.

d. Revise instructions to include information or examples based on Attorney General opinions.

These items were taken together by the joint subcommittee as they both related to providing the filer with assistance in complying with disclosure requirements. **Mr. Hall** indicated that it would be extremely helpful to filers to include in the lobbyist instructions situational examples to help explain the filing requirements. He noted that the vast majority of filers want to comply with the regulations but several areas exist where there is genuine confusion regarding how to comply. **Mr. Hall** further indicated that the Secretary of the Commonwealth's Office used to provide examples with the directions, but had stopped doing so. **Mr. Henderson** noted that since the form and defined terms were in the Code, the illustrative examples could have been deemed to be legal advice so the examples were discontinued. Without supporting statutory authority, the agency did not have the ability to provide such examples.

Ms. Hamlin indicated that a possible solution would be to add a reference to the Office of the Attorney General's conflict of interest website, which does contain examples and explanations. It was agreed that this would be part of the solution, but that the joint subcommittee should continue to look at the possibility of including examples and possibly general hypotheticals to assist filers in complying in some of the more problematic areas.

e. Add provision for disclosure of economic interest when the filer has begun to collect previously deferred compensation.

Currently the filer is not required to disclose deferred compensation. A previous opinion of the Attorney General issued in 1988 opined that participation in a deferred compensation plan was not a "security" as defined by the State and Local Government Conflict of Interest Act. In the opinion, the Attorney General noted that a deferred compensation plan does not generally give participants the power to direct the specific investments of the plan nor is ownership in such investments generally attributed to a plan's individual participants. Therefore, the opinion reasoned, participation in a deferred compensation plan does not in itself establish an ownership interest in a business that must be disclosed. **Mr. Young** indicated that the issue involved when the filer began to collect previously deferred compensation. It was resolved by the consensus of the joint subcommittee to instruct staff to develop a definition of deferred compensation and deferred compensation plan and to amend both disclosure forms to provide for reporting deferred compensation when it is being received.

B.10. Revise/clarify the disclosure provision for close financial associates.

Delegate Griffith noted that the language for resolving this item should be included in the staff work for item B.4.

B.11. Require enhanced disclosure, i.e. frequency and/or detail, for filers receiving payments over certain threshold amount for representation or other services.

Mr. Wade stated that suggestions for resolving this issue would parallel the changes that will be presented for item A.4. so that the two disclosure forms will remain in sync.

B.12. Consider adding a provision to resolve situations when filing deadlines fall on a holiday.

Mr. Wade again noted that suggestions for resolving this issue would parallel the changes that will be presented for item A.7.

Before moving to the items relating to the Lobbyist Disclosure Act, **Delegate Griffith** noted that it was a good breaking point to end the meeting and move discussion of the lobbying issues to the first item on the next meeting agenda. The joint subcommittee agreed. **Delegate Griffith** asked **Mr. Wade** to develop a legislative draft containing language and suggested actions on all of the items on which the joint subcommittee has reached some consensus. He also noted that resolution of the lobbyist disclosure issues would be given priority at the next meeting.

The meeting was adjourned at 12:05 p.m.

August 22, 2005

The meeting was called to order by **Delegate Griffith** at 1:05 p.m. **Mr. Wade** began the meeting with an item by item review of the lobbyist disclosure items of the joint subcommittee's "Issues for Consideration" document.

C. Lobbyist Disclosure and Regulation Act.

C.1 Raise the threshold for reporting any single entertainment event.

Mr. Wade pointed out that the current requirement is if the average amount spent on each individual at an event is more than \$50, then the legislators who are in attendance must be listed individually. Often to get to this amount, a lobbyist will take the cost of the event and divide it by the number of persons attending. **Mr. Hall** noted that the purpose for having the threshold was to prevent the filing of what are considered "de minimis" expenditures. **Delegate Cole** stated that there is an impact on General Assembly members and that more consideration should be given to making the conflict of interest disclosure filing read more clearly with the lobbyist disclosure filing. For example, he noted that if the lobbyist gave a member a \$50 can of cookies, then the lobbyist would have to report that the cookies were given, but would not have to provide the name of the legislator. **Delegate McQuigg** agreed that the forms should allow citizens to cross reference the filings. It was the consensus of the work group that the threshold be raised from \$50 to \$100.

C.2. Exempt lobbyist who are not compensated.

Mr. Wade stated that individuals conducting activities that are considered lobbying are still required to register with the Secretary of the Commonwealth's Office. **Mr. Bailey** stated that uncompensated lobbyists should still be required to register. **Senator Houck** added that the registration requirement helped to inform the public regarding who was lobbying their legislators. **Mr. Bailey** pointed out that there may be a problem associated with individuals who, while they are not compensated, still have their expenses covered. These expenses, he further stated may be covered by associations or entities that represent large constituencies. **Mr. Bailey** asserted that perhaps the statute should be clarified by including a definition of a living expense. **Mr. Hall** added that the original intent of the exemption was to cover individuals. **Delegate Griffith** stated that there should be a distinction between an individual who comes to the General Assembly during session as a member of a group that is registered as a lobbyist and an individual who represents the interest of a group.

C.3. Remove the requirement that the filer disclose why they received no compensation if they indicated on the disclosure form that they are not compensated.

The consensus of the joint subcommittee was that this question should be removed from the disclosure form.

C.4. Explore increased use of electronic filing as an option.

Mr. Wade indicated that one of the problems preventing increased use of electronic filing was that at the end of the day a signed hard copy document was needed. **Mr. Henderson** noted that in terms of electronic signature software, each filer who wants to use the electronic filing would have to use the same software used by the Secretary of the Commonwealth's Office. This software costs between \$140 to \$180 to purchase. It was the consensus of the joint subcommittee that no action be taken on this item.

C. 5. Explore methods for increased enforcement to enhance compliance and accuracy of filing.

Mr. Chris Frink of the Secretary of the Commonwealth's Office provided an overview of the enforcement provisions under current law. He stated that there is a funding issue associated with more enforcement as additional staff would be requested. **Mr. Hall** stated that part of the problem may be alleviated if there was someone available to respond to technical questions. More information or explanatory material should be forthcoming from the Secretary of the Commonwealth's Office. An example was noted that involved individuals lobbying on a contingency basis. **Mr. Henderson** pointed out that contingency fees are prohibited by laws.

Delegate Griffith expressed concern that there was apparent confusion regarding the prohibition on contingency fees. He suggested that the Secretary consider including in its annual letter to filers a reference to the Code provisions that prohibit contingency fees.

C.6. Explore whether the lobbyist disclosure form should be set out in the Code.

Mr. Hall stated that having the form in the Code may serve to make it more static and inflexible. **Mr. Wade** stated that available options would be to amend the code by removing the form from the statute and in its place providing the Secretary of the Commonwealth's Office with the statutory authority to promulgate regulations that would include a form. Currently the Secretary's Office does not have the authority to promulgate regulations. The joint subcommittee determined by consensus that it would not take any action on this item.

C.7. Clarify the use and meaning of the terms "value" and "expenditure."

Mr. Hall stated that the two terms were at odds and that perhaps the term "value" should be used with all the disclosure forms. He stated that value is what something is worth to you and it focuses on the receiver, while expenditure appears to focus on the giver and how much the item cost. The two concepts may be different and inadvertently lead to inaccurate filings. It was agreed among the joint subcommittee that an effort should be made to develop an adequate definition and concept of "value " to be used in both disclosure forms.

C.8. Review the requirement that legislators include a cumulative amount of their gifts.

Mr. Bailey stated that it is not clear whether a lobbyist is required to report cumulative gifts. The joint subcommittee determined through consensus that the forms should be clarified to include cumulative amounts on both forms.

C. 9. Review how to properly report events that do not consist of lobbying activity.

Mr. Hall stated that the current reporting scheme tended to overvalue the cost of the lobbying activity. As an example he stated if an organization sponsored a golf tournament or a national convention and legislators attended, the golf tournament and the convention would occur with or without the legislators being present and the entire activity does not consist exclusively of lobbying activity. He asserted that there should be an opportunity to prorate costs as they relate to legislators attending such events, which lobbyists were able to do up until July of 1997. In addition, it would also be helpful if the Secretary's Office was able to interpret the rules. **Mr. Henderson** stated that the Secretary's Office would have to be given rulemaking authority under the Administrative Process Act in order to lawfully interpret statutory provisions.

Mr. Wade stated that the options for alleviating the problem were to i) amend the Code to include instructions, ii) amend the Code to provide the Secretary' Office with the authority to issue interpretations and opinions on the requirements of the Act, or iii) amend the Code to provide the Secretary's Office with full rule making authority. **Mr. Henderson** noted that the legislative process often moves a great deal quicker than the regulation promulgation process which take an average of 18 months. **Senator Houck** stated that in his work with the Freedom of Information Council he had become aware of the value of having an entity available to provide answers to questions, whether those answers are informal or formal opinions. He asserted that perhaps the Secretary's Office should consider establishing something in-house to respond to individual filers with specific questions.

Delegate Griffith stated that he felt the best way to proceed would be to develop a set of instructions including examples and hypotheticals, which would then be sent to the Office of the Attorney General with a request to provide legal advice on whether the instructions were appropriate. **Ms. Hamlett** stated that if the instructions were provided, the Attorney General would provide a timely response. **Delegate Griffith**, with the consent of the joint subcommittee established an ad hoc work group consisting of himself and **Mr. Wade** to develop the instructions. He noted that assistance and suggestion will be received from all interested parties.

C.10. Clarify the different reporting dates for lobbyist and legislators.

As listed in the "Issues for Consideration" document, there was a belief that the different reporting deadlines created confusion and delay in the reporting of information. The joint subcommittee was asked to consider making the reporting dates line up more closely.

The consensus of the joint subcommittee was to take no action on this item.

C.11. Examine the issue of local government employees who are not required to register under the current definition of "lobbyist."

According to the Secretary of the Commonwealth's Office, over the 2005-2006 reporting period, 72 individuals from local government entities and 28 from school boards had registered as lobbyists.

After brief discussion, it was the consensus of the joint subcommittee that the current statute and its implementation were adequate and in line with the objective of the law.

C.12. Examine the necessity of having the lobbyist and the principal sign the disclosure form.

Mr. Hall stated that he had been told that the requirement for both to sign presented problems for large international companies. **Mr. Henderson** noted that currently the form includes language stating "...or authorized individual" which means that anyone can sign the form as long as they are authorized to do so. The joint subcommittee determined not to take any action on the issue.

Delegate Griffith then directed the joint subcommittee to the agenda and proceeded to the report of the House Bill 2621 Work Group.

Mr. Wade presented the report of the House Bill 2621 Work Group. Based on discussions and suggestions made at the previous meeting of the joint subcommittee, two separate drafts were developed. Both drafts attempt to address issues arising out of the concern over government officials and employees and appropriate involvement with public-private partnership projects. The first draft, LD 2798, would prohibit state and local officers and employees from having a personal interest in interim or comprehensive agreements entered into under the Public-Private Education Facilities and Infrastructure Act (PPEA) and the Public-Private Transportation Act (PPTA).(Appendix K) To allow for some flexibility for smaller jurisdictions, a personal interest would be allowed for certain local officials if the remaining members of the governing body, by written resolution, state that the agreement is in the public interest and there is only one source practicably available.

Regarding the second draft, LD 2799, **Mr. Wade** explained the work group felt that rather than having the legislator disclose, it would be more appropriate to require the private entity submitting a proposal under the PPEA or PPTA to provide the disclosure on a project by project basis.(Appendix L) The draft would require a private entity to include with its initial submittal the disclosure of (i) whether the private entity directly employs or intends to use the services of a legislator or a firm in which a legislator is a member and (ii) whether a legislator has a personal interest in the proposal or the private entity. In addition, the draft would provide that if, after the initial submittal of the proposal, the private entity subsequently employs or uses the services of a legislator or a firm in which a legislator is a member, that the private entity must provide written disclosure to the responsible public entity within 30 days.

By consensus the joint subcommittee agreed to accept both of the drafts. **Delegate Griffith** noted, with the consent of the joint subcommittee that he would instruct staff to refer the drafts to **Delegate Byron** to allow her to introduce the legislation.

Delegate Griffith then requested **Mr. Wade** to provide a brief overview of the draft that had been developed containing the action of the joint subcommittee at its last meeting. **Mr. Wade** noted that in addition to the draft, there were two additional documents that were developed relative to actions taken at the last meeting. The first document was a list of independent, legislative and judicial branch agency heads and employees who filed financial disclosure forms. **Mr. Jamerson** stated that his quick review of the list revealed that there were several agency heads that were not included. He noted that there were several individuals who were required by the Joint Rules Committee to file. Staff was directed to work with **Mr. Jamerson** and **Ms. Schaar** to develop a more accurate list.

The second document was developed in response to the issue surrounding whether more financial disclosure should be considered for citizen members who serve on government boards, commissions or councils. It consisted of a list of 263 state boards, commissions and councils, whose citizen members currently filed the short financial disclosure form. Pursuant to § 2.2-2100, these entities are classified into three categories according to their individual level of authority: advisory, policy, or supervisory. An advisory entity has as its purpose to (i) provide advice and comment to an executive branch entity or (ii) serve as a formal liaison between the entity and the public. While an advisory entity may not serve a regulatory or rulemaking purpose, it may participate in the development of public policy by providing comment and advice. A policy entity is specifically charged by statute to promulgate public policies or regulations. It may also be charged with adjudicating violations of those policies or regulations. While a policy entity is not responsible for supervising agencies or employing personnel, it may provide review and comment on agency budget requests. Other specific functions may include (i) rate setting, (ii) distributing federal funds, and (iii) adjudicating regulatory or statutory violations. The final classification is the supervisory entity. This type of entity is responsible for agency operations including approval of requests for appropriations. A supervisory board also appoints the agency director and ensures that the agency director complies with all board and statutory directives. There are 115 advisory entities, 79 policy entities, and 69 supervisory entities.

Some members of the joint subcommittee suggested that perhaps requiring supervisory or policy board members to file the long form should be considered. The joint subcommittee determined, however to continue deliberating the issue.

Mr. Wade then proceeded to provide the brief overview of the legislative draft.

A. General Assembly Conflict of Interest Act

Issue	Subcommittee Recommendation	Proposed Action
1. Change the affirmation to read more clearly.	No recommendation.	N/A
2. a. Clarify whether individual stocks and amounts should be listed separately on the form. (<i>Schedule C</i>) b. Increase the financial information disclosure regarding business interest. (<i>Schedule F-1</i>)	Add language to clarify that any individual stock over \$10,000 must be listed; add column for more specific disclosure of financial information. Strike "Gross" and insert "Net" at the top of existing columns; add column for more specific disclosure of financial information.	P. 22, line 1310. Clarifying language added P. 22, line 1324. Add "50,001-250,000" and "more than \$250,000" columns. P. 24, line 1413. "Gross" replaced with "Net" P. 24, line 1415. "50,001-250,000" and "more than \$250,000" columns added.
3. Expand the " <i>Payments for Representation and Other Services</i> " portion of the form to include payments made by a legislator to a lobbyist for representation or other services. (<i>Schedule F-2</i>)	Review amendments made by HB 2515 (2003); staff to develop language for further review.	P. 24, line 1140. "Payments to Lobbyist" heading with two columns added (up to \$10,000; more than \$10,001).
4. Require enhanced disclosure, i.e. frequency and/or detail, for legislators receiving payments over	Staff to prepare language for review to address enhanced disclosure over threshold amount for payments for	P. 25, line 1491. Provision added requiring filer receiving more than \$250,001 in a reporting period to

a certain threshold amount for representation or other services. (<i>Schedule G-1</i>)	representation of a regulated entity.	indicate the amount rounded to the nearest \$10,000.
5. Explore electronic filing as an option.	No Recommendation.	N/A
6. Examine whether legislators should be prohibited from having a personal interest in a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act (PPEA). (<i>HB 2621 Work Group</i>)	Amend PPEA and Public-Private Transportation Act (PPTA) to require disclosure of legislator involvement by the offering private entity.	LD 2799. Amends PPEA and PPTA to require private entities submitting proposals under the PPEA or PPTA to disclose (i) whether they employ or intend to employ a legislator or a legislator's firm, and (ii) whether a legislator has a personal interest in the private entity.
7. Consider adding a provision to resolve situations when filing deadlines fall on a holiday.	Amend appropriate statute to clarify status of filings.	P. 17, line 990. Amends § 30-110 to provide that when a filing deadline falls on a weekend or a legal holiday, the deadline is extended to the next day that is not a weekend or legal holiday.

B. State and Local Government Conflict of Interest Act.

Issue	Subcommittee Recommendation	Proposed Action
1. Excuse/ exempt from the filing requirement individuals who no longer occupy the positions for which they were required to file.	Staff to review federal "exit interview" process; report on findings.	Staff continuing to develop information.
2. Require the heads of independent, legislative and judicial agencies to disclose their interests.	Review list of independent, legislative and judicial branch agencies and the status of filing for their agency heads.	Staff developed an initial list of agency heads and employees who currently file financial disclosure forms.
3. Add a definition for the term "represent."	Staff to develop language clarifying the type of legislation for which disclosure is requested.	P. 5, lines 209, 223; P. 9, line 526; P. 10, line 565; P. 15, lines 885, 906. Language added clarifying the type of representation provided.
4. Revise the definition of "close financial association" to affirmatively state what would constitute such an association.	Staff to develop language for revision.	P. 4, line 98; P. 13, line 793; P. 17, line 1030. Adds language providing an affirmative definition derived from 1988 Attorney General Opinion. (<i>1987-1988 Op. Atty. Gen. 23</i>)
5. Add a definition for "contingent liability."	Staff to develop language for definition.	P. 4, line 113; P. 13, line 801; P. 18, line 1043. Basic definition added.
6. Add a definition for "furnishing."	Staff to develop language for definition.	P. 5, line 233; P. 10, line 599; P. 15, line 928; P. 26, line 1523; P. 20, line 1167. Excluding situations where the filer is an employee of the company furnishing the services.
7. Explore electronic filing as an option.	No recommendation.	N/A
8. Examine whether state and local government officials should	Amend relevant conflict of interest provisions to prohibit state and local	LD 2798. Add language prohibiting certain state and local officials from

be prohibited from having a personal interest in a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act. (HB 2621 Work Group)	government officials from having a personal interest in interim or comprehensive agreements under the PPEA and PPTA.	having an interest in interim or comprehensive agreements under the Acts; allow local officers to have such an interest when there is a written finding that it is in the public interest and there is only one practical source.
9. a) Consider revisions to Schedule C disclosure provisions for securities. b) Revise the schedule requesting the filer to disclose securities with value over \$10,000 invested in one business. c) Provide examples for the filer to follow to alleviate confusion regarding information requested on the name of issuer, the type of entity, and the type of security. d) Add provision for disclosure of economic interest when the filer has begun to collect previously deferred compensation. e) Revise instructions to include information or examples based on Attorney General Opinions.	Add language to clarify that any individual stock over \$10,000 must be listed; add column for more specific disclosure of financial information; Change "Gross to "Net". (Same as A.2.b. Add examples of the types of entities to be included. Develop definition for "deferred compensation" and add the term to the "Salary and Wages" question. Include on the Secretary of the Commonwealth's COIA website a reference to the Attorney General's web tutorial.	P. 8, lines 395, 407; P. 9, lines 506, 510. Recommend examples be included in explanatory materials provided to filers. P. 3, line 85; P. 13, line 803; P. 17, line 1018. Basic definition added. Reference to be provided.
10. Revise/clarify the disclosure provision for close financial associates.	Staff to develop language for revision.	Definition (P. 4, line 98; P. 13, line 793; P. 17, line 1030).
11. Require enhanced disclosure, i.e. frequency and/or detail, for filers receiving payments over a certain threshold amount for representation or other services.	Add same language as Item A.4.	P. 10, line 559. Provision added requiring filer receiving more than \$250,001 in a reporting period to indicate the amount rounded to the nearest \$10,000.
12. Consider adding a provision to resolve situations when filing deadlines fall on a holiday.	Amend relevant statute to clarify status of filings.	P. 1, line 17; P. 2, line 25. Amends § 2.2-3114 to add same language as Item A.7.
13. Examine the adequacy of information provided by citizen members of boards on the Financial Disclosure Statement.	Review list of entities currently using the short form; consider expanded use of long form for all but advisory entities.	List of state boards, commissions and councils who currently file the short form developed.

After completion of the overview, **Delegate Griffith** indicated that based on the many changes and revisions that were being suggested, it would be appropriate to delay official action on the drafts until the final meeting of the joint subcommittee. In the meantime, members were

urged to review the drafts and provide comments or additional suggestions to staff for inclusion in a revised draft for final review at the next meeting.

Delegate Griffith then appointed an ad hoc work group consisting of Mr. Hall and Mr. Bailey and any other interested parties to work through the issues related to the lobbyist disclosure and report back to the joint subcommittee with suggestions and draft legislation. The issues assigned to the work group included:

1. Develop draft language to provided consistency between the General Assembly Conflict of Interest Statute and Lobbyist Disclosure Statute on the definition of "value" and how to adequately report it;
2. Develop clarifying language regarding exemption as it relates to living and travel expenses; and
3. Develop draft language to clarify issues related to the reporting of cumulative gifts so that the General Assembly Conflict of Interest Statute and Lobbyist Disclosure Statute are consistent.

The meeting adjourned at 3:45 p.m.

December 28, 2005

Delegate McQuigg called the meeting to order at 1:00 p.m. **Mr. Wade** provided a review of the activities of the joint subcommittee up to the current meeting. The joint subcommittee then proceeded to work through a final worksheet (Appendix M) containing all of the actions of the joint subcommittee, which also tracked two legislative drafts.

Review of legislative proposals related to the conflict of interests acts.

Mr. Wade stated that no additional comments on the previous draft had been received from joint subcommittee members and offered the same draft for review.(Appendix N) The joint subcommittee then followed the items listed on the worksheet as they tracked the amendments found in the legislative draft.

For item B.2., **Mr. Wade** indicated that a revised breakdown of agency heads and employees of independent agencies and agencies in the judicial and legislative branch had been developed. He stated that the revised breakdown was based on an email survey and the information provided by the Secretary of the Commonwealth's Office. The breakdown of filers was as follows:

Judicial Branch:	Filers
Virginia State Bar	1

Legislative Branch	Filers
Division of Capitol Police	1
Joint Legislative Audit and Review Commission	5

Division of Legislative Automated Systems	4
Division of Legislative Services	3

Independent Agencies:

Filers

Virginia College Savings Plan	5
State Lottery Department	14
Virginia Retirement System	50
State Corporation Commission	45
Virginia Commonwealth University Health Systems Authority	59
Office for Protection and Advocacy	1
Workers Compensation Commission	27

Regarding Item B.13., **Mr. Wade** referred the joint subcommittee to a listing of 263 boards, commissions, and councils whose members currently file the § 2.2-3118 short form. (Appendix O) **Mr. Bailey** stated that his concern was that some of the boards, in particular the Boards of Visitors for public institutions of higher education, were responsible for making important policy and monetary decisions and that the abbreviated information requested by the short form did not provide adequate notice and information to the public. He suggested that perhaps considering threshold amounts would be appropriate for having the longer disclosure form required. **Mr. Henderson** noted that the State and Local Government Conflict of Interest Act already required individual members to disclose personal interests, in particular transactions or contracts up front, and in some instances prohibited involvement on the part of the individual. **Delegate McQuigg** asserted that it would seem a bit onerous to have the long form required when anecdotal information had been presented to indicate that there was already great difficulty in getting qualified individuals to serve. It was resolved by consensus that no further be action be taken on this item.

At this point the joint subcommittee unanimously approved LD 2800, the draft containing the conflict of interest provisions.

Review of legislative proposals related to the lobbyist disclosure.

The joint subcommittee then reviewed the worksheet items pertaining to the second draft, which dealt with lobbyist disclosure issues. (Appendix P) **Mr. Wade** explained that the draft was the recommendation of the ad hoc work group.

The work group suggested several amendments intended to provide more consistency between the General Assembly Conflict of Interest Statute and Lobbyist Disclosure Statute on the definition of "value" and how to adequately report by i) adding a definition of "fair market value," ii) including persons employed by the General Assembly under the definition of legislator, iii) replacing the term "fair market worth" with "fair market value," iv) proving for the actual cost of an item to be considered in determining value, and changing the reporting requirement from requesting the total number of legislative and executive officials attending to the total number of persons attending.

In addition, the work group recommended that a \$500 threshold for the exemptions from the registration and reporting requirement found at subdivisions 7 and 8 of § 2.2-420 include language clarifying that the personal and living expenses must not be reimbursed from any other source.

Upon review of the work sheet, the joint subcommittee unanimously approved LD 5269, the draft containing the amendments to the Lobbyist Disclosure Act.

The meeting was adjourned at 2:30 p.m.

VIII. Final Recommendations of the Joint Subcommittee.

The joint subcommittee recommended four legislative drafts during the 2006 Session of the General Assembly: House Bill 542, House Bill 543, House Bill 1305, and House Bill 1306.

A. House Bill 542

This bill included several amendments to the General Assembly Conflict of Interest Act and the State and Local Government Conflict of Interest Act. (Appendix Q-1) The proposed legislation:

- Amends definition of "close financial association" to include an affirmative definition.
- Adds definition of "deferred compensation" and "deferred compensation plan."
- Adds definition of "contingent liability."
- Clarifies that each entity and security that the filer owns over \$10,000 must be listed individually.
- Adds two additional columns for more enhanced disclosure: "\$50,001- \$250,000" and "more than \$250,000."
- Changes business interests listed from "Gross" to "Net."
- Adds disclosure of deferred compensation payments that are received.
- Clarifies that lobbying activity is excluded.
- Adds enhanced disclosure for payment received over \$250,000.
- Adds disclosure of payments to lobbyists to be provided in two categories: less than \$10,000 and more than \$10,001.
- Provides that when a filing deadline falls on a weekend or legal holiday that the deadline will move to the next day that is not a weekend or holiday.

B. House Bill 543

This bill included amendments to the Lobbyist Disclosure Act.(Appendix Q-2) The proposed legislation:

- Adds definition of "fair market value."
- Amends the definition of "legislative official" to include persons employed by a member or member-elect of the General Assembly.
- Amends definition of "value" by (i) specifying actual cost rather than retail cost, (ii) including reference to fair market value rather than fair market worth, and (iii) providing that if the fair market value cannot be determined, the actual amount paid for the item must be given consideration.
- Clarifies that the personal living and travel expenses must not be compensated from any other source.
- Removes the requirement that a filer who has indicated that he has not received any compensation further disclose why no compensation was received.
- Removes the requirement that (i) the number of legislative and executive officials invited and (ii) the number of legislative and executive officials attending be reported and requires instead that the total number of persons attending be disclosed.
- Raises the threshold for reporting any single event from \$50 to \$100.

C. House Bill 1305

This proposed legislation prohibits state and local officers and employees from having a personal interest in interim or comprehensive agreements entered into under the Public-Private Education Facilities and Infrastructure Act and Public-Private Transportation Act. Under the bill, a personal interest would be allowed for certain local officials if the remaining members of the governing body, by written resolution, state that the agreement is in the public interest and there is only one source practicably available. (Appendix Q-3)

D. House Bill 1306

This proposed legislation requires a private entity to include with its initial submittal the disclosure of (i) whether the private entity directly employs or intends to use the services of a legislator or a firm in which a legislator is a member and (ii) whether a legislator has a personal interest in the proposal or the private entity as defined in § 30-101.(Appendix Q-4) In addition, the legislation provides that if, after the initial submittal of the proposal, the private entity subsequently employs or uses the services of a legislator or a firm in which a legislator is a member, that the private entity must provide written disclosure to the responsible public entity within 30 days.

Respectfully submitted,

The Honorable H. Morgan Griffith, *Chairman*
The Honorable Frederick M. Quayle, *Vice Chairman*
The Honorable Robert H. Brink
The Honorable Michèle B. McQuigg
The Honorable Mark L. Cole
The Honorable R. Edward Houck
The Honorable Anita A. Rimler
The Honorable Bruce F. Jamerson
The Honorable Susan Clarke Schaar
Stephanie L. Hamlett, Esq.
David L. Bailey
Donald L. Hall

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APPENDICES

IX.	APPENDICES.....
A.	HOUSE JOINT RESOLUTION 186 (2004).....
B.	STATE AND LOCAL GOVERNMENT STATEMENT OF ECONOMIC INTEREST FORM.....
C.	FINANCIAL DISCLOSURE STATEMENT
D.	DISCLOSURE OF REAL ESTATE HOLDINGS
E.	GENERAL ASSEMBLY STATEMENT OF ECONOMIC INTEREST FORM.....
F.	LOBBYIST DISCLOSURE STATEMENT.....
G.	ISSUES FOR CONSIDERATION (2004).....
H.	HOUSE BILL 2111 (2005).....
I.	HOUSE BILL 2112 (2005)
J.	ISSUES FOR CONSIDERATION (REVISED 2005)
K.	PROHIBITED CONTRACTS INVOLVING PUBLIC-PRIVATE PARTNERSHIPS (LD 2798).....
L.	DISCLOSURE OF LEGISLATOR INVOLVEMENT (LD 2799).....
M.	FINAL LEGISLATIVE DRAFT WORKSHEET
N.	CONFLICT OF INTEREST LEGISLATIVE DRAFT (LD 2800).....
O.	ENTITIES FILING SHORT FINANCIAL DISCLOSURE FORM.....
P.	LOBBYIST DISCLOSURE LEGISLATIVE DRAFT (LD 5269).....
Q.	RECOMMENDED LEGISLATION FOR 2006 SESSION
Q-1	HOUSE BILL 542
Q-2	HOUSE BILL 543
Q-3	HOUSE BILL 1305
Q-4	HOUSE BILL 1306

2004 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 186

Establishing a joint subcommittee to study conflicts of interests and lobbyist disclosure filings. Report.

Agreed to by the House of Delegates, February 17, 2004
 Agreed to by the Senate, March 9, 2004

WHEREAS, the State and Local Government and the General Assembly Conflicts of Interests Acts disclosure forms have not been thoroughly evaluated in many years and have evolved with a number of differences; and

WHEREAS, the conflicts disclosure forms and the lobbyist disclosure forms should be evaluated to determine whether they provide appropriate and adequate information to the public; and

WHEREAS, the dissemination of information from the forms on the Internet may offer cost-effective and accessible information to the public; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study conflicts of interests and lobbyist disclosure filings. The joint subcommittee shall consist of 12 members that include six legislative members and two nonlegislative citizen members, and four ex officio members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; one citizen member with lobbying experience to be appointed by the Speaker of the House of Delegates; one citizen member representing the public at large to be appointed by the Senate Committee on Rules; and the Attorney General, Secretary of the Commonwealth, Clerk of the House of Delegates, and Clerk of the Senate, or his designee to serve ex officio with nonvoting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall (i) examine the feasibility and associated costs of requiring the Secretary of the Commonwealth, the Clerk of the House of Delegates, and the Clerk of the Senate of Virginia jointly to develop a uniform conflicts of interests form for filings required by Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 and Chapter 13 (§ 30-100 et seq.) of Title 30; (ii) examine the lobbyist disclosure reports required by § 2.2-426 and the relationship between lobbyist and conflicts of interests disclosure forms; (iii) evaluate the costs and desirability of having the Secretary of the Commonwealth and Clerks of the House of Delegates and Senate jointly make certain information from the forms available on the Internet; and (iv) analyze the current forms to determine if the level of detail is appropriate and adequately informs the public of potential conflicts of interests.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2004 interim and four meetings for the 2005 interim, and the direct costs of this study shall not exceed \$6,800 per interim without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings for the first year by November 30, 2004, and for the second year by November 30, 2005, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated

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Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2004 and 2005 interims.

Commonwealth of Virginia/Secretary of the Commonwealth

STATEMENT OF ECONOMIC INTERESTS

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Instructions

Pursuant to Sections 2.2-3114 and 2.2-3115 of the *Code of Virginia*, employees of state agencies who have been designated by the Governor or the General Assembly, and employees of local governments designated to file by the *Code of Virginia* or by their governing ordinance, are required to file this "Statement of Economic Interests" form.

Members of certain boards of state and local government are also required to file this form. Please note that within this form, the use of the words "office" and "officer" also apply to appointed board members.

In addition, candidates for state and local offices are required to file this form pursuant to Section 24.1-167 of the *Code of Virginia*.

This filing is a condition of assuming office or employment and thereafter on or before January 15th of each year.

The pages in this book are removable. Complete and return only those pages which are applicable to you.

You **MUST** complete the STATEMENT OF ECONOMIC INTERESTS.

Schedules A through I are to be completed **ONLY** if you answer "Yes" to any of items 1 through 10 on the Statement of Economic Interests.

NOTE: The "Affirmation by all Filers" on the Statement of Economic Interests **MUST** be completed by a Notary Public.

REMEMBER: The **ANNUAL** filing deadline is January 15th of each year.

For the annual filing:

State employees and board members should return completed forms to the agency's COI liaison officer.

Local employees and board members should return the completed forms to the Clerk of the appropriate governing body.

DEFINITIONS AND EXPLANATORY MATERIAL

This statement constitutes a report of economic interests and activities for the calendar year beginning January 1 and ending December 31. The information required on this statement must be provided on the basis of the best knowledge, information and belief of the individual filing the statement as of the date of this report unless otherwise stated. This statement of Economic Interests is open for public inspection.

“Advisory agency” means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

“Business” means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

“Close financial association” does not mean an association based on the receipt of retirement benefits or deferred compensation from a business by which the person filing this statement is no longer employed. “Close financial association” does not include an association based on the receipt of compensation for work performed by the person filing as an independent contractor of a business that represents an entity before any state governmental agency when the person filing has had no communications with the state governmental agency.

“Contract” means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision thereof. “Contract” includes a subcontract only when the contract of which it is a part is with the officer’s or employee’s own governmental agency.

“Dependent” means a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if such person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

“Employee” means all persons employed by a governmental or advisory agency, unless otherwise limited by the context of its use.

“Financial institution” means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in §13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

“Gift,” means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. “Gift” shall not include any offer of a ticket or other admission or pass unless the ticket, admission, or pass is used. “Gift” shall not include honorary degrees and presents from relatives. For the purpose of this definition, “relative” means the donee’s spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee’s or his spouse’s parent, grandparent, grandchild, brother, or sister; or the donee’s brother’s or sister’s spouse.

“Governmental agency” means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law

to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are “governmental agencies” for purposes of this chapter.

“Immediate family” means (i) a spouse and (ii) any other person residing in the same household as the officer or employee, who is a dependent of the officer or employee or of whom the officer or employee is a dependent.

“Officer” means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office. Unless the context requires otherwise, “officer” includes members of the judiciary.

“Personal interest” means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business that exceeds, or may reasonably be anticipated to exceed, \$10,000 annually; (iv) ownership of real or personal property if the interest exceeds \$10,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; or (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business.

“Personal interest in a contract” means a personal interest which an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business which is a party to the contract.

“Personal interest in a transaction” means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or represents any individual or business and such property, business or represented individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction. Notwithstanding the above, such personal interest in a transaction shall not be deemed to exist where an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity.

“State and local government officers and employees” shall not include members of the General Assembly.

“Transaction” means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust, treat the trust’s assets as if you own them directly. If you or your immediate family has a proportional interest in a trust, treat that proportion of the trust’s assets as if you own them directly. For example, if you and your immediate family have a one-third interest in a trust, complete your Statement as if you own one-third of each of the trust’s assets. If you or a member of your immediate family created a trust and can revoke it without the beneficiaries’ consent, treat its assets as if you own them directly.

STATEMENT OF ECONOMIC INTERESTS

Revised Form as of 10/01/01

NAME		Candidate for Election to this office? ____ YES ____ NO	
OFFICE OR POSITION HELD OR SOUGHT			
AGENCY/BUSINESS NAME		PHONE	
AGENCY/BUSINESS ADDRESS			
HOME ADDRESS <i>(Street or P.O. Box)</i>		PHONE	
CITY		STATE	ZIP
NAMES OF MEMBERS OF IMMEDIATE FAMILY			

1. **Offices and Directorships.**
Are you or a member of your immediate family a paid officer or paid director of a business? YES NO
If yes, complete Schedule A
2. **Personal Liabilities.**
Do you or a member of your immediate family owe more than \$10,000 to any one creditor including contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property at least equal in value to the loan.) YES NO
If yes, complete Schedule B
3. **Securities.**
Do you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$10,000 invested in one business? Account for mutual funds, limited partnerships and trusts. YES NO
If yes, complete Schedule C
4. **Payment for Talks, Meetings, and Publications.**
During the past 12 months did you receive lodging, transportation, money, or anything else of value with a combined value exceeding \$200 for a single talk, meeting, or published work in your capacity as an officer or employee of your agency? YES NO
If yes, complete Schedule D
5. **Gifts.**
During the past 12 months did a business, government, or individual other than a relative or personal friend (i) furnish you with any gift or entertainment at a single event, and the value received by you exceeded \$50 in value or (ii) furnish you with gifts or entertainment in any combination and the value received by you exceeded \$100 in total value; and for which you neither paid nor rendered services in exchange? Account for entertainment events only if the average value per person attending the event exceeded \$50 in value. Account for all business entertainment (except if related to your private profession or occupation) even if unrelated to your official duties. YES NO
If yes, complete Schedule E
6. **Salary and Wages.**
List each employer that pays you or a member of your immediate family salary or wages in excess of \$10,000 annually. (Exclude state or local government or advisory agencies.) If no reportable salary or wages, check here

7. Business Interests.
Do you or a member of your immediate family, separately or together, operate your own business, or own or control an interest in excess of \$10,000 in a business? YES NO
If yes, complete Schedule F
8. Payments for Representation and Other Services.
- 8A. Did you represent any businesses before any state governmental agencies, excluding courts or judges, for which you received total compensation during the past 12 months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers? (Officers and employees of local governmental and advisory agencies do NOT need to answer this question or complete Schedule G-1.) YES NO
If yes, complete Schedule G-1
- 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial association (partners, associates or others) represent any businesses before any state governmental agency for which total compensation was received during the past 12 months in excess of \$1,000? (Officers and employees of local governmental and advisory agencies do NOT need to answer this question or complete Schedule G-2.) YES NO
If yes, complete Schedule G-2
- 8C. Did you or persons with whom you have a close financial association furnish services to businesses operating in Virginia for which total compensation in excess of \$1,000 was received during the past 12 months? YES NO
If yes, complete Schedule G-3
9. Real Estate.
- 9A. State Officers and Employees.
Do you or a member of your immediate family hold an interest, including a partnership interest, valued at \$10,000 or more in real property (other than your principal residence) for which you have not already listed the full address on Schedule F? Account for real estate held in trust. YES NO
If yes, complete Schedule H-1
- 9B. Local Officers and Employees.
Do you or a member of your immediately family hold an interest, including a partnership interest, valued at \$10,000 or more in real property located in the county, city or town in which you serve or in a county, city or town contiguous to the county, city or town in which you serve (other than your principal residence) for which you have not already listed the full address on Schedule F? Account for real estate held in trust. YES NO
If yes, complete Schedule H-2
10. Real Estate Contracts with Governmental Agencies
Do you or a member of your immediate family hold an interest valued at more than \$10,000 in real estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real estate is the subject of a contract, whether pending or completed within the past 12 months, with a governmental agency? If the real estate contract provides for the leasing of the property to a governmental agency, do you or a member of your immediate family hold an interest in the real estate valued at more than \$1,000? Account for all such contracts whether or not your interest is reported in Schedule F, H-1, or H-2. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership exceeds three percent of the total equity of the business. YES NO
If yes, complete Schedule I

Statements of Economic Interests are open for public inspection.

NOTE: You MUST acknowledge your signature below before a Notary Public and the Notary Public must administer an oath and complete the acknowledgment portion of the "Affirmation By All Filers."

AFFIRMATION BY ALL FILERS.

I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

_____ SIGNATURE OF FILER _____ DATE _____

COMMONWEALTH OF VIRGINIA

city/county of _____ to wit:

The foregoing disclosure form was acknowledged before me this _____ day _____, 20 _____

by _____ NAME OF FILER _____

My commission expires _____ NOTARY PUBLIC _____

SCHEDULE B

PERSONAL LIABILITIES

NAME: _____

OFFICE OR POSITION HELD OR SOUGHT: _____

Report personal liability by checking each category. Report only debts in excess of \$10,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least equal in value to the loan. Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

CHECK APPROPRIATE CATEGORIES:	CHECK ONE	
	\$10,001 TO \$50,000	MORE THAN \$50,000
Banks	<input type="checkbox"/>	<input type="checkbox"/>
Savings institutions	<input type="checkbox"/>	<input type="checkbox"/>
Other loan or finance companies	<input type="checkbox"/>	<input type="checkbox"/>
Insurance companies	<input type="checkbox"/>	<input type="checkbox"/>
Stock, commodity or other brokerage companies	<input type="checkbox"/>	<input type="checkbox"/>
Other businesses: (State principal business activity for each creditor.)	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
Individual creditors: (State principal business or occupation for each creditor.)	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

2. The personal debts of the members of my immediate family are as follows:

CHECK APPROPRIATE CATEGORIES:	CHECK ONE	
	\$10,001 TO \$50,000	MORE THAN \$50,000
Banks	<input type="checkbox"/>	<input type="checkbox"/>
Savings institutions	<input type="checkbox"/>	<input type="checkbox"/>
Other loan or finance companies	<input type="checkbox"/>	<input type="checkbox"/>
Insurance companies	<input type="checkbox"/>	<input type="checkbox"/>
Stock, commodity or other brokerage companies	<input type="checkbox"/>	<input type="checkbox"/>
Other businesses: (State principal business activity for each creditor.)	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
Individual creditors: (State principal business or occupation for each creditor.)	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

SCHEDULE G-3

PAYMENTS FOR REPRESENTATION GENERALLY

NAME: _____

OFFICE OR POSITION HELD OR SOUGHT: _____

Indicate below types of businesses that operate in Virginia to which services were furnished by you or persons with whom you have a close financial association and for which total compensation in excess of \$1,000 was received during the past 12 months.

Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of service rendered and (iii) the value by dollar category of the compensation received for all businesses falling within each category.

BUSINESS CATEGORY	CHECK IF SERVICES WERE RENDERED	TYPE OF SERVICE RENDERED	VALUE OF COMPENSATION				
			\$1,001 TO \$10,000	\$10,001 TO \$50,000	\$50,001 TO \$100,000	\$100,001 TO \$250,000	\$250,001 AND OVER
Electric Utilities	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gas Utilities	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telephone Utilities	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Utilities	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cable Television Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interstate Transportation Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Intrastate Transportation Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oil or Gas Retail Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Banks	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Savings Institutions	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Loan or Finance Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Manufacturing Companies (state type of product, e.g., textile, furniture, etc.)	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mining Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Life Insurance Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Casualty Insurance Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Insurance Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retail Companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Beer, Wine or Liquor Companies or Distributors	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trade Associations	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Professional Associations	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Associations of Public Employees or Officials	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Counties, Cities or Towns	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labor Organizations	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SCHEDULE I

REAL ESTATE CONTRACTS WITH GOVERNMENT AGENCIES

NAME: _____

OFFICE OR POSITION HELD OR SOUGHT: _____

List all contracts, whether pending or completed within the past 12 months, with a governmental agency for the sale or exchange of real estate in which you or a member of your immediate family holds an interest, including a corporate, partnership or trust interest, option, easement, or land contract, valued at \$10,000 or more. List all contracts with a governmental agency for the lease of real estate in which you or a member of your immediate family holds such an interest valued at \$1,000 or more. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership interest exceeds three percent of the total equity of the business.

State officers and employees report contracts with state agencies.

Local officers and employees report contracts with local agencies.

List your real estate interest and the person or entity including the type of entity, which is party to the contract. Describe any management role and the percentage ownership interest you or your immediate family member has in the real estate or entity.

List each state and the governmental agency which is party to the contract and indicate the county or city where the real estate is located.

State the annual income from the contract, and the amount, if any, of income you or any immediate family member derives annually from the ownership interest you contact.



SECRETARY OF THE COMMONWEALTH

FINANCIAL DISCLOSURE STATEMENT

Members of certain boards of state and local government are required to file this Financial Disclosure Statement as a condition of assuming office and, then, annually while serving as an officeholder.

You must complete this form. Attached additional pages when necessary. **You must sign and date this form upon completion.**

The annual filing deadline is January 15th.

For State Board Members: If you have recently been appointed or reappointed, you must file this form with the Secretary of the Commonwealth prior to attending your first meeting.

For Local Board Members: If you have recently been appointed or reappointed, you must file this form with the Clerk of the appropriate governing body prior to attending your first meeting.

As an annual filing, this form constitutes a report of financial interests for the calendar year beginning January 1 and ending December 31. As a condition for assuming an office, this form constitutes a report of financial interests at the time of filing.

The information required on this form must be provided on the basis of the best knowledge, information and belief of the individual filing the form as of the date of this report unless otherwise stated.

This Financial Disclosure Statement is open for public inspection.

DEFINITIONS AND EXPLANATORY MATERIAL.

“**Business**” means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

“**Immediate family**” means (ζ) a spouse and (ζζ) any other person residing in the same household as the filer, who is a dependent of the filer or of whom the filer is a dependent.

“**Dependent**” means any person, whether or not related by blood or marriage, who receives from the filer, or provides to the filer, more than one-half of his financial support.

“**Personal interest**” means, for the purposes of this form only, a personal and financial benefit or liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of (ζ) ownership in real or personal property, tangible or intangible; (ζζ) ownership in a business; (ζζζ) income from a business; or (ζν) personal liability on behalf of a business; however, unless the ownership interest in a business exceeds three percent of the total equity of the business, or the liability on behalf of a business exceeds three percent of the total assets of the business, or the annual income, and/or property or use of such property, from the business exceeds \$10,000 or may reasonably be anticipated to exceed \$10,000, such interest shall not constitute a “personal interest.”

INSTRUCTIONS FOR COMPLETING THIS FORM

Except for real estate located within the county, city or town in which the officer or employee serves or a county, city or town contiguous to the county, city or town in which the officer or employee serves, officers and employees of local governmental or advisory agencies shall not be required to disclose under Part I of the form any other interest in real estate.

Include all forms of personal interests held by you or members of your immediate family at the time of filing; real estate, stocks, bonds, equity interests in proprietorships and partnerships. You may exclude:

1. Deposits and interest bearing accounts in banks, savings institutions and other institutions accepting such deposits or accounts;
2. Interests in any business, other than a news medium, representing less than three percent of the total equity value of the business;
3. Liability on behalf of any business representing less than three percent of the total assets of such business; and

4. Income (other than from salary) less than \$10,000 annually from any business. You need not state the value of any interest. You must state the name or principal business activity of each business in which you have a personal interest.

Section II, Offices, Directorships and Salaried Employments. The paid offices, paid directorships and salaried employments which I hold or which members of my immediate family hold, and the businesses from which I, or members of my immediate family receive retirement benefits are as follows:

(You need not state any dollar amounts.)

Section III, Businesses To Which Services Were Furnished.

The provisions of Part III A and B of the disclosure form prescribed by this section shall not be applicable to officers and employees of local governmental and local advisory agencies.

Part A: List those businesses that you represented before any state government agency, during the preceding year, for which total compensation received was in excess of \$1,000. Identify the business and state governmental agencies by name. Note: You may exclude representation before any court or judge, compensation for other services to such businesses, and representation consisting solely of the filing of mandatory papers.

Part B: List those businesses which, to your knowledge, have been represented during the preceding year before any state governmental agency, by persons with whom you have a close financial association, or which total compensation received was in excess of \$1,000. Identify the businesses and state governmental agencies by name. Note: You may exclude representation before any court or judge, compensation for other services to such business, and representation consisting solely of the filing of mandatory papers.

Part C: Check each category of business to which services were furnished during the preceding year for which total compensation received was in excess of \$1,000.

Section IV, Compensation for Expenses. List persons, associations or other sources (other than your governmental agency) for which you or a member of your immediate family received remuneration in excess of \$200 during the preceding year. Remuneration may have been in cash or otherwise, as honorariums, or payments of expenses in connection with your attendance of any meeting, conference, seminar or other function to which you were invited in your official capacity. Name the source, described the occasion, and state the amount of remuneration for each occasion.

Name
Name of Board, Commission, or Office Held
Contact Address

I. FINANCIAL INTERESTS

A. My personal interests are:

Residence Address
Other real estate address, or if no address, location
Name or principal business activity of each business in which stock, bond or equity interest is held

B. The personal interests of my immediate family are:

Real estate, address, or if no address, location
Name or principal business activity of each business in which stock, bond or equity interest is held

II. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

A. My paid offices paid directorships and salaried employments are:

Position Held	Name of Business

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

Position Held	Name of Business

III. BUSINESS TO WHICH SERVICES WERE FURNISHED

A. The businesses I have represented before any state governmental agency, excluding any court or judge, for which I have received total compensation in excess of \$1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:

Identify businesses by name and name the state governmental agencies before which you appeared on behalf of such business

NAME OF BUSINESS	NAME OF GOVERNMENTAL AGENCY

B. The businesses that, to my knowledge, have been represented before any state governmental agency, excluding any court or judge, by persons with whom I have a close financial association and who received total compensation in excess of \$1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:



**SECRETARY OF THE COMMONWEALTH
DISCLOSURE OF REAL ESTATE HOLDINGS**

Name _____

Address _____ Street _____

_____ City _____ State _____ Zip _____

Officeholder

Title of Office or Position Held _____

Employee

Real Estate Holdings

Location or Address	Description

Dealings in Real Estate

Name of Corporation/Partnership Business Association	Address

I do solemnly swear that the foregoing statement(s) and attachment(s), if any, are complete, correct and true.

Date _____ Signed _____

§2.2-3101. Definitions. – As used in this chapter:

“Advisory agency” means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

“Business” means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

“Contract” means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision thereof. “Contract” includes a subcontract only when the contract of which it is a part is with the officer’s or employee’s own governmental agency.

“Dependent” means a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if such person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

“Employee” means all persons employed by a governmental or advisory agency, unless otherwise limited by the context of its use.

“Financial institution” means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in §13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

“Gift,” means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. “Gift” shall not include any offer of a ticket or other admission or pass unless the ticket, admission, or pass is used. “Gift” shall not include honorary degrees and presents from relatives. For the purpose of this definition, “relative” means the donee’s spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee’s or his spouse’s parent, grandparent, grandchild, brother, or sister; or the donee’s brother’s or sister’s spouse.

“Governmental agency” means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are “governmental agencies” for purposes of this chapter.

“Immediate family” means (i) a spouse and (ii) any other person residing in the same household as the officer or employee, who is a dependent of the officer or employee or of whom the officer or employee is a dependent.

“Officer” means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office. Unless the context requires otherwise, “officer” includes members of the judiciary.

“Personal interest” means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business that exceeds, or may reasonably be anticipated to exceed, \$10,000 annually; (iv) ownership of real or personal property if the interest exceeds \$10,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; or (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business.

“Personal interest in a contract” means a personal interest which an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business which is a party to the contract.

“Personal interest in a transaction” means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or represents any individual or business and such property, business or represented individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction. Notwithstanding the above, such personal interest in a transaction shall not be deemed to exist where an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity.

“State and local government officers and employees” shall not include members of the General Assembly.

“Transaction” means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated. (1987, Sp. Sess., c. 1; 1988, c. 536; 1992, c. 865; 1993, c.303; 1994, cc. 74, 724; 1995, c. 495; 1996, c. 77; 1997, c. 641.)

§2.2-3115. Disclosure by local government officers and employees. –

F. In addition to any disclosure required by subsections A and B of this section, in each county and city and in towns with populations in excess of 3,500, members of planning commissions, boards of zoning appeals, real estate assessors, and all county, city and town managers or executive officers shall make annual disclosures of all their interests in real estate located in the county, city or town in which they are elected, appointed, or employed. Such disclosure shall include any business in which such persons own an interest, or from which income is received, if the primary purpose of the business is to own, develop or derive compensation through the sale, exchange or development of real estate in the county, city or town. Such disclosure shall be filed as a condition to assuming office or employment, and thereafter shall be filed annually with the clerk of the governing body of such county, city or town on or before January 15. Such disclosures shall be filed and maintained as public records for five years. Forms for the filing of such reports shall be prepared and distributed by the Secretary of the Commonwealth to the clerk of each governing body. (1987, Sp. Sess., c. 1; 1988, c. 849; 1995, c. 495; 1996, c. 526.)

General Assembly of Virginia

Revised July 1, 2003

STATEMENT OF ECONOMIC INTERESTS

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Instructions

Members of the General Assembly and candidates for such office are **REQUIRED** to complete and file the "Statement of Economic Interests" form.

Schedules A through I are to be completed **ONLY** if you answer "Yes" to any of items 1 through 10 on the Statement of Economic Interests. The schedules in this book are removable. Complete and return only those schedules which are applicable to you.

Filing deadline for members of the General Assembly is January 8th of each year. Candidates for the General Assembly must comply with § 30-110 of the Code of Virginia.

NOTE: The "Affirmation" on the Statement of Economic Interests **MUST** be completed in the presence of a Notary Public.

DEFINITIONS AND EXPLANATORY MATERIAL

"IMMEDIATE FAMILY" means (i) a spouse and (ii) any other person residing in the same household as the legislator, who is a dependent of the legislator or of whom the legislator is a dependent.

"DEPENDENT" means any person, whether or not related by blood or marriage, who receives from the legislator, or provides to the legislator, more than one-half of his financial support.

"BUSINESS" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

"CLOSE FINANCIAL ASSOCIATION" does not mean an association based on the receipt of retirement benefits or deferred compensation from a business by which the legislator is no longer employed. "Close financial association" does not include an association based on the receipt of compensation for work performed by the legislator as an independent contractor of a business that represents an entity before any state governmental agency when the legislator has had no communications with the state governmental agency.

"GIFT" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" shall not include any offer of a ticket or other admission or pass unless the ticket, admission, or pass is used. "Gift" shall not include honorary degrees and presents from relatives. "Relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse.

"LOBBYIST RELATIONSHIP" means (i) an engagement, agreement, or representation that relates to legal services, consulting services, or public relations services, whether gratuitous or for compensation, between a member or member-elect and any person who is, or has been within the prior calendar year, registered as a lobbyist with the

Secretary of the Commonwealth, or (ii) a greater than three percent ownership interest by a member or member-elect in a business that employs, or engages as an independent contractor, any person who is, or has been within the prior calendar year, registered as a lobbyist with the Secretary of the Commonwealth. The disclosure of a lobbyist relationship shall not (i) constitute a waiver of any attorney-client or other privilege, (ii) require a waiver of any attorney-client or other privilege for a third party, or (iii) be required where a member or member-elect is employed or engaged by a person and such person also employs or engages a person in a lobbyist relationship so long as the member or member-elect has no financial interest in the lobbyist relationship.

TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust, treat the trust's assets as if you own them directly. If you or your immediate family has a proportional interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if you and your immediate family have a one-third interest in a trust, complete your Statement as if you own one-third of each of the trust's assets. If you or a member of your immediate family created a trust and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this Statement must be provided on the basis of the best knowledge, information, and belief of the individual filing the Statement as of the date of this report unless otherwise stated.

GENERAL ASSEMBLY MEMBERS AND CANDIDATES SHOULD RETURN COMPLETED FORMS TO THE CLERK OF THE APPROPRIATE HOUSE.

Senate Clerk's Office
P.O. Box 396
Richmond, Virginia 23218

House Clerk's Office
P.O. Box 406
Richmond, Virginia 23218

325050103

General Assembly of Virginia

STATEMENT OF ECONOMIC INTERESTS	CHECK SCHEDULES ATTACHED: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F-1 <input type="checkbox"/> F-2 <input type="checkbox"/> G-1 <input type="checkbox"/> G-2 <input type="checkbox"/> G-3 <input type="checkbox"/> H <input type="checkbox"/> I	For Office Use Only
NAME		
OFFICE HELD OR SOUGHT	<input type="checkbox"/> HOUSE OF DELEGATES <input type="checkbox"/> SENATE	DISTRICT NO. CANDIDATE FOR ELECTION TO THIS OFFICE <input type="checkbox"/> YES <input type="checkbox"/> NO
HOME ADDRESS	STREET	TELEPHONE
	CITY STATE ZIP	OFFICE HOME
NAMES OF MEMBERS OF IMMEDIATE FAMILY		

Complete Items 1 through 10. Refer to Schedules only if directed. You may attach additional explanatory information.

1. OFFICES AND DIRECTORSHIPS

Are you or a member of your immediate family a paid officer or paid director of a business? YES NO

If yes is checked, complete Schedule A.

2. PERSONAL LIABILITIES

Do you or a member of your immediate family owe more than \$10,000 to any one creditor including contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property at least equal in value to the loan.) YES NO

If yes is checked, complete Schedule B.

3. SECURITIES

Do you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$10,000 invested in one business? Account for mutual funds, limited partnerships, and trusts. YES NO

If yes is checked, complete Schedule C.

4. PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS

During the past 12 months did you receive lodging, transportation, money, or anything else of value with a combined value exceeding \$200 for a single talk, meeting, or published work in your capacity as a legislator? YES NO

Complete Schedule D.

5. GIFTS

During the past 12 months did a business, government, or individual other than a relative or personal friend (i) furnish you with any gift or entertainment at a single event, and the value received by you exceeded \$50 in value or (ii) furnish you with gifts or entertainment in any combination and the value received by you exceeded \$100 in total value; and for which you neither paid nor rendered services in exchange? Account for entertainment events only if the average value per person attending the event exceeded \$50 in value. Account for all business entertainment (except if related to your private profession or occupation) even if unrelated to your official duties. YES NO

If yes is checked, complete Schedule E.

6. SALARY AND WAGES

List each employer that pays you or a member of your immediate family salary or wages in excess of \$10,000 annually. (Exclude state or local government or advisory agencies.)

If no reportable salary or wages, check here.

7. BUSINESS INTERESTS AND LOBBYIST RELATIONSHIPS

7A. Do you or a member of your immediate family, separately or together, operate your own business, or own or control an interest in excess of \$10,000 in a business? YES NO

If yes is checked, complete Schedule F-1.

7B. Do you have a lobbyist relationship as that term is defined above? YES NO

If yes is checked, complete Schedule F-2.

8. PAYMENTS FOR REPRESENTATION AND OTHER SERVICES

8A. Did you represent any businesses before any state governmental agencies, excluding courts or judges, for which you received total compensation during the past 12 months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers? YES NO

If yes is checked, complete Schedule G-1.

8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial association (partners, associates, or others) represent any businesses before any state governmental agency for which total compensation was received during the past 12 months in excess of \$1,000? YES NO

If yes is checked, complete Schedule G-2.

8C. Did you or persons with whom you have a close financial association furnish services to businesses operating in Virginia for which total compensation in excess of \$1,000 was received during the past 12 months? YES NO

If yes is checked, complete Schedule G-3.

9. REAL ESTATE

Do you or a member of your immediate family hold an interest, including a partnership interest, valued at \$10,000 or more in real property (other than your principal residence) for which you have not already listed the full address on Schedule F? Account for real estate held in trust. YES NO

If yes is checked, complete Schedule H.

10. REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES

Do you or a member of your immediate family hold an interest valued at more than \$10,000 in real estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real estate is the subject of a contract, whether pending or completed within the past 12 months, with a state governmental agency? If the real estate contract provides for the leasing of the property to a state governmental agency, do you or a member of your immediate family hold an interest in the real estate, including a corporate, partnership, or trust interest, option, easement, or land contract valued at more than \$1,000? Account for all such contracts whether or not your interest is reported in Schedule F or H. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership interest exceeds three percent of the total equity of the business. YES NO

If yes is checked, complete Schedule I.

This Statement of Economic Interests is open for public inspection.

NOTE: You **MUST** sign the following "Affirmation" in the presence of a Notary Public. The Notary is to complete the acknowledgment portion of the "Affirmation."

AFFIRMATION

In accordance with the rules of the house in which I [may] serve, 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 my house.

I swear or affirm that the foregoing information is full, true, and correct to the best of my knowledge.

Signature of Member/Member-elect/Candidate

COMMONWEALTH OF VIRGINIA

(City/County) of _____ (Name of City/County) to wit:

The foregoing disclosure form was acknowledged before me this _____ day of _____, 20____,

by _____
(Name of Member/Member-elect/Candidate)

Notary Public

My commission expires: _____

General Assembly of Virginia

Statement of Economic Interests

Blank # 6

SCHEDULE B PERSONAL LIABILITIES

NAME: _____

Report personal liability by checking each category. Report only debts in excess of \$10,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least equal in value to the loan.

Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

CHECK APPROPRIATE CATEGORIES.

	\$10,001 to \$50,000	CHECK ONE	MORE THAN \$50,000
Banks	<input type="checkbox"/>		<input type="checkbox"/>
Savings institutions	<input type="checkbox"/>		<input type="checkbox"/>
Other loan or finance companies	<input type="checkbox"/>		<input type="checkbox"/>
Insurance companies	<input type="checkbox"/>		<input type="checkbox"/>
Stock, commodity, or other brokerage companies	<input type="checkbox"/>		<input type="checkbox"/>
Other businesses: (State principal business activity for each creditor.)	<input type="checkbox"/>		<input type="checkbox"/>
_____	<input type="checkbox"/>		<input type="checkbox"/>
_____	<input type="checkbox"/>		<input type="checkbox"/>
Individual creditors: (State principal business or occupation of each creditor.)	<input type="checkbox"/>		<input type="checkbox"/>
_____	<input type="checkbox"/>		<input type="checkbox"/>
_____	<input type="checkbox"/>		<input type="checkbox"/>

2. The personal debts of the members of my immediate family are as follows:

CHECK APPROPRIATE CATEGORIES.

	\$10,001 to \$50,000	CHECK ONE	MORE THAN \$50,000
Banks	<input type="checkbox"/>		<input type="checkbox"/>
Savings institutions	<input type="checkbox"/>		<input type="checkbox"/>
Other loan or finance companies	<input type="checkbox"/>		<input type="checkbox"/>
Insurance companies	<input type="checkbox"/>		<input type="checkbox"/>
Stock, commodity, or other brokerage companies	<input type="checkbox"/>		<input type="checkbox"/>

SCHEDULE B
PERSONAL LIABILITIES (continued)

CHECK APPROPRIATE CATEGORIES.	CHECK ONE	
	\$10,001 to \$50,000	MORE THAN \$50,000
Other businesses: (State principal business activity for each creditor.)		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
Individual creditors: (State principal business or occupation of each creditor.)		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

(Return only if needed to complete Statement.)

General Assembly of Virginia

Statement of Economic Interests

SCHEDULE C SECURITIES

NAME: _____

"SECURITIES" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures contracts.

"SECURITIES" EXCLUDES certificates of deposit, money market funds, annuity contracts, and insurance policies.

Identify each business or Virginia governmental entity in which you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$10,000.

Do not list organizations that do not do business in this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held in trust.

Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia or its authorities, agencies, or local governments.

If no reportable securities, check here.

NAME OF ISSUER	TYPE OF ENTITY	TYPE OF SECURITY (STOCKS, BONDS, MUTUAL FUNDS, ETC.)	CHECK ONE	
			\$10,001 to \$50,000	MORE THAN \$50,000
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
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			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

General Assembly of Virginia

Statement of Economic Interests

Blank

#22

SCHEDULE G-3

PAYMENTS FOR REPRESENTATION AND OTHER SERVICES GENERALLY

NAME: _____

Indicate below types of businesses that operate in Virginia to which services were furnished by you or persons with whom you have a close financial association and for which total compensation in excess of \$1,000 was received during the past 12 months.

Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of service rendered, and (iii) the value by dollar category of the compensation received for all businesses falling within each category.

BUSINESS CATEGORY	CHECK IF SERVICES WERE RENDERED	TYPE OF SERVICE RENDERED	VALUE OF COMPENSATION				
			\$1,001 to \$10,000	\$10,001 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$250,000	\$250,001 and over
Electric utilities	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gas utilities	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telephone utilities	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water utilities	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cable television companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interstate transportation companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Intrastate transportation companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oil or gas retail companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Banks	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Savings institutions	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Loan or finance companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Manufacturing companies (state type of product, e.g., textile, furniture, etc.)	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mining companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Life insurance companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Casualty insurance companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SCHEDULE G-3

PAYMENTS FOR REPRESENTATION AND OTHER SERVICES GENERALLY (continued)

BUSINESS CATEGORY	CHECK IF SERVICES WERE RENDERED	TYPE OF SERVICE RENDERED	VALUE OF COMPENSATION				
			\$1,001 to \$10,000	\$10,001 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$250,000	\$250,001 and over
Other insurance companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retail companies	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Beer, wine, or liquor companies or distributors	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trade associations	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Professional associations	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Associations of public employees or officials	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Counties, cities, or towns	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labor organizations	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Return only if needed to complete Statement.)

Office of the Secretary of the Commonwealth
 Commonwealth of Virginia
 Disclosure Statement (Rev. 5/04)

PART I:

(1) PRINCIPAL:.....

In Part I, item 2a, provide the name of the individual authorizing your employment as a lobbyist. The lobbyist filing this statement MAY NOT list his name in item 2a. THE INDIVIDUAL LISTED IN PART I, ITEM 2A, MUST SIGN THE PRINCIPAL'S STATEMENT.

(2a) Name:.....

(2b) Permanent Business

Address:.....

(2c) Business

Telephone:.....

(3) Provide a list of executive and legislative actions (with as much specificity as possible) for which you lobbied and a description of activities conducted.

.....

(4) INCORPORATED FILINGS: If you are filing an incorporated disclosure statement, please complete the following:

Individual filing financial information:.....

Individuals to be included in the filing:.....

.....

(5) Please indicate which schedules will be attached to your disclosure statement:

- [Schedule A: Entertainment Expenses
- [Schedule B: Gifts
- [Schedule C: Other Expenses

(6) EXPENDITURE TOTALS:

a) ENTERTAINMENT.....	\$.....
b) GIFTS.....	\$.....
c) OFFICE EXPENSES.....	\$.....
d) COMMUNICATIONS.....	\$.....
e) PERSONAL LIVING AND TRAVEL EXPENSES.....	\$.....
f) COMPENSATION OF LOBBYISTS.....	\$.....
g) HONORARIA.....	\$.....
h) REGISTRATION COSTS.....	\$.....
i) OTHER.....	\$.....
TOTAL.....	\$.....

PART II:

(1a) NAME OF LOBBYIST:.....

(1b) Permanent Business Address:.....

(1c) Business Telephone:.....

- (2) As a lobbyist, you are (check one)
[] EMPLOYED (on the payroll of the principal)
[] RETAINED (not on the payroll of the principal, however compensated)
[] NOT COMPENSATED (not compensated; expenses may be reimbursed)

(3) List all lobbyists other than yourself who registered to represent your principal.
.....

(4) If you selected "EMPLOYED" as your answer to Part II, item 2, provide your job title.
.....

(5) If you selected "NOT COMPENSATED" as your answer to Part II, item 2, please indicate why you received no compensation.
.....

PLEASE NOTE: Some lobbyists are not individually compensated for lobbying activities. This may occur when several members of a firm represent a single principal. The principal, in turn, makes a single payment to the firm. If this describes your situation, do not answer Part II, items 6a and 6b. Instead, complete Part III, items 1 and 2.

(6a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a lobbyist? (If you have job responsibilities other than those involving lobbying, you may have to prorate to determine the part of your salary attributable to your lobbying activities.) Transfer your answer to this item to Part I, item 6f.

(6b) Explain how you arrived at your answer to Part II, item 6a.
.....

PART III:

PLEASE NOTE: If you answered Part II, items 6a and 6b, you WILL NOT complete this section.

(1) List all members of your firm, organization, association, corporation, or other entity who furnished lobbying services to your principal.

.....
.....
.....

(2) Indicate the total amount paid to your firm, organization, association, corporation or other entity for services rendered. Transfer your answer to this item to Part I, item 6f

.....

SCHEDULE A ENTERTAINMENT EXPENSES

PLEASE NOTE: Any single entertainment event included in the expense totals of the principal, with a value greater than \$50, should be itemized below. Transfer any totals from this schedule to Part I, item 6a. (Please duplicate as needed.)

Date and Location of Event:
.....
.....

Description of Event:
.....
.....

Number of Legislative and Executive Officials Invited:
.....

Number of Legislative and Executive Officials Attending:
.....

Names of Legislative and Executive Officials Attending: (List names only if the average value for each person attending the event was greater than \$50.)
.....
.....
.....
.....

Food.....	\$.....
Beverages.....	\$.....
Transportation of Legislative and Executive Officials.....	\$.....
Lodging of Legislative and Executive Officials.....	\$.....
Performers, Speakers, Etc.....	\$.....
Displays.....	\$.....
Rentals.....	\$.....
Service Personnel.....	\$.....
Miscellaneous.....	\$.....
TOTAL.....	\$

SCHEDULE B GIFTS

PLEASE NOTE: Any single gift reported in the expense totals of the principal, with a value greater than \$25, should be itemized below. (Report meals, entertainment and travel under Schedule A.) Transfer any totals from this schedule to Part I, item 6b. (Please duplicate as needed.)

Date of gift:	Description of gift:	Name of each legislative or executive official who is a recipient of a gift	Cost of individual gift
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

TOTAL COST TO PRINCIPAL.....\$.....

SCHEDULE C OTHER EXPENSES

PLEASE NOTE: This section is provided for any lobbying-related expenses not covered in Part I, items 6a - 6h. An example of an expenditure to be listed on schedule C would be the rental of a bill box during the General Assembly session. Transfer the total from this schedule to Part I, item 6i. (Please duplicate as needed.)

DATE OF EXPENSE	DESCRIPTION OF EXPENSE	AMOUNT
.....\$.....
.....
.....
.....
.....

TOTAL "OTHER" EXPENSES.....\$.....

PART IV: STATEMENTS

Both the lobbyist and principal officer must sign the disclosure statement, attesting to its completeness and accuracy. The following items are mandatory and if they are not properly completed, the entire filing will be rejected and returned to the lobbyist:

- (1) All signatures on the statement must be ORIGINAL in the format specified in the instructions provided by the Secretary that accompany this form. No stamps, or other reproductions of the individual's signature will be accepted.
- (2) An individual MAY NOT sign the disclosure statement as lobbyist and principal officer.

STATEMENT OF LOBBYIST

I, the undersigned registered lobbyist, do state that the information furnished on this disclosure statement and on all accompanying attachments required to be made thereto is, to the best of my knowledge and belief, complete and accurate.

.....
Signature of lobbyist

.....
Date

STATEMENT OF PRINCIPAL

I, the undersigned principal (or an authorized official thereof), do state that the information furnished on this disclosure statement and on all accompanying attachments required to be made thereto is, to the best of my knowledge and belief, complete and accurate.

.....
Signature of principal

.....
Date

**Joint Subcommittee Studying Conflict of Interest and Lobbyist
Disclosure Forms (HJR 186 2004)**

Issues for Consideration

A. General Assembly Conflict of Interest Act

- 1) Review the timing for the disclosure filing by legislators. Lobbyists are required to provide their forms to the legislator by January 5th. The legislator is required to submit the General Assembly disclosure form to the respective clerks by January 8th. This gives the legislative members only three days to review and cross reference, if needed, any information from the lobbyist form. Review the time frames and consider changing the submission dates.
- 2) The notarized portion of the affirmation may be confusing to a notary because of the City/County distinction. Consider changing the form to read more clearly.
- 3) Clarify whether individual stocks and amounts should be listed separately on the form.
- 4) Expand the "*Payments for Representation and Other Services*" portion of the form to include payments made by a legislator to a lobbyist for representation or other services.
- 5) Require enhanced disclosure, i.e. frequency and/or detail, for legislators receiving payments over a certain threshold amount for representation or other services.
- 6) Explore electronic filing as an option.

B. State and Local Government Conflict of Interest Act

- 1) Excuse reappointed individuals who have filed in January from having to file again when reappointed in the months after January.
- 2) Allow individuals serving on multiple boards or other entities to file a single statement.
- 3) Excuse or exempt from the filing requirement individuals who no longer occupy the positions for which they are required to file.
- 4) Require the heads of independent, legislative and judicial agencies to disclose their interests.
- 5) Add a definition for the term "represent." (Persons commonly confuse lobbying representation and legal representation).

- 6) Revise the definition of “close financial association” to affirmatively state what would constitute such an association.
- 7) Add a definition for “contingent liability.”
- 8) Add a definition for “furnishing.” (For example, if an individual provides services as a condition of employment- does that constitute *furnishing*?)
- 9) Revise Schedule C disclosure provisions for securities.
 - a) The schedule requests securities invested in one business with value over \$10,000; however, the filer must also account for individual mutual funds, few of which include ownership of \$10,000 or more in one business.
 - b) To alleviate confusion regarding information requested on the name of issuer, the type of entity, and the type of security, provide examples for the filer to follow.
 - c) Add provision for disclosure of economic interest when the filer has begun to collect previously deferred compensation.
 - d) Revise instructions to include information or examples based on Attorney General opinions.
- 10) Revise/clarify the disclosure provision for close financial associates.
- 11) Require enhanced disclosure, i.e. frequency and/or detail, for filers receiving payments over a certain threshold amount for representation or other services.
- 12) Explore electronic filing as an option.

C. Lobbyist Disclosure and Regulation Act

- 1) Raise the threshold for reporting any single entertainment. (Currently threshold is \$50)
- 2) Exempt of lobbyist who are not compensated.
- 3) Remove requirement that the filer disclose why they received no compensation if they have indicated on the form that as a lobbyist they are not compensated.
- 4) Explore increased use of electronic filing as an option.
- 5) Explore methods for increased enforcement to enhance (i) compliance, and ii) accuracy of filing.

2005 SESSION

INTRODUCED

052680308

HOUSE BILL NO. 2111
Offered January 12, 2005
Prefiled January 11, 2005

A *BILL to amend the Code of Virginia by adding in Article 5 of Chapter 31 of Title 2.2 a section numbered 2.2-3118.1, relating to the State and Local Government Conflict of Interests Act; disclosure of economic interests.*

Patron—McQuigg

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 5 of Chapter 31 of Title 2.2 a section numbered 2.2-3118.1 as follows:

§ 2.2-3118.1 Special provisions for individuals serving in or seeking multiple positions or offices; reappointees.

A. The filing of a single current statement of economic interests by an individual required to file the form prescribed in § 2.2-3117 shall suffice for the purposes of this chapter as filing for all positions or offices held or sought by such individual during a single reporting period. The filing of a single current financial disclosure statement by an individual required to file the form prescribed in § 2.2-3118 shall suffice for the purposes of this chapter as filing for all positions or offices held or sought by such individual and requiring the filing of the § 2.2-3118 form during a single reporting period.

B. Any individual who has met the requirement for annually filing a statement provided in § 2.2-3117 or 2.2-3118 shall not be required to file an additional statement upon such individual's reappointment to the same office or position for which he is required to file, provided such reappointment occurs within 12 months after the annual filing.

INTRODUCED

HB2111

5/19/06 10:43

2005 SESSION

INTRODUCED

052677308

HOUSE BILL NO. 2112
Offered January 12, 2005
Prefiled January 11, 2005

A BILL to amend and reenact § 2.2-426 of the Code of Virginia, relating to the Lobbyist Regulation and Disclosure Act; lobbyist reporting.

Patron—McQuigg

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-426 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-426. Lobbyist reporting; penalty.

A. Each lobbyist shall file a separate annual report of expenditures, including gifts, for each principal for whom he lobbies by July 1 for the preceding twelve 12-month period complete through April 30.

B. Each principal who expends more than \$500 to employ or compensate multiple lobbyists shall be responsible for filing a consolidated lobbyist report pursuant to this section in any case in which the lobbyists are each exempt under the provisions of subdivision 7 or 8 of § 2.2-420 from the reporting requirements of this section.

C. The report shall be on a form provided by the Secretary of the Commonwealth, which shall be substantially as follows and shall be accompanied by instructions provided by the Secretary.

LOBBYIST'S DISCLOSURE STATEMENT

PART I:

(1) PRINCIPAL:.....

In Part I, item 2a, provide the name of the individual authorizing your employment as a lobbyist. The lobbyist filing this statement MAY NOT list his name in item 2a. THE INDIVIDUAL LISTED IN

PART I, ITEM 2A, MUST SIGN THE PRINCIPAL'S STATEMENT.

(2a)

Name:.....

(2b) Permanent Business

Address:.....

(2c) Business Telephone:.....

(3) Provide a list of executive and legislative actions (with as much specificity as possible) for which you lobbied and a description of activities conducted.

.....
.....
.....

(4) INCORPORATED FILINGS: If you are filing an incorporated disclosure statement, please complete the following:

Individual filing financial information:.....

Individuals to be included in the filing:.....

.....

(5) Please indicate which schedules will be attached to your disclosure statement:

[] Schedule A: Entertainment Expenses

[] Schedule B: Gifts

[] Schedule C: Other Expenses

(6) EXPENDITURE TOTALS:

INTRODUCED

HB2112

5/19/06 10:43

HB2112

56 a) ENTERTAINMENT..... \$
57
58 b) GIFTS..... \$
59
60 c) OFFICE EXPENSES..... \$
61
62 d) COMMUNICATIONS..... \$
63
64 e) PERSONAL LIVING AND TRAVEL EXPENSES..... \$
65
66 f) COMPENSATION OF LOBBYISTS..... \$
67
68 g) HONORARIA..... \$
69
70 h) REGISTRATION COSTS..... \$
71
72 i) OTHER..... \$
73
74 TOTAL..... \$
75
76 PART II:
77 (1a) NAME OF LOBBYIST:.....
78 (1b) Permanent Business
79 Address:.....
80 (1c) Business Telephone:.....
81 (2) As a lobbyist, you are (check one)
82 [] EMPLOYED (on the payroll of the principal)
83 [] RETAINED (not on the payroll of the principal, however
84 compensated)
85 [] NOT COMPENSATED (not compensated; expenses may be
86 reimbursed)
87 (3) List all lobbyists other than yourself who registered to
88 represent your principal.
89
90
91
92 (4) If you selected "EMPLOYED" as your answer to Part
93 II, item 2,
94 provide your job title.
95
96 (5) If you selected "NOT COMPENSATED" as your answer to
97 Part II, item
98 2, please indicate why you received no compensation.
99
100
101
102 PLEASE NOTE: Some lobbyists are not individually compensated for
103
104 lobbying activities. This may occur when several members of a
105 firm
106 represent a single principal. The principal, in turn, makes a
107 single
108 payment to the firm. If this describes your situation, do not
109 answer
110 Part II, items 6a and 6b. Instead, complete Part III, items 1
111 and 2.
112 6a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a

113 lobbyist?
 114 (If you have job responsibilities other than those involving
 115 lobbying,
 116 you may have to prorate to determine the part of your salary
 117 attributable to your lobbying activities.) Transfer your answer
 118 to
 119 this item to Part I, item 6f.
 120 (6b) Explain how you arrived at your answer to Part II, item 6a.
 121
 122
 123

124 PART III:
 125 PLEASE NOTE: If you answered Part II, items 6a and 6b, you WILL NOT
 126 complete this section.
 127 (1) List all members of your firm, organization, association,
 128 corporation, or other entity who furnished lobbying services to
 129 your principal.
 130
 131
 132
 133 (2) Indicate the total amount paid to your firm, organization,
 134 association, corporation or other entity for services rendered.
 135 Transfer your answer to this item to Part I, item 6f
 136

SCHEDULE A

ENTERTAINMENT EXPENSES

139 PLEASE NOTE: Any single entertainment event included in the
 140 expense
 141 totals of the principal, with a value greater than \$50, should
 142 be
 143 itemized below. Transfer any totals from this schedule to Part
 144 I,
 145 item 6a. (Please duplicate as needed.)
 146 Date and Location of Event:
 147
 148
 149 Description of Event:
 150
 151
 152 Number of Legislative and Executive Officials Invited:
 153
 154 Number of Legislative and Executive Officials Attending:
 155
 156 Names of Legislative and Executive Officials Attending: (List
 157 names
 158 only if the average value for each person attending the event
 159 was
 160 greater than \$50.)
 161
 162
 163
 164 Food..... \$
 165
 166 Beverages..... \$
 167
 168 Transportation of Legislative and Executive Officials. \$

169

170 Lodging of Legislative and Executive Officials.....\$

171

172 Performers, Speakers, Etc..... \$

173

174 Displays..... \$

175

176 Rentals..... \$

177

178 Service Personnel..... \$

179

180 Miscellaneous..... \$

181

182 TOTAL..... \$

183

184 SCHEDULE B
185 GIFTS

186 PLEASE NOTE: Any single gift reported in the expense totals of
187 the
188 principal, with a value greater than \$25, should be itemized below.
189 (Report meals, entertainment and travel under Schedule A.)
190 Transfer
191 any totals from this schedule to Part I, item 6b. (Please
192 duplicate
193 as needed.)

194	Date	Description	Name of each	Cost
195	of			
196	of gift:	of gift:	legislative or	
197	individual			
198	TOTAL COST TO PRINCIPAL.....			.. \$

199

200 SCHEDULE C
201 OTHER EXPENSES

202 PLEASE NOTE: This section is provided for any lobbying-related
203 expenses not covered in Part I, items 6a - 6h. An example of an
204 expenditure to be listed on Schedule C would be the rental of a
205 bill

206 box during the General Assembly session. Transfer the total from
207 this schedule to Part I, item 6i. (Please duplicate as needed.)

208	DATE OF EXPENSE	DESCRIPTION OF EXPENSE	AMOUNT
209		\$

210

211

212

213

214

215

216

217

218

219 TOTAL "OTHER"
220 EXPENSES.....\$

221 PART IV: STATEMENTS

222 Both the lobbyist and principal officer must sign the disclosure
223 statement, attesting to its completeness and accuracy. The
224 following
225 items are mandatory and if they are not properly completed, the

226 entire filing will be rejected and returned to the lobbyist:
 227 (1) All signatures on the statement must be ORIGINAL in
 228 the format specified in the instructions provided by the
 229 Secretary
 230 that accompany this form. No stamps, or other reproductions of
 231 the
 232 individual's signature will be accepted.
 233 (2) An individual MAY NOT sign the disclosure statement as
 234 lobbyist
 235 and principal officer.

STATEMENT OF LOBBYIST

237 I, the undersigned registered lobbyist, do state that the
 238 information
 239 furnished on this disclosure statement and on all accompanying
 240 attachments required to be made thereto is, to the best of my
 241 knowledge and belief, complete and accurate.

242
 243 Signature of lobbyist
 244
 245 Date

STATEMENT OF PRINCIPAL

247 I, the undersigned principal (or an authorized official
 248 thereof), do
 249 state that the information furnished on this disclosure
 250 statement and
 251 on all accompanying attachments required to be made thereto is,
 252 to
 253 the best of my knowledge and belief, complete and accurate.

254
 255 Signature of principal
 256
 257 Date

258 D. A person who signs the disclosure statement knowing it to contain a material misstatement of fact
 259 shall be guilty of a Class 5 felony.

260 E. Each lobbyist shall send to each legislative and executive official who is required to be identified
 261 by name on Schedule A or B of the Lobbyist's Disclosure Form a copy of Schedule A or B or a
 262 summary of the information pertaining to that official. Copies or summaries shall be provided to the
 263 official by ~~January 5~~December 15 for the preceding ~~twelve~~ 12-month period complete through ~~December~~
 264 ~~31~~November 30.

265 2. That information required to be filed by subsection E of § 2.2-786 to certain officials by
 266 December 15, 2005, shall cover the preceding 11 month period complete through November 30,
 267 2005.

**Joint Subcommittee Studying Conflict of Interest and Lobbyist
Disclosure Forms (HJR 186 2004)**

Issues for Consideration - REVISED

A. General Assembly Conflict of Interest Act

- 1) Review the timing for the disclosure filing by legislators. Lobbyists are required to provide their forms to the legislator by January 5th. The legislator is required to submit the General Assembly disclosure form to the respective clerks by January 8th. This gives the legislative members only three days to review and cross reference, if needed, any information from the lobbyist form. Review the time frames and consider changing the submission dates. **(RESOLVED: House Bill 2112)**
- 2) Consider changing the affirmation to read more clearly. The notarized portion of the form may be confusing to a notary because of the City/County distinction.
- 3) Clarify whether individual stocks and amounts should be listed separately on the form.
- 4) Expand the "*Payments for Representation and Other Services*" portion of the form to include payments made by a legislator to a lobbyist for representation or other services.
- 5) Require enhanced disclosure, i.e. frequency and/or detail, for legislators receiving payments over a certain threshold amount for representation or other services.
- 6) Explore electronic filing as an option.
- 7) Examine whether legislators should be prohibited from having a personal interest in a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act. **(ADDED 5/23/05)**
- 8) Consider adding a provision to resolve situations when filing deadlines fall on a holiday. **(ADDED 5/23/05)**

B. State and Local Government Conflict of Interest Act

- 1) Excuse reappointed individuals who have filed in January from having to file again when reappointed in the months after January. **(RESOLVED: House Bill 2111)**
- 2) Allow individuals serving on multiple boards or other entities to file a single statement. **(RESOLVED: House Bill 2111)**

- 3) Excuse or exempt from the filing requirement individuals who no longer occupy the positions for which they were required to file.
- 4) Require the heads of independent, legislative and judicial agencies to disclose their interests.
- 5) Add a definition for the term “represent.” (Persons commonly confuse lobbying representation and legal representation).
- 6) Revise the definition of “close financial association” to affirmatively state what would constitute such an association.
- 7) Add a definition for “contingent liability.”
- 8) Add a definition for “furnishing.” (For example, if an individual provides services as a condition of employment- does that constitute *furnishing*?)
- 9) Revise Schedule C disclosure provisions for securities.
 - a) Consider revising the schedule requesting the filer to disclose securities invested in one business with value over \$10,000. The filer must also account for individual mutual funds, few of which include ownership of \$10,000 or more in one business.
 - b) Provide examples for the filer to follow to alleviate confusion regarding information requested on the name of issuer, the type of entity, and the type of security.
 - c) Add provision for disclosure of economic interest when the filer has begun to collect previously deferred compensation.
 - d) Revise instructions to include information or examples based on Attorney General opinions.
- 10) Revise/clarify the disclosure provision for close financial associates.
- 11) Require enhanced disclosure, i.e. frequency and/or detail, for filers receiving payments over a certain threshold amount for representation or other services.
- 12) Explore electronic filing as an option.
- 13) Examine whether state and local government officials should be prohibited from having a personal interest in a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act. (ADDED 5/23/05)
- 14) Consider adding a provision to resolve situations when filing deadlines fall on a holiday. (ADDED 5/23/05)

- 15) Examine the adequacy of information provided by citizen members of boards on the Financial Disclosure Statement. (ADDED 5/23/05)

C. Lobbyist Disclosure and Regulation Act

- 1) Raise the threshold for reporting any single entertainment. (Threshold is \$50)
- 2) Exempt lobbyists who are not compensated.
- 3) Remove requirement that the filer disclose why they received no compensation if they indicated on the form that as a lobbyist they are not compensated.
- 4) Explore increased use of electronic filing as an option.
- 5) Explore methods for increased enforcement to enhance compliance, and accuracy of filing.
- 6) Explore whether the lobbyist disclosure form should be set out in the Code? The objective should be compliance with the reporting provisions. If the forms are difficult to understand and unclear in terms of the information requested, action should be taken to make them more "user friendly." (ADDED 5/23/05)
- 7) Clarify the use and meaning of the terms "value" and "expenditure." These terms are problematic and often misunderstood. The conflict of interest statutes use the term and concept of "value," while lobbyist disclosure provisions use "expenditure." In the case of a given event that is held, the lobbyists are reporting what the event costs to them while the legislator is reporting the value. (ADDED 5/23/05)
- 8) Review the requirement that legislators include a cumulative amount of their gifts, while it is not clear whether lobbyists are required to report cumulative amounts. (ADDED 5/23/05)
- 9) Review how to properly report events that do not consist totally of lobbying activity. (ADDED 5/23/05)
- 10) Clarify the use of different reporting dates for lobbyists and legislators. The different reporting dates create some confusion and delay in the information reported. Should consider making the reporting dates line up more closely. (ADDED 5/23/05)
- 11) Examine the issue of local government employees who are not required to register under the current definition of "lobbyist." (ADDED 5/23/05)
- 12) Examine the necessity of having the lobbyist and the principal sign the disclosure form? Currently the requirement creates difficulty for lobbying concerns that do work for foreign-based companies. (ADDED 5/23/05)

06 - 2798308

08/19/2005 10:38 AM

Amigo Wade

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact §§ 2.2-3106, 2.2-3107 and 2.2-3108 of the Code of Virginia, relating to
2 the State and Local Government Conflict of Interests Act; prohibited contracts.

3 **Be it enacted by the General Assembly of Virginia:**

4 **1. That §§ 2.2-3106, 2.2-3107 and 2.2-3108 of the Code of Virginia are amended as follows:**

5 § 2.2-3106. Prohibited contracts by officers and employees of state government and Eastern
6 Virginia Medical School.

7 A. No officer or employee of any governmental agency of state government or Eastern Virginia
8 Medical School shall have a personal interest in a contract, including an interim or comprehensive
9 agreement as defined in § 56-557 or 56-575.1, with the governmental agency of which he is an officer or
10 employee, other than his own contract of employment.

11 B. No officer or employee of any governmental agency of state government or Eastern Virginia
12 Medical School shall have a personal interest in a contract with any other governmental agency of state
13 government unless such contract is (i) awarded as a result of competitive sealed bidding or competitive
14 negotiation as defined in § 2.2-4301 or (ii) is awarded after a finding, in writing, by the administrative
15 head of the governmental agency that competitive bidding or negotiation is contrary to the best interest
16 of the public.

17 C. The provisions of this section shall not apply to:

18 1. An employee's personal interest in additional contracts of employment with his own
19 governmental agency that accrue to him because of a member of his immediate family, provided the
20 employee does not exercise any control over the employment or the employment activities of the
21 member of his immediate family and the employee is not in a position to influence those activities;

22 2. The personal interest of an officer or employee of a state institution of higher education or the
23 Eastern Virginia Medical School in additional contracts of employment with his own governmental
24 agency that accrue to him because of a member of his immediate family, provided (i) the officer or

25 employee and the immediate family member are engaged in teaching, research or administrative support
26 positions at the educational institution or the Eastern Virginia Medical School, (ii) the governing board
27 of the educational institution finds that it is in the best interests of the institution or the Eastern Virginia
28 Medical School and the Commonwealth for such dual employment to exist, and (iii) after such finding,
29 the governing board of the educational institution or the Eastern Virginia Medical School ensures that
30 the officer or employee, or the immediate family member, does not have sole authority to supervise,
31 evaluate or make personnel decisions regarding the other;

32 3. An officer's or employee's personal interest in a contract of employment with any other
33 governmental agency of state government;

34 4. Contracts for the sale by a governmental agency or the Eastern Virginia Medical School of
35 services or goods at uniform prices available to the general public;

36 5. An employee's personal interest in a contract between a public institution of higher education
37 in Virginia or the Eastern Virginia Medical School and a publisher or wholesaler of textbooks or other
38 educational materials for students, which accrues to him solely because he has authored or otherwise
39 created such textbooks or materials;

40 6. Subject to approval by the board of visitors, an employee's personal interest in a contract
41 between the Eastern Virginia Medical School or a public institution of higher education in Virginia that
42 operates a school of medicine or dentistry and a not-for-profit nonstock corporation that operates a
43 clinical practice within such public institution of higher education or the Eastern Virginia Medical
44 School and of which such employee is a member or employee;

45 7. Subject to approval by the relevant board of visitors, an employee's personal interest in a
46 contract for research and development or commercialization of intellectual property between a public
47 institution of higher education in Virginia or the Eastern Virginia Medical School and a business in
48 which the employee has a personal interest, if (i) the employee's personal interest has been disclosed to
49 and approved by such public institution of higher education or the Eastern Virginia Medical School prior
50 to the time at which the contract is entered into; (ii) the employee promptly files a disclosure statement
51 pursuant to § 2.2-3117 and thereafter files such statement annually on or before January 15; (iii) the

52 institution has established a formal policy regarding such contracts, approved by the State Council of
53 Higher Education or, in the case of the Eastern Virginia Medical School, a formal policy regarding such
54 contracts in conformity with any applicable federal regulations that has been approved by its board of
55 visitors; and (iv) no later than December 31 of each year, the institution or the Eastern Virginia Medical
56 School files an annual report with the Secretary of the Commonwealth disclosing each open contract
57 entered into subject to this provision, the names of the parties to each contract, the date each contract
58 was executed and its term, the subject of each contractual arrangement, the nature of the conflict of
59 interest, the institution's or the Eastern Virginia Medical School's employee responsible for
60 administering each contract, the details of the institution's or the Eastern Virginia Medical School's
61 commitment or investment of resources or finances for each contract, and any other information
62 requested by the Secretary of the Commonwealth; or

63 8. Subject to approval by the relevant board of visitors, an employee's personal interest in a
64 contract between a public institution of higher education in Virginia or the Eastern Virginia Medical
65 School and a business in which the employee has a personal interest, if (i) the personal interest has been
66 disclosed to the institution or the Eastern Virginia Medical School prior to the time the contract is
67 entered into; (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually
68 on or before January 15; (iii) the employee does not participate in the institution's or the Eastern Virginia
69 Medical School's decision to contract; (iv) the president of the institution or the Eastern Virginia
70 Medical School finds and certifies in writing that the contract is for goods and services needed for
71 quality patient care, including related medical education or research, by the institution's medical center
72 or the Eastern Virginia Medical School, its affiliated teaching hospitals and other organizations
73 necessary for the fulfillment of its mission, including the acquisition of drugs, therapies and medical
74 technologies; and (v) no later than December 31 of each year, the institution or the Eastern Virginia
75 Medical School files an annual report with the Secretary of the Commonwealth disclosing each open
76 contract entered subject to this provision, the names of the parties to each contract, the date each
77 contract was executed and its term, the subject of each contractual arrangement, the nature of the
78 conflict of interest, the institution's or the Eastern Virginia Medical School's employee responsible for

79 administering each contract, the details of the institution's or the Eastern Virginia Medical School's
80 commitment or investment of resources or finances for each contract, and any other information
81 requested by the Secretary of the Commonwealth.

82 D. Notwithstanding the provisions of subdivisions C 7 and C 8, if the research and development
83 or commercialization of intellectual property or the employee's personal interest in a contract with a
84 business is subject to policies and regulations governing conflicts of interest promulgated by any agency
85 of the United States government, including the adoption of policies requiring the disclosure and
86 management of such conflicts of interests, the policies established by the Eastern Virginia Medical
87 School pursuant to such federal requirements shall constitute compliance with subdivisions C 7 and C 8,
88 upon notification by the Eastern Virginia Medical School to the Secretary of the Commonwealth by
89 January 31 of each year of evidence of their compliance with such federal policies and regulations.

90 E. The board of visitors may delegate the authority granted under subdivision C 7 to the
91 president of the institution. If the board elects to delegate such authority, the board shall include this
92 delegation of authority in the formal policy required by clause (iii) of subdivision C 7. In those instances
93 where the board has delegated such authority, on or before December 1 of each year, the president of the
94 relevant institution shall file a report with the relevant board of visitors disclosing each open contract
95 entered into subject to this provision, the names of the parties to each contract, the date each contract
96 was executed and its term, the subject of each contractual arrangement, the nature of the conflict of
97 interest, the institution's or the Eastern Virginia Medical School's employee responsible for
98 administering each contract, the details of the institution's or the Eastern Virginia Medical School's
99 commitment or investment of resources or finances for each contract, the details of how revenues are to
100 be dispersed, and any other information requested by the board of visitors.

101 § 2.2-3107. Prohibited contracts by members of county boards of supervisors, city councils and
102 town councils.

103 A. No person elected or appointed as a member of the governing body of a county, city or town
104 shall have a personal interest in (i) any contract with his governing body, or (ii) any contract with any
105 governmental agency that is a component part of his local government and which is subject to the

106 ultimate control of the governing body of which he is a member, or (iii) any contract other than a
107 contract of employment with any other governmental agency if such person's governing body appoints a
108 majority of the members of the governing body of the second governmental agency. For purposes of this
109 subsection, the term "contract" includes any interim or comprehensive agreement as defined in § 56-557
110 or 56-575.1.

111 B. In addition, no person elected or appointed as a member of the governing body of a county,
112 city or town shall have a personal interest in an interim agreement or comprehensive agreement as
113 defined § 56-557 or 56-575.1 with any governmental agency in the same jurisdiction where members of
114 the second governmental agency are elected.

115 B-C. The provisions of this section shall not apply to:

116 1. A member's personal interest in a contract of employment provided (i) the officer or employee
117 was employed by the governmental agency prior to July 1, 1983, in accordance with the provisions of
118 the former Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) of Title 2.1 as it existed on June 30,
119 1983, or (ii) the employment first began prior to the member becoming a member of the governing
120 body;

121 2. Contracts for the sale by a governmental agency of services or goods at uniform prices
122 available to the public; ~~or~~

123 3. A contract awarded to a member of a governing body as a result of competitive sealed bidding
124 where the governing body has established a need for the same or substantially similar goods through
125 purchases prior to the election or appointment of the member to serve on the governing body. However,
126 the member shall have no involvement in the preparation of the specifications for such contract, and the
127 remaining members of the governing body, by written resolution, shall state that it is in the public
128 interest for the member to bid on such contract; or

129 4. A member's personal interest in an interim or comprehensive agreement as defined in § 56-
130 557 or 56-575.1 when the remaining members of the governing body, by written resolution, state that
131 the agreement is in the public interest and there is only one source practicably available.

132 § 2.2-3108. Prohibited contracts by members of school boards.

133 A. No person elected or appointed as a member of a local school board shall have a personal
134 interest in (i) any contract, including an interim or comprehensive agreement as defined in § 56-557 or
135 56-575.1, with his school board or (ii) any contract with any governmental agency that is subject to the
136 ultimate control of the school board of which he is a member.

137 B. The provisions of this section shall not apply to:

138 1. A member's personal interest in a contract of employment provided the employment first
139 began prior to the member becoming a member of the school board;

140 2. Contracts for the sale by a governmental agency of services or goods at uniform prices
141 available to the public; ~~or~~

142 3. A contract awarded to a member of a school board as a result of competitive sealed bidding
143 where the school board has established a need for the same or substantially similar goods through
144 purchases prior to the election or appointment of the member to serve on the school board. However, the
145 member shall have no involvement in the preparation of the specifications for such contract, and the
146 remaining members of the school board, by written resolution, shall state that it is in the public interest
147 for the member to bid on such contract; or

148 4. A member's personal interest in an interim or comprehensive agreement as defined in § 56-
149 557 or 56-575.1 when the remaining members of the school board, by written resolution, state that the
150 agreement is in the public interest and there is only one source practicably available.

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06 - 2799308

08/19/2005 10:39 AM

Amigo Wade

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend the Code of Virginia by adding sections numbered 56-559.1 and 56-575.3:2, relating
 2 to the Public-Private Transportation Act and the Public-Private Education Facilities and
 3 Infrastructure Act; required disclosure by private entity.

4 **Be it enacted by the General Assembly of Virginia:**

5 **1. That the Code of Virginia is amended by adding sections numbered 56-559.1 and 56-575.3:2 as**
 6 **follows:**

7 56-559.1. Disclosure required by private entity under certain circumstances.

8 Any private entity that submits a solicited or unsolicited proposal to a responsible public entity
 9 that is an agency or department of the Commonwealth shall, with the initial submittal, disclose (i)
 10 whether the private entity directly employs or intends to use the services of a legislator or a firm in
 11 which the legislator is a member and (ii) whether a legislator has a personal interest in the proposal or
 12 the private entity as defined in § 30-101. If, after the initial submittal of the proposal, the private entity
 13 subsequently employs or uses the services of a legislator or a firm in which a legislator is a member,
 14 such private entity shall provide disclosure to the responsible public entity within 30 days. For
 15 purposes of this section "legislator" means a member of the General Assembly.

16 56-575.3:2. Disclosure required by private entity under certain circumstances.

17 Any private entity that submits a solicited or unsolicited proposal to a responsible public entity
 18 that is an agency or department of the Commonwealth shall, with the initial submittal, disclose (i)
 19 whether the private entity directly employs or intends to use the services of a legislator or a firm in
 20 which the legislator is a member and (ii) whether a legislator has a personal interest in the proposal or
 21 the private entity as defined in § 30-101. If, after the initial submittal of the proposal, the private entity
 22 subsequently employs or uses the services of a legislator or a firm in which a legislator is a member,
 23 such private entity shall provide disclosure to the responsible public entity within 30 days. For
 24 purposes of this section "legislator" means a member of the General Assembly.

05 - 2799308

08/19/05 10:39 AM

Amigo Wade

25

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A. General Assembly Conflict of Interest Act - LD 2800

ISSUE	RECOMMENDATION OF JOINT SUBCOMMITTEE	PROPOSED ACTION
1. Consider changing the affirmation to read more clearly.	No recommendation.	N/A
2. a. Clarify whether individual stocks and amounts should be listed separately on the form. <i>(Schedule C)</i> b. Increase the financial information disclosure regarding business interest. <i>(Schedule F-1)</i>	Add language to clarify that any individual stock over \$10,000 must be listed; add column for more specific disclosure of financial information. Strike "Gross" and insert "Net" at the top of existing columns; add column for more specific disclosure of financial information.	P. 23, line 1330. Clarifying language added P. 23, line 1344. "50,001-250,000" and "more than \$250,000" columns added. P. 24, line 1433. "Gross" replaced with "Net" P. 24, line 1435. 50,001-250,000" and "more than \$250,000" columns added.
3. Expand the "Payments for Representation and Other Services" portion of the form to include payments made by a legislator to a lobbyist for representation or other services. <i>(Schedule F-2)</i>	Review amendments made by HB 2515 (2003); staff to develop language for further review.	P. 25, line 1460. "Payments to Lobbyist" heading with two columns added (up to \$10,000; more than \$10,001).
4. Require enhanced disclosure, i.e. frequency and/or detail, for legislators receiving payments over a certain threshold amount for representation or other services. <i>(Schedule G-1)</i>	Add provision for enhanced disclosure over threshold amount for payments for representation of a regulated entity.	P. 26 line 1511. Provision added requiring filer receiving more than \$250,001 in a reporting period to indicate the amount rounded to the nearest \$10,000.
5. Explore electronic filing as an option.	No Recommendation.	N/A
6. Examine whether legislators should be prohibited from having a personal interest in a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act (PPEA). <i>(HB 2621 Work Group)</i>	Amend PPEA and Public-Private Transportation Act (PPTA) to require disclosure of legislator involvement by the offering private entity.	LD 2799. Amends PPEA and PPTA to require private entities submitting proposals under the PPEA or PPTA to disclose (i) whether they employ or intend to employ a legislator or a legislator's firm, and (ii) whether a legislator has a personal interest in the private entity.
7. Consider adding a provision to resolve situations when filing deadlines fall on a holiday.	Amend appropriate statute to clarify status of filings.	P. 17, line 1003. Amends § 30-110 to provide that when a filing deadline falls on a weekend or a legal holiday, the deadline is extended to the next day that is not a weekend or legal holiday.

89-A

B. State and Local Government Conflict of Interest Act - LD 2800

ISSUE	RECOMMENDATION OF JOINT SUBCOMMITTEE	PROPOSED ACTION
1. Excuse or exempt from the filing requirement individuals who no longer occupy the positions for which they were required to file.	Staff to review federal "exit interview" process; report on findings.	
2. Require the heads of independent, legislative and judicial agencies to disclose their interests.	Review list of independent, legislative and judicial branch agencies and the status of filing for their agency heads.	See Attached List - Tab C, page 1.
3. Add a definition for the term "represent."	Add language excluding lobbying activity from the type of representation for which disclosure is requested.	P. 5, lines 218, 232; P. 9, line 535; P. 10, line 574; P. 15, lines 898, 919. Language added.
4. Revise the definition of "close financial association" to affirmatively state what would constitute such an association.	Revise definition.	P. 4, line 105; P. 13, line 802; P. 18, line 1049. Adds language providing an affirmative definition derived from 1988 Attorney General Opinion. (1987-1988 Op. Atty. Gen. 23)
5. Add a definition for "contingent liability."	Add definition.	P. 4, line 120; P. 14, line 810; P. 18, line 1062. Basic definition added.
6. Add a definition for "furnishing."	Add clarifying language Staff to develop language for definition.	P. 6, line 242; P. 10, line 608; P. 16, line 940; P. 20, line 1187; P. 26, line 1543. Language added to exclude situations where the filer is an employee of the company furnishing the services.
7. Explore electronic filing as an option.	No recommendation.	N/A
8. Examine whether state and local government officials should be prohibited from having a personal interest in a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act. ((HB 2621 Work Group)	Amend relevant conflict of interest provisions to prohibit state and local government officials from having a personal interest in interim or comprehensive agreements under the PPEA and PPTA.	LD 2798. Add language prohibiting certain state and local officials from having an interest in interim or comprehensive agreements under the Acts; allow local officers to have such an interest when there is a written finding that it is in the public interest and there is only one practical source .

A-69

B. State and Local Government Conflict of Interest Act (continued) - LD 2800

ISSUE	RECOMMENDATION OF JOINT SUBCOMMITTEE	PROPOSED ACTION
<p>9. Consider revisions to Schedule C disclosure provisions for securities.</p> <p>a) Revise the schedule requesting the filer to disclose securities with value over \$10,000 invested in one business.</p> <p>b) Provide examples for the filer to follow to alleviate confusion regarding information requested on the name of issuer, the type of entity, and the type of security.</p> <p>c) Add provision for disclosure of economic interest when the filer has begun to collect previously deferred compensation.</p> <p>d) Revise instructions to include information or examples based on Attorney General Opinions.</p>	<p>Add language to clarify that any individual stock over \$10,000 must be listed; add column for more specific disclosure of financial information; Change "Gross to "Net". (Same as A.2.)</p> <p>Add examples of the types of entities to be included.</p> <p>Develop definition for "deferred compensation [plan]" and add the terms to "Salary and Wages" question.</p> <p>Include on the Secretary of the Commonwealth's COIA website a reference to the Attorney General's web tutorial.</p>	<p>P. 8, lines 404, 417; P. 9, lines 516, 519.</p> <p>Recommend examples be included in explanatory materials provided to filers.</p> <p>P. 3, line 86, 89; P. 5, line 201; P. 14, lines 812-816; P. 18, lines 1031-1038; P. 20, line 1153. Basic definitions and the terms added.</p> <p>Reference to be provided.</p>
<p>10. Revise/clarify the disclosure provision for close financial associates.</p>	<p>Revise definition of "close financial association".</p>	<p>P. 4, line 105; P. 13, line 802; P. 18, line 1049. Revision language added</p>
<p>11. Require enhanced disclosure, i.e. frequency and/or detail, for filers receiving payments over a certain threshold amount for representation or other services.</p>	<p>Add same language as Item A.4.</p>	<p>P. 10, line 568. Provision added requiring filer receiving more than \$250,001 in a reporting period to indicate the amount rounded to the nearest \$10,000.</p>
<p>12. Consider adding a provision to resolve situations when filing deadlines fall on a holiday.</p>	<p>Amend relevant statute to clarify status of filings.</p>	<p>P. 1, line 18; P. 2, line 26. Amends § 2.2-3114 to add same language as Item A.7.</p>
<p>13. Examine the adequacy of information provided by citizen members of boards on the Financial Disclosure Statement.</p>	<p>Review list of entities currently using the short form; consider expanded use of long form for all but advisory entities.</p>	<p>See Attached List - Tab C, page 3.</p>

A-70

C. Lobbyist Disclosure and Regulation Act - LD 5269

ISSUE	RECOMMENDATION OF JOINT SUBCOMMITTEE
1. Raise the threshold for reporting any single entertainment event.	P. 9, lines 270, 285 Raise the threshold for reporting any single entertainment event from \$50 to \$100
2. Exempt lobbyists who are not compensated.	P. 7, lines 166, 169. Clarifies that the personal and living expenses must not be reimbursed from any other source.
3. Remove requirement that the filer disclose why they received no compensation if they indicated on the form that as a lobbyist they are not compensated.	P. 8, line 238. Remove requirement that the filer disclose why not compensation was received. NOTE: Letter from Secretary of the Commonwealth regarding prohibition against paying lobbyist on contingency basis
4. Explore increased use of electronic filing as an option.	No action recommended.
5. Explore methods for increased enforcement to enhance compliance and accuracy of filing.	Continue discussion.
6. Explore whether the lobbyist disclosure form should continue to be set out in the Code.	Continue discussion.
7. Clarify the use and meaning of the terms "value" and "expenditure."	P. 4, line 78. Add definition of "fair market value" P. 5, line 111. Add persons employed by GA members P. 6, line 149. Replace reference to "fair market worth" with FMV; Provides for actual cost of item to be considered in determining value. P. 9, line 281. Change reporting requirement from requesting total number of legislative and executive officials attending to total number of persons attending.
8. Review the requirement that legislators include a cumulative amount of their gifts (Note: it is not clear whether lobbyists are required to report cumulative amounts).	No action recommended.

A-71

C. Lobbyist Disclosure and Regulation Act (continued) - LD 5269

ISSUE	RECOMMENDATION OF JOINT SUBCOMMITTEE
<p>9. Review how to properly report events that do not consist totally of lobbying activity.</p>	<p>Recommendation: Proceed to solicit suitable illustrative examples; develop instructions for completing the lobbyist disclosure statement; submit instructions to the Attorney General with request for legal advice.</p>
<p>10. Clarify the use of different reporting dates for lobbyists and legislators. The different reporting dates create some confusion and delay in the information reported. Consider making the reporting dates line up more closely.</p>	<p>No action recommended.</p>
<p>11. Examine the issue of local government employees who are not required to register under the current definition of "lobbyist."</p>	<p>No action recommended.</p>
<p>12. Examine the necessity of having the lobbyist and the principal sign the disclosure form.</p>	<p>No action recommended.</p>

A-72

06 - 2800308

12/16/2005 11:22 AM

Amigo Wade

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact §§ 2.2-3114, 2.2-3117, 2.2-3118, 30-110, and 30-111 of the Code of
 2 Virginia, relating to the State and Local Government and General Assembly Conflict of Interest
 3 Acts.

4 **Be it enacted by the General Assembly of Virginia:**

5 **1. That §§ 2.2-3114, 2.2-3117, 2.2-3118, 30-110, and 30-111 of the Code of Virginia are amended**
 6 **and reenacted as follows:**

7 § 2.2-3114. Disclosure by state officers and employees.

8 A. The Governor, Lieutenant Governor, Attorney General, Justices of the Supreme Court, judges
 9 of the Court of Appeals, judges of any circuit court, judges and substitute judges of any district court,
 10 members of the State Corporation Commission, members of the Virginia Workers' Compensation
 11 Commission, members of the Commonwealth Transportation Board, members of the Board of Trustees
 12 of the Virginia Retirement System, and members of the State Lottery Board and other persons
 13 occupying such offices or positions of trust or employment in state government, including members of
 14 the governing bodies of authorities, as may be designated by the Governor or, in the case of officers or
 15 employees of the legislative branch, by the Joint Rules Committee of the General Assembly, shall file,
 16 as a condition to assuming office or employment, a disclosure statement of their personal interests and
 17 such other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a
 18 statement annually on or before January 15. When the filing deadline falls on a Saturday, Sunday, or
 19 legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or
 20 legal holiday.

21 B. Nonsalaried citizen members of all policy and supervisory boards, commissions and councils
 22 in the executive branch of state government, other than the Commonwealth Transportation Board,
 23 members of the Board of Trustees of the Virginia Retirement System, and the State Lottery Board, shall
 24 file, as a condition to assuming office, a disclosure form of their personal interests and such other

25 information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such form
26 annually on or before January 15. When the filing deadline falls on a Saturday, Sunday, or legal holiday,
27 the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal holiday.

28 Nonsalaried citizen members of other boards, commissions and councils, including advisory boards and
29 authorities, may be required to file a disclosure form if so designated by the Governor, in which case the
30 form shall be that set forth in § 2.2-3118.

31 C. The disclosure forms required by subsections A and B shall be provided by the Secretary of
32 the Commonwealth to each officer and employee so designated, including officers appointed by
33 legislative authorities, not later than November 30 of each year. Disclosure forms shall be filed and
34 maintained as public records for five years in the Office of the Secretary of the Commonwealth.

35 D. Candidates for the offices of Governor, Lieutenant Governor or Attorney General shall file a
36 disclosure statement of their personal interests as required by § 24.2-502.

37 E. Any officer or employee of state government who has a personal interest in any transaction
38 before the governmental or advisory agency of which he is an officer or employee and who is
39 disqualified from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112, or
40 otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest,
41 including the full name and address of the business and the address or parcel number for the real estate if
42 the interest involves a business or real estate, and his disclosure shall also be reflected in the public
43 records of the agency for five years in the office of the administrative head of the officer's or employee's
44 governmental agency or advisory agency or, if the agency has a clerk, in the clerk's office.

45 F. An officer or employee of state government who is required to declare his interest pursuant to
46 subdivision A 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) the
47 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a
48 member of a business, profession, occupation, or group the members of which are affected by the
49 transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public
50 interest. The officer or employee shall either make his declaration orally to be recorded in written
51 minutes for his agency or file a signed written declaration with the clerk or administrative head of his

52 governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for
 53 public inspection such declaration for a period of five years from the date of recording or receipt. If
 54 reasonable time is not available to comply with the provisions of this subsection prior to participation in
 55 the transaction, the officer or employee shall prepare and file the required declaration by the end of the
 56 next business day.

57 G. An officer or employee of state government who is required to declare his interest pursuant to
 58 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a
 59 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide
 60 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in
 61 the public interest. The officer or employee shall either make his declaration orally to be recorded in
 62 written minutes for his agency or file a signed written declaration with the clerk or administrative head
 63 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make
 64 available for public inspection such declaration for a period of five years from the date of recording or
 65 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to
 66 participation in the transaction, the officer or employee shall prepare and file the required declaration by
 67 the end of the next business day.

68 § 2.2-3117. Disclosure form.

69 The disclosure form to be used for filings required by § 2.2-3114 A and D, and § 2.2-3115 A and

70 D shall be substantially as follows:

71 STATEMENT OF ECONOMIC INTERESTS.

- 72 Name
- 73 Office or position held or sought
- 74 Home address
- 75 Names of members of immediate family

76 DEFINITIONS AND EXPLANATORY MATERIAL.

77 "Immediate family" means (i) a spouse and (ii) any other person
 78 residing in the same household as the officer or employee, who
 79 is a dependent of the officer or employee or of whom the officer
 80 or employee is a dependent.

81 "Deferred compensation" means income that is taxed when
 82 received and not when earned.

83 "Deferred compensation plan" means an arrangement whereby an
 84 employee or owner defers some portion of their current income
 85 until a specified date. A deferred compensation plan may entitle
 86 the employee or owner to a portion of investment income generated
 87 by virtue of the employee's or owner's participation in the plan.

94
95 "Dependent" means any person, whether or not related by blood or
96 marriage, who receives from the officer or employee, or provides
97 to the officer or employee, more than one-half of his financial
98 support.
99

100 "Business" means a corporation, partnership, sole proprietorship,
101 firm, enterprise, franchise, association, trust or foundation, or
102 any other individual or entity carrying on a business or
103 profession, whether or not for profit.
104

105 "Close financial association" means an association in which the person
106 filing shares significant financial involvement with an individual
107 and the filer would reasonably be expected to be aware of the
108 individual's business activities and would have access to the
109 necessary records either directly or through the individual.

110 "Close financial association" does not mean an association based
111 on (i) the receipt of retirement benefits or deferred compensation
112 from a business by which the person filing this statement is no
113 longer employed, or - "Close financial association" does not include an
114 association based on (ii) the receipt of compensation for work performed
115 by the person filing as an independent contractor of a business
116 that represents an entity before any state governmental agency when
117 the person filing has had no communications with the state
118 governmental agency.
119

120 "Contingent liability" means a liability that is not presently fixed
121 or determined, but may become fixed or determined in the future with
122 the occurrence of some certain event.
123

124 "Gift" means any gratuity, favor, discount, entertainment,
125 hospitality, loan, forbearance, or other item having monetary value.
126 It includes services as well as gifts of transportation, local
127 travel, lodgings and meals, whether provided in-kind, by purchase
128 of a ticket, payment in advance or reimbursement after the expense
129 has been incurred. "Gift" shall not include any offer of a ticket
130 or other admission or pass unless the ticket, admission, or pass is
131 used. "Gift" shall not include honorary degrees and presents from
132 relatives. "Relative" means the donee's spouse, child, uncle, aunt,
133 niece, or nephew; a person to whom the donee is engaged to be
134 married; the donee's or his spouse's parent, grandparent,
135 grandchild, brother, or sister; or the donee's brother's or
136 sister's spouse.
137

138 TRUST. If you or your immediate family, separately or together,
139 are the only beneficiaries of a trust, treat the trust's assets
140 as if you own them directly. If you or your immediate family has
141 a proportional interest in a trust, treat that proportion of the
142 trust's assets as if you own them directly. For example, if you
143 and your immediate family have a one-third interest in a trust,
144 complete your Statement as if you own one-third of each of the
145 trust's assets. If you or a member of your immediate family
146 created a trust and can revoke it without the beneficiaries'
147 consent, treat its assets as if you own them directly.
148

149 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information
150 required on this Statement must be provided on the basis of the
151 best knowledge, information and belief of the individual filing
152 the Statement as of the date of this report unless otherwise
153 stated.
154

155 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.
156

157 You may attach additional explanatory information.
158

159 1. Offices and Directorships.

160 Are you or a member of your immediate family a paid officer
161 or paid director of a business?
162 EITHER check NO / / OR check YES / / and complete
163 Schedule A.

164 2. Personal Liabilities.

165 Do you or a member of your immediate family owe more than
166 \$10,000 to any one creditor including contingent liabilities?
167 (Exclude debts to any government and loans secured by recorded

168 liens on property at least equal in value to the loan.)
169 EITHER check NO / / OR check YES / / and complete
170 Schedule B.

171 3. Securities.
172 Do you or a member of your immediate family, directly or
173 indirectly, separately or together, own securities valued
174 in excess of \$10,000 invested in one business? Account for
175 mutual funds, limited partnerships and trusts.

176 EITHER check NO / / OR check YES / / and complete
177 Schedule C.

178 4. Payments for Talks, Meetings, and Publications.
179 During the past 12 months did you receive lodging,
180 transportation, money, or anything else of value with a
181 combined value exceeding \$200 for a single talk, meeting,
182 or published work in your capacity as an officer or employee of
183 your agency?

184 EITHER check NO / / OR check YES / / and complete
185 Schedule D.

186 5. Gifts.
187 During the past 12 months did a business, government, or
188 individual other than a relative or personal friend (i) furnish
189 you with any gift or entertainment at a single event, and the
190 value received by you exceeded \$50 in value or (ii) furnish you
191 with gifts or entertainment in any combination and the value
192 received by you exceeded \$100 in total value; and for
193 which you neither paid nor rendered services in exchange?
194 Account for entertainment events only if the average value
195 per person attending the event exceeded \$50 in value.
196 Account for all business entertainment (except if related to
197 your private profession or occupation) even if unrelated
198 to your official duties.

199 EITHER check NO / / OR check YES / / and complete
200 Schedule E.

201 6. Salary and Wages and Deferred Compensation Paid.
202 List each employer that pays you or a member of your immediate
203 family (i) salary or wages in excess of \$10,000 annually, and (ii)
204 compensation in excess of \$10,000 pursuant to a deferred
205 compensation agreement. (Exclude state or local government or
206 advisory agencies.) If no reportable salary or wages,
207 check here / /.

208
209
210

211 7. Business Interests.
212 Do you or a member of your immediate family, separately or
213 together, operate your own business, or own or control an
214 interest in excess of \$10,000 in a business?

215 EITHER check NO / / OR check YES / / and complete
216 Schedule F.

217 8. Payments for Representation and Other Services.
218 8A. Did you represent, excluding activity defined as lobbying in
219 § 2.2-419, any businesses before any state governmental
220 agencies, excluding courts or judges, for which you received
221 total compensation during the past 12 months in excess of
222 \$1,000, excluding compensation for other services to such
223 businesses and representation consisting solely of the filing
224 of mandatory papers and subsequent representation regarding the
225 mandatory papers? (Officers and employees of local
226 governmental and advisory agencies do NOT need to answer this
227 question or complete Schedule G-1.)

228 EITHER check NO / / OR check YES / / and complete
229 Schedule G-1.

230 8B. Subject to the same exceptions as in 8A, did persons with whom
231 you have a close financial association (partners, associates or
232 others) represent, excluding activity defined as lobbying in
233 § 2.2-419, any businesses before any state governmental
234 agency for which total compensation was received during the past
235 12 months in excess of \$1,000? (Officers and employees of local
236 governmental and advisory agencies do NOT need to answer this
237 question or complete Schedule G-2.)

238 EITHER check NO / / OR check YES / / and complete
239 Schedule G-2.

240 8C. Did you or persons with whom you have a close financial
241 association furnish services to businesses operating in

242 Virginia pursuant to an agreement between you and such businesses,
 243 or between persons with whom you have a close financial
 244 association and such businesses for which total compensation in
 245 excess of \$1,000 was received during the past 12 months?
 246 EITHER check NO / / OR check YES / / and complete
 247 Schedule G-3.

248 9. Real Estate.

249 9A. State Officers and Employees.

250 Do you or a member of your immediate family hold an interest,
 251 including a partnership interest, valued at \$10,000 or more in
 252 real property (other than your principal residence) for which
 253 you have not already listed the full address on Schedule F?
 254 Account for real estate held in trust.
 255 EITHER check NO / / OR check YES / / and complete
 256 Schedule H-1.

257 9B. Local Officers and Employees.

258 Do you or a member of your immediate family hold an interest,
 259 including a partnership interest, valued at \$10,000 or more in
 260 real property located in the county, city or town in which you
 261 serve or in a county, city or town contiguous to the county,
 262 city or town in which you serve (other than your principal
 263 residence) for which you have not already listed the full
 264 address on Schedule F? Account for real estate held in trust.
 265 EITHER check NO / / OR check YES / / and complete
 266 Schedule H-2.

267 10. Real Estate Contracts with Governmental Agencies.

268 Do you or a member of your immediate family hold an interest
 269 valued at more than \$10,000 in real estate, including a
 270 corporate, partnership, or trust interest, option,
 271 easement, or land contract, which real estate is the
 272 subject of a contract, whether pending or completed within
 273 the past 12 months, with a governmental agency? If the
 274 real estate contract provides for the leasing of the property
 275 to a governmental agency, do you or a member of your immediate
 276 family hold an interest in the real estate valued at more than
 277 \$1,000? Account for all such contracts whether or not your
 278 interest is reported in Schedule F, H-1, or H-2. This
 279 requirement to disclose an interest in a lease does not apply
 280 to an interest derived through an ownership interest in a
 281 business unless the ownership interest exceeds three percent
 282 of the total equity of the business.
 283 EITHER check NO / / OR check YES / / and complete Schedule I.

284 Statements of Economic Interests are open for public inspection.

285 AFFIRMATION BY ALL FILERS.

286 I swear or affirm that the foregoing information is full, true
287 and correct to the best of my knowledge.

288 Signature.....
 289 Commonwealth of Virginia
 290of.....to wit:
 291 The foregoing disclosure form was acknowledged before me
 292 This.....day of....., 19.., by,
 293 Notary Public
 294 My commission expires.....

295 (Return only if needed to complete Statement.)

300 SCHEDULES
 301 TO
 302 STATEMENT OF ECONOMIC INTERESTS.

303 NAME.....

304 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

305 Identify each business of which you or a member of your
 306 immediate family is a paid officer or paid director.

307 -----
 308 -----

316	Name of Business	Address of Business	Position Held
317			
318
319
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322	-----	-----	-----

RETURN TO ITEM 2

SCHEDULE B - PERSONAL LIABILITIES.

328 Report personal liability by checking each category. Report
 329 only debts in excess of \$10,000. Do not report debts to any
 330 government. Do not report loans secured by recorded liens on
 331 property at least equal in value to the loan.
 332 Report contingent liabilities below and indicate which debts
 333 are contingent.

335 1. My personal debts are as follows:

340	Check	Check one
341	appropriate	\$10,001 to
342	categories	\$50,000
343		More than
344		\$50,000
344	Banks	.....
345	Savings institutions	.....
346	Other loan or finance companies	.....
347	Insurance companies	.....
348	Stock, commodity or other brokerage	.....
349	companies	.....
350	Other businesses:	
351	(State principal business activity	
352	for each creditor.)	.....
353	.....	.....
354	.....	.....
355	Individual creditors:	
356	(State principal business or	
357	occupation of each creditor.)	.....
358	.....	.....
359	.....	.....
360	-----	-----
361	-----	-----

363 2. The personal debts of the members of my immediate family are as follows:

369	Check	Check one
370	appropriate	\$10,001 to
371	categories	\$50,000
372		More than
373		\$50,000
373	Banks	.....
374	Savings institutions	.....
375	Other loan or finance companies	.....
376	Insurance companies	.....
377	Stock, commodity or other brokerage	.....
378	companies	.....
379	Other businesses:	
380	(State principal business activity	
381	for each creditor.)	.....
382	.....	.....
383	.....	.....
384	Individual creditors:	
385	(State principal business or	
386	occupation of each creditor.)
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RETURN TO ITEM 3

SCHEDULE C - SECURITIES.

"Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures contracts. "Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and insurance policies.

Identify each business or Virginia governmental entity in which you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$10,000. Name each entity and type of security individually.

Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia or its authorities, agencies, or local governments. Do not list organizations that do not do business in this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held in trust.

If no reportable securities, check here / /.

Name of Issuer	Type of Entity	Type of Security (stocks, bonds, mutual funds, etc.)	Check one		
			\$10,001 to \$50,000	More than \$50,000	More than \$250,000
.....
.....
.....
.....

RETURN TO ITEM 4

SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

List each source from which you received during the past 12 months lodging, transportation, money, or any other thing of value (excluding meals or drinks coincident with a meeting) with combined value exceeding \$200 for your presentation of a single talk, participation in one meeting, or publication of a work in your capacity as an officer or employee of your agency.

List payments or reimbursements by an advisory or governmental agency only for meetings or travel outside the Commonwealth.

List a payment even if you donated it to charity.

Do not list information about a payment if you returned it within 60 days or if you received it from an employer already listed under Item 6 or from a source of income listed on Schedule F.

If no payment must be listed, check here / /.

Payer	Approximate Value	Circumstances	Type of Payment (e.g., Travel reimbursement, etc.)
.....
.....
.....
.....

RETURN TO ITEM 5

464 SCHEDULE E - GIFTS.

465 List each business, governmental entity, or individual that,
466 during the past 12 months, (i) furnished you with any gift or
467 entertainment at a single event and the value received by
468 you exceeded \$50 in value, or (ii) furnished you with gifts or
469 entertainment in any combination and the value received by you
470 exceeded \$100 in total value; and for which you neither paid
471 nor rendered services in exchange. List each such gift or
472 event. Do not list entertainment events unless the
473 average value per person attending the event exceeded \$50
474 in value. Do not list business entertainment
475 related to your private profession or occupation. Do not
476 list gifts or other things of value given by a relative
477 or personal friend for reasons clearly unrelated
478 to your public position. Do not list campaign contributions
479 publicly reported as required by Chapter 9 (§ 24.2-900 et seq.)
480 of Title 24.2 of the Code of Virginia.
481 -----
482 -----
483 -----
484 -----

485 Name of Business, 486 Organization, or 487 Individual	City or County and State	Gift or Event	Approximate Value
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489
490
491

492 -----
493 -----
494 -----
495 RETURN TO ITEM 6

496 SCHEDULE F - BUSINESS INTERESTS.

497 Complete this Schedule for each self-owned or family-owned business
498 (including rental property, a farm, or consulting work),
499 partnership, or corporation in which you or a member of your
500 immediate family, separately or together, own an interest having
501 a value in excess of \$10,000.
502 -----
503 -----
504 -----

505 If the enterprise is owned or operated under a trade, partnership,
506 or corporate name, list that name; otherwise, merely explain the
507 nature of the enterprise. If rental property is owned or
508 operated under a trade, partnership, or corporate name, list the
509 name only; otherwise, give the address of each property. Account
510 for business interests held in trust.
511 -----
512 -----
513 -----
514 -----

515 Name of 516 Business, 517 Corporation, 518 Partnership, 519 Farm; Address 520 of Rental 521 Property	City or County and State	Nature of Enterprise (farming, law, rental property, etc.)	\$50,000 or less	More than \$50,000 to	More than \$51,000 than	More than \$250,000
522				\$50,000	More than \$51,000	More than \$250,000
523						
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533 -----
534 -----
535 RETURN TO ITEM 8

536 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

537 List the businesses you represented, excluding activity
defined as lobbying in § 2.2-419, before any state governmental
agency, excluding any court or judge, for which you received

538 total compensation during the past 12 months in excess of \$1,000,
539 excluding compensation for other services to such businesses and
540 representation consisting solely of the filing of mandatory
541 papers and subsequent representation regarding the mandatory
542 papers filed by you.
543

544 Identify each business, the nature of the representation and the
545 amount received by dollar category from each such business. You
546 may state the type, rather than name, of the business if you are
547 required by law not to reveal the name of the business
548 represented by you.
549

550 Only STATE officers and employees should complete this Schedule.
551

552 -----
553 -----
554

Name of Busi- ness	Type of Busi- ness	Pur- pose of Repre- senta- tion	Name of Agen- cy	Amount Received				
				\$1,001 to \$10,000	\$10,001 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$250,000	\$250,001 and over
555								
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567
568 If you have received \$250,001 or more from a single business within
569 the reporting period, indicate the amount received, rounded to the
570 nearest \$10,000. Amount Received:
571

572 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.
573

574 List the businesses that have been represented, excluding activity
575 defined as lobbying in § 2.2-419, before any state
576 governmental agency, excluding any court or judge, by persons
577 who are your partners, associates or others with whom you have
578 a close financial association and who received total
579 compensation in excess of \$1,000 for such representation during
580 the past 12 months, excluding representation consisting solely
581 of the filing of mandatory papers and subsequent representation
582 regarding the mandatory papers filed by your partners,
583 associates or others with whom you have a close financial
584 association.
585

586 Identify such businesses by type and also name the state
587 governmental agencies before which such person appeared on
588 behalf of such businesses.
589

590 Only STATE officers and employees should complete this Schedule.
591

592 -----
593 -----
594

Type of Business	Name of State Governmental Agency
595	
596	
597	
598	
599	

600 -----
601 -----
602

603 SCHEDULE G-3 - PAYMENTS FOR SERVICES GENERALLY.
604

605
606 Indicate below types of businesses that operate in Virginia to
607 which services were furnished by you or persons with whom you
608 have a close financial association pursuant to an agreement between you
609 and such businesses, or between persons with whom you have a close financial
610 association and such businesses and for which total compen-
611 sation in excess of \$1,000 was received during the past 12 months.

612
 613 Identify opposite each category of businesses listed below (i)
 614 the type of business, (ii) the type of service rendered and
 615 (iii) the value by dollar category of the compensation received
 616 for all businesses falling within each category.
 617

618 -----
 619 -----

620	621	622	623	624	625	626 Value of Compensation										
						627	628	629	630	631	632	633	634			
635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	
651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667
620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636
637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653
654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670
671	672	673	674	675	676	677	678	679	680	681	682	683	684	685		

- 686 Associations
- 687 of public
- 688 employees or
- 689 officials
- 690 Counties,
- 691 cities or
- 692 towns
- 693 Labor organi-
- 694 zations
- 695 Other

RETURN TO ITEM 9

SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEES.

List real estate other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest, option, easement, or land contract, valued at \$10,000 or more. You may list each parcel of real estate individually if you wish.

List each location (state, and county or city) where you own real estate.	Describe the type of real estate you own in each location (business, recreational, apartment, commercial, open land, etc.).	If the real estate is owned or recorded in a name other than your own, list that name.
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SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.

List real estate located in your county, city, or town, and any contiguous county, city, or town other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest, option, easement, or land contract, valued at \$10,000 or more. You may list each parcel of real estate individually if you wish.

List each location (state, and county or city) where you own real estate.	Describe the type of real estate you own in each location (business, recreational, apartment, commercial, open land, etc.).	If the real estate is owned or recorded in a name other than your own, list that name.
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RETURN TO ITEM 10

SCHEDULE I - REAL ESTATE CONTRACTS WITH GOVERNMENTAL AGENCIES.

List all contracts, whether pending or completed within the past 12 months, with a governmental agency for the sale or exchange of real estate in which you or a member of your immediate family holds an interest, including a corporate, partnership or trust interest, option, easement, or land contract, valued at \$10,000 or more. List all contracts with a

760 governmental agency for the lease of real estate in which you or
 761 a member of your immediate family holds such an interest valued
 762 at \$1,000 or more. This requirement to disclose an interest in a
 763 lease does not apply to an interest derived through an ownership
 764 interest in a business unless the ownership interest exceeds
 765 three percent of the total equity of the business.
 766 State officers and employees report contracts with state agencies.
 767 Local officers and employees report contracts with local agencies.

768 -----
 769 -----
 770

771 List your real 772 estate interest 773 and the person 774 or entity, 775 including the 776 type of entity, 777 which is party 778 to the contract. 779 Describe any 780 management role 781 and the percentage 782 ownership interest 783 you or your 784 immediate family 785 member has in the 786 real estate or entity.	771 List each 772 governmental agency 773 which is a party to 774 the contract and in- 775 dicate the county 776 or city where the real 777 estate is located.	771 State the annual 772 income from the 773 contract, and the 774 amount, if any, of 775 income you or any 776 immediate family 777 member derives 778 annually from the 779 contract.
787	787	787
788	788	788
789	789	789
790	790	790
791	791	791
792 -----	792 -----	792 -----
793 -----	793 -----	793 -----
794		

795 § 2.2-3118. Disclosure form; certain citizen members.

796 A. The financial disclosure form to be used for filings required pursuant to subsection B of § 2.2-
 797 3114 and subsection B of § 2.2-3115 shall be substantially as follows:

798 DEFINITIONS AND EXPLANATORY MATERIAL.

799 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
 800 association, trust or foundation, or any other individual or entity carrying on a business or profession,
 801 whether or not for profit.

802 "Close financial association" means an association in which the person filing shares significant
 803 financial involvement with an individual and the filer would reasonably be expected to be aware of the
 804 individual's business activities and would have access to the necessary records either directly or through
 805 the individual. "Close financial association" does not mean an association based on (i) the receipt of
 806 retirement benefits or deferred compensation from a business by which the person filing this statement is
 807 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an

808 independent contractor of a business that represents an entity before any state governmental agency
809 when the person filing has no communications with the state governmental agency.

810 "Contingent liability" means a liability that is not presently fixed or determined, but may become
811 fixed or determined in the future with the occurrence of some certain event.

812 "Deferred compensation" means income that is taxed when received and not when earned.

813 "Deferred compensation plan" means an arrangement whereby an employee or owner defers
814 some portion of their current income until a specified date. A deferred compensation plan may entitle
815 the employee or owner to a portion of investment income generated by virtue of the employer's or
816 owner's participation in the plan.

817 "Immediate family" means (i) a spouse and (ii) any other person residing in the same household
818 as the filer, who is a dependent of the filer or of whom the filer is a dependent.

819 "Dependent" means any person, whether or not related by blood or marriage, who receives from
820 the filer, or provides to the filer, more than one-half of his financial support.

821 "Personal interest" means, for the purposes of this form only, a personal and financial benefit or
822 liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of (i)
823 ownership in real or personal property, tangible or intangible; (ii) ownership in a business; (iii) income
824 from a business; or (iv) personal liability on behalf of a business; however, unless the ownership interest
825 in a business exceeds three percent of the total equity of the business, or the liability on behalf of a
826 business exceeds three percent of the total assets of the business, or the annual income, and/or property
827 or use of such property, from the business exceeds \$10,000 or may reasonably be anticipated to exceed
828 \$10,000, such interest shall not constitute a "personal interest."

829 Name
830 Office or position held or to be held
831
832 Address

833 I. FINANCIAL INTERESTS

836 My personal interests and those of my immediate family are as
837 follows:

838 Include all forms of personal interests held at the time of filing:
839 real estate, stocks, bonds, equity interests in proprietorships and
840 partnerships. You may exclude:

- 841 1. Deposits and interest bearing accounts in banks, savings
842 institutions and other institutions accepting such
843 deposits or accounts;
- 844 2. Interests in any business, other than a news medium, representing
845 less than three percent of the total equity value of the business;
- 846 3. Liability on behalf of any business representing less than three

847 percent of the total assets of such business; and
848 4. Income (other than from salary) less than \$10,000 annually from
849 any business. You need not state the value of any interest. You must
850 state the name or principal business activity of each business in
851 which you have a personal interest.

852 A. My personal interests are:

- 853 1. Residence, address, or, if no address, location
 - 854 2. Other real estate, address, or, if no address, location
 - 855 3. Name or principal business activity of each business in which
856 stock, bond or equity interest is held
- 857 B. The personal interests of my immediate family are:
- 858 1. Real estate, address or, if no address, location
 - 859 2. Name or principal business activity of each business in which
860 stock, bond or equity interest is held

862 II. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

863
864 The paid offices, paid directorships and salaried employments which
865 I hold or which members of my immediate family hold and the
866 businesses from which I or members of my immediate family receive
867 retirement benefits are as follows:
868 (You need not state any dollar amounts.)

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

870 -----
871 -----
872 -----

873	874	875	876	877	878
	Position held				Name of business
874	875	.....	876	.....
875	876	.....	877	.....
876	877	.....	878	.....
877	878	.....	879	.....
878	879	.....	880	.....
879	880	.....	881	.....

882 B. The paid offices, paid directorships and salaried employments of
883 members of my immediate family are:

884 -----
885 -----
886 -----

887	888	889	890	891	892
	Position held				Name of business
888	889	.....	890	.....
889	890	.....	891	.....
890	891	.....	892	.....
891	892	.....	893	.....
892	893	.....	894	.....
893	894	.....	895	.....

896 III. BUSINESSES TO WHICH SERVICES WERE FURNISHED

897
898 A. The businesses I have represented, excluding activity defined as
899 lobbying in § 2.2-419, before any state governmental agency,
900 excluding any court or judge, for which I have received total
901 compensation in excess of \$1,000 during the preceding year, excluding
902 compensation for other services to such businesses and representation
903 consisting solely of the filing of mandatory papers, are as follows:

904 Identify businesses by name and name the state governmental
905 agencies before which you appeared on behalf of such businesses.

906 -----
907 -----
908 -----

909	910	911	912	913	914
	Name of business				Name of governmental agency
910	911	.....	912	.....
911	912	.....	913	.....
912	913	.....	914	.....
913	914	.....	915	.....
914	915	.....	916	.....
915	916	.....	917	.....

918 B. The businesses that, to my knowledge, have been represented,
919 excluding activity defined as lobbying in § 2.2-419, before any
920 state governmental agency, excluding any court or judge, by persons

921 with whom I have a close financial association and who received total
922 compensation in excess of \$1,000 during the preceding year, excluding
923 compensation for other services to such businesses and representation
924 consisting solely of the filing of mandatory papers, are as follows:

925 Identify businesses by type and name the state governmental
926 agencies before which such person appeared on behalf of such
927 businesses.

928 -----
929 -----
930 -----
931 -----

Type of business	Name of state governmental agency
.....
.....

936 -----
937 -----

938
939 C. All other businesses listed below that operate in Virginia to
940 which services were furnished pursuant to an agreement between you
941 and such businesses and for which total compensation in
942 excess of \$1000 was received during the preceding year:

943 Check each category of business to which services were furnished.

- 944 -----
945 -----
946 -----
947 -----
- 948 Electric utilities
 - 949 Gas utilities
 - 950 Telephone utilities
 - 951 Water utilities
 - 952 Cable television companies
 - 953 Intrastate transportation companies
 - 954 Interstate transportation companies
 - 955 Oil or gas retail companies
 - 956 Banks
 - 957 Savings institutions
 - 958 Loan or finance companies
 - 959 Manufacturing companies (state type of product, e.g.,
960 textile, furniture, etc.)
 - 961 Mining companies
 - 962 Life insurance companies
 - 963 Casualty insurance companies
 - 964 Other insurance companies
 - 965 Retail companies
 - 966 Beer, wine or liquor companies or distributors
 - 967 Trade associations
 - 968 Professional associations
 - 969 Associations of public employees or officials
 - 970 Counties, cities or towns
 - 971 Labor organizations
- 972 -----
973 -----
974 -----

975
976 IV. COMPENSATION FOR EXPENSES

977
978 The persons, associations, or other sources other than my
979 governmental agency from which I or a member of my immediate family
980 received remuneration in excess of \$200 during the preceding year,
981 in cash or otherwise, as honorariums or payment of expenses in
982 connection with my attendance at any meeting or other function to
983 which I was invited in my official capacity are as follows:

984 -----
985 -----
986 -----

Name of Source	Description of occasion	Amount of remuneration for each occasion
.....
.....

991 -----
992 -----
993 -----

994 B. The provisions of Part III A and B of the disclosure form prescribed by this section shall not
995 be applicable to officers and employees of local governmental and local advisory agencies.

996 C. Except for real estate located within the county, city or town in which the officer or employee
997 serves or a county, city or town contiguous to the county, city or town in which the officer or employee
998 serves, officers and employees of local governmental or advisory agencies shall not be required to
999 disclose under Part I of the form any other interests in real estate.

1000 § 30-110. Disclosure.

1001 A. Every legislator and legislator-elect shall file, as a condition to assuming office, a disclosure
1002 statement of his personal interests and such other information as is specified on the form set forth in §
1003 30-111 and thereafter shall file such a statement annually on or before January 8. When the filing
1004 deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement shall be filed on the next
1005 day that is not a Saturday, Sunday, or legal holiday. Disclosure forms shall be provided by the clerk of
1006 the appropriate house to each legislator and legislator-elect not later than November 30 of each year.
1007 Members of the Senate shall file their disclosure forms with the Clerk of the Senate and members of the
1008 House of Delegates shall file their disclosure forms with the Clerk of the House of Delegates. The
1009 disclosure forms of the members of the General Assembly shall be maintained as public records for five
1010 years in the office of the clerk of the appropriate house.

1011 B. Candidates for the General Assembly shall file a disclosure statement of their personal
1012 interests as required by §§ 24.2-500 through 24.2-503.

1013 C. Any legislator who has a personal interest in any transaction pending before the General
1014 Assembly and who is disqualified from participating in that transaction pursuant to § 30-108 and the
1015 rules of his house shall disclose his interest in accordance with the applicable rule of his house.

1016 § 30-111. Disclosure form.

1017 A. The disclosure form to be used for filings required by subsections A and B of § 30-110 shall
1018 be substantially as follows:

1019 STATEMENT OF ECONOMIC INTERESTS.
1020 Name
1021 Office or position held or sought
1022 Home address
1023 Names of members of immediate family

DEFINITIONS AND EXPLANATORY MATERIAL.

1025
1026

1027 "Immediate family" means (i) a spouse and (ii) any other person
1028 residing in the same household as the legislator, who is a dependent
1029 of the legislator or of whom the legislator is a dependent.

1030

1031 "Deferred compensation" means income that is taxed when received and not
1032 when earned.

1033

1034 "Deferred compensation plan" means an arrangement whereby an
1035 employee or owner defers some portion of their current income
1036 until a specified date. A deferred compensation plan may entitle
1037 the employee or owner to a portion of investment income generated
1038 by virtue of the employee's or owner's participation in the plan.

1039

1040 "Dependent" means any person, whether or not related by blood or
1041 marriage, who receives from the legislator, or provides to the
1042 legislator, more than one-half of his financial support.

1043

1044 "Business" means a corporation, partnership, sole proprietorship,
1045 firm, enterprise, franchise, association, trust or foundation, or
1046 any other individual or entity carrying on a business or profession,
1047 whether or not for profit.

1048

1049 "Close financial association" means an association in which the filer
1050 shares significant financial involvement with an individual and the
1051 filer would reasonably be expected to be aware of the individual's
1052 business activities and would have access to the necessary records
1053 either directly or through the individual. "Close financial
1054 association" does not mean an association based on (i) the receipt of
1055 retirement benefits or deferred compensation from a business by which the
1056 legislator is no longer employed. ~~"Close financial association" does not~~
1057 ~~include an association based on~~ or (ii) the receipt of compensation for
1058 work performed by the legislator as an independent contractor of a business
1059 that represents an entity before any state governmental agency when the
1060 legislator has had no communications with the state governmental agency.

1061

1062 "Contingent liability" means a liability that is not presently fixed or
1063 determined, but may become fixed or determined in the future with the
1064 occurrence of some certain event.

1065

1066 "Gift" means any gratuity, favor, discount, entertainment,
1067 hospitality, loan, forbearance, or other item having monetary value.
1068 It includes services as well as gifts of transportation, local
1069 travel, lodgings and meals, whether provided in-kind, by purchase
1070 of a ticket, payment in advance or reimbursement after the expense
1071 has been incurred. "Gift" shall not include any offer of a ticket
1072 or other admission or pass unless the ticket, admission, or pass is
1073 used. "Gift" shall not include honorary degrees and presents from
1074 relatives. "Relative" means the donee's spouse, child, uncle, aunt,
1075 niece, or nephew; a person to whom the donee is engaged to be
1076 married; the donee's or his spouse's parent, grandparent,
1077 grandchild, brother, or sister; or the donee's brother's or
1078 sister's spouse.

1079

1080 "Lobbyist relationship" means (i) an engagement, agreement, or
1081 representation that relates to legal services, consulting services,
1082 or public relations services, whether gratuitous or for
1083 compensation, between a member or member-elect and any person who
1084 is, or has been within the prior calendar year, registered as

1085 a lobbyist with the Secretary of the Commonwealth, or (ii) a
1086 greater than three percent ownership interest by a member or member-
1087 elect in a business that employs, or engages as an independent
1088 contractor, any person who is, or has been within the prior
1089 calendar year, registered as a lobbyist with the Secretary of
1090 the Commonwealth. The disclosure of a lobbyist relationship
1091 shall not (i) constitute a waiver of any attorney-client or other
1092 privilege, (ii) require a waiver of any attorney-client or other
1093 privilege for a third party, or (iii) be required where a member
1094 or member-elect is employed or engaged by a person and such person
1095 also employs or engages a person in a lobbyist relationship so long
1096 as the member or member-elect has no financial interest in the
1097 lobbyist relationship.

1098
1099 TRUST. If you or your immediate family, separately or together, are
1100 the only beneficiaries of a trust, treat the trust's assets as if
1101 you own them directly. If you or your immediate family has a
1102 proportional interest in a trust, treat that proportion of the
1103 trust's assets as if you own them directly. For example, if you
1104 and your immediate family have a one-third interest in a trust,
1105 complete your Statement as if you own one-third of each of the
1106 trust's assets. If you or a member of your immediate family created
1107 a trust and can revoke it without the beneficiaries' consent, treat
1108 its assets as if you own them directly.

1109
1110 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required
1111 on this Statement must be provided on the basis of the best
1112 knowledge, information and belief of the individual filing the
1113 Statement as of the date of this report unless otherwise stated.

1114
1115 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.
1116 You may attach additional explanatory information.

- 1117 1. Offices and Directorships.
1118 Are you or a member of your immediate family a paid officer or
1119 paid director of a business?
1120 EITHER check NO / / OR check YES / / and complete Schedule A.
- 1121 2. Personal Liabilities.
1122 Do you or a member of your immediate family owe more than
1123 \$10,000 to any one creditor including contingent liabilities?
1124 (Exclude debts to any government and loans secured by recorded
1125 liens on property at least equal in value to the loan.)
1126 EITHER check NO / / OR check YES / / and complete Schedule B.
- 1127 3. Securities.
1128 Do you or a member of your immediate family, directly or
1129 indirectly, separately or together, own securities valued in
1130 excess of \$10,000 invested in one business? Account for mutual
1131 funds, limited partnerships and trusts.
1132 EITHER check NO / / OR check YES / / and complete Schedule C.
- 1133 4. Payments for Talks, Meetings, and Publications.
1134 During the past 12 months did you receive lodging,
1135 transportation, money, or anything else of value with a
1136 combined value exceeding \$200 for a single talk, meeting, or
1137 published work in your capacity as a legislator?
1138 EITHER check NO / / OR check YES / / and complete Schedule D.
- 1139 5. Gifts.
1140 During the past 12 months did a business, government, or
1141 individual other than a relative or personal friend (i) furnish
1142 you with any gift or entertainment at a single event, and the
1143 value received by you exceeded \$50 in value or (ii) furnish you
1144 with gifts or entertainment in any combination and the value

1145 received by you exceeded \$100 in total value; and for
1146 which you neither paid nor rendered services in exchange?
1147 Account for entertainment events only if the average value
1148 per person attending the event exceeded \$50 in value.
1149 Account for all business entertainment (except if related to
1150 your private profession or occupation) even if unrelated
1151 to your official duties.
1152 EITHER check NO / / OR check YES / / and complete Schedule E.
1153 6. Salary, and Wages, and Deferred Compensation Paid.
1154 List each employer that pays you or a member of your immediate
1155 family (i) salary or wages in excess of \$10,000 annually, and (ii)
1156 compensation in excess of \$10,000 pursuant to a deferred
1157 compensation agreement. (Exclude state or local government or advisory
1158 agencies.) If no reportable salary or wages, check here / /.
1159
1160
1161
1162 7. Business Interests and Lobbyist Relationships.
1163 7A. Do you or a member of your immediate family, separately or
1164 together, operate your own business, or own or control an
1165 interest in excess of \$10,000 in a business?
1166 EITHER check NO / / OR check YES / / and complete Schedule F-1.
1167 7B. Do you have a lobbyist relationship as that term is defined
1168 above?
1169 EITHER check NO / / OR check YES / / and complete Schedule F-2.
1170 8. Payments for Representation and Other Services.
1171 8A. Did you represent any businesses before any state governmental
1172 agencies, excluding courts or judges, for which you received
1173 total compensation during the past 12 months in excess of
1174 \$1,000, excluding compensation for other services to such
1175 businesses and representation consisting solely of the filing
1176 of mandatory papers and subsequent representation regarding
1177 the mandatory papers?
1178 EITHER check NO / / OR check YES / / and complete Schedule G-1.
1179 8B. Subject to the same exceptions as in 8A, did persons with whom
1180 you have a close financial association (partners, associates or
1181 others) represent any businesses before any state governmental
1182 agency for which total compensation was received during the
1183 past 12 months in excess of \$1,000?
1184 EITHER check NO / / OR check YES / / and complete Schedule G-2.
1185 8C. Did you or persons with whom you have a close financial
1186 association furnish services to businesses operating in
1187 Virginia pursuant to an agreement between you and such businesses,
1188 or between persons with whom you have a close financial association
1189 and such businesses for which total compensation in excess of \$1,000
1190 was received during the past 12 months?
1191 EITHER check NO / / OR check YES / / and complete Schedule G-3.
1192 9. Real Estate.
1193 Do you or a member of your immediate family hold an interest,
1194 including a partnership interest, valued at \$10,000 or more in
1195 real property (other than your principal residence) for which
1196 you have not already listed the full address on Schedule F?
1197 Account for real estate held in trust.
1198 EITHER check NO / / OR check YES / / and complete Schedule H.
1199 10. Real Estate Contracts with State Governmental Agencies.
1200 Do you or a member of your immediate family hold an interest
1201 valued at more than \$10,000 in real estate, including a
1202 corporate, partnership, or trust interest, option, easement,
1203 or land contract, which real estate is the subject of a
1204 contract, whether pending or completed within the past 12

1205 months, with a state governmental agency? If the real estate
 1206 contract provides for the leasing of the property to a state
 1207 governmental agency, do you or a member of your immediate
 1208 family hold an interest in the real estate, including a
 1209 corporate, partnership, or trust interest, option, easement,
 1210 or land contract valued at more than \$1,000? Account for all
 1211 such contracts whether or not your interest is reported in
 1212 Schedule F or H. This requirement to disclose an
 1213 interest in a lease does not apply to an interest derived
 1214 through an ownership interest in a business unless the ownership
 1215 interest exceeds three percent of the total equity of the
 1216 business.
 1217 EITHER check NO / / OR check YES / / and complete Schedule I.

1218
1219 Statements of Economic Interests are open for public inspection.

1220
1221 AFFIRMATION.

1222
1223 In accordance with the rules of the house in which I serve, if I
 1224 receive a request that this disclosure statement be corrected,
 1225 augmented, or revised in any respect, I hereby pledge that I shall
 1226 respond promptly to the request. I understand that if a
 1227 determination is made that the statement is insufficient, I will
 1228 satisfy such request or be subjected to disciplinary action of
 1229 my house.

1230
1231 I swear or affirm that the foregoing information is full, true and
 1232 correct to the best of my knowledge.

1233
1234 Signature
 1235 Commonwealth of Virginia
 1236 of to wit:
 1237 The foregoing disclosure form was acknowledged before me
 1238 This day of, 20. . ., by,
 1239 Notary Public
 1240 My commission expires
 1241 (Return only if needed to complete Statement.)

1242
1243 SCHEDULES
 1244 TO
 1245 STATEMENT OF ECONOMIC INTERESTS.

1246
1247 NAME

1248
1249 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

1250
1251 Identify each business of which you or a member of
 1252 your immediate family is a paid officer or paid director.

1253 -----
 1254 -----

1255 Name of Business	1255 Address of Business	1255 Position Held
1256	1256	1256
1257	1257	1257
1258	1258	1258
1259	1259	1259
1260 -----	1260 -----	1260 -----
1261 -----	1261 -----	1261 -----

1262 RETURN TO ITEM 2

1263 SCHEDULE B - PERSONAL LIABILITIES.
1264

1265 Report personal liability by checking each category. Report only
 1266 debts in excess of \$10,000. Do not report debts to any
 1267 government. Do not report loans secured by recorded liens on
 1268 property at least equal in value to the loan.
 1269 Report contingent liabilities below and indicate which debts are
 1270 contingent.

1271 1. My personal debts are as follows:

1272 -----
 1273 -----

Check appropriate categories	Check one \$10,001 to \$50,000	More than \$50,000
1274 Banks
1275 Savings institutions
1276 Other loan or finance companies
1277 Insurance companies
1278 Stock, commodity or other brokerage 1279 companies
1280 Other businesses: 1281 (State principal business activity 1282 for each creditor.)
1283
1284
1285 Individual creditors: 1286 (State principal business or occupation 1287 of each creditor.)
1288
1289
1290 -----	-----	-----
1291 -----	-----	-----

1292 -----
 1293 -----
 1294 -----
 1295 2. The personal debts of the members of my immediate family are
 1296 as follows:

1297 -----
 1298 -----

Check appropriate categories	Check one \$10,001 to \$50,000	More than \$50,000
1299 Banks
1300 Savings institutions
1301 Other loan or finance companies
1302 Insurance companies
1303 Stock, commodity or other brokerage 1304 companies
1305 Other businesses: 1306 (State principal business activity for 1307 each creditor.)
1308
1309
1310 Individual creditors: 1311 (State principal business or occupation 1312 of each creditor.)
1313
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1315 -----	-----	-----
1316 -----	-----	-----

1317 -----
 1318 -----
 1319 -----
 1320 RETURN TO ITEM 3

1321 SCHEDULE C - SECURITIES.

1322 "Securities" INCLUDES stocks, bonds, "Securities" EXCLUDES
 1323
 1324

1325 mutual funds, limited partnerships, certificates of deposit,
 1326 and commodity futures contracts. money market funds, annuity
 1327 contracts, and insurance policies.
 1328 Identify each business or Virginia governmental entity in which you
 1329 or a member of your immediate family, directly or indirectly,
 1330 separately or together, own securities valued in excess of \$10,000. Name
 1331 each entity and type of security individually.

1332
 1333 Do not list U.S. Bonds or other government securities not issued
 1334 by the Commonwealth of Virginia or its authorities, agencies, or
 1335 local governments. Do not list organizations that do not do
 1336 business in this Commonwealth, but most major businesses conduct
 1337 business in Virginia. Account for securities held in trust.

1338
 1339 If no reportable securities, check here / /.

1340
 1341 -----
 1342 -----

1343	1344	1345	1346	1347	1348	1349	1350	1351				
								Type of Security	Check one			
								(stocks, bonds,	\$10,001	More	\$50,001	More
								mutual funds,	to	than		than
								etc.)	\$50,000	\$250,000	\$250,000	\$250,000

1352 -----
 1353 -----

1354 RETURN TO ITEM 4

1355
 1356 SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

1357
 1358 List each source from which you received during the past 12
 1359 months lodging, transportation, money, or any other thing of
 1360 value (excluding meals or drinks coincident with a meeting) with
 1361 combined value exceeding \$200 for your presentation of a single
 1362 talk, participation in one meeting, or publication of a work in
 1363 your capacity as a legislator. List payments or reimbursements by
 1364 the Commonwealth only for meetings or travel outside the Commonwealth.
 1365 List a payment even if you donated it to charity. Do not list information
 1366 about a payment if you returned it within 60 days or if you received it
 1367 from an employer already listed under Item 6 or from a source of
 1368 income listed on Schedule F.

1369
 1370 If no payment must be listed, check here / /.

1371
 1372 -----
 1373 -----

1374	1375	1376	1377
1378	Payer	Approximate Value	Type of Payment (e.g. Honoria, Travel reim- bursement, etc.)
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SCHEDULE E - GIFTS.

List each business, governmental entity, or individual that, during the past 12 months, (i) furnished you with any gift or entertainment at a single event and the value received by you exceeded \$50 in value, or (ii) furnished you with gifts or entertainment in any combination and the value received by you exceeded \$100 in total value; and for which you neither paid nor rendered services in exchange. List each such gift or event. Do not list entertainment events unless the average value per person attending the event exceeded \$50 in value. Do not list business entertainment related to your private profession or occupation. Do not list gifts or other things of value given by a relative or personal friend for reasons clearly unrelated to your public position. Do not list campaign contributions publicly reported as required by Chapter 9 (§ 24.2-900 et seq.) of Title 24.2 of the Code of Virginia.

Name of Business, Organization, or Individual	City or County and State	Gift or Event	Approximate Value
.....
.....
.....
.....

SCHEDULE F-1 - BUSINESS INTERESTS.

Complete this Schedule for each self-owned or family-owned business (including rental property, a farm, or consulting work), partnership, or corporation in which you or a member of your immediate family, separately or together, own an interest having a value in excess of \$10,000. If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name; otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a trade, partnership, or corporate name, list the name only; otherwise, give the address of each property. Account for business interests held in trust.

Name of Business, Corporation, Partnership, Farm; Address of Rental Property	City or County and State	Nature of Enterprise (farming, law, rental property, etc.)	Gross Net Income		
			\$50,000 or less	More than \$50,000 to \$250,000	More than \$250,000
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.....
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SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.

Complete this Schedule for each lobbyist relationship with the following:

- (i) any person who is, or has been within the prior calendar year, registered as a lobbyist with the Secretary of the Commonwealth, or
- (ii) any business in which you have a greater than three percent ownership interest and that business employs, or engages as an independent contractor, any person who is, or has been within the prior calendar year, registered as a lobbyist with the Secretary of the Commonwealth.

List each person or business	Describe each relationship	Dates of relationship	Payments to Lobbyist
			<u>\$10,000 or less</u> <u>More than \$10,001</u>
.....
.....
.....
.....
.....

THE DISCLOSURE OF A LOBBYIST RELATIONSHIP SHALL NOT (I) CONSTITUTE A WAIVER OF ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE, (II) REQUIRE A WAIVER OF ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE FOR A THIRD PARTY, OR (III) BE REQUIRED WHERE A MEMBER OR MEMBER-ELECT IS EMPLOYED OR ENGAGED BY A PERSON AND SUCH PERSON ALSO EMPLOYS OR ENGAGES A PERSON IN A LOBBYIST RELATIONSHIP SO LONG AS THE MEMBER OR MEMBER-ELECT HAS NO FINANCIAL INTEREST IN THE LOBBYIST RELATIONSHIP.

SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

List the businesses you represented before any state governmental agency, excluding any court or judge, for which you received total compensation during the past 12 months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers filed by you.

Identify each business, the nature of the representation and the amount received by dollar category from each such business. You may state the type, rather than name, of the business if you are required by law not to reveal the name of the business represented by you.

Name of Business	Type of Business	Purpose of Representation	Name of Agency	Amount Received
				\$1,001 to \$10,000
				\$10,001 to \$50,000
				\$50,001 to \$100,000
				\$100,001 to \$250,000
				\$250,001 and over

1505
 1506
 1507
 1508
 1509 -----
 1510 -----

1511 If you have received \$250,001 or more from a single business within
 1512 the reporting period, indicate the amount received, rounded to the
 1513 nearest \$10,000. Amount Received: _____.
 1514

1515 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.
 1516

1517 List the businesses that have been represented before any state
 1518 governmental agency, excluding any court or judge, by persons who
 1519 are your partners, associates or others with whom you have a
 1520 close financial association and who received total compensation
 1521 in excess of \$1,000 for such representation during the past 12
 1522 months, excluding representation consisting solely of the filing
 1523 of mandatory papers and subsequent representation regarding the
 1524 mandatory papers filed by your partners, associates or others
 1525 with whom you have a close financial association.
 1526 Identify such businesses by type and also name the state
 1527 governmental agencies before which such person appeared on behalf
 1528 of such businesses.
 1529 -----
 1530 -----

1531 Type of Business Name of State Governmental Agency
 1532
 1533
 1534
 1535 -----
 1536 -----

1537
 1538 SCHEDULE G-3 - PAYMENTS FOR REPRESENTATION AND OTHER SERVICES
 1539 GENERALLY.
 1540

1541 Indicate below types of businesses that operate in Virginia to
 1542 which services were furnished by you or persons with whom you
 1543 have a close financial association pursuant to an agreement between
 1544 you and such businesses, or between persons with whom you have a close
 1545 financial association and such businesses and for which total
 1546 compensation in excess of \$1,000 was received during the past 12
 1547 months.
 1548

1549 Identify opposite each category of businesses listed below (i)
 1550 the type of business, (ii) the type of service rendered and (iii)
 1551 the value by dollar category of the compensation received for all
 1552 businesses falling within each category.
 1553 -----
 1554 -----

1556								
1557	Check	Type	Value of Compensation					
1558	if	of						
1559	ser-	ser-						
1560	vices	vice						
1561	were	ren-	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001	
1562	ren-	dered	to	to	to	to	and	
1563	dered		\$10,000	\$50,000	\$100,000	\$250,000	over	

1564 Electric

1565 utilities
1566 Gas util-
1567 ities
1568 Telephone
1569 utilities
1570 Water util-
1571 ities
1572 Cable tele-
1573 vision
1574 companies
1575 Interstate
1576 transporta-
1577 tion com-
1578 panies
1579 Intrastate
1580 transporta-
1581 tion com-
1582 panies
1583 Oil or gas
1584 retail com-
1585 panies
1586 Banks
1587 Savings
1588 insti-
1589 tutions
1590 Loan or fi-
1591 nance com-
1592 panies
1593 Manufac-
1594 turing com-
1595 panies
1596 (state type
1597 of product,
1598 e.g., tex-
1599 tile, furni-
1600 ture, etc.)
1601 Mining com-
1602 panies
1603 Life insur-
1604 ance com-
1605 panies
1606 Casualty in-
1607 surance com-
1608 panies
1609 Other insur-
1610 ance com-
1611 panies
1612 Retail com-
1613 panies
1614 Beer, wine
1615 or liquor
1616 companies
1617 or distrib-
1618 tors
1619 Trade asso-
1620 ciations
1621 Profes-
1622 sional asso-
1623 ciations
1624 Associa-

1625 tions of
 1626 public em-
 1627 ployees or
 1628 officials
 1629 Counties,
 1630 cities or
 1631 towns
 1632 Labor or-
 1633 ganizations.....
 1634 Other

1635 -----
 1636 -----

RETURN TO ITEM 9

1637 SCHEDULE H - REAL ESTATE.

1639 List real estate other than your principal residence in which
 1640 you or a member of your immediate family holds an interest,
 1641 including a partnership interest, option, easement, or land
 1642 contract, valued at \$10,000 or more. You may list each parcel
 1643 of real estate individually if you wish.
 1644

1645 -----
 1646 -----

1647 List each location 1648 (state, and county 1649 or city) where you 1650 own real estate.	Describe the type of real estate you own in each location (business, recreational, apartment, commercial, open land, etc.).	If the real estate is owned or recorded in a name other than your own, list that name.
--	--	--

1651
 1652
 1653
 1654
 1655
 1656
 1657
 1658 -----

1659 RETURN TO ITEM 10

1660 SCHEDULE I - REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES.

1661 List all contracts, whether pending or completed within the past
 1662 12 months, with a state governmental agency for the sale or
 1663 exchange of real estate in which you or a member of your
 1664 immediate family holds an interest, including a corporate,
 1665 partnership or trust interest, option, easement, or land
 1666 contract, valued at \$10,000 or more. List all contracts with a
 1667 state governmental agency for the lease of real estate in which
 1668 you or a member of your immediate family holds such an interest
 1669 valued at \$1,000 or more. This requirement to disclose an
 1670 interest in a lease does not apply to an interest derived
 1671 through an ownership interest in a business unless the ownership
 1672 interest exceeds three percent of the total equity of the
 1673 business.
 1674

1675 -----
 1676 -----

1681 List your real 1682 estate interest and 1683 the person or entity, 1684 including the type of	List each governmental agency which is a party to the contract and	State the annual income from the contract, and the amount, if any,
---	---	---

1685	entity, which is	indicate the county	of income you or
1686	party to the contract.	or city where the	any immediate
1687	Describe any	real estate is	family member
1688	management role and	located.	derives annually
1689	the percentage		from the contract.
1690	ownership interest		
1691	you or your immediate		
1692	family member has in		
1693	the real estate		
1694	or entity.		
1695	.....	.....	.....
1696	.....	.....	.....
1697	.....	.....	.....
1698	.....	.....	.....
1699	.....	.....	.....
1700	-----	-----	-----
1701	-----	-----	-----

1702 B. Any legislator who makes a knowing misstatement of a material fact on the Statement of
1703 Economic Interests shall be subject to disciplinary action for such violations by the house in which the
1704 legislator sits.

1705 C. In accordance with the rules of each house, the Statement of Economic Interests of all
1706 members of each house shall be reviewed. If a legislator's Statement is found to be inadequate as filed,
1707 the legislator shall be notified in writing and directed to file an amended Statement correcting the
1708 indicated deficiencies, and a time shall be set within which such amendment shall be filed. If the
1709 Statement of Economic Interests, in either its original or amended form, is found to be adequate as filed,
1710 the legislator's filing shall be deemed in full compliance with this section as to the information disclosed
1711 thereon.

1712 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in
1713 writing request the house in which those members sit, in accordance with the rules of that house, to
1714 review the Statement of Economic Interests of another member of that house in order to determine the
1715 adequacy of his filing. In accordance with the rules of each house, each Statement of Economic Interests
1716 shall be promptly reviewed, the adequacy of the filing determined, and notice given in writing to the
1717 legislator whose Statement is in issue. Should it be determined that the Statement requires correction,
1718 augmentation or revision, the legislator involved shall be directed to make the changes required within
1719 such time as shall be set under the rules of each house.

1720 If a legislator, after having been notified in writing in accordance with the rules of the house in
1721 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into

1722 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he
1723 sits. No legislator shall vote on any question relating to his own Statement.

1724 #

1725

Entities Filing Short Financial Disclosure Form

Board Name	Type
A	
Accountancy, Board of	Supervisory
Acupuncture, Advisory Board on	Advisory
Aging, Commonwealth Council on	Advisory
Agricultural Council, Virginia	Advisory
Agriculture and Consumer Services, Board of	Policy
Air Pollution Control Board, State	Policy
Alcoholic Beverage Control Board, Virginia	Supervisory
Alexandria Historical Restoration and Preservation Commission	Advisory
Allegheny-Highlands Economic Development Authority	Advisory
Alzheimer's Disease and Related Disorders Commission	Advisory
Apprenticeship Council	Advisory
Aquaculture Advisory Board	Advisory
Architects, Prof. Engineers, Cert. Interior Designers, Land Surveyors and Landscape Arch.	Policy
Armenian Advisory Commission, Governor's	Advisory
Art and Architectural Review Board	Advisory
Arts, Virginia Commission for the	Advisory
Asbestos Lead, and Home Inspectors, Virginia Board for	Policy
Assistive Technology Loan Fund Authority, Board of Directors	Supervisory
Athletic Training, Advisory Board on	Advisory
At-Risk Youth and Families, State Executive Council for	Supervisory
Auctioneers Board	Policy
Audiology and Speech-Language Pathology, Board of	Policy
Aviation Board, Virginia	Advisory
B	
Barbers and Cosmetology, Board for	Policy
Biotechnology Initiative, Advisory Board of the Virginia	Advisory
Birth-Related Neurological Injury Compensation Program, Board of Directors the Virginia	Supervisory
Blind and Vision Impaired, Virginia Board for	Advisory
Bright Flue-Cured Tobacco Board, Virginia	Supervisory
Building Code Technical Review Board, State	Policy
C	
Cattle Industry Board, Virginia	Advisory
Cave Board	Advisory
Cemetery, Board	Policy
Center for Rural Virginia, Board of Trustees of	Supervisory
Cervical Cancer, Governor's Task Force on	Advisory
Charitable Gaming Board	Policy
Chesapeake Bay Bridge and Tunnel Commission	Supervisory
Chesapeake Bay Local Assistance Board	Advisory
Chesapeake Bay Executive Council, Citizens Advisory Committee to the	Advisory
Chesapeake Bay Executive Council, Scientific and Technical Advisory Committee to the	Advisory
Child Abuse and Neglect, Advisory Board on	Advisory
Child Day-Care Council	Policy
Child Fatality Review Team, State	Policy
Chippokes Plantation Farm Foundation, Board of Trustees of the	Supervisory
Christopher Newport University, Board of Visitors	Supervisory
Civics Education, Commission on	Advisory
Coal Mine Safety Board, Virginia	Advisory
Coal Mining Examiners, Board of	Advisory

Entities Filing Short Financial Disclosure Form

Board Name	Type
Coal Surface Mining Reclamation Fund Advisory Board	Advisory
Coalfield Economic Development Authority, Board of the Virginia	Supervisory
Coastal Land Management Advisory Council, Virginia	Advisory
College Building Authority, Board of the Virginia	Policy
College Savings Plan, Virginia	Supervisory
Commercial Space Flight Authority, Virginia	Supervisory
Community and National Service, Governor's Commission on	Advisory
Community Colleges, State Board for	Supervisory
Compensation Board	Policy
Competition Council, Commonwealth	Advisory
Conservation and Recreation, Board of	Policy
Contractors, Board for	Policy
Corn Board, Virginia	Advisory
Correctional Education, Board of	Supervisory
Corrections, State Board of	Policy
Cotton Board, Virginia	Advisory
Counseling, Board of	Policy
<i>Criminal Justice Services Board</i>	Policy
D	
Dark-Fired Tobacco Board, Virginia	Supervisory
Deaf and Hard-of-Hearing, Advisory Board for the Virginia Department for the	Advisory
Debt Capacity Advisory Committee	Advisory
Delmarva Advisory Council	Advisory
Dentistry, Board of	Policy
Design-Build/Construction Management Review Board	Advisory
Disabilities, Virginia Board for People with	Supervisory
Disability Services Council	Advisory
E	
Economic Development Partnership, Virginia	Supervisory
Economists, Advisory Board of	Advisory
Education, Board of	Supervisory
Egg Board, Virginia	Advisory
Elections, State Board of	Policy
Emergency Medical Services Advisory Board, State	Advisory
Emergency Response Advisory Council, Virginia	Advisory
Equine Center Foundation, Virginia	Policy
Executive Mansion, Citizen's Advisory Council on Furnishing and Interpreting the	Advisory
F	
Fair Housing Board	Policy
Family and Children's Trust Fund, Board of Trustees	Supervisory
Fire Services Board, Virginia	Policy
Foundation for Natural Resources, Board of Trustees	Supervisory
Forensic Science Board	Policy
Forestry, Board of	Advisory
Frontier Culture Museum of Virginia, Board of Trustees of the	Supervisory
Funeral Directors and Embalmers, Board of	Policy
G	
Game and Inland Fisheries, Board of	Supervisory
Gas and Oil Board, Virginia	Policy

Entities Filing Short Financial Disclosure Form

Board Name	Type
Geographic Information Network Advisory Board, Virginia	Advisory
Geology, Board for	Advisory
George Mason University, Board of Visitors	Supervisory
Gunston Hall, Board of Regents of	Advisory
Gunston Hall, Board of Visitors for	Supervisory
H	
Hampton Roads Sanitation District Commission	Supervisory
Hampton Roads Sports Facility Authority	Advisory
Hazardous Materials Emergency Response Advisory Council, State	Advisory
Health Professions, Board of	Policy
Health Research Board, Commonwealth	Policy
Health, State Board of	Policy
Health System Authority, Board of Directors, Virginia Commonwealth University	Supervisory
Hearing Aid Specialists, Board for	Policy
Hemophilia Advisory Board	Advisory
Higher Education for Virginia, State Council of	Supervisory
Higher Education Board Appointments, Governor's Advisory Commission on	Advisory
Historic Resources, Board of	Policy
Historical Records Advisory Board, State	Advisory
Horse Industry Board, Virginia	Policy
Housing and Community Development, Board of	Policy
Housing Development Authority, Virginia	Supervisory
Human Resources, Virginia Council on	Advisory
Human Rights, Council on	Advisory
I	
Independent Living Council, Statewide	Advisory
Indians, Council on	Advisory
Information Technology in Health Care, Governor's Task Force on	Advisory
Information Technology Investment Board	Supervisory
Innovative Technology Authority, Board of Directors of the	Supervisory
Interagency Civil Admissions Advisory Council	Advisory
Interagency Coordinating Council, State	Advisory
Interagency Dispute Resolution Advisory Council	Advisory
Irish Potato Board, Virginia	Advisory
J/K	
James Madison University, Board of Visitors	Supervisory
James Monroe Law Office Museum and Memorial Library, Board of Regents of the	Advisory
Jamestown-Yorktown Foundation, Board of Trustees of the	Supervisory
Juvenile Justice, Advisory Committee on	Advisory
Juvenile Justice, Board of	Policy
L	
Land Conservation Foundation, Board of Trustees, Virginia	Supervisory
Latino Advisory Board	Advisory
Library Board, The	Supervisory
Litter Control and Recycling Fund Advisory Board	Advisory
Local Government, Commission on	Advisory
Longwood University, Board of Visitors	Supervisory
Long-Term Care Administrators, Board of	Policy
M	

Entities Filing Short Financial Disclosure Form

Board Name	Type
Mandated Health Insurance Benefits, Special Advisory Commission on	Advisory
Manufactured Housing Board, Virginia	Policy
Marine Resources Commission, Virginia	Supervisory
Marine Products Board, Virginia	Advisory
Medal of Valor Review Board	Advisory
Medical Advisory Board for the Department of Motor Vehicles	Advisory
Medical Assistance Services, Board of	Policy
Medicine, Board of	Policy
Mental Health, Mental Retardation and Substance Abuse Services Board, State	Policy
Metropolitan Washington Airports Authority	Supervisory
Midwifery, Advisory Board on	Advisory
Migrant and Seasonal Farmworkers Board	Advisory
Military Advisory Council, Virginia	Advisory
Military Bases, Virginia Commission on	Advisory
Milk Commission	Policy
Miller School of Albemarle, Board of Trustees	Supervisory
Mined Land Reclamation Advisory Committee, Governor's	Advisory
Mineral Mining Examiners, Board of	Policy
Motor Vehicle Dealer Board	Policy
Mount Vernon, Board of Visitors to	Supervisory
Museum of Fine Arts, Board of Trustees of the Virginia	Supervisory
Museum of Natural History, Board of Trustees of the Virginia	Supervisory
N	
Neurotrauma Initiative Advisory Board, Commonwealth	Advisory
National Defense Industrial Authority, Board of Directors	Supervisory
Norfolk State University, Board of Visitors	Supervisory
Nursing, Board of	Policy
Nursing, The Advisory Council on the Future of	Advisory
O	
Occupational Therapy, Advisory Board of	Advisory
Old Dominion University, Board of Visitors	Supervisory
Olmstead Community Integration Oversight Advisory Committee	Advisory
Opticians, Board for	Policy
Optometry, Board of	Policy
Outdoors Foundation, Board of Trustees of the Virginia	Policy
P/Q	
Parole Board, Virginia	Policy
Peanut Board, Virginia	Advisory
Pesticide Control Board	Policy
Pharmacy, Board of	Policy
Philpott, A. L., Manufacturing Extension Partnership, Board of Trustees	Supervisory
Physical Therapy, Board of	Policy
Physician Assistants, Advisory Board on	Advisory
Plant Pollination Advisory Board	Advisory
Pork Industry Board, Virginia	Advisory
Port Authority, Board of Commissioners, Virginia	Supervisory
Professional and Occupational Regulation, Board for	Policy
Professional Soil Scientists and Wetlands Professionals, Board for	Policy
Protection and Advocacy, Board of	Supervisory
Psychology, Board of	Policy

Entities Filing Short Financial Disclosure Form

Board Name	Type
Public Broadcasting Board, Virginia	Policy
Public Building Authority, Board of the Virginia	Supervisory
Public Buildings Board, Virginia	Advisory
Public Guardian and Conservator Advisory Board	Advisory
Public School Authority, Board of Commissioners, Virginia	Supervisory
Purchases and Supply Procurement Appeals Board	Policy
R	
Racing Commission, Virginia	Policy
Radford University, Board of Visitors	Supervisory
Radiation Advisory Board	Advisory
Radiological Technology, Advisory Board on	Advisory
Rail Advisory Board	Advisory
Rail Enhancement for the 21 st Century, Governor's Commission on	Advisory
Real Estate Appraiser Board	Policy
Real Estate Board	Policy
Recreational Facilities Authority, Board of Directors of the Virginia	Supervisory
Recycling Markets Development Council, Virginia	Advisory
Reforestation Board	Policy
Rehabilitation Advisory Council, State	Advisory
Research and Technology Advisory Commission, Virginia	Advisory
Resources Authority, Board of Directors of the Virginia	Policy
Respiratory Care, Advisory Board on	Advisory
Revenue Estimates, Advisory Council on	Advisory
Roanoke Higher Education Authority, Board of Trustees of the	Supervisory
S	
Safety and Health Codes Board	Policy
Scenic Rivers Advisory Board, Virginia	Advisory
Science Museum of Virginia, Board of Trustees of the	Supervisory
Scientific Advisory Committee	Advisory
Seed Board, State Certified	Advisory
Seed Potato Board, State	Advisory
Sewage Handling and Disposal Appeal Review Board, State Health Department	Policy
Sheep Industry Board, Virginia	Advisory
Shipbuilding and Carrier Integration Center, Virginia Advanced	Supervisory
Small Business Advisory Board	Advisory
Small Business Environmental Compliance Advisory Board	Advisory
Small Business Financing Authority, Virginia	Supervisory
Small Grains Board, Virginia	Advisory
Social Services, Board of	Policy
Social Work, Board of	Policy
Soil and Water Conservation Board, Virginia	Advisory
Southside Virginia Higher Education Center, Board of Trustees	Supervisory
Southwest Virginia Higher Education Center, Board of Trustees of the	Supervisory
Soybean Board, Virginia	Advisory
Status of Women, Council on the	Advisory
Substance Abuse Services Council, Governor's	Advisory
Surface Mining Review, Board of	Policy
T	
Tobacco Indemnification and Community Revitalization Commission	Policy
Tobacco Settlement Foundation, Board of Trustees of the Virginia	Policy

Entities Filing Short Financial Disclosure Form

Board Name	Type
Tobacco Settlement Financing Corporation	Policy
Tourism Authority, Board of Directors, Virginia	Policy
Tourism Train Development Authority	Supervisory
Transportation Safety, Board of	Advisory
Treasury Board, The	Policy
U	
University of Mary Washington, Board of Visitors	Supervisory
University of Virginia and Affiliated Schools, Board of Visitors	Supervisory
V	
Veterans Services, Board of	Policy
Veterans Services Foundation	Advisory
Veterans Service Organizations, Joint Leadership Council of	Advisory
Veterinary Medicine, Board of	Policy
Vint Hill Economic Development Authority, Board of Commissioners of the	Supervisory
Virginia Commonwealth University, Board of Visitors	Supervisory
Virginia's Future, Council on	Advisory
Virginia-Asian Advisory Board	Advisory
Virginia-Israel Advisory Board	Advisory
Virginia-Latino Advisory Commission	Advisory
Virginia Military Institute, Board of Visitors	Supervisory
Virginia Polytechnic Institute and State University, Board of Visitors	Supervisory
Virginia State University, Board of Visitors	Supervisory
Volunteer Firefighters' and Rescue Squad Workers' Service Award Pension Fund	Advisory
W/X	
War Memorial Foundation, Board of Trustees, Virginia	Policy
Waste Management Board, Virginia	Policy
Waste Management Facility Operators, Board for	Policy
Water Control Board, State	Policy
Water Resources Research Center Statewide Advisory Board, Virginia	Advisory
Waterworks and Wastewater Works Operators, Board for	Policy
William and Mary, The College of, Board of Visitors	Supervisory
Wine Board, Virginia	Supervisory
Wireless E-911 Services Board	Supervisory
Workforce Council, Virginia	Policy
Workforce Development in the Construction Industry, Governor's Task Force On	Advisory

06 - 5269308

05/18/2006 11:29 AM

Amigo Wade

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact §§ 2.2-419, 2.2-420, and 2.2-426 of the Code of Virginia, relating to
2 lobbyist registration and disclosure.

3 **Be it enacted by the General Assembly of Virginia:**

4 **1. That §§ 2.2-419, 2.2-420, and 2.2-426 of the Code of Virginia are amended and reenacted as**
5 **follows:**

6 § 2.2-419. Definitions.

7 As used in this article, unless the context requires a different meaning:

8 "Anything of value" means:

- 9 1. A pecuniary item, including money, or a bank bill or note;
- 10 2. A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the
11 payment of money;
- 12 3. A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness
13 of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
- 14 4. A stock, bond, note, or other investment interest in an entity;
- 15 5. A receipt given for the payment of money or other property;
- 16 6. A right in action;
- 17 7. A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
- 18 8. A loan or forgiveness of indebtedness;
- 19 9. A work of art, antique, or collectible;
- 20 10. An automobile or other means of personal transportation;
- 21 11. Real property or an interest in real property, including title to realty, a fee simple or partial
22 interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial
23 interest in realty;
- 24 12. An honorarium or compensation for services;

25 13. A rebate or discount in the price of anything of value unless the rebate or discount is made in
26 the ordinary course of business to a member of the public without regard to that person's status as an
27 executive or legislative official, or the sale or trade of something for reasonable compensation that
28 would ordinarily not be available to a member of the public;

29 14. A promise or offer of employment; or

30 15. Any other thing of value that is pecuniary or compensatory in value to a person.

31 "Anything of value" does not mean a campaign contribution properly received and reported
32 pursuant to Chapter 9 (§ 24.2-900 et seq.) of Title 24.2.

33 "Compensation" means:

34 1. An advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment,
35 gift, pledge, or transfer of money or anything of value; or

36 2. A contract, agreement, promise or other obligation for an advance, conveyance, forgiveness of
37 indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money or anything of
38 value, for services rendered or to be rendered.

39 "Compensation" does not mean reimbursement of expenses if the reimbursement does not
40 exceed the amount actually expended for the expenses and it is substantiated by an itemization of
41 expenses.

42 "Executive action" means the proposal, drafting, development, consideration, amendment,
43 adoption, approval, promulgation, issuance, modification, rejection, or postponement by an executive
44 agency or official of legislation or executive orders issued by the Governor.

45 "Executive agency" means an agency, board, commission, or other body in the executive branch
46 of state government. "Executive agency" includes the State Corporation Commission, the Virginia
47 Department of Workers' Compensation, and the State Lottery Department.

48 "Executive official" means:

49 1. The Governor;

50 2. The Lieutenant Governor;

51 3. The Attorney General;

52 4. Any officer or employee of the office of the Governor or Lieutenant Governor other than a
53 clerical or secretarial employee;

54 5. The Governor's Secretaries, the Deputy Secretaries, and the chief executive officer of each
55 executive agency; or

56 6. Members of supervisory and policy boards, commissions and councils, as defined in § 2.2-
57 2100, however selected.

58 "Expenditure" means:

59 1. A purchase, payment, distribution, loan, forgiveness of a loan or payment of a loan by a third
60 party, advance, deposit, transfer of funds, a promise to make a payment, or a gift of money or anything
61 of value for any purpose;

62 2. A payment to a lobbyist for salary, fee, reimbursement for expenses, or other purpose by a
63 person employing, retaining, or contracting for the services of the lobbyist separately or jointly with
64 other persons;

65 3. A payment in support of or assistance to a lobbyist or the lobbyist's activities, including the
66 direct payment of expenses incurred at the request or suggestion of the lobbyist;

67 4. A payment that directly benefits an executive or legislative official or a member of the
68 official's immediate family;

69 5. A payment, including compensation, payment, or reimbursement for the services, time, or
70 expenses of an employee for or in connection with direct communication with an executive or legislative
71 official;

72 6. A payment for or in connection with soliciting or urging other persons to enter into direct
73 communication with an executive or legislative official; or

74 7. A payment or reimbursement for categories of expenditures required to be reported pursuant
75 to this chapter.

76 "Expenditure" does not mean a campaign contribution properly received and reported pursuant to
77 Chapter 9 (§ 24.2-900 et seq.) of Title 24.2.

78 "Fair market value" means the price that a good or service would bring between a willing seller
79 and a willing buyer in the open market after negotiations. If the fair market value cannot be determined,
80 the actual price paid for the good or service shall be given consideration.

81 "Gift" means anything of value to the extent that a consideration of equal or greater value is not
82 received.

83 "Gift" does not mean:

84 1. Printed informational or promotional material;

85 2. A gift that is not used and, no later than sixty days after receipt, is returned to the donor or
86 delivered to a charitable organization and is not claimed as a charitable contribution for federal income
87 tax purposes;

88 3. A gift, devise, or inheritance from an individual's spouse, child, parent, grandparent, brother,
89 sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin or the
90 spouse of that individual, if the donor is not acting as the agent or intermediary for someone other than a
91 person covered by this subdivision; or

92 4. A gift of a value of ~~twenty five dollars~~ \$25 or less.

93 "Immediate family" means (i) the spouse and (ii) any other person who resides in the same
94 household as the executive or legislative official and is the dependent of the official.

95 "Legislative action" means:

96 1. Preparation, research, drafting, introduction, consideration, modification, amendment,
97 approval, passage, enactment, tabling, postponement, defeat, or rejection of a bill, resolution,
98 amendment, motion, report, nomination, appointment, or other matter by the General Assembly or a
99 legislative official;

100 2. Action by the Governor in approving, vetoing, or recommending amendments for a bill passed
101 by the General Assembly; or

102 3. Action by the General Assembly in overriding or sustaining a veto by the Governor,
103 considering amendments recommended by the Governor, or considering, confirming, or rejecting an
104 appointment of the Governor.

105 "Legislative official" means:

106 1. A member or member-elect of the General Assembly;

107 2. A member of a committee, subcommittee, commission, or other entity established by and
108 responsible to the General Assembly or either house of the General Assembly; or

109 3. Persons employed by the General Assembly or an entity established by and responsible to the
110 General Assembly.

111 4. Persons employed by a member or member-elect of the General Assembly to provide
112 legislative support.

113 "Lobbying" means:

114 1. Influencing or attempting to influence executive or legislative action through oral or written
115 communication with an executive or legislative official; or

116 2. Solicitation of others to influence an executive or legislative official.

117 "Lobbying" does not mean:

118 1. Requests for appointments, information on the status of pending executive and legislative
119 actions, or other ministerial contacts if there is no attempt to influence executive or legislative actions;

120 2. Responses to published notices soliciting public comment submitted to the public official
121 designated in the notice to receive the responses;

122 3. The solicitation of an association by its members to influence legislative or executive action;
123 or

124 4. Communications between an association and its members and communications between a
125 principal and its lobbyists.

126 "Lobbyist" means:

127 1. An individual who is employed and receives payments, or who contracts for economic
128 consideration, including reimbursement for reasonable travel and living expenses, for the purpose of
129 lobbying;

130 2. An individual who represents an organization, association, or other group for the purpose of
131 lobbying; or

132 3. A local government employee who lobbies.

133 "Lobbyist's principal" or "principal" means the entity on whose behalf the lobbyist influences or
134 attempts to influence executive or legislative action. An organization whose employees conduct
135 lobbying activities on its behalf is both a principal and an employer of the lobbyists. In the case of a
136 coalition or association that employs or retains others to conduct lobbying activities on behalf of its
137 membership, the principal is the coalition or association and not its individual members.

138 "Local government" means:

139 1. Any county, city, town, or other local or regional political subdivision;

140 2. Any school division;

141 3. Any organization or entity that exercises governmental powers that is established pursuant to
142 an interstate compact; or

143 4. Any organization composed of members representing entities listed in subdivisions 1, 2, or 3
144 of this definition.

145 "Local government employee" means a public employee of a local government.

146 "Person" means an individual, proprietorship, firm, partnership, joint venture, joint stock
147 company, syndicate, business trust, estate, company, corporation, association, club, committee,
148 organization, or group of persons acting in concert.

149 "Value" means the ~~retail~~ actual cost or fair market ~~worth~~ value of an item or items, whichever is
150 greater. If the fair market value cannot be determined, the actual amount paid for the item or items shall
151 be given consideration.

152 § 2.2-420. Exemptions.

153 The registration and reporting provisions of this article shall not apply to:

154 1. The Governor, Lieutenant Governor, Attorney General, and their immediate staffs or the
155 Governor's Secretaries and their immediate staffs, acting in an official capacity;

156 2. Members of the General Assembly and other legislative officials and legislative employees
157 acting in an official capacity;

158 3. Local elected officials acting in an official capacity;

159 4. Any employee of a state executive agency acting in an official capacity;

160 5. A duly elected or appointed official or employee of the United States acting in an official
161 capacity;

162 6. An individual who limits lobbying solely to (i) formal testimony before a public meeting of an
163 executive agency or legislative body and registers the appearance in the records of the agency or body
164 and (ii) testimony and information compelled by action of an executive agency or legislative body;

165 7. A person who receives \$500 or less in compensation and reimbursements, excluding personal
166 living and travel expenses that are not reimbursed from any other source, in a calendar year for his
167 lobbying activities;

168 8. A person who receives no compensation or anything of value for lobbying, and does not
169 expend more than \$500, excluding personal living and travel expenses that are not reimbursed from any
170 other source, in lobbying in the calendar year; or

171 9. An employee of a business, other entity, or local government whose job duties do not
172 regularly include influencing or attempting to influence legislative or executive action.

173 § 2.2-426. Lobbyist reporting; penalty.

174 A. Each lobbyist shall file a separate annual report of expenditures, including gifts, for each
175 principal for whom he lobbies by July 1 for the preceding 12-month period complete through April 30.

176 B. Each principal who expends more than \$500 to employ or compensate multiple lobbyists shall
177 be responsible for filing a consolidated lobbyist report pursuant to this section in any case in which the
178 lobbyists are each exempt under the provisions of subdivision 7 or 8 of § 2.2-420 from the reporting
179 requirements of this section.

180 C. The report shall be on a form provided by the Secretary of the Commonwealth, which shall be
181 substantially as follows and shall be accompanied by instructions provided by the Secretary.

182 LOBBYIST'S DISCLOSURE STATEMENT

183 PART I:

184 (1) PRINCIPAL:

185 In Part I, item 2a, provide the name of the individual authorizing your
186 employment as a lobbyist. The lobbyist filing this statement MAY NOT list hi
187 s

188 name in item 2a. THE INDIVIDUAL LISTED IN PART I, ITEM 2A, MUST SIGN THE
189 PRINCIPAL'S STATEMENT.

190 (2a) Name:

191

192 (2b) Permanent Business Address:
 193 (2c) Business Telephone:
 194 (3) Provide a list of executive and legislative actions (with as much
 195 specificity as possible) for which you lobbied and a description of activiti
 196 es conducted.....
 197
 198
 199

200 (4) INCORPORATED FILINGS: If you are filing an incorporated disclosure
 201 statement, please complete the following:
 202 Individual filing financial information:
 203 Individuals to be included in the filing:
 204

206 (5) Please indicate which schedules will be attached to your disclosure
 207 statement:

- 208 [] Schedule A: Entertainment Expenses
- 209 [] Schedule B: Gifts
- 210 [] Schedule C: Other Expenses

211 (6) EXPENDITURE TOTALS:

212 a) ENTERTAINMENT .....	\$	.....
213 b) GIFTS .....	\$	.....
214 c) OFFICE EXPENSES .....	\$	.....
215 d) COMMUNICATIONS .....	\$	.....
216 e) PERSONAL LIVING AND TRAVEL EXPENSES .....	\$	.....
217 f) COMPENSATION OF LOBBYISTS .....	\$	.....
218 g) HONORARIA .....	\$	.....
219 h) REGISTRATION COSTS .....	\$	.....
220 i) OTHER .....	\$	.....
221 TOTAL .....	\$	.....

222 PART II:

223 (1a) NAME OF LOBBYIST:
 224 (1b) Permanent Business Address:
 225 (1c) Business Telephone:

226 (2) As a lobbyist, you are (check one)

- 227 [] EMPLOYED (on the payroll of the principal)
- 228 [] RETAINED (not on the payroll of the principal, however compensated)
- 229 [] NOT COMPENSATED (not compensated; expenses may be reimbursed)

230 (3) List all lobbyists other than yourself who registered to represent your
 231 principal.
 232
 233
 234

235 (4) If you selected "EMPLOYED" as your answer to Part II, item 2, provide
 236 your job title.
 237

238 ~~(5) If you selected "NOT COMPENSATED" as your answer to Part II, item 2,~~
 239 ~~please indicate why you received no compensation.~~

240
 241
 242

243 PLEASE NOTE: Some lobbyists are not individually compensated for lobbying
 244 activities. This may occur when several members of a firm represent a single
 245 principal. The principal, in turn, makes a single payment to the firm. If
 246 this describes your situation, do not answer Part II, items ~~6a5a~~ and ~~6b5b~~. In
 247 stead, complete Part III, items 1 and 2.

248 (6a5a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a lobbyist? (If you
 249 have job responsibilities other than those involving lobbying, you may have
 250 to prorate to determine the part of your salary attributable to your lobbying
 251 activities.) Transfer your answer to this item to Part I, item 6f.

252 | (6b5b) Explain how you arrived at your answer to Part II, item 6a5a.
253
254
255

256 PART III:
257 | PLEASE NOTE: If you answered Part II, items 6a5a and 6b5b, you WILL NOT comp
258 lete this section.

259 (1) List all members of your firm, organization, association, corporation,
260 or other entity who furnished lobbying services to your principal.....
261
262
263

264 (2) Indicate the total amount paid to your firm, organization, association,
265 corporation or other entity for services rendered. Transfer your answer to
266 this item to Part I, item 6f.....
267 SCHEDULE A

268 ENTERTAINMENT EXPENSES

269 PLEASE NOTE: Any single entertainment event included in the expense totals
270 | of the principal, with a value greater than \$50100, should be itemized below.
271 Transfer any totals from this schedule to Part I, item 6a. (Please duplicate
272 as needed.)

273 Date and Location of Event:
274
275

276 Description of Event:
277
278

279 | ~~Number of Legislative and Executive Officials Invited:~~
280

281 | ~~Number of Legislative and Executive Officials~~ Total Number of Persons
282 Attending:

283
284 Names of Legislative and Executive Officials Attending: (List names only if
285 | the average value for each person attending the event was greater than \$50100
286 .).....
287
288

289	Food	.....	\$	.....
290	Beverages	.....	\$	.....
291	Transportation of Legislative and Executive Officials	.....	\$	.....
292	Lodging of Legislative and Executive Officials	.....	\$	.....
293	Performers, Speakers, Etc.	.....	\$	.....
294	Displays	.....	\$	.....
295	Rentals	.....	\$	.....
296	Service Personnel	.....	\$	.....
297	Miscellaneous	.....	\$	.....
298	TOTAL	.....	\$	.....

299 SCHEDULE B
300 GIFTS

301 PLEASE NOTE: Any single gift reported in the expense totals of the principal
302 ,with a value greater than \$25, should be itemized below. (Report meals,
303 entertainment and travel under Schedule A.) Transfer any totals from this
304 schedule to Part I, item 6b. (Please duplicate as needed.)

305	Date	Description	Name of each	Cost of
306	of gift:	of gift:	legislative or	individual
307	executive official		gift:	
308	who is a recipient			
309	of a gift:			
310	\$.....
311	\$.....

312 \$.....
 313 \$.....
 314 \$.....
 315
 316 TOTAL COST TO PRINCIPAL \$

317 SCHEDULE C
 318 OTHER EXPENSES

319 PLEASE NOTE: This section is provided for any lobbying-related expenses not
 320 covered in Part I, items 6a - 6h.
 321 An example of an expenditure to be listed on schedule C would be the rental o
 322 f a bill box during the General Assembly session.
 323 Transfer the total from this schedule to Part I, item 6i. (Please
 324 duplicate as needed.)

325	DATE OF EXPENSE	DESCRIPTION OF EXPENSE	AMOUNT
326	\$
327	\$
328	\$
329	\$
330	\$
331	\$
332	\$
333	\$
334	\$
335	TOTAL "OTHER" EXPENSES	.....	\$ .....

337 PART IV: STATEMENTS

338 Both the lobbyist and principal officer must sign the disclosure statement,
 339 attesting to its completeness and accuracy. The following items are mandatory
 340 and if they are not properly completed, the entire filing will be rejected and
 341 returned to the lobbyist:
 342 (1) All signatures on the statement must be ORIGINAL in the format specified
 343 in the instructions provided by the Secretary that accompany this form. No
 344 stamps, or other reproductions of the individual's signature will be accepted.
 345 (2) An individual MAY NOT sign the disclosure statement as lobbyist and
 346 principal officer.

348 STATEMENT OF LOBBYIST

349 I, the undersigned registered lobbyist, do state that the information
 350 furnished on this disclosure statement and on all accompanying attachments
 351 required to be made thereto is, to the best of my knowledge and belief,
 352 complete and accurate.....
 353
 354
 355 Signature of lobbyist.....
 356
 357 Date

359 STATEMENT OF PRINCIPAL

360 I, the undersigned principal (or an authorized official thereof), do state
 361 that the information furnished on this disclosure statement and on all
 362 accompanying attachments required to be made thereto is, to the best of my
 363 knowledge and belief, complete and accurate.....
 364
 365
 366 Signature of principal.....
 367
 368 Date

369 D. A person who signs the disclosure statement knowing it to contain a material misstatement of
370 fact shall be guilty of a Class 5 felony.

371 E. Each lobbyist shall send to each legislative and executive official who is required to be
372 identified by name on Schedule A or B of the Lobbyist's Disclosure Form a copy of Schedule A or B or
373 a summary of the information pertaining to that official. Copies or summaries shall be provided to the
374 official by December 15 for the preceding 12-month period complete through November 30.

375 #

2006 SESSION

INTRODUCED

062800308

HOUSE BILL NO. 542

Offered January 11, 2006

Prefiled January 9, 2006

A *BILL to amend and reenact §§ 2.2-3114, 2.2-3117, 2.2-3118, 30-110, and 30-111 of the Code of Virginia, relating to the State and Local Government and General Assembly Conflict of Interest Acts.*

 Patron—Griffith

 Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3114, 2.2-3117, 2.2-3118, 30-110, and 30-111 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-3114. Disclosure by state officers and employees.

A. The Governor, Lieutenant Governor, Attorney General, Justices of the Supreme Court, judges of the Court of Appeals, judges of any circuit court, judges and substitute judges of any district court, members of the State Corporation Commission, members of the Virginia Workers' Compensation Commission, members of the Commonwealth Transportation Board, members of the Board of Trustees of the Virginia Retirement System, and members of the State Lottery Board and other persons occupying such offices or positions of trust or employment in state government, including members of the governing bodies of authorities, as may be designated by the Governor or, in the case of officers or employees of the legislative branch, by the Joint Rules Committee of the General Assembly, shall file, as a condition to assuming office or employment, a disclosure statement of their personal interests and such other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement annually on or before January 15. *When the filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal holiday.*

B. Nonsalaried citizen members of all policy and supervisory boards, commissions and councils in the executive branch of state government, other than the Commonwealth Transportation Board, members of the Board of Trustees of the Virginia Retirement System, and the State Lottery Board, shall file, as a condition to assuming office, a disclosure form of their personal interests and such other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such form annually on or before January 15. *When the filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal holiday.* Nonsalaried citizen members of other boards, commissions and councils, including advisory boards and authorities, may be required to file a disclosure form if so designated by the Governor, in which case the form shall be that set forth in § 2.2-3118.

C. The disclosure forms required by subsections A and B shall be provided by the Secretary of the Commonwealth to each officer and employee so designated, including officers appointed by legislative authorities, not later than November 30 of each year. Disclosure forms shall be filed and maintained as public records for five years in the Office of the Secretary of the Commonwealth.

D. Candidates for the offices of Governor, Lieutenant Governor or Attorney General shall file a disclosure statement of their personal interests as required by § 24.2-502.

E. Any officer or employee of state government who has a personal interest in any transaction before the governmental or advisory agency of which he is an officer or employee and who is disqualified from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate, and his disclosure shall also be reflected in the public records of the agency for five years in the office of the administrative head of the officer's or employee's governmental agency or advisory agency or, if the agency has a clerk, in the clerk's office.

F. An officer or employee of state government who is required to declare his interest pursuant to subdivision A 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) the nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in written minutes for his agency or file a signed written declaration with the clerk or administrative head of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for

INTRODUCED

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59 public inspection such declaration for a period of five years from the date of recording or receipt. If
60 reasonable time is not available to comply with the provisions of this subsection prior to participation in
61 the transaction, the officer or employee shall prepare and file the required declaration by the end of the
62 next business day.

63 G. An officer or employee of state government who is required to declare his interest pursuant to
64 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a
65 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide
66 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in
67 the public interest. The officer or employee shall either make his declaration orally to be recorded in
68 written minutes for his agency or file a signed written declaration with the clerk or administrative head
69 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make
70 available for public inspection such declaration for a period of five years from the date of recording or
71 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to
72 participation in the transaction, the officer or employee shall prepare and file the required declaration by
73 the end of the next business day.

74 § 2.2-3117. Disclosure form.

75 The disclosure form to be used for filings required by § 2.2-3114 A and D, and § 2.2-3115 A and D
76 shall be substantially as follows:

77 STATEMENT OF ECONOMIC INTERESTS.

- 78
- 79 Name
- 80 Office or position held or sought
- 81 Home address
- 82 Names of members of immediate family
- 83

84 DEFINITIONS AND EXPLANATORY MATERIAL.

85
86 "Immediate family" means (i) a spouse and (ii) any other person
87 residing in the same household as the officer or employee, who
88 is a dependent of the officer or employee or of whom the officer
89 or employee is a dependent.
90

91
92 "*Deferred*
93 *compensation*" means income that is taxed
94 when
95 received and not when earned.
96

97 "*Deferred compensation*
98 *plan*" means an arrangement whereby
99 an
100 employee or owner defers
101 some portion of their current income
102 until a specified date. A deferred compensation plan may entitle the employeee
103 or owner to a portion of investment income generated by virtue of the
104 employee's or owner's participation in the plan.
105

106 "Dependent" means any
107 person, whether or not related by blood or
108 marriage, who receives from the officer or employee, or provides
109 to the officer or employee, more than one-half of his financial
110 support.
111

112 "Business" means a corporation, partnership, sole proprietorship,
113 firm, enterprise, franchise, association, trust or foundation, or
114 any other individual or entity carrying on a business or
115 profession, whether or not for profit.
116

117 "Close financial association" means an association in
118 which the person
119 filing shares significant financial involvement with
120 an individual
121 and the
122 filer would reasonably be expected to be aware of the
123 individual's business
124 activities and would have access to the
125 necessary records either
126 directly or through the individual.
127 "Close
128 financial association" does not mean an association based
129 on (i) the receipt of retirement benefits
130 or deferred compensation
131 from a business by which the person filing this statement is no
132 longer employed, or ~~or "Close financial~~
133 ~~association" does not include an~~
134 ~~association based on~~ (ii) the
135 receipt of compensation for work performed
136 by the person filing as an independent contractor of a business
137 that represents an entity before any state governmental agency when
138 the person filing has had no communications with the state
139 governmental agency.
140
141 "Contingent
142 liability" means a liability that is not presently fixed
143 or determined, but may
144 become fixed or determined in the future with
145 the occurrence of some
146 certain event.
147
148 "Gift" means any gratuity, favor, discount, entertainment,
149 hospitality, loan, forbearance, or other item having monetary value.
150 It includes services as well as gifts of transportation, local
151 travel, lodgings and meals, whether provided in-kind, by purchase
152 of a ticket, payment in advance or reimbursement after the expense
153 has been incurred. "Gift" shall not include any offer of a ticket
154 or other admission or pass unless the ticket, admission, or pass is
155 used. "Gift" shall not include honorary degrees and presents from
156 relatives. "Relative" means the donee's spouse, child, uncle, aunt,
157 niece, or nephew; a person to whom the donee is engaged to be
158 married; the donee's or his spouse's parent, grandparent,
159 grandchild, brother, or sister; or the donee's brother's or
160 sister's spouse.
161
162 TRUST. If you or your immediate family, separately or together,
163 are the only beneficiaries of a trust, treat the trust's assets
164 as if you own them directly. If you or your immediate family has
165 a proportional interest in a trust, treat that proportion of the
166 trust's assets as if you own them directly. For example, if you
167 and your immediate family have a one-third interest in a trust,
168 complete your Statement as if you own one-third of each of the
169 trust's assets. If you or a member of your immediate family
170 created a trust and can revoke it without the beneficiaries'
171 consent, treat its assets as if you own them directly.
172

173 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information
174 required on this Statement must be provided on the basis of the
175 best knowledge, information and belief of the individual filing
176 the Statement as of the date of this report unless otherwise
177 stated.
178
179 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.
180
181 You may attach additional explanatory information.
182
183 1. Offices and Directorships.
184 Are you or a member of your immediate family a paid officer
185 or paid director of a business?
186 EITHER check NO / / OR check YES / / and complete
187 Schedule A.
188 2. Personal Liabilities.
189 Do you or a member of your immediate family owe more than
190 \$10,000 to any one creditor including contingent liabilities?
191 (Exclude debts to any government and loans secured by recorded
192 liens on property at least equal in value to the loan.)
193 EITHER check NO / / OR check YES / / and complete
194 Schedule B.
195 3. Securities.
196 Do you or a member of your immediate family, directly or
197 indirectly, separately or together, own securities valued
198 in excess of \$10,000 invested in one business? Account for
199 mutual funds, limited partnerships and trusts.
200 EITHER check NO / / OR check YES / / and complete
201 Schedule C.
202 4. Payments for Talks, Meetings, and Publications.
203 During the past 12 months did you receive lodging,
204 transportation, money, or anything else of value with a
205 combined value exceeding \$200 for a single talk, meeting,
206 or published work in your capacity as an officer or employee of
207 your agency?
208 EITHER check NO / / OR check YES / / and complete
209 Schedule D.
210 5. Gifts.
211 During the past 12 months did a business, government, or
212 individual other than a relative or personal friend (i) furnish
213 you with any gift or entertainment at a single event, and the
214 value received by you exceeded \$50 in value or (ii) furnish you
215 with gifts or entertainment
216 in any combination and the value
217 received by you exceeded
218 \$100 in total value; and for
219 which you neither paid nor
220 rendered services in exchange?
221 Account for entertainment events only if the average value
222 per person attending the
223 event exceeded \$50 in value.
224 Account for all business
225 entertainment (except if related to
226 your private profession or occupation) even if unrelated
227 to your official duties.
228 EITHER check NO / / OR check YES / / and complete
229 Schedule E.

230 6. Salary ~~and~~, Wages and Deferred
231 Compensation Paid.
232 List each employer that pays you or a member of your immediate
233 family (i) salary or wages in excess of
234 \$10,000 annually, and (ii)
235 compensation
236 in excess of \$10,000 pursuant to a deferred
237 compensation
238 agreement. (Exclude state or local government or
239 advisory agencies.) If no
240 reportable salary or wages,
241 check here / /.
242
243
244

245 7. Business Interests.
246 Do you or a member of your immediate family, separately or
247 together, operate your own business, or own or control an
248 interest in excess of \$10,000 in a business?
249 EITHER check NO / / OR check YES / / and complete
250 Schedule F.

251 8. Payments for Representation and Other Services.
252 8A. Did you represent, excluding activity defined as lobbying in
253 § 2.2-419,
254 any businesses before any state governmental
255 agencies, excluding courts or judges, for which you received
256 total compensation during the past 12 months in excess of
257 \$1,000, excluding compensation for other services to such
258 businesses and representation consisting solely of the filing
259 of mandatory papers and subsequent representation regarding the
260 mandatory papers? (Officers and employees of local
261 governmental and advisory agencies do NOT need to answer this
262 question or complete Schedule G-1.)
263 EITHER check NO / / OR check YES / / and complete
264 Schedule G-1.

265 8B. Subject to the same exceptions as in 8A, did persons with whom
266 you have a close financial association (partners, associates or
267 others) represent, excluding activity defined as lobbying in
268 § 2.2-419,
269 any businesses before any state governmental
270 agency for which total compensation was received during the past
271 12 months in excess of \$1,000? (Officers and employees of local
272 governmental and advisory agencies do NOT need to answer this
273 question or complete Schedule G-2.)
274 EITHER check NO / / OR check YES / / and complete
275 Schedule G-2.

276 8C. Did you or persons with whom you have a close financial
277 association furnish services to businesses operating in
278 Virginia pursuant to an agreement between you and such
279 businesses,
280 or
281 between persons with
282 whom you have a close financial
283 association and
284 such businesses for which total compensation in
285 excess of \$1,000 was

286 received during the past 12 months?
287 EITHER check NO / / OR check YES / / and complete
288 Schedule G-3.

289 9. Real Estate.

290 9A. State Officers and Employees.

291 Do you or a member of your immediate family hold an interest,
292 including a partnership interest, valued at \$10,000 or more in
293 real property (other than your principal residence) for which
294 you have not already listed the full address on Schedule F?
295 Account for real estate held in trust.
296 EITHER check NO / / OR check YES / / and complete
297 Schedule H-1.

298 9B. Local Officers and Employees.

299 Do you or a member of your immediate family hold an interest,
300 including a partnership interest, valued at \$10,000 or more in
301 real property located in the county, city or town in which you
302 serve or in a county, city or town contiguous to the county,
303 city or town in which you serve (other than your principal
304 residence) for which you have not already listed the full
305 address on Schedule F? Account for real estate held in trust.
306 EITHER check NO / / OR check YES / / and complete
307 Schedule H-2.

308 10. Real Estate Contracts with Governmental Agencies.

309 Do you or a member of your immediate family hold an interest
310 valued at more than \$10,000 in real estate, including a
311 corporate, partnership, or trust interest, option,
312 easement, or land contract, which real estate is the
313 subject of a contract, whether pending or completed within
314 the past 12 months, with a governmental agency? If the
315 real estate contract provides for the leasing of the property
316 to a governmental agency, do you or a member of your immediate
317 family hold an interest in the real estate valued at more than
318 \$1,000? Account for all such contracts whether or not your
319 interest is reported in Schedule F, H-1, or H-2. This
320 requirement to disclose an interest in a lease does not apply
321 to an interest derived through an ownership interest in a
322 business unless the ownership interest exceeds three percent
323 of the total equity of the business.
324 EITHER check NO / / OR check YES / / and complete Schedule I.

325
326 Statements of Economic Interests are open for public inspection.

327
328 AFFIRMATION BY ALL FILERS.

329
330 I swear or affirm that the foregoing information is full, true
331 and correct to the best of my knowledge.

332
333 Signature.....
334 Commonwealth of Virginia
335of.....to wit:
336 The foregoing disclosure form was acknowledged before me
337 This.....day of....., 19.., by,
338 Notary Public
339 My commission expires.....

340
341 (Return only if needed to complete Statement.)
342

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SCHEDULES
TO
STATEMENT OF ECONOMIC INTERESTS.

NAME.....

SCHEDULE A - OFFICES AND DIRECTORSHIPS.

Identify each business of which you or a member of your immediate family is a paid officer or paid director.

Name of Business	Address of Business	Position Held
.....
.....
.....
.....

RETURN TO ITEM 2

SCHEDULE B - PERSONAL LIABILITIES.

Report personal liability by checking each category. Report only debts in excess of \$10,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least equal in value to the loan.

Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

	Check appropriate categories	Check one \$10,001 to \$50,000	Check one More than \$50,000
Banks
Savings institutions
Other loan or finance companies
Insurance companies
Stock, commodity or other brokerage companies
Other businesses:			
(State principal business activity for each creditor.)
.....
.....
Individual creditors:			
(State principal business or			

399 occupation of each creditor.)
400
401

402 -----
403 -----
404

405 2. The personal debts of the members of my immediate family are as
406 follows:
407

408 -----
409 -----
410

411 Check Check one
412 appropriate \$10,001 to More than
413 categories \$50,000 \$50,000
414

415 Banks
416 Savings institutions
417 Other loan or finance companies
418 Insurance companies
419 Stock, commodity or other brokerage
420 companies
421 Other businesses:
422 (State principal business activity
423 for each creditor.)
424
425
426 Individual creditors:
427 (State principal business or
428 occupation of each creditor.)
429
430
431 -----
432 -----
433

RETURN TO ITEM 3

434
435 SCHEDULE C - SECURITIES.
436

437 "Securities" INCLUDES stocks, bonds, "Securities"
438 EXCLUDES
439 mutual funds, limited partnerships, certificates of deposit,
440 and commodity futures contracts. money market funds, annuity
441 contracts, and insurance
442 policies.
443

444 Identify each business or Virginia governmental entity in which
445 you or a member of your immediate family, directly or indirectly,
446 separately or together, own securities valued in excess of \$10,000.
447 Name each entity and type of security individually.
448

449 Do not list U.S. Bonds or other government securities not issued
450 by the Commonwealth of Virginia or its authorities, agencies, or
451 local governments. Do not list organizations that do not do
452 business in this Commonwealth, but most major businesses conduct
453 business in Virginia. Account for securities held in trust.
454

455 If no reportable securities, check here / /.

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Type of Security	Check one \$10,001	More than \$50,001	M-
ore			
Type of (stocks, bonds, mutual	to	than to	-
Entity funds, etc.)	\$50,000	\$50,000 \$250,000	-
Name of Issuer			
\$250,000			

RETURN TO ITEM 4

SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

List each source from which you received during the past 12 months lodging, transportation, money, or any other thing of value (excluding meals or drinks coincident with a meeting) with combined value exceeding \$200 for your presentation of a single talk, participation in one meeting, or publication of a work in your capacity as an officer or employee of your agency.

List payments or reimbursements by an advisory or governmental agency only for meetings or travel outside the Commonwealth.

List a payment even if you donated it to charity.

Do not list information about a payment if you returned it within 60 days or if you received it from an employer already listed under Item 6 or from a source of income listed on Schedule F.

If no payment must be listed, check here / /.

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Payer	Approximate Value	Circumstances	Type of Payment (e.g., Travel reimburse- ment, etc.)
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RETURN TO ITEM 5

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SCHEDULE E - GIFTS.

List each business, governmental entity, or individual that, during the past 12 months, (i) furnished you with any gift or entertainment at a single event and the value received by you exceeded \$50 in value, or (ii) furnished you with gifts or entertainment in any combination and the value received by you exceeded \$100 in total value; and for which you neither paid nor rendered services in exchange. List each such gift or event. Do not list entertainment events unless the average value per person attending the event exceeded \$50 in value. Do not list business entertainment related to your private profession or occupation. Do not list gifts or other things of value given by a relative or personal friend for reasons clearly unrelated to your public position. Do not list campaign contributions publicly reported as required by Chapter 9 (§ 24.2-900 et seq.) of Title 24.2 of the Code of Virginia.

Name of Business, Organization, or Individual	City or County and State	Gift or Event	Approximate Value
.....
.....
.....
.....

RETURN TO ITEM 6

SCHEDULE F - BUSINESS INTERESTS.

Complete this Schedule for each self-owned or family-owned business (including rental property, a farm, or consulting work), partnership, or corporation in which you or a member of your immediate family, separately or together, own an interest having a value in excess of \$10,000.

If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name; otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a trade, partnership, or corporate name, list the name only; otherwise, give the address of each property. Account for business interests held in trust.

569
570 Name of Gross Net
571 Income
572 Business,
573 Corporation,
574 Partnership,
575 Farm; Address City or Nature of Enterprise
576 of Rental County (farming, law, \$50,000 ~~More than~~ \$50,001 More
577 Property and State rental property, etc.) or less ~~\$50,000~~ to
578 than
579 \$250,000
580 \$250,000
581
582
583
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587 -----
588 -----
589 RETURN TO ITEM 8
590

591 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

592
593 List the businesses you represented, excluding activity
594 defined
595 as lobbying in § 2.2-419, before any state governmental
596 agency, excluding any court or judge, for which you received
597 total compensation during the past 12 months in excess of \$1,000,
598 excluding compensation for other services to such businesses and
599 representation consisting solely of the filing of mandatory
600 papers and subsequent representation regarding the mandatory
601 papers filed by you.

602
603 Identify each business, the nature of the representation and the
604 amount received by dollar category from each such business. You
605 may state the type, rather than name, of the business if you are
606 required by law not to reveal the name of the business
607 represented by you.

608
609 Only STATE officers and employees should complete this Schedule.
610
611 -----
612 -----

614	Name	Type	Pur-	Name	Amount Received				
615	of	of	pose	of					
616	Busi-	Busi-	of	Agen-					
617	ness	ness	Repre-	cy	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001
618			sentat-		to	to	to	to	and
619			tion		\$10,000	\$50,000	\$100,000	\$250,000	over
620									
621
622
623
624

625 -----
 626
 627
 628 *If you have received*
 629 *\$250,001 or more from a single business*
 630 *within*
 631 *the reporting period, indicate the amount received, rounded to the*
 632 *nearest \$10,000.*
 633 *Amount<eb> Received<eb>:<eb>_____.*

634 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

635
 636 *List the businesses that have been represented, excluding activity*
 637 *defined*
 638 *as lobbying in § 2.2-419, before any state*
 639 *governmental agency, excluding any court or judge, by persons*
 640 *who are your partners, associates or others with whom you have*
 641 *a close financial association and who received total*
 642 *compensation in excess of*
 643 *\$1,000 for such representation during*
 644 *the past 12 months, excluding representation consisting solely*
 645 *of the filing of mandatory papers and subsequent representation*
 646 *regarding the mandatory papers filed by your partners,*
 647 *associates or others with whom you have a close financial*
 648 *association.*

649
 650 *Identify such businesses by type and also name the state*
 651 *governmental agencies before which such person appeared on*
 652 *behalf of such businesses.*

653
 654 *Only STATE officers and employees should complete this Schedule.*

655 -----
 656 -----
 657 -----

658 Type of Business	Name of State Governmental Agency
659
660
661

662 -----
 663 -----
 664 -----
 665 -----
 666 -----

667
 668 SCHEDULE G-3 - PAYMENTS FOR SERVICES GENERALLY.

669
 670 *Indicate below types of businesses that operate in Virginia to*
 671 *which services were furnished by you or persons with whom you*
 672 *have a close financial association pursuant to an*
 673 *agreement between you*
 674 *and*
 675 *such businesses, or between persons*
 676 *with whom you have a close financial*
 677 *association*
 678 *and such businesses and*
 679 *for which total compen-*
 680 *sation in excess of \$1,000 was received during the past 12 months.*
 681

682 Identify opposite each category of businesses listed below (i)
 683 the type of business, (ii) the type of service rendered and
 684 (iii) the value by dollar category of the compensation received
 685 for all businesses falling within each category.
 686
 687 -----
 688 -----

690	Check	Type	Value of Compensation				
691	if	of					
692	ser-	ser-					
693	vices	vice					
694	were	ren-	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001
695	ren-	dered	to	to	to	to	and
696	dered		\$10,000	\$50,000	\$100,000	\$250,000	over
697	Electric						
698	utilities						
699	Gas util-						
700	ities						
701	Telephone						
702	utilities						
703	Water util-						
704	ities						
705	Cable tele-						
706	vision						
707	companies						
708	Interstate						
709	transporta-						
710	tion com-						
711	panies						
712	Intrastate						
713	transporta-						
714	tion com-						
715	panies						
716	Oil or gas						
717	retail com-						
718	panies						
719	Banks						
720	Savings						
721	institutions						
722	Loan or fi-						
723	nance com-						
724	panies						
725							
726							
727	Manufactur-						
728	ing com-						
729	panies (state						
730	type of pro-						
731	duct, e.g.,						
732	textile, fur-						
733	niture, etc.)						
734	Mining com-						
735	panies						
736	Life insur-						
737	ance com-						

- 738 panies
- 739 Casualty in-
- 740 surance com-
- 741 panies
- 742 Other insur-
- 743 ance com-
- 744 panies
- 745 Retail com-
- 746 panies
- 747 Beer, wine
- 748 or liquor
- 749 companies or
- 750 distributors.....
- 751 Trade asso-
- 752 ciations
- 753 Professional
- 754 associations.....
- 755 Associations
- 756 of public
- 757 employees or
- 758 officials
- 759 Counties,
- 760 cities or
- 761 towns
- 762 Labor organi-
- 763 zations
- 764 Other

765 -----

766 -----

767 -----

768 RETURN TO ITEM 9

769

770 SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEES.

771

772 List real estate other than your principal residence in which

773 you or a member of your immediate family holds an interest,

774 including a partnership interest, option, easement, or land

775 contract, valued at \$10,000 or more. You may list each parcel

776 of real estate individually if you wish.

777 -----

778 -----

781 List each location	782 Describe the type of	783 If the real estate
784 (state, and county	784 real estate you own	784 is owned or recorded
785 or city) where you	785 in each location	785 in a name other than
786 own real estate.	786 (business, recreational,	786 your own, list that
	787 apartment, commercial,	787 name.
	788 open land, etc.).	
789	789	789
790	790	790
791	791	791
792 -----	792 -----	792 -----
793 -----	793 -----	793 -----
794		

795 SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.

796
797 List real estate located in your county, city, or town, and any
798 contiguous county, city, or town other than your principal
799 residence in which you or a member of your immediate family holds
800 an interest, including a partnership interest, option, easement,
801 or land contract, valued at \$10,000 or more. You may list each
802 parcel of real estate individually if you wish.

803 -----
804 -----

805	806	807	808	809	810	811	812	813	814	815	816
	List each location	Describe the type of		If the real estate							
	(state, and county	real estate you own		is owned or recorded							
	or city) where you	in each location		in a name other than							
	own real estate.	(business, recreational,		your own, list that							
		apartment, commercial,		name.							
		open land, etc.).									
							
							
							
							
							
							

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819 RETURN TO ITEM 10

820
821 SCHEDULE I - REAL ESTATE CONTRACTS WITH GOVERNMENTAL AGENCIES.

822
823 List all contracts, whether pending or completed within the
824 past 12 months, with a governmental agency for the sale
825 or exchange of real estate in which you or a member of
826 your immediate family holds an interest, including a corporate,
827 partnership or trust interest, option, easement, or land
828 contract, valued at \$10,000 or more. List all contracts with a
829 governmental agency for the lease of real estate in which you or
830 a member of your immediate family holds such an interest valued
831 at \$1,000 or more. This requirement to disclose an interest in a
832 lease does not apply to an interest derived through an ownership
833 interest in a business unless the ownership interest exceeds
834 three percent of the total equity of the business.

835 State officers and employees
836 report contracts with state agencies.
837 Local officers and employees
838 report contracts with local agencies.

839 -----
840 -----

841	842	843	844	845	846	847	848	849	850
	List your real	List each		State the annual					
	estate interest	governmental agency		income from the					
	and the person	which is a party to		contract, and the					
	or entity,	the contract and in-		amount, if any, of					
	including the	dicade the county		income you or any					
	type of entity,	or city where the real		immediate family					
	which is party	estate is located.		member derives					
	to the contract.			annually from the					
	Describe any			contract.					

851 management role
852 and the percentage
853 ownership interest
854 you or your
855 immediate family
856 member has in the
857 real estate or entity.

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865 § 2.2-3118. Disclosure form; certain citizen members.

866 A. The financial disclosure form to be used for filings required pursuant to subsection B of
867 § 2.2-3114 and subsection B of § 2.2-3115 shall be substantially as follows:

868 DEFINITIONS AND EXPLANATORY MATERIAL.

869 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
870 association, trust or foundation, or any other individual or entity carrying on a business or profession,
871 whether or not for profit.

872 "Close financial association" means an association in which the person filing shares significant
873 financial involvement with an individual and the filer would reasonably be expected to be aware of the
874 individual's business activities and would have access to the necessary records either directly or through
875 the individual. "Close financial association" does not mean an association based on (i) the receipt of
876 retirement benefits or deferred compensation from a business by which the person filing this statement is
877 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an
878 independent contractor of a business that represents an entity before any state governmental agency
879 when the person filing has no communications with the state governmental agency.

880 "Contingent liability" means a liability that is not presently fixed or determined, but may become
881 fixed or determined in the future with the occurrence of some certain event.

882 "Deferred compensation" means income that is taxed when received and not when earned.

883 "Deferred compensation plan" means an arrangement whereby an employee or owner defers some
884 portion of their current income until a specified date. A deferred compensation plan may entitle the
885 employee or owner to a portion of investment income generated by virtue of the employer's or owner's
886 participation in the plan.

887 "Immediate family" means (i) a spouse and (ii) any other person residing in the same household as
888 the filer, who is a dependent of the filer or of whom the filer is a dependent.

889 "Dependent" means any person, whether or not related by blood or marriage, who receives from the
890 filer, or provides to the filer, more than one-half of his financial support.

891 "Personal interest" means, for the purposes of this form only, a personal and financial benefit or
892 liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of
893 (i) ownership in real or personal property, tangible or intangible; (ii) ownership in a business; (iii)
894 income from a business; or (iv) personal liability on behalf of a business; however, unless the ownership
895 interest in a business exceeds three percent of the total equity of the business, or the liability on behalf
896 of a business exceeds three percent of the total assets of the business, or the annual income, and/or
897 property or use of such property, from the business exceeds \$10,000 or may reasonably be anticipated to
898 exceed \$10,000, such interest shall not constitute a "personal interest."

899 Name
900
901 Office or position held or to be held
902
903 Address

905 I. FINANCIAL INTERESTS

906
907 My personal interests and those of my immediate family are as
908 follows:

909 Include all forms of personal interests held at the time of filing:

910 real estate, stocks, bonds, equity interests in proprietorships and
 911 partnerships. You may exclude:
 912 1. Deposits and interest bearing accounts in banks, savings
 913 institutions and other institutions accepting such
 914 deposits or accounts;
 915 2. Interests in any business, other than a news medium, representing
 916 less than three percent of the total equity value of the business;
 917 3. Liability on behalf of any business representing less than three
 918 percent of the total assets of such business; and
 919 4. Income (other than from salary) less than \$10,000 annually from
 920 any business. You need not state the value of any interest. You must
 921 state the name or principal business activity of each business in
 922 which you have a personal interest.
 923 A. My personal interests are:
 924 1. Residence, address, or, if no address, location
 925 2. Other real estate, address, or, if no address, location
 926 3. Name or principal business activity of each business in which
 927 stock, bond or equity interest is held
 928 B. The personal interests of my immediate family are:
 929 1. Real estate, address or, if no address, location
 930 2. Name or principal business activity of each business in which
 931 stock, bond or equity interest is held

932 II. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

933 The paid offices, paid directorships and salaried employments which
 934 I hold or which members of my immediate family hold and the
 935 businesses from which I or members of my immediate family receive
 936 retirement benefits are as follows:
 937 (You need not state any dollar amounts.)

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

939 -----
 940 -----
 941 -----
 942 -----
 943 -----
 944 -----
 945 Position held Name of business
 946
 947
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 950 -----
 951 -----

952 B. The paid offices, paid directorships and salaried employments of
 953 members of my immediate family are:

954 -----
 955 -----
 956 -----
 957 -----
 958 -----
 959 Position held Name of business
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III. BUSINESSES TO WHICH SERVICES WERE FURNISHED

A. The businesses I have represented, *excluding activity defined as lobbying in § 2.2-419*, before any state governmental agency, excluding any court or judge, for which I have received total compensation in excess of \$1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:
Identify businesses by name and name the state governmental agencies before which you appeared on behalf of such businesses.

Name of business	Name of governmental agency
.....
.....
.....

B. The businesses that, to my knowledge, have been represented, *excluding activity defined as lobbying in § 2.2-419*, before any state governmental agency, excluding any court or judge, by persons with whom I have a close financial association and who received total compensation in excess of \$1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:
Identify businesses by type and name the state governmental agencies before which such person appeared on behalf of such businesses.

Type of business	Name of state governmental agency
.....
.....

C. All other businesses listed below that operate in Virginia to which services were furnished pursuant to an agreement between you and such businesses and for which total compensation in

1023 excess of \$1000 was received during the preceding year:
1024 Check each category of business to which services were furnished.

- 1025 -----
- 1026 -----
- 1027 -----
- 1028
- 1029 Electric utilities
- 1030 Gas utilities
- 1031 Telephone utilities
- 1032 Water utilities
- 1033 Cable television companies
- 1034 Intrastate transportation companies
- 1035 Interstate transportation companies
- 1036 Oil or gas retail companies
- 1037 Banks
- 1038 Savings institutions
- 1039 Loan or finance companies
- 1040 Manufacturing companies (state type of product, e.g.,
- 1041 textile, furniture, etc.)
- 1042 Mining companies
- 1043 Life insurance companies
- 1044 Casualty insurance companies
- 1045 Other insurance companies
- 1046 Retail companies
- 1047 Beer, wine or liquor companies or distributors
- 1048 Trade associations
- 1049 Professional associations
- 1050 Associations of public employees or officials
- 1051 Counties, cities or towns
- 1052 Labor organizations

1053 -----
1054 -----
1055 -----

1056
1057 IV. COMPENSATION FOR EXPENSES

1058
1059 The persons, associations, or other sources other than my
1060 governmental agency from which I or a member of my immediate family
1061 received remuneration in excess of \$200 during the preceding year,
1062 in cash or otherwise, as honorariums or payment of expenses in
1063 connection with my attendance at any meeting or other function to
1064 which I was invited in my official capacity are as follows:

1065 -----

1066 -----

1067 -----

1068	Description	Amount of remuneration
1069	Name of Source	of occasion
1070	for each occasion	
1070
1071

1072 -----
1073 -----
1074 -----

1075 B. The provisions of Part III A and B of the disclosure form prescribed by this section shall not be
1076 applicable to officers and employees of local governmental and local advisory agencies.

1077 C. Except for real estate located within the county, city or town in which the officer or employee
1078 serves or a county, city or town contiguous to the county, city or town in which the officer or employee
1079 serves, officers and employees of local governmental or advisory agencies shall not be required to

1080 disclose under Part I of the form any other interests in real estate.

1081 § 30-110. Disclosure.

1082 A. Every legislator and legislator-elect shall file, as a condition to assuming office, a disclosure
1083 statement of his personal interests and such other information as is specified on the form set forth in
1084 § 30-111 and thereafter shall file such a statement annually on or before January 8. *When the filing*
1085 *deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement shall be filed on the*
1086 *next day that is not a Saturday, Sunday, or legal holiday.* Disclosure forms shall be provided by the
1087 clerk of the appropriate house to each legislator and legislator-elect not later than November 30 of each
1088 year. Members of the Senate shall file their disclosure forms with the Clerk of the Senate and members
1089 of the House of Delegates shall file their disclosure forms with the Clerk of the House of Delegates.
1090 The disclosure forms of the members of the General Assembly shall be maintained as public records for
1091 five years in the office of the clerk of the appropriate house.

1092 B. Candidates for the General Assembly shall file a disclosure statement of their personal interests as
1093 required by §§ 24.2-500 through 24.2-503.

1094 C. Any legislator who has a personal interest in any transaction pending before the General
1095 Assembly and who is disqualified from participating in that transaction pursuant to § 30-108 and the
1096 rules of his house shall disclose his interest in accordance with the applicable rule of his house.

1097 § 30-111. Disclosure form.

1098 A. The disclosure form to be used for filings required by subsections A and B of § 30-110 shall be
1099 substantially as follows:

1100 STATEMENT OF ECONOMIC INTERESTS.

- 1101 Name
- 1102 Office or position held or sought
- 1103 Home address
- 1104 Names of members of immediate family

1105 DEFINITIONS AND EXPLANATORY MATERIAL.

1106
1107

1108 "Immediate family" means (i) a spouse and (ii) any other person
1109 residing in the same household as the legislator, who is a dependent
1110 of the legislator or of whom the legislator is a dependent.

1111
1112

1113 "*Deferred compensation*" means income that is taxed when received and not when -
1114 earned.

1115

1116 "*Deferred compensation plan*" means an arrangement whereby an
1117 employee or owner defers some portion of their current income
1118 until a specified date. A deferred compensation plan may entitle
1119 the employee or owner to a portion of investment income generated
1120 by virtue of the employee's or owner's participation in the plan.

1121

1122 "Dependent" means any person, whether or not related by blood or
1123 marriage, who receives from the legislator, or provides to the
1124 legislator, more than one-half of his financial support.

1125
1126

1127 "Business" means a corporation, partnership, sole proprietorship,
1128 firm, enterprise, franchise, association, trust or foundation, or
1129 any other individual or entity carrying on a business or profession,
1130 whether or not for profit.

1131

1132 "Close financial association" means an association in
1133 which the filer
1134 shares significant financial involvement
1135 with an individual and the
1136 filer would reasonably be expected to be aware of
1137 the individual's

1138 business activities and would have access to the
1139 necessary records
1140 either directly or through the individual.
1141 "Close financial
1142 association" does not mean an
1143 association based on (i) the receipt of retirement benefits
1144 or deferred compensation from a business by which the legislator is no longer
1145 employed, ~~"Close~~
1146 ~~financial~~
1147 ~~association" does not include an association based on~~ or
1148 (ii) the receipt of compensation for work
1149 performed by the legislator as an independent contractor of a business that
1150 represents an entity before any state governmental agency when the legislator
1151 has had no communications with the state governmental agency.
1152
1153
1154 "Contingent liability" means a liability
1155 that is not presently fixed or determined, but
1156 may become fixed or determined in the future with the occurrence of some certain
1157 event.
1158
1159 "Gift" means any gratuity, favor, discount, entertainment,
1160
1161 hospitality, loan, forbearance, or other item having monetary value.
1162 It includes services as well as gifts of transportation, local
1163 travel, lodgings and meals, whether provided in-kind, by purchase
1164 of a ticket, payment in advance or reimbursement after the expense
1165 has been incurred. "Gift" shall not include any offer of a ticket
1166 or other admission or pass unless the ticket, admission, or pass is
1167 used. "Gift" shall not include honorary degrees and presents from
1168 relatives. "Relative" means the donee's spouse, child, uncle, aunt,
1169 niece, or nephew; a person to whom the donee is engaged to be
1170 married; the donee's or his spouse's parent, grandparent,
1171 grandchild, brother, or sister; or the donee's brother's or
1172 sister's spouse.
1173
1174
1175 "Lobbyist relationship" means (i) an engagement,
1176 agreement, or
1177 representation that relates to legal services, consulting services,
1178 or public relations services, whether gratuitous or for
1179 compensation, between a member or member-elect and any person who
1180 is, or has been within the prior calendar year, registered as
1181 a lobbyist with the Secretary of the Commonwealth, or (ii) a
1182 greater than three percent ownership interest by a member or member-
1183 elect in a business that employs, or engages as an independent
1184 contractor, any person who is, or has been within the prior
1185 calendar year, registered as a lobbyist with the Secretary of
1186 the Commonwealth. The disclosure of a lobbyist relationship
1187 shall not (i) constitute a waiver of any attorney-client or other
1188 privilege, (ii) require a waiver of any attorney-client or other
1189 privilege for a third party, or (iii) be required where a member
1190 or member-elect is employed or engaged by a person and such person
1191 also employs or engages a person in a lobbyist relationship so long
1192 as the member or member-elect has no financial interest in the
1193 lobbyist relationship.

1194
1195 TRUST. If you or your immediate family, separately or together, are
1196 the only beneficiaries of a trust, treat the trust's assets as if
1197 you own them directly. If you or your immediate family has a
1198 proportional interest in a trust, treat that proportion of the
1199 trust's assets as if you own them directly. For example, if you
1200 and your immediate family have a one-third interest in a trust,
1201 complete your Statement as if you own one-third of each of the
1202 trust's assets. If you or a member of your immediate family created
1203 a trust and can revoke it without the beneficiaries' consent, treat
1204 its assets as if you own them directly.
1205
1206 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required
1207 on this Statement must be provided on the basis of the best
1208 knowledge, information and belief of the individual filing the
1209 Statement as of the date of this report unless otherwise stated.
1210
1211 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.
1212 You may attach additional explanatory information.
1213 1. Offices and Directorships.
1214 Are you or a member of your immediate family a paid officer or
1215 paid director of a business?
1216 EITHER check NO / / OR check YES / / and complete Schedule A.
1217 2. Personal Liabilities.
1218 Do you or a member of your immediate family owe more than
1219 \$10,000 to any one creditor including contingent liabilities?
1220 (Exclude debts to any government and loans secured by recorded
1221 liens on property at least equal in value to the loan.)
1222 EITHER check NO / / OR check YES / / and complete Schedule B.
1223 3. Securities.
1224 Do you or a member of your immediate family, directly or
1225 indirectly, separately or together, own securities valued in
1226 excess of \$10,000 invested in one business? Account for mutual
1227 funds, limited partnerships and trusts.
1228 EITHER check NO / / OR check YES / / and complete Schedule C.
1229 4. Payments for Talks, Meetings, and Publications.
1230 During the past 12 months did you receive lodging,
1231 transportation, money, or anything else of value with a
1232 combined value exceeding \$200 for a single talk, meeting, or
1233 published work in your capacity as a legislator?
1234 EITHER check NO / / OR check YES / / and complete Schedule D.
1235 5. Gifts.
1236 During the past 12 months did a business, government, or
1237 individual other than a relative or personal friend (i) furnish
1238 you with any gift or entertainment at a single event, and the
1239 value received by you exceeded \$50 in value or (ii) furnish you
1240 with gifts or entertainment in any combination and the value
1241 received by you exceeded \$100 in total value; and for
1242 which you neither paid nor rendered services in exchange?
1243 Account for entertainment events only if the average value
1244 per person attending the event exceeded \$50 in value.
1245 Account for all business entertainment (except if related to
1246 your private profession or occupation) even if unrelated
1247 to your official duties.
1248 EITHER check NO / / OR check YES / / and complete Schedule E.
1249 6. Salary, and Wages, and Deferred Compensation Paid.
1250 List each employer that pays you or a member of your immediate

- 1251 family (i) salary or wages in excess of \$10,000 annually, and (ii) -
- 1252 compensation in excess of \$10,000 pursuant to a deferred
- 1253 compensation agreement. (Exclude state or local government or advisory
- 1254 agencies.) If no reportable salary or wages, check here / /.
- 1255
- 1256
- 1257
- 1258 7. Business Interests and Lobbyist Relationships.
- 1259 7A. Do you or a member of your immediate family, separately or
- 1260 together, operate your own business, or own or control an
- 1261 interest in excess of \$10,000 in a business?
- 1262 EITHER check NO / / OR check YES / / and complete Schedule F-1.
- 1263 7B. Do you have a lobbyist relationship as that term is defined
- 1264 above?
- 1265 EITHER check NO / / OR check YES / / and complete Schedule F-2.
- 1266 8. Payments for Representation and Other Services.
- 1267 8A. Did you represent any businesses before any state governmental
- 1268 agencies, excluding courts or judges, for which you received
- 1269 total compensation during the past 12 months in excess of
- 1270 \$1,000, excluding compensation for other services to such
- 1271 businesses and representation consisting solely of the filing
- 1272 of mandatory papers and subsequent representation regarding
- 1273 the mandatory papers?
- 1274 EITHER check NO / / OR check YES / / and complete Schedule G-1.
- 1275 8B. Subject to the same exceptions as in 8A, did persons with whom
- 1276 you have a close financial association (partners, associates or
- 1277 others) represent any businesses before any state governmental
- 1278 agency for which total compensation was received during the
- 1279 past 12 months in excess of \$1,000?
- 1280 EITHER check NO / / OR check YES / / and complete Schedule G-2.
- 1281 8C. Did you or persons with whom you have a close financial
- 1282 association furnish services to businesses operating in
- 1283 Virginia pursuant to an agreement between you and such businesses,
- 1284 or between persons with whom you have a close financial association
- 1285 and such businesses for which total compensation in excess of \$1,000 was-
- 1286 received during the past 12 months?
- 1287 EITHER check NO / / OR check YES / / and complete Schedule G-3.
- 1288 9. Real Estate.
- 1289 Do you or a member of your immediate family hold an interest,
- 1290 including a partnership interest, valued at \$10,000 or more in
- 1291 real property (other than your principal residence) for which
- 1292 you have not already listed the full address on Schedule F?
- 1293 Account for real estate held in trust.
- 1294 EITHER check NO / / OR check YES / / and complete Schedule H.
- 1295 10. Real Estate Contracts with State Governmental Agencies.
- 1296 Do you or a member of your immediate family hold an interest
- 1297 valued at more than \$10,000 in real estate, including a
- 1298 corporate, partnership, or trust interest, option, easement,
- 1299 or land contract, which real estate is the subject of a
- 1300 contract, whether pending or completed within the past 12
- 1301 months, with a state governmental agency? If the real estate
- 1302 contract provides for the leasing of the property to a state
- 1303 governmental agency, do you or a member of your immediate
- 1304 family hold an interest in the real estate, including a
- 1305 corporate, partnership, or trust interest, option, easement,
- 1306 or land contract valued at more than \$1,000? Account for all

1307 such contracts whether or not your interest is reported in
1308 Schedule F or H. This requirement to disclose an
1309 interest in a lease does not apply to an interest derived
1310 through an ownership interest in a business unless the ownership
1311 interest exceeds three percent of the total equity of the
1312 business.

1313 EITHER check NO / / OR check YES / / and complete Schedule I.

1314
1315 Statements of Economic Interests are open for public inspection.

1316
1317 AFFIRMATION.

1318
1319 In accordance with the rules of the house in which I serve, if I
1320 receive a request that this disclosure statement be corrected,
1321 augmented, or revised in any respect, I hereby pledge that I shall
1322 respond promptly to the request. I understand that if a
1323 determination is made that the statement is insufficient, I will
1324 satisfy such request or be subjected to disciplinary action of
1325 my house.

1326
1327 I swear or affirm that the foregoing information is full, true and
1328 correct to the best of my knowledge.

1329
1330 Signature
1331 Commonwealth of Virginia
1332 of to wit:
1333 The foregoing disclosure form was acknowledged before me
1334 This day of, 20. . ., by
1335 Notary Public
1336 My commission expires
1337 (Return only if needed to complete Statement.)

1338
1339 SCHEDULES
1340 TO
1341 STATEMENT OF ECONOMIC INTERESTS.

1342
1343 NAME

1344
1345 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

1346
1347 Identify each business of which you or a member of
1348 your immediate family is a paid officer or paid director.

1349 -----
1350 -----
1351 Name of Business Address of Business Position Held
1352
1353
1354
1355
1356 -----
1357 -----

1358
1359 RETURN TO ITEM 2

1360
1361 SCHEDULE B - PERSONAL LIABILITIES.

1362 Report personal liability by checking each category. Report only
1363 debts in excess of \$10,000. Do not report debts to any
government. Do not report loans secured by recorded liens on

1364 property at least equal in value to the loan.
1365 Report contingent liabilities below and indicate which debts are
1366 contingent.

1367 1. My personal debts are as follows:

1368 -----
1369 -----

1370	Check	Check one	
1371	appropriate	\$10,001 to	More than
1372	categories	\$50,000	\$50,000
1373	Banks	.....	.....
1374	Savings institutions	.....	.....
1375	Other loan or finance companies	.....	.....
1376	Insurance companies	.....	.....
1377	Stock, commodity or other brokerage	.....	.....
1378	companies	.....	.....
1379	Other businesses:		
1380	(State principal business activity		
1381	for each creditor.)	.....	.....
1382	.....	.....	.....
1383	.....	.....	.....
1384	Individual creditors:		
1385	(State principal business or occupation		
1386	of each creditor.)	.....	.....
1387	.....	.....	.....
1388	.....	.....	.....

1389 -----
1390 -----

1391 2. The personal debts of the members of my immediate family are
1392 as follows:

1393 -----
1394 -----

1395	Check	Check one	
1396	appropriate	\$10,001 to	More than
1397	categories	\$50,000	\$50,000
1398	Banks	.....	.....
1399	Savings institutions	.....	.....
1400	Other loan or finance companies	.....	.....
1401	Insurance companies	.....	.....
1402	Stock, commodity or other brokerage	.....	.....
1403	companies	.....	.....
1404	Other businesses:		
1405	(State principal business activity for		
1406	each creditor.)	.....	.....
1407	.....	.....	.....
1408	.....	.....	.....
1409	Individual creditors:		
1410	(State principal business or occupation		
1411	of each creditor.)	.....	.....
1412	.....	.....	.....
1413	.....	.....	.....

1414 -----
1415 -----

1416 RETURN TO ITEM 3

1417
1418 SCHEDULE C - SECURITIES.
1419

1420 "Securities" INCLUDES stocks, bonds, "Securities" EXCLUDES
 1421 mutual funds, limited partnerships, certificates of deposit,
 1422 and commodity futures contracts. money market funds, annuity
 1423 contracts, and insurance policies.

1424 Identify each business or Virginia governmental entity in which you
 1425 or a member of your immediate family, directly or indirectly,
 1426 separately or together, own securities valued in excess of \$10,000. Name
 1427 each entity and type of security individually.

1428
 1429 Do not list U.S. Bonds or other government securities not issued
 1430 by the Commonwealth of Virginia or its authorities, agencies, or
 1431 local governments. Do not list organizations that do not do
 1432 business in this Commonwealth, but most major businesses conduct
 1433 business in Virginia. Account for securities held in trust.

1434
 1435 If no reportable securities, check here / /.

1436 -----

1437 -----

1439	1440	1441	1442	1443	1444	1445	1446	1438		
								Type of Security	Check one	
		Type of	(stocks, bonds,	\$10,001	More	\$50,001	More			
		mutual funds,	to	to	to	to	than			
		etc.)	\$50,000	\$250,000	\$250,000	\$250,000	than			
1441	1442	Name of Issuer	Type of Entity							
1443	1444	1445	1446	1447	1448	1449	1450	1451	1452	1453
.....

1449 RETURN TO ITEM 4

1451 SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

1452
 1453 List each source from which you received during the past 12
 1454 months lodging, transportation, money, or any other thing of
 1455 value (excluding meals or drinks coincident with a meeting) with
 1456 combined value exceeding \$200 for your presentation of a single
 1457 talk, participation in one meeting, or publication of a work in
 1458 your capacity as a legislator. List payments or reimbursements by
 1459 the Commonwealth only for meetings or travel outside the Commonwealth.
 1460 List a payment even if you donated it to charity. Do not list information
 1461 about a payment if you returned it within 60 days or if you received it
 1462 from an employer already listed under Item 6 or from a source of
 1463 income listed on Schedule F.

1464
 1465 If no payment must be listed, check here / /.

1466 -----

1467 -----

1470				Type of Payment
1471				(e.g. Honoria,
1472				Travel reim-
1473	Payer	Approximate Value	Circumstances	bursement, etc.)
1474
1475
1476

1477
1478 -----
1479 -----
1480 RETURN TO ITEM 5

1481
1482 SCHEDULE E - GIFTS.

1483
1484 List each business, governmental entity, or individual that,
1485 during the past 12 months, (i) furnished you with any gift or
1486 entertainment at a single event and the value received by
1487 you exceeded \$50 in value, or (ii) furnished you with gifts or
1488 entertainment in any combination and the value received by you
1489 exceeded \$100 in total value; and for which you neither paid
1490 nor rendered services in exchange. List each such gift or
1491 event. Do not list entertainment events unless the average
1492 value per person attending the event exceeded \$50 in value.
1493 Do not list business entertainment related to your private
1494 profession or occupation. Do not list gifts or other things
1495 of value given by a relative or personal friend for reasons
1496 clearly unrelated to your public position. Do not list
1497 campaign contributions publicly reported as required by
1498 Chapter 9 (§ 24.2-900 et seq.) of Title 24.2 of the Code
1499 of Virginia.

1500 -----
1501 -----
1502 Name of Business, City or
1503 Organization, or County Gift or
1504 Individual and State Event Approximate Value
1505
1506
1507
1508
1509 -----

1510 -----
1511 RETURN TO ITEM 6

1512
1513 SCHEDULE F-1 - BUSINESS INTERESTS.

1514
1515 Complete this Schedule for each self-owned or family-owned business
1516 (including rental property, a farm, or consulting work),
1517 partnership, or corporation in which you or a member of your
1518 immediate family, separately or together, own an interest having
1519 a value in excess of \$10,000. If the enterprise is owned or operated
1520 under a trade, partnership, or corporate name, list that name; otherwise,
1521 merely explain the nature of the enterprise. If rental property is owned
1522 or operated under a trade, partnership, or corporate name, list the name
1523 only; otherwise, give the address of each property. Account for business
1524 interests held in trust.

1525 -----
1526 -----
1527 -----
1528 Name of Business, Gross Net Income
1529 Corporation,
1530 Partnership, Nature of Enterprise \$50,000 More \$50,001 More
1531 Farm; Address City or (farming, law, rental or than to than
1532 of Rental County and property, etc.) less \$50,000 \$250,000 \$250,000

1533 Property State
 1534
 1535
 1536 ..
 1537
 1538 ..
 1539
 1540 ..
 1541 -----
 1542 -----

RETURN TO ITEM 8

1544
1545 SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.

1546 Complete this Schedule for each lobbyist relationship with the
1547 following:

1548 (i) any person who is, or has been within the prior calendar
1549 year, registered as a lobbyist with the Secretary of the
1550 Commonwealth, or

1551 (ii) any business in which you have a greater than three percent
1552 ownership interest and that business employs, or engages as
1553 an independent contractor, any person who is, or has been
1554 within the prior calendar year, registered as a lobbyist with
1555 the Secretary of the Commonwealth.
1556 -----

1557 -----

1558 List each person	Describe each	Dates of	Payments to
1559 or business	relationship	relationship	Lobbyist
1560			\$10,000 More than
1561			or less \$10,001
1562
1563
1564
1565
1566
1567 -----	-----	-----	-----

1568
1569 THE DISCLOSURE OF A LOBBYIST RELATIONSHIP SHALL NOT (I) CONSTITUTE
1570 A WAIVER OF ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE, (II) REQUIRE A
1571 WAIVER OF ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE FOR A THIRD PARTY,
1572 OR (III) BE REQUIRED WHERE A MEMBER OR MEMBER-ELECT IS EMPLOYED OR
1573 ENGAGED BY A PERSON AND SUCH PERSON ALSO EMPLOYS OR ENGAGES A PERSON
1574 IN A LOBBYIST RELATIONSHIP SO LONG AS THE MEMBER OR MEMBER-ELECT HAS
1575 NO FINANCIAL INTEREST IN THE LOBBYIST RELATIONSHIP.
1576

1577 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

1578
1579 List the businesses you represented before any state governmental
1580 agency, excluding any court or judge, for which you received
1581 total compensation during the past 12 months in excess of \$1,000,
1582 excluding compensation for other services to such businesses and
1583 representation consisting solely of the filing of mandatory
1584 papers and subsequent representation regarding the mandatory
1585 papers filed by you.

1586 Identify each business, the nature of the representation and the
1587 amount received by dollar category from each such business. You
1588 may state the type, rather than name, of the business if you are
1589 required by law not to reveal the name of the business

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1646 and for which total
 1647 compensation in excess of \$1,000 was received during the past 12
 1648 months.

1649
 1650 Identify opposite each category of businesses listed below (i)
 1651 the type of business, (ii) the type of service rendered and (iii)
 1652 the value by dollar category of the compensation received for all
 1653 businesses falling within each category.

1654
 1655 -----
 1656 -----

1657	Check	Type	Value of Compensation				
1658	if	of					
1659	ser-	ser-					
1660	vices	vice					
1661	were	ren-	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001
1662	ren-	dered	to	to	to	to	and
1663	dered		\$10,000	\$50,000	\$100,000	\$250,000	over
1664							
1665	Electric						
1666	utilities	.....	.....	.....	.....	.....	.....
1667	Gas util-						
1668	ities	.....	.....	.....	.....	.....	.....
1669	Telephone						
1670	utilities	.....	.....	.....	.....	.....	.....
1671	Water util-						
1672	ities	.....	.....	.....	.....	.....	.....
1673	Cable tele-						
1674	vision						
1675	companies	.....	.....	.....	.....	.....	.....
1676	Interstate						
1677	transporta-						
1678	tion com-						
1679	panies	.....	.....	.....	.....	.....	.....
1680	Intrastate						
1681	transporta-						
1682	tion com-						
1683	panies	.....	.....	.....	.....	.....	.....
1684	Oil or gas						
1685	retail com-						
1686	panies	.....	.....	.....	.....	.....	.....
1687	Banks	.....	.....	.....	.....	.....	.....
1688	Savings						
1689	insti-						
1690	tutions	.....	.....	.....	.....	.....	.....
1691	Loan or fi-						
1692	nance com-						
1693	panies	.....	.....	.....	.....	.....	.....
1694	Manufac-						
1695	turing com-						
1696	panies						
1697	(state type						
1698	of product,						
1699	e.g., tex-						
1700	tile, furni-						
1701	ture, etc.)	.....	.....	.....	.....	.....	.....
1702	Mining com-						

- 1703 panies
- 1704 Life insur-
- 1705 ance com-
- 1706 panies
- 1707 Casualty in-
- 1708 surance com-
- 1709 panies
- 1710 Other insur-
- 1711 ance com-
- 1712 panies
- 1713 Retail com-
- 1714 panies
- 1715 Beer, wine
- 1716 or liquor
- 1717 companies
- 1718 or distrib-
- 1719 tors
- 1720 Trade asso-
- 1721 ciations
- 1722 Profes-
- 1723 sional asso-
- 1724 ciations
- 1725 Associa-
- 1726 tions of
- 1727 public em-
- 1728 ployees or
- 1729 officials
- 1730 Counties,
- 1731 cities or
- 1732 towns
- 1733 Labor or-
- 1734 ganizations.....
- 1735 Other
- 1736 -----
- 1737 -----

RETURN TO ITEM 9

SCHEDULE H - REAL ESTATE.

1740

1741 List real estate other than your principal residence in which

1742 you or a member of your immediate family holds an interest,

1743 including a partnership interest, option, easement, or land

1744 contract, valued at \$10,000 or more. You may list each parcel

1745 of real estate individually if you wish.

1746 -----

1747 -----

1748 List each location	Describe the type of	If the real estate
1749 (state, and county	real estate you own	is owned or recorded
1750 or city) where you	in each location	in a name other than
1751 own real estate.	(business, recreational,	your own, list that
1752	apartment, commercial,	name.
1753	open land, etc.).	
1754
1755
1756
1757
1758

1759 -----
1760 -----
1761 RETURN TO ITEM 10
1762

1763 SCHEDULE I - REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES.
1764

1765 List all contracts, whether pending or completed within the past
1766 12 months, with a state governmental agency for the sale or
1767 exchange of real estate in which you or a member of your
1768 immediate family holds an interest, including a corporate,
1769 partnership or trust interest, option, easement, or land
1770 contract, valued at \$10,000 or more. List all contracts with a
1771 state governmental agency for the lease of real estate in which
1772 you or a member of your immediate family holds such an interest
1773 valued at \$1,000 or more. This requirement to disclose an
1774 interest in a lease does not apply to an interest derived
1775 through an ownership interest in a business unless the ownership
1776 interest exceeds three percent of the total equity of the
1777 business.
1778

1779 -----
1780 -----

1782 List your real 1783 estate interest and 1784 the person or entity, 1785 including the type of 1786 entity, which is 1787 party to the contract. 1788 Describe any 1789 management role and 1790 the percentage 1791 ownership interest 1792 you or your immediate 1793 family member has in 1794 the real estate 1795 or entity.	1782 List each 1783 governmental agency 1784 which is a party to 1785 the contract and 1786 indicate the county 1787 or city where the 1788 real estate is 1789 located.	1782 State the annual 1783 income from the 1784 contract, and the 1785 amount, if any, 1786 of income you or 1787 any immediate 1788 family member 1789 derives annually 1790 from the contract.
1796
1797
1798
1799
1800

1801 -----
1802 -----
1803 B. Any legislator who makes a knowing misstatement of a material fact on the Statement of
1804 Economic Interests shall be subject to disciplinary action for such violations by the house in which the
1805 legislator sits.

1806 C. In accordance with the rules of each house, the Statement of Economic Interests of all members
1807 of each house shall be reviewed. If a legislator's Statement is found to be inadequate as filed, the
1808 legislator shall be notified in writing and directed to file an amended Statement correcting the indicated
1809 deficiencies, and a time shall be set within which such amendment shall be filed. If the Statement of
1810 Economic Interests, in either its original or amended form, is found to be adequate as filed, the
1811 legislator's filing shall be deemed in full compliance with this section as to the information disclosed
1812 thereon.

1813 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing
1814 request the house in which those members sit, in accordance with the rules of that house, to review the
1815 Statement of Economic Interests of another member of that house in order to determine the adequacy of
1816 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be

1817 promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator
1818 whose Statement is in issue. Should it be determined that the Statement requires correction,
1819 augmentation or revision, the legislator involved shall be directed to make the changes required within
1820 such time as shall be set under the rules of each house.

1821 If a legislator, after having been notified in writing in accordance with the rules of the house in
1822 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into
1823 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he
1824 sits. No legislator shall vote on any question relating to his own Statement.

1825

INTRODUCED

HB542

2006 SESSION

INTRODUCED

065269308

HOUSE BILL NO. 543
Offered January 11, 2006
Prefiled January 9, 2006

A BILL to amend and reenact §§ 2.2-419, 2.2-420, and 2.2-426 of the Code of Virginia, relating to lobbyist registration and disclosure.

Patron—Griffith

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-419, 2.2-420, and 2.2-426 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-419. Definitions.

As used in this article, unless the context requires a different meaning:

"Anything of value" means:

- 1. A pecuniary item, including money, or a bank bill or note;
- 2. A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money;
- 3. A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
- 4. A stock, bond, note, or other investment interest in an entity;
- 5. A receipt given for the payment of money or other property;
- 6. A right in action;
- 7. A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
- 8. A loan or forgiveness of indebtedness;
- 9. A work of art, antique, or collectible;
- 10. An automobile or other means of personal transportation;
- 11. Real property or an interest in real property, including title to realty, a fee simple or partial interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial interest in realty;
- 12. An honorarium or compensation for services;
- 13. A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person's status as an executive or legislative official, or the sale or trade of something for reasonable compensation that would ordinarily not be available to a member of the public;
- 14. A promise or offer of employment; or
- 15. Any other thing of value that is pecuniary or compensatory in value to a person.

"Anything of value" does not mean a campaign contribution properly received and reported pursuant to Chapter 9 (§ 24.2-900 et seq.) of Title 24.2.

"Compensation" means:

- 1. An advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money or anything of value; or
- 2. A contract, agreement, promise or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money or anything of value, for services rendered or to be rendered.

"Compensation" does not mean reimbursement of expenses if the reimbursement does not exceed the amount actually expended for the expenses and it is substantiated by an itemization of expenses.

"Executive action" means the proposal, drafting, development, consideration, amendment, adoption, approval, promulgation, issuance, modification, rejection, or postponement by an executive agency or official of legislation or executive orders issued by the Governor.

"Executive agency" means an agency, board, commission, or other body in the executive branch of state government. "Executive agency" includes the State Corporation Commission, the Virginia Department of Workers' Compensation, and the State Lottery Department.

"Executive official" means:

- 1. The Governor;
- 2. The Lieutenant Governor;
- 3. The Attorney General;
- 4. Any officer or employee of the office of the Governor or Lieutenant Governor other than a

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- 59 clerical or secretarial employee;
- 60 5. The Governor's Secretaries, the Deputy Secretaries, and the chief executive officer of each
61 executive agency; or
- 62 6. Members of supervisory and policy boards, commissions and councils, as defined in § 2.2-2100,
63 however selected.
- 64 "Expenditure" means:
- 65 1. A purchase, payment, distribution, loan, forgiveness of a loan or payment of a loan by a third
66 party, advance, deposit, transfer of funds, a promise to make a payment, or a gift of money or anything
67 of value for any purpose;
- 68 2. A payment to a lobbyist for salary, fee, reimbursement for expenses, or other purpose by a person
69 employing, retaining, or contracting for the services of the lobbyist separately or jointly with other
70 persons;
- 71 3. A payment in support of or assistance to a lobbyist or the lobbyist's activities, including the direct
72 payment of expenses incurred at the request or suggestion of the lobbyist;
- 73 4. A payment that directly benefits an executive or legislative official or a member of the official's
74 immediate family;
- 75 5. A payment, including compensation, payment, or reimbursement for the services, time, or expenses
76 of an employee for or in connection with direct communication with an executive or legislative official;
- 77 6. A payment for or in connection with soliciting or urging other persons to enter into direct
78 communication with an executive or legislative official; or
- 79 7. A payment or reimbursement for categories of expenditures required to be reported pursuant to
80 this chapter.
- 81 "Expenditure" does not mean a campaign contribution properly received and reported pursuant to
82 Chapter 9 (§ 24.2-900 et seq.) of Title 24.2.
- 83 *"Fair market value" means the price that a good or service would bring between a willing seller and
84 a willing buyer in the open market after negotiations. If the fair market value cannot be determined, the
85 actual price paid for the good or service shall be given consideration.*
- 86 "Gift" means anything of value to the extent that a consideration of equal or greater value is not
87 received.
- 88 "Gift" does not mean:
- 89 1. Printed informational or promotional material;
- 90 2. A gift that is not used and, no later than sixty days after receipt, is returned to the donor or
91 delivered to a charitable organization and is not claimed as a charitable contribution for federal income
92 tax purposes;
- 93 3. A gift, devise, or inheritance from an individual's spouse, child, parent, grandparent, brother, sister,
94 parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin or the spouse of
95 that individual, if the donor is not acting as the agent or intermediary for someone other than a person
96 covered by this subdivision; or
- 97 4. A gift of a value of ~~twenty five dollars~~ \$25 or less.
- 98 "Immediate family" means (i) the spouse and (ii) any other person who resides in the same
99 household as the executive or legislative official and is the dependent of the official.
- 100 "Legislative action" means:
- 101 1. Preparation, research, drafting, introduction, consideration, modification, amendment, approval,
102 passage, enactment, tabling, postponement, defeat, or rejection of a bill, resolution, amendment, motion,
103 report, nomination, appointment, or other matter by the General Assembly or a legislative official;
- 104 2. Action by the Governor in approving, vetoing, or recommending amendments for a bill passed by
105 the General Assembly; or
- 106 3. Action by the General Assembly in overriding or sustaining a veto by the Governor, considering
107 amendments recommended by the Governor, or considering, confirming, or rejecting an appointment of
108 the Governor.
- 109 "Legislative official" means:
- 110 1. A member or member-elect of the General Assembly;
- 111 2. A member of a committee, subcommittee, commission, or other entity established by and
112 responsible to the General Assembly or either house of the General Assembly; or
- 113 3. Persons employed by the General Assembly or an entity established by and responsible to the
114 General Assembly.
- 115 4. *Persons employed by a member or member-elect of the General Assembly to provide legislative
116 support.*
- 117 "Lobbying" means:
- 118 1. Influencing or attempting to influence executive or legislative action through oral or written
119 communication with an executive or legislative official; or
- 120 2. Solicitation of others to influence an executive or legislative official.

121 "Lobbying" does not mean:

- 122 1. Requests for appointments, information on the status of pending executive and legislative actions,
123 or other ministerial contacts if there is no attempt to influence executive or legislative actions;
124 2. Responses to published notices soliciting public comment submitted to the public official
125 designated in the notice to receive the responses;
126 3. The solicitation of an association by its members to influence legislative or executive action; or
127 4. Communications between an association and its members and communications between a principal
128 and its lobbyists.

129 "Lobbyist" means:

- 130 1. An individual who is employed and receives payments, or who contracts for economic
131 consideration, including reimbursement for reasonable travel and living expenses, for the purpose of
132 lobbying;
133 2. An individual who represents an organization, association, or other group for the purpose of
134 lobbying; or
135 3. A local government employee who lobbies.

136 "Lobbyist's principal" or "principal" means the entity on whose behalf the lobbyist influences or
137 attempts to influence executive or legislative action. An organization whose employees conduct lobbying
138 activities on its behalf is both a principal and an employer of the lobbyists. In the case of a coalition or
139 association that employs or retains others to conduct lobbying activities on behalf of its membership, the
140 principal is the coalition or association and not its individual members.

141 "Local government" means:

- 142 1. Any county, city, town, or other local or regional political subdivision;
143 2. Any school division;
144 3. Any organization or entity that exercises governmental powers that is established pursuant to an
145 interstate compact; or
146 4. Any organization composed of members representing entities listed in subdivisions 1, 2, or 3 of
147 this definition.

148 "Local government employee" means a public employee of a local government.

149 "Person" means an individual, proprietorship, firm, partnership, joint venture, joint stock company,
150 syndicate, business trust, estate, company, corporation, association, club, committee, organization, or
151 group of persons acting in concert.

152 "Value" means the ~~retail~~ actual cost or fair market ~~worth~~ value of an item or items, whichever is
153 greater. *If the fair market value cannot be determined, the actual amount paid for the item or items*
154 *shall be given consideration.*

155 § 2.2-420. Exemptions.

156 The registration and reporting provisions of this article shall not apply to:

- 157 1. The Governor, Lieutenant Governor, Attorney General, and their immediate staffs or the
158 Governor's Secretaries and their immediate staffs, acting in an official capacity;
159 2. Members of the General Assembly and other legislative officials and legislative employees acting
160 in an official capacity;
161 3. Local elected officials acting in an official capacity;
162 4. Any employee of a state executive agency acting in an official capacity;
163 5. A duly elected or appointed official or employee of the United States acting in an official
164 capacity;
165 6. An individual who limits lobbying solely to (i) formal testimony before a public meeting of an
166 executive agency or legislative body and registers the appearance in the records of the agency or body
167 and (ii) testimony and information compelled by action of an executive agency or legislative body;
168 7. A person who receives \$500 or less in compensation and reimbursements, excluding personal
169 living and travel expenses *that are not reimbursed from any other source*, in a calendar year for his
170 lobbying activities;
171 8. A person who receives no compensation or anything of value for lobbying, and does not expend
172 more than \$500, excluding personal living and travel expenses *that are not reimbursed from any other*
173 *source*, in lobbying in the calendar year; or
174 9. An employee of a business, other entity, or local government whose job duties do not regularly
175 include influencing or attempting to influence legislative or executive action.

176 § 2.2-426. Lobbyist reporting; penalty.

177 A. Each lobbyist shall file a separate annual report of expenditures, including gifts, for each principal
178 for whom he lobbies by July 1 for the preceding 12-month period complete through April 30.

179 B. Each principal who expends more than \$500 to employ or compensate multiple lobbyists shall be
180 responsible for filing a consolidated lobbyist report pursuant to this section in any case in which the
181 lobbyists are each exempt under the provisions of subdivision 7 or 8 of § 2.2-420 from the reporting

182 requirements of this section.

183 C. The report shall be on a form provided by the Secretary of the Commonwealth, which shall be
184 substantially as follows and shall be accompanied by instructions provided by the Secretary.

185 LOBBYIST'S DISCLOSURE STATEMENT

186 PART I:

187 (1) PRINCIPAL:

188 In Part I, item 2a, provide the name of the individual authorizing your
189 employment as a lobbyist. The lobbyist filing this statement MAY NOT list his
190 name in item 2a. THE INDIVIDUAL LISTED IN PART I, ITEM 2A, MUST SIGN THE
191 PRINCIPAL'S STATEMENT.

192 (2a) Name:

193 (2b) Permanent Business Address:

194 (2c) Business Telephone:

195 (3) Provide a list of executive and legislative actions (with as much
196 specificity as possible) for which you lobbied and a description of activitie-
197 s conducted.....-

198

199

200

201 (4) INCORPORATED FILINGS: If you are filing an incorporated disclosure
202 statement, please complete the following:

203 Individual filing financial information:

204 Individuals to be included in the filing:

205

206 (5) Please indicate which schedules will be attached to your disclosure
207 statement:

208 [] Schedule A: Entertainment Expenses

209 [] Schedule B: Gifts

210 [] Schedule C: Other Expenses

211 (6) EXPENDITURE TOTALS:

212 a) ENTERTAINMENT \$

213 b) GIFTS \$

214 c) OFFICE EXPENSES \$

215 d) COMMUNICATIONS \$

216 e) PERSONAL LIVING AND TRAVEL EXPENSES \$

217 f) COMPENSATION OF LOBBYISTS \$

218 g) HONORARIA \$

219 h) REGISTRATION COSTS \$

220 i) OTHER \$

221 TOTAL \$

222 PART II:

223 (1a) NAME OF LOBBYIST:

224 (1b) Permanent Business Address:

225 (1c) Business Telephone:

226 (2) As a lobbyist, you are (check one)

227 [] EMPLOYED (on the payroll of the principal)

228 [] RETAINED (not on the payroll of the principal, however compensated)

229 [] NOT COMPENSATED (not compensated; expenses may be reimbursed)

230 (3) List all lobbyists other than yourself who registered to represent your
231 principal.

232

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234

235 (4) If you selected "EMPLOYED" as your answer to Part II, item 2, provide
236 your job title.

237

238 ~~(5) If you selected "NOT COMPENSATED" as your answer to Part II, item 2,~~

239 ~~please indicate why you received no compensation.~~
240 _____
241 _____
242 _____

243 PLEASE NOTE: Some lobbyists are not individually compensated for lobbying
244 activities. This may occur when several members of a firm represent a single
245 principal. The principal, in turn, makes a single payment to the firm. If
246 this describes your situation, do not answer Part II, items ~~6a5a~~ and ~~6b5b~~. Ins-
247 tead, complete Part III, items 1 and 2.

248 (6a5a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a lobbyist? (If you-
249 have job responsibilities other than those involving lobbying, you may have
250 to prorate to determine the part of your salary attributable to your lobbying
251 activities.) Transfer your answer to this item to Part I, item 6f.

252 (~~6b5b~~) Explain how you arrived at your answer to Part II, item 6a5a.
253
254
255

256 PART III:
257 PLEASE NOTE: If you answered Part II, items ~~6a5a~~ and ~~6b5b~~, you WILL NOT comp-
258 lete this section.

259 (1) List all members of your firm, organization, association, corporation,
260 or other entity who furnished lobbying services to your principal..... -
261 -
262 -
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264 (2) Indicate the total amount paid to your firm, organization, association,
265 corporation or other entity for services rendered. Transfer your answer to
266 this item to Part I, item 6f.....

267 SCHEDULE A
268 ENTERTAINMENT EXPENSES

269 PLEASE NOTE: Any single entertainment event included in the expense totals
270 of the principal, with a value greater than \$50100, should be itemized below.
271 Transfer any totals from this schedule to Part I, item 6a. (Please duplicate
272 as needed.)

273 Date and Location of Event: -
274 -
275

276 Description of Event: -
277 -
278

279 ~~Number of Legislative and Executive Officials Invited:~~
280 _____

281 ~~Number of Legislative and Executive Officials Total Number of Persons Attend-~~
282 ing:
283

284 Names of Legislative and Executive Officials Attending: (List names only if
285 the average value for each person attending the event was greater than \$50100-
286 .)..... -
287 -
288

- 289 Food \$
- 290 Beverages \$
- 291 Transportation of Legislative and Executive Officials \$
- 292 Lodging of Legislative and Executive Officials \$
- 293 Performers, Speakers, Etc. \$
- 294 Displays \$

295 Rentals \$
 296 Service Personnel \$
 297 Miscellaneous \$
 298 TOTAL \$

299 SCHEDULE B

300 GIFTS

301 PLEASE NOTE: Any single gift reported in the expense totals of the principal-
 302 ,with a value greater than \$25, should be itemized below. (Report meals,
 303 entertainment and travel under Schedule A.) Transfer any totals from this
 304 schedule to Part I, item 6b. (Please duplicate as needed.)

305 Date	Description	Name of each	Cost of
306 of gift:	of gift:	legislative or	individual
307 executive official		gift:	
308 who is a recipient			
309 of a gift:			
310	\$.....
311	\$.....
312	\$.....
313	\$.....
314	\$.....

315
 316
 317 TOTAL COST TO PRINCIPAL \$

318 SCHEDULE C

319 OTHER EXPENSES

320 PLEASE NOTE: This section is provided for any lobbying-related expenses not
 321 covered in Part I, items 6a - 6h.
 322 An example of an expenditure to be listed on schedule C would be the rental of-
 323 a bill box during the General Assembly session.
 324 Transfer the total from this schedule to Part I, item 6i. (Please
 325 duplicate as needed.)

326 DATE OF EXPENSE	DESCRIPTION OF EXPENSE	AMOUNT
327	\$
328	\$
329	\$
330	\$
331	\$
332	\$
333	\$
334	\$
335	\$
336 TOTAL "OTHER" EXPENSES	\$

339 PART IV: STATEMENTS

340 Both the lobbyist and principal officer must sign the disclosure statement,
 341 attesting to its completeness and accuracy. The following items are mandatory
 342 and if they are not properly completed, the entire filing will be rejected and
 343 returned to the lobbyist:

- 344 (1) All signatures on the statement must be ORIGINAL in the format specified
- 345 in the instructions provided by the Secretary that accompany this form. No
- 346 stamps, or other reproductions of the individual's signature will be accepted.
- 347 (2) An individual MAY NOT sign the disclosure statement as lobbyist and
- 348 principal officer.

351 STATEMENT OF LOBBYIST

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I, the undersigned registered lobbyist, do state that the information furnished on this disclosure statement and on all accompanying attachments required to be made thereto is, to the best of my knowledge and belief, complete and accurate.....

Signature of lobbyist.....

Date

STATEMENT OF PRINCIPAL

I, the undersigned principal (or an authorized official thereof), do state that the information furnished on this disclosure statement and on all accompanying attachments required to be made thereto is, to the best of my knowledge and belief, complete and accurate.....

Signature of principal.....

Date

D. A person who signs the disclosure statement knowing it to contain a material misstatement of fact shall be guilty of a Class 5 felony.

E. Each lobbyist shall send to each legislative and executive official who is required to be identified by name on Schedule A or B of the Lobbyist's Disclosure Form a copy of Schedule A or B or a summary of the information pertaining to that official. Copies or summaries shall be provided to the official by December 15 for the preceding 12-month period complete through November 30.

2006 SESSION

INTRODUCED

062798308

HOUSE BILL NO. 1305

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend and reenact §§ 2.2-3106, 2.2-3107 and 2.2-3108 of the Code of Virginia, relating to the State and Local Government Conflict of Interests Act; prohibited contracts.

Patrons—Byron, Griffith and McQuigg; Senator: Quayle

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3106, 2.2-3107 and 2.2-3108 of the Code of Virginia are amended as follows:

§ 2.2-3106. Prohibited contracts by officers and employees of state government and Eastern Virginia Medical School.

A. No officer or employee of any governmental agency of state government or Eastern Virginia Medical School shall have a personal interest in a contract, *including an interim or comprehensive agreement as defined in § 56-557 or 56-575.1*, with the governmental agency of which he is an officer or employee, other than his own contract of employment.

B. No officer or employee of any governmental agency of state government or Eastern Virginia Medical School shall have a personal interest in a contract with any other governmental agency of state government unless such contract is (i) awarded as a result of competitive sealed bidding or competitive negotiation as defined in § 2.2-4301 or (ii) is awarded after a finding, in writing, by the administrative head of the governmental agency that competitive bidding or negotiation is contrary to the best interest of the public.

C. The provisions of this section shall not apply to:

1. An employee's personal interest in additional contracts of employment with his own governmental agency that accrue to him because of a member of his immediate family, provided the employee does not exercise any control over the employment or the employment activities of the member of his immediate family and the employee is not in a position to influence those activities;

2. The personal interest of an officer or employee of a state institution of higher education or the Eastern Virginia Medical School in additional contracts of employment with his own governmental agency that accrue to him because of a member of his immediate family, provided (i) the officer or employee and the immediate family member are engaged in teaching, research or administrative support positions at the educational institution or the Eastern Virginia Medical School, (ii) the governing board of the educational institution finds that it is in the best interests of the institution or the Eastern Virginia Medical School and the Commonwealth for such dual employment to exist, and (iii) after such finding, the governing board of the educational institution or the Eastern Virginia Medical School ensures that the officer or employee, or the immediate family member, does not have sole authority to supervise, evaluate or make personnel decisions regarding the other;

3. An officer's or employee's personal interest in a contract of employment with any other governmental agency of state government;

4. Contracts for the sale by a governmental agency or the Eastern Virginia Medical School of services or goods at uniform prices available to the general public;

5. An employee's personal interest in a contract between a public institution of higher education in Virginia or the Eastern Virginia Medical School and a publisher or wholesaler of textbooks or other educational materials for students, which accrues to him solely because he has authored or otherwise created such textbooks or materials;

6. Subject to approval by the board of visitors, an employee's personal interest in a contract between the Eastern Virginia Medical School or a public institution of higher education in Virginia that operates a school of medicine or dentistry and a not-for-profit nonstock corporation that operates a clinical practice within such public institution of higher education or the Eastern Virginia Medical School and of which such employee is a member or employee;

7. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract for research and development or commercialization of intellectual property between a public institution of higher education in Virginia or the Eastern Virginia Medical School and a business in which the employee has a personal interest, if (i) the employee's personal interest has been disclosed to and approved by such public institution of higher education or the Eastern Virginia Medical School prior to the time at which the contract is entered into; (ii) the employee promptly files a disclosure statement pursuant to § 2.2-3117 and thereafter files such statement annually on or before January 15; (iii) the

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HB1305

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59 institution has established a formal policy regarding such contracts, approved by the State Council of
 60 Higher Education or, in the case of the Eastern Virginia Medical School, a formal policy regarding such
 61 contracts in conformity with any applicable federal regulations that has been approved by its board of
 62 visitors; and (iv) no later than December 31 of each year, the institution or the Eastern Virginia Medical
 63 School files an annual report with the Secretary of the Commonwealth disclosing each open contract
 64 entered into subject to this provision, the names of the parties to each contract, the date each contract
 65 was executed and its term, the subject of each contractual arrangement, the nature of the conflict of
 66 interest, the institution's or the Eastern Virginia Medical School's employee responsible for administering
 67 each contract, the details of the institution's or the Eastern Virginia Medical School's commitment or
 68 investment of resources or finances for each contract, and any other information requested by the
 69 Secretary of the Commonwealth; or

70 8. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
 71 between a public institution of higher education in Virginia or the Eastern Virginia Medical School and
 72 a business in which the employee has a personal interest, if (i) the personal interest has been disclosed
 73 to the institution or the Eastern Virginia Medical School prior to the time the contract is entered into;
 74 (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually on or before
 75 January 15; (iii) the employee does not participate in the institution's or the Eastern Virginia Medical
 76 School's decision to contract; (iv) the president of the institution or the Eastern Virginia Medical School
 77 finds and certifies in writing that the contract is for goods and services needed for quality patient care,
 78 including related medical education or research, by the institution's medical center or the Eastern
 79 Virginia Medical School, its affiliated teaching hospitals and other organizations necessary for the
 80 fulfillment of its mission, including the acquisition of drugs, therapies and medical technologies; and (v)
 81 no later than December 31 of each year, the institution or the Eastern Virginia Medical School files an
 82 annual report with the Secretary of the Commonwealth disclosing each open contract entered subject to
 83 this provision, the names of the parties to each contract, the date each contract was executed and its
 84 term, the subject of each contractual arrangement, the nature of the conflict of interest, the institution's
 85 or the Eastern Virginia Medical School's employee responsible for administering each contract, the
 86 details of the institution's or the Eastern Virginia Medical School's commitment or investment of
 87 resources or finances for each contract, and any other information requested by the Secretary of the
 88 Commonwealth.

89 D. Notwithstanding the provisions of subdivisions C 7 and C 8, if the research and development or
 90 commercialization of intellectual property or the employee's personal interest in a contract with a
 91 business is subject to policies and regulations governing conflicts of interest promulgated by any agency
 92 of the United States government, including the adoption of policies requiring the disclosure and
 93 management of such conflicts of interests, the policies established by the Eastern Virginia Medical
 94 School pursuant to such federal requirements shall constitute compliance with subdivisions C 7 and C 8,
 95 upon notification by the Eastern Virginia Medical School to the Secretary of the Commonwealth by
 96 January 31 of each year of evidence of their compliance with such federal policies and regulations.

97 E. The board of visitors may delegate the authority granted under subdivision C 7 to the president of
 98 the institution. If the board elects to delegate such authority, the board shall include this delegation of
 99 authority in the formal policy required by clause (iii) of subdivision C 7. In those instances where the
 100 board has delegated such authority, on or before December 1 of each year, the president of the relevant
 101 institution shall file a report with the relevant board of visitors disclosing each open contract entered
 102 into subject to this provision, the names of the parties to each contract, the date each contract was
 103 executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest,
 104 the institution's or the Eastern Virginia Medical School's employee responsible for administering each
 105 contract, the details of the institution's or the Eastern Virginia Medical School's commitment or
 106 investment of resources or finances for each contract, the details of how revenues are to be dispersed,
 107 and any other information requested by the board of visitors.

108 § 2.2-3107. Prohibited contracts by members of county boards of supervisors, city councils and town
 109 councils.

110 A. No person elected or appointed as a member of the governing body of a county, city or town
 111 shall have a personal interest in (i) any contract with his governing body, or (ii) any contract with any
 112 governmental agency that is a component part of his local government and which is subject to the
 113 ultimate control of the governing body of which he is a member, or (iii) any contract other than a
 114 contract of employment with any other governmental agency if such person's governing body appoints a
 115 majority of the members of the governing body of the second governmental agency. *For purposes of*
 116 *this subsection, the term "contract" includes any interim or comprehensive agreement as defined in*
 117 *§ 56-557 or 56-575.1.*

118 B. *In addition, no person elected or appointed as a member of the governing body of a county, city*
 119 *or town shall have a personal interest in an interim agreement or comprehensive agreement as defined*
 120 *§ 56-557 or 56-575.1 with the governing body on which he serves or any other governmental agency in*

121 *the same jurisdiction.*

122 ~~B-C.~~ The provisions of this section shall not apply to:

123 1. A member's personal interest in a contract of employment provided (i) the officer or employee
124 was employed by the governmental agency prior to July 1, 1983, in accordance with the provisions of
125 the former Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) of Title 2.1 as it existed on June 30,
126 1983, or (ii) the employment first began prior to the member becoming a member of the governing
127 body;

128 2. Contracts for the sale by a governmental agency of services or goods at uniform prices available
129 to the public; ~~or~~

130 3. A contract awarded to a member of a governing body as a result of competitive sealed bidding
131 where the governing body has established a need for the same or substantially similar goods through
132 purchases prior to the election or appointment of the member to serve on the governing body. However,
133 the member shall have no involvement in the preparation of the specifications for such contract, and the
134 remaining members of the governing body, by written resolution, shall state that it is in the public
135 interest for the member to bid on such contract; *or*

136 4. *A member's personal interest in an interim or comprehensive agreement as defined in § 56-557 or*
137 *56-575.1 when the remaining members of the governing body, by written resolution, state that the*
138 *agreement is in the public interest and there is only one source practicably available.*

139 § 2.2-3108. Prohibited contracts by members of school boards.

140 A. No person elected or appointed as a member of a local school board shall have a personal interest
141 in (i) any contract, *including an interim or comprehensive agreement as defined in § 56-557 or*
142 *56-575.1*, with his school board or (ii) any contract with any governmental agency that is subject to the
143 ultimate control of the school board of which he is a member.

144 B. The provisions of this section shall not apply to:

145 1. A member's personal interest in a contract of employment provided the employment first began
146 prior to the member becoming a member of the school board;

147 2. Contracts for the sale by a governmental agency of services or goods at uniform prices available
148 to the public; ~~or~~

149 3. A contract awarded to a member of a school board as a result of competitive sealed bidding where
150 the school board has established a need for the same or substantially similar goods through purchases
151 prior to the election or appointment of the member to serve on the school board. However, the member
152 shall have no involvement in the preparation of the specifications for such contract, and the remaining
153 members of the school board, by written resolution, shall state that it is in the public interest for the
154 member to bid on such contract; *or*

155 4. *A member's personal interest in an interim or comprehensive agreement as defined in § 56-557 or*
156 *56-575.1 when the remaining members of the school board, by written resolution, state that the*
157 *agreement is in the public interest and there is only one source practicably available.*

2006 SESSION

INTRODUCED

062799308

HOUSE BILL NO. 1306

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend the Code of Virginia by adding sections numbered 56-559.1 and 56-575.3:2, relating to the Public-Private Transportation Act and the Public-Private Education Facilities and Infrastructure Act; required disclosure by private entity.

Patrons—Byron, Griffith and McQuigg

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 56-559.1 and 56-575.3:2 as follows:

§ 56-559.1. Disclosure required by private entity under certain circumstances.

Any private entity that submits a solicited or unsolicited proposal to a responsible public entity that is an agency or department of the Commonwealth shall, with the initial submittal, disclose (i) whether the private entity directly employs or intends to use the services of a legislator or a firm in which the legislator is a member and (ii) whether a legislator has a personal interest in the proposal or the private entity as defined in § 30-101. If, after the initial submittal of the proposal, the private entity subsequently employs or uses the services of a legislator or a firm in which a legislator is a member, such private entity shall provide disclosure to the responsible public entity within 30 days. For purposes of this section "legislator" means a member or member elect of the General Assembly.

§ 56-575.3:2. Disclosure required by private entity under certain circumstances.

Any private entity that submits a solicited or unsolicited proposal to a responsible public entity that is an agency or department of the Commonwealth shall, with the initial submittal, disclose (i) whether the private entity directly employs or intends to use the services of a legislator or a firm in which the legislator is a member and (ii) whether a legislator has a personal interest in the proposal or the private entity as defined in § 30-101. If, after the initial submittal of the proposal, the private entity subsequently employs or uses the services of a legislator or a firm in which a legislator is a member, such private entity shall provide disclosure to the responsible public entity within 30 days. For purposes of this section "legislator" means a member or member elect of the General Assembly.

INTRODUCED

HB1306

