

LD2107486

HOUSE BILL NO. 1063

Offered January 25, 1994

A BILL to amend and reenact §§ 2.1-639.2, 2.1-639.15, 2.1-639.31, and 2.1-639.41 of the Code of Virginia, relating to conflicts of interests; definitions and disclosure forms.

Patrons—Way, Albo, Bloxom, Callahan, Cantor, Cox, Crouch, Dillard, Dudley, Fisher, Forbes, Giesen, Griffith, Hamilton, Hargrove, Harris, Howell, Ingram, Katzen, May, McClure, McDonnell, Mims, Morgan, Newman, O'Brien, Orrock, Parrish, Purkey, Reid, Rollison, Sherwood, Tata, Wagner, Wardrup and Wilkins; Senators: Bell, Benedetti, Calhoun, Earley, Hawkins, Miller, K.G., Norment, Potts, Quayle, Robb, Russell, Stolle, Stosch and Woods

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-639.2, 2.1-639.15, 2.1-639.31, and 2.1-639.41 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-639.2. 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 and loan association, 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 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, RF&P Corporation and its wholly owned subsidiaries 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, 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

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60 member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the
61 ownership interest exceeds three percent of the total equity of the business; (ii) annual income that
62 exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal
63 property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of
64 property, or any combination thereof, paid or provided by a business that exceeds, or may reasonably be
65 anticipated to exceed, \$10,000 annually; (iv) ownership of real or personal property if the interest
66 exceeds \$10,000 in value and excluding ownership in a business, income, or salary, other compensation,
67 fringe benefits or benefits from the use of property; or (v) personal liability incurred or assumed on
68 behalf of a business if the liability exceeds three percent of the asset value of the business.

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

72 "Personal interest in a transaction" means a personal interest of an officer or employee in any matter
73 considered by his agency. Such personal interest exists when an officer or employee or a member of his
74 immediate family has a personal interest in property or a business, or represents any individual or
75 business and such property, business or represented individual or business (i) is the subject of the
76 transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result
77 of the action of the agency considering the transaction. Notwithstanding the above, such personal interest
78 shall not be deemed to exist where an elected member of a local governing body serves without
79 remuneration as a member of the board of trustees of a not-for-profit entity and there is a full disclosure
80 of any personal benefit arising from the relationship.

81 "State and local government officers and employees" shall not include members of the General
82 Assembly.

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

86 § 2.1-639.15. Disclosure form.

87 The disclosure form to be used for filings required by § 2.1-639.13 A and D, and § 2.1-639.14 A and
88 D shall be substantially as follows:

89 STATEMENT OF ECONOMIC INTERESTS.

90 Name
91 Office or position held or sought
92 Home address
93 Names of members of immediate family

94 DEFINITIONS AND EXPLANATORY MATERIAL.

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

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

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

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

118 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.

COMPLETE ITEMS 1 THROUGH 9. 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?
EITHER check NO / / OR check YES / / and 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.)
EITHER check NO / / OR check YES / / and 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.
EITHER check NO / / OR check YES / / and 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 an officer or employee of your agency?
EITHER check NO / / OR check YES / / and complete Schedule D.
5. ~~Gifts, Travel, and Business Entertainment.~~
During the past 12 months did a business, government, or individual other than a relative or personal friend ~~furnish you with tickets to sporting events or shows, travel expenses, meals or lodging, favors, services, property, loans, money, gifts, or anything else of value furnish you with any gift or gifts~~ the total value of which exceeded \$200 and for which you neither paid nor rendered ~~services~~ services in exchange? Account for all business entertainment (except if related to your private profession or occupation) even if unrelated to your official duties.
EITHER check NO / / OR check YES / / and complete Schedule E.

175 6. Salary and Wages.

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

179 If no reportable salary or wages, check here / /.

180 _____
181 _____
182 _____

183 7. Business Interests.

184 Do you or a member of your immediate family separately or
185 together, operate your own business, or own or control an
186 interest in excess of \$10,000 in a business?

187 EITHER check NO / / OR check YES / / and complete
188 Schedule F.

189 8. Payments for Representation.

190 8A. Did you represent any businesses before any state governmental
191 agencies, excluding courts or judges, for which you received
192 total compensation during the past 12 months in excess of
193 \$1,000, excluding compensation for other services to such
194 businesses and representation consisting solely of the filing
195 of mandatory papers? (Officers and employees of local
196 governmental and advisory agencies do NOT need to answer this
197 question or complete Schedule G-1.)

198 EITHER check NO / / OR check YES / / and complete
199 Schedule G-1.

200 8B. Subject to the same exceptions as in 8A, did persons with whom
201 you have a close financial association (partners, associates or
202 others) represent any businesses before any state governmental
203 agency for which total compensation was received during the past
204 12 months in excess of \$1,000? (Officers and employees of local
205 governmental and advisory agencies do NOT need to answer this
206 question or complete Schedule G-2.)

207 EITHER check NO / / OR check YES / / and complete
208 Schedule G-2.

209 8C. Did you or persons with whom you have a close financial
210 association furnish services to businesses operating in
211 Virginia for which total compensation in excess of \$1,000
212 was received during the past 12 months?

213 EITHER check NO / / OR check YES / / and complete
214 Schedule G-3.

215 9. Real Estate.

216 9A. State Officers and Employees.

217 Do you or a member of your immediate family hold an interest,
218 including a partnership interest, valued at \$10,000 or more in
219 real property located in Virginia (other than your principal
220 residence) for which you have not already listed the full
221 address on Schedule F? Account for real estate held in trust.

222 EITHER check NO / / OR check YES / / and complete
223 Schedule H-1.

224 9B. Local Officers and Employees.

225 Do you or a member of your immediate family hold an interest,
226 including a partnership interest, valued at \$10,000 or more in
227 real property located in the county, city or town in which you
228 serve or in a county, city or town contiguous to the county,
229 city or town in which you serve (other than your principal
230 residence) for which you have not already listed the full
231 address on Schedule F? Account for real estate held in trust.

232 EITHER check NO / / OR check YES / / and complete
 233 Schedule H-2.
 234 Statements of Economic Interests are open for public inspection.
 235 AFFIRMATION BY ALL FILERS
 236 I swear or affirm that the foregoing information is full, true and
 237 correct to the best of my knowledge.
 238 Signature.....
 239 Commonwealth of Virginia
 240of.....to wit:
 241 The foregoing disclosure form was acknowledged before me
 242 This.....day of.....19.. by
 243 Notary Public
 244 My commission expires.....
 245 (Return only if needed to complete Statement.)
 246
 247 SCHEDULES
 248 to
 249 STATEMENT OF ECONOMIC INTERESTS
 250 NAME.....
 251 SCHEDULE A - OFFICES AND DIRECTORSHIPS.
 252 Identify each business of which you or a member of your
 253 immediate family is a paid officer or paid director.
 254

255			
256	Name of Business	Address of Business	Position Held
257			
258	_____	_____	_____
259	_____	_____	_____
260	_____	_____	_____
261	_____	_____	_____

262

263

264 RETURN TO ITEM 2

265

266

267 SCHEDULE B - PERSONAL LIABILITIES.

268 Report personal liability by checking each category. Report only

269 debts in excess of \$10,000. Do not report debts to any government.

270 Do not report loans secured by recorded liens on property at least

271 equal in value to the loan.

272 Report contingent liabilities below and indicate which debts are contingent.

273 1. My personal debts are as follows:

274			
275	Check	Check one	
276	appropriate	\$10,001 to	More than
277	categories	\$50,000	\$50,000
278			
279	Banks	_____	_____
280	Savings and loan associations	_____	_____
281	Other loan or finance companies	_____	_____
282	Insurance companies	_____	_____
283	Stock, commodity or other brokerage	_____	_____
284	companies	_____	_____
285	Other businesses:		
286	(State principal business activity for each		
287	creditor.)	_____	_____
288	_____	_____	_____
289	_____	_____	_____
290	Individual creditors:		
291	(State principal business or		
292	occupation of each creditor.)	_____	_____
293	_____	_____	_____
294	_____	_____	_____

295

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

297 follows:

298			
299	Check	Check one	
300	appropriate	\$10,001 to	More than
301			
302	categories	\$50,000	\$50,000
303	Banks	_____	_____
304	Savings and loan associations	_____	_____
305	Other loan or finance companies	_____	_____
306	Insurance companies	_____	_____
307	Stock, commodity or other brokerage	_____	_____
308	companies	_____	_____
309	Other businesses:		
310	(State principal business activity		
311	for each creditor.)	_____	_____

Individual creditors:

(State principal business or
occupation of each creditor.)

RETURN TO ITEM 3

SCHEDULE C - SECURITIES.

"Securities" INCLUDES stocks, bonds, mutual funds, money market funds, limited partnerships, and commodity futures contracts. "Securities" EXCLUDES certificates of deposit, 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 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 or money market funds, etc.)	Check one More than
			\$10,001 to \$50,000
			\$50,000

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. Honoraria, travel reimburse- ment, etc.)

RETURN TO ITEM 5

368

369 SCHEDULE E - GIFTS, ~~TRAVEL, AND BUSINESS ENTERTAINMENT.~~

370 List each business, governmental entity, or individual that
 371 furnished you with ~~tickets to sporting events or shows, travel~~
 372 ~~expenses, meals or lodging, favors, services, property, loans,~~
 373 ~~money, gifts, or other thing of pecuniary value, any gift or~~
 374 ~~gifts~~ whose total value exceeded \$200 during the past 12 months
 375 and for which you neither paid nor rendered services in exchange.
 376 Do not list business entertainment related to your private
 377 profession or occupation. Do not list gifts ~~or other things of~~
 378 ~~value given by from~~ a relative or ~~from~~ a personal friend given for
 379 reasons clearly unrelated to your public position. *Do not list*
 380 *campaign contributions publicly reported as required by Chapter*
 381 *9 of Title 24.2 of the Code of Virginia.*

382 ~~When calculating value, you need not consider:~~

383 ~~Meals, lodging, or hospitality that an individual furnished you~~
 384 ~~at his own expense and not as a business expense if clearly~~
 385 ~~unrelated to your public position, or~~

386

387 ~~Campaign contributions publicly reported as required by Chapter~~
 388 ~~9 of Title 24.1 of the Code of Virginia.~~

389 "Relative" means: ~~your spouse, child, uncle, aunt, niece,~~
 390 ~~nephew, or person to whom you are engaged to be married;~~
 391 ~~your or your spouse's parent, grandparent, grandchild,~~
 392 ~~brother, or sister; or your brother's or sister's spouse.~~

393

394 Name of Business,

395 Organization, or

City or County

396 Individual

and State

Approximate Value

397 _____

398 _____

399 _____

400 _____

401 _____

402 RETURN TO ITEM 6

403 SCHEDULE F - BUSINESS INTERESTS.

404 Complete this Schedule for each self or family owned business
 405 (including rental property, a farm, or consulting work),
 406 partnership, or corporation in which you or a member of your
 407 immediate family, separately or together, own an interest having
 408 a value in excess of \$10,000.

409 If the enterprise is owned or operated under a trade, partnership,
 410 or corporate name, list that name; otherwise merely explain the
 411 nature of the enterprise. If rental property is owned or operated
 412 under a trade, partnership, or corporate name, list the name only;
 413 otherwise, give the address of each property. Account for business
 414 interests held in trust.

415

416 Name of

Gross income

417 Business,

418 Corporation,

419 Partnership,

420 Farm; Address City or Nature of Enterprise

421 of Rental County (farming, law, \$50,000 More than

422 Property and State rental property, etc.) or less \$50,000

423 _____

424 _____

RETURN TO ITEM 8

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.

Identify each business, the nature of the representation and the amount received by category from each such business.

Only STATE officers and employees should complete this Schedule.

Name of Business	Type of Business	Purpose of Representation	Name of Agency	Amount Received \$1,001 to \$10,000	More than \$10,000
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

List the businesses that have been represented before any state governmental agency, excluding any court or judge, by persons who are your partners, associates or others with whom you have a close financial association and who received total compensation in excess of \$1,000 for such representation during the past 12 months, excluding representation consisting solely of the filing of mandatory papers.

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

Only STATE officers and employees should complete this Schedule.

Type of business	Name of state government agency
_____	_____
_____	_____
_____	_____
_____	_____

SCHEDULE G-3 - PAYMENTS FOR REPRESENTATION GENERALLY.

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 of the compensation received for all businesses falling within each category.

	Check if services were rendered	Type of service rendered	Value of Compensation \$1,001 to \$10,000	More than \$10,000
Electric utilities	_____	_____	_____	_____

481	Gas utilities	_____	_____	_____	_____
482	Telephone utilities	_____	_____	_____	_____
483	Water utilities	_____	_____	_____	_____
484	Cable television	_____	_____	_____	_____
485	companies	_____	_____	_____	_____
486	Interstate	_____	_____	_____	_____
487	transportation	_____	_____	_____	_____
488	companies	_____	_____	_____	_____
489	Intrastate	_____	_____	_____	_____
490	transportation	_____	_____	_____	_____
491	companies	_____	_____	_____	_____
492	Oil or gas	_____	_____	_____	_____
493	retail	_____	_____	_____	_____
494	companies	_____	_____	_____	_____
495	Banks	_____	_____	_____	_____
496	Savings and	_____	_____	_____	_____
497	loan	_____	_____	_____	_____
498	associations	_____	_____	_____	_____
499	Loan or finance	_____	_____	_____	_____
500	companies	_____	_____	_____	_____
501	Manufacturing	_____	_____	_____	_____
502	companies	_____	_____	_____	_____
503	(state type of	_____	_____	_____	_____
504	product,	_____	_____	_____	_____
505	e.g., textile,	_____	_____	_____	_____
506	furniture	_____	_____	_____	_____
507	etc.)	_____	_____	_____	_____
508	Mining companies	_____	_____	_____	_____
509	Life insurance	_____	_____	_____	_____
510	companies	_____	_____	_____	_____
511	Casualty insurance	_____	_____	_____	_____
512	companies	_____	_____	_____	_____
513	Other insurance	_____	_____	_____	_____
514	companies	_____	_____	_____	_____
515	Retail companies	_____	_____	_____	_____
516	Beer, wine or	_____	_____	_____	_____
517	liquor companies	_____	_____	_____	_____
518	or distributors	_____	_____	_____	_____
519	Trade associations	_____	_____	_____	_____
520	Professional	_____	_____	_____	_____
521	associations	_____	_____	_____	_____
522	Associations of	_____	_____	_____	_____
523	public employees	_____	_____	_____	_____
524	or officials	_____	_____	_____	_____
525	Counties, cities or	_____	_____	_____	_____
526	towns	_____	_____	_____	_____
527	Labor organizations	_____	_____	_____	_____
528	Other	_____	_____	_____	_____

529
530 RETURN TO ITEM 9

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

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

537

538	List the counties	Describe the type of	If the real estate
539	and cities in which	real estate you own	is owned or recorded
540	you own real estate	in each county or city	in a name other than
541		(business, recreational,	your own, list that
542		apartment, commercial,	name
543		open land, etc.)	
544	_____	_____	_____
545	_____	_____	_____
546	_____	_____	_____
547	_____	_____	_____
548	_____	_____	_____

549
550 SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.

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

558	List the counties	Describe the type of	If the real estate
559	and cities in which	real estate you own	is owned or recorded
560	you own real estate	in each county or city	in a name other than
561		(business, recreational,	your own, list that
562		apartment, commercial,	name
563		open land, etc.)	
564	_____	_____	_____
565	_____	_____	_____
566	_____	_____	_____
567	_____	_____	_____
568	_____	_____	_____

569
570 § 2.1-639.31. Definitions.

571 As used in this chapter:

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

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

579 "Contract" means any agreement to which a governmental agency is a party, or any agreement on
580 behalf of a governmental agency which involves the payment of money appropriated by the General
581 Assembly or a political subdivision, whether or not such agreement is executed in the name of the
582 Commonwealth of Virginia, or some political subdivision thereof. "Contract" includes a subcontract only
583 when the contract of which it is a part is with the legislator's own governmental agency.

584 "Financial institution" means any bank, trust company, savings and loan association, industrial loan
585 association, consumer finance company, credit union, broker-dealer as defined in § 13.1-501 (c), or
586 investment company or advisor registered under the federal Investment Advisors Act or Investment
587 Company Act of 1940.

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

595 "Governmental agency" means each component part of the legislative, executive or judicial branches

596 of state and local government, including each office, department, authority, post, commission,
597 committee, and each institution or board created by law to exercise some regulatory or sovereign power
598 or duty as distinguished from purely advisory powers or duties.

599 "Immediate family" means (i) a spouse and (ii) any other person residing in the same household as
600 the legislator, who is a dependent of the legislator or of whom the legislator is a dependent.
601 "Dependent" means a son, daughter, father, mother, brother, sister or other person, whether or not
602 related by blood or marriage, if such person receives from the legislator, or provides to the legislator,
603 more than one-half of his financial support.

604 "Legislator" means a member of the General Assembly of Virginia.

605 "Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his
606 immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership
607 interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may
608 reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business;
609 (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination
610 thereof, paid or provided by a business that exceeds, or may reasonably be anticipated to exceed,
611 \$10,000 annually; (iv) ownership of real or personal property if the interest exceeds \$10,000 in value
612 and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits
613 from the use of property; or (v) personal liability incurred or assumed on behalf of a business if the
614 liability exceeds three percent of the asset value of the business.

615 "Personal interest in a contract" means a personal interest which a legislator has in a contract with a
616 governmental agency, whether due to his being a party to the contract or due to a personal interest in a
617 business which is a party to the contract.

618 "Personal interest in a transaction" means a personal interest of a legislator in any matter considered
619 by the General Assembly. Such personal interest exists when an officer or employee or a member of his
620 immediate family has a personal interest in property or a business, or represents any individual or
621 business and such property, business or represented individual or business (i) is the subject of the
622 transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result
623 of the action of the agency considering the transaction. A "personal interest in a transaction" exists only
624 if the legislator or member of his immediate family or an individual or business represented by the
625 legislator is affected in a way that is substantially different from the general public or from persons
626 comprising a profession, occupation, trade, business or other comparable and generally recognizable
627 class or group of which he or the individual or business he represents is a member.

628 "Transaction" means any matter considered by the General Assembly, whether in a committee,
629 subcommittee, or other entity of the General Assembly or before the General Assembly itself, on which
630 official action is taken or contemplated.

631 § 2.1-639.41. Disclosure form.

632 A. The disclosure form to be used for filings required by § 2.1-639.40 A and B shall be substantially
633 as follows:

634 STATEMENT OF ECONOMIC INTERESTS.

635 Name
636 Office or position held or sought
637 Home address
638 Names of members of immediate family

639 DEFINITIONS AND EXPLANATORY MATERIAL.

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

644 "Dependent" means any person, whether or not related by blood or
645 marriage, who receives from the officer or employee, or provides
646 to the officer or employee, more than one-half of his financial
647 support.

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

652 "Gift" means any gratuity, favor, discount, entertainment,
653 hospitality, loan, forbearance, or other item having monetary
654 value. It includes services as well as gifts of transportation,
655 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 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.

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.

COMPLETE ITEMS 1 THROUGH 9. 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?

EITHER check NO / / OR check YES / / and 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.)

EITHER check NO / / OR check YES / / and 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.

EITHER check NO / / OR check YES / / and 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?

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

~~5. Gifts, Travel, and Business Entertainment.~~

~~During the past 12 months did a business, government, or individual other than a relative or personal friend furnish you with tickets to sporting events or shows, travel expenses, meals or lodging, favors, services, property, loans, money, gifts, or anything else of value furnish you with any gift or gifts the~~

712 total value of which exceeded \$200 and for which you neither paid
713 nor rendered services in exchange? Account for all business
714 entertainment (except if related to your private profession or
715 occupation) even if unrelated to your official duties.

716 EITHER check NO / / OR check YES / / and complete
717 Schedule E.

718 6. Salary and Wages.

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

722 If no reportable salary or wages, check here / /.

723
724
725

726 7. Business Interests.

727 Do you or a member of your immediate family separately or
728 together, operate your own business, or own or control an
729 interest in excess of \$10,000 in a business?

730 EITHER check NO / / OR check YES / / and complete
731 Schedule F.

732 8. Payments for Representation.

733 8A. Did you represent any businesses before any state governmental
734 agencies, excluding courts or judges, for which you received
735 total compensation during the past 12 months in excess of \$1,000,
736 excluding compensation for other services to such businesses and
737 representation consisting solely of the filing of mandatory
738 papers?

739 EITHER check NO / / OR check YES / / and complete
740 Schedule G-1.

741 8B. Subject to the same exceptions as in 8A, did persons with whom
742 you have a close financial association (partners, associates or
743 others) represent any businesses before any state governmental
744 agency for which total compensation was received during the past
745 12 months in excess of \$1,000?

746 EITHER check NO / / OR check YES / / and complete
747 Schedule G-2.

748 8C. Did you or persons with whom you have a close financial
749 association furnish services to businesses operating in Virginia
750 for which total compensation in excess of \$1,000 was received
751 during the past 12 months?

752 EITHER check NO / / OR check YES / / and complete
753 Schedule G-3.

754 9. Real Estate.

755 Do you or a member of your immediate family hold an interest,
756 including a partnership interest, valued at \$10,000 or more in
757 real property located in Virginia (other than your principal
758 residence) for which you have not already listed the full address
759 on Schedule F? Account for real estate held in trust.

760 EITHER check NO / / OR check YES / / and complete
761 Schedule H.

762 Statements of Economic Interests are open for public inspection.

763
764 AFFIRMATION

765 In accordance with the rules of the house in which I serve, if I
766 receive a request that this disclosure statement be corrected,
767 augmented, or revised in any respect, I hereby pledge that I shall
768 respond promptly to the request. I understand that if a determination

769 is made that the statement is insufficient, I will satisfy such
770 request or be subjected to disciplinary action of my house.
771 I swear or affirm that the foregoing information is full, true and
772 correct to the best of my knowledge.
773 Signature.....
774 Commonwealth of Virginia
775of.....to wit:
776 The foregoing disclosure form was acknowledged before me
777 This.....day of.....19.. by
778 Notary Public
779 My commission expires.....
780 (Return only if needed to complete Statement.)

781
782 SCHEDULES
783 to
784 STATEMENT OF ECONOMIC INTERESTS
785 NAME.....
786 SCHEDULE A - OFFICES AND DIRECTORSHIPS.
787 Identify each business of which you or a member of your
788 immediate family is a paid officer or paid director.
789

790			
791	Name of Business	Address of Business	Position Held
792			
793	_____	_____	_____
794	_____	_____	_____
795	_____	_____	_____
796	_____	_____	_____

797
798
799 RETURN TO ITEM 2

800
801
802 SCHEDULE B - PERSONAL LIABILITIES.
803 Report personal liability by checking each category. Report only
804 debts in excess of \$10,000. Do not report debts to any government.
805 Do not report loans secured by recorded liens on property at least
806 equal in value to the loan.
807 Report contingent liabilities below and indicate which debts are contingent.
808 1. My personal debts are as follows:

809			
810	Check	Check one	
811	appropriate	\$10,001 to	More than
812	categories	\$50,000	\$50,000
813			
814	Banks	_____	_____
815	Savings and loan associations	_____	_____
816	Other loan or finance companies	_____	_____
817	Insurance companies	_____	_____
818	Stock, commodity or other brokerage	_____	_____
819	companies	_____	_____
820	Other businesses:		
821	(State principal business activity for each		
822	creditor.)	_____	_____
823	_____	_____	_____
824	_____	_____	_____
825	Individual creditors:		
826	(State principal business or		
827	occupation of each creditor.)	_____	_____
828	_____	_____	_____
829	_____	_____	_____

830
831 2. The personal debts of the members of my immediate family are as
832 follows:

833			
834	Check	Check one	
835	appropriate	\$10,001 to	More than
836			
837	categories	\$50,000	\$50,000
838	Banks	_____	_____
839	Savings and loan associations	_____	_____
840	Other loan or finance companies	_____	_____
841	Insurance companies	_____	_____
842	Stock, commodity or other brokerage	_____	_____
843	companies	_____	_____
844	Other businesses:		
845	(State principal business activity		
846	for each creditor.)	_____	_____

Individual creditors:
 (State principal business or
 occupation of each creditor.)

RETURN TO ITEM 3

SCHEDULE C - SECURITIES.

"Securities" INCLUDES stocks, bonds, mutual funds, money market funds, limited partnerships, and commodity futures contracts. "Securities" EXCLUDES certificates of deposit, 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 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 or money market funds, etc.)	Check one More than
			\$10,001 to \$50,000
			\$50,000

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 a legislator.

List payments or reimbursements by the Commonwealth 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. Honoraria, travel reimburse- ment, etc.)

RETURN TO ITEM 5

903

904 SCHEDULE E - GIFTS, ~~TRAVEL, AND BUSINESS ENTERTAINMENT.~~

905 List each business, governmental entity, or individual that
 906 furnished you with ~~tickets to sporting events or shows, travel~~
 907 ~~expenses, meals or lodging, favors, services, property, loans,~~
 908 ~~money, gifts, or other thing of pecuniary value, any gift or~~
 909 ~~gifts~~ whose total value exceeded \$200 during the past 12 months
 910 and for which you neither paid nor rendered services in exchange.
 911 Do not list business entertainment related to your private
 912 profession or occupation. Do not list gifts ~~or other things of~~
 913 ~~value given by from~~ a relative or ~~from~~ a personal friend given for
 914 reasons clearly unrelated to your public position. *Do not list*
 915 *campaign contributions publicly reported as required by Chapter*
 916 *9 of Title 24.2 of the Code of Virginia.*

917 ~~When calculating value, you need not consider:~~

918 ~~Meals, lodging, or hospitality that an individual furnished you~~
 919 ~~at his own expense and not as a business expense if clearly~~
 920 ~~unrelated to your public position, or~~

921

922 ~~Campaign contributions publicly reported as required by Chapter~~
 923 ~~9 of Title 24.1 of the Code of Virginia.~~

924 "Relative" means: ~~your spouse, child, uncle, aunt, niece,~~
 925 ~~nephew, or person to whom you are engaged to be married;~~
 926 ~~your or your spouse's parent, grandparent, grandchild,~~
 927 ~~brother, or sister; or your brother's or sister's spouse.~~

928

929 Name of Business,

930 Organization, or

City or County

931 Individual

and State

Approximate Value

932 _____

933 _____

934 _____

935 _____

936 _____

RETURN TO ITEM 6

938 SCHEDULE F - BUSINESS INTERESTS.

939 Complete this Schedule for each self or family owned business
 940 (including rental property, a farm, or consulting work),
 941 partnership, or corporation in which you or a member of your
 942 immediate family, separately or together, own an interest having
 943 a value in excess of \$10,000.

944 If the enterprise is owned or operated under a trade, partnership,
 945 or corporate name, list that name; otherwise merely explain the
 946 nature of the enterprise. If rental property is owned or operated
 947 under a trade, partnership, or corporate name, list the name only;
 948 otherwise, give the address of each property. Account for business
 949 interests held in trust.

950

951 Name of

Gross income

952 Business,

953 Corporation,

954 Partnership,

955 Farm; Address City or Nature of Enterprise

956 of Rental County (farming, law, \$50,000 More than

957 Property and State rental property, etc.) or less \$50,000

958 _____

959 _____

RETURN TO ITEM 8

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.

Identify each business, the nature of the representation and the amount received by category from each such business.

Name of Business	Type of Business	Purpose of Representation	Name of Agency	Amount Received \$1,001 to \$10,000	More than \$10,000
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

List the businesses that have been represented before any state governmental agency, excluding any court or judge, by persons who are your partners, associates or others with whom you have a close financial association and who received total compensation in excess of \$1,000 for such representation during the past 12 months, excluding representation consisting solely of the filing of mandatory papers.

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

Type of business	Name of state government agency
_____	_____
_____	_____
_____	_____
_____	_____

SCHEDULE G-3 - PAYMENTS FOR REPRESENTATION GENERALLY.

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 of the compensation received for all businesses falling within each category.

	Check if services were rendered	Type of service rendered	Value of Compensation \$1,001 to \$10,000	More than \$10,000
Electric utilities	_____	_____	_____	_____
Gas utilities	_____	_____	_____	_____
Telephone utilities	_____	_____	_____	_____

1016	Water utilities	_____	_____	_____	_____
1017	Cable television	_____	_____	_____	_____
1018	companies	_____	_____	_____	_____
1019	Interstate	_____	_____	_____	_____
1020	transportation	_____	_____	_____	_____
1021	companies	_____	_____	_____	_____
1022	Intrastate	_____	_____	_____	_____
1023	transportation	_____	_____	_____	_____
1024	companies	_____	_____	_____	_____
1025	Oil or gas	_____	_____	_____	_____
1026	retail	_____	_____	_____	_____
1027	companies	_____	_____	_____	_____
1028	Banks	_____	_____	_____	_____
1029	Savings and	_____	_____	_____	_____
1030	loan	_____	_____	_____	_____
1031	associations	_____	_____	_____	_____
1032	Loan or finance	_____	_____	_____	_____
1033	companies	_____	_____	_____	_____
1034	Manufacturing	_____	_____	_____	_____
1035	companies	_____	_____	_____	_____
1036	(state type of	_____	_____	_____	_____
1037	product,	_____	_____	_____	_____
1038	e.g., textile,	_____	_____	_____	_____
1039	furniture	_____	_____	_____	_____
1040	etc.)	_____	_____	_____	_____
1041	Mining companies	_____	_____	_____	_____
1042	Life insurance	_____	_____	_____	_____
1043	companies	_____	_____	_____	_____
1044	Casualty insurance	_____	_____	_____	_____
1045	companies	_____	_____	_____	_____
1046	Other insurance	_____	_____	_____	_____
1047	companies	_____	_____	_____	_____
1048	Retail companies	_____	_____	_____	_____
1049	Beer, wine or	_____	_____	_____	_____
1050	liquor companies	_____	_____	_____	_____
1051	or distributors	_____	_____	_____	_____
1052	Trade associations	_____	_____	_____	_____
1053	Professional	_____	_____	_____	_____
1054	associations	_____	_____	_____	_____
1055	Associations of	_____	_____	_____	_____
1056	public employees	_____	_____	_____	_____
1057	or officials	_____	_____	_____	_____
1058	Counties, cities or	_____	_____	_____	_____
1059	towns	_____	_____	_____	_____
1060	Labor organizations	_____	_____	_____	_____
1061	Other	_____	_____	_____	_____

RETURN TO ITEM 9

1063 SCHEDULE H - REAL ESTATE.

1065 List real estate located in Virginia other than your principal
 1066 residence in which you or a member of your immediate family hold
 1067 an interest, including a partnership interest, option, easement,
 1068 or land contract, valued at \$10,000 or more. You may list each
 1069 parcel of real estate individually if you wish.

1070			
1071	List the counties	Describe the type of	If the real estate
1072	and cities in which	real estate you own	is owned or recorded

1073	you own real estate	in each county or city	in a name other than
1074		(business, recreational,	your own, list that
1075		apartment, commercial,	name
1076		open land, etc.)	
1077	_____	_____	_____
1078	_____	_____	_____
1079	_____	_____	_____
1080	_____	_____	_____
1081	_____	_____	_____

1082
 1083 B. Any legislator who makes a knowing misstatement of a material fact on the Statement of
 1084 Economic Interests shall be subject to disciplinary action for such violations by the house in which the
 1085 legislator sits.

1086 C. In accordance with the rules of each house, the Statement of Economic Interests of all members
 1087 of each house shall be reviewed. If a legislator's Statement is found to be inadequate as filed, the
 1088 legislator shall be notified in writing, directed to file an amended Statement correcting the indicated
 1089 deficiencies, and a time set within which such amendment shall be filed. If the Statement of Economic
 1090 Interests, in either its original or amended form, is found to be adequate as filed, the legislator's filing
 1091 shall be deemed in full compliance with this section as to the information disclosed thereon.

1092 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing
 1093 request the house in which those members sit, in accordance with the rules of that house, to review the
 1094 Statement of Economic Interests of another member of that house in order to determine the adequacy of
 1095 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be
 1096 promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator
 1097 whose Statement is in issue. Should it be determined that the Statement requires correction,
 1098 augmentation or revision, the legislator involved shall be directed to make the changes required within
 1099 such time as shall be set under the rules of each house.

1100 If a legislator, after having been notified in writing in accordance with the rules of the house in
 1101 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into
 1102 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he
 1103 sits. No legislator shall vote on any question relating to his own Statement.

1104 **2. That the provisions of this act shall become effective on January 1, 1995.**

1105 #