

LEGISLATIVE FINANCE - HOUSE / SENATE FINANCE COMM. FILES 8879

SB 415 cont. 680 271

TABLE 1 (continued)
AGENCIES' AREAS OF AUTHORITY

Key:

• Application exists.

(a) Receipt and distribution only.

(b) County sheriffs and deputy sheriffs.

(c) Lobbying expenditures.

(d) Statewide candidates.

(e) Maintains the state precinct maps.

(f) The secretary of state's office shares some functions with the State Election Board.

(g) Constitutional officers who are elected by the legislature.

(h) Content of local government ethics laws.

(i) State Freedom of Information Act.

(j) Financial disclosure.

(k) Gubernatorial public financing.

(l) Supervisory authority for 83 county clerks.

(m) Through county clerks.

(n) Public financing, candidates for state partisan offices.

(o) Investigate any violation of state ethics law.

(p) Any appointed official in the state, provided he/she is not on a board, commission or panel which is not purely advisory in nature.

(q) Legislative only.

(r) Congressional candidates only.

(s) Campaign Practices.

(t) Attorney and judicial misconduct.

(u) Judicial officials only.

(v) Bribery and fraud committed by state employees.

(w) Political advertising.

(x) Elections only.

(y) Officials file disclosure reports at the local level.

(z) Bribery and corrupt influence; abuse of office; candidate for speaker; campaign finance; legislative bribery.

(aa) Municipal judges.

(ab) Administrative body for the Board of Elections and Ethics.

(ac) Citizen service programs.

(ad) Districting (since 1987).

TABLE 2
AGENCY AUTHORIZATION

Citation of Authorization

Jurisdiction/Agency	Year Commenced Operations in Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
Alabama AL Ethics Commission	1973	Ala. Code Tit. 36, sec. 16-25-1 to 30 (1975)				
Secretary of State's Office, Elections Division	1915	Ala. Code Tit. 17, sec. 17-22-5 to 10 (1975 as amended)				
Alaska AK Public Offices Commission	1974	AS sec 15.13, 39.50, 24.25	2ACC 50.010-920			
Arizona Secretary of State's Office Ethics and Rules Office	1974 1985	Navajo Tribal Code Tit. 2, ch. 6, Sec. 3751-3761				CAU 40-84
Arkansas Secretary of State's Office, Elections Division	1972	Ark. Code 7-6-201 to 214; 21-8-301 to 309				
California Fair Political Practices Commission	1975	Cal. Gov't Code Sec. 81000-91014		Proposition 9:		
Secretary of State's Office	1974	Cal. Gov't Code Sec. 81000-91014	CA Admin. Code tit. 2, div. 6		Political Ref. Act of 1974	
Colorado Department of State	1835					
Connecticut CT State Elections Enforcement Commission	1974	Conn. Gen. Stat. sec. 9-7a,b				
Secretary of State's Office	(a)	(a)				
CT State Ethics Commission	1978	Conn. Gen. Stat. ch. 10, parts 1, 11				

Council on Governmental Ethics Laws / The Council of State Governments

TABLE 2 (continued)
AGENCY AUTHORIZATION

Citation of Authorization

10 Campaign Finance, Ethics & Lobby Law Blue Book 1988-89

Jurisdiction/Agency	Year Commenced Operations in Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
Delaware DE State Election Comm. Legislative Council	1969	Del. Code Ann. tit. 15, chap. 3 Del. Code ch. 16, tit. 29				
Florida FL Commission on Ethics	1974	Fla. Stat. Ann. part III, ch. 112				FL Constitution, art. II, sec. 8f House and Senate Rule House Rule 6.1
Joint Office of Lobby Registration	1949(b)	Fla. Stat. 11.045-11.065				
House Committee on Ethics and Elections	N/A.					
Georgia GA State Ethics Commission	1974	Ga. Code Ann. sec. 21-5-1				
Hawaii Campaign Spending Commission	1974	Haw. Rev. Stat. sec. 11-191 et seq.				
HI State Ethics Commission	1968	Haw. Rev. Stat. sec. 84-31				HI Constitution, art. 14
Idaho Secretary of State's Office	1974	Idaho Code tit. 67, ch. 66				Lobbying & Campaign Finance (Nov. 1974)
Illinois IL Board of Ethics	1977(c)					Exec. Ord. 3-77
IL State Board of Elections	1974	Ill. Rev. Stat. Stat. ch. 46			as amended	IL Constitution, art. III, sec. 5
Secretary of State's Office, Index Dept. DuPage Co. Board of Election Comm. Board of Ethics, City of Chicago	(d) 1973 1986	(d)				City Ordinance Feb. 1987

TABLE 2 (continued)
AGENCY AUTHORIZATION

Jurisdiction/Agency	Year Commenced Operations In Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
Indiana						
IN State Election Board	1974	Ind. Code sec. 3-9	1AC15			
Secretary of State's Office	1851	Ind. Code sec. 2-7				Constitutional auth.
IN State Ethics Commission	1975	Ind. Code sec. 4-2-6				
Iowa						
IA Campaign Finance Disclosure Commission	1973	Iowa Code ch. 56				
Secretary of the Senate	N.A.					Senate Rules
Kansas						
KS Public Disclosure Commission	1975	Kan. Stat. Ann. sec. 25-4119				
Kentucky						
Attorney General's Office	N.A.	Ky. Rev. Stat. ch. 6				
Financial Disclosure Review Commission	1975	Ky. Rev. Stat. sec. 61.782				
KY Registry of Election Finance	1966	Ky. Rev. Stat. ch. 121				
Louisiana						
LA Ethics Admn. Program	1980(?)	La. Rev. Stat. Ann. sec. 42.1101 et seq. sec. 18.1481 et seq.				La. Const. art 10, sec. 21
Louisiana Senate	1972	La. Rev. Stat. sec. 24.51 et seq.				
Maine						
Commission on Govtl. Ethics & Election Practices	1975	PL. 1975 ch. 621				
Secretary of State's Office, Division of Public Admin.	1919(?)	PL. 1919 ch. 100 PL. 1979 ch. 734, sec. 2				

TABLE 2 (continued)
AGENCY AUTHORIZATION

Jurisdiction/Agency	Year Commenced Operations in Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
Maryland						
State Adm. Board of Election Laws	1970		.			
MD State Ethics Commission	1979		.			
Massachusetts						
Office of Campaign & Political Finance	1974	Mass. Gen. Laws Ann.ch. 55 & 55A				
Secretary of State's Office, Public Records Division	1890(g)	(g) Mass. Gen. Laws, ch.3, sec.39-50	950 C.M.R. 31.00			
State Ethics Commission	1978	Mass. Gen. Laws ch. 268B				
Michigan						
Dept. of State, Elections Division	1951(h)	MCLA 168.1 et seq., 169.201 et seq., 4.411 et seq.				Elections: Little Hoover Commission (1951)
MI State Board of Ethics	1973	1973 Mich. Pub. Act 196 as amended				
Minnesota						
MN Ethical Practices Board	1974	Minn. Stat. Ann. ch. 10A				
Mississippi						
MS Ethics Commission.	1979	Miss. Code Ann. sec. 25-4-1 et seq.				
Secretary of State's Office	1848(i)	Miss Code Ann:23-15-801 et seq.; 23-15-1 et seq.; 7-3-45; 7-3-47; 5-7-1 et seq.				
Missouri						
Campaign Finance Review Board	1978	Mo. Rev. Stat. ch. 130				
Secretary of State's Office, Campaign Reporting Division	1978	Mo. Rev. Stat. ch. 130				

TABLE 2 (continued)
AGENCY AUTHORIZATION

Citation of Authorization

Jurisdiction/Agency	Year Commenced Operations in Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
Montana Commr. of Political Practices	1975	Mont. Code Ann. sec. 13-35-37				(Lobbying)
Nebraska NE Accountability & Disclosure Commission	1977	Neb. Rev. Stat 49-1401 to 49-1439				
Nevada NV Commission on Ethics	1985	Nev. Rev. Stat. sec. 281.411 to -581				
Secretary of State's Office	1975	Nev. Rev. Stat. ch. 294A				
Legislative Counsel Bureau		Nev. Rev. Stat. 218.918				
New Hampshire Secretary of State's Office	N.A.					
New Jersey Exec. Commission on Ethical Standards	1971	N.J. Stat. Ann. 52:13-1-25			Executive Order 2	
NJ Election Law Enforcement Commission	1973	N.J. Stat Ann. 19:44A-1 et seq., 19:44B-1 et seq.; 52:13C-18 et seq.	N.J. A.C. 19:25-1.1 et seq.			
Joint Leg. Committee on Ethical Standards	1971	N.J. State Ann. 52:13D-12 et seq.				
New Mexico Secretary of State's Office	1912	N.M. Stat. Ann. sec. 1-19-25, et seq., 10-16-1 to -15, 2-11-1 et seq. (1978)				NM Constitution as amended in 1984

TABLE 2 (continued)
AGENCY AUTHORIZATION

Jurisdiction/Agency	Year Commenced Operations In Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
New York NY State Board of Elections NY State Commission on Lobbying	1974 1978	1981 N.Y. Laws ch. 1040 (as amended by ch. 946, 1983 & ch. 813, 1987)	.			
North Carolina Secretary of State's Office	1933	N.C. Gen. Stat. ch. 120, art. 9A				
NC Board of Ethics NC State Board of Elections	1977 1965	NC Gen. Stat. ch. 153				Exec Order 1
North Dakota Secretary of State's Office	1911	N.D. Century Code ch 16.1-08, 54-05.1	N.D Admin. Code Title 8, Chs. 1-7	ND Constitution		
Ohio OH Elections Commission	1974	Ohio Rev. Code Ann., sec. 3517.14				
OH Ethics Commission	1974	Ohio Rev. Code Ann. ch. 102, sec. 2921.42	Ohio Admin. Code ch. 102			
Supreme Court of Ohio	N.A.					Ohio Supreme Court Governing Rule V
Oklahoma Ethics & Merit Commission	1982	Okla. Stat. tit. 74, sec. 840.1 et seq.				
OK State Election Board	1970()	Okla. Stat. tit. 26				

TABLE 2 (continued)
AGENCY AUTHORIZATION

Jurisdiction/Agency	Year Commenced Operations in Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
Oregon						
OR Govt. Ethics Commission	1975	Or. Rev. Stat. ch. 244; sec. 171.725 to .785				
Secretary of State's Office, Elections & Public Records Division	1854	Or. Rev. Stat. chs. 246-260				
Pennsylvania						
Dept. of State, Bur. of Commissions, Elections and Legislation	1937					
PA State Ethics Commission	1979	65 PS 401 et seq. Act 170	51 PA Code 51.1 et seq.			
Philadelphia Board of Ethics	1963	Phila. Code sec. 20-606				
Rhode Island						
RI Ethics Commission(t)	1976(t)	R.I. Gen. Laws sec. 36-14-1 et seq.				
RI State Board of Elections	1939	R.I. Gen. Laws tit. 17, ch. 7 & 25				
Secretary of State's Office	N.A.	R.I. Gen. Laws ch. 22-10 (lobbying); R.I. Gen. Laws ch. 17-6 (elections)				
South Carolina						
Secretary of State's Office	1935	S.C. Code Ann. sec. 17, tit. 2				
SC State Election Commission	1968	S.C. Code Ann. 3; sec. 7-3-10 et seq.				
SC State Ethics Commission	1976	S.C. Code Ann. sec. 8-13-10 et seq.; 1975 S.C. Acts 19'				

TABLE 2 (continued)
AGENCY AUTHORIZATION

Jurisdiction/Agency	Year Commenced Operations in Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
South Dakota Secretary of State's Office	N.A.					
Tennessee Secretary of State's Office, Elections Division	1905	TN Code Ann. sec. 2-10-105				
Texas Secretary of State's Office	1951(f)	Tex. Elec. Code Ann. sec. 31.001-31.005; sec. 251.031 Tex. Gov't Code Ann. ch. 305; Tex. Rev. Civ. Stat. Ann. art. 6252-9b Tex. Rev. Civ. Stat. Ann. art. 6252-9d				
TX State Ethics Advisory Commission	1983					
Utah Lt. Governor's Office	1896(m)	Utah Const. Ann. Art. 7, Sec. 1; Utah Code ch. 14				
Vermont Secretary of State's Office	1777(n)	17 V.S.A. sec. 2457; 17 V.S.A., ch. 59; 2 V.S.A., ch. 11.				
Virginia Secretary of Commonwealth's Office State Board of Elections	1903 1946(o)	Code of VA, tit. 24.1, ch. 2 and 9.				
Washington WA State Public Disclosure Commission	1973	Wash. Rev. Code ch. 42.17	Wash. Admin. Code ch. 390		No. 276 (1972)	
West Virginia Secretary of State's Office	N.A.	W. Va. Code ch. 3				

TABLE 2 (continued)
AGENCY AUTHORIZATION

Jurisdiction/Agency	Year Commenced Operations in Area	Statute	Classification of Authorization:			
			Administrative Regulation	Executive Order	Initiative	Other
Wisconsin						
Secretary of State's Office	1899	Wis. Stat. Ann. ch. 13, subch. M	Ch. 552, adopted 11/11/78			
WI State Elections Board	1973	Wis. Stat. Ann. ch. 334				
WI State Ethics Board	1973	Wis. Stat. Ann. sec. 15.62, 19.41-59				
Wyoming						
Secretary of State's Office	(m)	Wyo. Stat. sec. 22-25-101 to -115				
District of Columbia						
Office of Campaign Finance (p)	1974	88 Stat. 447, P.L. 93-376; D.C. Code Ann. sec. 1-1401 et seq. (q)	3 D.C. Mun. Regs. (elections, ethics)		DC Code 1-1401 et seq.	
U.S.A. (Federal)						
Federal Election Commission	1975	Federal Election Campaign Act of 1971, as amended; (2 USC sec. 431 et seq.)				
Office of Govt. Ethics	1979	5 USC App. sec. 401 et seq., Title IV of Ethics in Govt Act of 1978, as amended				
Committee on Standards of Official Conduct	1967					House Resolution

TABLE 2 (continued)
AGENCY AUTHORIZATION

Jurisdiction/Agency	Year Commenced Operations in Area	Statute	Citation of Authorization			
			Administrative Regulation	Executive Order	Initiative	Other
Virgin Islands Department of Justice	1979	3VIC ch. 37 Act 5255, sec. 3(a); Act 4249, sec. 5(a), 5b; Act 5265				
Alberta Chief Electoral Officer's Office	1977	•				
British Columbia Chief Electoral Officer's Office	N.A.	Election Act; Constitution Act				
Manitoba Chief Electoral Officer's Office	1870(r)	Elections Act, ch. E30, CCSM; Elections Finances Act, ch. 32, CCSM				
Newfoundland Chief Electoral Officer's Office	1946	R.S.N., 1970, c. 106 as amended				
Nova Scotia Chief Electoral Officer's Office	1969 ch. 63.	Elections Act, RSNS 1967,				
Ontario Commission on Election Finances	1973	Election Act, 1986 c. 134 (o)	Commission Guidelines			
Quebec Chief Electoral Officer's Office	1945(s)	•				
Saskatchewan Chief Electoral Officer's Office	1905	•				

TABLE 2 (continued)
AGENCY AUTHORIZATION

Citation of Authorization

Jurisdiction/Agency	Year Commenced Operations in Area	Citation of Authorization				
		Statute	Administrative Regulation	Executive Order	Initiative	Other
Canada (Federal) Asst. Deputy Registrar General of Canada Elections Canada	1974 1920(f)	Canada Elections Act				

- Key:**
- * Area of authorization; citation unavailable.
 - N.A. Not available.
 - (p) 1638-89, secretary receives and reads the nominations (Fundamental Order of CT Sec. 2); 1670, Secretary receives nominations in October and transmits them to town clerks for April or May election (as cited in 1808 Statutes of Conn. Vol. 1 p. 245); 1895, Campaign finance filed with Secretary (1895 Statutes of Conn. Chap. 338, Sec. 4); 1953, Secretary becomes Commissioner of Elections.
 - (b) House Rule since 1949, Statute since 1978.
 - (c) Under current Executive Order; 1973 under Executive Order 4-73, rescinded.
 - (d) This office administers the Ill. Governmental Ethics Act, which was authorized in Ill. Rev. Stat. ch. 127, par. 601-101 et seq., and by which filing commenced in 1972. The Ill. Lobbyist Registration Act, which is also administered by this office, was authorized in Ill. Rev. Stat. ch. 63, par. 171 et seq., and was enacted in 1969.
 - (e) Operations related to: Ethics, 1980; Campaign Finance, 1981. These programs began in other agencies in 1964 and 1976, respectively.
 - (f) Operations related to: lobbyist registration, 1919; filing for executive employees, 1979.
 - (g) The original lobbying statute, ch. 456 of the Acts of 1890, was repealed and amended by ch. 981 of the Acts/1973 (see sec. 39-50 of Mass. General Laws).
 - (h) Operations related to: Elections, 1951; Campaign Finance, 1977; Lobbying, 1977.
 - (i) Operations related to: Elections, 1848, Lobbying, 1916, Personal Financial Disclosure, 1929, Campaign Finance, 1978.
 - (j) Operations related to Elections 1907; Campaign contributions and expenditures, 1968; Financial disclosure, 1986.
 - (k) Replaced the former Conflict of Interest Commission in July 1987, which had been in existence for 11 years.
 - (l) Operations related to: Elections and Campaign Finance, 1951; personal financial disclosure, 1973.
 - (m) Year of statehood.
 - (n) Operations related to: Elections, 1777; Campaign Finance, 1915; Lobbying, 1939.
 - (o) Operations related to: Elections, 1946; Campaign Finance, 1971.
 - (p) Administrative body for the Board of Elections and Ethics.
 - (q) D.C. Campaign Finance Reform and Conflict of Interest Act of 1974.
 - (r) Operations relating to: Elections, 1870; Finances, 1980.
 - (s) Electoral law: 1945. Districting and financing of authorized political entities and election expenses control: 1953.
 - (t) Elections: 1920. Campaign finance: 1974.

**Table 4
BOARD/COMMISSION COMPOSITION
(As of January 1, 1985)**

Jurisdiction/Agency	No. of Meetings Per Year	Number of members appointed by:					Total	Length of term (years)	May members be reappointed?	Are members required to be of different political parties?
		Executive	Legislature	Judiciary	Political Party	Other				
Alabama AL Ethics Commission	10					5(a)	5	5	No	No
Alaska AK Public Offices Commission	4	4				1	5	5	No	Yes
Arizona Ethics & Rules Office	24					6(b)	6	4	Yes	No
California Fair Political Practices Commission	12	2				3	5	4	(c)	Yes
Connecticut CT Elections Enforcement Commission	24	1	4				5	5	Yes	Yes
State Ethics Commission	12	3	4				7	4	No(c)	Yes
Florida Commission on Ethics	N.A.	5	4				9	2	Yes(d)	Yes
House Committee on Ethics	N.A.		18				18	2	Yes	No
Georgia State Ethics Commission	12(e)	2				3	5	5	No	Yes
Hawaii Campaign Spending Commission	N.A.	5					5	4	Yes	Yes
State Ethics Commission	N.A.	5					5	4	Yes	No
Illinois IL Board of Ethics	10	3					3	3	Yes	No
IL State Board of Elections	12	8					8	4	Yes	Yes
DuPage Co. Board of Election Commr.	24			3			3	3	Yes	Yes
Board of Ethics, City of Chicago	12					7(e)	7	3	Yes	Yes
Indiana IN State Election Bd.	(f)	2				1	3	2	Yes	Yes
State Ethics Commission	12(f)	5					5	4	Yes	Yes
Iowa IA Campaign Finance Disclosure Commission	(f)	5					5	6	Yes	Yes
Kansas KS Public Disclosure Commission	4(e)	1	4				5	2	Yes	Yes
Kentucky Financial Disclosure Review Commission	(f)	5					5	4	Yes	No
KY Registry of Election Finance	(f)	5					5	4	Yes	Yes
Louisiana Bd. of Ethics for Elected Officials (f)	N.A.	1	4				5	6	Yes	No
Commission on Ethics for Public Employees (f)	N.A.	5					5	6	Yes	No

Table 4 (continued)
BOARD/COMMISSION COMPOSITION
 (As of January 1, 1988)

Number of members appointed by:

Jurisdiction/Agency	No. of Meetings Per Year	Number of members appointed by:					Total	Length of term (years)	May members be reappointed?	Are members required to be of different political parties?
		Executive	Legislature	Judiciary	Political Party	Other				
Maine										
Commission on Govt. Ethics & Election Practices	(k)		6			1	7	2	Yes	Yes
Maryland										
State Adm. Board of Election Laws	N.A.	5					5	4	Yes	Yes
State Ethics Commission	N.A.	5(j)					5	5	Yes(l)	Yes(m)
Massachusetts										
Office of Campaign & Political Finance	(n)				2	1	4(o)	(o)	Yes	Yes
State Ethics Commission	N.A.	3				2(p)	5	5	No	Yes
Michigan										
MI State Board of Ethics	(i)	7					7	4	Yes	Yes
Minnesota										
MN Ethical Practices Board	(q)	6					6	4	Yes	Yes
Mississippi										
MS Ethics Commission	12	2	4	2			8	4	Yes	No
Missouri										
Campaign Finance Review Board	N.A.		2		2		6	3	Yes	Yes
Nebraska										
NE Accountability & Disclosure Commission	N.A.	4	2		2	1(r)	9	6	(s)	Yes
Nevada										
NV Commission on Ethics	4(e)	3	3				6	(h)	Yes	Yes
New Jersey										
Exec. Commission on Ethical Standards	12(e)	7					7	4	Yes	No
NJ Election Law Enforcement Commission	12	4(i)					4	3	Yes	Yes
Joint Legislative Committee on Ethical Standards	N.A.		8				8	1	Yes	Yes
New York										
NY State Board of Elections	N.A.	4(u)					4	2	Yes	Yes
NY State Commission on Lobbying	12(e)	6					6	2	Yes	Yes
North Carolina										
NC Board of Ethics	(j)	7					7	(k)	Yes	No
NC State Board of Elections	N.A.	5(v)					5	4	Yes	Yes
Ohio										
OH Elections Commission	20(w)					5(x)	5	5	Yes	Yes
OH Ethics Commission	1(e)	6		28			6	6	Yes	Yes
Supreme Court of Ohio	6						28	3	Yes	Yes

Table 4 (continued)
BOARD/COMMISSION COMPOSITION
(As of January 1, 1988)

Jurisdiction/Agency	No. of Meetings Per Year	Number of members appointed by:					Total	Length of term (years)	May members be reappointed?	Are members required to be of different political parties?
		Governor	Lieutenant Governor	Judiciary	Political Party	Other				
Oklahoma										
Ethics & Merit Commission	12(e)	5(y)	4(z)			9	3	Yes	Yes(y)	
OK State Election Board	(aa)	3(i)				3	4	Yes	Yes	
Oregon										
OR Gov. Ethics Commission	12	3	4			7	4	(s)	Yes	
Pennsylvania										
State Ethics Commission	9	3	4			7	5	No(ab)	No	
Philadelphia Board of Ethics	4				6(ac)	6	(ad)	Yes(ae)	No	
Rhode Island										
RI Conflict of Interest Commission	(i)	15				15	5	Yes	Yes	
RJ State Board of Elections	(af)	7				7	14	Yes	(ag)	
South Carolina										
SC State Election Commission	12(e)	5				5	4	Yes	Yes	
State Ethics Commission		6	6(ah)			6	4	Yes(ai)	No	
Texas										
State Ethics Advisory Commission	4(e)	5	4		2(aj)	11(aj)	2	Yes	Yes	
Utah										
Ut. Governor's Office	(ak)						1-6	Yes	Yes	
Virginia										
State Board of Elections	(al)	3				3	4	Yes	Yes	
Washington										
WA State Public Disclosure Commission	N.A.	5				5	5	(d)	Yes	
Wisconsin										
WI State Elections Board	(am)	1	4	1	2	8	2	Yes	Yes	
WI State Ethics Board	4(e)	6				6	6	Yes	(ac)	
District of Columbia										
Office of Campaign Finance	12(e)					3(ac)	3	Yes	Yes	
U.S.A. (Federal)										
Federal Election Commission	12(e)					8(an)	6	Yes	Yes	
Committee on Standards of Official Conduct	12(e)		12			12	6(ao)	(ap)	Yes	
Ontario										
Commission on Election Finances	N.A.				6	(aq)	9	5	Yes	Yes

Key:

N.A. Actual number of meetings not available, and minimum frequency of meetings not mandated.

(a) Appointed by governor, lieutenant governor and speaker of the house.

(b) Appointed by chairman, Navajo Tribal Council and confirmed by the council.

(c) Members may be appointed to one full term if filling unexpired portion of another's term. Otherwise, may not be reappointed.

(d) May be reappointed once in succession.

(e) Number of meetings mandated; board or commission may actually meet more often.

Table 4 (continued)
BOARD/COMMISSION COMPOSITION
(As of January 1, 1988)

- (f) Serve at the pleasure of the governor for unspecified terms.
- (g) Appointed by the mayor, with the consent of the city council.
- (h) After an initial term, a member may have a four year term.
- (i) At the call of the chair.
- (j) Administered by the Louisiana Ethics Administration Program.
- (k) Mandated to meet four times in the years which primary and general elections are held and two times during other years.
- (l) Maximum 2 full terms.
- (m) One member must be opposite party from governor.
- (n) Board meets only to choose the director.
- (o) Secretary of state, chairman of the Democratic State Committee, chairman of the Republican State Committee, and dean of law school (dean serves 6 years).
- (p) One appointed by the attorney general, and one appointed by the secretary of state.
- (q) At call of the chair or on request of four members.
- (r) The secretary of state is a member of the commission.
- (s) May be appointed to one full term after filling an unexpired term of less than three years. In Nebraska, after filling unexpired term of three years or less.
- (t) With consent from the senate.
- (u) Legislature recommends two to the governor, and political parties recommend two to the governor.
- (v) Three board appointees from the governor's party and two from the opposition.
- (w) The frequency of meetings is not mandated.
- (x) The secretary of state appoints four members. The four members appoint a fifth member as chair.
- (y) No more than four of the appointments made by the governor may be from the same political party.
- (z) Two by the senate, two by the house.
- (aa) Following all statewide elections.
- (ab) Limited to one full 5-year term.
- (ac) Appointed by mayor.
- (ad) Serves at the pleasure of the mayor for unspecified term.
- (ae) Reappointed to only one 5-year term.
- (af) As required, mostly on a weekly basis.
- (ag) Required to be nonpartisan.
- (ah) One appointed from each congressional district.
- (ai) May be reappointed for one additional term.
- (aj) 2 non-voting members (secretary of state and attorney general) plus 9 voting members.
- (ak) Depends on statute or executive order.
- (al) Meets following each primary/general election for federal or state office.
- (am) Usually bi-monthly; monthly during election periods.
- (an) Appointed by president. Includes 2 ex-officio members.
- (ao) Republican-no limit; Democrat-6 years.
- (ap) Members are elected for 2 year terms.
- (aq) Appointed by cabinet.

**TABLE 8
INVESTIGATIVE AUTHORITY OF SELECTED AGENCIES**

State or Provider/Agency	Agency is Empowered to Conduct Investigations:			Approximate Number of Investigations Conducted on Annual Basis:				Approximate Percentage of Those Investigations Resulting in Sanctions(a):			
	Yes, on Own Volition	Yes, in Response to Formal Complaint	No	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure
Alabama AL Ethics Commission Secretary of State's Office, Elections Division		*	*		5-10	11-50	5-10				
Alaska AK Public Offices Commission	*	*		5-10	0-5			70	70		
Arizona Secretary of State's Office Ethics & Rules Office	*	*		0-5				0			
Arkansas Secretary of State's Office, Elections Division			*								
California Fair Political Practices Commission Secretary of State's Office	*	*	*	11-50	11-50	11-50	5-10	14	9	2	5
Colorado Department of State		*		0-5				50			
Connecticut CT State Elections Enforcement Commission Secretary of State's Office State Ethics Commission	*	*	*	51-100				92			
	*	*	*		0-5	11-50	11-50		90	90	90
Delaware State Election Comm. Legislative Council	N.A.	N.A.	N.A.								
Florida Commission on Ethics Joint Office on Lobby Registration House Committee on Ethics & Elections		*	*	N.A.	11-50	51-100			80	35	
	*(b)	*(b)				0-5				N.A.	

TABLE 8 (continued)
 INVESTIGATIVE AUTHORITY OF SELECTED AGENCIES

State or Federal Agency	Agency Is Empowered to Conduct Investigations:			Approximate Number of Investigations Conducted on Annual Basis:				Approximate Percentage of Those Investigations Resulting in Sanctions (if):			
	Yes, on Own Motion	Yes, in Response to Formal Complaint	No	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure
Georgia State Ethics Commission		*		5-10				2			
Hawaii Campaign Spending Commission	*			11-50				5			
State Ethics Commission	*	*			0-5	11-50	0-5		0	10	0
Idaho Secretary of State's Office	*	*		5-10			0-5	1			1
Illinois IL Board of Ethics	*				11-50				1		
IL State Board of Elections	*	*		11-50				80			
Secretary of State's Office, Index Dept.	*		*								
DuPage Co. Board of Election Commc.	*	*								5	
Board of Ethics, City of Chicago	*			0-5	11-50	51-100	0-5				
Indiana IN State Election Board	*			0-5				0			
Secretary of State's Office	*	*					0-5				
State Ethics Commission	*					11-50				50	
Iowa IA Campaign Finance Disclosure Commission		*		5-10				100			
Secretary of the Senate	N.A.	N.A.	N.A.								
Kansas KS Public Disclosure Commission	*	*		0-5	0-5	0-5	0-5	1	1	0	0
Kentucky Attorney General's Office	(c)										
Financial Disclosure Review Commission	*	*			0-5	0-5			0	0	
KY Registry of Election Finance	*	*		300+	0-5			90	0		
Louisiana LA Ethics Administration Prog.	*	*		101-300	0-5	101-300		75		15	

TABLE II (continued)
INVESTIGATIVE AUTHORITY OF SELECTED AGENCIES

State or Provincial Agency	Agency is Empowered to Conduct Investigations:			Approximate Number of Investigations Conducted on Annual Basis:				Approximate Percentage of These Investigations Resulting in Sanctions(a):			
	Yes, on Own Motion	Yes, in Response to Formal Complaint	No	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure
Maine Commission on Govt. Ethics & Election Practices	•	•		0-5	0-5		0-5	0	0		0
Maryland State Adm. Board of Election Laws State Ethics Commission	•	•		5-10	51-100	11-50	5-10	0	20	20	5
Massachusetts Office of Campaign & Political Finance Secretary of State's Office, Division of Public Records State Ethics Commission	•	•	•	N.A.				N.A.		N.A.	
Michigan Dept. of State, Bureau of Elections MI State Board of Ethics	•(d)	•(d)		101-300			0-5	75 N.A.			0
Minnesota MN Ethical Practices Board	•	•		11-50	0-5		0-5	0-1	0-1		0-1
Mississippi MS Ethics Commission Secretary of State's Office	•	•	•	N.A.	5-10	11-50			20	50	
Missouri Campaign Finance Review Board Secretary of State's Office, Campaign Reporting Division	•	•	•	301+				33			
Montana Comm. of Political Practices	N.A.	N.A.	N.A.								
Nebraska NE Accountability & Disclosure Commission	•	•		0-5	11-50		0-5	00	50	2	2

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TABLE 6 (continued)
 INVESTIGATIVE AUTHORITY OF SELECTED AGENCIES

State or Previous Agency	Agency is Empowered to Conduct Investigations:			Approximate Number of Investigations Conducted on Annual Basis:				Approximate Percentage of These Investigations Resulting in Sanctions(a):			
	Yes, on Own Violation	Yes, in Response to Formal Complaint	No	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure
Nevada											
NV Commission on Ethics		•									
Secretary of State's Office			•								
Legislative Counsel Bureau	•						•	0	0	0	0
New Hampshire											
Secretary of State's Office			•								
New Jersey											
Exec. Commission on Ethical Standards	•	•				101-300				15	
NJ Election Law Enforcement Commission	•	•		101-300	51-100 0-5	101-300	0-5	50	0	NA	0
Joint Legislative Commission on Ethical Standards	•	•		N.A.	N.A.	5-10	N.A.				10
New Mexico											
Secretary of State's Office			•								
New York											
NY State Board of Elections	•	•		101-300				25			
NY State Commission on Lobbying	•						101-300				
North Carolina											
Secretary of State's Office			•								
NC Board of Ethics	•	•									
NC State Board of Elections	•	•		5-10	5-10	0-5		NA			
North Dakota											
Secretary of State's Office	N.A.	N.A.	N.A.								
Ohio											
OH Elections Commission		•		101-300				20			
OH Ethics Commission	•	•			101-300	51-100			5	15	
Supreme Court of Ohio			•	N.A.				NA			
Oklahoma											
Merit Protection Commission	•	•				11-50				1	
OK State Election Board			•								

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TABLE B (Continued)
INVESTIGATIVE AUTHORITY OF SELECTED AGENCIES

State or Federal Agency	Agency is Empowered to Conduct Investigations:			Approximate Number of Investigations Conducted on Annual Basis:				Approximate Percentage of These Investigations Resulting in Sanctions:			
	Yes, on Own Volition	Yes, in Response to Formal Complaint	No	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure
Oregon OR Govt. Ethics Commission Secretary of State's Office, Elections & Public Records Division	•	•		51-100	0-5	51-100	0-5	40	0	25	0
Pennsylvania Dept. of State, Bureau of Commissions, Elections & Legislation State Ethics Commission Philadelphia Board of Ethics	•	•	•		0-5			(c)	5	35	
Rhode Island RI Ethics Commission RI State Board of Elections Secretary of State's Office	•	•	•	11-50	11-50	11-50		NA	66	45	
South Carolina Secretary of State's Office SC State Election Commission State Ethics Commission	NA	NA	NA		0-5	11-50	5-10	50	50	50	
South Dakota Secretary of State's Office	NA	NA	NA								
Tennessee Secretary of State's Office, Elections Division			•	NA				NA			
Texas Secretary of State's Office State Ethics Advisory Commission			•	NA				NA			
Utah Lt. Governor's Office			•								
Vermont Secretary of State's Office			•	0-5							

TABLE B (continued)
 INVESTIGATIVE AUTHORITY OF SELECTED AGENCIES

State or Province/Agency	Agency is Empowered to Conduct Investigations:			Approximate Number of Investigations Conducted on Annual Basis:				Approximate Percentage of Those Investigations Resulting in Sanctions(a):			
	Yes, on Own Volition	Yes, in Response to Formal Complaint	No	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure
Virginia Secretary of Commonwealth's Office State Board of Elections	N.A.	N.A.	N.A.								
Washington WA State Public Disclosure Commission	.	.		101-300	300+		51-100	50	60		30
West Virginia Secretary of State's Office	.	.		11-50	0-5			99	1		
Wisconsin Secretary of State's Office WI State Elections Board WI State Ethics Board	.	.		0-5	11-50	0-5	0-5	50 20	N.A.		1
Wyoming Secretary of State's Office			.	N.A.				N.A.			
District of Columbia Office of Campaign Finance(r)	.	.		11-50	5-10	0-5	0-5	5	10	10	1
U.S.A. (Federal) Federal Election Commission Office of Govt. Ethics Committee on Standards of Official Conduct	.	.	.	101-300 N.A. N.A.				90 N.A.			
Virgin Islands Department of Justice	.	.			0-5	0-5					
Alberta Chief Electoral Officer's Office	.	.		0-5				N.A.			
British Columbia Chief Electoral Officer's Office			.								
Manitoba Chief Electoral Officer's Office	.			0-5				2			

TABLE 8 (continued)
 INVESTIGATIVE AUTHORITY OF SELECTED AGENCIES

State or Province/Agency	Agency is Empowered to Conduct Investigations:			Approximate Number of Investigations Conducted on Annual Basis:				Approximate Percentage of Those Investigations Resulting in Sanctions(a):			
	Yes, on Own Volition	Yes, in Response to Formal Complaint	No	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure	Campaign Finance	Personal Financial Disclosure	Standards of Conduct	Lobbyist Disclosure
Newfoundland Chief Electoral Officer's Office	*			0.5	0.5	0.5	0.5	0	0	0	
New Scotia Chief Electoral Officer's Office			*								
Ontario Commission on Election Finances		*		0.5				100			
Quebec Chief Electoral Officer's Office	*	*		5-10				50			
Scotiachewen Chief Electoral Officer's Office	N.A.	N.A.	N.A.								
Canada (Federal) Asst. Deputy Registrar General of Canada	N.A.	N.A.	N.A.								
Elections Canada	*	*		(h)				15.8			

Key:

* Present application

N.A. Not available.

(a) Responses in these columns are those given by the agencies. Any questions regarding them should be submitted directly to the agency.

(b) Only with regard to House Rules.

(c) In certain instances.

(d) Investigations are conducted through the Compliance & Rules Division.

(e) The Bureau either refers the information to the attorney general or requests an amended report.

(f) No, but the Attorney General has sometimes asked the agency to conduct investigations.

(g) Administrative body for the Board of Elections and Ethics.

(h) Investigations are conducted on a cyclical basis following each election. Following the 1984 general election, 567 alleged violations were investigated. One hundred fifteen prosecutions were instituted giving rise to 90 convictions.

**TABLE 9
PROSECUTORIAL AUTHORITY OF SELECTED AGENCIES**

Jurisdiction/Agency	Agency Has Authority to:									
	Is Agency Based by State/Provincial General Administrative Procedure Act?		Request Other Official to Prosecute on:					Mandatory Basis	Discretionary Basis	If Agency Cannot Initiate Prosecution for Violations on its Own Violation, Who Does Have Authority to Prosecute:
	Subpoena Witnesses	Subpoena Records	Conduct Administrative Hearings	Impose Administrative Fines	Impose Administrative Penalties	File Independent Court Actions				
Alabama										
AL Ethics Commission	Yes	--	--	•	--	--	--	--	•	Attorney general or district attorney (a)
Secretary of State's Office, Elections Division	N.A.	--	--	--	--	--	--	--	--	Attorney general
Alaska										
AK Public Offices Commission	Yes	•	•	•	•	--	--	--	•	Dept. of Law, district attorney
Arizona										
Secretary of State's Office Ethics & Rules Office	Yes No	-- •	-- •	-- •	-- •(b)	-- •(b)	-- •	--	• •	Attorney general
Arkansas										
Secretary of State's Office, Elections Division	N.A.	--	--	--	--	--	--	--	--	Prosecuting attorneys
California										
Fair Political Practices Commission	Yes	•	•	•	•	•	•	--	•	Attorney general or district attorney
Secretary of State's Office	N.A.	--	--	--	•	--	•	--	--	
Colorado										
Department of State	Yes	•	•	•	•	--	•	•	--	Attorney general or district attorney
Connecticut										
CT State Elections Enforcement Commission	Yes	•	•	•	•	•	--	--	•	Chief state's attorney, or attorney general
Secretary of State's Office	Yes	--	--	•	•	•	--	•	--	Attorney general
State Ethics Commission	Yes	•	•	•	•	•	--	--	•	Chief state's attorney or attorney general
Delaware										
State Election Comm. Legislative Council	No N.A.	-- --	-- --	• --	-- --	-- --	-- --	-- --	• --	Attorney general

TABLE 9 (continued)
PROSECUTORIAL AUTHORITY OF SELECTED AGENCIES

Agency Has Authority to:

Jurisdiction/Agency	Is Agency Bound by State/Provincial General Administrative Procedure Act?	Subpoena Witnesses	Subpoena Records	Conduct Administrative Hearings	Impose Administrative Fines	Impose Administrative Penalties	File Independent Court Actions	Request Other Official to Prosecute on		If Agency Cannot Initiate Prosecution for Violations on Its Own Violation, Who Does Have Authority to Prosecute?
								Mandatory Basis	Discretionary Basis	
Florida										
Commission on Ethics	Yes	•	•	•	—	—	—	—	•	
Joint Committee on Lobby Registration	No	—	—	—	—	—	—	—	—	(c)
House Committee on Ethics & Elections	Yes	—	—	—	—	—	—	—	—	—
Georgia										
State Ethics Commission	Yes	•	•	•	•	•	•	•	—	
Hawaii										
Campaign Spending Commission	Yes	•	•	•	•	•	•	(d)	(d)	
State Ethics Commission	Yes	•	•	•	—	—	•	—	•	Attorney general for ethics violations Attorney general or city prosecutor for lobbying violations
Idaho										
Secretary of State's Office	Yes	—	—	•	•	—	—	—	•	Attorney general or prosecuting attorney
Illinois										
R. Board of Ethics	Yes	—	—	•	—	—	—	—	•	Attorney general or state's attorney
R. State Board of Elections	Yes	•	•	•	•	•	•	—	•	Attorney general or state's attorney
Secretary of State's Office, Index Dept.	N.A.	—	—	—	—	—	—	—	—	Attorney general or state's attorney
DuPage Co. Board of Election Commr.	Yes	•	•	•	—	—	•	•	•	Attorney general or state's attorney
Board of Ethics, City of Chicago	No	•	•	•	•	•	—	—	•	Dept. of Law, City of Chicago
Indiana										
IN State Election Board	Yes	•	•	•	—	—	—	—	•	County prosecutor
Secretary of State's Office	Yes	•	•	•	•	•	—	•	—	Attorney general or county prosecutor
State Ethics Commission	Yes	•	•	•	—	—	—	—	•	Prosecuting attorney
Iowa										
IA Campaign Finance Disclosure Commission	Yes	•	•	•	•	•	—	—	•	Attorney general or county attorney
Secretary of the Senate	N.A.	—	—	—	—	—	—	—	—	

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TABLE 9 (continued)
PROSECUTORIAL AUTHORITY OF SELECTED AGENCIES

Agency Has Authority to:

Jurisdiction/Agency	Is Agency Bound by State/Federal General Administrative Procedure Act	Subpoena Witnesses	Subpoena Records	Conduct Administrative Hearings	Impose Administrative Fines	Impose Administrative Penalties	File Independent Court Actions	Request Other Official to Prosecute on		If Agency Cannot Initiate Prosecution for Violations on Its Own Violation, Who Does Have Authority to Prosecute:
								Mandatory Basis	Discretionary Basis	
Kansas										
KS Public Disclosure Commission	No	•	•	•	•	—	—	•	—	State attorney general and district attorney or county attorney
Kentucky										
Attorney General's Office	No	—	—	—	—	—	•	—	•	Police agencies; Registry of Election Finance
Financial Disclosure Review Commission	Yes	—	—	—	—	—	—	—	—	Governor
KY Registry of Election Finance	Yes	•	•	•	•	•	•	—	•	Attorney general or commonwealth attorney
Louisiana										
LA Ethics Admn. Program	Yes	•	•	•	•	•	•	—	•	
Maine										
Commission on Govt. Ethics & Election Practices	Yes	•	•	•	•	—	—	—	•	Attorney general
Secretary of State's Office	Yes	—	—	—	•	—	—	—	—	Attorney general
Maryland										
State Adm. Board of Election Laws	Yes	—	—	•	—	*(e)	—	—	•	State's attorney, state prosecutor
State Ethics Commission	Yes	•	•	•	—	—	•	—	•	
Massachusetts										
Office of Campaign & Political Finance	Yes	•	•	•	—	—	—	—	•	Attorney general, district attorney
Secretary of State's Office, Division of Public Records	Yes	—	—	•	•	•	—	—	•	Attorney general
State Ethics Commission	Yes	•	•	•	•	•	•	—	•	Attorney general or district attorney
Michigan										
Dept. of State, Bureau of Elections	Yes	—	—	•	*(f)	—	—	—	•	Attorney general
MI State Board of Ethics	Yes	—	—	•	—	—	—	—	•	Executive branch
Minnesota										
MN Ethical Practices Board	Yes	•	•	—	•	•	•	—	•	Appropriate law enforcement authorities

TABLE 9 (continued)
PROSECUTORIAL AUTHORITY OF SELECTED AGENCIES

Agency Has Authority to:

Jurisdiction/Agency	Is Agency Bound by State/Provincial General Administrative Procedure Act	Subpoena Witnesses	Subpoena Records	Conduct Administrative Hearings	Impose Administrative Fines	Impose Administrative Penalties	File Independent Court Actions	Request Other Official to Prosecute on		If Agency Cannot Initiate Prosecution for Violations on Its Own Violation, Who Does Have Authority to Prosecute:
								Mandatory Basis	Discretionary Basis	
Mississippi MS Ethics Commission Secretary of State's Office	Yes	•	•	—	—	—	•	—	•	Attorney general and district attorney Attorney general
	Yes	—	—	•	—	—	—	—	•	
Missouri Campaign Finance Review Board Secretary of State's Office, Campaign Reporting Division	N.A.	—	—	—	—	—	—	—	—	
	N.A.	—	—	—	—	—	—	—	—	
Montana Comm. of Political Practices	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
Nebraska NE Accountability & Disclosure Commission	Yes	•	•	•	•	•	•	—	•	Agency, county attorney or attorney general
Nevada NV Commission on Ethics Secretary of State's Office Legislative Counsel Bureau	No	—	—	•	—	(h)	—	—	•	Attorney general
	Yes	—	—	—	—	—	—	—	—	Attorney general
	N.A.	—	—	—	—	—	—	—	—	
New Hampshire Secretary of State's Office	Yes	—	—	—	—	—	—	(i)	(j)	Attorney general
New Jersey Exec. Commission on Ethical Standards NJ Election Law Enforcement Commission Joint Legislative Cmte. on Ethical Standards	Yes	•	•	•	•	•	•	•	•	
	Yes	•	•	•	•	•	•	—	•	
	No	•	•	•	•	•	•	—	•	
New Mexico Secretary of State's Office	No	—	—	—	—	—	—	—	—	Attorney general
New York NY State Board of Elections NY State Commission on Lobbying	Yes	•	•	•	—	—	•	—	•	District attorney
	No	•	•	•	•	—	—	—	—	

**TABLE 9 (continued)
PROSECUTORIAL AUTHORITY OF SELECTED AGENCIES**

Jurisdiction/Agency	Agency Has Authority to:									
	Is Agency Bound by State/Procedural General Administrative Procedure Act	Subpoena Witnesses	Subpoena Records	Conduct Administrative Hearings	Impose Administrative Fines	Impose Administrative Penalties	File Independent Court Actions	Request Other Official to Prosecute on		If Agency Cannot Initiate Prosecution for Violations on Its Own Violation, Who Does Have Authority to Prosecute:
								Mandatory Basis	Discretionary Basis	
South Carolina										
Secretary of State's Office	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
SC State Election Commission	Yes	•	•	•	—	—	—	—	•	Attorney general
State Ethics Commission	Yes	•	•	•	—	—	—	—	•	Attorney general & solicitors
South Dakota										
Secretary of State's Office	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
Tennessee										
Secretary of State's Office, Elections Division	No	—	—	—	—	—	—	—	—	Attorney general
Texas										
Secretary of State's Office	Yes	—	—	—	•(?)	—	—	—	•	Attorney general, county attorney or district attorney
State Ethics Advisory Commission	Yes	—	—	—	—	—	—	—	—	Attorney general, county attorney or district attorney
Utah										
Ut. Governor's Office	Yes	—	—	•	—	—	—	—	—	
Vermont										
Secretary of State's Office	Yes	—	—	—	—	—	—	—	•	Attorney general
Virginia										
Secretary of Commonwealth's Office	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
State Board of Elections	No	—	—	—	—	—	—	—	•	Commonwealth's attorney in each county or city
Washington										
WA State Public Disclosure Commission	Yes	•	•	•	—	•	—	—	•	
West Virginia										
Secretary of State's Office	N.A.	•	•	•	—	—	•	—	•	County prosecuting attorney

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TABLE 9 (continued)
PROSECUTORIAL AUTHORITY OF SELECTED AGENCIES

Jurisdiction/Agency	Is Agency Bound by State/Provincial General Administrative Procedure Act	Agency Has Authority to:							Request Other Official to Prosecute on		If Agency Cannot Initiate Prosecution for Violations on Its Own Violation, Who Does Have Authority to Prosecute:
		Subpoena Witnesses	Subpoena Records	Conduct Administrative Hearings	Impose Administrative Fines	Impose Administrative Penalties	File Independent Court Actions	Mandatory Basis	Discretionary Basis		
Wisconsin											
Secretary of State's Office	Yes	•	•	•	—	—	•	—	•		
WI State Elections Board	Yes	•	•	•	•	•	•	—	•		
WI State Ethics Board	Yes	•	•	•	•	•	—	—	•		
Wyoming											
Secretary of State's Office	Yes	—	—	—	—	—	—	—	—	Attorney general, district attorney	
District of Columbia											
Office of Campaign Finance	Yes	•	•	•	•	•	—	—	•	U.S. Attorney (A)	
U.S.A. (Federal)											
Federal Election Commission	Yes	•	•	•	—	•	•	—	•	U.S. Attorney, Justice Department	
Office of Govt. Ethics	—	—	—	—	—	—	—	—	•	Justice Department	
Com. on Standards of Official Conduct	No	•	•	•	(f)	(f)	—	—	—		
Virgin Islands											
Department of Justice	N.A.	•	•	•	—	—	•	—	—		
Alberta											
Chief Electoral Officer's Office	No	•	•	•	•	•	•	•	•	Attorney general	
British Columbia											
Chief Electoral Officer's Office	Yes	—	—	—	—	—	—	—	—		
Manitoba											
Chief Electoral Officer's Office	Yes	•	•	—	—	—	•	—	—		
Newfoundland											
Chief Electoral Officer's Office	No	•	•	•	—	•	—	•	•	Attorney general	
Nova Scotia											
Chief Electoral Officer's Office	No	—	—	—	—	—	—	•	—		
Ontario											
Commission on Election Finances	Yes	•	•	•	—	—	—	—	•	Attorney general	

TABLE 9 (continued)
PROSECUTORIAL AUTHORITY OF SELECTED AGENCIES

Jurisdiction/Agency	Is Agency Bound by State/Provincial General Administrative Procedure Act?	Subpoena Witnesses	Subpoena Records	Conduct Administrative Hearings	Impose Administrative Fines	Impose Administrative Penalties	File Independent Court Actions	Request Other Official to Prosecute on		If Agency Cannot Initiate Prosecution for Violations on Its Own Violation, Who Does Have Authority to Prosecute?
								Mandatory Basis	Discretionary Basis	
Quebec Chief Electoral Officer's Office	Yes	•	•	•	—	—	•	—	—	
Saskatchewan Chief Electoral Officer's Office	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
Canada (Federal) Elections Canada	No	*(m)	*(m)	—	—	—	•	—	—	The Commissioner of Canada Elections(n)
Asst. Deputy Registrar General of Canada	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	

Key:

• Has authority in this area

— Has no authority in this area

N.A. Not Available

(a) Candidates for office who do not file disclosure statements are removed from the ballot.

(b) While the agency cannot impose fines and other penalties, it frequently recommends them when violations are found.

(c) House Ethics and Elections Committee, Senate Rules Committee, or Ethics Commission.

(d) May request other official to prosecute for criminal action.

(e) Fines for filing late campaign fund reports.

(f) Fine imposed for filing late.

(g) District attorney on criminal matters, attorney general on civil matters.

(h) May suggest a course of action.

(i) May request prosecution.

(j) While the Department of State in general is bound by the state Administrative Procedures Act, the Bureau of Elections is not bound by it in its elections and campaign finance activities.

(k) Administrative body for the Board of Elections and Ethics.

(l) Not a prosecutorial agency.

(m) In limited cases.

(n) The only authority with power to consent to prosecutions.

THE FOLLOWING DOCUMENT HAS
NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL
FILE

ATTACHMENT B

Salary and Per Diem Rates
COGEL, *Campaign Finance, Ethics & Lobby Law*, Special Edition
Blue Book 1988-89

TABLE 3
AGENCY ADMINISTRATION
(As of January 1, 1988)

Jurisdiction/Agency	Agency Head/Title	Agency Head Annual Salary(a)	No. FTE Staff		In-house Counsel	Annual Budget		
			Prof.	Other		1985-86	1986-87	1987-88
Alabama								
AL Ethics Commission	Melvin G. Cooper, Executive Director	N.A.	9		No	\$310,035	\$307,680	\$323,703(b)
Secretary of State's Office, Elections Division	Glen Browder, Secretary of State	N.A.	3		No	N.A.	N.A.	N.A.
Alaska								
AK Public Offices Commission	Karla L. Forsythe, Executive Director	\$60,252	3	6	No	535,900	577,300	572,500
Arizona								
Secretary of State's Office	Jim Shumway, Secretary of State	50,000	33		No	N.A.	N.A.	1,900,000
Ethics and Rules Office	Asa Begaye, Director	28,174	2	1	No	105,000	105,000	82,520
Arkansas								
Secretary of State's Office, Elections Division	Janet Reddin, Elections Supervisor		4		Yes	(c)	(c)	(c)
California								
Fair Political Practices Commission	Gregory Baughes, Executive Director	76,500(b)	40	20	Yes	3,200,000	3,400,000	3,600,000
Secretary of State's Office	March Fong Eu, Secretary of State	72,500	4	16	Yes	724,000	697,000	600,000
Colorado								
Department of State	Natalie Meyer, Secretary of State	48,500	25	47	Yes	N.A.	N.A.	4,100,000
Connecticut								
CT State Elections Enforcement Commission	Jeffrey B. Garfield, Executive Director and General Counsel	53,600	9		Yes	239,159	262,637	338,852
Secretary of State's Office	Julia H. Tashjian, Secretary of State	N.A.	7	5	Yes	N.A.	N.A.	N.A.
State Ethics Commission	Alan Plofsky, Executive Director and General Counsel	47,500	3	3	Yes	N.A.	N.A.	N.A.
Delaware								
State Election Commc	John G. Davis Jr., State Election Commissioner	34,900	6		Yes	250,000	236,900	196,400
Legislative Council	Earl McGinnes, Director of Division of Research	N.A.	7	8	Yes	N.A.	N.A.	N.A.
Florida								
Commission on Ethics	Bonnie J. Williams, Executive Director	50,700	7	7	Yes	504,414	573,040	762,429
Joint Office on Lobby Reg.	Terrie Corbett, Lobbyist Registrar	19,512	1		Yes	N.A.	N.A.	N.A.
House Committee on Ethics	George Crady, Chairman	N.A.	4		Yes	N.A.	N.A.	N.A.

TABLE 3 (continued)
AGENCY ADMINISTRATION
(As of January 1, 1988)

Jurisdiction/Agency	Agency Head/Title	Agency Head Annual Salary(a)	No. FTE Staff		In-house Counsel?	Annual Budget		
			Prof.	Other		1985-86	1986-87	1987-88
Georgia								
State Ethics Commission	Robert P. Lane, Executive Secretary	42,000	3		Yes	138,697	150,014	160,000
Illinois								
Campaign Spending Commission	Jack M.K. Gonzales	N.A.		5	No	139,000	141,000	143,000
State Ethics Commission	Daniel J. Mollway, Executive Director	42,384	4	3	Yes	179,012	277,549	270,782
Idaho								
Secretary of State's Office	Pete T. Ceramusa, Secretary of State	45,000	1	2	Yes	759,700(d)	1,300,000(d)	635,600(h)
Illinois								
IL Board of Ethics	John L. Larsen, Executive Director	44,472	3		No	N.A.	N.A.	N.A.
IL State Board of Elections	Ronald D. Michaelson, Executive Director	59,976	47	20	Yes	4,335,496	5,208,002	4,325,609(e)
Secretary of State's Office, Index Dept.	John Hofferkamp, Director	N.A.	19		No	N.A.	N.A.	N.A.
DuPage Co. Board of Election Commc.	Daniel L. Nelson, Executive Director	56,680	20		Yes	2,970,016	2,788,319	2,680,817
Board of Ethics, City of Chicago	Harriet McCullough, Executive Director	42,444	3	6	Yes	150,000	255,724	342,668
Indiana								
IN State Election Board	Laurie P. Christie, Executive Director	32,000	6		No	250,000	250,000	250,000
Secretary of State's Office	Evan Bayh, Secretary of State	46,000	2(c)	1(e)	Yes	N.A.	2,172,170	2,405,305
State Ethics Commission	Mary A. Donovan, Executive Secretary	N.A.	1	1	Yes	N.A.	N.A.	N.A.
Iowa								
IA Campaign Finance Disclosure Commission	Kay Williams, Executive Director	37,627	4		No	138,000	140,000	182,251
Secretary of the Senate	John Dwyer	N.A.	N.A.			N.A.	N.A.	N.A.
Kansas								
KS Public Disclosure Commission	Carol E. Williams, Administrator	30,132	3	2	No	188,988	181,321	183,533
Kentucky								
Attorney General's Office	David L. Armstrong	N.A.	200		Yes	N.A.	N.A.	N.A.
Financial Disclosure Review Commission	Ralph Roeden, Executive Director	36,000	1		No	50,900	52,400	55,000
KY Registry of Election Finance	Raymond E. Wallace, Executive Director	38,208	6	0.5	Yes	278,200	289,000	309,800
Louisiana								
LA Ethics Admn. Program	R. Gray Sexton, Executive Secretary	41,000	3	8	Yes	490,000	450,000	429,000
LA Senate	Michael S. Barr, Secretary	N.A.	1	1	Yes	N.A.	N.A.	N.A.

TABLE 3 (continued)
 AGENCY ADMINISTRATION
 (As of January 1, 1988)

Jurisdiction/Agency	Agency Head/Title	Agency Head Annual Salary(a)	No. FTE Staff		In-house Counsel	Annual Budget		
			Prof.	Other		1985-86	1986-87	1987-88
Nevada								
NV Commission on Ethics	Carl F. Dodge, Chair	(f)		1	No	32,000	32,000	31,300
Secretary of State's Office	Frankie Sue Del Papa, Secretary of State	52,500	3	41	Yes	N.A.	N.A.	N.A.
Leg. Counsel Bureau	Donald Rhodes, Director	58,000	60	50	Yes	5,160,000	5,170,000	5,800,000
New Hampshire								
Secretary of State's Office	William M. Gardner, Secretary of State	N.A.	5	24	No	N.A.	N.A.	N.A.
New Jersey								
Exec. Commission on Ethical Standards	John G. Donnelly, Executive Director	N.A.	5	2	No	200,000	207,000	295,000
NJ Election Law Enforcement Commission	Frederick M. Hermann, Executive Director	70,345	14	16	Yes	912,000	959,999	1,067,000
Joint Legislative Commission on Ethical Standards	Sen. Paul Cortello, Chairman Albert Portoni, Secretary and Counsel	N.A.	2	1	Yes	N.A.	N.A.	N.A.
New Mexico								
Secretary of State's Office	Rebecca Virgil-Gron, Secretary of State	40,425	28		No	N.A.	N.A.	1,312,000
New York								
NY State Board of Elections	Thomas Wallace, Executive Director	N.A.	40		Yes	N.A.	N.A.	N.A.
NY State Commission on Lobbying	Louis J. Cotroneo, Executive Director	N.A.	8	2	Yes	N.A.	N.A.	450,000
North Carolina								
Secretary of State's Office	Thad Eure, Secretary of State	N.A.	1	1	No	N.A.	N.A.	N.A.
NC Board of Ethics	Mildred M. Donovan, Administrative Assistant	23,988	1		No	30,469	32,669	34,390
NC State Board of Elections	Alex K. Brock, Executive Secretary-Director	N.A.		5	No	N.A.	N.A.	N.A.
North Dakota								
Secretary of State's Office	Ben Melez, Secretary of State	46,000	23	2	No	N.A.	N.A.	N.A.
Ohio								
OH Elections Commission	Donald J. McTigue, Chief Counsel	N.A.	2	1	Yes	N.A.	N.A.	N.A.
OH Ethics Commission	Melissa Warheit, Executive Director	N.A.	11	1	Yes	397,486	394,105(f)	400,000
The Supreme Court of Ohio	James W. Mason, Secretary	61,832	1	2	Yes	N.A.	565,000	379,000
Oklahoma								
Merit Protection Commission	James L. Howard, Executive Director	43,000	5	2	No	448,000	500,000	500,000
OK State Election Board	Mk. Lee Slater, Secretary	52,500	9	6	No	N.A.	3,000,000	3,000,000

TABLE 3 (continued)
AGENCY ADMINISTRATION
(As of January 1, 1988)

Jurisdiction/Agency	Agency Head/Title	Agency Head Annual Salary(a)	No. FTE Staff		In-house Counsell	Annual Budget		
			Prof.	Other		1985-86	1986-87	1987-88
Virginia								
Secretary of Commonwealth's Office	Sandy Bowen, Secretary of the Commonwealth	46,500	2	10	No	N.A.	N.A.	N.A.
State Board of Elections	Susan H. Fitz-Hugh, Secretary	55,200	2	11	No	4,377,647	5,486,690	7,468,754(f)
Washington								
WA State Public Disclosure Commission	Graham E. Johnson, Executive Director	50,100	6	5	No	491,872	485,147	610,057
West Virginia								
Secretary of State's Office	Ken Hechler, Secretary of State	43,200	10	20	No	N.A.	N.A.	N.A.
Wisconsin								
Secretary of State's Office	Douglas La Follette, Secretary of State	42,089	11	33	Yes		2,178,600	1,700,000
WI State Elections Board	Kevin J. Kennedy, Executive Secretary	47,000	7	2	Yes	400,000	450,000	450,000
WI State Ethics Board	R. Roth Judd, Executive Director	N.A.	1.5	1.5	Yes	134,600	136,400	141,900
Wyoming								
Secretary of State's Office	Kathy Karpan, Secretary of State	52,500	2		No	N.A.	N.A.	N.A.
District of Columbia								
Office of Campaign Finance (m)	Marianne Coleman Niles, Director of Campaign Finance	69,556	12	17	Yes	992,000	1,372,000	948,000
U.S.A. (Federal)								
Federal Election Commission	John C. Surina, Staff Director	77,500	142	91	Yes	N.A.	12,883,000	14,174,000
Office of Govt. Ethics	Frank Q. Nebekeç, Director	72,500	21	6	Yes	1,106,000	1,303,000	1,578,000
Committee on Standards of Official Conduct	Julian C. Dixon, Chair	89,500(n)	8	2	Yes	N.A.	N.A.	400,000
Virgin Islands								
Dept. of Justice	Godfrey R. de Castro, Attorney General	N.A.	2		Yes	68,345	65,708	N.A.
Alberta								
Chief Electoral Officer's Office	Patrick D. Ledgerwood, Chief Electoral Officer	N.A.	8	(o)	No	N.A.	N.A.	N.A.
British Columbia								
Chief Electoral Officer's Office	Harry M. Goldberg, Chief Electoral Officer and Registrar General of Voters	60,000	43(p)	(p)	No	N.A.	2,700,000	\$2,700,000
Manitoba								
Chief Electoral Officer's Office	Richard Wilks, Chief Electoral Officer	62,000	6		No	303,000	229,400	265,000

BOARD AND COMMISSION MEMBERS: COMPENSATION FOR DUTIES
(As of January 1, 1988)

Jurisdiction/Agency	Salary		Per Diem Expense Allowance:		
	Per Annum	Per Diem	Flat Rate	Travel	Meals and Lodging
Alabama					
AL Ethics Commission	—	\$50(a)	\$40	\$.22/mile	—
Alaska					
AK Public Offices Commission	—	50	80	Actual expenses	—
Arizona					
AZ Ethics and Rules Office	—	—	50	\$.22/mile	—
California					
Fair Political Practices Commission	(b)	100	82	Actual expenses	Actual Expenses
Connecticut					
CT Elections Enforcement Commission	—	50	50	\$.22/mile	—
State Ethics Commission	—	50	50	Necessary expenses	Necessary expenses
Florida					
Commission on Ethics	—	—	50	Actual expenses	\$21 or actual expenses
House Cmte. on Ethics	19,800(c)	—	50	—	—
Georgia					
State Ethics Commission	—	—	59	.20/mile	—
Hawaii					
Campaign Spending Commission	—	—	45	—	—
State Ethics Commission	—	—	—	Actual airfare	Out-of state: \$100 Intra-state: \$50
Illinois					
IL Board of Ethics	—	—	—	Actual expenses	Actual expenses
IL State Board of Elections	\$18,000(d)	—	—	.205/mile	Meals: \$22; Lodging: \$50
DuPage Co. Board of Election Comm.	\$19,425(e)	—	—	—	—
Board of Ethics, City of Chicago	—	—	—	(f)	—
Indiana					
IN State Election Board	\$5,000	—	—	—	—
State Ethics Commission	—	50	—	.25/mile	Expenses
Iowa					
IA Campaign Finance Disclosure Commission	—	—	—	Actual expenses	Reasonable expenses
Kansas					
KS Public Disclosure Commission	—	—	35	.20/mile	Actual expenses
Kentucky					
Financial Disclosure Review Commission	—	—	100	Actual expenses	Actual expenses
KY Registry of Election Finance	—	65	65	.18/mile	Meals: \$14; Lodging: \$35
Louisiana					
Board of Ethics for Elected Officials	—	50	—	Actual expenses	Actual expenses
Commission on Ethics for Public Employees	—	50	—	Actual expenses	Actual expenses

TABLE 6 (continued)
BOARD AND COMMISSION MEMBERS: COMPENSATION FOR DUTIES
(As of January 1, 1988)

Jurisdiction/Agency	Salary		Per Diem Expense Allowance:		
	Per Annum	Per Diem	Flat Rate	Travel	Meals and Lodging
Oregon					
OR Gov. Ethics Commission	—	—	30	.20/mile	As needed
Pennsylvania					
State Ethics Commission	—	50	50	Actual expenses	Actual expenses
Rhode Island					
RI Ethics Commission	\$6,000(h)	100(f)	—	—	—
RI State Board of Elections	\$28,000	—	—	—	—
South Carolina					
SC State Election Commission	—	—	35	.205 mile	Actual expenses
State Ethics Commission	—	35	35	Actual expenses	Actual expenses
Texas					
State Ethics Advisory Commission	—	—	—	Actual expenses	Actual expenses
Utah					
L. Governor's Office	—	—	—	\$.21/mile	Meals:\$23; Lodging:\$35 plus tax
Virginia					
State Board of Elections	(i)	—	50	\$.21/mile	Actual expenses
Washington					
WA State Public Disclosure Commission	—	100	—	—	—
Wisconsin					
WI State Elections Board	—	25	—	.25/mile	—
WI State Ethics Board	—	25	25	Actual & reasonable expenses	Actual & reasonable expenses
District of Columbia					
Office of Campaign Finance	(j)	—	—	—	—
U.S.A. (Federal)					
Federal Election Commission	77,500	—	—	Actual expenses	Actual expenses
Ontario					
Commission on Election Finances	—	—	175	—	—

Key:

— No funds received in this category.

(a) Board members receive \$50 per diem plus expenses.

(b) Chairman receives \$81,600 per year.

(c) Salary of legislative member.

(d) Chair: \$28,000. vice chair: \$23,000.

(e) Chair: \$19,425; vice chair: \$15,750; secretary: \$15,750.

(f) \$200 budgeted for the year for extraordinary expenses for the whole board.

(g) Chairman receives \$125 per day.

(h) Each member receives \$6,000 per fiscal year.

(i) Secretary receives \$43,309.

(j) Compensation while actually in the service of the board. Members are not to exceed the sum of \$12,500 per annum. The chairperson is not to exceed the sum of \$26,500 per annum.

ATTACHMENT C

Personal Disclosure Statements
COGEL, *Campaign Finance, Ethics & Lobby Law*, Special Edition
Blue Book 1988-89

CHART I:
FINANCIAL DISCLOSURE REPORTING OF ELECTED OFFICIALS*

	INCOME SOURCES	INVESTMENTS	REAL ESTATE	OFFICES HELD	DEBTS	CONTRACTS	REIMBURSED EXPENSES	LICENSES	PRIVATE EMPLOYMENT	TRUSTS	SPOUSAL FINANCES	AMOUNT/CATEGORY
ALABAMA	X	X	X	X	X	X			X	X	X	X
ALASKA	X	X	X	X	X	X			X	X	X	X
ARIZONA	X	X	X	X	X			X	X		X	X
ARKANSAS	X	X		X					X			
CALIFORNIA	X	X	X	X	X		X		X	X	X	X
COLORADO	X	X	X	X	X	X		X	X	X	X	
CONNECTICUT	X	X	X		X	X				X	X	
FLORIDA	X	X	X	X	X				X	X		
HAWAII	X	X	X	X	X				X		X	X
ICWA	X	X		X								
KANSAS	X	X	X	X					X		X	
KENTUCKY	X	X	X	X	X	X	X	X	X	X		X
MAINE	X											
MARYLAND		X	X		X		X		X	X	X	\$
MASSACHUSETTS	X	X	X	X	X				X	X	X	X
MINNESOTA	X	X	X						X	X		
MISSISSIPPI	X				X				X		X	
MONTANA		X	X							X	X	
NEBRASKA	X	X	X	X	X				X	X		
NEVADA	X	X		X							X	\$
NEW YORK	X	X	X	X	X	X	X	X	X	X	X	X
OHIO	X	X	X	X	X				X	X		
OKLAHOMA	X	X	X									
OREGON	X	X	X	X	X		X		X		X	
PENNSYLVANIA	X	X	X	X	X	X						

CHART I:(continued)
FINANCIAL DISCLOSURE REPORTING OF ELECTED OFFICIALS*

	INCOME SOURCES	INVESTMENTS	REAL ESTATE	OFFICES HELD	DEBTS	CONTRACTS	REIMBURSED EXPENSES	LICENSES	PRIVATE EMPLOYMENT	TRUSTS	SPOUSAL FINANCES	AMOUNT/ CATEGORY
RHODE ISLAND	X		X	X					X	X	X	X
SOUTH CAROLINA			X	X		X						
SOUTH DAKOTA	X											
TENNESSEE	X		X	X	X				X		X	
TEXAS	X	X	X	X	X				X		X	X
VIRGINIA	X	X	X	X		X	X		X	X	X	
WASHINGTON	X	X	X	X	X		X		X	X	X	X
WEST VIRGINIA						X						
WISCONSIN	X	X	X	X	X	X	X		X		X	X
UNITED STATES	X	X		X	X		X					X

* Adapted from: information found in the Campaign Finance, Ethics & Lobby Law Blue Book, 1988-89. Council on Governmental Ethics Laws, publ. Lexington, KY: 1988

CHART II:
OVERSIGHT OF ELECTED OFFICIALS

STATE	ETHICS	FINANCIAL DISCLOSURE STATEMENT	STAFF #	IN-HOUSE COUNSEL	NUMBER ADVISORY OPINIONS	INVESTIGATIONS INDEP COMPLAINT	CIVIL PENALTIES
Alabama Ethics Commission	X	X	9	N	101+	X	
Alaska Public Officers Comm.	X	X	9	N	0-10	X X	X
Arizona Ethics & Rules	X	X	3	N	11-25	X	
Arkansas Sec. of State	X	X	4	Y			
California Fair Political Practices Comm.	X	X	60	Y	0-10	X X	X
Colorado Dept. of State	X	X	72	Y		X	X
Connecticut State Ethics Comm.	X	X	6	Y	11-25	X X	X
Florida Comm. on Ethics Hse. Comm. on Ethics and Elections	X X	X X	14 4	Y Y	76-100 0-10	X	
Hawaii State Ethics Comm.	X	X	7	Y	11-25	X X	
Iowa Secretary of Senate		X					
Kansas Public Disclosure Comm.	X	X	5	N	26-50	X X	X
Kentucky FD Review Comm.	X	X	1	N	0-10	X X	
Maine Comm. on Gov. Ethics & Election Practices	X	X	1	Y	0-10	X X	
Maryland State Ethics Comm.	X		6.5	Y	26-50	X X	
Massachusetts State Ethics Comm.	X		33	Y	101+	X X	X
Minnesota Ethical Practices Bd.	X	X	5	N	0-10	X X	X
Mississippi Ethics Comm.	X	X	7.5	N	76-100	X X	
Montana Comm. on Political Practices		X	2	N	0-10		

**CHART II: (continued)
OVERSIGHT OF ELECTED OFFICIALS**

STATE	ETHICS	FINANCIAL DISCLOSURE STATEMENT	STAFF #	IN-HOUSE COUNSEL	NUMBER ADVISORY OPINIONS	INVESTIGATIONS INDEP COMPLAINT	CIVIL PENALTIES
Nebraska Accountability & Disclosure Comm.	X	X	7	Y	11-25	X X	X
Nevada Comm. on Ethics	X	X	1	N	0-10	X	
New Mexico Sec. of State	X		28	N			
New York Legislative Ethics Comm.	X	X	9	Y	76-100	X X	X
Ohio Ethics Comm.	X	X	12	Y	11-25	X X	
Oklahoma Election Board		X	15	N			
Oregon Gov. Ethics Comm.	X	X	4	N	69	X X	X
Pennsylvania State Ethics Comm.	X	X	13	Y	101+	X X	
Rhode Island Ethics Comm.	X	X	4	Y	101+	X X	X
So. Carolina State Ethics Comm.	X	X	4	N	26-50	X	X
So. Dakota Secretary of State		X	12	N			
Tennessee Sec. of State	X	X	5	Y			
Texas St. Ethics Advisory Comm.	X	X	5	Y	0-10		
Virginia Sec. of Commonwealth's Office	X	X	12	Y			
Washington Public Disclosure Comm.		X	11	N	0-10	X X	
West Virginia Sec. of State	X		30	N	26-50	X X	
Wisconsin State Ethics Board	X	X	3	Y	11-25	X X	X
USA Comm. on Standards of Official Conduct	Y	X	10	Y		X X	

* Adapted from: information found in the Campaign Finance, Ethics & Lobby Law Blue Book, 1988-89. Council on Governmental Ethics Laws, publ. Lexington, KY: 1988

STATE OF NEW YORK
LEGISLATIVE
ETHICS COMMITTEE



ANNUAL REPORT
1989

ASSEMBLYMAN FRANCIS J. PORDUM
CO-CHAIRMAN

SENATOR JESS J. PRESENT
CO-CHAIRMAN

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Co-Chairmen

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Senator Jess J. Present**

Members

**Senator James J. Lack
Assemblyman H. Robert Nortz
Assemblyman Arnold W. Proskin
Senator William T. Stachowski
Assemblyman Eric N. Vitaliano
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Published February 1990

TABLE 17 (continued)
PERSONAL DISCLOSURE STATEMENTS: FILING REQUIREMENTS
 (As of January 1, 1969)

Those required to file personal disclosure statement:

State	Statewide Provincial Elective Officials	Candidates for Statewide/Provincial Elective Office	Legislators/Members of Provincial Parliament	Nominees for Appointment to State/Provincial Offices, Agencies or Departments	Officers of State/Provincial Offices, Agencies or Departments	State Employees Earning in Excess of \$ Annually	County Elective Officials	Certain County Employees	Municipal Elective Officials	Certain Municipal Employees	Paid Members of State/Provincial Boards or Commissions	Volunteer Members of State/Provincial Boards of Commissions	Paid Members of Local Boards or Commissions	Volunteer Members of Local Boards or Commissions	Other
Alabama	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Alaska	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Arizona	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Arkansas	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
California	•	•	•	•	•	18,000	•	•	•	•	•	•	•	•	(5)
Colorado	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Connecticut	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Delaware	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Florida	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Georgia	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Idaho	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Illinois	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Indiana	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Iowa	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Kansas	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Kentucky	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Louisiana	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Maine	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Maryland	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Massachusetts	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Michigan	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Minnesota	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Mississippi	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Missouri	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Montana	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Nebraska	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Nevada	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
New Hampshire	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
New Jersey	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
New Mexico	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
New York	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
North Carolina	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
North Dakota	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Ohio	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Oklahoma	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Oregon	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Pennsylvania	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Rhode Island	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
South Carolina	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
South Dakota	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Tennessee	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Texas	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Utah	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Vermont	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Virginia	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Washington	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
West Virginia	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Wisconsin	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
Wyoming	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)
District of Columbia	•	•	•	•	•		•	•	•	•	•	•	•	•	(5)

TABLE 19 (continued)
PERSONAL DISCLOSURE STATEMENTS: REQUIRED DISCLOSURES
 (As of January 1, 1988)

Jurisdiction	Tax Returns	Sources of Personal Income	Sources of Income of Business if a Partner or Shareholder	Investments	Real Estate Interests	Offices and/or Directorships Held	Creditor Indebtedness	Leases or Other Contracts with Public Entities	Retainers	Compensated Representation Before Public Entities	Fees or Honoraria	Reimbursement of Travel Expenses from Private Sources	Professional or Occupational Licenses Held	Deposits in Financial Institutions	Cash Surrender Value of Insurance	Private Employer or Nature of Private Employment	Professional Services Rendered	Identification of Trusts by Trustee	Identification of Trust Interests by Trustee	Identification of Trusts by Beneficiary	Identification of Trust Interests by Beneficiary	Names of Immediate Family Members	Financial Interests of Spouse	Financial Interests of Dependents	Other	Total Value of Interests	Actual Amounts	Categories of Amounts	Other
Virgin Islands	-	•	•	•	-	•	•	-	-	-	•	-	-	-	-	-	•	-	-	-	-	•	•	-	-	•	-	-	-
Alberta	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
British Columbia	-	-	-	•	•	-	•	-	-	-	-	-	-	-	-	-	-	•	•	-	-	-	-	-	-	-	•	-	-
Newfoundland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ontario	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Quebec	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Saskatchewan	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Canada (Federal)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Key:

- Required
- Not required

- (a) Financial interests of non-independent children residing with official.
- (b) Name identification and sources of income over \$100.
- (c) Gifts of over \$50 from sources other than family members.
- (d) Investments, real property and income.
- (e) Actual amounts of gifts and honoraria.
- (f) May be submitted in place of a personal financial disclosure statement.
- (g) Dependent children residing in household.
- (h) Source only; no dollar amounts.
- (i) Disclosure of interests meeting thresholds. In Delaware and Montana, threshold is \$1,000.
- (j) Over \$1,000 for constitutional disclosure, no amounts for statutory disclosure.
- (k) The various offices in which these reports are filed require different information on the reports. Contact individual agencies to determine who must report to that office and which specific disclosures are required.
- (l) Certain types of indebtedness - liabilities exceeding \$500.
- (m) Any economic interest, property, income or association which creates or could give rise to a conflict of interest.
- (n) Gifts and honoraria.
- (o) Combination of categories and exact values as per disclosure of gifts.
- (p) The investment in stocks, bonds, bills, notes, mortgages or other securities offered for

sale through recognized financial brokers if that investment is less than five percent of the total outstanding issue of any such stock, bonds, bills, notes, mortgages or other securities of the offering entity.

- (q) Spouse only.
- (r) Percent owned.
- (s) Names and occupations of spouses.
- (t) Under certain circumstances.
- (u) If they work for the state.
- (v) If attributable.
- (w) Specific categories include real estate, interests in corporation, partnerships doing business with the state, employment by immediate family, if by state, certain debts, gifts and names of places of salaried employment of filer and spouse. (Criteria for what items must be disclosed varies for board and commission members paid below a specified amount.)
- (x) Most board and commission members only report in dollar ranges.
- (y) Michigan Ethics Act has no disclosure provisions.
- (z) Full or partial interests in pari-mutuel horse racing in U.S.A. and Canada for self and immediate family.
- (aa) Sources above certain thresholds.
- (ab) Sources of income over \$1,000; real property and other financial holdings valued at over \$1,000; creditors of \$1,000 owed and gifts over \$100.

TABLE 19
REVIEW OF PERSONAL DISCLOSURE STATEMENTS
(As of January 1, 1968)

Jurisdiction	Reviews Are Conducted of:			Number of State/Provincial Reports Filed Annually:	Reports Are Available to Public on:			Aggregate Data Compiled and Published?
	All Reports	Randomly Selected Reports	Reports About Which Complaints Are Filed		Unrestricted Basis	Restricted Basis	Not Available	
Alabama	D	D	DF	10,001-25,000	•		No	
Alaska			D	501-1,000			No	
Arizona	D			251-500		•	No	
Arkansas	D			1,001-5,000	•		No	
California	D	D	DF	10,001-25,000	•		Yes	
Colorado	D			0-250	•		No	
Connecticut	D		F	251-500		•	No	
Delaware		DF	F	N.A.	•		No	
Florida			F	25,000	•		Yes	
Georgia				N.A.	•		No	
Hawaii	D		DF	1,001-5,000		•	No	
Idaho	D			0	•		No	
Illinois	D			5,001-10,000	•		No	
Indiana	D			0-250	•		No	
Iowa				N.A.	•		No	
Kansas	D		F	5,001-10,000	•		No	
Kentucky	D			(b,c)	•		No	
Louisiana	D			0-250	•		No	
Maine	D			0-250	•		No	
Maryland	D	D	F	5,001-10,000	•		No	
Massachusetts	D			5,001-10,000	•		No	
Michigan	D			N.A.	•		N.A.	
Minnesota	D			1,001-5,000	•		No	
Mississippi	D		DF	1,001-5,000	•		No	
Missouri				0	•		No	
Montana	D		DF	0-250	•		No	
Nebraska	D	F	F	1,001-5,000	•		No	
Nevada	D			1,001-5,000	•		No	
New Hampshire				0	•		No	
New Jersey	D	F	DF	1,001-5,001	•		No	
New Mexico				0-250			N.A.	
New York				0			No	
North Carolina	D			1,001-5,000	•		No	
North Dakota	D			0-250	•		No	
Ohio								
Oklahoma								
Oregon								
Pennsylvania								
Rhode Island								
South Carolina								
South Dakota								
Tennessee								
Texas								
Utah								
Vermont								
Virginia								
Washington								
West Virginia								
Wisconsin								
Wyoming								

THE FOLLOWING DOCUMENT HAS
NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL
FILE

ATTACHMENT D

New York Financial Disclosure Forms

EMPLOYEE DESIGNATION — — FINANCIAL DISCLOSURE

1990

NAME: _____

WORK ADDRESS: _____

WORK PHONE NUMBER: _____

Employees of the Legislature who are anticipated to receive annual compensation in excess of \$53,171 during 1990 from the Legislature OR who hold a policy-making position, as determined by the appointing authority, must file an Annual Statement of Financial Disclosure pursuant to Section 73-a of the Public Officers Law. This form will be mailed to each such employee directly by the Legislative Ethics Committee. Please indicate below whether the above-named employee will receive annual compensation in excess of \$53,171. If the answer to this question is NO, please indicate whether the employee holds a policy-making position.

Pursuant to the provisions of Section 80 (8) d of the Legislative Law, the Legislative Ethics Committee has promulgated the following guidelines to assist appointing authorities in determining which persons who receive \$53,171 or less in annual compensation hold policy-making positions:

GUIDELINES REGARDING POLICY-MAKING POSITIONS

Those employees who exercise substantial authority and discretion as a regular and significant part of their employment with regard to influencing legislative content and determining support or opposition to a matter of concern to the Legislature may be "policy-makers."

Appointing authorities may wish to consider whether such substantial authority and discretion involves the following functions which may be relevant:

- researching and developing budget proposals
- supervising staff responsible for developing legislation
- revising and making recommendations as to support or opposition to legislation
- researching, drafting and negotiating legislation
- developing agendas for committee consideration.

1) EARNING over \$53,171 YES: _____ NO: _____

2) POLICY-MAKER EARNING YES: _____
\$53,171 or less

(Appointing Authority Signature)

(Date)

(Please Type or Print Name)

"If neither item 1 nor 2 is 'yes' the employee must complete the Statement of Financial and Other Interests pursuant to Section 73, subdivision 6 (a) of the Public Officers Law which is included in the sign up packet."

- White (Ethics Committee)
- Yellow (Personnel Copy)
- Pink (Member/Department Head)
- Gold (Employee)

(carbon copies attached to original)

New York State Legislature — 1990 Statement of Financial and Other Interests

Pursuant to Section 73, subdivision 6 (a), of the Public Officers Law

When and Where to File. This Statement of Financial and Other Interests must be filed with the Legislative Ethics Committee on or after December fifteenth and before the following January fifteenth in each year by each legislative employee who receives annual compensation of \$53,171 or less and who is determined not to hold a policymaking position by his/her appointing authority.

I, _____, holding the position of _____
(please print name) (title)

in the office of _____ in the _____
(name of office) (Senate, Assembly or other legislative entity)

_____ (office address) _____ (office telephone)

make the following statement:

1) Each financial interest, direct or indirect, of myself, my spouse and my unemancipated children under the age of 18 years in any activity which is subject to the jurisdiction of a regulatory agency*, or the name of the entity in which such interest is had, and whether such interest is over or under five thousand dollars in value, is as follows (if none, so state):

FINANCIAL INTERESTS (Type of Activity or Name of Entity)	Held in Name of	Check One	
		Over \$5,000	Under \$5,000
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(attach sheet if more space is needed)

2) Every office and directorship held by me in any corporation, firm or enterprise which is subject to the jurisdiction of a regulatory agency*, including the name of such corporation, firm or enterprise, is as follows (if none, so state):

Offices and Directorships Held	Name of Corporation, Firm or Enterprise
_____	_____
_____	_____
_____	_____
_____	_____

(attach sheet if more space is needed)

3) Any other interests or relationships which I determine in my discretion might reasonably be expected to be particularly affected by legislative action, or in the public interest should be disclosed, are as follows (if none, so state):

Other Interests or Relationships

(attach sheet if more space is needed)

(Date) _____ (Signature) _____

* "Regulatory agency" means the banking department, insurance department, state liquor authority, department of agriculture and markets, department of education, department of environmental conservation, department of health, division of housing and community renewal, department of state, other than the division of corporations and state records, department of public service, the industrial board of appeals in the department of labor and the department of law, other than when the attorney general or his agents or employees are performing duties specified in section sixty-three of the executive law.

False statements. Section 73 (6)(c) of the Public Officers Law provides that: "Any . . . legislative employee who knowingly and willfully with intent to deceive makes a false statement or gives information which he knows to be false in any written statement required to be filed pursuant to this subdivision, shall be assessed a civil penalty in an amount not to exceed ten thousand dollars. Assessment of a civil penalty shall be made by the legislative ethics committee in accordance with the provisions of subdivision twelve of section eighty of the legislative law. For a violation of this subdivision, the committee may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon conviction, but only after such referral, such violation shall be punishable as a class A misdemeanor."

4. (a) List any office, trusteeship, directorship, partnership, or position of any nature, whether compensated or not, held by the reporting individual with any firm, corporation, association, partnership, or other organization other than the State of New York. Include compensated honorary positions; do NOT list membership or uncompensated honorary positions. If the listed entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name of any such agency.

Position	Organization	State or Local Agency
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- (b) List any office, trusteeship, directorship, partnership, or position of any nature, whether compensated or not, held by the spouse or unemancipated child of the reporting individual, with any firm, corporation, association, partnership, or other organization other than the State of New York. Include compensated honorary positions; do NOT list membership or uncompensated honorary positions. If the listed entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name of any such agency.

Position	Organization	State or Local Agency
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5. (a) List the name, address and description of any occupation, employment, (other than the employment listed under Item 2 above), trade, business or profession engaged in by the reporting individual. If such activity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had

matters other than ministerial matters before, any state or local agency, list the name of any such agency.

Position	Name & Address of Organization	Description	State or Local Agency
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(b) If the spouse or unemancipated child of the reporting individual was engaged in any occupation, employment, trade, business or profession which activity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name, address and description of such occupation, employment, trade, business or profession and the name of such agency.

Position	Name & Address of Organization	Description	State or Local Agency
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6. List any interest, in EXCESS of \$1,000, ~~held~~ held by the reporting individual, such individual's spouse or unemancipated child, or partnership of which any such person is a member, or corporation, 10% or more of the stock of which is owned or controlled by any such person, whether vested or contingent, in any contract made or executed by a state or local agency and include the name of the entity which holds such interest and the relationship of the reporting individual or such individual's spouse or such child to such entity and the interest in such contract. Do NOT include bonds and notes. Do NOT list any interest in any such contract on which final payment has been made and all obligations under the contract except for guarantees and warranties have been performed, provided, however, that such an interest must be listed if there has been an ongoing dispute during the calendar year for which this statement is filed with respect to any such guarantees or warranties. Do NOT list any interest in a contract made or executed by a local agency

after public notice and pursuant to a process for competitive bidding or a process for competitive requests for proposals.

Self, Spouse or Child	Entity Which Held Interest in Contract	Relationship to Entity and Interest in Contract	Contracting State or Local Agency	Category of Value of Contract
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7. List any position the reporting individual held as an officer of any political party or political organization, as a member of any political party committee, or as a political party district leader. The term "party" shall have the same meaning as "party" in the election law. The term "political organization" means any party or independent body as defined in the election law or any organization that is affiliated with or a subsidiary of a party or independent body.

8. (a) If the reporting individual practices law, is licensed by the department of state as a real estate broker or agent or practices a profession licensed by the department of education, give a general description of the principal subject areas of matters undertaken by such individual. Additionally, if such an individual practices with a firm or corporation and is a partner or shareholder of the firm or corporation, give a general description of principal subject areas of matters undertaken by such firm or corporation. Do not list the name of the individual clients, customers or patients.

(b) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse had an investment in excess of \$1,000 excluding investments in securities and interests in real property.

9. List each source of gifts, EXCLUDING campaign contributions, in EXCESS of \$1,000, received during the reporting period for which this statement is filed by the reporting individual or such individual's spouse or unemancipated child from the same donor, EXCLUDING gifts from a relative. INCLUDE the name and address of the donor. The term "gifts" does not include reimbursements, which term is defined in item 10. Indicate the value and nature of each such gift.

Self, Spouse or Child	Name of Donor	Address	Nature of Gift	Category of Value of Gift
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10. Identify and briefly describe the source of any reimbursements for expenditures, EXCLUDING campaign expenditures and expenditures in connection with official duties reimbursed by the state, in EXCESS of \$1,000 from each such source. For purposes of this item, the term "reimbursements" shall mean any travel-related expenses provided by nongovernmental sources and for activities related to the reporting individual's official duties such as, speaking engagements, conferences, or factfinding events. The term "reimbursements" does NOT include gifts reported under item 9.

Source	Description
--------	-------------

11. List the identity and value, if reasonably ascertainable, of each interest in a trust, estate or other beneficial interest, including retirement plans other than retirement plans of the state of New York or the city of New York, and deferred compensation plans (e.g., 401, 403(b), 457, etc.) established in accordance with the Internal revenue code, in which the REPORTING INDIVIDUAL held a beneficial interest in EXCESS of \$1,000 at any time during the preceding year. Do NOT report interests in a trust, estate or other beneficial interest established by or for, or the estate of, a relative.

Identity	Category of Value ¹
_____	_____
_____	_____
_____	_____

¹The value of such interest shall be reported only if reasonably ascertainable.

12. (a) Describe the terms of, and the parties to, any contract, promise, or other agreement between the reporting individual and any person, firm, or corporation with respect to the employment of such individual after leaving office or position (other than a leave of absence).

- (b) Describe the parties to and the terms of any agreement providing for continuation of payments or benefits to the REPORTING INDIVIDUAL in EXCESS of \$1,000 from a prior employer OTHER THAN the State. (This includes interests in or contributions to a pension fund, profit-sharing plan, or life or health insurance; buy-out agreements; severance payments; etc.)

14. List the sources of any deferred income (not retirement income) in EXCESS of \$1,000 from each source to be paid to the reporting individual following the close of the calendar year for which this disclosure statement is filed, other than deferred compensation reported in item 11 hereinabove. Deferred income derived from the practice of a profession shall be listed in the aggregate and shall identify as the source, the name of the firm, corporation, partnership or association through which the income was derived, but shall not identify individual clients.

Source	Category of Amount

15. List each assignment of income in EXCESS of \$1,000, and each transfer other than to a relative during the reporting period for which this statement is filed for less than fair consideration of an interest in a trust, estate or other beneficial interest, securities or real property, by the reporting individual, in excess of \$1,000, which would otherwise be required to be reported herein and is not or has not been so reported.

Item Assigned or Transferred	Assigned or Transferred to	Category of Value

16. List below the type and market value of securities held by the reporting individual or such individual's spouse from each issuing entity in EXCESS of \$1,000 at the close of the taxable year last occurring prior to the date of filing, including the name of the issuing entity exclusive of securities held by the reporting individual issued by a professional corporation. Whenever an interest in securities exists through a beneficial interest in a trust, the securities held in such trust shall be listed ONLY IF the reporting individual has knowledge thereof except where the reporting individual or the reporting individual's spouse has transferred assets to such trust for his or her benefit in which event such securities shall be listed unless they are not ascertainable by the

reporting individual because the trustee is under an obligation or has been instructed in writing not to disclose the contents of the trust to the reporting individual. Securities of which the reporting individual or the reporting individual's spouse is the owner of record but in which such individual or the reporting individual's spouse has no beneficial interest shall not be listed. Indicate percentage of ownership ONLY if the reporting person or the reporting person's spouse holds more than five percent (5%) of the stock of a corporation in which the stock is publicly traded or more than ten percent (10%) of the stock of a corporation in which the stock is NOT publicly traded. Also list securities owned for investment purposes by a corporation more than fifty percent (50%) of the stock of which is owned or controlled by the reporting individual or such individual's spouse. For the purpose of this item the term "securities" shall mean mutual funds, bonds, mortgages, notes, obligations, warrants and stocks of any class, investment interests in limited or general partnerships and certificates of deposits (CDs) and such other evidences of indebtedness and certificates of interest as are usually referred to as securities. The market value for such securities shall be reported only if reasonably ascertainable and shall not be reported if the security is an interest in a general partnership that was listed in item 8(a) or if the security is corporate stock, NOT publicly traded, in a trade or business of a reporting individual or a reporting individual's spouse.

Self/ Spouse	Issuing Entity	Type of Security	Percentage of corporate stock owned or controlled (if more than 5% publicly traded stock, or more than 10% of stock not publicly traded, is held)	Category of Market Value as of the close of the taxable year last occur- ing prior to the filing of this statement
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

17. List below the location, size, general nature, acquisition date, market value and percentage of ownership of any real property in which any vested or contingent interest in EXCESS of \$1,000 is held by the reporting individual or the reporting individual's spouse. Also list real property owned for investment purposes by a corporation more than fifty percent (50%) of the stock of which is owned or controlled by the reporting individual or such individual's spouse. Do NOT list any real property which is the primary or secondary personal residence of the reporting individual or the reporting individual's spouse, except where there is a co-owner who is other than a relative.

Self/ Spouse Corpor- ation	Loca- tion	Size	Gener- al Nature	Acqui- sition Date	Percent- age of Owner- ship	Category of Market Value
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

18. List below all notes and accounts receivable, other than from goods or services sold, held by the reporting individual at the close of the taxable year last occurring prior to the date of filing and other debts owed to such individual at the close of the taxable year last occurring prior to the date of filing, in EXCESS of \$1,000, including the name of the debtor, type of obligation, date due and the nature of the collateral securing payment of each, if any, excluding securities reported in item 16 hereinabove. Debts, notes and accounts receivable owed to the individual by a relative shall not be reported.

Name of Debtor	Type of Obligation, Date Due, and Nature of Collateral, if any	Category of Amount
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

19. List below all liabilities of the reporting individual and such individual's spouse, in EXCESS of \$5,000 as of the date of filing of this statement, other than liabilities to a relative. Do NOT list liabilities incurred by, or guarantees made by, the reporting individual or such individual's spouse or by any proprietorship, partnership or corporation in which the reporting individual or such individual's spouse has an interest, when incurred or made in the ordinary course of the trade, business or professional practice of the reporting individual or such individual's spouse. Include the name of the creditor and any collateral pledged by such individual to secure payment of any such liability. A reporting individual shall not list any obligation to pay maintenance in connection with a matrimonial action, alimony or child support payments. Any loan issued in the ordinary course of business by a financial institution to finance educational costs, the cost of home purchase or improvements for a primary or secondary residence, or purchase of a personally owned motor vehicle, household furniture or appliances shall be excluded. If any such reportable liability has been guaranteed by any third person, list the liability and name the guarantor.

Name of Creditor or Guarantor	Type of Liability and Collateral, if any	Category of Amount

The requirements of law relating to the reporting of the financial interests are in the public interest and no adverse inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

(Signature of Reporting Individual)

Date (month/day/year)

penalty shall be final unless modified, suspended or vacated within thirty days of imposition and upon becoming final shall be subject to review at the instance of the affected reporting individual in a proceeding commenced against the state ethics commission or legislative ethics committee, pursuant to article seventy-eight of the civil practice law and rules.

5. Nothing contained in this section shall be construed as precluding any public authority or public benefit corporation from exercising any authority or power now or hereafter existing to require any of its members, directors, officers or employees to file financial disclosure statements with such public authority or public benefit corporation that are the same as, different from or supplemental to any of the requirements contained herein and to provide only for internal employment discipline for any violation arising out of such internal filing.

Historical Note

Effective Date. Section effective Jan. 1, 1989, pursuant to L.1987, c. 813, § 26, set out as a note under section 73.

Former Section 73-a. Section, added L.1965, c. 1031, § 182, which related to prohibited business or professional activity by public officers and employees, was repealed by L.1967, c. 680, § 116.

1989 Amendment. Subd. 1, par. (c), subpars. (ii), (iii). L.1989, c. 242, § 3, eff. Jan. 1, 1990, substituted "the filing rate established by paragraph (1) of this subdivision" for "thirty thousand dollars" in two instances.

Subd. 1, par. (d). L.1989, c. 242, § 4, eff. Jan. 1, 1990, substituted "the filing rate established by paragraph (1) below" and "thirty thousand dollars".

Subd. 1, par. (1). L.1989, c. 242, § 5, eff. Jan. 1, 1990, added par. (1).

Subd. 2, par. (a), subpar. (v). L.1989, c. 242, § 6, eff. July 1, 1989, inserted "for statewide office and candidates".

Subd. 2, par. (a), subpar. (viii). L.1989, c. 242, § 6, eff. July 1, 1989, added subpar. (viii).

Subd. 2, par. (e). L.1989, c. 242, § 7, eff. July 1, 1989, amended par. without substantive change.

Subd. 2, par. (g). L.1989, c. 242, § 8, eff. Jan. 1, 1990, substituted "the filing rate" for "thirty thousand dollars" in two instances.

Subd. 2, par. (j). L.1989, c. 242, § 9, eff. July 1, 1989, added par. (j).

Subd. 3. L.1989, c. 242, § 10, eff. Jan. 1, 1990, added provisions defining the terms "income" and "calendar year".

Subd. 3, par. 4. L.1989, c. 242, § 11, eff. Jan. 1, 1990, inserted "Include compensated honorary positions; do NOT list membership or uncompensated honorary positions" in two instances.

Subd. 3, par. 5, subpar. (a). L.1989, c. 242, § 11, eff. Jan. 1, 1990, inserted "(other than the employment listed under Item 2 above)".

Subd. 3, par. 6. L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized certain terms and made other technical changes.

Subd. 3, pars. (9), (10). L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized certain terms.

Subd. 3, par. (11). L.1989, c. 242, § 11, eff. Jan. 1, 1990, inserted "(e.g., 401, 403(b), 457, etc.)" and capitalized certain terms.

Subd. 3, par. 12, subpar. (b). L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized certain terms.

Subd. 3, par. 13. L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized certain terms and substituted "all income (other than that received from the employment listed under Item 2 above) from" for "state salary, income from other".

Subd. 3, par. 14. L.1989, c. 242, § 11, eff. Jan. 1, 1990, inserted "(not retirement income)" and capitalized "EXCESS".

Subd. 3, par. 15. L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized "EXCESS".

Subd. 3, par. 16. L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized certain terms and made other technical changes, and in schedule inserted limitation of 5 percent of publicly traded stock or 10 percent of stock not publicly traded.

Subd. 3, par. 17. L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized certain terms and made other technical changes, and in first column of schedule substituted "Corporation" for "Other Party".

Subd. 3, par. 18. L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized "EXCESS".

Subd. 3, par. 19. L.1989, c. 242, § 11, eff. Jan. 1, 1990, capitalized certain terms and deleted "Revolving charge account information shall only be set forth if liability thereon is in excess of \$5,000 at the time of filing."

Subd. 4. L.1989, c. 242, § 12, eff. July 1, 1989, in sentence beginning "A reporting individual" substituted "subject to" for "assessed".

Effective Date. Section eff. Jan. 1, 1989, pursuant to section 26 of L.1987, c. 813, as amended, set out as a note under section 73.

PUBLIC OFFICERS LAW

§ 74 Code of Ethics

1. Definition. As used in this section: The term "state agency" shall mean any state department, or division, board, commission, or bureau of any state department or any public benefit corporation or public authority at least one of whose members is appointed by the governor.

The term "legislative employee" shall mean any officer or employee of the legislature but it shall not include members of the legislature.

2. Rule with respect to conflicts of interest. No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

3. Standards.

a. No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his independence of judgment in the exercise of his official duties.

b. No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.

c. No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.

d. No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

e. No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

f. An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.

h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

i. No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.

j. If any officer or employee of a state agency shall have a financial interest, direct or indirect, having a value of ten thousand dollars or more in any activity which is subject to the jurisdiction of a regulatory agency, he should file with the secretary of state a written statement that he has such a financial interest in such activity which statement shall be open to public inspection.

4. Violations. In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law.

Historical Note

1983 Amendment. Subd. 1, opening par. L.1983, c. 764, § 2, eff. Sept. 1, 1983, inserted "or any public benefit corporation or public authority at least one of whose members is appointed by the governor".

Effective Date. Section effective Jan. 1, 1955, pursuant to L.1954, c. 696, § 3.

Legislative Declaration. Laws 1954, c. 696, § 1, eff. Jan. 1, 1955 provides: "Declaration of Intent. A continuing problem of a free government is the maintenance among its public servants of moral and ethical standards which are worthy and warrant the confidence of the people. The people are entitled to expect from their public servants a set of standards above the morals of the market place. A public official of a free government is entrusted with the welfare, prosperity, security and safety of the people he serves. In return for this trust, the people are entitled to know that no substantial conflict between private interests and official duties exists in those who serve them.

"Government is and should be representative of all the people who elect it, and some conflict of interest is inherent in any representative form of government. Some conflicts of material interests which are improper for public officials may be prohibited by legislation. Others may arise in so many different forms and under such a variety of circumstances, that it would be unwise and unjust to proscribe them by statute with inflexible and penal sanctions which would limit public service to the very wealthy or the very poor. For matters of such complexity and close distinctions, the legislature finds that a code of ethics is desirable to set forth for the guidance of state officers and employees the general standards of conduct to be reasonably expected of them."

LEGISLATIVE LAW

§ 80. Legislative ethics committee; functions, powers and duties; review of financial disclosure statements; advisory opinions; investigation and enforcement.

1. There is established a legislative ethics committee which shall consist of eight members of the legislature and shall have and exercise the powers and duties set forth in this section only with respect to members of the legislature, legislative employees as defined in section seventy-three of the public officers law and candidates for member of the legislature.

2. Two members of the committee shall be appointed by the temporary president of the senate, two by the speaker of the assembly, two by the minority leader of the senate, and two by the minority leader of the assembly.

3. Members of the committee shall serve for terms of two years concurrent with their legislative terms of office.

4. The temporary president of the senate and the speaker of the assembly shall each designate one member of the committee from his respective house as a co-chairperson thereof. The co-chairpersons jointly or any five members of the committee may call a meeting.

5. Any vacancy occurring on the committee shall be filled within sixty days by the appointing authority.

THE FOLLOWING DOCUMENT HAS
NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL
FILE

**Model State
Conflict of Interest
and
Financial Disclosure Law**

NATIONAL MUNICIPAL LEAGUE
47 East 68th Street
New York, New York 10021

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Library of Congress Catalog Card No. 79-89590
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FOREWORD

That "public office is a public trust" has always been a basic principle underlying the National Municipal League's programs to make state and local government more responsive and responsible, efficient and effective. Its special interest in ethics was initiated by William W. Scranton in 1970 while he was League president. In its preliminary stages ethics was considered as an adjunct to the Election Systems Project (1971-1973) because financial disclosure requirements for candidates and regulations governing campaign finance are integral parts of comprehensive election legislation.

The public disillusionment with government generally caused by a number of scandals involving officials at all levels of government prompted the enactment in the early 1970s of an unprecedented number of new statutes, broadly described as ethics legislation. The administration of these statutes was uncharted territory to a substantial extent. Since 1976, the League has been able through its Ethics Project not only to assist in an exchange of information among those with official responsibilities in this field but also to serve as a forum for the evaluation of existing statutes, the case law developed as the statutes have been adjudicated, and proposals for further legislation. In a very real sense the League has been the instrumentality for "reforming reform," and thus guiding an effort to make refinements to assure that today's reform will not be tomorrow's problem, as is sometimes the case when measures are not reappraised after they are in operation. The *Model State Conflict of Interest and Financial Disclosure Law* is presented to provide such guidance.

The League is indebted to The George Gund Foundation of Cleveland for

a series of grants which provided the basic financial support for the project, which included preparation of this model statute.

The League is also indebted to Mark S. Matthews of Greenwich, Connecticut, a former member of the Council, for financing the preliminary stages of the project which led to the publication of the *Preliminary Bibliography on Conflict of Interest and Personal Ethics in Government* and *Ethics in Government: Selected Statutes and Reports*.

Barbara Rawson, who chaired the League's Ethics Project Committee, provided constant assistance to the project staff. She brought to the undertaking not only a longtime concern that state and local government be worthy of citizen trust because of its competence and integrity, but also the special experience gained as an early chairman of the Ohio Ethics Commission as that body launched a statewide program to administer newly enacted legislation.

The members of the League committee made invaluable contributions to the development of the model. The committee deliberations held in connection with the annual National Conference on Government, as well as comments received from members, shaped the basic policy thrust of the *Model*. Although some members expressed reservations with regard to detail, the committee as a whole gave approval.

Members of the special Advisory Committee composed of persons with official responsibilities for the administration of conflict of interest, financial disclosure and campaign finance laws gave the model the benefit of their experience in dealing with the delicate issues involved in enforcing rules and regulations designed to maintain high ethical standards. (The rosters of the committees appear at the end of this volume.)

Frank P. Grad, professor of law and director of the Legislative Drafting Research Fund, Columbia University, not only prepared the draft of the *Model* but also was of enormous assistance in the deliberations of the League committee and in the preparation of the commentary which accompanies the legal text.

In addition to her participation as a member of the Advisory Committee, Barbara Snethen, former executive director of the Iowa Campaign Finance Disclosure Commission, provided special assistance in analyzing financial disclosure requirements.

Page Elizabeth Bigelow, League staff associate, directed the research effort for the project, prepared the detailed specifications for the model for review by the committee, and revised them for the guidance of the draftsman. She also prepared the analytical commentary.

Acknowledgement is also made of the assistance provided by League staff members: William J. D. Boyd, former assistant director, Debra J. Collins,

research librarian, and Thomas J. Drury and Shelley M. Greenwald, legal research assistants.

As the *Model* was in preparation, many inquiries were received from citizens and officials concerned with conflict of interest issues. Their questions were important to the model-building process and helped to focus staff research. It is hoped that those using the *Model* will address inquiries to the League and thus help enhance its capability for making further refinements in the law governing ethical standards in government.

WILLIAM N. CASSELLA, JR.
Executive Director

INTRODUCTION

In December 1974, the executive directors of several newly established ethics and campaign finance commissions formed an ad hoc group which sponsored a conference in Washington, D.C., primarily for representatives of commissions and agencies involved in the administration of state legislation on conflicts of interest, financial disclosure, campaign finance, elections and lobbying. A major purpose of the meeting was to facilitate the exchange of information among governmental bodies charged with responsibility in these evolving areas. A number of participants urged the National Municipal League to expand its limited program in this field into a national center with a clearinghouse capability to serve public officials and citizens.

In October 1975, The George Gund Foundation of Cleveland, which had provided financial support for the 1974 conference, made a grant to the National Municipal League for the operation of a service center to assist states and major local governments as they administer and refine newly established programs for enforcing ethical practices in government. The service center project has operated an information clearinghouse, sponsored annual conferences on "The Public Official and The Public Trust," published periodic newsletters, indexes and directories, and prepared the *Model State Conflict of Interest and Financial Disclosure Law* and the *Model State Campaign Finance Law*.

An Advisory Committee of executive directors and commissioners from various states has assisted the League in planning program objectives and the annual conferences. This committee also was extremely helpful in commenting on technical aspects of the model laws, particularly those with administrative implications. The participation of the committee was advisory only, and does not imply endorsement of the contents by the committee members or their respective commissions.

The League's Ethics Project Committee was responsible for basic policy decisions with respect to the model laws which were subsequently approved by the League's Executive Committee.

Early in the process of designing the *Model State Conflict of Interest and Financial Disclosure Law* it was decided to incorporate the strictest provisions that the League committee found acceptable which would also be constitutionally permissible in most states. Recognizing that the strictest provisions would not be necessary everywhere, and that their use might be counter-productive where they were stronger than needed, it was decided that the commentary would provide guidance for varying them in such a way as to maintain basic effectiveness. Most of these variations are in the financial disclosure provisions (Section 9) and the definition of "State Official" (Section 3(g)).

The committee began its work with one basic premise, which was that the only conflicts of interest which could be regulated under this law were those which concerned finances. Having a conflict of interest is not, in and of itself, evil, wrong or even unusual. Conflicts may be ethnic, cultural, emotional, nostalgic, regional, financial or philosophical. Conflict of interest laws are concerned with financial conflicts which set apart an individual officeholder from most of the general public. For example, being a taxpayer and a legislator voting on new taxes is not a conflict one worries about; while being a contractor/legislator voting on a bill specifying one's own company as the contractor is a matter of concern.

Conflict of interest provisions are designed to prevent public officials and employees from gaining financial profit from their official actions (other than government salaries), or from helping family or friends to profit unfairly because of inside information or preferential treatment. At the same time, the provisions can take some outside pressure off by making certain practices illegal instead of merely unethical. This is particularly true when the provisions are combined with those for financial disclosure and when the existence of conflicts or potential conflicts becomes a matter of public record.

Financial disclosure provisions are an essential part of the enforcement capability of the conflict of interest provisions. There would be no point to financial disclosure laws if there were no conflict of interest provisions. The purpose of financial disclosure laws is to make available sufficient relevant information to allow citizens to judge whether officials are acting in the public interest or tending too much to favor personal interests. Another role of financial disclosure statements is to remind public officials to examine their actions in light of their holdings and to be aware of possible conflicts of interests or the appearance of conflicts of interests. It is not the purpose of financial disclosure laws to give the public a chance to pry into every private detail of an official's life, right down to valuations on jewelry, silver, antiques and art.

Local officials are not included in this law. There are statutes which include

local officials in the conflict of interest and financial disclosure provisions; some have operated fairly smoothly while others have encountered resistance. There is no reason why any local government could not adapt this model for its needs. The needs of local government may be very different depending on the population and budget, whether or not any of its officials are paid, and if so, how much. There is a big difference between what may be needed in Loving County, Texas (population 164), and what is appropriate for Cook County, Illinois (population 5,492,369). It appears wiser to adapt the model provisions for local use than to try to make provisions appropriate for such disparate situations.

The *Model State Conflict of Interest and Financial Disclosure Law* is designed to allow sufficient flexibility for adaptation to particular conditions and political traditions. The commentaries on the sections dealing with commission structure and financial disclosure explain what kind of variations could be made and still fulfill the stated purposes of the law. There should be no mistake, however, about the standards of conduct expected from public officials; there is virtually no provision in the commentary for changes in the conflict of interest and penalty provisions. The use of public position for private financial benefit or gain is clearly and unequivocally unacceptable, and no variations in the structure of the enforcement body or the financial disclosure requirements change that standard.

PAGE ELIZABETH BIGELOW
Research Director
National Municipal League Ethics Project

Model Conflict of Interest and Financial Disclosure Law

An Act to prohibit conflicts of interest among State officials and employees, creating a State Ethics Commission and prescribing its powers and duties, establishing a state code of ethics and procedures for its enforcement, and penalties for its breach.

Section 1. Short Title.

This Act shall be known and may be cited as Conflict of Interest and Financial Disclosure Act.

Section 2. Legislative Findings and Statement of Policy.

The legislature finds that public confidence in the impartiality and independence of state officials and employees is essential for the sound functioning of a democratic government. To maintain such confidence, the business and offices of the state must be conducted in a manner free from improper influence, and particularly from influences arising, or which may arise, from opportunities for personal gain or from divided loyalties resulting from involvement in business ventures that may benefit from particular government decisions or courses of action.

The purpose of the Conflict of Interest and Financial Disclosure Act, therefore, is to establish ethical standards for state officials and employees for the avoidance of such conflicts of interest as the use of offices or employment for private gain, the granting and exchange of favored treatment to persons, businesses or organizations, and the conduct of activities by such officials and employees that may engender opportunities for personal gain or advantage to influence government decisions. It is the purpose of the code of ethics to delineate clearly the ethical standards for state officials and employees in order to aid them in avoiding situations or conduct that may give rise to the appearance of impropriety even when no actual impropriety has occurred. It is the intention of the legislature that the Act be liberally construed so as to accomplish its purposes of protecting the public against government decisions that result or are affected by undue influences or conflicts of interest.

Commentary

Section 2 The *Model State Conflict of Interest and Financial Disclosure Law* emphasizes the avoidance of conflicts between the private financial interests of public officials and employees and their responsibilities to the public and to the government that employs them. The Act is intended to curb such conflicts, and to protect the public's right to honest government and to government decisions unaffected by competing private interests of officials. When the private interest of officials and employees conflicts with the interests and rights of the public, such private interests must yield.

Implicit in this statement is the intent to use such constitutionally permissible and effective methods for the enforcement of the conflict of interest provisions as have been provided for. For this reason, the financial disclosure provisions as set forth in Sections 9 and 10 are essential for the enforcement of the law.

Section 3. Definitions. As used in the Act.

(a) "Business" means any entity operated for economic gain, whether professional, industrial or commercial, and whether established to produce or deal with a product or a service, including but not limited to, entities operated in the form of sole proprietorship, as self-employed person, partnership, corporation, joint stock company, joint venture, receivership or trust, and entities which for purposes of taxation are treated as nonprofit organizations.

Commentary

Section 3(a). The definition of *business* is intentionally broad in order to include as many forms of economic activity as possible. Many economic involvements which may appear to be slight or of little consequence may nevertheless have sufficient economic importance to affect an official's or employee's judgment in situations that may give rise to conflicts with official obligations.

(b) "Business with which a person is associated" means any business in which the person is a director, officer, owner, member, partner, employee, or is a holder of securities which have a fair market value of \$5,000 or more or whose market value is one-fifth of his net worth, regardless of its value. It does not include any insurance companies which have issued the person a policy of insurance if that is his sole association with such companies.

Commentary

Section 3(b) The definition of *business with which a person is associated* is intended to delineate business relationships that involve some measurable element of close and continuing association and economic interest which might lead to a conflict of interest. The definition seeks to exclude relationships of a mere formal nature, as

between insurance companies and their insureds, and relationships where the interest is of such a minor nature that it is unlikely to have any impact on the decisions of the business or on the decisions of government that may affect such business, as in the case of a government official who owns a few shares of the stock of a large, publicly held corporation.

(c) "Commission" means the State Ethics Commission.

(d) "Interest in Real Property" includes any leasehold, beneficial interest, ownership interest or an option to acquire any such interest in real property.

Commentary

Section 3(d). *Real property* is defined in a broad manner to include a broad spectrum of property interests not limited to ownership of legal title. The definition recognizes that other interests may lead to conflicts of interest to the same degree as outright ownership. For further discussion of conflicts of interest involving real property, see commentary on Section 10 (d), which requires that such interests in real property be listed in financial disclosure statements.

(e) "Member of Household" means

- (i) a person who is another person's spouse, child, ward, parent or other relative, or the child, ward, parent or other relative of such person's spouse, and who shares such other person's legal residence; or
- (ii) a person who is another person's spouse, child, ward, parent or other relative of such person's spouse, and over whose financial affairs and holdings such other person has legal or actual control, whether or not they share a legal residence.

Commentary

Section 3 (e) *Member of Household* is defined to include those family members or wards sharing the same legal residence with another person and those family members or wards over whose financial affairs such person has legal or actual control. The defined term is used in provisions relating to public officials' financial disclosure statements and potential conflicts of interest. *Members of household, as defined, are individuals whose financial affairs are likely to be best known to the official and who, because of ties of blood or affection the official is most likely to want to benefit financially.* In some cases, there may be a more direct self interest, i.e., where the public official is a possible beneficiary of the estate of a member of the household. The inclusion of members of household in financial disclosure requirements will allow not only the public but also the public official to become aware of potential conflicts, apparent or real, before they occur so that such conflict of interest may be avoided.

It should be noted that in cases where such financial disclosure involving members of household would prove difficult or cause serious family problems, the Commission