

2012 INSTRUCTIONS: FINANCIAL DISCLOSURE STATEMENT FOR PUBLIC EMPLOYEES

**Important Note: Your 2012 Financial Disclosure Statement (“FDS”) is due no later than May 15, 2012. A \$50 per day late filing fee will be assessed.**

**Important Note: Pursuant to N.J.S.A. 37:1-22, any references to “spouse” shall include a civil union pursuant to P.L.2006, ch. 103.**

**Electronic filing is mandatory for public employees unless you receive an exemption. If you are unable to file electronically, please contact the State Ethics Commission at 609-292-1892. Before filling out your FDS, you must first obtain an Authentication Code by completing the request form on our website under “Financial Disclosure.” The forms are fillable PDFs. These PDFs are unique in that they can be saved with Version 8.0 or higher of the free Adobe Reader program.**

**Pursuant to N.J.S.A. 52:13D-21(n), all FDSs must be made available on the State Ethics Commission’s website. Therefore, do not provide personal information on your FDS that is not required (social security number, home address and telephone number, tax returns, brokerage account numbers or statements, credit card numbers, names of spouses, civil union partners, domestic partners, or dependent children).**

**Please fill in each line or section; indicate not applicable with “N/A” or “None.”**

**PAGE 1**

**a. General Information: Please ensure that you fill in all blue lined areas on Page 1. This information is required for coding purposes.**

**Date of Statement:** Use the date that the statement is submitted.

**Filing Year:** Click the dropdown box. The current filing year is 2012.

**Name:** Enter the first name, middle initial and last name of the public employee.

**State Office Address:** Provide the Street Address, P.O. Box, City, State and zip code of your State office.

**State E-Mail Address:** Provide your State e-mail address.

**Position:** Indicate your official State title. (Also provide functional title if different than official title.)

**Office Telephone Number:** Indicate office telephone number.

**Department or Agency:** Indicate department or agency. Click the dropdown box.

**Other governmental positions (Federal, State, County or Local) held by you, whether compensated or uncompensated:** All other governmental positions held by you must be listed even if no compensation is received. This includes, but is not limited to, elected office, service on planning, zoning, environmental or tax boards, or utilities authorities.

**b. If you, your spouse, your civil union partner, your domestic partner or dependent children presently engage in any occupation, trade, business, profession or employment, list it here. (Domestic partner is defined in N.J.S.A. 26:8A-3.)** This information must also be listed on page 4, h.1, if income of more than \$1,000 is earned.

**Licenses:** If the public employee holds a license issued by a State agency that entitles him/her to engage in a particular business, profession, trade, or occupation (e.g., attorney, physician, nurse, pharmacist, engineer, real estate, insurance, teacher), so indicate. Note whether the license is active or inactive. As is the case with any secondary employment activity, a State employee must receive the approval of the agency Ethics Liaison Officer prior to any outside use of a professional license. Completing this section satisfies the employee’s obligation to report under N.J.S.A. 52:13D-23(e)(2).

**PAGE 2.**

**Contractual or Business Relationships with Agency Officers or Employees.** All personal contractual or business relationships with any officer or employee or special State officer or employee of your agency must be listed. Pursuant to Section X of the Uniform Ethics Code, an agency head, deputy head or assistant head is prohibited from engaging in any private business transactions with any employee in his/her agency.

**State Employment - Relatives**

*The Conflicts Law was amended in January 2006 to include a nepotism provision. Under that provision:*

- *Employment of a relative of the Governor in an unclassified State position is prohibited.*
- *Employment of a relative of a commissioner or department head in an unclassified State position is prohibited.*
- *Employment of a relative of an assistant or deputy commissioner in an unclassified State position in the department over which that individual exercises authority, supervision or control is prohibited.*
- *A relative of a division head or assistant division head may be employed in the principal department in which the division head or assistant head serves, but the division head or assistant head may not exercise any authority, supervision or control over the relative.*
- *A relative of an appointed member of a governing or advisory body of an independent authority, board, commission, agency or instrumentality of the State may not be employed in an office or position in that entity.*
- *A relative of an appointed New Jersey member of a governing body of a bi-state or multi-state agency may not be employed in an office or position in that agency, to the extent permitted by law.*
- *A State officer or employee or a special State officer or employee may not supervise or exercise authority with regard to personnel actions over a relative.*

**c.1 If you have a relative employed in State position, indicate here.** For the purpose of this question, relative means your spouse, your civil union partner or your or your spouse's or civil union partner's parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half brother or half sister, whether the relative is related to you or your spouse or your civil union partner by blood, marriage or adoption.

**c.2 If you answered yes to c.1, provide the name of the relative(s) and the employing agency(ies).**

**c.3 Indicate whether you exercise authority, supervision or control, including personnel actions, over the individuals named in c.2.**

**Training.** *The Conflicts Law was amended in January 2006 to include a mandatory training provision.*

**d.1 Indicate whether you have completed ethics training.**

**d.2 Indicate whether training was in-person or on-line.** Training modules are available on the State Ethics Commission website.

**d.3 If training was in-person, indicate whether it was provided by your agency or the State Ethics Commission.**

**d.4 Provide date that most recent training was completed (whether on-line or in-person).** If you completed the training modules on our website, you should have received a receipt for each module completed.

### PAGE 3. Assets

**Assets Required to be Disclosed.** You, your spouse, civil union partner, or your domestic partner are required to disclose an asset if it is valued at more than \$1,000. The following values classes should be used throughout the disclosure statement:

- A = greater than \$1,000 but not more than \$5,000
- B = greater than \$5,000 but not more than \$25,000
- C = greater than \$25,000 but not more than \$50,000
- D = greater than \$50,000 but not more than \$100,000
- E = greater than \$100,000 but not more than \$250,000
- F = greater than \$250,000 but not more than \$500,000
- G = greater than \$500,000

**Date of Valuation.** Value of asset should be **as of the date of statement.** If value cannot be determined as of the date of the statement, provide most recent value and valuation date.

If asset is held jointly, the value class of the asset should be disclosed in the Public Employee box. The word “joint” should then be noted in the Spouse/Civil Union Partner/Domestic Partner box. Assets held by dependent children must be identified by a checkmark but need not be valued.

**Cash on Hand in Bank:** If total exceeds \$1,000, enter appropriate value class.

**Notes Receivable:** Secured and unsecured notes receivable should be listed. A secured note is one supported or backed by security or collateral, such as real or personal property. If you, your spouse, your civil union partner or your domestic partner are the holder of such a note, enter the appropriate value class. The nature of the note(s), i.e., whether unsecured or secured by a contract, mortgage or other form of collateral, must be disclosed under h.5 on page 4. **(Do not list mortgages owed by you in this section; these should be listed under liabilities on page 6.)**

**Accounts Receivable:** An account receivable is a debt owed to you, your spouse, your civil union partner, or your domestic partner that arises in the normal course of business dealings. List value class of any such accounts. Indicate the nature of the account(s) on page 4, h.5.

**Government Bonds:** List value class of all government bonds. Bonds should then be itemized (U.S., New Jersey State, New Jersey Local, Out-of-State and Foreign) on page 7, Schedule A, “Stocks and Bonds Held.”

**Stocks and Corporate Bonds:** List combined value class of all stocks and corporate bonds held, including mutual funds. These must be itemized on page 7, Schedule A, “Stocks and Bonds Held.”

**Interest in Contracts with Government Instrumentalities:** If you, your spouse, your civil union partner, or your domestic partner have an interest in any contract(s) with any governmental entity; list the value class of the contract(s). Contracts should then be itemized on page 8, Schedule B, “Interests in Closely Held Corporations or Similar Business Entities/Purchases, Sales, Contracts, or Agreements with Government Instrumentalities.”

**Real Estate Interests.** Indicate the value of all property owned wholly or partially by the filer or his/her spouse, civil union partner or domestic partner. Include your primary residence, vacation homes, rental property, commercial property and land holdings. Itemize your holdings on page 9, Schedule C.

**Accumulated Cash Value of Life Insurance.** List the value class corresponding to the amount you, your spouse, civil union partner or your domestic partner would receive if you cashed in your life insurance policy.

**Total Value of Pension Fund.** Include total value of all pension funds including State of New Jersey and any other plans established by you, your spouse, your civil union partner, your domestic partner, or former employers (IRA, Keogh, annuities, etc.).

**Vehicles.** Total current value of all vehicles.

**Other Assets.** Itemize and list the value class of each asset.

**f. Blind Trust Agreements.** A Blind Trust is one in which the grantor has no management rights and has no knowledge of or control over the acquisition or disposition of trust assets. All **Blind Trusts** must receive the approval of the Commission and must possess the characteristics outlined in the Commission's Guidelines on Blind Trusts.

**g. Interest in closely held corporations, partnerships, sole proprietorships, or similar business entities.** Interest is defined as any ownership or control of any profits or assets of such business entity. Check "yes" and remember to itemize on Schedule B, page 8, if you have such an interest.

**PAGE 4. Income.**

Note that if you are **filing** your FDS **prior to July 1**, income information should be for the **preceding calendar year**. If you are **filing** your FDS **after July 1**, income information should be for the **12-month period prior to filing**. Sources of income of dependent children must be identified but amounts need not be disclosed.

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**The following need not be disclosed.**

- income from any source totaling less than \$1,000.
  - cash gifts of less than \$100 in the aggregate received from a person.
  - non-cash gifts with a fair market value of less than \$200 in the aggregate received from a person.
  - gifts of less than \$3,000 in the aggregate received from a relative.  
(Relative includes " spouse, domestic partner, son, daughter, grandson, granddaughter, father, mother, grandfather, grandmother, great-grandfather, great-grandmother, brother, sister, nephew, niece, uncle, or aunt. Relatives by adoption, half-blood, marriage or remarriage, shall be treated as relatives of the whole kinship.)
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**h.1. Employment.** Include your State employment, as well as any other employment, full or part-time, for you, your spouse, your civil union partner or domestic partner or dependent children. Indicate commencement date(s) and termination date(s), if applicable.

Income in the nature of "delayed" compensation, including deferred or future income from the practice of a profession, should be reported here.

**h.2. Compensated directorships and other fiduciary positions.** List only **compensated** directorships and other fiduciary positions here. One is said to act in a fiduciary capacity when the business that he/she transacts or the money or property that he/she handles is not his/her own or for his/her own benefit but for the benefit of another person (executor of an estate, trustee, receiver in bankruptcy). Be sure to also list these positions in section i. on page 5.

**h.3. Contractual arrangements.** All contractual arrangements producing or expected to produce income must be listed and a value class entered. Contractual arrangements include, but are not limited to, a buyout agreement, severance payments, a purchase contract, contract of sale, lease or rental agreement of any goods or services or license.

**h.4. Capital Gains.** Enter the value class of capital gains here and itemize on Schedule D, page 10. A capital gain is a profit realized on the sale or exchange of a capital asset (stocks, bonds, house, property, car, etc.).

**h.5. Miscellaneous Sources of Income.** Honoraria, lecture fees, gifts not excluded above, and other miscellaneous sources of income should be disclosed here, including but not limited to Social Security, pensions, bank interest, dividends, rental income (list total amount of rent received), accounts and notes receivable, and royalties over \$1,000. List each source on the line(s) provided and disclose the value class in the appropriate space. State employees are not permitted to accept honoraria in connection with matters related to their official duties.

**PAGE 5.**

**i. Compensated or uncompensated offices, trusteeships, directorships or positions of any nature held by you, your spouse, your civil union partner, your domestic partner or dependent children, with any firm, corporation, association, partnership or business.** List all applicable positions and indicate whether held by the State employee, spouse, civil union partner, domestic partner or dependent child. Also, indicate whether the business entity in question does business with a casino or the State or is regulated, licensed or inspected by a State agency.

## PAGE 6. Liabilities

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**The following liabilities need not be disclosed.**

Less than \$10,000 owed to a relative.

Less than \$1,000 owed to any other person.

Loans with an outstanding balance of less than \$10,000 as of the close of the preceding calendar year secured by a personal motor vehicle, household furniture or appliances where the loan did not exceed the purchase price of the item.

Revolving charge accounts where the outstanding liability did not exceed \$10,000 in total as of the close of the preceding calendar year.

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List all other liabilities of yourself, your spouse, your civil union partner, or domestic partner and dependent children and identify the creditor. Provide value classes of liabilities of public employee and spouse, civil union partner or domestic partner only. Do not include value classes of liabilities of dependent children. Liabilities include, but are not limited to, notes and accounts payable, past due taxes, mortgages or liens, and loans on life insurance. It is not necessary to list the current year's real estate taxes as a liability. However, if such taxes are not current, the value class of the arrears should be listed.

**Forgiven Liabilities.** If any liability has been forgiven by any creditor within the last 12 months, check the appropriate space and provide the name of the creditor. **(Do not list liabilities that you have satisfied in full.)**

## PAGE 7. Schedule A - Stocks and Bonds Held

List the type of security (stock or bond), issuer, whether security is held by you, your spouse, your civil union partner or domestic partner or dependent children and the value class. If ownership exists through a **mutual fund**, you need not list individual stocks, but must list the name of the mutual fund or holding company. If ownership exists through a beneficial trust and you have no knowledge of the stocks or bonds owned, list the name of the trustee.

If you, your spouse, your civil union partner, your domestic partner or dependent children own **more than 10% of the total stock of any company**, the percentage of ownership must be disclosed.

**If you require additional copies of Page 7 to complete your disclosure, click the blue button at the bottom of Page 7. You will be taken directly to the added page, which will appear after the Attestation Page. Continue to click the blue button at the bottom of the page, as needed. Once you have completed the disclosure of all stocks and bonds, you must scroll back to Page 8 to complete the remainder of your disclosure form.**

**PAGE 8. Schedule B - Interest in Closely Held Corporations or Similar Business Entities.** (Interest is defined as any ownership or control of any profits or assets of such business entity.)

Indicate whether the interest is held by you, your spouse, your civil union partner or domestic partner. If there is more than one business interest, you may make additional copies of Schedule B or provide all requested information on separate sheets. Be sure to provide a description of the activities of the business as well as **the duties and responsibilities of your State position.**

**If you require additional copies of Page 8 to complete your disclosure, click the blue button at the bottom of Page 8. You will be taken directly to the added page, which will appear after the Attestation Page. Continue to click the blue button at the bottom of the page, as needed. Once you have completed the disclosure of all business interests, you must scroll back to Page 9 to complete the remainder of your disclosure form.**

**Purchases, Sales, Contracts or Agreements with Government Instrumentalities.** Business or commercial transactions involving the sale, conveyance, or rental of any goods or services to any of the listed government instrumentalities must be disclosed and documentation regarding these transactions must be provided. Activities such as compliance with regulatory procedures need not be disclosed. (Examples: hazardous waste, air quality, agricultural, health, and construction

regulations.) Doing business with government entities in New Jersey, with the exception of the activities set forth below, is prohibited.

**Exceptions: FDS filers are prohibited from doing business with a New Jersey State agency; filers can do business with a local New Jersey government entity or interstate entity of which New Jersey is a member under the following circumstances.** Contracts awarded after public notice and competitive bidding as provided by the Local Government Contracts Law, N.J.S.A. 40A:11-1 et seq., and similar provisions contained in other applicable public bidding laws, are permitted, **with the prior approval of the State Ethics Commission.**

If you answer "yes" to any question on page 8, you must provide documentation regarding the contract(s) with the government instrumentality(ies).

#### **PAGE 9. Schedule C - Real Estate Interests**

1. **Indicate all real estate holdings, in whole or in part, of the State employee, spouse, civil union partner or domestic partner and dependent children.** Be sure to list your primary residence, vacation residence, residential and commercial rental properties, and land under this section. Indicate size in square footage, number of rooms or acreage. If you disclosed a non-New Jersey real estate interest on page 3, note out-of-state in this section. (The total value class of all real estate interests must also be disclosed on page 3.)

2. **Shared real estate interests/individuals employed by the same State agency.** If any of the individuals sharing a real estate interest are employed by the same State agency, please disclose the names of those individuals and whether there is a supervisor/subordinate relationship between the individuals in question. Under Commission precedent, employees who work for the same State agency in a supervisor/subordinate relationship are not permitted to have joint business interests. The Commission requires that these situations be remedied by the termination of the business relationship or the supervisor/subordinate relationship.

3. **Government tenants/government action pending.** List the name of any government instrumentality that is a tenant in any property listed under question 1.

Also, disclose whether any government instrumentality has before it an application, complaint or proceeding directly affecting any property listed under question 1.

#### **PAGE 10. Schedule D - Capital Gains.**

Capital gains identified on page 4, h.4 must be itemized here. Schedule D should include real property, stocks, or any other asset where a profit was realized.

#### **PAGE 11. Attestation Page**

If you are filing electronically, click the "Yes" box.

Enter your 36 character authentication code in the yellow box. You should have obtained this code by completing the request form on our web site. If you have not yet obtained your authentication code, you will need to save the form to your computer. After you have obtained your code, open the saved PDF form, and follow the directions below.

Please include the hyphens between each of the groups of characters (8 characters, hyphen, 4 characters, hyphen, 4 characters, hyphen, 4 characters, hyphen and 12 characters). In order to reduce the possibility of error, we suggest that you copy and paste the authentication code from the e-mail message in which you received it. Go to the e-mail message, highlight the authentication code and click ctrl + C; return to the financial disclosure statement, click ctrl + V.

Enter your full name in the yellow box.

Click the appropriate box to indicate who prepared the FDS.

**Save a copy** of the completed PDF for your records.

Click the blue submit button. You must be online to complete your submission.

A page will appear indicating the date and time of your submission. You may print this for your records. You will also receive an e-mail confirmation that your filing has been received.